



## CHAPTER cxvi.

An Act for rendering valid certain Letters Patent granted A.D. 1892.  
to (1) John Henry Whitehead for Improvements in  
Feed Boxes of Combing Machines and (2) John Pickles  
and Henry Walton Whitehead for Improvements in  
Noble's Combing Machines. [20th June 1892.]

**W**HEREAS by letters patent (in this Act called "Whitehead's Patent") under the Great Seal of Great Britain bearing date the second day of June one thousand eight hundred and eighty-six being the fiftieth year of the reign of Her present Majesty Queen Victoria and numbered 7398 Her Majesty did give and grant unto John Henry Whitehead partner in the firm of Taylor Wordsworth and Company of Water Lane Leeds in the county of York machine makers his executors administrators and assigns therein referred to as the said Patentee Her special license full power sole privilege and authority that he the said Patentee and every of them by himself and themselves or by their deputies servants or agents or such others as he the said Patentee should at any time agree with and no others from time to time and at all times thereafter during the term of fourteen years from the date of the said letters patent should and lawfully might make use and exercise and vend within the United Kingdom of Great Britain and Ireland and Isle of Man an invention therein mentioned for "Improvements in feed-boxes of combing machines":

And whereas by letters patent (in this Act called "Whitehead's and Pickles' Patent") under the Great Seal of Great Britain bearing date the tenth day of March one thousand eight hundred and eighty-seven being the fifty-first year of the reign of Her present Majesty Queen Victoria and numbered 3665 Her Majesty did give and grant unto John Pickles of Cottingley Bridge Farm Bingley in the county of York wool combing manager and Henry Walton Whitehead partner in the said firm of Taylor Wordsworth and Company their

A.D. 1892. executors administrators successors and assigns therein referred to as the said Patentees Her special license full power sole privilege and authority that they the said Patentees and every of them by himself and themselves or by their deputies servants or agents or such others as they the said Patentees should at any time agree with and no others from time to time and at all times thereafter during the term of fourteen years from the date of the said letters patent should and lawfully might make use and exercise and vend within the United Kingdom of Great Britain and Ireland and Isle of Man an invention therein mentioned for "Improvements in Noble's combing machines":

And whereas the property of the said John Henry Whitehead and the said Henry Walton Whitehead in Whitehead's Patent and Whitehead's and Pickles' Patent has since the commencement of the said patents been and now is vested in the firm of Taylor Wordsworth and Co. in which the said John Henry Whitehead and Henry Walton Whitehead are partners:

And whereas the Patentees of the said patents are in this Act collectively referred to as "the Patentees":

And whereas the said letters patent respectively contain a proviso making void the said letters patent if the Patentees respectively should not pay all fees by law required to be paid in respect of the said letters patent or in respect of any matter relating thereto at the time or times and in manner for the time being by law provided:

And whereas by section twenty-four of the Patents Designs and Trade Marks Act 1883 the prescribed duty or renewal fees in respect of the said letters patent are payable by ten annual payments which vary in amount spread over a period of thirteen years from the date of the grant of the said letters patent:

And whereas the renewal fees on the said letters patent became due on the following dates (namely) as regards Whitehead's Patent on the second day of June one thousand eight hundred and ninety-one and as regards Whitehead's and Pickles' Patent on the tenth day of March one thousand eight hundred and ninety-one:

And whereas the Patentees prior to the same becoming due and payable paid or caused to be paid to Joseph William Harding a duly registered patent agent and the agent for the Patentees respectively in taking out the said letters patent and in paying the renewal fees in respect thereof for the purpose of being paid over to the Comptroller General of Patents Designs and Trade Marks (herein-after called "the Comptroller") the prescribed duty or renewal fee in respect of the said letters patent respectively but

the said Joseph William Harding feloniously and fraudulently omitted to pay the said prescribed duty or renewal fee to the Comptroller and the said letters patent were announced in the official journal published under the provisions of section forty of the Patents Designs and Trade Marks Act 1883 to become void on the following dates (namely) as regards Whitehead's Patent on the second day of June one thousand eight hundred and ninety-one and as regards Whitehead's and Pickles' Patent on the tenth day of March one thousand eight hundred and ninety-one: A.D. 1892.

