

decision of the Attorney General, he may appeal from such decision to the Lieutenant Governor in Council.

Lieutenant Governor  
in Council.

13. On such appeal being made in writing, the Lieutenant Governor in Council shall appoint a Board of Examiners, to consist of three disinterested persons, one of whom at least shall be selected, if practicable and convenient, for his knowledge and skill in the particular art, manufacture or branch of science to which the alleged invention appertains; the Examiners shall be sworn before a Justice of the Peace to the faithful and impartial performance of the duty confided to them; they shall be furnished with a certified copy of the opinion and decision of the Attorney General, stating the particular grounds thereof, and specifying what part of the invention he considers not entitled to be patented; they shall give reasonable notice to the Attorney General, and to the several parties interested, of the time and place of their meeting, and it shall be the duty of the Attorney General to furnish to the Examiners such information as he may possess relative to the matter referred to.

Board of  
Examiners to be  
appointed to hear  
appeal.

14. The Board of Examiners shall have power to examine on oath all parties giving *viva voce* testimony before them, which oath any one of the Examiners may administer, and after examination and consideration, the Examiners or a majority of them, may either reverse or confirm the decision of the Attorney General in whole or in part, and their opinion being certified in writing to the Attorney General, he shall be governed thereby in any further proceedings; provided always, that before a Board of Examiners shall be instituted in any case, the party applying for the same shall pay into the Office of the Provincial Secretary the sum of twenty five pounds, for the purpose of paying reasonable compensation to the Examiners, and defraying any other expenses connected with the appeal.

Powers and duties  
of Board of  
Examiners.

15. If the Attorney General from any cause entertains doubts as to the applicants right to a Patent, and desires further evidence, he shall apply to the Lieutenant Governor in Council to appoint a Board of Examiners, and such Board shall thereupon be appointed, and shall possess the same powers and functions as if appointed at the instance of a party appealing, but before such Board shall enter upon its duties, the applicant whose case is to be considered, shall pay into the Provincial Secretary's Office the sum of twenty pounds for the purposes mentioned in the preceding section.

Attorney General  
may apply for Board  
of Examiners.

16. In every case of appeal from the decision of the Attorney General, it shall be optional with the appellant either to apply for a Board of Examiners or to appeal to any Judge of the Supreme Court; in case of appeal to a Judge, the appellant shall give notice of his intention to the Attorney General, and at the same time file in the Provincial Secretary's Office the reasons for his appeal, specifically set forth in writing.

Appellant may  
apply for Board of  
Examiners, or  
appeal to Judge of  
Supreme Court.

17. The appellant shall apply to the Judge by petition, and it shall be the duty of the Judge thereupon to hear and determine the appeal in a summary way, upon the evidence produced before the Attorney General, at such early and convenient time as the Judge may appoint, due notice of the time and place of hearing shall be given by the appellant to the Attorney General, who shall notify all parties interested in the appeal in such manner as the Judge shall prescribe; the Attorney General shall lay before the Judge all the original papers and evidence in the case, together with the grounds of his decision, fully set forth in writing; after the hearing of such appeal, it shall be the duty of the Judge to return all the papers to the Attorney General, with a certificate of his proceedings and judgment, which shall be recorded in the Provincial Secretary's Office, and the judgment so recorded shall govern the further proceedings of the Attorney General in the case, but no such judgment shall preclude any person interested from the right to contest the same in any Court where it may come in question; provided always, that before making such appeal to a Judge, the appellant shall deposit with the Provincial Secretary the sum of twenty pounds to defray the expenses of the same.

Mode of proceeding  
by and before the  
Judge

18. Any person who shall have made a new and useful discovery or invention, but desires further time to mature the same, may file in the Office of the Provincial Secretary a caveat, setting forth its design or purpose, as also its principle and distinguishing characteristics, and praying that his rights may be protected until his invention is matured; such caveat shall be in force for one year and no longer, and shall be filed in the confidential archives of the Provincial Secretary's Office, and preserved in secrecy; and if application shall be made by any person within one year from the time of filing the caveat, for a patent of any discovery or invention which apparently would interfere with the rights of the party filing the caveat,

Caveat may be filed  
for incomplete in-  
vention; proceed-  
ings in case of  
another application  
for Patent.