

The Copyright Association is emphatically of opinion that the law ought not to be altered as required by Canada, and consider it their duty to do all in their power to oppose the present scheme.

The suggestion of issuing licensed editions, made by the Royal Commission on Copyright, was limited to cases in which "no adequate provision was made, within a reasonable time after publication elsewhere, for a sufficient supply of the work for general sale and circulation in the Colony," and cannot apply to Canada, for her complaint is that foreign reprints are circulated too freely, and that she is not allowed to afford trade protection to her manufactures by making them herself, without buying the right to do so from the author. She admits that she can do so by buying that right, but shrinks from making the arrangement.

The difficulties which would arise from the issuing of licensed editions, as proposed by the Canadian Act, appear to me so great that they practically destroy the very principle of copyright. Licensed editions would, under any circumstances, rob the author of the control of the fruit of his own brain and labour, and interfere with his property to the extent of compelling him to sell it at a fixed price. They would prevent his having any oversight of his writings, and this is not unimportant, for I have heard of cases in which a publisher employed another writer to finish a novel because the author did not issue it fast enough to suit his purposes. The author would be unable to bring out any revised or improved editions; a point to which the late Lord Lytton attached great importance. He could not choose his own publisher. He could not control the accuracy of his writings, which in many cases is of vital importance, not only to his popularity, but to his reputation. Indeed, it has been realised that these editions would lead to inextricable confusion.

As a case in point, I may refer to a theological work which some English publishers have been preparing. "An author is bringing out a few copies of an abstract of a theological work, for which he expects some circulation in Canada (because he is well known there), with a view to learn whether the public will give him sufficient encouragement to treat the subject more fully." If a licensed edition be issued he would be barred from bringing out his complete work, because it would necessarily include the smaller, and for this he would have lost his copyright in Canada, and could not even reprint it himself without a license.

Again, take the novel, the class of work most likely to circulate largely there. Mr. Blackmore's popular novel, "Lorna Doone," did not attract sufficient attention for the first six months to justify his reprinting it in Canada, but afterwards it sold there very largely. Yet by this Act he would have lost his copyright there. Again, how is he to get adequate remuneration? Take the case of a novel by Edna Lyall passing through "Good Words." What is to prevent a local newspaper reprinting each portion as it appears; and is the royalty to be paid on the whole of each number of the paper, or only in proportion to the space it occupies in it? Or if Farjeon's last novel, issued complete, were republished in a Canadian periodical, extending perhaps over 12 numbers, how is he to be paid? Again, if the novel is issued as a supplement to a newspaper or periodical and given gratis, how is the author to be paid?

Remember an author is barred from supplying very cheap editions direct now, because the law cannot prevent their being returned to England or sent to other Colonies to compete with his home editions. This objection would also apply to the above Canadian cheap edition, and therefore he is bound, for his own protection, to be able to put his works into the hands of a publisher he can trust, and also to bind him, under written agreement, not to send them to England or the other Colonies.

Your Lordship, in concluding your Despatch, says that "It is your desire to assist as far as possible any well-considered measure which, while substantially preserving the rights of copyright proprietors under the Imperial Act, will meet the wishes of the Canadian people."

In this desire I am requested to assure you that the Copyright Association participate, but they feel very strongly that no author ought to be deprived of the control of the product of his own brain and labour, and that no plea for the protection of a Canadian industry would justify the sanctioning of such a step.

I am, &c.

F. R. DALDY,

H. Sec. to the Copyright Association.