And whereas the Patentees discovered the omission by the said Joseph William Harding to pay the said prescribed duties or renewal fees to the Comptroller on the twenty-seventh day of October one thousand eight hundred and ninety-one:

And whereas the time prescribed by section seventeen of the Patents Designs and Trade Marks Act 1883 during which the Comptroller is empowered to enlarge the time for such payments had expired on the following dates (namely) as regards Whitehead's Patent on the second day of September one thousand eight hundred and ninety-one and as regards Whitehead's and Pickles' Patent on the tenth day of June one thousand eight hundred and ninety-one:

And whereas the Patentees on becoming aware of the circumstances and of the non-payment of the renewal fees by their agent gave the requisite instructions for an application to Parliament for power to pay the said prescribed duties or renewal fees and to renew the said letters patent:

And whereas much time has been devoted and considerable sums of money have been expended by the Patentees in acquiring and developing their respective inventions for which no adequate and sufficient return has hitherto been received:

And whereas the omission to pay the said prescribed duties or renewal fees or to apply to the Comptroller within the prescribed period for an enlargement of the time for paying the same arose from the felonious and fraudulent conduct of the said Joseph William Harding who having duly received the said prescribed duties or renewal fees from the Patentees respectively applied the same to his own use and absconded from the United Kingdom on or about the thirty-first day of October one thousand eight hundred and ninety-one:

And whereas the said prescribed duties or renewal fees have now in each of the aforesaid cases been paid and the total amount of fees (including the prescribed fees for enlargement due and to become due upon the said letters patent respectively) have been deposited with the Comptroller and the certificates of the Comp-

A.D. 1892. troller to that effect have been lodged in the Office of the Clerk of the Parliaments :

And whereas it is expedient that the said letters patent respectively should be rendered valid in manner herein-after mentioned :

And whereas 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 (that is to say) :—

Letters  
patent con-  
firmed.

1. Upon the passing of this Act the said letters patent respectively (a true copy of each of which is set forth in the schedule to this Act annexed) or a duplicate thereof certified by the Comptroller for the purposes of this Act shall be considered deemed and taken to be and to have been as good valid and effectual to all intents and purposes as if all the payments prescribed by the Patents Designs and Trade Marks Act 1883 to be made in respect of the said letters patent respectively either before or after the passing of this Act had been duly made or satisfied.

Saving  
rights.

2. No action or other proceeding shall be commenced or prosecuted nor any damage recovered—

(1) In respect of any infringement of the said letters patent respectively which shall have taken place after the date on which the said letters patent respectively were officially declared to be void and before the passing of this Act :

(2) In respect of the use or employment at any time hereafter of any structure process or operation actually made or carried on within the British Islands or of the use or sale of any article manufactured or made in infringement of the said letters patent respectively after the said date and before the passing of this Act Provided that such use sale or employment is by the person or corporation by or for whom such article was bonâ fide manufactured or made or such structure process or operation was bonâ fide made or carried on his or their executors administrators successors or vendees or his or their assigns respectively :

(3) In respect of the use or employment at any time hereafter by the person or corporation entitled for the time being under the preceding sub-section to use or employ any structure process or operation of any improved extended or developed structure process or operation or of the use or sale of any article thereby manufactured or made in infringement of the

said letters patent respectively Provided that the use or employment of such improved extended or developed structure process or operation shall be limited to the buildings works or premises of the person or corporation by or for whom such structure process or operation was made or carried on within the meaning of the preceding sub-section his or their executors administrators successors or assigns : A.D. 1892.

