Chapter VII

THE CANADIAN MARKET

The Copyright and Customs Acts of 1842 had very distinct implications for the British colonies, especially the North American possessions: Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, whose proximity to the United States allowed them to benefit from cheap American reprints of British copyright works. This had little effect on the French-speaking inhabitants of North America, but those of British descent who had become used to getting English books relatively cheaply did not appreciate in the least the new copyright and Customs legislation from Westminster. None the less these laws took effect on 1 July 1843 and thereafter all foreign reprints were supposed to be excluded from the colonies.

Among the five British possessions in North America, the Province of Canada stood to lose the most because it contained the major centres of wealth and population: Montreal, Quebec, Hamilton, and Kingston. However, all the other provinces took offence to a greater or lesser extent and there was general agreement among them that they had been sacrificed to the interests of British authors and publishers. What began as disgruntled murmuring in 1842–3 swelled to a torrent of complaint by 1845–6.¹ Their first appeal to the Mother Country focused on her obligation to foster education among her colonial subjects. Cheap books and periodicals were all that most Canadians could afford, they said, and if the supply were cut off from the United States, self-improvement and enlightenment would suffer. Coincidentally they would be forced to rely even more heavily on works by American authors, and according to the Nova Scotia House of Assembly the moral and political repercussions of this were dangerous.*
Now the practical operation of the present law has a tendency to encourage in these Provinces the wide circulation of the literary periodicals, newspapers, and other light literature issuing from the American press, and thus places in the hands of our population works often spurious in their morality and propagating political opinions not favourable to British Institutions; against the circulation of these, the laws raise no check, while British works of the same class, whose morals are unobjectionable, and whose political references are intended to inculcate sound loyalty and reverence to the Crown and the Constitution, are excluded from general circulation as issued from the English press, by prices and other causes, and in the form of reprints they can only be had by a violation of the law.

They further argued that since Canadians would not purchase high-priced British copyright editions even English authors would be better off and in the meanwhile the colonists would suffer from the exclusion of American reprints. A comparison between the retail prices of English books and periodicals in London, Halifax, and New York dramatically demonstrated why British editions were too costly.\(^3\)

At the same time the Canadians\(^4\) had to admit that high prices applied chiefly to British copyright works. Non-copyright editions were available at low prices due to the efforts of London publishers like Tegg, Moxon, and William Smith. Together with books in foreign languages and works from America they also benefited from a reduction in the colonial import duty from 30 per cent to 7 per cent.\(^5\) No duty was levied on British copyright works imported into the colonies.

With some justification the Canadians felt that British works intended for the home market were unsuitable for the colonial market.\(^6\)

In the first place the style of publication, the printing types and binding, are suited to a more aristocratic taste and a richer people than exist here; that their prices, including of course a suitable compensation to the authors, come far beyond the means of our population, and hence if our sources of literature were confined to them, the mass of the people would in fact be entirely deprived of the productions of the English press.

Neither could the colonists avail themselves of book sales and cash discounts so prevalent in London. Whereas the average English reader could get round high prices by joining a Reading Club or by borrowing from a circulating library, Canadians were denied these conveniences of civilization, living at great distances from one another and in an atmosphere rarely conducive to book collecting. Only the well-to-do could
afford to import British copyright works, which accounted for the failure of British publishers to establish a market in North America.

Even if Britain could have supplied Canada with special and cheaper colonial editions, there were considerable obstacles in the way. To send publications across the Atlantic was a slow and costly business. Although newspapers were allowed to go by post at the reduced rate of one penny per printed sheet, no such concessions applied to books and periodicals. They had to be sent at the full letter rate and were limited in weight to sixteen ounces. An English magazine which might sell for 5s. in Canada required 2s.–4s. postage, so the only practical method was to send magazines and books by freight, which inevitably involved delays of up to six months, insurance charges, Customs clearance, and additional handling. From November to May Canadian waterways were frozen, making it necessary to go overland, and though the postal service managed this trek twice a week, freight companies only made deliveries sporadically.7

Meanwhile American reprints continued filtering into Canada. The Nova Scotia House of Assembly attributed this to the inescapable facts of geography which worked against the enforcement of the copyright law.

