

2. SUPREME COURT OF CANADA

The Supreme Court Act, R.S.C. 1927, C. 35, contains the following provisions:

- S. 87. The Governor in Council may by commission empower anyone to take affidavits, etc., in or out of Canada in any Supreme Court proceeding.
- S. 88. Affidavits, etc., in any Supreme Court proceeding may be taken out of Canada before any of the following:

An English commissioner for oaths;
A mayor or notary public anywhere;
A superior Court judge in the Empire;
". . . any consul, vice-consul, acting consul, pro-consul or consular agent of His Majesty exercising his functions in any foreign place and certified under his official seal."

- S. 89. Every such document purporting to have affixed the signature and official seal of any consul, etc., shall be admitted in evidence without proof of such signature or seal or of the official character of such person.

3. EXCHEQUER COURT OF CANADA

Ss. 60, 61 and 62 of the Exchequer Court Act, R.S.C. 1927, C. 34, correspond to the sections cited from the Supreme Court Act.

4. PATENTS

S. 29 of the Patent Act, 1935, C. 32, provides that inventors shall make oaths or affirmations in support of patent applications. Subsection (3) provides:

"Such oath or affirmation may be made before a minister plenipotentiary, charge d'affaires, consul, vice-consul or consular agent, a judge of any court, a notary public, a justice of the peace, or the mayor of any city, borough or town, or a commissioner for taking affidavits having authority or jurisdiction within the place where the oath may be administered."

(NOTE: The question does not arise in copyright and trade mark proceedings.)