

convention. The United States in its copyright law provides that a work must be published in the United States in order to obtain copyright in the United States. The United States printers are entitled to do the work there and earn the wages. The United States book publishers and magazine publishers are entitled to publish their work there, and unless there is publication in the United States copyright cannot be obtained. There are one hundred and twenty million English speaking people in the United States, the greatest book-buying nation probably in the world. Now the Canadian author is in this position: He finds that his best purchaser in the majority of instances is in the United States and the United States publisher says, "I will buy the United States copyright from you, but you must include with it the Canadian copyright too. If you do, I will become a purchaser." So the bargain is struck and then the work is wholly published in the United States.

In the act of 1921 passed by this parliament we inserted clauses to this effect: If a Canadian publisher desires to publish any copyright work in Canada he may apply to the author for permission to do so, but he cannot publish it unless he offers to pay the author the very highest price by way of royalty that the author has received for the American copyright or the right to publish in the United States. We passed another clause which provided that if the author refused to make an agreement on these terms, the publisher then might apply to the Copyright branch of the Department of Agriculture and the minister was given power to grant a license to a publisher in Canada to publish the work in Canada on payment to the author of an amount exactly similar to the amount which he was paid by his American publisher.

On the face of it that seemed to be a pretty fair arrangement, an arrangement which would protect the author from any financial loss, and would at the same time give the Canadian publisher the right to publish, and the Canadian printer, of course, employment consequent upon the publication. These clauses were inserted in the act of 1921, which was not passed by this House until there had been a very long and involved conference between all the parties interested in this question. There was a committee formed and a conference held at which the publishers, the printers and the authors were represented, and my information is—I do not vouch for the accuracy of this—that they came to an agreement at that conference, and that agreement was embodied in the act of 1921 which

this parliament passed. So that the clauses which the minister now seeks to strike out from the act of 1921 were all actually agreed upon by the conference of authors, publishers and printers prior to the passage of the act in that session.

There was a suspending clause in the act of 1921 to the effect that the act should not come into force until it was proclaimed by the Governor in Council. Now the act has never been brought into force. There has been no proclamation of that act up to the present time, but in the meantime it is claimed that someone in Ottawa has busied himself to cause friction as between the Canadian authorities and the authorities at Berne, Switzerland, who control the question of international copyright, and a journal of some kind published in Switzerland, called *Le Droit D'Auteur*, and supposed to have some connection with the International Copyright Bureau at Berne, contains in its issue of July 15, 1921, an article to the effect that the clauses of the Canadian act of 1921 which provide for publication in Canada and the licensing clauses which I have described to the committee are not in accord with the general international convention's principles as they apply to all the nations which belong to that convention. This is an editorial article in a newspaper. It is not signed by anybody. We do not know who wrote it.

Mr. ROBB: Is it dated from Ottawa?

Mr. GUTHRIE: It is dated July 15, 1921.

Mr. ROBB: Is it dated from Ottawa?

Mr. GUTHRIE: It is not a letter, it appeared in a paper published in Switzerland, but responsible people in Ottawa have given me the name, address and other particulars of the man who is said to have written the article. I do not want the name published, but I will submit it to the minister. I understand the gentleman is still in the Civil Service. He has undertaken to point out that the act passed by this parliament in 1921 is at variance with the principles of the Berne convention. The point I make is that the International Copyright Bureau at Berne has not objected. I have asked the minister, and I ask him now, to lay before the committee any objection that has been taken by the proper authorities at Berne, Switzerland, with reference to this legislation. The British authorities have not objected, so I am informed. If they have I ask the minister to give the committee that information. What is the objection? My information is that this same individual