

not all unite in appointing three arbitrators, the Commissioner or his deputy or person appointed to perform the duty of that officer, may appoint the three arbitrators for the purposes aforesaid.

Their oath of office.

3. The arbitrators so named shall, before a judge of any court in any of the Provinces of Canada, subscribe to the following oath :

"I, the undersigned (A.B.), being duly appointed an arbitrator under the authority of the forty-third section of *The Patent Act* of 1872, do hereby solemnly swear (or affirm, as the case may be), that I will well and truly perform the duty of such arbitrator on the interfering applications of (C.D. and E.F.) submitted to me."

Powers of arbitrators to summon and swear witnesses.

4. The arbitrators, or any one of them, after having been so sworn, shall have the power of summoning before them any party or witness, and of requiring him to give evidence on oath, orally or in writing (or on solemn affirmation, if the person be entitled to affirm in civil matters), and to produce such documents and things as such arbitrators deem requisite to the full investigation of the matters into which they are appointed to examine, and shall then have the same power to enforce the attendance of such witnesses, and to compel them to give evidence, as is vested in any court of law in civil cases, in the Province in which the arbitration is to be had : and any wilfully false statement made by any such witness on oath or solemn affirmation, shall be deemed to be wilful and corrupt perjury : but no such party or witness shall be compelled to answer any question, by his answer to which he might render himself liable to a criminal prosecution.

Wilful false evidence to be perjury.

As to fees to arbitrators, and by whom payable.

5. The fees for the services of arbitrators shall be a matter of agreement between the said arbitrators and the parties, and shall be paid by the parties naming them, respectively, except those of the arbitrator or arbitrators when named by the Commissioner of Patents, which shall be paid by the applicants jointly.

Documents to be open to inspection.

44. All specifications, drawings, models, disclaimers, judgments and other papers, except *exceats*, shall be open to the inspection of the public at the Patent Office, under such regulations as may be adopted in that behalf.

As to clerical errors.

45. Clerical errors happening in the framing or copying of any instrument of the Patent Office, shall not be construed as invalidating the same, but when discovered they may be corrected under the authority of the Commissioner.

Destroyed patent may be replaced.

46. In case any patent be destroyed or lost, others of the like tenor, date, and effect may be issued in lieu thereof, on the party paying the fees hereinbefore prescribed for office copies of documents.

As to use of patented invention in foreign vessels.

47. No patent shall extend to prevent the use of any invention in any foreign ship or vessel, where such invention is not so used for the manufacture of any goods to be vended within or exported from Canada.