ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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Cap. xlix.

An Act for rendering valid certain Letters Patent granted to *Joshua Procter Westhead* of *Manchester*, Manufacturer. [13th *July* 1849.]

Letters Patent, dated 8th June 1848.

WHEREAS by Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Eighth Day of *June* in the Eleventh Year of the Reign of Her present Majesty Queen *Victoria*, Her said Majesty did give and grant unto *Joshua Procter Westhead* of *Manchester*, Manufacturer, his Executors, Administrators, and Assigns, Her especial Licence, full Power, sole Privilege and Authority, that he the said *Joshua Procter Westhead*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or his or their Deputy or Deputies, Servants or Agents, and no others, should and lawfully might, during the Term of Fourteen Years from the Date of the said Letters Patent, make, use, exercise, and vend, within *England*, *Wales*, and the Town of *Berwick-upon-Tweed*, an Invention therein mentioned of "Improvements in manufacturing Fur into Fabrics," communicated to him from abroad, and in which Letters Patent is contained a Proviso making void the said Letters Patent if the said *Joshua Procter Westhead* should not cause a particular Description of the Nature of the said Invention, and the Manner in which the same is to be performed, by an Instrument in Writing under his Hand and Seal, to be enrolled in

in Her said Majesty's High Court of Chancery within Six Calendar Months next and immediately after the Date of the said recited Letters Patent: And whereas a Specification was enrolled by the said *Joshua Procter Westhead* in the said High Court of Chancery, whereby he the said *Joshua Procter Westhead* did describe and ascertain the Nature of the said Invention, and the Manner in which the same is to be performed; but inasmuch as the said Specification was enrolled on the Thirteenth Day of *December* One thousand eight hundred and forty-eight, and the Period for enrolling the same as limited by the said Letters Patent expired on the Eighth Day of that Month, the same have thereby become void: And whereas the Non-enrolment in due Time of the said Specification arose from Inadvertence and wrong Information given to the said *Joshua Procter Westhead*, and it is expedient that such Letters Patent should, notwithstanding, be rendered valid in manner herein-after mentioned; but this Purpose cannot be effected without the Authority of Parliament: 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, That the said Letters Patent (a true Copy whereof is set forth in the Schedule marked (A.) to this Act annexed) shall during the Remainder of the Term of Fourteen Years therein mentioned be, and be considered, deemed, and taken to be, as good, valid, and effectual, to all Intents and Purposes, as if the said Specification so enrolled by the said *Joshua Procter Westhead* on the Thirteenth Day of *December* One thousand eight hundred and forty-eight had been enrolled within Six Calendar Months next and immediately after the Date of the said Letters Patent, as in the said Letters Patent provided.

Letters Patent confirmed.

Public Act.

II. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULE (A.) referred to in the foregoing Act.

(COPY.)

LETTERS PATENT.

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 Joshua Procter Westhead of Manchester, Manufacturer, hath by his Petition humbly represented unto Us, that in consequence of a Communication from a certain Foreigner residing abroad he is in possession of an Invention of "Improvements in manufacturing Fur into Fabrics;" that the said Invention hath never been practised or used by any other Person or Persons whomsoever, to his Knowledge or 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 England, Wales, and the Town of Berwick-upon-Tweed, 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 special 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 Joshua Procter Westhead, his Executors, Administrators, and Assigns, Our special Licence, full Power, sole Privilege, and Authority that he the said Joshua Procter Westhead, 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 Joshua Procter Westhead, 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 the said Invention within that Part of Our United Kingdom of Great Britain and Ireland called England, Our Dominion of Wales, and Town of Berwick-upon-Tweed, in such Manner as to him the said Joshua Procter Westhead, his Executors, Administrators, and Assigns, or any of them, shall in his or their Discretion seem meet; and that he the said Joshua Procter Westhead, 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 Licence, Powers, Privileges, and Advantages herein-before granted or mentioned to be granted unto the said Joshua Procter Westhead, his Executors, Administrators, and Assigns, for

for and during and unto the full End and Term of Fourteen Years from the Date of these Presents next and immediately ensuing, and fully to be complete and ended, according to the Statute in such Case made and provided; and to the end that he the said Joshua Procter Westhead, 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 that said Part of Our United Kingdom of Great Britain and Ireland called England, Our Dominion of Wales, and Town of Berwick-upon-Tweed aforesaid, 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 Joshua Procter Westhead 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 Licence, Consent, or Agreement of the said Joshua Procter Westhead, 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 Joshua Procter Westhead, 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 Joshua Procter Westhead, 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 in that said Part of Our United Kingdom of Great Britain and Ireland called England, Our Dominion of Wales, and Town of Berwick-upon-Tweed aforesaid, or not first introduced therein by the said Joshua Procter Westhead as aforesaid, then, upon Signification or Declaration thereof to be made by Us, Our Heirs or Successors, under Our or Their Signet or Privy Seal, or by the Lords and others of Our or Their Privy Council, or any Six or more of them, under their Hands, these Our

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 Joshua Procter Westhead, 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 in that said Part of Our United Kingdom of Great Britain and Ireland called England, Our Dominion of Wales, or Town of Berwick-upon-Tweed aforesaid, unto whom 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 Joshua Procter Westhead, 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 at any Time hereafter these Our Letters Patent, or the Liberties and Privileges hereby by Us granted, shall become vested in or in trust for more than the Number of Twelve Persons, or their Representatives, at any One Time, as Partners dividing or entitled to divide the Benefit or Profits obtained by reason of these Our Letters Patent (reckoning Executors or Administrators as and for the single Person whom they represent as to such Interest as they are or shall be entitled to in right of such their Testator or Intestate), and also if the said Joshua Procter Westhead 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 Hand and Seal, and cause the same to be enrolled in Our High Court of Chancery within Six Calendar Months next and immediately after the Date of these Our Letters Patent, and also if the said Joshua Procter Westhead, 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 so requiring the same, that then 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 Licences 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 Joshua Procter Westhead, his Executors, Administrators, and Assigns, that these Our Letters Patent, or the Enrolment or Exemplification 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 Joshua Procter Westhead, 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 that Part of Our said United Kingdom of Great Britain and Ireland called England, Our Dominion of Wales, and Town of Berwick-upon-Tweed aforesaid, 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 thereto conducing and belonging. In witness whereof We have caused these Our Letters to be made Patent. Witness Ourself at Our Palace at Westminster, this Eighth Day of June in the Eleventh Year of Our Reign.

(By Writ of Privy Seal.)

EDMUNDS.

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