publisher to reprint the work here on the same condition. That was the object of the Act of 1872, which was reserved, and in reference to which this Parliament passed an Address in 1874, unanimously requesting Her Majesty's assent to it. The Address was as follows :—

"*Resolved*,—That an humble Address be presented to His Excellency the Governor General, praying His Excellency to be pleased to convey to Her Majesty's Principal Secretary of State for the Colonies, the respectful expression of the anxiety of this House, that a Bill intituled 'An Act to amend the Act respecting Copyrights,' passed in the Session of 1872, and reserved on the 14th June in that year, for the signification of Her Majesty's pleasure thereon, should not be allowed to elapse by the expiry of the two years limitation specified in the 57th section of 'The British North American Act, 1867,' and further to assure His Excellency that important interests in this Dominion are prejudiced by the absence of legislation such as this Bill contemplates."

Now, Lord Carnarvon replied to that Address, and in his reply he gave the reasons why he could not advise Her Majesty to assent to that Bill. He substantially stated them to be that he had been advised that the Imperial Act of 1842 overrides the Canadian Act and will not allow this Parliament to legislate in the direction of a copyright Act which may in any way affect the British author; and he said that upon this question he was supported not only by the opinion of the then law officers of the Crown, but by the opinions of those eminent lawyers, Lord Selborne and Mr. Herschell, Q.C. So it is perfectly clear how we stand in that matter. There is a provision that the American publisher can reprint and send into Canada, when the British author registers his copyright here, paying the authors' tax; but when he does not register, the American can reprint the work and it will come in here without paying the 12½ per cent. authors' tax. The effect of that seems to be this. The English author makes arrangements with the American publishers and sells him advance sheets, and then he agrees not to register or copyright in Canada. The result is, that the American publisher, who has the advanced sheets, has a great start over all other publishers in the United States, and gets besides, the whole Canadian market, and no Canadian publisher can publish the book. That is not a fancy picture, but it is a case of every day occurrence. The operation and effect of that has been very well described in the judgment of that learned and lamented judge, the late Chief Justice Moss, in a case, the case of Smiles and Belford, which came before the Ontario Court of Appeal. The Belfords were a firm of Canadian publishers who had undertaken to publish a work called "Thrift," of which Mr. Smiles was the author and owner of the English copyright, and they supposed that the British North America Act gave them ample authority to do so. However, the Court of Chancery granted an injunction, deciding that the Imperial Act of 1842 enables the British author to prevent the Canadian reprint of his work. The Court of Appeal unanimously affirmed that decision, and Chief Justice Moss said :

"I confess that it is not without reluctance that I have arrived at the same conclusion. I fear that the state of the law which we find inflicts a hardship on the Canadian publisher, while it confers no very valuable benefit on the British author. Its effects, if I rightly understand the matter, is to enable the British author to give an American publisher a Canadian copyright. It is no very violent assumption that every American publisher, who treats with a British author for advance sheets of his work, will stipulate for the use of the author's name to restrain a Canadian reprint. By this arrangement he will be enabled to secure the practical monopoly of the Canadian market, for which he may be induced to pay the author some consideration ; but however small this consideration may be, I apprehend it will be found sufficient to induce the author to concede the privilege rather than receive Canadian copyright by treating with the Canadian publisher. But I need scarcely remark that the possible or probable effect upon a branch of industry, however valuable or important, cannot affect the interpretation which the court is bound to place upon the statutes by which the subject is governed."

Now, this extract shows more clearly than I could express it, the unfortunate condition of the law in that point also. Then there is another feature of the case, which presses very hardly upon Canadian publishers. I mentioned before that the English law is very broad and liberal. Under that, American authors secure both English and American copyrights, while an English author cannot possibly secure an American copyright, because their law is much more stringent. It only allows citizens or permanent residents in the United States to obtain copyright. On the other hand, the American author can obtain his own copyright in America and also in England, and thereby he gets Canada thrown in. Without taking out a copyright here, without publishing here, and without paying the slightest attention to the Canadian people, he holds us in the hollow of his hand. He can then sell at the highest possible price. He has an absolute monopoly, which there is no possible way of getting over or breaking, and he can sell his work here, without any possible competition from any quarter, at the highest price that can be obtained for it. For instance, we all know that Mr. Marion Crawford, who is a rather popular recent American author, has published some novels, which have had an extensive sale, such as "Mr. Isaacs" and "Doctor Claudius." Well, he is in that happy condition as to Canada. He is an American, he gets his American copyright, he gets his English copyright, and he covers Canada, and nobody can introduce reprints here under the provisions I referred to awhile ago, as his American copyright prevents that. He sells his books at a dollar. You cannot get one of those books for less than a dollar, which, I suppose, he thought the maximum price at which it was possible to sell them. The Canadian authors have no opportunity of getting American copyright; but, if we could legislate on the matter ourselves, I think we could very soon make some reciprocal arrangement with our neighbors, by which Canadians would have the benefit of their copyright; and, if we could not do that, we could at any rate, if we had the control of our own Canadian market, reprint their American copyrighted books, even if they did go to England and take out a copyright there. The result of the position is that we are taxed for the English author and our Acts are disallowed for his exclusive benefit, and we have neither the privilege of taxing ourselves nor of legislating for ourselves. It would surely be no hardship upon an English author to have to take out a Canadian copyright before he secured control of our country. He could find Canadian publishers just as well as he can find American publishers to publish his works. I do not think there is any other remedy in this matter than for us to obtain the right to legislate upon this subject. Ever since the Act of 1872 was disallowed, the publishers in this country have been almost in despair. They felt that nothing could be done, and they have come to the conclusion—a great many of them, who have spoken to me on the subject—that the only possible remedy is for us to get the power into our own hands, and make our own copyright laws, just as we do our own laws about patents and everything else. During this Session a petition has been presented to this House from the Toronto Board of Trade, on the subject, by the hon. member for West Toronto (Mr. Beaty), which seems to me to cover the ground very well indeed, and to voice the general opinion of the large publishing and printing interests of this country. The memorial is as follows :—

"That the Imperial copyright law, which has jurisdiction in Canada, presents many anomalies in its operation in the colonies; is prejudicial to the interests of British authors and publishers, whom it is designed to benefit; limits the operations and retards the development of the Canadian book trade, and has an injurious effect on all the industries connected with native publishing.

"That the proximity of Canada to the neighboring Republic, where there is unrestrained license in reprinting English copyrights, and every freedom in sending them into this country, makes the position of Canada an exceptional one in calling for relief from these anomalies, and in asking the Home Government to concede to Canada the privilege of legislating on copyright in accordance with our special needs, and for the protection of such interests as it is desirable to make provision for, and with the same freedom we now possess in legislating on patents.

"That while the present copyright law prohibits the Canadian publisher from reprinting English copyrights in Canada, and places him