

HOWARD ANGUS KENNEDY called and sworn.

The WITNESS: My evidence, as I promised, shall be very short indeed—

*By Mr. Chevrier:*

Q. Mr. Kennedy, whom do you represent?—A. The Montreal Branch of the Canadian Authors' Association. We had a meeting on Tuesday night at which I was requested to represent the association at the first opportunity at a meeting of this Committee.

Q. Is that the same association to which Mr. Justice Surveyer referred?—A. He is our president—the president of the Montreal Branch. They left it to my discretion, and I hope I will not be indiscreet. At any rate, I will be brief. I will hardly more than touch upon the financial aspect of the question. I should begin, perhaps, by saying it does not concern me. I am one of those amphibians—in this respect only, like Professor Leacock—that I was born in the Old Country, although I became a Canadian 44 years ago and I have always considered myself a Canadian, and a very enthusiastic one. I understand that, owing to my birth, I am exempt from these licensing clauses. That may be a legal question. But all the more I feel it my duty to represent to the Committee how these licensing clauses infringe not merely upon the financial rights of the authors, but transgress what I have been brought up—in an old fashioned way, perhaps—to regard as the elementary A.B.C. of morals. I cannot understand, and we cannot understand, how a printer—I have been associated with many printers in the most friendly way in business and social life from my earliest youth,—and I cannot understand how any honest printer can come and take possession of what I produce, nor how a government and a parliament, of which we are proud, can abet a printer in spite of my will and wish, in taking possession of what I produce. Supposing a member of this Committee—Mr. Hocken, for instance, my friend from Toronto—has a garden; I would have just as much right to go into his garden and pick the flowers and do what I liked with it as he or a printer or anybody else would have to come and take possession of what I produce in a literary form, regardless of my desires entirely. I have called that legalized piracy, and it is, at the present moment, a piracy that is permitted by the statute books. I, and we as an association, claim that it is absolutely immoral. I might use all the strong words which will represent this piracy to you—

Mr. HOCKEN: Do not hesitate.

Mr. HEALY: They might be all appropriate but I doubt if they will have any effect.

The WITNESS: I consider, at any rate, if I was an author subject to these licensing clauses, and they were put into effect against me, I should then be the victim of a robbery; that is all. Supposing—and I understand it is actually argued—that these licensing clauses act or will act or may act to the financial benefit of the authors, then I should have just as much objection as any poor political prisoner has to being subjected to compulsory feeding by a stomach pump, or however they do it. I promised to be brief, and all that is necessary in my evidence is to say that our branch of the association unanimously and very strongly urges this Committee and the Parliament of Canada to repeal these licensing clauses as absolutely immoral.

*By Mr. Ladner:*

Q. Supposing these licensing clauses were allowed to remain with respect to periodicals and publications of that kind: Would you find them still immoral?—A. I should consider them immoral under any circumstances.