

COPYRIGHT IN NEWS.

THE MANAGER OF THE LONDON TIMES GIVES EVIDENCE ON THE APPROPRIATION OF NEWS, AND SUGGESTS A POSSIBLE REMEDY.

THE Imperial Parliament has been passing a copyright law affecting books, etc., and the select committee of the House of Lords, which has been considering it, decided to take evidence on the question of newspapers being allowed to copyright their special despatches. Lord Herschell, who introduced the bill, is chairman of the committee. Mr. Moberley Bell, manager of *The Times*, was the first witness on this subject. He said it was proposed by clause 11 of the bill to apply copyright to newspapers. The clause ran: "Copyright in respect of a newspaper shall apply only to such parts of the newspaper as are compositions of an original literary character and original illustrations therein, and to such news and information as have been specially and independently obtained."

Lord Herschell: That is altogether a new head of copyright, is it not?—It has been practically admitted by the judgment of different courts. We have ourselves got judgment for news specially obtained.

That has been with regard to the mode in which the news has been conveyed, not the mere fact which makes the news apart from the mode?—No; Mr. Justice North said that he could not say that there was not copyright in news—there might be—but there was distinctly copyright in the form in which it was conveyed.

In your opinion some protection beyond that is necessary?—I consider that there is very gross injury suffered by the press, for which there should be a legal remedy. A person who walks down the street and takes a list of the shops is granted a copyright for the list. Another man may walk down the street and may witness, say, a cab accident, and write an account of it, but he has no protection for his account because it appears in a newspaper.

He would have protection for the literary form of it?—He might have. A paper might publish a telegram which has cost it £1 200. We did that in the case of the revolution in Argentina. The matter interested the city very largely, and there was a large demand for the paper from 5 o'clock in the morning, when the account was published, until 10. But at 10 o'clock the demand stopped. Another paper has taken out the news, has printed it and sells it at 1d. What is our remedy? We go to a judge in chambers; we have an audience fixed for Wednesday, the day after the publication, the case is dismissed for two days and an injunction is finally granted, saying that *The Piccadilly Gazette* shall not sell the report. That is no remedy for us.

But giving a copyright in news will be no remedy. The remedy against infringement will be what it is now? I think we ought to have the protection which is given in Australia—a colony in which protection was very necessary, looking at the enormous expense of obtaining telegraphic news from this country. There they passed a bill giving 48 hours' actual copyright in newspapers. If we have a pronouncement in the law that there is copyright in such news as I speak of, then there will be a certain danger in infringing the law.

On what principle would you rest copyright in news? There is an enormous difference between facts and news. Anyone has a right to copy facts, but, when they are made into a literary

form and published, another person may not use them. Vice-Chancellor Wood said: "You may not take the number of the milestones in the road from another book and publish them unless you have counted them yourself." That, no doubt, is carrying the thing to an extreme, but that is the fact.

Do you want more than that for a newspaper? Do you want to create a property in the fact itself? No; that would be impossible.

But is not that what you suggest, if you say that no one may state a fact if it appears in a certain newspaper? Is not that giving a property in a fact? Not if the second paper publishing the fact can show that it obtained the information for itself.

You would claim property in the fact? No; property or possession in the news of the fact, but not of the fact itself. If we publish a telegram as to a suicide in South America we are entitled to the exclusive possession of that news unless somebody else receives a similar telegram.

Should not the person who makes the fact have the copyright? There is no copyright in the fact, but in the conveyance of it.

Answering a question put by Lord Knutsford, as to whether, if the copyright law were altered in the way suggested, other newspapers would not purchase the right to use copyrighted news, the witness said that already in some cases fabulous prices were paid for early copies of his paper, as much as £5 or £6 a copy, the object being to send off to America news it contained.

At a subsequent meeting of the committee, evidence on the contrary line to Mr. Bell's argument was taken. It was contended that a judge would not refuse an injunction to stop a paper that was selling stolen news. That this injunction could be followed by a claim for damages, and that the present law afforded ample protection in such cases. On the other hand, it was also pointed out that judges could not be got at early enough in the morning to secure the seizure of a journal that was selling the news stolen from another paper, and that the legal machinery providing for the recovery of damages only afforded a remote and unsatisfactory remedy.

CHANGES IN THE DAILY PRESS.

Some important changes on the staffs of the daily press have recently taken place. Mr. Hugh Clark, who has been a conspicuous success as writing editor of *The Ottawa Citizen*, has resigned, to go either to *The Ottawa Journal* or to *Montreal*. E. W. Morrison, of *The Hamilton Spectator*, has succeeded him at Ottawa. Watson Griffin, late of *The Toronto World*, has gone to Mr. Wilgress' paper, *The Brockville Times*. J. D. Clarke, of *The London Advertiser*, has become private secretary to the Minister of Justice. Mr. Magurn goes shortly to Winnipeg to edit *The Free Press*. J. I. McIntosh, private secretary to Hon. J. M. Gibson, has become managing-editor of *The Guelph Mercury*, Mr. Innes, that veteran of the press, retiring from active labors. George Simpson has succeeded Mr. Magurn as Ottawa correspondent of *The Globe*.

NORTHWEST EXCURSIONS.

The Minnesota Press Association party left Winnipeg, July 8, on their trip to the Pacific Coast. The Wisconsin party are to go July 22, and the trips have been arranged under the supervision of W. J. White, press agent of the Dominion immigration department.