

Limitation of
Actions.

VI. And be it further enacted by the authority aforesaid, that every action or suit for any offence against this Act, shall be commenced within the space of one Calendar Month after the offence committed and not afterwards, before any Provincial Judge in Circuit, or any two Justices of the Peace residing in the said Towns or Villages respectively, or the nearest thereunto, and after judgment rendered upon conviction, upon the oath of one or more credible witness or witnesses, other than the prosecutor, or confession of the offender, and in default of payment on the part of the offender or offenders within eight days after such judgment, the penalties and forfeitures by this Act imposed for any offence against the same, shall be levied by distress and sale of the goods and chattels of the offender or offenders, by warrant under the hand and seal of such Provincial Judge in Circuit, or such Justices of the Peace residing in the said Towns or Villages, or nearest thereunto, who shall have heard the complaint, rendering the surplus of such distress, if any there be, after deducting the necessary charges on making the same, to the party or parties prosecuted, which warrant such Provincial Judge in Circuit or Justices of the Peace, is and are hereby empowered and required to grant, as aforesaid; and the penalties and forfeitures when so levied, shall be paid, one half to the informer (in case he shall not be the Inspector) and the other half or the whole, if the said Inspector be the informer, to his Majesty's Receiver General for the use of this Province, and be applied to the support of the Civil Government thereof, and shall be accounted for to his Majesty, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his said Majesty, his Heirs and Successors shall direct.

Continuance of
this Act.

VII. And be it further enacted by the authority aforesaid, that this Act shall be in force to the first day of January, which will be in the year of our Lord one thousand eight hundred and eleven, and from thence to the end of the then next Session of the Provincial Parliament, and no longer.

C A P. XV.

AN ACT to grant to *Jean Baptiste Bedard* the exclusive right and privilege of erecting Bridges in this Province, according to the models therein mentioned.

(16th April, 1807.)

Preamble.

WHEREAS *Jean Baptiste Bedard* of the City of Quebec, Carpenter, hath invented two improved methods for the easy and solid construction of wooden Bridges, and hath made a specification of his said inventions, which said specification is hereunto annexed, and hath also deposited models of the said Bridges in the office of

of the Secretary of this Province of Lower Canada; and Whereas it is necessary and proper to give encouragement to all arts and inventions which may be for the public good: Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act of the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "*An Act for making more effectual provision for the Government of the Province of Quebec in North America;*" and to make further provision for the Government of the said Province." And it is hereby enacted by the authority of the same, that the said *Jean Baptiste Bedard* by himself or his deputies, servants or agents, and no other person whatsoever, shall have full power, sole privilege and authority, from time to time, and at all times hereafter until the first day of May which will be in the year of our Lord one thousand eight hundred and twenty one, provided the said *Jean Baptiste Bedard* shall so long live, to erect or cause to be erected, within the limits of this Province, any Bridge or Bridges of wood according to the said inventions of the said *Jean Baptiste Bedard*, for the construction of such Bridges, the models whereof are so as aforesaid deposited in the office of the Secretary of this Province of Lower-Canada.

Jean Baptiste Bedard entitled to the sole and exclusive privilege of building Bridges of a certain description, for 14 years.

No person, except *Jean Baptiste Bedard*, to build Bridges on the principles of his invention.

II. And to the end that the said *Jean Baptiste Bedard* may have and enjoy the full benefit and the sole use and exercise of the said inventions: Be it further enacted by the authority aforesaid, that no person or persons, bodies politic or corporate other than the said *Jean Baptiste Bedard*, and his servants, deputies and agents, shall, before the first day of May which shall be in the said year of our Lord one thousand eight hundred and twenty one, if the said *Jean Baptiste Bedard* shall so long live, directly or indirectly, construct or erect, or cause to be constructed or erected within any part of this Province of Lower-Canada, any Bridge or Bridges according to or upon the principle of the said inventions or either of them.

