

List of Applications—Continued.

Name of Patentee.	Title.	Reasons for Refusals.
N. E. Smith, Rich- ford, Vt.....	Milk Cooler.....	Applied four days too late.
R. Dick, Buffalo, N.Y.	Machine for Ad- dressing News- papers.....	Applied one day too late.
P. K. Dealy, St. John, N.B.....	Locomotive En- gines.....	Applied one day too late.
J. S. Bogle, Spring- field, Mass.....	Seeding Machine...	Applied three days too late. Fee received six days too late.

Mr. McDONALD (Pictou). I have heard, for the first time, the complaint made by my colleague, that on reference to the department these matters were not properly attended to. I regret I did not hear the complaint before, and without saying a word as to the competency of either the head of the department or the subordinates, I shall certainly enquire whether the subordinates of my hon. friend have correctly informed him in stating that the patents were either sent or, when sent, were neglected. It appears to me the whole thing is in a nutshell. The Bill of my hon. friend is to relieve persons who have omitted in time, under the law, to apply for a renewal of their patents. It is an appeal to the justice of the House to enable my hon. friend to remedy the grievances of which these people justly complain. It does not appear to me, therefore, to be entirely-irrespective of the other point raised by the hon. leader of the Opposition, as to whether the ambiguity in the Act was of such a character as to require amendment. That appears to me to be only a subordinate part of the general object which my hon. friend has in view. The main object is to give relief to the persons named in the list, who shall make out a case that will entitle them to it. Whether there be any ambiguity or not in the clause referred to by my hon. friend, it is sufficiently plain to bear a reasonable construction, and induce parties who desire a renewal of patents to exercise a little caution by keeping within the doubtful side of ambiguity, by making the application in time to secure a renewal. But that is no reason why, on the ground taken by my hon. friend opposite, the relief sought for should not be given. When we go into Committee, I fancy that the clause that has come down from the Senate, and which, I understand, was here altered in its phraseology somewhat, will have to be made clear itself; the question as to the necessity for dealing with such ambiguity in the original Act would also be dealt with. As to the last clause, striking out section 18, which requires a return of the Department of the Minister of Justice, I take it for granted that my hon. friend, when making the observation he did, that so far as the technical character of the invention was concerned, and its aptitude for the purpose for which it was proposed to obtain a patent, it could not be dealt with in that department, said what is manifest to everybody. All that could be done there, even by a competent clerk—and I am glad to see that many are competent even in so very unprofessional a matter—would be to see whether the requirements of the Act had been complied with. I think it would have been a graceful act on the part of my hon. friend if, instead of reflecting on the department of which I have the honor to be the head, he had said his own people were so competent to discharge their duties that he had found it was not necessary to ask their advice. It would have been kindly, so far as the

Mr. POPE (Compton).

gentlemen in my department are concerned, to have put it on that ground. I dare say, on the other ground, there is a good deal in what he says. A competent Commissioner of Patents ought to be able to determine whether applications had come in at the proper time, and the provisions of the Statute had been carefully and literally complied with. I dare say, if competent to decide the main questions, he would be competent to decide as to details of that character, in which case it would undoubtedly be a waste of time to remit them to the Department of Justice for consideration. The important question only might then be submitted to the department—as to whether the application was valid and ought to be granted.

Mr. WHITE (Cardwell). As I understand the statement of the Minister of Justice, this Bill has been submitted to the House in consequence of applications made to his department by persons who had neglected to do what the law required, in order to secure the continuance of the privilege granted under it; and that he submits it simply with the view of ascertaining the opinion of the House on the subject. I very much regret it has been submitted at all. I have listened to the statements of the Minister of Agriculture and of the Minister of Justice, but I confess I see no reason why this Parliament should be called on to interfere for the purpose of remedying an injury or loss which has occurred to people on account of their own neglect of their own interests. The Patent Law gives persons who take out patents very great privileges. They have exclusive rights to those patents for fifteen years after their obtainment. They may take them, at first, for five years, as a mere experiment; after which they can renew them up to periods of ten or fifteen years. It does seem, then, that when a privilege, to a certain extent exceptional, is given parties, they ought to have sufficient interest in it to look to the law and observe its requirements, if they want an extension of such privilege. It seems to me that this Bill, if passed, may act very injuriously in some quarters. I understand the first clause—and not being a lawyer, I speak with deference—runs to this effect: any person who should have made an application, within ten days of the time of that Act, and any time within a year afterwards, the Minister of Agriculture may, if he thinks proper, grant the renewal sought. As I understand it that, after all, will apply to all cases where patents have lapsed up to that time, I quite understand the position as to all cases where applications may be made within the ten days.

Mr. BLAKE. It includes all cases in which not more than one year has elapsed.

Mr. WHITE. Then, as I understand it, the law will be only retroactive for one year from the present. But, during that time, other interests may have sprung up in connection with this matter. Other persons may have undertaken the manufacture of the article the moment the patent expired, as the law would permit. I am aware there is a clause contemplating that such action has really taken place; because the third clause declares that nothing in the Act shall interfere with the right of such persons as to the specific articles they have manufactured during that time. As I understand that clause, it will operate in this way: a patent for a churn or washing-machine expires, and a person undertakes to manufacture it. At the end of a year, the measure gives the patentee a renewal of the patent. As to the specific articles manufactured during that year, the owner would be permitted to sell or use them; but after that he could manufacture them no longer. So that in reality he may have made all his arrangements for their manufacture, and have incurred serious expenditure, yet under the law, and in consequence of