

tions ; and it shall be accompanied by drawings and written references, and by a model, where the nature of the case admits of the same, or with specimens of the ingredients and of the composition of matter, sufficient in quantity for the purpose of experiment, when the invention is a composition of matter.

Patent may be granted for articles patented elsewhere.

4. No applicant shall be deprived of his right to a patent in this Province for his invention, by reason of his having previously taken out Letters Patent therefor in any other country, provided that such invention shall not have been introduced into public and common use in this Province prior to the application for a patent therein, and that the patent granted in this Province shall not continue in force after the expiration of the patent granted elsewhere.

Executor or Administrator may take out patent for deceased inventor.

5. If any person entitled to a patent in this Province for a new invention or discovery, shall die before the same is granted to him, the right to apply for and obtain such patent shall devolve on his executor or administrator, and shall be granted in as full and ample a manner, and under the same conditions and restrictions as if issued to the inventor in his life time ; and when a Petition for a patent is made by an executor or administrator, the deposition attached thereto shall be varied to suit the circumstances of the case.

Assignee of inventor in this Province may take out patent.

6. Letters Patent may issue to the assignee of any person entitled to a patent for any invention or discovery made in this Province, but for which no patent has previously issued, the assignment duly proved shall accompany the application and be filed therewith, together with an affidavit of the assignee that the same was made for good consideration, and also an affidavit of the assignor that the invention or discovery was made by him as required by the second section of this Act.

Assignee of foreign patentee may also take out patent.

7. Letters Patent may also issue to the assignee of any person who may have taken out Letters Patent for his invention or discovery in any other country, but not for any discovery or invention made abroad for which no Letters Patent have been there obtained, provided that the invention or discovery so assigned shall not have been introduced into public and common use in this Province prior to the application for a patent, and that the assignee of such foreign patent shall file with his application the assignment duly proved under which he claims a patent in this Province, and an affidavit setting forth the date of the patent abroad, that the article thereby patented has not been in public and common use in this Province, and that he is the assignee for a good consideration.

Patents may be assigned wholly, or in part.

8. Every patent granted in this Province shall be assignable either as to the whole interest therein, or any fractional part thereof, by instrument in writing, which assignments, and also every grant or conveyance of the exclusive right, under any patent, to make and use, and to grant to others the right to make and use the thing patented in this Province or in any part thereof, shall be recorded in the Office of the Provincial Secretary within three months after the execution thereof, such execution being duly proved by the oath of a subscribing witness ; and thereafter every such grantee or assignee shall, in all respects, and to all intents and purposes, stand in the stead or place of the original patentee to the extent or proportion of the interest so granted or assigned.

Damages for infringement of Patent right.

9. If without the consent in writing of a patentee or of his legal representatives, any person shall make, devise, use or sell the thing, invention or discovery, whereof the exclusive right is secured to such patentee, the person so offending shall forfeit and pay to the patentee or his legal representatives a sum equal to three times the actual damage sustained by reason of such offence ; which sum shall be recoverable, with costs of suit, by action on the case founded on this Act in the Supreme Court.

Copies of documents and drawings certified by Provincial Secretary, to be received in evidence.

10. Copies of specifications, depositions, assignments, grants, and of all other papers or documents filed in the Provincial Secretary's Office in connection with a patent under the provisions of this Act, certified under the hand of the Secretary of the Province, shall be received as competent evidence in all Courts where any matter or thing concerning such patent shall come in question.

Copies of Patents, documents and drawing, to be furnished by Provincial Secretary, to any person applying.

11. Any person desiring the same shall be entitled to demand and obtain from the Provincial Secretary a copy of any Letters Patent, or of any petition, deposition, drawing, specification or document whatsoever in connection therewith, or on which the same were granted.

If Attorney General is of opinion that application interferes with previous application or Patent, appeal may be made to the Lieu-

12. When an application is made for a patent, and Her Majesty's Attorney General shall decide that it will interfere with any other application then pending, or with any unexpired patent already granted, it shall be the duty of the Provincial Secretary, upon the representation of the Attorney General, to give notice to the several applicants or patentees ; and if any of them shall be dissatisfied with the