

anxiety of the hon. member. Mr. Newcombe says:

From my standpoint I do not consider that our position will be less favourable if Lord Herschell's Bill be enacted than it is at present. On the other hand, I consider that the Bill would facilitate matters, inasmuch as it provides for the bringing into force of the Canadian statute by the Imperial Order in Council.

There is a clause in this Bill which provides for an Order in Council endorsing and bringing into force a colonial statute, a provision which at present does not exist in the Imperial Copyright Act.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman read that?

The MINISTER OF AGRICULTURE. It is section 35, and reads as follows:—

Where an Act or Ordinance shall be passed in any British possession respecting copyright in any literary or artistic works first published in any other part of the British dominions, Her Majesty the Queen in Council may make an order modifying this Act, so far as it applies to that British possession, and to any literary or artistic works so published, in such manner as to Her Majesty in Council seems expedient.

Provided as follows:—

Before making any such order in respect of any British possession, Her Majesty in Council shall be satisfied that the British possession has made such provisions as it appears to Her Majesty expedient to require for the protection of authors of works first published in other parts of the British dominions.

If this Act is interpreted and carried out in a spirit of concession or of justice to Canada or other colonial British possessions, this provision would be greatly in favour of colonial British possessions. Should this Act be carried out in a hostile spirit, then, of course, we would be in no better position than we now are, perhaps not even in so good a position.

The hon. gentleman asks what the Government will do in view of the introduction of this Bill. I may say that while I am not prepared at present, the Government not having discussed this question, to say positively on what line we will act, I can assure the hon. gentleman that we will try and see that the interests of Canada are thoroughly safeguarded, and if any protest or action on our part will have that effect, we shall be sure to take it.

I may further say that this question of copyright has been to some extent considered by the Minister of Justice and myself and other members of the Council during this session. Unfortunately, in the pressure of business, we have not been able to come to any definite conclusion, sufficient to justify us in introducing legislation this session. This question is one of the most intricate that can be taken up. It is one I confess not to have in any sense or way mastered. I have only just touched on the threshold of it, but I trust in the future to get a better grasp of it. The Government

intends considering the question and may also enter into communication with the Imperial authorities so that we hope to be in a position, in the earliest period of next session, to introduce a Bill which will meet with the approval of the Imperial authorities and remove the difficulties which seem to surround the subject at present. The Deputy Minister of Justice has at present a draft Bill which he considers will be acceptable to the Imperial authorities, and, I understand, is acceptable, in a general way, to the Canadian Publishers' Union, and I can assure the hon. gentleman that in any negotiations which the Government may undertake, the interests of those gentlemen, as well as the public at large, will be thoroughly considered and every effort taken to safeguard them as much as possible.

Mr. ROSS ROBERTSON. Why should not the hon. Minister of Agriculture (Mr. Fisher) advise that the action of the late Sir John Thompson be continued with regard to the Berne Convention? We gave notice, in due and proper form, to the Colonial Office, but they refused to entertain our notice. This Government has the power to withdraw from the convention. The previous Government was assured that they could, on a year's notice, step out of that convention, and yet we have never been able to free ourselves from it. I think that the first step the Government should take would be to point out to the Colonial Office that we have the right to withdraw from the Berne Convention, that we have given a proper notice of withdrawal, and should be able to withdraw more especially as we are not actually in that convention, owing to the fact that we have not yet provided the necessary legislation to bring us within its circle.

The MINISTER OF AGRICULTURE. The hon. gentleman is quite correct. The Parliament of Canada has not implemented its adherence to the Berne Convention which was given some years ago. I think when Sir John Macdonald was Premier. The hon. gentleman says that Sir John Thompson gave notice to the Imperial authorities that we desired to withdraw, but the Imperial authorities would not accept that notice, because certain Imperial interests stood in the way. I confess that that part of the question has not come under my study, and consequently I am not able to say anything positively with regard to it. I, however, promise the hon. gentleman that we will look into the matter, and if we can accomplish something in the interests of our country, we will not fail to do it.

Sir CHARLES HIBBERT TUPPER. I would like to add a word to urge upon the Government, not merely the policy of looking into this subject generally, but of grappling with the issue that is really presented to us, broader and larger than any particular