CHAPTER cxxvii.

An Act for rendering valid certain Letters Patent granted to John Greene for the invention of improvements in the manufacture of Types Logotypes and Phrasotypes and in Apparatus therefor. [18th July 1881.]

A.D. 1881.

WHEREAS John Greene of the Reform Club Pall Mall in the county of Middlesex did on the 10th day of April one thousand eight hundred and seventy-two present a petition to Her present Majesty Queen Victoria praying Her Majesty to grant to him letters patent under the Great Seal of Great Britain for or in respect of an invention therein mentioned the said invention being for "Improvements in the manufacture of types logotypes and "phrasotypes and in apparatus therefor."

And whereas by letters patent under the Great Seal of Great Britain bearing date the said tenth day of April one thousand eight hundred and seventy-two Her present Majesty Queen Victoria did give and grant unto the said John Greene his executors administrators and assigns her special license full power sole privilege and authority that he the patentee his executors administrators and assigns and every of them by himself and themselves or by his and their deputy or deputies servants or agents or such others as he the said John Greene his executors administrators or assigns should at any time agree with and no others from time to time and at all times thereafter during the fourteen years should and lawfully might make use exercise and vend the said invention within the United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man in such manner as to him the said John Greene his executors administrators and assigns or any of them should in his or their discretion seem meet And that he the said John Greene his executors administrators and assigns should and lawfully might have and enjoy the whole profit benefit commodity and advantage from time to time coming growing accruing and arising by reason of the said invention for and during the said term of years.

And whereas a specification was duly filed by the said John Greene in the Great Seal Patent Office within the time limited by the said

A.D. 1881. letters patent by which specification the said John Greene did particularly describe and ascertain the nature of the said invention and in what manner the same was to be performed.

And whereas the said letters patent contain a proviso making them void if the said John Greene his executors administrators or assigns should not pay the stamp duty of one hundred pounds and produce the said recited letters patent stamped with a proper stamp to that amount at the office of the Commissioners of Patents for Inventions before the expiration of seven years from the date of the said letters patent pursuant to the provisions of the Act passed in the sixteenth year of the reign of Her present Majesty chapter five.

And whereas the said invention is of an important character and the said John Greene has devoted much time and money in improving the said invention and has succeeded in bringing it to great perfection and submitted the invention to capitalists who after testing it and having satisfied themselves that the invention was a good one are willing to form a company with a view of practically utilising the invention and embarking larger capital in the undertaking.

And whereas the said John Greene mortgaged the said patent to George Tomline for certain amounts advanced by him to the said John Greene for patenting working and improving the said invention and the said mortgage transactions became the subject of litigation in the Chancery Division of the High Court of Justice in a certain action of Greene *v.* Tomline and the said stamp duty upon the said patent became due during the pendency of the said proceedings but the said duty was not paid by the said John Greene or by the said George Tomline and the said John Greene has contended the said duty should have been paid by the said George Tomline and that he was liable to him for all the consequences of such nonpayment but such liability was disputed by the said George Tomline.

And whereas with a view of putting an end to the said litigation which if continued would have been both costly and protracted the said John Greene and the said George Tomline agreed to compromise all the matters in dispute between them on certain terms and conditions which so far as material are that the said John Greene should at his own expense promote a Bill and do all other things necessary to obtain an Act for reviving the said patent and that thereupon the same should become and be the absolute property of the said John Greene.

And whereas the said John Greene is now prepared to pay the said duty which he was prevented from so doing by the said litigation as aforesaid.

And whereas the said inventor will be deprived of all advantage to accrue to him under the said letters patent unless the powers

herein-after contained are graciously granted to him and his present difficulty and threatened loss arises in consequence of the litigation herein-before mentioned and not from a wilful neglect of or disobedience to law and it is expedient that the said letters patent should be rendered valid in manner herein-after provided But the purposes aforesaid cannot be effected without the authority of Parliament. A.D. 1881.

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :

Power to Commissioners of Patents to stamp letters patent.

1. Within one month after the passing of this Act it shall be lawful for the said John Greene or his executors administrators or assigns to pay the said stamp duty of one hundred pounds and for the said letters patent (a true copy of which is set forth in the schedule to this Act) or a duplicate thereof to be stamped with proper stamps showing the payment of the said stamp duty and to be produced at the office of the said Commissioners of Patents and for the said Commissioners of Patents or their clerk to endorse on the said letters patent or a duplicate thereof a certificate specifying the date of such production and to endorse on the said letters patent or a duplicate thereof so stamped a certificate of the production of the same duly stamped and to endorse a like certificate upon the warrant for such letters patent filed in the said office.

