

hanced by the charges attending their transmission, exclude them from circulation in the Colonies, especially during the winter months. Hence the restrictions imposed by the Copy Right Acts operate in no manner to the benefit of the English publisher, while by excluding the inhabitants of the British Provinces from the opportunity they have hitherto enjoyed of becoming familiar with the productions of the English Press through the medium of the reprints, chiefly in the Newspaper form, they are led unfavorably to contrast their situation with that of their fellow countrymen in the United States, where such a restriction cannot be enforced.

The protection of Publishers in the United Kingdom is a question altogether distinct from the extension of the Copy Right Acts, by authority of Parliament, to the Colonies, and especially to those having separate Legislatures, who, if it devolved on them to consider of the local application of those Laws, would, in affording a reasonable protection to the English publisher, be disposed to provide also for the interests of the community, whom it cannot be politic to exclude from all access to English Literature, except by an evasion of the exorbitant charges to which they are subjected by Law.

I do not undertake to determine how far their interests may admit of being reconciled by the imposition of such a moderate duty on foreign reprints as would secure to the English publishers a small profit on their works when reprinted in a cheap form, or in the Literary Journals, for circulation in the Colonies; but if from the larger profits derivable from the sale of high priced books in England, the minor advantages from such cheap reprints for the Provinces should not be a consideration to English publishers, the policy would be questionable of altogether prohibiting the circulation of the Journals which are engaged in such republications, by which the public are deprived not only of the works protected by the Copy Right Acts, but of others claiming no such protection.

As the interest of English publishers cannot be injuriously affected, either by a reduction in the price of books in the Colonies, or their circulation through literary Journals amongst a class of readers to whom they would be otherwise unknown, I hope the measure may be abandoned of enforcing by Parliamentary authority a prohibition which, if not evaded through the facilities everywhere presented, would have the effect of excluding English literature from the Provinces.

I have, &c.

(Signed)

W. M. G. COLEBROOKE.

The Right Honorable Lord Stanley, &c. &c. &c.

(Copy)

[No. 29.] *Downing Street, 5th November, 1846.*

SIR,—Her Majesty's Government having had under their consideration the representations which have been received from the Governors of some of the British North American Provinces, complaining of the effect in those Colonies of the Imperial Copy Right Law, have decided on proposing measures to Parliament in the ensuing Session, which, if sanctioned by the Legislature, will, they hope, tend to remove the dissatisfaction which has been expressed on this subject, and place the Literature of this country within the reach of the Colonies, on easier terms than it is at present. With this view, relying upon the disposition of the Colonies to protect the authors of this country from the fraudulent appropriation of the fruits of labours upon which they are often entirely dependent, Her Majesty's Government propose to leave to the local Legislatures the duty and responsibility of passing such enactments as they may deem proper for securing both the rights of authors and the interests of the public. Her Majesty's Government will accordingly submit to Parliament a Bill authorizing the Queen in Council to confirm and finally enact any Colonial Law or Ordinance respecting Copy Right, notwithstanding any repugnancy of any such Law or

Ordinance to the Copy Right Law of this country, it being provided by the proposed Act of Parliament that no such Law or Ordinance shall be of any force or effect until so confirmed and finally enacted by the Queen in Council; but that from the confirmation and final enactment thereof, the Copy Right Law of this country shall cease to be of any force or effect within the Colony in which any such Colonial Law or Ordinance has been made, in so far as it may be repugnant to or inconsistent with the operation of any such Colonial Law or Ordinance.

I have, &c.

(Signed)

GREY.

Lt. Governor Sir William Colebrooke, &c. &c. &c.

NEW BRUNSWICK.

*Message to the House of Assembly, 8th February, 1847.*

W. M. G. COLEBROOKE, Lt. Gov.

The Lieutenant Governor lays before the Assembly, the Copy of a Despatch which he has received from the Secretary of State for the Colonies, in answer to their Address and that of the Council in the last Session, on the subject of the Salary of the Provincial Secretary.

W. M. G. C.

The Despatch accompanying this Message being read at the Clerk's Table, is as follows:—

SALARY OF PROVINCIAL SECRETARY.

(Copy)

[No. 23.] *Downing Street, 30th April, 1846.*

SIR,—I have to acknowledge the receipt of your Despatch of the 27th March, in which you enclose copies of Communications addressed to you by the Legislative Houses of New Brunswick, relative to the amount of Salary which it would be proper to assign to the Offices of Provincial Secretary and Registrar and Clerk of the Executive Council.

My predecessor has already stated, in the most precise terms, that, subject to the maintenance of the faith of the Crown, Her Majesty has no motive for wishing to preserve a scale of expenditure for the Public Officers of New Brunswick, exceeding that which the two Houses of the Legislature may consider sufficient for the due discharge of the public service. Fully concurring in that opinion, I have only to state, that no breach of engagement would be involved in the revision of the Salaries of the present Provincial Secretary and the Clerk of the Executive Council.

Your answer to the House of Assembly should consist of an expression of your readiness to defer to their judgment upon the extent of provision which they have thought fit to recommend for those Offices, and that you will immediately give effect to their wishes, subject, however, to any qualification of their views, which, at the instance of the Legislative Council, or otherwise, they may be induced to adopt.

You will at the same time state, that it should be clearly understood, that Her Majesty's Government will not concur in the alteration, in the reduction or increase of any vote or grant of the Assembly of any allowance which may be so settled; but that any such subsequent alteration can be assented to by yourself, only if made by an Act, the execution of which shall be suspended for the signification of Her Majesty's pleasure.

I have, &c.

(Signed)

W. E. GLADSTONE.

Lt. Governor Sir William Colebrooke.

*Monday, 15th February, 1847.*

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Hazen, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, delivered the following Message:—