If any person shall within one year after the passing of this Act make an application to the Board of Trade for compensation in respect of money time or labour expended by the applicant upon the subject matter of the said letters patent respectively or any of them on a bonâ fide belief that such letters patent respectively or any of them had become and continued to be void it shall be lawful for the said Board after hearing the parties concerned or their agents to assess the amount of such compensation if in their opinion the application ought to be granted and to specify the party by whom and the day on which such compensation shall be paid and if default shall be made in payment of the sum awarded then the said letters patent respectively or such of them as shall be the subject of such application shall by virtue of this Act become void but the sum awarded shall not in that case be recoverable as a debt or damages.

**3.** This Act may be cited as *Whiteheads' and Pickles Patents* Short title.  
Act 1892.

A.D. 1892.

The SCHEDULE referred to in the foregoing Act.

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WHITEHEAD'S PATENT.

1886 No. 7398.

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 Henry Whitehead partner in the firm of Taylor Wordsworth and Company of Water Lane Leeds in the county of York machine makers hath represented unto us that he is in possession of an invention for "Improvements in feed boxes of combing machines" that he is the true and first inventor thereof and that the same is not in use by any other person to the best of his knowledge and belief :

And whereas the said inventor hath humbly prayed that We would be graciously pleased to grant under him (herein-after together with his executors administrators and assigns or any of them referred to as the said patentee) our Royal Letters Patent for the sole use and advantage of his said invention :

And whereas the said inventor hath by and in his complete specification particularly described the nature of his invention :

And whereas We being willing to encourage all inventions which may be for the public good are graciously pleased to condescend to his request :

Know ye therefore that We of our especial grace certain knowledge and mere motion do by these presents for us our heirs and successors give and grant unto the said patentee our especial license full power sole privilege and authority that the said patentee by himself his agents or licensees and no others may at all times hereafter during the term of years herein mentioned make use exercise and vend the said invention within our United Kingdom of Great Britain and Ireland and Isle of Man in such manner as to him or them may seem meet and that the said patentee shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention during the term of fourteen years from the date hereunder written of these presents And to the end that the said patentee may have and enjoy the sole use and exercise and the full benefit of the said invention We do by these presents for us our heirs and successors strictly command all our subjects whatsoever within our United Kingdom of Great Britain and Ireland and the Isle of Man that they do not at any time during the continuance of the said term of fourteen years either directly or indirectly make use of or put in practice the said invention or any part of the same nor in anywise imitate the same nor make or cause to be made any addition

thereto or subtraction therefrom whereby to pretend themselves the inventors thereof without the consent license or agreement of the said patentee in writing under his hand and seal on pain of incurring such penalties as may be justly inflicted on such offenders for their contempt of this our Royal command and of being answerable to the patentee according to law for his damages thereby occasioned: A.D. 1892.

Provided that these our letters patent are on this condition that if at any time during the said term it be made to appear to us our heirs or successors or any six or more of our 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 and Isle of Man or that the said patentee is not the first and true inventor thereof within this realm as aforesaid these our letters patent shall forthwith determine and be void to all intents and purposes notwithstanding anything herein-before contained Provided also that if the said patentee shall not pay all fees by law required to be paid in respect of the grant of these letters patent or in respect of any matter relating thereto at the time or times and in manner for the time being by law provided and also if the said patentee shall not supply or cause to be supplied for our service all such articles of the said invention as may be required by the officers or commissioners administering any department of our service in such manner at such times and at and upon such reasonable prices and terms as shall be settled in manner for the time being by law provided then and in any of the said cases these our letters patent and all privileges and advantages whatever hereby granted shall determine and become void notwithstanding anything herein-before contained Provided also 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 patentee that these our letters patent shall be construed in the most beneficial sense for the advantage of the said patentee.

In witness whereof We have caused these our letters to be made patent this second day of June one thousand eight hundred and eighty-six and to be sealed as of the second day of June one thousand eight hundred and eighty-six.

L.S.

A.D. 1892.

WHITEHEAD'S AND PICKLES' PATENT.

