

and commodious for the passage of travellers, cattle and carriages ; and if, within the time last mentioned, the said Bridge be not repaired or rebuilt, as the case may require, then the said Bridge, or such part thereof as shall be remaining, shall be, and be taken, and considered to be the property of Her Majesty ; and after such default to repair or re- 5
build the said Bridge, the said William John Bickell shall cease to have any right, title, or claim in, or to the said Bridge, or to the remaining parts thereof, and the tolls hereby granted, and his, and each, and every of his rights in the premises, shall be wholly and for ever termin- 10
ated.

Enforcement
of penalties.

10. The penalties hereby inflicted shall, upon proof of the offence, respectively, before any one or more Justices of the Peace for the Dis-
trict of Quebec, either by the confession of the offender or by the oath
of one or more credible witness or witnesses (which oath such Justice is
hereby empowered and required to administer), be levied by distress 15
and sale of the goods and chattels of such offender, by warrant, signed
by such Justice or Justices of the Peace, and the overplus, after such
penalties and the charges of such distress and sale are deducted, shall
be returned, on demand, to the owner of such goods and chattels ; and
one half of such penalties, respectively, when paid and levied, shall be- 20
long to Her Majesty, and the other half to the person suing for the
same.

Height of
bridge.

11. The said Bridge to be built over the River St. Charles shall have
under its arches an elevation of at least five feet above high water, and
a distance of at least seventy-five feet between the several piers thereof . 25

To be a swing
bridge.

12. The said Bridge shall be a swing Bridge, and shall be so con-
structed as to admit of the free navigation, at all times, of the said
River St. Charles, by vessels of every description capable of navigating
the said river.

Indemnifica-
tion of Que-
bec Turnpike
Trust.

13. And with the view of preventing all differences between the 30
Quebec North Shore Turnpike Road Trust and the said John Bickell,
it is enacted,—That in case the revenues derived from the Dorchester
Bridge should be diminished in consequence of the construction of the
new bridge, the said John Bickell shall be bound to indemnify the said
Quebec North Shore Turnpike Road Trust in the manner following: 35

1. The said John Bickell shall every week deposit in one of the In-
corporated Banks of this Province, all the tolls and revenues arising
directly from the said new Bridge, which said tolls and revenues he
shall not at any time withdraw, excepting upon his compliance with
the conditions following: 40

2. To enable them to ascertain whether any actual diminution has
taken place in the revenue of the Dorchester Bridge, the Turnpike
Road Trustees shall prepare a Return at the end of every six months
to be attested by them under oath shewing in detail all the revenues
arising from tolls on the said Dorchester Bridge. 45

3. If it is ascertained by means of such return that the revenues de-
rived from the Dorchester Bridge have actually diminished, the said Wm.
John Bickell shall then indemnify the said Turnpike Trust out of the
funds which he shall have deposited in one of the Incorporated Banks 50
of this Province, as hereinbefore prescribed, and after so doing he shall
be at liberty to withdraw from the said Bank the moneys he shall have