That from the proximity of these Colonies to the United States, and from the extensive and frequent intercourse maintained between the seaports of the Republic and the harbours of our Atlantic coast, the Bay of Fundy, Basin of Minas, Pictou, and Sydney, Cape Breton, American reprints are introduced here in large quantities, and so rapidly after their appearance from the American press, that your Committee are satisfied a new English work is often read here nearly as soon as it has reached the most distant parts of the United Kingdom. That complete copies of them appear in American, as well as provincial newspapers, causes which operate to render the law of copyright nugatory and void.

American reprinters seemed to be prepared to try anything. When it became likely that the Canadian Customs would intercept shipments, they switched to using the post. Jonas Winchester’s editions of *Blackwood’s Magazine* was printed on cheap paper and so resembled a newspaper that for a time it had no difficulty securing entry. This ruse was also used by the *New World* and *Brother Jonathan* not only for the regular issues but also for their novel-length supplements. The Montreal booksellers and publishers, Armour & Ramsay, privately sought the aid of
William Blackwood, hoping that he could prevail on the Government to put a stop to this.

it so happens that the Head of the Post Office Department in the Colony has a direct interest in permitting things to remain as they are. He has, as his private perquisite, the postage of all Newspapers, Pamphlets, Books etc. within the Province, and it is therefore not to be expected that he will suggest anything which will reduce his income. The United States postage to our lines is one penny per sheet and our Postmaster General’s fee for transporting it to any part of Canada is one penny additional.

Blackwood lost no time communicating the problem to the Board of Trade which in turn notified the Treasury who indicated that they understood the situation in so far as they supervised the overall workings of the General Post Office. The person alluded to by Armour & Ramsay was the Deputy Postmaster General of Canada, F. Stayner. Since assuming this position in 1827 Stayner had enjoyed a newspaper franking privilege that brought an additional £1,000 income per year. This was not intended solely for his personal use but rather as a supplement to his regular salary when needed to cover unbudgeted operating expenses. For a variety of reasons, including Blackwood’s petition to the Board of Trade, the Treasury finally revoked the franking privilege. At the same time Stayner tightened up his administration of the Canadian post. The New World and Brother Jonathan found themselves officially excluded, and only after Brother Jonathan ceased reprinting British copyright stories was it allowed into Canada via the post.3

Prohibiting American reprints was futile, however, unless British publishers could fill the gap. In spite of obstacles, they needed to be made aware that they had to produce colonial editions low enough in price to please the Canadians. Otherwise the colonists would justifiably revert to buying American reprints, patriotism notwithstanding. Gladstone, in his capacity first of Vice-President and later President of the Board of Trade, was in an admirable position to goad British publishers, and he did not shrink from reminding them that in point of fact they owed the colonists cheaper books in return for the prohibitions granted them by the Copyright Act of 1842.

For their part, the publishers saw the problem as one primarily involving postal regulations. On this point they were caught in a crossfire between the Board of Trade and the Colonial Office on the one hand and the Post Office and Treasury on the other. The former felt a certain
responsibility to make reading matter available relatively easily and at reasonable cost. The latter believed that economy and efficiency should be used as guidelines when it came to distributing literature. These two points of view clashed concerning the postal subsidy given to publishers for overseas mailing. As we have noted, British books and magazines were to all intents and purposes excluded from the overseas post because they had to pay the full letter rate. Five of the leading publishers protested against this and petitioned the Treasury at least to allow magazines to be sent free on the same mail packets that carried newspapers without charge to North America. When the Post Office was consulted about this it agreed to lower magazine rates but not by very much. In view of severe winter weather conditions in North America they discouraged any change which would ‘increase the weight and bulk of these mails by the addition of a vast number of the printed publications’. Because such periodicals could not be allowed to slow down the conveyance of the letter post, the weight limitation of sixteen ounces was retained. Ultimately the Treasury sustained the reservations expressed by the Post Office and concluded that the requested change in policy was unwarranted.