1887 No. 3665.

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 Pickles of Cottinley Bridge Farm Bingley wool combing manager and Henry Walton Whitehead partner in the firm of Taylor Wordsworth and Company machine makers of Leeds both in the county of York have represented unto us that they are in possession of an invention for "Improvements in Noble's combing machines" that they are the true and first inventors thereof and that the same is not in use by any other person to the best of their knowledge and belief:

And whereas the said inventors have humbly prayed that We would be graciously pleased to grant unto them (herein-after together with their executors administrators and assigns or any of them referred to as the said patentees) our Royal Letters Patent for the sole use and advantage of their said invention:

And whereas the said inventors have by and in their complete specification particularly described the nature of their invention:

And whereas We being willing to encourage all inventions which may be for the public good are graciously pleased to condescend to their request:

Know ye therefore that We of our especial grace certain knowledge and mere motion do by these presents for us our heirs and successors give and grant unto the said patentees our especial license full power sole privilege and authority that the said patentees by themselves their agents or licensees and no others may at all times hereafter during the term of years herein mentioned make use exercise and vend the said invention within our United Kingdom of Great Britain and Ireland and Isle of Man in such manner as to them may seem meet and that the said patentees shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention during the term of fourteen years from the date hereunder written of these presents And to the end that the said patentees may have and enjoy the sole use and exercise and the full benefit of the said invention We do by these presents for us our heirs and successors strictly command all our subjects whatsoever within our United Kingdom of Great Britain and Ireland and the Isle of Man that they do not at any time during the continuance of the said term of fourteen years either directly or indirectly make use of or put in practice the said invention or any part of the same nor in anywise imitate the same nor make or cause to be made any addition thereto or subtraction therefrom whereby to pretend themselves the inventors thereof without the consent license or agreement of the said patentees in writing under their hands and seals on pain of incurring such penalties as may be justly inflicted on such offenders for their contempt of this our Royal command and of being answerable to the patentees according to law for their damages thereby occasioned:

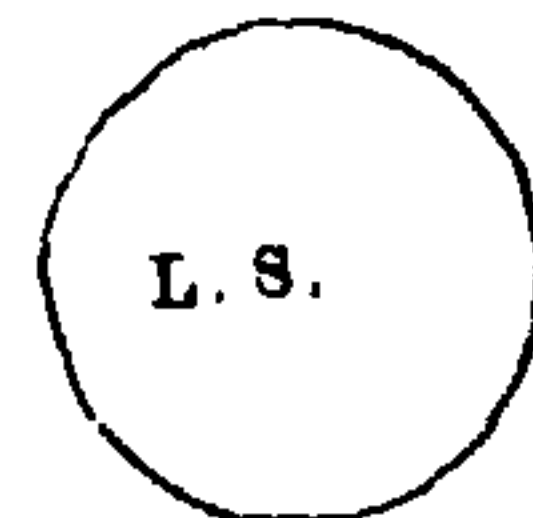


[55 & 56 VICT.] *Whiteheads' and Pickles Patents* [Ch. cxvi.]  
*Act, 1892.*

Provided that these our letters patent are on this condition that if at any time during the said term it be made to appear to us our heirs or successors or any six or more of our 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 and Isle of Man or that the said patentees are not the first and true inventors thereof within this realm as aforesaid these our letters patent shall forthwith determine and be void to all intents and purposes notwithstanding anything herein-before contained Provided also that if the said patentees shall not pay all fees by law required to be paid in respect of the grant of these letters patent or in respect of any matter relating thereto at the time or times and in manner for the time being by law provided and also if the said patentees shall not supply or cause to be supplied for our service all such articles of the said invention as may be required by the officers or commissioners administering any department of our service in such manner at such times and at and upon such reasonable prices and terms as shall be settled in manner for the time being by law provided then and in any of the said cases these our letters patent and all privileges and advantages whatever hereby granted shall determine and become void notwithstanding anything herein-before contained Provided also 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 patentees that these our letters patent shall be construed in the most beneficial sense for the advantage of the said patentees.

A.D. 1892.

In witness whereof we have caused these our letters to be made patent this tenth day of March one thousand eight hundred and eighty-seven and to be sealed as of the tenth day of March one thousand eight hundred and eighty-seven.



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