of a picture of the bull-dog on the Union Jack known as "What we have we'll hold," first published in London in July, 1896, and duly entered by the plaintiffs at Stationers' Hall, London, pursuant to 25 & 26 Vict. ch. 68 (Imp.) The Courts below held that the said Act, which is an Act amending the law relating to copyright in works of fine art, does not extend to the colonies.

J. T. Small, for plaintiffs.

J. H. Denton, for defendant.

THE COURT (ARMOUR, C.J.O., OSLER, MACLENNAN, MOSS, JJ.A.) held, as to the territorial application of the Act, that there are no words expressly extending the area of protection of a copyright granted by it to the colonies, and it was laid down as long ago as 1769, in Rex v. Vaughan, 4 Burr. 2500, that no Act of Parliament made after a colony is planted is construed to extend to it without express words shewing the intention that it should. If this rule was proper, then it is much more proper that it should prevail in 1862. See also Routledge v. Low, L. R. 3 H. L. 100; Williams v. Davis, [1891] A. C. 460; New Zealand v. Morrison, [1898] A. C. 349. A consideration of the scope and object of the Act does not lead to the conclusion that it was intended to affect the colonies, nor are the words used calculated to have that effect, nor can it be said that the policy of Parliament supports such a conclusion. By reference, too, to the various Copyright Acts it will be seen that when it is intended to include the colonies, express words are used. (Review of them.) Nor can the intention to include the colonies be gathered from a careful consideration of the wording of the different sections of the Act. The object of sec. 8 was to put authors of all literary and artistic works first produced in the British possessions upon the same footing and entitle the authors of all literary and artistic works first produced in those possessions to the benefit of the Copyright Acts, but this had not the effect of extending the area of protection granted by the Copyright Acts to the British possessions: Page v. Tounand, 5 Sim. 395; Winslow, 92. By no reasonable construction can the application of sec. 9 of the International Copyright Act "to every British possession as if it were part of the United Kingdom," have the effect of applying the Copyright Acts "to every British possession as if it were part of the United Kingdom," and as extending the area of protection granted by those Acts "to every part of the British possessions as if it were part of the United