my Lords consider it expedient that you should be left to your private resources in the matter; availing yourselves of opportunities as they occur for the transmission of your publications otherwise than through the Post Office. Such works do not come within the monopoly of the Post Office in the same manner as Letters, but may be forwarded by private conveyance and my Lords consider it is obviously unfair to retard the Public correspondence, solely for the advantage of printed Publications.

Here then was a minor but classic confrontation between the principles of laissez-faire and paternalism. The Treasury and the Post Office thought more of their budget and the efficiency of their operation and were unwilling to subsidize private businessmen in the interest of colonial consumers. Yet the Board of Trade under Gladstone as well as the Colonial Office felt that the Mother Country had some obligation to its colonial subjects and if private enterprise could not supply cheap enough editions, the Government should intervene. In spite of being rebuffed by the Treasury, magazine publishers continued to produce colonial editions of British periodicals. Armour & Ramsay became their chief distributor, and as long as prices were kept
down and American reprints were disallowed they met with some degree of success.

Colonial editions of books presented another set of awkward problems not encountered by the periodicals. There was nothing in the law which prevented books published in Britain from being sent to the colonies and subsequently re-introduced back into the home market. British publishers lived in fear that this might happen and that these editions would undersell the domestic product. Periodicals were not a worry in this regard because their contents would likely be out of date by the time they were re-imported whereas books would retain their timeliness. Against this eventuality publishers could do nothing but seek promises from Canadian booksellers and publishers not to be a party to such a scheme. This threat continued to plague the British book trade for decades. A Royal Commission in 1876–8 found it as live an issue as it was in the 1840s.

An alternative solution for supplying the colonies with books was to grant licences to colonial printers authorizing them to reprint a certain number of British copyright works. This had the obvious merit of avoiding costly charges for freight and insurance, but it had the disadvantage of taking employment out of the hands of British printers and binders. Once again the issue which seriously undermined the fortunes of the Association for the Protection of Literature emerged, rekindling the controversy between authors and publishers. Most authors liked the idea. But the majority of the publishers were staunchly against it because only by printing large impressions could they increase their profit, and cutting down this number would make each copy cost more both at home as well as abroad. Thus they insisted on retaining control of both printing and publishing and forced the Canadians to import English editions at reduced prices.\textsuperscript{11}

Among British publishers, John Murray made the greatest effort in behalf of the colonists. From his correspondence and conversation with Gladstone he became all too aware that certain concessions were expected of the London book trade in return for the Copyright and Customs Acts of 1842. Alone among his fellow publishers Murray responded to this expectation. His Colonial Library appeared in 1843 with the stated purpose\textsuperscript{12}

of offering a substitute to the Canadas and other Colonies for the Yankee publications hitherto poured into them and which besides damaging the
copyrights of British Authors by the piracy of their Works, are sapping the principles and loyalty of the Subjects of the Queen by the democratic tendency of the native American publications.

In opposition to these I hope to create a class of works inculcating good principles and loyalty, which shall possess interest for readers at home as well as in the British Foreign possessions.

Eventually known as the Home and Colonial Library, the thirty-seven volumes were weighted heavily on the side of patriotism and stressed noble virtues. The opening volume was an heroic life of Nelson by Southey, and there were also biographies of Clive, Cromwell and Drake. Murray tried to commission several prominent authors to write an account of the Battle of Waterloo before C. R. Gleig, a less well-known historian, agreed. When Murray asked J. G. Lockhart to write about Clive in India he assured him that it could be done with a minimum of exertion by relying heavily on the existing standard biography.

