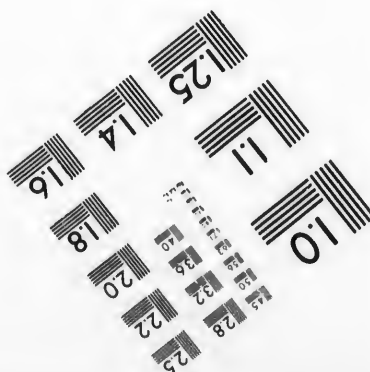
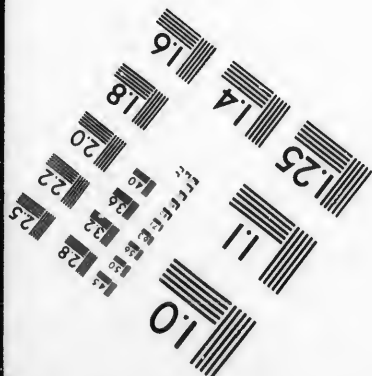
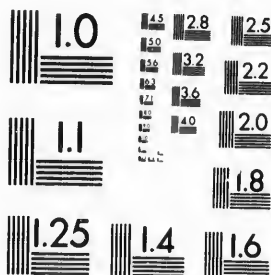


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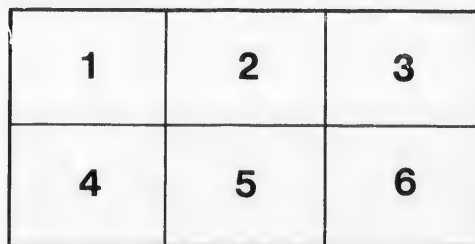
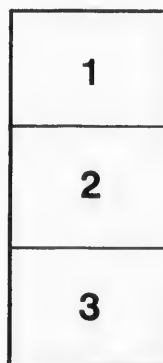
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INTERVIEWING THE CABINET.

THE COPYRIGHT ASSOCIATION LAY THEIR CASE BEFORE THE GOVERNMENT--

AND SPEECH BY THE PRESIDENT OF THE ASSOCIATION

On Tuesday, the 22nd January, 1889, the Privy Council of Canada received an influential deputation representing the Copyright Association of Canada, consisting of Messrs. J. Ross Robertson, President; R. T. Lancefield, Secretary; W. Bryce, A. W. Croil, D. A. Rose, A. S. Irving and G. H. Suckling, of Toronto, and Messrs. John Lovell, John Macfarlane, J. D. Rolland and P. A. Crossby, Montreal.

The Ministers present were:—Hons. Mackenzie Bowell (Acting President in the absence of Sir John Macdonald), J. H. Pope, Geo. E. Foster, Sir John Thompson, John Costigan, C. H. Tupper, John Haggart, John Carling and E. Dewdney.

Mr. Robertson, in addressing the Council, said—Hon. gentlemen—We are here to-day as a deputation from the Canadian Copyright Association—an Association the membership of which extends over every province of the Dominion. We appear with your permission to ask for legislation relating to Copyright, and for that purpose we have brought with us a memorial, which I consider one of the most important documents ever presented to the Government. With your permission the secretary will now read it.

Mr. Lancefield then read the petition to the Governor-in-Council.

THE PRESIDENT SPEAKS.

Mr. Robertson then addressed the Ministers as follows:—This petition or memorial, Gentlemen, is signed by over 2,000 persons, comprising representatives from all the Provinces—New Brunswick, Nova Scotia, Quebec, Ontario, Manitoba, North-West Territories, and British Columbia—including over 300 booksellers in Toronto, Hamilton, St. Catharines, London, Brantford, Woodstock, Kingston, Ottawa, Montreal, Halifax, St. John, and other cities and towns in the Dominion, 300 publishers and manufacturers, and over 1,500 typesetters, stereotypers, book-binders, paper makers, and others engaged in industries which pertain to the art of book making in Canada, including the official seals of such influential labor bodies as the Typographical Unions of Toronto, Hamilton, London and Ottawa, and the Bookbinder's Assembly, Knights of Labor, of Toronto. The memorial carries with it its own story, and no words of mine can impress more thoroughly than it does, on the minds of you gentlemen who have control in matters of legislation in Canada, and who can aid us

TO SECURE THE RIGHTS

to which we are entitled. The Association that I have the honor, together with the other members of the deputation present, to represent, is comprised of manufacturers, publishers and others interested in the trade of book making and book selling, and involving capital to the extent of many millions of dollars, representing interests that are of such a large and varied character that we fancy when you have read over our memorial carefully you will give it fair consideration, and agree that what we ask for shall be granted us. This association was formed about twelve months ago, at the time the Berne Copyright bill was first introduced into the Canadian parliament. The Association felt that such a bill would be detrimental to the best interests of the Canadian trade, and we waited upon the Government, and you were good enough to hold over at that time any contemplated legislation in the matter, so that we might bring before you in a more comprehensive manner the views of the publishers of the Dominion. What we ask in this memorial is based strictly on the lines of the National Policy—a policy that to-day is the plank on which this Government controls the country—a policy which was adopted, as far as copyright is concerned, in 1870, reiterated in 1872, and again in 1875, when it was distinctly provided that copyright in Canada could only be secured when the book was printed and published in this country. We felt that the effects of the Berne Bill would be to practically emasculate the entire trades in this Dominion in connection with books, and that the publishers would be ruined. So far as the operation of that bill goes, the inhabitants of Tripoli and Tunis, where literary merit is at a premium (?) for the purposes of copyright