Letters patent confirmed.

2. The said letters patent so stamped as aforesaid shall be considered deemed and taken to be and to have been as good valid and effectual to all intents and purposes as if the said stamp duty of one hundred pounds had been paid and the said letters patent stamped with a proper stamp duty to that amount had been produced pursuant to the provisions of the Act of the sixteenth year of Her Majesty's reign chapter five by the said John Greene or his assigns at the office of the Commissioners of Patents for Inventions before the expiration of seven years from the date of the said letters patent as in the said letters patent and by the said Act provided.

Saving rights.

3. Provided always that no action shall be commenced or prosecuted nor any damage recovered for or in respect of any infringements of the said letters patent which shall have taken place after the expiration of the said seven years from the date of the said letters patent and before the payment of the said one hundred pounds and the stamping of the said letters patent in pursuance of this Act nor shall any action be commenced or prosecuted nor shall any damage be recovered in respect of the use of any types logotypes phrasotypes

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and apparatus therefor made within the United Kingdom or any part thereof in infringement of the said letters patent between the expiration of the said period of seven years and the date of the passing of this Act provided that such use is by the person by or for whom any such logotypes phrasotypes and apparatus therefor was bonâ fide manufactured or his executors administrators or assigns.

Short title.

4. This Act may be cited as Greene's Patent Act, 1881.

SCHEDULE referred to in the foregoing Act.

1872.
No. 1056.

Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith to all to whom these presents shall come greeting:

Whereas John Greene of the Reform Club Pall Mall in the county of Middlesex Esquire hath by his petition humbly represented unto us that he is in possession of an invention for "Improvements in the manufacture of types "logotypes and phrasotypes and in apparatus therefor" which the petitioner believes will be of great public utility that he is the first and true inventor thereof and that the same is not in use by any other person or persons to the best of his knowledge and belief The petitioner therefore most humbly prayed that we would be graciously pleased to grant unto him his executors administrators and assigns our royal letters patent for the sole use benefit and advantage of his said invention within Our United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man for the term of fourteen years pursuant to the statute in that case made and provided And we being willing to give encouragement to all arts and inventions which may be for the public good are graciously pleased to condescend to the petitioner's request Know ye therefore that we of our especial grace certain knowledge and mere motion have given and granted and by these presents for us our heirs and successors do give and grant unto the said John Greene his executors administrators and assigns our especial license full power sole privilege and authority that he the said John Greene his executors administrators and assigns and every of them by himself and themselves or by his and their deputy or deputies servants or agents or such others as he the said John Greene his executors administrators or assigns shall at any time agree with and no others from time to time and at all times hereafter during the term of years herein expressed shall and lawfully may make use exercise and vend his said invention within our United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man in such a manner as to him the said John Greene his executors administrators and assigns or any of them shall in his or their discretion seem meet And that he the said John Greene his executors

administrators and assigns shall and lawfully may have and enjoy the whole profit benefit commodity and advantage from time to time coming growing accruing and arising by reason of the said invention for and during the term of years herein mentioned To have hold exercise and enjoy the said licenses powers privileges and advantages herein-before granted or mentioned to be granted unto the said John Greene his executors administrators and assigns for and during and unto the full end and term of fourteen years from the day of the date of these presents next and immediately ensuing according to the statute in such case made and provided And to the end that he the said John Greene his executors administrators and assigns and every of them may have and enjoy the full benefit and the sole use and exercise of the said invention according to our gracious intention herein-before declared We do by these presents for us our heirs and successors require and strictly command all and every person and persons bodies politic and corporate and all other our subjects whatsoever of what estate quality degree name or condition soever they be within our United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man that neither they nor any of them at any time during the continuance of the said term of fourteen years hereby granted either directly or indirectly do make use or put in practice the said invention or any part of the same so attained unto by the said John Greene as aforesaid nor in anywise counterfeit imitate or resemble the same nor shall make or cause to be made any addition thereunto or subtraction from the same whereby to pretend himself or themselves the inventor or inventors devisor or devisors thereof without the consent license or agreement of the said John Greene his executors administrators or assigns in writing under his or their hands and seals first had and obtained in that behalf upon such pains and penalties as can or may be justly inflicted on such offenders for their contempt of this our royal command And further to be answerable to the said John Greene his executors administrators and assigns according to law for his and their damages thereby occasioned And moreover we do by these presents for us our heirs and successors will and command all and singular the justices of the peace mayors sheriffs bailiffs constables headboroughs and all other officers and ministers whatsoever of us our heirs and successors for the time being that they or any of them do not nor shall at any time during the said term hereby granted in anywise molest trouble or hinder the said John Greene his executors administrators or assigns or any of them or his or their deputies servants or agents in or about the due and lawful use or exercise of the aforesaid invention or anything relating thereto Provided always and these our letters patent are and shall be upon this condition that if at any time during the said term hereby granted it shall be made appear to us our heirs or successors or any six or more of our or their Privy Council that this our grant is contrary to law or prejudicial or inconvenient to our subjects in general or that the said invention is not a new invention as to the public use and exercise thereof within our United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man or that the said John Greene is not the first and true inventor thereof within this realm as aforesaid these our letters patent shall forthwith cease determine and be utterly void to all intents and purposes anything herein-before contained to the contrary thereof in anywise notwithstanding Provided also that these our letters patent or anything herein contained shall not extend or be construed to extend to give privilege unto the said John

