

Right Hon. Mr. MEIGHEN: Honourable senators, there is one point which seems to me to deserve a little consideration. Perhaps it had attention at the hands of the committee. Under our Patent Act patents have a limited life, after which they become the property of the public, with right to their use, and so on. Does it seem quite right that this exclusive privilege should be permanent? If this right is granted it will prevail over the whole world, and therefore ought to be in conformity with the comity of nations on the subject of trade-marks.

Hon. Mr. MURDOCK: Under the provincial Guardianship Act the guardianship is to be maintained only until the quintuplets are eighteen years of age.

Right Hon. Mr. MEIGHEN: The powers of the board as guardians would then cease, but what would become of the rights granted? Does the Bill state that those rights lapse with the guardianship?

Right Hon. Mr. GRAHAM: If the guardianship disappeared, would not the rights given to that guardianship disappear as well?

Right Hon. Mr. MEIGHEN: I venture to say that if those rights prove of value, as probably they will, means will be taken to preserve the guardianship for the sake of preserving the rights.

Right Hon. Mr. GRAHAM: Of course, it would be necessary to amend the provincial statute in that respect. I imagine that would be a very grave step to take. I should think that under present conditions the protection would not continue longer than the guardianship, and if that guardianship were extended it would be with the full knowledge that it included rights granted under this Bill. This is a peculiar situation: there is no competition in this line in any country in the world, and there is not likely to be. However, if competition did occur and I happened to be in the House at the time, I should not be averse, as sponsor of this Bill, to our making it not applicable to any real competitors.

Hon. Mr. HARDY: Honourable senators, I think the preamble of the Bill may throw a little light on this question, because it recites that the Board of Guardians has been appointed by the Ontario Legislature and that certain rights are vested in that board. When the time comes for that Board of Guardians to be demobilized, or when its time expires upon the children reaching eighteen years of age, I should say all rights then held by the guardians expire.

Right Hon. Mr. MEIGHEN: The Ontario Legislature, which is the proper jurisdiction in respect of civil rights, says that all rights that appertain to these children become the rights of the guardians until the children are eighteen, at which time the rights revert to the children and whatever assets have been accumulated are theirs. Now, by this Bill, we create another right and vest it in the guardians. My apprehension is that when the other rights revert to the children the right we are granting under this statute will remain with the guardians, because this statute is permanent; and I question whether our legislation is in conformity with the spirit of the trade-mark convention.

It was my intention to attend the meeting of the committee and see that this matter was looked into, but I overlooked doing so.

The motion was agreed to, and the Bill was read the third time, and passed.

DEPARTMENT OF NATIONAL REVENUE BILL

FIRST READING

A message was received from the House of Commons with Bill 55, an Act to amend the Department of National Revenue Act.

The Bill was read the first time.

Hon. Mr. DANDURAND: With the leave of the Senate I move that the Bill be placed on the Order Paper for second reading tomorrow.

The motion was agreed to.

DIVORCE BILLS

THIRD READINGS

On motion of Hon. Mr. Robinson, for Hon. Mr. McMeans, Chairman of the Committee on Divorce, the following Bills were severally read the third time, and passed, on division:

Bill N2, an Act for the relief of Muriel Beatrice Brown Gray.

Bill O2, an Act for the relief of Joseph Gédéon Emilien Tanguay.

Bill P2, an Act for the relief of Mabel Marjorie Powter Johnston.

CANADIAN NATIONAL RAILWAYS CAPITAL REVISION BILL

SECOND READING

Hon. RAOUL DANDURAND moved the second reading of Bill 12, an Act to provide for revision of the accounting set-up of the Canadian National Railway System.