

CAP. XXXI.

An Act in amendment of the Law relating to Inland Posts.

Passed 3rd May 1853.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. The third section of an Act passed in the fourteenth year of the Reign of Her present Majesty, intituled *An Act in addition to the Law relating to Inland Posts*, respecting the transmission of printed Books and other publications between the United Kingdom and this Province, together with the Schedule therein referred to, is hereby repealed. 14 V. c. 1, s. 3, repealed.

2. It shall be lawful for His Excellency the Lieutenant Governor in Council, by Order in Council duly made and published in the Royal Gazette, to carry out any arrangements from time to time made for facilitating the transmission of Books and Pamphlets, or for reducing the rate of Postage on Letters between Great Britain and the Colonies, which may be sanctioned by Her Majesty's Postmaster General, or by the Lords Commissioners of Her Majesty's Treasury, and may regulate the transmission by Post from one part of the Colony to the other, of all such Books or Pamphlets, on such terms and in such manner as to His Excellency in Council shall seem meet; and every such Order in Council shall, when published by authority in the Royal Gazette, have the same force and effect as if in this Act contained. Governor in Council authorised to effectuate an arrangement for transmission of Books and Pamphlets, and reduction of Postage.

CAP. XXXII.

An Act to regulate the granting of Patents for useful inventions.

Passed 3rd May 1853.

Section.

1. Letters Patent may be granted by Lieutenant Governor.
2. Mode of applying for Patent.
3. Specifications, drawings, and models, to be lodged with Provincial Secretary.
4. Patents may be granted for articles patented elsewhere.
5. Executor or Administrator may take out Patent for deceased inventor.
6. Assignee of inventor in this Province may take out Patent.
7. Assignee of Foreign Patentee may also take out Patent.
8. Patents may be assigned wholly, or in part.
9. Damages for infringement of Patent right.
10. Copies of documents and drawings, certified by Provincial Secretary, to be received in evidence.
11. Copies of Patents, documents, and drawings, to be furnished by Provincial Secretary to any person applying.
12. If Attorney General is of opinion that application interferes with previous application or Patent, appeal may be made to Lieutenant Governor in Council.
13. Board of Examiners to be appointed to hear appeal.
14. Powers and duties of Board of Examiners.
15. Attorney General may apply for Board of Examiners.
16. Appellant may apply for Board of Examiners, or appeal to Judge of Supreme Court.
17. Mode of proceeding by and before the Judge.
18. Caveat may be filed for incomplete invention; proceedings in case of another application for Patent.

Section.

19. Each Patentee confined to his own invention or improvement.
20. Provision in case Patentee, without fraud, claims too much.
21. Patentee in such case may disclaim excess.
22. Defective Patent may be surrendered and new Patent may issue.
23. Original Patentee may secure improvement made by him.
24. Patents may issue for new and original designs in any art or manufacture.
25. English Patents not to be in force in this Province, until copies of drawings and specifications, and duplicate of model, shall be lodged.
26. The term of a Patent may be extended.
27. Proceedings in order to obtain such extension.
28. Penalties for falsely marking patented articles, or vending unpatented articles as being Patent.
29. Date of Patent to be affixed to each patented article.
30. Special pleas prohibited; special matter may be given in evidence under general issue; provision as to costs.
31. Quakers may affirm; before whom oath or affirmation may be taken.
32. Fees established as in Schedule annexed.
33. Letters Patent null and void if manufacture not established, or article introduced within three years.
34. Interpretation clause.
35. Repealing clause.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. The Lieutenant Governor may direct Letters Patent under the Great Seal of this Province to be issued to any person applying for the same, granting to such person and his legal representatives, for a term not exceeding ten years, the full and exclusive right of making, using and vending any new invention or discovery, under the conditions and regulations, and conformably to the provisions of this Act.

2. The applicant for a patent shall state in his Petition to the Lieutenant Governor that he has invented or discovered a new and useful art, machine, manufacture, Letters Patent may be granted by Lieutenant Governor.

Mode of applying for patent.