



## CHAPTER cxv.

An Act for rendering valid certain Letters Patent granted to Francis Gerard Prange and William Whitthread for Improvements in the Utilization of Sewage. A.D. 1875.

[29th June 1875.]

**W**HEREAS by Letters Patent under the Great Seal of Great Britain, bearing date the sixth day of February one thousand eight hundred and seventy-two, in the thirty-fifth year of the reign of Her present Majesty Queen Victoria, Her Majesty did give and grant unto Francis Gerard Prange, of Liverpool, in the county of Lancaster, merchant, and William Whitthread, of the same place, analytical chemist, their executors, administrators, and assigns, her special license, full power, sole privilege, and authority that they the said Francis Gerard Prange and William Whitthread, their 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 they the said Francis Gerard Prange and William Whitthread, their executors, administrators, or assigns, should at any time agree with, 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 the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, an invention therein mentioned for "Improvements in the Utilization of Sewage," and in which Letters Patent is contained a proviso making void the said Letters Patent if the said Francis Gerard Prange and William Whitthread, their executors and administrators, should not cause a particular description of 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 the said recited Letters Patent, and also if the said Francis Gerard Prange and William Whitthread, their executors, administrators, or assigns, should not pay the stamp duty

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And whereas a specification was duly filed by the said Francis Gerard Prange and William Whitthread in the Great Seal Patent Office within the time limited by the said Letters Patent, whereby the said Francis Gerard Prange and William Whitthread 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 Francis Gerard Prange and William Whitthread, with others, formed themselves into a company called "The Enfield Chemical Manure and Irrigation Company, Limited," and the said Letters Patent were assigned to that company, who devoted much time and money in perfecting the said invention, and ultimately succeeded in bringing it to great perfection :

And whereas, with the view of practically utilizing the invention for river purification, and embarking larger capital in the undertaking, that company was wound up and reconstituted as "The Rivers Protection and Manure Company, Limited" (in this Act called "the Company"), to whom the said Letters Patent were assigned, and who are now working the same :

And whereas on the sixth day of February one thousand eight hundred and seventy-five the said stamp duty of fifty pounds became due, and the agent of the inventors and of the Company inadvertently omitted to pay the said duty :

And whereas the said inventors and the Company will be deprived of all advantage to accrue to them under the said Letters Patent unless the parliamentary powers herein-after contained are graciously granted to them :

And whereas the inventors and the Company, on making discovery of the inadvertent omission to pay the stamp duty as aforesaid, without loss of time gave the requisite instructions for an application to Parliament for power to pay the said stamp duty, and to render valid the said Letters Patent, and as their present difficulty and threatened loss arises solely from an inadvertence and not from a wilful neglect or disobedience to law, it is expedient that the said Letters Patent should be rendered valid in manner herein-after mentioned, but the purposes aforesaid 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 authority of the same :

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1. That within one month after the passing of this Act it shall be lawful for the said Francis Gerard Prange and William Whitthread, their executors, administrators, or assigns, or either of them, or the Company, to pay the said stamp duty of fifty 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 stamp the said Letters Patent or a duplicate thereof, specifying the date of such production, and to endorse on the said Letters Patent or duplicate thereof 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.

Power to  
Commis-  
sioners of  
Patents to  
stamp  
Letters  
Patent.

2. That 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 fifty pounds had been paid, and the said Letters Patent stamped with a proper stamp duty, and to that amount, had been produced by the said Francis Gerard Prange and William Whitthread or the Company at the office of the Commissioners of Patents for Inventions before the expiration of three years from the date of the said Letters Patent, as in the said Letters Patent provided.

Letters  
Patent  
confirmed.

3. Provided always, that no action or suit shall be commenced or prosecuted at law or in equity, 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 three years from the date of the said Letters Patent, and before the payment of the said fifty pounds and the stamping of the said Letters Patent in pursuance of this Act, nor shall any action or suit be commenced or prosecuted at law or in equity, nor shall any damage be recovered, in respect of the use of any machine or machinery made within the United Kingdom, or any part thereof, in infringement of the said Letters Patent between the expiration of the said period of three years and the date of the passing of this Act, provided that such use is by the person by or for whom any such machine or machinery was bonâ fide manufactured, or his executors, administrators, or assigns.

Saving  
rights.



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1872.  
No. 379.S C H E D U L E.

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 Francis Gerard Prange, of Liverpool, in the county of Lancaster, merchant, and William Whitthread, of the same place, analytical chemist, have by their petition humbly represented unto Us that they are in possession of an invention for "Improvements in the Utilization of Sewage," which the petitioners believe will be of great public utility, that they are the first and true inventors thereof, and that the same is not in use by any other person or persons to the best of their knowledge and belief: The petitioners therefore most humbly pray that We would be graciously pleased to grant unto them, their executors, administrators, and assigns, Our Royal Letters Patent for the sole use, benefit, and advantage of their 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 petitioners 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 Francis Gerard Prange and William Whitthread, their executors, administrators, and assigns, Our especial license, full power, sole privilege, and authority that they the said Francis Gerard Prange and William Whitthread, their executors, administrators, and assigns, and every of them, by themselves or by their deputy or deputies, servants, or agents, or such others as they the said Francis Gerard Prange and William Whitthread, their 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 their said invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, in such manner as to them the said Francis Gerard Prange and William Whitthread, their executors, administrators, and assigns, or any of them, shall in their discretion seem meet; and that they the said Francis Gerard Prange and William Whitthread, their 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 Francis Gerard Prange and William Whitthread, their 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 they the said



Francis Gerard Prange and William Whitthread, their 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 Francis Gerard Prange and William Whitthread 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, deviser or devisors thereof, without the consent, license, or agreement of the said Francis Gerard Prange and William Whitthread, their executors, administrators, or assigns, in writing under 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 Francis Gerard Prange and William Whitthread, their executors, administrators, and assigns, according to law for 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 Francis Gerard Prange and William Whitthread, their executors, administrators, or assigns, or any of them, 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 Francis Gerard Prange and William Whitthread are not the first and true inventors 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 Francis Gerard Prange and William Whitthread, their 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



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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 Francis Gerard Prange and William Whitthread, their 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 Francis Gerard Prange and William Whitthread, their 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 their hands and seals, or under the hand and seal of one of them, 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 Francis Gerard Prange and William Whitthread, their 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 Francis Gerard Prange and William Whitthread, their 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 Francis Gerard Prange and William Whitthread, their executors, administrators, or assigns, shall not supply or cause to be supplied for Our service all such articles of the said invention as 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 Francis Gerard Prange and William Whitthread, their 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 Francis Gerard Prange and William Whitthread, their executors, administrators, and assigns, as well in all Our courts of record as elsewhere, and by

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*Whitthread's Patent.*

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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 sixth day of February one thousand eight hundred and seventy-two, in the thirty-fifth year of Our reign, and to be sealed as of the said sixth day of February one thousand eight hundred and seventy-two.

A.D. 1875.  
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By Warrant.

L.S.

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