No person to build Bridges on the principles of the said *Jean Baptiste Bedard*, unless a new principle be found to exist in such improvement

III. And be it further enacted by the authority aforesaid, that no person or persons, bodies politic or corporate who shall have discovered any improvement upon the said inventions or either of them, shall construct or erect, or cause to be constructed or erected any Bridge or Bridges within this Province of Lower-Canada, upon or according to the said inventions of the said *Jean Baptiste Bedard* or either of them, unless some new principle shall be found to exist in such improvement.

Penalty on persons building Bridges on the principle of the

IV. And be it further enacted by the authority aforesaid, that if any person or persons, bodies politic or corporate shall, during the existence of this Act, erect or construct, or cause to be erected or constructed any Bridge or Bridges within this Province

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invention of Jean
Baptiste Bedard,
without his con-
sent.

vince of Lower-Canada, upon or according to the said inventions or either of them, without the consent of the said *Jean Baptiste Bedard* first had and obtained in that behalf in writing, unless in such Bridge or Bridges so to be built without such consent, there shall be found to exist some new principle not contained or appearing in the said models, or in the specifications to this Act annexed or either of them, such person or persons, bodies politic or corporate so contravening shall, for every such contravention, pay as an indemnification to the said *Jean Baptiste Bedard*, his heirs, executors, curators or administrators, the sum of Two Hundred Pounds current money of this Province of Lower-Canada, which shall be recovered by an action on the case founded on this Act to be brought in any of his Majesty's Courts of Kings Bench, within the Districts of Quebec, Montreal or Three Rivers respectively, or in any other Court having competent jurisdiction; and such Bridge or Bridges shall and may be seized and taken in execution and sold for the satisfaction and payment of any judgment which, for the cause aforesaid, shall or may be given in favor of the said *Jean Baptiste Bedard*, his heirs, executors, curators or administrators, as part of the goods and chattels of the person or persons against whom such judgment shall be so recovered, but subject nevertheless to any preference or priority which any other creditor or creditors of the person or persons against whom judgment shall be so obtained by the said *Jean Baptiste Bedard*, and subject also to all such rights as any other person or persons may, by law, be intitled to, as against the said *Jean Baptiste Bedard*, his heirs, executors, curators or administrators upon such Bridge or Bridges or the proceeds thereof, and the said right of the said *Jean Baptiste Bedard* to take such Bridge or Bridges in execution shall be over and above any other legal recourse which he the said *Jean Baptiste Bedard*, his heirs, executors, curators or administrators may legally have against the other property of any person or persons so offending for the payment of the same, or against the body or bodies of such person or persons. Provided always, that to entitle the said *Jean Baptiste Bedard* to the exclusive benefits and advantages secured to him by the present Act, it shall be the duty of the said *Jean Baptiste Bedard* to cause the annexed specification to be published at full length in English and in French in the Quebec Gazette for and during the space of three months next after the passing of this Act, together with an advertisement giving public notice that each and every person infringing upon the exclusive privilege so granted to him for the space of fourteen years, from and after the passing of this Act, in case the said *Jean Baptiste Bedard* shall so long live, will thereby become liable in the sum of Two Hundred Pounds, current money of this Province, as an indemnification to the said *Jean Baptiste Bedard*, his heirs and successors, curators or administrators for every such infringement.

Jean Baptiste Bedard to cause the Specification to be inserted in the Quebec Gazette,

V. And be it further enacted by the authority aforesaid, that if, after the passing of this Act, and during the existence thereof, it shall appear that any Bridge or Bridges has or have been heretofore built, or any plan or plans shall have been published which has or have disclosed or made known the mode, manner or art of building

and to give public notice, of his exclusive privilege.
Cases in which this Statute shall be absolutely null and void.

ing Bridges according to or upon the principles of the said inventions or models so deposited with the said Secretary of this Province, or if the said models shall be found to be an improvement only upon the principles of any such Bridge or Bridges so heretofore built, or of any such plan or plans so heretofore published, then and in any such case this present Statute, and every clause, matter and thing therein contained, shall cease and determine and become absolutely null and void, any thing herein before contained to the contrary hereof in any wise notwithstanding.

