



CHAPTER cxi.

An Act for rendering valid certain Letters Patent granted to Bristow Hunt for the Invention of improved Machinery or Apparatus for setting and distributing Types. A.D. 1880.

[2nd August 1880.]

WHEREAS Bristow Hunt, of Serle Street, Lincoln's Inn, in the county of Middlesex, gentleman, did, on the twenty-fourth day of March one thousand eight hundred and seventy-six, 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 the invention communicated to him from abroad by Samuel Worcester Green, of New York City, in the United States of America, the said invention being "Improved machinery or apparatus for setting and distributing types":

And whereas the said petition was accompanied by a complete specification particularly describing and ascertaining the nature of the said invention and in what manner the same was to be performed:

And whereas by letters patent under the Great Seal of Great Britain, bearing date the said twenty-fourth day of March one thousand eight hundred and seventy-six, Her present Majesty Queen Victoria did give and grant unto the said Bristow Hunt, 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 Bristow Hunt, 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 term of 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 Bristow Hunt, his executors, administrators, and assigns, or any of them, should in his or their discretion seem meet; and

A.D. 1880. — that he the said Bristow Hunt, 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 the said letters patent contain a proviso making them void if the said Bristow Hunt, his executors, administrators, or assigns, should not pay the stamp duty of fifty 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 three 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, the said complete specification describing forty-six different subjects or combinations which complete the same, and the necessary machinery is very complicated and elaborate, and much time and large sums of money have been spent in perfecting the said invention and machinery :

And whereas the letters patent being in the year one thousand eight hundred and seventy-nine in the United States of America were duly and carefully despatched for the purpose of being stamped, but owing to delay on the part of the company to whom they were entrusted for carriage did not arrive in London until the twenty-sixth day of March one thousand eight hundred and seventy-nine, two days after the expiration of the said period of three years :

And whereas the said Bristow Hunt was prepared to pay the said duty, but was prevented from so doing by such accidental delay as aforesaid, for which he was not responsible, and by litigation then pending in the United States as to the title to the patent of the persons beneficially interested therein :

And whereas the persons beneficially interested in the said letters patent will be deprived of all advantage to accrue to them under the same unless the powers herein-after contained are graciously granted to them, and their present difficulty and threatened loss arises in consequence of the accidental delay 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 :

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 : A.D. 1880.

1. This Act may be cited as Hunt's Patent Act, 1880.

Short title.

2. Within one month after the passing of this Act it shall be lawful for the said Bristow Hunt, or his executors, administrators, or assigns, 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 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.

Power to Commissioners of Patents to stamp letters patent.

3. 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 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 Bristow Hunt or his assigns 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 and by the said Act provided.

Letters patent confirmed.

4. 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 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 be commenced or prosecuted, 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.

A.D. 1880.

SCHEDULE referred to in the foregoing Act.

1876.

No. 1255.

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 Bristow Hunt, of Serle Street, Lincoln's Inn, in the county of Middlesex, gentleman, hath by his petition humbly represented unto Us that he is in possession of an invention for "Improved machinery or apparatus for setting " and distributing types," which the petitioner believes will be of great public utility; that the said invention has been communicated to him from abroad by Samuel Worcester Green, of New York City, in the United States of America, 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 the 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 whereas the said Bristow Hunt hath purported particularly to 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 has caused the same to be duly filed in the office of Our Commissioners of Patents for Inventions, 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 Bristow Hunt, his executors, administrators, and assigns, Our especial license, full power, sole privilege, and authority that he the said Bristow Hunt, 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 Bristow Hunt, 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 Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man in such manner as to him the said Bristow Hunt, his executors, administrators, and assigns, or any of them, shall in his or their discretion seem meet : And that he the said Bristow Hunt, 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 Bristow Hunt, 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 Bristow Hunt, his executors, adminis-

trators, 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 Bristow Hunt 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 Bristow Hunt, 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 Bristow Hunt, 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 Bristow Hunt, his executors, administrators, or assigns, or any of them, or his or their deputies, servants, or agents, in and 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 same was not first introduced therein by the said Bristow Hunt 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 Bristow Hunt, 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 Bristow Hunt, 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

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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 instrument in writing filed as aforesaid does not particularly describe and ascertain the nature of the said invention and in what manner the same is to be performed; and also if the said Bristow Hunt, 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 5; and also if the said Bristow Hunt, 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 Bristow Hunt, 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 Bristow Hunt, 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 Bristow Hunt, 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 24th day of March 1876, in the thirty-ninth year of Our reign, and to be sealed as of the said 24th day of March 1876.

BY WARRANT.

L.S.