

his ideas improve the plan, and not the merit of the specification; if he makes it complete, it is his own ingenuity, and not the specification of the inventor. He says, as to No. 5, it will not work five minutes together before it will be entirely full of cotton: he is asked, supposing the cotton was to be spread upon the feeder only the breadth of the fillets, would it have that effect? He says it would not do even then.

“ The next is *Benjamin Pearson*, who says, the cylinder the defendant uses was a worm, which stripped the whole off the large cylinder, and they spread the cotton the whole breadth.

“ The next is *Thomas Barber*; he says he has been used to make machines from drawings; that he could make the limbs of this, but he does not see how to put them together from the specification; that there is no connection, no moving part or principle, no way of putting them together—nothing to set the rollers a-going. That if there is no axis, the feeder might move without it, but not with any regularity; that the fillet cylinder is not connected with any thing, the parallel filleted cylinder will not make the edges of the rovings good; it would not be carding, part of it would not be carded; that it must leave the cotton upon the great one, and must clog the machine. That, with the assistance of the written specification, he could not put the machine together.

Other deficiencies noticed, especially that which respects the relation of the several parts of the machine to each other, and the union of the whole.

“*John Johnson* says, the specification is not a sufficient description of the machines that were produced in court; he has compared them with the specification and writing, and he is satisfied in his mind they could not be made from them: that No. 3 is in want of a roller, and therefore defective; that No. 4 is pretty well described; that there is no description of the rest of the machinery sufficient to make one by. That he is a cotton engine-maker. He says there is not sufficient directions to put the parts together; that one part is directed to be put to another, but there are chasms between.

It was easy to give a description of the machine so as to bring it within the knowledge of a mechanic.

“The next is *Mr. Cumming*, he is a watchmaker; he says that he has seen the machines more than once. He says it was mighty easy to have given a description of the machines, to bring it within the scope of a common mechanic; that is not done: that, putting himself in the situation he first saw the specification, he could not comprehend it at all, that now he has examined it so much, he could not make it from the specification, informed as he is; so you see his knowledge is from other means. At first he could not comprehend it; that if he had employed an artist to make the machines, he must have been asked a great many questions which he must have resolved, though he never should have been led to it by the specification; and if by accident I had hit upon the same machine
the

the defendant has made, I should not have known it was that meant by the specification."

" This evidence is as strong as any evidence that could be given upon the point. He says No. 6 would not give any instruction; that he could not find out by it that Mr. *Arkwright* meant the roller should be fluted, and that they would have relative velocities; that he has no authority for the motion by the specification, and it never could have occurred to him to have looked at the old machine; for he thought it an entire new invention, and not depending upon the old description. He says, if No 6. was representative of the roving passing from it into No. 7, which is the can, he should have understood it; but No. 7 is represented as a solid, and not a hollow axis to admit any thing else, and he thought *that* a want of evidence of its being an original invention. That it was very easy upon paper to distinguish the spiral from the parallel, but these are represented as parallels. He says, he never understood till that time, No. 7, 8 and 9 would any of them serve the same purpose. He says the principal cylinder appears by the specification to be the parallel cylinder, and, says he, if I had been conversant with the former machine, and even known the spiral cylinder had been used in that, yet I should have thought this plan meant to distinguish it from the spiral cylinder. If he is right in that, which don't seem to be contradicted by any witness that I can find,

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there

If a new machine be founded upon an old machine, the peculiarities of the latter must be adverted to in the specification.

If there be one thing known, and a man gives a design of a different thing, in contradiction to that, and yet means that the thing known should be used, it is misleading the public, and vacating the patent.

there is nothing else to be said about this plan, but that it is calculated to deceive and mislead. If calculated to represent the cylinder made use of in the old machine, it might have been done by reference, and then the argument would have been proper, which the counsel for the defendant pressed: but if the defendant meant to make use of the parts of the old machine, he, by his description, has misled every body who was to make this machine now in question; because he has in his plan made the specification directly contrary to that used in the old machine. And therefore it is for you to say, (if Mr. Cumming's reason be not conclusive in itself,) whether, if there be one thing known, and a man gives a design of a different thing in contradiction to that, and yet means that the thing known should be used, is it not misleading mankind? This witness says there is nothing in the specification that puts No. 2 out of the question; he should have thought by finding it in the plan it was to be of some use, but he could imagine none for it."