However, a glance at the following list of authors and titles will show that Murray’s wish to indoctrinate was strongly tempered by commercial considerations. Since he rarely published fiction, his bread-and-butter publications consisted of travel narratives, voyages, and descriptions of exotic places. Into this category fell Darwin’s *Voyage of the Beagle*, Melville’s ostensibly autobiographical *Typee*, books on the Jesuits in China, travels up the Amazon, and tales of distant Persia.

MURRAY’S HOME AND COLONIAL LIBRARY

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<th>Title</th>
<th>Price</th>
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<tr>
<td>SOUTHHEY’S LIFE OF NELSON.</td>
<td>5/-</td>
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<td>BORROW’S BIBLE IN SPAIN.</td>
<td>5/-</td>
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<td>HEBER’S JOURNALS IN INDIA.</td>
<td>10/-</td>
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<td>IRBY AND MANGLES’ TRAVELS.</td>
<td>2/6</td>
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<td>DRINKWATER’S SIEGE OF GIBRALTAR.</td>
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<td>HAY’S MOROCCO AND THE MOORS.</td>
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<td>LETTERS FROM THE BALTIC.</td>
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<td>THE AMBER WITCH.</td>
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<tr>
<td>SOUTHHEY’S CROMWELL AND BUNYAN.</td>
<td>2/6</td>
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<tr>
<td>MEREDITH’S NEW SOUTH WALES.</td>
<td>5/-</td>
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<td>BORROW’S LIFE OF DRAKE.</td>
<td>2/6</td>
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<td>FATHER RIPA, COURT OF PEKING.</td>
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<td>LEWIS’S WEST INDIES.</td>
<td>2/6</td>
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<tr>
<td>MALCOLM’S SKETCHES OF PERSIA.</td>
<td>5/-</td>
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<td>THE FRENCH IN ALGIERS.</td>
<td>2/6</td>
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<td>BRACEBRIDGE HALL.</td>
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The wish to make these volumes saleable was so strong that Murray sometimes declined works that were offered to him. In a rejection letter to the distinguished historian Lord Mahon he confessed, "I am obliged in the selection of books to study the taste of the middle and lower orders among whom my readers lie in a great degree, and I have some doubt whether they have sufficient knowledge of Spain and its history to enter into the spirit and interest of the Stanhope papers."

Murray was continually being caught between his intention to supply the colonies with works which they could afford and his wish to make..."
the venture profitable. In the early 1840s he was quite sanguine of success. Southey's *Nelson* sold 10,000 copies, and with this evidence Murray was able to persuade his regular authors to consent to cheap colonial editions of their works. In this way books whose sales were declining in their original expensive editions were finding new markets both at home and abroad. When Melville complained that his latest book was being published in a cheap edition Murray pointed out that other volumes in the series were selling as many as 6, 10, or even 15,000 copies. This was not the whole story, however. True, the occasional volume sold that well, but as Murray later confessed, most editions averaged 1,000.

In 1849 Murray abandoned the Colonial Library. Why? One disillusioned Canadian bookseller, William Greig of Montreal, grumbled at the outset of the series:

*Murray, the great London Publisher, has put forth the prospectus of what he calls his cheap Colonial editions - and what are the great advantages which he offers? Why, instead of issuing cheap editions of his latest works, he reissues those that the 'run' is chiefly over for, and which have been reprinted and extensively circulated on this side of the Atlantic long ago; and then he offers for 2s Sterling equal to 3s in Canada, what is sold in the United States for 25 cents, equal to 1s 10½d currency in Canada.*

Others in Canada faulted Murray on the selection of titles which they said were too serious for the average colonist who looked for light reading. A committee of the Canadian Assembly, endeavouring to show how inadequately the Colonies were being supplied from Great Britain, even took an opinion poll of booksellers and publishers as proof of the widespread dissatisfaction felt by many.¹⁴

Once the importation of American reprints was prohibited most Canadian firms gave grudging lip-service to the law, but in practice they procured them by fair means or foul, feeling an obligation to their Canadian customers rather than to British authors and publishers. Armour & Ramsay represented but a small minority of firms who came out forcefully in favour of importing authorized editions from Britain. However, the public bought only a few British exports such as Cadell's reissue of the Waverley Novels which were obviously good literature as well as being cheap.

