

ed by such Justice or Justices of the Peace, and the surplus after such penalties and the charges of such distress and sale are deducted, shall be returned upon demand to the owner of such goods and chattles, and one half of which penalties respectively, when levied and paid, shall belong to His Majesty, and the other half to the person suing for the same.

Application of
the Money to be
accounted for
to His Majesty.

XIII. And be it further enacted by the authority aforesaid, that the money which may be levied in virtue of this Act and not herein before granted to the Proprietors of the said Draw-Bridge so as aforesaid intended to be built and erected, shall be, and the same are hereby granted and reserved to His Majesty, his heirs and successors for the public uses of the Province and for the support of the Government thereof, and the due application of such money, fines and penalties shall be accounted for to His Majesty, his heirs and successors through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his heirs and successors shall direct.

Public Act.

XIV. And be it further enacted by the authority aforesaid, that this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace and all other persons whomsoever without being specially pleaded.

C A P. XXIX.

An Act to grant to *John Bragg* the Exclusive Right and Privilege of erecting Bridges in this Province, according to the model therein-mentioned.

(24th April, 1819.)

Preamble.

WHEREAS *John Bragg*, of the City of Montreal, Carpenter, hath invented an improved method for the easy and solid construction of wooden bridges, and hath made a specification of his said invention, which said specification is hereunto annexed and hath also deposited a model of the said Bridge in the Office of the Secretary of the 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

John Bragg allowed the exclusive privilege of building Bridges according to a Model furnished by him.

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 said *John Bragg*, 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 thirty-three, provided the said *John Bragg* 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 invention of the said *John Bragg*, for the construction of such Bridges; the model whereof is so as aforesaid deposited in the Office of the Secretary of this Province of Lower-Canada.

No other person to build Bridges according to John Bragg's principle of invention.

II. And to the end that the said *John Bragg* may have and enjoy the full benefit, and the sole use and exercise of the said invention, Be it further enacted by the authority aforesaid, that no person or persons, bodies politic or corporate other than the said *John Bragg*, and his servants, deputies and agents, shall before the first day of May, which will be in the said year of our Lord one thousand eight hundred and thirty-three, if the said *John Bragg* 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 invention.

No person to construct Bridges according to the invention of John Bragg, unless some new principle is found to exist in the improvement.

III. And be it further enacted by the authority aforesaid, that no person or persons, bodies politic or corporate, who shall have discovered an improvement upon the said invention 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 invention of the said *John Bragg*, unless some new principle shall be found to exist in such improvement.

Penalty on persons building Bridges according to Bragg's model unless with his consent.

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 of Lower-Canada, upon or according to the said invention without the consent of the said *John Bragg* 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 model

or in the specification 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 *John Bragg*, his heirs, executors, curators or administrators the sum of two hundred pounds, current money of this Province, 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 King's 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 *John Bragg*, 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 *John Bragg*, and subject also to all such rights as any other person or persons may by law be entitled to as against the said *John Bragg*, his heirs, executors, curators or administrators, upon such Bridge or Bridges, or proceeds thereof, and the said right of the said *John Bragg*, to take such Bridge or Bridges in execution, shall be over and above any other legal resource which he the said *John Bragg*, 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 *John Bragg* to the exclusive benefits and advantages secured to him by this Act, it shall be the duty of the said *John Bragg* 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 to 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 *John Bragg* 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 *John Bragg*, his heirs and successors, curators or administrators, for every such infringement.

To entitle himself to the benefits of this Act, *John Bragg* to cause the specification annexed to this Act to be published in the Quebec Gazette and an advertisement, of the penalty to which persons are liable infringing on his privilege.

Principles upon which *Bragg's* Patent shall cease & this Act made null and void.

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 Bridges according to or upon the principles of the said invention or model so deposited with the said Secretary of this Province, or if the said model shall be found to be an improvement only upon the principles of any such Bridge or Bridges so heretofore constructed, or of any such plan or plans so heretofore published, then, and

and in such case this present Act 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.

Public Act.

VI. And be it further enacted by the authority aforesaid, that this Act shall be deemed a public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace, and all other persons whomsoever, without being specially pleaded.

Specification of the Model referred to, in an Act of the Provincial Parliament, granting to *John Bragg* the exclusive right of building Bridges, according to the said Model deposited in the Office of the Secretary of this Province:

Specification.

This Model is formed by a single arch, composed of Girders or string pieces, connected together by horizontal ties or transverse purlins, placed alternately over and under the said purlins; which are also alternately butted together over the said purlins with diagonal horizontal braces and perpendicular and diagonal keys— with or without abutments and with a railing connected together by inclined brace keys.