

point of fact, they propose. The hon. Minister has told us the Bill is not satisfactory to him, and that he thought it should be in different terms. What are the terms in which they ask us to agree to it, what are the changes which the hon. Minister proposes to make from the Bill, as passed by the Senate? It was introduced in the Senate by the leader of the Government, but altered very considerably in the course of its progress through that body. Although I think this measure objectionable, I am not making these observations with a view to opposing the second reading of the Bill, but I am making them at this early stage because we should know something more about it before it takes the next stage, and because it is important to know what persons and what patents come within the scope of this measure as now proposed, and still more what persons and what patents will come within its scope if passed in such terms as the Minister thinks should be adopted. We have an indefinite measure before us now. The hon. Minister does not know how many cases will be affected; he thinks about twenty. It is not a difficult matter, however, to ascertain the facts. We can learn the cases in which patents have expired up to this time, and in which not more than one year will have elapsed, and in which the application was made within ten days of expiration. We can then see for what particular cases it is proposed to alter the general law. The hon. Minister says it is intended to deal with such cases as appear to deserve relief, because the applications have been made in good faith, and that the omissions occurred through misapprehensions, but I do not observe that that limitation is contained in the measure. There is an unlimited discretion allowed on the part of the Commissioner as to what he should do; but, subject to that which is attempted to be provided for in the Bill, there is no ground given by the Minister except that the applications in question had been made in good faith, the parties being at the time under a misapprehension as to the law. With reference to the meaning of the law I do not see how there could be any misapprehension as to the first renewal, since the clause says the application for a renewal of a patent must be made "at or before" the period of expiration. It seems to me that no interpretation can be placed on that clause to indicate that a patentee is entitled to apply after the expiration of the time. The Act says that a patent shall be valid for five, ten, or fifteen years, at the option of the applicant. The applicant knows that his patent is valid only for the five or ten years for which he applies for it. Then the Act goes on to say that "at or before the expiration of five or ten years the holder may obtain an extension." If he may obtain it at or before he cannot obtain it after. I am defending the hon. gentleman's own legislation—for I think he was Commissioner at that time—against his attack upon it, and against his imputation of ambiguity. There is no ground for the measure, so far as it applies to the first five or ten years. As to the second five or ten years, I agree that the phrase in the Act with reference to that is not as plain as the hon. gentleman should have written it; yet I think, by the ordinary process of reading, as "at or before" applies to the first extension, it should apply to the second also. It seems to me, before we can pronounce a judgment, we ought to have a list showing the persons who have applied for patents, what the patents are, and the periods at which their applications were made, and the circumstances, and I ask the hon. gentleman to bring down such a statement before he asks us to take another stage with this measure.

Mr. POPE (Compton). It occurs to me that the hon. gentleman has not made out much of a case. I say a doubt was expressed. The Deputy Minister of Justice said that he did not understand this as I understood it.

Mr. BLAKE. Perhaps it was only a clerk in the office.

Mr. POPE. No; it was the Deputy Minister of Justice, who was appointed by the hon. gentleman himself. I believe, if there was such a doubt about the matter, that it ought to be set right; and I thought if that gentleman, who was the deputy of the hon. gentleman, and approved by him, could not throw light upon it, people who had not the mental calibre of the hon. gentleman, might be excused for not understanding it. That is the reason I ask for that change. The hon. gentleman has not shown one single reason why it should not be changed.

Mr. BLAKE. I am not objecting to the change, but the change does not justify the other part of the Bill.

Mr. POPE. As to the 18th clause, to which the hon. gentleman objects *in toto*, what is its effect? It is to prevent delay and hindrance in work by making the law more clear, so the Commissioner will have no difficulty in arriving at a decision, and not be obliged to refer so often to the Department of Justice. The following is a list of applications:—

Name of Patentee.	Title.	Reasons for Refusal.
L. Nightingale, Windsor	Spring Bed Bottom	Balance of fee only, received from New York, Dec 3, 1874 Patent expired Nov. 25, 1874.
Wm Fraser, Glenwilliams, Ont.	Hay Elevator and Conveyor	Original Patent called for Dec 17, 874, but not sent in until Jan. 8, 1876.
Wm Brown, Easton's Corners, Ont	Gate Hanger	Petition and original Patent asked for Dec. 31, 1874, only received Jan. 27, 1875.
J. F Williams, London, Ont	Strap Buckle	Application and fee received after expiration of Patent. (Extension of 10 year Patent.)
W. H. Baker, Windsor, N.S.	Skate Improvements	Application and fee received after expiration of Patent.
Jos Downing, Branford, Ont.	Stove - Pipe Damper	Application received Oct 21, 1875 Patent expired Sept. 5, 1875.
M. Selway, Toronto Ont	Boot and Gaiter Tree	Application received one day too late.
H. Collard, Kingston, Ont.	Harrow	Application received March 27, 1876 Patent having expired March 8 1876.
T Sullivan, Picton, Ont	Snath Turner	Application and fee received July 1, 1876. Patent expired April 20, 1876
Thos. Forfar, Waterdown, Ont	Root Cutting Machine	Application and fee received Dec. 28, 1876. Patent expired Dec. 23, 1876.
J. Frechette, St. Hyacinthe, Que.	Shingle Sawing Machine	Applied three days too late.
Jno. Law, London, Ont	Tar and Petroleum Burners	Applied one day too late.
G. C Hodge, Colebrook, N. H., U.S	Endless Chain Horse Power	Fee received six days after expiration of Patent.
A. H. Calkins, Chesterton, Ind. U.S	Washing Machine	Applied one day too late.
John Taylor, Whitby, Ont.	Pot Strainer	Application received in time, but Mrs Taylor, widow of late John Taylor, had no legal right to extension without letters of administration.
T. A. Heintzman, Toronto, Ont.	Improvements on Piano-Fortes	Applied four days too late.
John Dennis, Newmarket, Ont	Log Barn	Patent expired February 20, 1879. Application only completed March 5, 1879.
John Haggart and David Brown, Garafraxa, Ont.	Grain Separator of Thrashing Machines	Applied four days too late.