

ful of the interests of its workingmen than was the Canadian Government, refused to enter. Despite this refusal on the part of the United States, Lord Herschell in his Bill proposes to be still more liberal. He actually proposes to grant copyright throughout Her Majesty's dominions to any person whether he is or is not a British subject, and without any condition as to manufacture. Another, or rather a second part of Lord Herschell's Bill requires special attention. Her Majesty in Council may modify this new Act as applied to Canadian legislation, provided that British authors are protected in their works first published in other parts of the British dominions. Should this clause allow Her Majesty to assent to our copyright legislation no fault is to be found with it, but should this not be the case—and I do not think that from past experience we can afford to take any chances—I would impress upon this Government the necessity of immediate action, by a protest against that part of this section of the Act that prohibits the importation of foreign reprints of British copyright books, unless the Canadian Government undertakes to collect a royalty and to stamp every copy so imported with the words "foreign reprint."

Royalty duty has not been collected in this country since 1895, thanks to the action of the late Sir John S. D. Thompson, but it looks to me very much as if we should have to recede from the position we have taken and once more act the part of toll-gate keeper for the British publisher. The third part of Lord Herschell's Bill is also very important. By the present Imperial Act Her Majesty in Council is permitted by Order in Council to grant copyright to foreign countries in any case where the foreign country grants copyright to authors whose works are first produced in the United Kingdom. Lord Herschell in his new Bill substitutes the word "published" for the word "produced." This substitution of a word in ordinary conversation is as a general rule a trivial matter, but it may make a most material difference in the reading of an Act of Parliament. The word "produced" in the present Act means that the book must be manufactured, if not written, in the United Kingdom, but if Lord Herschell substitutes the word "published" for the word "produced," he lays wide open the gate to the American publisher, and wipes out a very definite term to replace it by a very indefinite term.

If in the future Her Majesty's advisers should include the United States of America in any order in regard to copyright, this House can see that it would give a decided advantage to the American publisher. In fact the Dominion publisher would not be in the race at all. I am anxious to hear the opinion of the Government upon this impor-

tant question. I am the last man to weary this House, but on so grave a question as copyright at this particular juncture, I cannot sit here without entering my protest. The publishers, the printers, and all concerned with copyright in Canada, have struggled for ten years to have a just, a fair, and an equitable copyright Act passed. When the Liberals were in Opposition they were our bosom friends in this struggle, and now that they are on the sunny side of the House I hope they will not turn around and be our enemies. The hon. gentleman (Sir James Edgar) who presides over the deliberations of this House was our champion, but owing to his position as Speaker, his voice is sealed as far as debate is concerned, although I am sure, in fact I know, we still have his good wishes. The only man who fought for us on the Conservative side was the late Sir John S. D. Thompson. Had he been spared we would have had copyright, but he is gone, and we are again in the field of battle fighting for our lives with no friend save the Solicitor General, on the side of the Copyright Association. We are as far off the goal as we were in 1888, when we commenced the agitation in the time of Sir John Macdonald. I may say that that gentleman always regretted his action in leading this country into the toils of the Berne Convention. Sir John Thompson in due and proper form gave the required notice and demanded we should be free from the terms of that convention. The Colonial Office was notified, but the Colonial Office laughed and said: What we have we hold; and the death of our champion ended the struggle. Surely this state of affairs cannot be allowed to continue. It cannot be that this Government, this Liberal Government, that when in Opposition took so much interest in copyright will refuse our just claims to a Canadian copyright law, or decline to protest against this British Bill which may knock out what little life we have left in our endeavour to do what we can for our Canadian book-making industry. An Act acceptable to Great Britain has been for the past three years in the office of the Minister of Justice. This Act which embodies all the points of the Hall-Caine agreement was prepared and revised by Mr. Newcombe, the Deputy Minister of Justice, who is thoroughly versed in the question of copyright. It is too late, I am aware, to expect legislation upon this subject this session, but in connection with this Herschell Bill I hope that the Government will make a prompt and energetic protest against the clauses in it concerning colonial importations and copyright. I can only hope that the next Address we hear from the Throne at the opening of Parliament will contain the welcome announcement that the long-neglected question of copyright will be dealt with at the next session, so that the wrongs and the injustice that the printers, the pub-