WOULD HAVE EVEN GREATER PRIVILEGES

than we in Canada, and that the inhabitants of Spain, Switzerland, Tunis and Tripoli would be better off in Canada for copyright purposes than Canadians themselves. Why? Because a Canadian must manufacture his book in Canada to secure copyright, while under the Berne Bill the German, the Swiss, the Englishman or the Frenchman is given copyright in Canada *without* the necessity of manufacturing the book in Canada, as the native Canadian must. Again, if the Berne Bill were adopted in Canada booksellers would be

placed at a great disadvantage by the Canadian publisher not being able to secure a Canadian copyright, booksellers in the Dominion would not have Canadian-made reprints at their disposal. Further, by the Berne Bill no one could import from the United States reprints of English copyright works which are to-day furnished to the Canadian public at prices ranging from 25 to 75c. The publication of educational works containing extracts from copyrighted books would also be stopped, and what is most important is that this Berne Act would be retro-active and would apply to every book that is a British copyright to-day—the importation of which into Canada would be prohibited. To-day the Canadian reader can secure for 50 cents the reprint of an English book, which, under the Berne Act, he would only be able to obtain from across the sea at a cost of about \$7.

THE CANADIAN PUBLIC

would be utterly unable to pay such a price, and the result would be that they would have to go without the works. Take the case of one book which is well known, "In Far Lochabar," by Wm. Black. That work is not published in Canada and the English publisher declined to allow it to be reprinted in Canada. What follows? The price of a British edition is thirty-one shillings and six pence. By going to the United States we are enabled to get a copy in paper for 40 cents and in cloth for \$1.25. In the case of that celebrated work, which commands the attention of the reading world to-day (I mean "Robert Elsmere,") the same thing applies. The English publisher declined to sell the Canadian copyright to a Canadian publisher. Practically he said, "No, I won't sell to you. You must either buy the American edition or go without it." The result is that some 20,000 copies of this book have been imported from New York into this country and sold at 50 cents. The publication of "Robert Elsmere" is a strong justification of the ground we take. Had that work been published in this country it would have involved an expenditure of some thousands of dollars, and if the act which we have framed were law to-day, Mrs. Ward, the authoress, on this edition of 20,000 copies, would have obtained a royalty of \$1,000, whereas she does not now receive a dollar from Canada. The book-binders, stereotypers, paper makers, and type foundries would likewise have felt the beneficial influences flowing from the production of these books in Canada. Here in Canada we are in a peculiar position.

WE HAVE 3,000 MILES OF BORDER.

The American publisher imports an English copyright work and reprints it, but we cannot reprint it in Canada, and the Canadian publisher, with his types and machinery, cannot get the privilege of re-publication even if he were to pay the 27½ per cent. duty, that is the 12½ per cent. specific and the 15 per cent. *ad valorem* duty as a royalty to the English publisher. This, we claim, to be unjust, and say that we should be placed on a more equal footing with the United States publishers. A very large amount of money is invested

in the printing offices and book manufacturing establishments in the Dominion, but the English publisher, with that keen eye to business which has always characterized him, has persistently refused to sell the Canadian market to the Canadian publisher, and says that the American publisher shall have the entire American continent as his preserve. He literally farms out Canada as a publishing ground, and says to us, "If you want books you must go to the markets of New York and Boston for them." So it is to-day, the English publisher declining to sell many of the best and most popular books to any one in Canada. Take the case of "Blackwood," that can now be bought in Canada for 30 or 40 cents. Under the Berne Act "Blackwood" would cost 75 cents and "Littell's Living Age," which contains extracts from all copyright works, could not be imported at all. To-day the Americans can obtain copyright in Canada through English publishers, while the Canadian, with his machinery, types, energy and enterprise, cannot obtain copyright in the United States. In fact, the American author can obtain a British copyright

THROUGH AN ENGLISH PUBLISHER,

and this copyright covers Canada. No Canadian can obtain a copyright from the United States under any system, although the American can secure protection under the system of simultaneous copyright—whatever that means. I had a conversation with a prominent member of the American Copyright League, the other day, and he admitted that although decisions had been given in favor of simultaneous copyright, yet it was a question with him whether it was good law or not. By a copyright being issued at Washington at high noon, and in London at the same hour on the same day, these books would be copyrighted in both countries. The Canadian publisher is absolutely powerless, and has had to pay large sums for inadvertent infringement, but still his American rival does as he pleases. We therefore ask the Government to remedy these evils. We think that by this memorial we can convince you that the remedy is in your hands. We in Canada have power to make laws in regard to patents. We say to a patentee "if you manufacture in this country

