

in the report of the undersigned of the 3rd August, 1889, both as to the powers of the parliament of Canada and as to the reasons why such an act as the Copyright Act of 1889 should be adopted and be allowed to go into operation.

By permission of his lordship the views which were then pressed upon his consideration were expressed in writing in a letter from the undersigned to his lordship, dated 14th July, 1890, and the views set forth in that letter were approved by your excellency in council on the 7th August last.

The undersigned has had referred to him, in this connection, a despatch from her majesty's principal secretary of state for the colonies, dated 8th November last, transmitting a letter to his lordship from Mr. W. Oliver Hodges, Honorary Secretary of the Copyright Committee of the Society of Authors, in answer to a letter from Sir Robert Herbert of the 17th September, 1890.

Mr. Hodges informs Lord Knutsford that a meeting of the general committee of the incorporated Society of Authors, including the sub-committee on copyright, had been held to consider the questions raised by the undersigned in his letter to Lord Knutsford of the 14th July, 1890, and he states that he was directed by that committee to inform his lordship that, while they could express no opinion on the question of the general policy which her majesty's government might think fit to adopt towards Canada with regard to the question of copyright, they hoped that if her majesty's government should think fit to undertake legislation in order to give effect to the principles of the Canadian Copyright Act, such legislation would embody due precautions for making the collection of royalty charges really efficient. They submitted that the clauses relating to the collection of such charges, contained in the Canadian Copyright Act of 1889, were not sufficient for the proper collection thereof, and that it appeared to the committee doubtful whether that act did not propose to abolish copyright altogether, unless the persons entitled thereto should reprint or republish in Canada under its provisions.

The undersigned has now the honour to recommend that an earnest request be made to her majesty's principal secretary of state for the colonies that such legislation be brought before the parliament of the United Kingdom at its present session as may set at rest the questions which have arisen as to copyright in Canada. In making this request, your excellency's government do not recede from the position which was taken in the report of the undersigned, dated 3rd August, 1889, which report was duly approved by your excellency in council; but inasmuch as doubts have been raised as to the power of the parliament of Canada to pass that act, it is most desirable and necessary that such doubts should be removed by imperial legislation. The most satisfactory form, to Canada, in which such legislation should be presented, would be by an act declaring the full authority of Canada to legislate with regard to copyright in this country, notwithstanding imperial legislation heretofore passed in relation to that subject. Such an act would only be following the lines of the British North America Act and would only be in accordance with the promises made by her majesty's ministers from time to time, as set forth in the letter of the undersigned to Lord Knutsford of the 14th July.

It would, in the opinion of the undersigned, in view of the doubts which have been expressed, be most desirable that the Canadian Copyright Act of 1889 should also be ratified and confirmed by imperial legislation.

As regards the objections to the Copyright Act of 1889, stated by Mr. Hodges, the undersigned concurs that great care should be taken to make the collection of royalty charges really efficient. The opinion indicated in the letter of Mr. Hodges, that the clauses relating to such collection, which are contained in the act referred to, are not sufficient, does not probably make due allowance for the fact that regulations are to be made on that subject by your excellency in council, so soon as the act shall come into force, under the powers conferred by the fourth section. In the approved report of the undersigned, dated the 3rd day of August, 1889, it was stated that "The government of Canada would be prepared to submit to her majesty's government the regulations which might be adopted under the act for securing the collection of the royalty and the payment thereof to the proper parties." The undersigned is unable to agree with Mr.