

C A P . X X X I I I .

An Act to extend Patents for Inventions granted for one section of the Province to both sections thereof, on certain conditions.

[Assented to 10th June, 1857.]

Preamble.

12 V. c. 24.

14, 15 V. c. 79.

WHEREAS by the Act passed in 1849, in the twelfth year of Her Majesty's Reign, and intituled, *An Act to consolidate and amend the Laws of Patents for Inventions in this Province*, it is provided that Patents thereafter granted should extend to the whole Province, and by the Act passed in the Session held in 1851, in the fourteenth and fifteenth years of Her Majesty's Reign, and intituled, *An Act to enable parties holding Patents for Inventions confined to one section of this Province, to obtain the extension of the same to the other section thereof, and for other purposes therein mentioned*, provision is made for such extension of Patents issued for either Upper or Lower Canada before the Union thereof, to both sections of this Province; but though it was equally expedient that provision should be made for the like extension of Patents issued after the Union but before the passing of the said Act of 1849, and it appears to have been the intention of the Legislature to make such provision, yet from the wording of the said Act, it is at least doubtful whether such provision is thereby made: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Patents issued between the Union of the Provinces and the Act of 1849, extended to the whole Province.

I. Every Patent for an Invention issued after the Union of Upper and Lower Canada, but before the passing of the said Act of 1849, shall from and after the passing of this Act, and by virtue thereof, extend and apply to and throughout the whole Province of Canada, and shall be subject to all the provisos, conditions, reservations and restrictions mentioned and contained in the said Act of 1849, and the provisions thereof and of the said Act of 1851, applicable to Patents generally, shall apply to such Patents, and all matters incident thereto; and any such Patent shall, as regards that section of the Province for which it was not originally granted, convey to the holder of such Patent all the privileges conferred by the said Act of 1849, for and during the remainder of the term for which such Patent was originally granted, and shall be renewable for the whole Province for the period and under the conditions prescribed in the eleventh section of the said Act of 1849: Provided always, that every person or corporation in that section of the Province to which such Patent shall extend solely by virtue of this Act, who has or shall have purchased, constructed or used within such section of the Province, prior to the passing of this Act, any machine, manufacture or composition of matter included in such Patent, shall be held to possess the right to use and vend to others

Proviso: in favor of persons who have used the Invention before the passing of this Act.

others to be used, the specific machine, manufacture or composition of matter so actually purchased, constructed or used by him before the passing of this Act, without liability to the Patentee or other person interested in the invention for which such Patent was granted, as regards such section of the Province.

C A P . X X X I V .

An Act to amend a certain Act therein mentioned, so as better to provide for the security of the lives of Passengers on board of Steam Vessels.

[Assented to 10th June, 1857.]

WHEREAS it is expedient to make better provision for the security of the lives of Passengers on board of Vessels propelled in whole or in part by Steam, and for that purpose to amend certain portions of the Act passed in the Session held in the fourteenth and fifteenth years of Her Majesty's Reign, chapter one hundred and twenty-six, intituled, *An Act to amend an Act, intituled, 'An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the Navigation of the waters of this Province'*: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. It shall be the duty of the Inspectors appointed under the said Act or this Act, to examine and see that suitable and safe provisions are made throughout such vessels, to guard against loss or danger from fire; and no certificate or other papers shall be granted, on any application, if the provisions of this Act for preventing fires are not complied with, or if any combustible material liable to take fire from heated iron, or any other heat generated on board of such vessels in and about the boilers, pipes or machinery, shall be placed at less than eighteen inches distant from such heated metal or other substance likely to cause ignition, unless a column of air or water intervenes between such heated surface and any wood or other combustible material so exposed, sufficient at all times and under all circumstances to prevent ignition; and further, when wood is so exposed to ignition, as an additional preventive, it shall be shielded by some incombustible material, in such manner as to leave the air to circulate freely between such material and the wood; Provided, however, that when the structure of such vessels is such, or the arrangement of the boilers or machinery is such, that the requirements aforesaid cannot without serious inconvenience or sacrifice, be complied with, Inspectors may vary therefrom, if in their judgment it can be done with safety.

Preamble.

14, 15 V. c. 126.

Inspectors to see that proper provision is made against danger by fire.

Proviso.