

nore or trifle with questions that affect us—a key to the anomalous position which Canada is made to occupy in regard to this copyright question. And, we ask, is it not to this contempt of matters colonial, that supercilious treatment of questions referred to the Home Government for just and harmonious action, as well as to the foolish and illiberal conservatism of the publishers and authors of Britain, that we owe this state of things? We trow that none know better than Mr. Jenkins himself, how even weighty and important matters are treated in the Colonial Office, and with what diplomatic consideration (i) subjects which have at all a knotty appearance, are treated in Downing Street. We need not, either, recall how under a recent Joint High Commission, the interests of a certain Dominion, struggling to hold its own, and uphold its rights and privileges, were pushed to the wall, when these came in the way of a pusillanimous Imperial policy. But what are the facts?

After the passing of the Imperial Act of 1842, making it illegal to import foreign reprints of British copyrights into any of the colonies of the crown, representation was made by a number of colonies, particularly those which were contiguous to the United States, where these reprints were produced, that from their proximity geographically to that country, these foreign reprints *would* find their way into circulation in the colonies in the face of legislative prohibitions.

To meet this difficulty, the Act of 10 and 11 Vict. c. 95 was passed, which enabled Her Majesty, by order in council, to suspend the restrictions of the Copyright Act of 1842 in its operation in certain colonies which were privileged to apply for permission to admit these reprints, on the levy of certain duties, in the interest of the copyright holder. The Governments of the various provinces of British North America took advantage of that act; and since 1847 the provinces now confederated have enjoyed the privileges of this concession, legally made to them. The condition on which this concession was made, was that a 12½ per cent. duty would be levied on the importation of these reprints which should go to the author; but incident to this arrangement it was necessary that holders of English copyrights should notify the Canadian authorities of the works which were held copyright by them, so that the duty might be imposed on the introduction of reprints of such works into the provinces.

Years passed; and, in consequence of the expiry of the copyrights of many works, and neglect on the part of the authors and publishers in England to advise our authorities, the exaction of the copyright duty has become a rare occurrence: meantime the num-

ber of these reprints of English works kept increasing, and the demand for such, and their importation into Canada was extending; and thus, no doubt, much has been lost to the English author. In view of this state of things, and the inoperative workings of this law, our Government at the period of confederation, called the attention of the Colonial Office to the question, and invited discussion on the subject, with the view to protect the interests of English authors. Nothing it seems was done in the matter then; and between 1867 and 1868 a correspondence was originated by our Government presenting the various features of the case, and advancing the policy and expediency of legalizing Canadian reprints of British copyrights, so as to enable native publishers to supply the home demand, and to compete with American publishers, whose editions had the *entree* of the country, as well as, by a direct revenue tax on the editions to be printed, to more satisfactorily protect the author's interests, and obtain for him a fair share of profit on his production. Surely, it will be thought, that a matter of such importance, not only to the people of Canada, but of such vital consequence to English authors and copyright owners, would now receive the attention of the home authorities; and that an adjustment of the question, which had so long continued in an unsatisfactory state, and which was, after careful deliberation by our statesmen, brought into an equitable and reasonable shape, would now be fully discussed and agreed to.

But no, the question must be further shelved; and, however important the rights of authors, and however desirable, in the interest of native publishing enterprise, and for the encouragement and expansion of its infant trade, that these disabilities should be removed, the Colonial Office must still postpone action, and indifferently regard all the subsequent memoranda and correspondence which was forwarded by the Canadian authorities on the subject.

Why the Home Government should so procrastinate, and, with unparalleled indifference, refuse actively and seriously to take up this question, or take any action on the subject, when even personally brought before them by members of our Cabinet, as well as when in possession of all the bearings of the case, by correspondence, &c., is inexplicable. Once, to be candid, the matter was to be immediately dealt with; but a little manoeuvre by Minister Thornton at Washington, which gave colour to the idea that the Americans were going to accede to an international reciprocal treaty with England, but which, of course, proved illusory, afforded the pretext for further postponement—and the paralysis

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