Perhaps the blame for the demise of the Colonial Library, in addition to its essentially English character which put off the Canadians, should rest with the London book trade itself. After all, the 1842 legislation
deferred to their interests and yet few of them made any effort to implement its provisions. In this respect the Board of Trade was justified in criticizing British publishers for not compensating the colonists for the loss of their cheap American reprints. Offering dead stock at reduced rates or reissuing out-of-print works in a new format was not what the Canadians wanted. Rather it was new publications at substantial price reductions, and here British publishers were reluctant to respond except in the case of periodicals.

Eventually the failure of Britain to deal with this problem led the Canadians to start thinking about a revision or revocation of the 1842 Imperial Copyright Law. Criticism of its provisions grew steadily. Gladstone sympathized with many of the objections and privately advised Canadian booksellers to make their own arrangements with British publishers. Acknowledging that the postal services were in need of reform, he also urged the Board of Trade and the Colonial Office to persuade the Treasury and Post Office to act quickly. Colonists were informed of the possibility of some amelioration: 'My Lords are directing their attention to the state of the Copyright law, in order to discover whether there are any particulars in which its details may be so amended as to afford any relief to the Colonists.' In June 1846 Gladstone levelled the coup de grâce. Answering the complaints sent by the Lt Governor of New Brunswick, he acknowledged that 'the present stringent provisions of the law did not proceed originally from any proposal of Her Majesty’s Government but were adopted by Parliament on the suggestion of an individual member of the House of Commons in deference to a strong public sentiment'. This was tantamount to repudiating Lord Mahon’s Bill and the policy of excluding cheap foreign reprints from the colonial market.

Later in June, Gladstone left the Presidency of the Board of Trade and occupied briefly the post of Colonial Secretary where he lost no time bringing pressure to bear on his former colleagues at the Board. As Colonial Secretary he directed them to inform the book trade: that it is the opinion of Her Majesty’s Government that unless vigorous and decided efforts be made by the publishers, to meet the views of the Committee of Assembly at Halifax, the result will be an increase in dissatisfaction on this subject in the North American Provinces and a diminution of whatever limited benefit the English authors and publishers now derive from the exclusion of the American reprints of English works.
By October the Board of Trade reached a decision. Referring to itself as ‘they’ the Board indicated its readiness to consider a major change.

They are extremely desirous to adopt any measures consistent with justice, which may place the Literature of this Country within the reach of its dependencies on easier terms than at present. With this view my Lords have attentively considered the possibility of modifying the Imperial Law in such a manner as to meet the just demands of the Colonists without sacrificing the rights of the Author; . . . For devising such an arrangement a knowledge of local feelings is required which they are conscious they do not possess in a sufficient degree, and they entertain great apprehensions that, were they to attempt to legislate with a view to it, they might create alarm or dissatisfaction here, without accomplishing their purpose of benefiting the Colonies.

In conclusion they proposed to introduce into Parliament a Bill which would suspend the Copyright Act of 1842 for any colony which would make provision to adequately compensate British authors; the Queen-in-Council would be the arbiter regarding adequate compensation; and only when an Order in Council was issued would such a colonial Act come into force. The Colonial Office gave its approval of this quite readily and sent instructions to the colonial Governors telling them of the Government’s intention to recommend new copyright legislation, informing them that it was up to each colony to draft its own provisions, have them passed by the Imperial Parliament, and finally to secure their approval from the Privy Council in London.¹⁷

