

8. No understanding with the Colony was called for. There is no evidence that the "Foreign Reprints Act" was intended to be partial or temporary, or that it fell short of what had been promised. Legislation completely carried out her wishes as far as then promised or expressed.

9. Lord Grey only undertook to relieve the author and the reader. The author was relieved by allowing the Colonies to legislate for *their* authors, and by the Act of 1886—the reader by Act of 1847; but Canada's mode of describing the concession seems neither just nor generous. Surely the rights of self-government do not warrant the appropriation of other peoples' property, whether authors or tailors.

Here again appears a confusion between *the title to* and *the utilization of* property.

10. The same style of language pervades this clause, and surely hardly befits a State paper. The author's royalty is stigmatised as a "tax," suggesting that it is an unjust imposition, and that the British author who has *volens volens* to give up his property is "privileged" because the price of so doing is claimed by him, a price which he had no voice in fixing, and which is too seldom paid.

11. In March, 1870, copyright owners were aware of Canada's not collecting the author's royalty, and called attention to her studied negligence. Not a monopoly, *see* par. 2.

12. If great pains had been taken to collect this royalty, why were the books not stamped as in other Colonies? If the royalty was odious and unjust, why did not Canada repeal her Act of 1850, and let the Order in Council be revoked? Canada surely knew the advantage that Act was to her, and yet shrinks from carrying out its provisions. Can British authors trust a Colony which refuses to carry out her own Acts of Parliament, and, in this clause, actually refuses to do so, to legislate for them? and yet she asks for further concessions to stimulate her to honesty. She will not carry out her contract unless she gets more than the contract gave. Is this *bonâ fide*? Is it honourable? Is it a ground for trusting her again?

13. The Canadians had the power to prevent this but were too indifferent, and took no trouble to arrange with the author. This simple step would have stopped most of her complaints. It is too grossly unjust to seek an Act of Parliament to satisfy this negligence by robbing British authors. Others may be inclined to give a different meaning of the word "proper."

Canada surely knows that we cannot and ought not to interfere with America's actions, and also that what she urges is rather a trade than a copyright question, and that it cannot be conceded without upsetting copyright property for the doubtful benefit of a few reprinters.

The publishing interest here referred to is only the reprinting interest.

14. *See* note on par. 4.

15. Canada's requests, as here referred to, were never thought "reasonable." Canada knows we never made any arrangements with the United States, and that we cannot regulate foreign municipal law. It is too absurd to imagine we presented the United States with any monopoly. The present state of things has arisen from *her* legislation, with which we had not anything to do.

16. We are obliged to assert boldly we never gave Canada *any* assurances which have not been fulfilled.

17. We must repeat we had no hand in the "improvement" of the law. It was not altered by any action on our part. By United States legislation, Canada's position was improved just as England's was—no more, no less—for Canada can now copyright a book in her own country, the rest of the British Dominions, and in the United States by printing it there, a very easy process for Canada. England is, like Canada, debarred from reprinting either an American or English book copyrighted in England, or an English copyright book, without the author's sanction.

18. We all admit that copyright law is imperfect, but not in the sense in which it is described in this despatch.

19. We have not granted protection to American copyright books by any Act since 1842, and then we made first publication here the essential condition for all copyright. Canada now has as great privileges as the mother country, but neither they, nor we, nor Americans can take an author's property and reprint it without his consent, nor can we, in fairness to him, ask to be allowed to do so. If England cannot prevent moral robbery in America, that is not a reason for encouraging it in Canada. Canada can now reprint with the author's sanction.

20. Under the Act of 1886, publication in the Colonies gives copyright throughout the whole British dominions.