

inquiries are incessant as to the result of their application. Sometimes also it is of great importance to them that no delay should take place; a favorable season lost is often a serious injury to the discoverer of some useful invention.

"There is a principle already existing in our Patent law (however defective in other respects) which ought in my opinion, to be preserved, whatever future amendments may be made: it is that by which the Patentee is made the only judge, and alone responsible for the merit or novelty of his invention, leaving to the ordinary tribunals to decide between parties about the validity of the Patent, as far as the exclusive rights to the use of the thing are concerned.

"It is quite proper for officers connected with the Patent Office to advise applicants, whenever they have grounds to suspect the worthlessness of pretended inventions, or the errors of real inventors whose misfortune it is really to invent (as sometimes occurs) things which have been long before in operation in the world; but between this benevolent duty and a binding decision upon the merits or demerits of alleged inventions there is a wide difference. The establishment of such a tribunal as a commission of Examiners of Inventions is surrounded with difficulties and dangers of every kind. Besides, it is not always a service to an enthusiastic inventor to save him from the trifling expense of getting a Patent, for no decision of Examiners will wean him from this idea. On the contrary, he will rather suspect them of having some interest in the rejection than suspect himself of having been deluded by his own fancies. In his case nothing short of a Patent and a fair trial, under the fullest possible legal protection, can cure him of his expectations.

"As far as the public interest is concerned, the free granting of Patents can never inflict any injury, because a recourse in law on the part of the Patentee would not fail, before a proper tribunal, to elucidate the facts much better than could possibly be done, before a board of examiners, where, in nine cases out of ten, all the proceedings would partake of a superficial *ex parte* character.

"Several projects for the amendment of our Patent Laws, some of them marked by great ability, have been submitted to this Department, and will be made use of when the proper time has arrived to frame a more perfect law, on this interesting subject.

"Every attention is now given in the Department to forwarding the dispatch of business generally, and specially of Patent business; however, when, from any reason, it is impossible to issue a Patent as quickly as the inventor would wish it, the Department is not always to blame. Sometimes delays are incurred by the parties addressing their letters to the Minister personally, even marking them *private*, instead of addressing them simply to THE BUREAU OF AGRICULTURE. Delays of that sort have occurred during my absence from Quebec either on official or other business.

"It will be remarked, that the determination of publishing in volumes the specifications and drawings of Patents having been arrived at in 1857, only one volume, containing 258 descriptions of patented articles has been completed down to the end of the year 1864. Since October last, every

possible effort has been made to obtain from the printer the second volume, *in progress* since 1859, and there is now some prospect of having the long-delayed volume shortly ready for distribution."

Statistics.

On this subject the Report says:—

"The subject of Statistics is one of the most vital importance in both an administrative and scientific point of view, but it is one very delicate to deal with. The materials for Statistical information are difficult to collect, difficult to arrange, and in the handling they require more than ordinary industry and judgment.

"Our Canadian statistics, such as they are, have not yet been thoroughly sifted; for hitherto the staff and the circumstances of the Department could not have permitted it. But the researches recently made have been quite sufficient to establish the very painful fact, that the printed reports of the two last *Censuses* are not to be relied upon.

"To what extent the errors can now be traced and corrected remains for us to ascertain.

"The Board of Registration and Statistics, created by law in 1847, has not, apparently, been called together more than a dozen times during the whole period between the date of its creation and the end of the year 1864. No regular minutes of even these few meetings have been kept, in fact such entries as are found in the Registers of the Office, are so few, so formal and so meagre, as to be perfectly valueless.

"Besides the Census reports there is, in this office, no statistical information to speak of, except such as is to be found in the remaining copies of the Blue Book, and in some detached papers.

"I do not venture to speak of remedies after so short a space of time spent in reviewing the state of the Department farther than to say, that the subject is on the *tapis*, is seriously taken in hand, and that, at the close of the year 1864, much interest was manifested by the other members of the Board of Registration and Statistics, in a project submitted by us, for its immediate re-organization."

In conclusion, reference is made to the Bureau of Agriculture being "originally created without well-defined powers, business of every sort accumulating from year to year, the frequent changes in the 'political heads' of the Department, which gave it almost as many Ministers as years of existence, and the long interval between the death of the last Secretary, Mr. William Hutton, in 1861, and the appointment of the present Deputy-head in August last," being causes fully sufficient to account for the unsatisfactory state of the Department during the interval; the acting secretary (Mr. Campbell) having to carry on the Department from day to day, for nearly four years, without the adequate official powers.

Truth always fits. It is always congruous and agrees with itself. Every truth in the universe agrees with all others.