Unofficially entitled the Foreign Reprints Act (10 & 11 Vict., c. 95) it required less than a month to pass both Houses of Parliament. Introduced into the Commons on 2 July 1847, it received the royal assent on 22 July. Even with Government backing it is hard to imagine a Bill making its way through the legislature with greater ease and speed. Clearly, few of the Members gave much thought to it, and there was virtually no time for outside forces to mobilize any opposition. In fact, British authors and publishers were scarcely if at all aware of its existence until after it had become law.¹⁸

The Canadians were not slow to avail themselves of the Foreign Reprints Act. Even before it had made its way through Parliament the Province of Canada came forward with its own statute¹⁹ which received the royal assent only six days after the signing of the enabling legislation. Entitled ‘An Act to Extend the Provincial Copyright Act to Persons Resident in the United Kingdom’, the Canadian act was a
marvel of subterfuge. Nothing in it directly alluded to the Foreign Reprints Act but instead granted copyright protection to British authors who ‘printed and published’ their works in the Province. Since British authors were under the impression that they already enjoyed such a privilege under the Imperial Copyright Act of 1842 they took little notice. Neither did the Board of Trade which approved the Canadian Act. The only problem was that the Canadians were so subtle that no one at Whitehall realized that it was necessary to request from the Queen an Order in Council suspending the prohibitions of the 1842 Copyright Act. Nine months elapsed before the Provincial Government through its Governor-General Lord Elgin formally requested the Colonial Office for an Order in Council. At this point Gladstone was no longer in the Government and the Board of Trade was prepared to show a kinder disposition towards British authors and publishers. With this in mind John Murray was sounded out on the advisability of issuing an Order in Council. Murray in turn brought the matter before the Committee of the Society for the Protection of Literature, and the Society’s Secretary, Alfred Turner, eventually notified the Board of its opinion. Turner’s letter is missing, but the gist of it clearly emerges from the decision of the Board not to acquiesce in the Canadian request. Although they admitted that the Provincial Act was perfectly legal, they refused to endorse the issuing of an Order in Council which would suspend the Act of 1842. There was distinct concern that British authors would receive little or no compensation for the loss of an exclusive colonial market. Had a duty of 20 per cent on American reprints been stipulated, all would have been well. As it was, the Board declared that:

the Canadian Act now under discussion is framed upon a totally different principle. Its effect, were it followed up by an Order in Council, would simply be to take away from British authors, unless they republished in the Colony, protection which they now enjoy, without making them any compensation for the injury.

Using arguments put forth by the Society for the Protection of Literature, the Board of Trade accused the Canadians of subsidizing their own book trade at the expense of the British. Moreover, since the purpose of the Foreign Reprints Act was to make books available more cheaply they claimed that it did not make sense to condone higher production costs in the Colony. The Canadian book trade was thus sacrificed to the interests of the Canadian reading public on the one hand and to
British authors and publishers on the other, a plight it endured throughout the nineteenth century. There was nothing to do but begin all over again. Canadians took the better part of two years to secure the passage of a new Act which conformed to the provisions of the Foreign Reprints Act, and in the meantime conditions became increasingly chaotic. Foreign reprints were allowed to enter Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, but not the Province of Canada, and this became a nightmare for Customs officials. Even in the Province of Canada confusion abounded. According to the prevailing Copyright and Customs Acts of 1842 British authors and publishers had to notify the Customs of their latest copyright works which were then incorporated into lists forwarded to the colonies every three months. Clever booksellers and publishers in Canada recognized the time-lag between the date of publication and the receipt of quarterly lists and simply imported all the American reprints they wished during the interval. Thereafter who was to know which reprints were imported before or after the Customs lists reached North America?