WITHIN TWO YEARS

we will give you protection, but if you do not manufacture you cannot give you any privilege." The man who makes the carpet, the gasifier, the various articles of furniture in this room is protected, but the printer gets practically none, and it is only in regard to books that England retains special control over us. All our Copyright Acts you will recollect, gentlemen, or at least a great many of them, have been submitted to England, and the consequence was that the Act of 1872 was sent back to us and we were told it would clash with Imperial interests, or rather with the interests of the selfish English publishers, and therefore it could not be allowed to become law. Dear Sir as we love the Old Flag, and the connection with the Mother Country, as nine-tenths of the Canadian people, I believe do, we maintain that our fealty to

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the Old Land brings with it no obligation to sacrifice the interests of the Canadian to the English publisher, and, for that matter, the English author. We feel we should have justice. We feel that the English publishers, so far, have taken every means in their power, directly and indirectly, to force on the Canadian people an Act repugnant to them, and have endeavored to use the people of this country to attain that end. We think that patriotic considerations should not deter us from doing that which is

TO THE ADVANTAGE OF THE CANADIAN,

as opposed to the British, publisher. The policy we advocate is the logical development of the policy which is making this a great nation, a policy that is fostering the young industries of this country into life and prosperity, a policy which we think would give relief to at least half a dozen great interests in connection with the trade of book-making—more interests than the honorable gentlemen around this table have any idea of. I have no doubt that you, sir—(addressing Hon Mr. Bowell)—from your knowledge of the business, will readily comprehend the large interests involved. The question affects the entire book trade of Canada, the printer, the binder, the stereotyper and others directly engaged in the business of book production, and above all it affects the reader. We ask that the Government will not allow the people in this country to be imposed upon, but that we should be placed on a footing to enable us to compete with our American rivals. We are perfectly willing to give to others what we ask for ourselves. The main point in this Act, which we propose, is the payment of a royalty which, although repugnant to some, was popular at one time in England. I understand that a bill was drafted which conceded the principle of royalty. Mr. Gladstone, himself, in an able paper, illustrated and showed the advantage of a royalty collected by means of a stamp duty. In connection with this, by the payment of a royalty, we are not pirating.

WE HAVE BEEN ACCUSED

in Canada of pirating, and I dare say some works have been pirated and republished in this country by Canadian publishers, but as one who in the last few years has printed over a million books, I say that if we could get any sort of protection at all we would pay for what we take, and give the English publisher what is right—a return for the book that he first publishes. In this matter of royalty we would point out that Mrs. Ward would have received ten per cent. on the retail price of her book, which would have been a magnificent profit to the English authoress and publisher. And we believe that if the matter were properly placed before the English authorities they would accede to our request. The Government will, we have no doubt, take this matter into its consideration, and give, as it has always done, a careful consideration to the memorial representing the views of such large and varied interests. We trust that what we have said will commend itself to the members of the Government, and that they will either accept the bill we have presented or frame one themselves that will

meet the requirements of the case, so that the printing interests may be fully protected. We look to the Government for this, because it lies in your power, gentlemen, by any action you may take in connection with this matter, to either make or unmake, to either aid or irretrievably emasculate and practically annihilate interests that most vitally affect the book trade of the Dominion of Canada. I have to thank you, gentlemen, for kindly listening to me.

Mr. John Lovell, Montreal, as representing the Eastern trade, said he thought the matter had been very ably placed before the Government. In 1872 he went to England to try and secure from publishers some concession to Canadian interests, but he found that the English publishers would not yield an inch, their general declaration was that they would never allow a colonist to publish one of their books. Their ignorance of Canada was profound. They treated Canada as if it was part and parcel with the United States.

Mr. William Bryce said that in the case of Robert Elsmere he had been unable to secure the right to manufacture it in Canada. As a consequence, he himself had imported some ten thousand copies of this book in sheets from the United States, thus robbing Canadians of all the work in getting them up except the bookbinding. Mr. Bryce also complained that the Customs department had refused to assist in preventing the importation of books for which he held the exclusive copyright.

Mr. George H. Suckling spoke on behalf of the music publishers, showing that they were affected much the same as the book men.

Mr. John McFarlane, of the Canada Paper Company, spoke of the greatly increased demand for paper which would arise through the adoption of the clauses suggested by the deputation.

Hon. Mr. Bowell then said: I have to apologize to you, gentlemen, for Sir John Macdonald's absence. He would gladly have been present this afternoon had he not had to go to Montreal. I think I am but expressing the opinion of every one of my colleagues when I say that we are very much obliged for the clear, lucid, and forcible manner in which your president has laid the whole subject before the council, and I safely promise that it will receive the most serious consideration of every one of us. Speaking for myself I realize, and if I were in business now probably I would realize it the more, the great importance of the industries in which you are engaged. Mr. Robertson has made a strong National Policy speech, and personally I thank him for it. I think he is in the right direction anyway. (Laughter.) I would say to Mr. Bryce if he will put into writing the statement he has made in reference to the difficulties he has encountered in enforcing the copyright law through the Customs, if I find the difficulty lies with my department, that matter will have my personal attention at once.

Mr. Robertson, on behalf of the deputation, thanked the Ministers for the courteous attention and patient hearing accorded them, after which the deputation withdrew.