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Greene his executors administrators or assigns or any of them to use or imitate any invention or work whatsoever which hath heretofore been found out or invented by any other of our subjects whatsoever and publicly used or exercised within our United Kingdom of Great Britain and Ireland the Channel Islands or Isle of Man unto whom our like letters patent or privileges have been already granted for the sole use exercise and benefit thereof It being our will and pleasure that the said John Greene his executors administrators and assigns and all and every other person and persons to whom like letters patent or privileges have been already granted as aforesaid shall distinctly use and practise their several inventions by them invented and found out according to the true intent and meaning of the same respective letters patent and of these presents Provided likewise nevertheless and these our letters patent are upon this express condition that if the said John Greene his executors or administrators shall not particularly describe and ascertain the nature of the said invention and in what manner the same is to be performed by an instrument in writing under his or their or one of their hands and seals and cause the same to be filed in the Great Seal Patent Office within six calendar months next and immediately after the date of these our letters patent And also if the said John Greene his executors administrators or assigns shall not pay the stamp duty of fifty pounds and produce these our letters patent stamped with a proper stamp to that amount at the office of our Commissioners of Patents for Inventions before the expiration of three years from the date of these our letters patent pursuant to the provisions of the Act of the sixteenth year of our reign chapter five And also if the said John Greene his executors administrators or assigns shall not pay the stamp duty of one hundred pounds and produce these our letters patent stamped with a proper stamp to that amount at the said office of our said Commissioners before the expiration of seven years from the date of these our letters patent pursuant also to the said Act And also if the said John Greene his executors administrators or assigns shall not supply or cause to be supplied for our service all such articles of the said invention as he or they shall be required to supply by the officers or commissioners administering the department of our service for the use of which the same shall be required in such manner at such times and at and upon such reasonable prices and terms as shall be settled for that purpose by the said officers or commissioners requiring the same That then and in any of the said cases these our letters patent and all liberties and advantages whatsoever hereby granted shall utterly cease determine and become void anything herein-before contained to the contrary thereof in anywise notwithstanding Provided that nothing herein contained shall prevent the granting of licenses in such manner and for such considerations as they may by law be granted And lastly we do by these presents for us our heirs and successors grant unto the said John Greene his executors administrators and assigns that these our letters patent or the filing thereof shall be in and by all things good firm valid sufficient and effectual in the law according to the true intent and meaning thereof and shall be taken construed and adjudged in the most favourable and beneficial sense for the best advantage of the said John Greene his executors administrators and assigns as well in all our courts of record as elsewhere and by all and singular the officers and ministers whatsoever of us our heirs and successors in our United Kingdom of Great Britain and Ireland the Channel Islands and Isle of Man and amongst all and every the subjects of us our heirs and successors

whatsoever and wheresoever notwithstanding the not full and certain describing the nature or quality of the said invention or of the materials thereunto conducing and belonging In witness whereof we have caused these our letters to be made patent this tenth day of April one thousand eight hundred and seventy-two in the thirty-fifth year of our reign and to be sealed as of the said tenth day of April one thousand eight hundred and seventy-two. A.D. 1881.

By Warrant.

L.S.

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