

Private

Niagara

March 24 1855

My dear Sir John

I feel as if it ought to be a Condemnation to bother you with correspondence during a Session but I must venture to make a few remarks on the resolutions of your Edger regarding copy right - a matter of primary importance both to publishers and authors in Canada. Why Edger should have shown himself so zealous of extending the protection of the Paternal Policy to the publishing trade, I don't know unless it be, that the action of his Ontario Govt in regard to the copyright it has established in School books, has openly made enemies of the whole trade and it is necessary for the faith to do something to pacify them and recover their losses and obtain their political support.

I regret that this proposal for the modification or repeal of the Imperial copy right act, as far as

regards the bonimion - should have been left to that party to make capital of -

I take a special interest in it - because the question was started by me, in a paper on "Canadian Literature and Copyright" which I read before the Royal Society at Ottawa in May 1883 - The subject was warmly approved of - a committee was struck - to report a petition to Parliament at its next session - that committee failed to report at one meeting in 1884 - and were directed to do so at our coming meeting next May - In the

mean time my paper was printed in the Quebec Chronicle of 1st Feb 1884 - where it will be found in extenso -

Mr Adams and some of the literati of Toronto took the matter up - wrote & talked about it - and so I suppose Edgier finding it a good card that can be played to help the Ontario Govt, takes it up - retails our arguments as his own - and will claim if successful - the everlasting gratitude of the publishers of the bonimion -

The measure is one that ought not to pass out of the hands of the Govt. The proposal, if you examine

It is not primarily to secure
 copyright to Canadian authors - they
 have plenty of that - but it is
 to give our publishing industries
 such fair play and protection as
 they must obtain, or the trade
 will become extinct in Canada.

The state of that trade is most
 deplorable - witness the long lists
 of failures & assignments of publishers
 and booksellers contained in the
 "Bookseller" - there is not one
 publisher left who will venture
 to take up the work of a Canadian
 or any other author - the whole
 trade is slaughtered from London &
 New York - we have not one
 single literary Magazine left in
 the Dominion - 30 years ago
 we had half a dozen - with a
 fair prospect for Canadian
 writers - now our publishers &
 writers are nowhere - the
 effect of this upon our national
 thought is observable enough -
 we have no books, no magazines -
 except foreign ones - while our
 newspapers are written down to
 the intellects of dogs and cats -
 I call you to witness, Sir John,
 that the public mind of Canada
 was more vigorous and promising
 by far forty years ago. Then it is to day
 sinks all our increase in population

1885 Copy Right Bill
W. Kirby



The restoration of the suffering publishing industry would be the crown & completion of the National policy! To effect it there must be a release from the stringency of the Imperial copy right act and the obligations ^{imposed} upon English & American authors to reprint here in order to obtain Canadian protection - At present Canada is sold by English authors to American publishers - and they secure copyright here - while our own people are debased by the Imp. act.

The restoration of Canadian publishing will bring with it the revival of Canadian authorship - and the creation of a strong & prosperous literature.

We ask for nothing now - which the great Royal Commission on Copyright would not be willing to allow - in 1872 - I think

the only objections would come from English and American publishers -

I have a personal experience of the unfavorable state of copyright law at the present time - While I can not get a Canadian publisher to touch a book for me - no fewer than three pirated editions of my (Chin) or have come out in New York - and Canada is supplied with them! & I ought to except Tindal & Co of Montreal who are at this moment publishing an edition in French.

W. Kirby

The Hon. Mr. Plunket knows all my views on this subject - I must again ask pardon for bothering you with them - I remain truly yours
W. Kirby

Copy sent to Mr. Cartier
28th Dec 1886
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From Sir Charles Supper.
To Sir John Lubbock.

London March 19th 1886.

My letter with ultimate
Secretary's Bill to be introduced
by Government to permit England
join Union and Colonies to
come in if and when they
please subject to a saving
of existing rights under
existing International Con-
ventions and joint copyright
act. Bill will give general
copyright throughout British
Dominions to persons first
publishing anywhere therein.
Now any Colony has

already legislated
Crown will have power by
Order in Council to settle
the copyright arrangements
between such Colony and
United Kingdom. Do you
concur?

(Sd) Supper.