

TOLEDO GLASS COMPANY, PATENTS OF  
THE—IN COMMITTEE—*Con.*

*Fisher, Hon. Sydney* (Minister of Agriculture)  
—*Con.*

Conditions in the United States and conditions in Canada are so different that we must legislate for ourselves—3683.

*Gordon, D. A.* (East Kent)—3674.

On the preamble—I move that the committee rise, report progress and ask leave to sit again. There are strong reasons why the Bill should be amended and be fully considered in committee, on account of the effects of this legislation. The statements that the licensees have erected in Montreal a factory costing \$100,000 for the sole purpose of operating the machines in question is incorrect—3675. The operation of the machine, is to be carried on in the same way as in the United States, except that they ask parliament to allow them to pay to the American Company the sum of \$100,000. If you give to this company the absolute right to operate these machines in Canada, you simply put into their pockets the money that now goes into the pockets of the wage-earners—3676. The Diamond Glass Company is a monopoly which has driven a number of factories out of existence. We are not legislating for the city of Montreal, but for the people of Canada—3677.

*Ingram, A. B.* (East Elgin)—3683.

I want again to enter my protest against that section of the Patent Act which compels the patentee to manufacture in Canada—3683.

*Lemieux, Hon. Rodolphe* (Solicitor General)  
—3679.

When the Bill came before the committee, the deputy minister of Agriculture was asked by me if the department had any objection, and he said there was no objection except on some minor points—3678. The licensee, Mr. Herdt, already has spent for the patent \$17,000, and is willing to pay the \$100,000 more that is required—3680.

*Speaker, Mr.*

The hour for private Bills having expired, we will proceed to the next order—3683.

*Sproule, T. S.* (East Grey)—3682.

The exemption they ask under clause A of section 4 is even worse than that—3682.

House again in committee on Bill (10) respecting certain patents of the Toledo Glass Company—Mr. Stewart—3715. Motion that committee rise and report progress—Mr. Borden. Motion agreed to, and progress reported—3738.

*Armstrong, J. E.* (East Lambton)—3736.

The three gentlemen who have taken the side of the Diamond Glass Company have been able to show no just cause for the passage of the measure—3736. Mr. Herdt had had his remedy under the existing law, had he chosen to avail himself of it—3737.

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*Bergeron, J. G. H.* (Beauharnois)—3727.

If they had applied, there would have been no complaint of it, I suppose? Why did they not apply in time?—3727.

*Borden, R. L.* (Carleton, Ont.)—3720.

What was the letter, and what was the statement accompanying it?—3720. Why did not the committee report the Bill with the usual clause?—3721. There are three patents, one for improvements in glass tanks or pots; one for improvements in glass shaping machines, and another for improvements in the methods of blowing glass—3727. May I ask three questions? Does there exist in this case sufficient reason to have justified the commissioner of patents in allowing the extension? Why did the patentee not go to the commissioner instead of coming to parliament? Is the nature of the patent such as would in the ordinary course, have resulted in the granting of an application under section 7—3729. The Minister of Agriculture is not a member of the committee?—3730. If the Bill does not pass it will not prevent the bottles being manufactured in Canada—3732. Moves that committee rise and report progress. Does the right hon. leader of the government not intend to move that the Bill go back to the Private Bills Committee?—3738.

*Bureau, Jacques* (Three Rivers)—3737.

The member for Kent (Mr. Gordon) said he intended to make a motion, but no motion was made—3737.

*Carvell, F. B.* (Carleton, N.B.)—3734.

We have not yet heard of any satisfactory reason why the owners of this patent did not apply to the Commissioner of Patents to have the time extended—3734. There must be a strong reason why they did not go before the commissioner, and that is one of the strongest reasons why we should vote against this Bill. It looks as if this were simply an attempt to evade the patent law—3735. If this man (Mr. Herdt) bought this patent for \$17,000 or any other amount he did so with his eyes open, and I understand is allied with the Diamond Glass Company, which is worth millions, and, as the member for Vancouver says, has been making us all dance to a lively tune—3736.

*Clarke, A. H.* (South Essex)—3723.

It seems to me that the Bill is one which the House should not lightly pass: First, it seeks to relieve the applicants of negligence in respect of their patent; second, it seeks to relieve them of every provision in the Patent Act for the protection of the public; third, it seeks to validate a patent about which there seems to be some question; and fourth, it seeks to create a monopoly—3723. It seems to me a dangerous practice to substitute section 7 for section 4; and the last part of section 2 of the proposed Act—is something that should not go into any Act—