

and which have a legislative committee considering all these questions in relation to trade, feel that it would be in the interest of their associations that the Act should be enlarged so as to enable those associations and unions to take advantage of trade labels and trade devices. I for my own part must say that the question is one that is open to. I will not say criticism, but open to mature consideration perhaps before it is enacted as law. At the same time I am of the opinion that it is a Bill which should be fairly and carefully considered by the House, and the association of trade unions should have an opportunity to be heard and their interests subserved and advantaged if such interests commend themselves to Parliament. I am aware that this is not the only occasion when this question has been under consideration. I am not in a position to say whether or not it was before the last Parliament, though I understand that the former hon. member for East Toronto (Mr. Coatsworth) brought the matter up for consideration. I must say from my study of the present position of this matter, that I believe the inspection which is asked for by this Bill is in the right direction. I learn from the Minister of Agriculture, or rather from an officer in his department having special regard for the registry of trade marks, that these associations have been in the habit of registering their trade marks, but it is a matter of very grave doubt whether or not such registration is legal, and it is open to the danger of litigation at times to determine its validity. I desire, as far as I can by this Bill, to remove from the realm of doubt the right of registration by these associations. I understand that it was determined in the United States courts, in the case of *Weiner vs. Graton*, that trade associations of this character have not the legal right to register such marks. The provisions of this Bill will establish beyond peradventure the right of these associations to be recognized. I may say, Sir, that the trade associations of the city of Toronto have had this matter for several years under their careful consideration. Their legislative committee, which is composed of a large and intelligent body of representative men, in the interests of trade and in the interests of the working classes, have from time to time endeavoured to obtain such legislation as this.

Some hon. MEMBERS. Hear, hear.

Mr. LOUNT. I am delighted to find from the cheers on the other side that the rights of the working classes are not lost sight of. Hon. gentlemen opposite, having in mind the next elections, are very loud in their expressions of opinion favouring the interests of the working classes.

An hon. MEMBER. Give them free sugar.

Mr. LOUNT. What hon. gentleman spoke so sweetly? I am not aware that this Bill

has any reference to sugar, but I have no doubt there will be found some sweet features in it before it passes into law. I trust that hon. gentlemen opposite will not permit their enthusiasm to subside, but that they will continue it until this Bill passes the House. What I was about to say when interrupted was that the associations that I have mentioned, having considered this question very carefully, have placed in my hands this measure for the consideration of the House, and I venture to believe that the House will unanimously endorse their request.

An hon. MEMBER. What are the features of your Bill?

Mr. LOUNT. I shall be delighted to give the features of the Bill later on, but I know there is a burning desire to hear from the Finance Minister.

Mr. FOSTER. He is not here.

Mr. LOUNT. I propose to block the way just a little time, by discussing this important measure.

An hon. MEMBER. Obstruction.

Mr. LOUNT. The tariff is a very important question, and it is agitating the minds of hon. gentlemen opposite, but if they possess their souls in patience until it is launched, they will be able to draw some conclusions from it. In the meantime, in my opinion a matter perhaps more important than the tariff is the safeguarding of the interests of the labouring classes of this country, and I trust I shall obtain an enthusiastic endorsement of this measure from hon. gentlemen on both sides. I have no doubt that the House is full of intelligence and wisdom, and perhaps an humble member like me cannot give it much information, but I shall for a few moments believe that hon. gentlemen are in benighted darkness on this subject, and therefore I shall give them new light.

By section 8 of this Act the trade mark is to be registered, and such registration makes it property vested in the person so registering. By section 11 of the same Act the Minister of Agriculture is made for the time being the judge and jury who is to determine whether or not a trade mark is an infringement of any other trade mark. By section 16 the trade mark is capable of assignment. Now, I understand that the Minister of Agriculture of the late Government gave his judgment that trade associations or unions had no right to register trade marks, labels, and so forth. Now, this Bill provides:

Section 3 of the Trade-mark and Design Act, Chapter 63 of the Revised Statutes, is hereby amended by adding the following subsection thereto:—

(3.) All marks, names, brands, labels, packages or other business devices which are adapted for use by any association or union of workmen in its trade, business, occupation or calling, for the