Specification.

Specification of the models referred to in an Act of the Provincial Parliament granting to Jean Baptiste Bedard the exclusive right of building Bridges according to the said models deposited in the office of the Secretary of this Province.

Model No. 1.

The model No. 1. is formed by three arches, each of which is composed of three segments of a circle and of six or a greater or less number of arches, composed of two segments of a circle, each arch formed of three segments of a circle is tied by the means of Radii or Spokes into which are inserted, by tennons of two or three inches, the pieces of timber that form the segments of circles, and also by other pieces of wood in form of cross braces, each end whereof is also let in by tennons of two or three inches into the Radii or Spokes.—Each arch formed of two segments of circles is bound in the same manner. One arch composed of three segments of circles is to be placed at each side of the bridge and the other in the middle, and the arches composed of two segments of circles are to occupy the intermediate spaces; all these arches are bound together by diagonal and horizontal ties. The floor is laid upon the middle segment of those arches that have three segments, and upon the upper segment of those arches that have only two segments, so that the upper segments of the arches that have three segments will serve as fenders or *garde-corps*.

Model No. 2.

The model No. 2. is formed of three arches, each of which is composed of two segments of circles bound and subtended by a stretcher, and of four or a greater or less number of arches formed by one segment of a circle bound and subtended by stretchers. Each arch composed of two segments of circles is tied by the means of Radii or Spokes of different lengths, into which is let, by tennons of two or three inches, the pieces of timber which form the segments and bound together by means of other pieces in the form of cross braces, each end whereof is also let in by tennons of two or three inches, into the parts of the Radii or Spokes between the two segments and by the means of the stretcher which is tied by iron collars at the abutments of the arch, and at the lower end of the Radii or Spokes the pieces of timber which form each stretcher are bound together at their ends by means of teeth bound and consolidated by iron collars. Each arch composed of one segment of a circle and of one stretcher is tied in the manner as aforesaid, except the cross braces.

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One of the arches composed of two segments of circles must be placed at each side of the bridge, and the other in the middle, the other arches are fixed in the intermediate spaces. All those arches are bound together by diagonal or inclined ties. The floor is laid on the lower segment of the arches formed of two segments and on the segments of the other arches, so that the upper segments of the arches composed of two segments will serve as fenders or *garde-corps*.

C A P. XVI.

AN ACT to provide Returning Officers for the Election of Knights, Citizens and Burgesses to serve in the House of Assembly, and to regulate Elections to be held for that purpose.

(16th. April, 1807.)

Preamble.
Act 40th Geo. III
Cap. 1.

Act 43d Geo. III
Cap. 5.

WHEREAS an Act was passed in the fortieth year of His Majesty's Reign, intituled, "*An Act to provide Returning Officers for Knights, Citizens and Burgesses to serve in Assembly, and regulating Elections to be held for that purpose;*" and another Act was passed in the forty third year of His Majesty's Reign, intituled, "*An Act to continue, for a limited time, and amend an Act passed in the fortieth year of His Majesty's Reign, intituled, 'An Act to provide Returning Officers for Knights, Citizens and Burgesses to serve in Assembly, and regulating Elections to be held for that purpose;'*" which said Acts will both expire at the end of the present Session of the Provincial Parliament; and Whereas it is expedient and necessary to make further and more ample provision respecting Returning Officers, and for regulating the Elections of Knights, Citizens and Burgesses to serve in Assembly: Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "*An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America;'*" And to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that the Governor, Lieutenant Governor or Person administering the Government of the Province for the time being, shall have power and authority to name and appoint, whenever it shall be necessary, fit and proper persons to act and officiate as Returning Officers in the respective Counties, Cities and Boroughs in this Province.

Governor empowered to appoint
Returning Officers.