J. W. Dunscombe, the Province's chief Customs officer, saw the impossibility of enforcing these provisions and sought to prove just how unworkable the 1842 laws were. He chose to intervene in a case involving a Montreal Customs officer named Pratt who had confiscated a quantity of foreign reprints. Poor Pratt found himself caught between the regulations of HM Customs and Dunscombe's interpretation of them. Learning of the destruction of the books, Dunscombe ordered Pratt's salary to be appropriated to compensate the Canadian importer for his loss. The Canadian and British Customs, the Treasury, the Board of Trade, and the Colonial Office each analysed the points in dispute but could not agree. By the autumn of 1850, six months later, the case was still pending, although unsolved. In the meantime the Canadian legislature had passed another copyright bill which rendered the seizure of foreign reprints unnecessary. The new Act, 13 & 14 Vict., c. 6, mercifully extricated all the parties embroiled in the Dunscombe-Pratt affair.

The Canadians were not to slip through smoothly, however. The Board of Trade, having been caught napping once was determined not to make any mistakes this time. Accordingly, when the new Act reached Whitehall in October 1850 it was scrutinized suspiciously. True enough, it resembled those already in effect in the other Provinces of North America, yet the phrasing which concerned the duty to be levied was ambiguous.
A duty not to exceed 20 per cent was provided, but no mention was made of a minimum figure. Mistrusting the implications of this, the Board refused its sanction and recommended that an Order in Council suspending the Acts of 1842 be authorized only if the exact duty was stated. The Canadian Provincial Government ultimately capitulated and proposed 12½ per cent, a figure high enough to compensate British authors and low enough to discourage smuggling. In March 1851 the Board approved this and the Colonial Secretary put the finishing touches on the protracted negotiations.  

By 1855-6 the effects of the Orders in Council began to be felt. An absurdly small amount of money was being collected by Customs officials as payments due to British copyright owners. During a trip to Canada in 1851 Sampson Low Jr, son of the London publisher, already detected trouble. In conversations with booksellers there he learned the worst.  

In answer to my remark — 'at least the [British] author obtains a portion of the duty' (as intended by the law), — it was stated that no amount had yet been realized by any English author, the whole proceeds of the impost being engrossed by the expenses of stationery and salaries.

In 1856 the official returns from Customs became available. For the approximately five years during which the colonies had availed themselves of the Foreign Reprints Act they had collected £387. Nova Scotia reported scarcely more than £10 from American reprints which would have meant, at a rate of 20 per cent on the wholesale price, scarcely £50 worth of reprints! The figures for the Province of Canada were equally absurd. Between June 1851 and the end of 1855 a total of £5,147,746 worth of books had been imported. Of these, £97,770 were supposed to have come from the United Kingdom; £26,506 from countries outside North America; and £390,470 from the United States. If these figures are to be trusted, Canadians were importing four times as many books from the United States as from the Mother Country. Allowing for the fact that not all of these American imports were reprints of British copyright works - there were bound to be a significant number of American copyright books plus a large number of British works whose copyright had lapsed - nevertheless there must have been a substantial number of reprints of British copyright works on which a duty of 12½ per cent was due. Assuming that at least one-fourth of the estimated £390,470 worth of books was subject to this duty, there still should
have been about £12,500 collected. In fact duty was levied on only £3,656 of these American books, amounting to the princely sum of £456 14s. 0d. Even this sum shrank to £252 11s. 3d. after the Canadian Customs deducted their collection costs. The Colonial Office thus received only £206 12s. 10d. Sterling to be allocated to British publishers and authors. Richard Bentley received a mere £44 14s. 11d. as compensation for his scores of copyright books. Ten years later Edward Lytton Bulwer, with all of his copyrights still in force and with his popularity as strong as ever, received £1 19s. 10d. as his year's due from the entire British Empire!

It is no wonder that British authors and publishers repeatedly asked themselves why they had been so negligent as to allow the Foreign Reprints Act to pass through Parliament without a whisper of protest. Similarly, Canadian publishers felt no satisfaction from its passage because they still could not reprint British copyright works without obtaining the consent of British authors and publishers. Only the American reprinters and the Canadian consumers gained. As was true in the United States, the mania for cheapness won out over the interests of the literary community.