"The next witness is *John Viney*; he says, a gentleman brought the drawing to him; he observed there was no scale, and it was not possible to form any idea of the dimensions of any one part of it. That within three weeks from this time, two other gentlemen brought it to him; that his reply was exactly the same, that he could not pay attention to any thing so totally

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tally void of any sort of means for understanding it: they produced the description of the drawing, that he reviewed it at two or three different periods; at last, says he, I was left totally ignorant of the means of constructing the machine this was meant to describe, as ignorant as if I had never seen it. He says, he never saw a cotton mill, but, from his knowledge in general, he could form no idea of any man being capable of working from drawings that had no scale.

A scale necessary to the drawing attached to the specification.

“*Thomas Walford* says, he is conversant in filleting machines; that from this specification he could not have made the machine; it wants the means of communication; he takes No. 3 to be more like a worm than any thing else, from the appearance of it, and he could not tell how to apply it; that he could not put all the parts together; that it was a very easy matter to describe them so as to be understood, that the spinning machine was accurately described, and this is not at all so, that there is no scale to go by.

“*Mr. Harrison*, who was with his father at the experiments for the discovery of the longitude, told you, that he has examined attentively the drawing, and the explanation, and the machine; that this machine is not described by the drawings; he says he could not make them from it, but they might have been very easily described; he says, if he had added the roller
to

to No. 3, that would have been his own invention; that he never had seen a place for No. 2, and so many things are thrown in, which have nothing to do with the business, he thinks it must have been for the purpose of perplexing; he says, he concluded No. 6 was new, and did not refer to the first specification; and he gave the same reason that Cumming did about the rollers.

“ *Mr. Ewer*, who is chairman of the committee of mechanics at the Adelphi, says, that he is acquainted with mechanics in general; he says, if a person confines himself to the specification solely, it is impossible to make the machine perfect without exercising his own inventive faculties; he does not think a person could make a machine entirely by that specification; he says No. 3 has no roller, that No. 5 is exceedingly imperfect; he makes the same objection the others do about the filleted cylinder; that he has seen a great many specifications, that he never saw one so obscure as this; some of the drawings are in perspective, the others only sections, and that those that are the most important, are the most confused in the description.

The most important parts are the most confused in the description.

“ *Mr. Pilkington* says, that Mr. Arkwright gave him some cases which he was to present to the House of Commons, and desired the witness would read them, and promised to send him more by his servant, which he did. Those which

which were delivered by the defendant seem to me to be material; because they shew what the defendant's sense of this business was immediately after the first trial. It has appeared from what has been said on both sides, and it was so stated in this case, that he was beat upon the first trial upon the subject I am now stating to you, that is, *the specification*; he admits in that he has *not properly specified* how the machine was made, and he says, he purposely (in prevention of an evil, that foreigners might not get them,) omitted to give so full a description of his inventions in the specification, attending the last patent, as he otherwise would have done; this he admits, and he goes on and states a trial in *Westminster Hall*, in *July* last, at a large expence, when solely by not describing so fully and accurately the nature of his last complex machines as was strictly required by law, a verdict was found against him; he bows with the greatest submission to the court and the verdict against him; and he deprecates the favour of parliament.

The effect of the intention of an inventor to conceal his discovery in the specification.

The design to hide the invention from foreigners is no sufficient excuse for such concealment.

“ Now, in a case where an invention is lucrative to so enormous a degree as you have heard, and where the verdict was given against him upon a particular point; had he not been most thoroughly convinced that the verdict was right, or if he could by any explanation have supported his specification, is it to be conceived for three years and a half he would lie by, and totally lose the benefit of his patent? But excepting

This lucrative invention would not have been abandoned had it been tenable.

cepting this application to parliament, (which does not go upon the grounds of his patent being good,) by abandoning it on account of his own fault, and desiring favour and bounty there, he relinquishes the patent for three years and a half.

Defence of the
patentee on the
specification.

“ This is the evidence upon the part of the prosecutor *against the specification*, and it is material to see a little how the defendant’s counsel endeavour to support it. Here is a specification, that states ten different instruments; it is admitted by them, that as to No. 8, it is of no use, and never was made use of by the defendant in his machine. It is also admitted, No. 9 stands exactly in the same situation, as this could not be put into the machine. This is a little extraordinary; for, if he meant to make a fair discovery, why load it thus with things that they make no use of, and which are totally unnecessary? That could answer no purpose but to perplex. But, say the counsel, we will shew you that there were two machines, and they were two distinct things; for, say they, Nos. 3, 4, and 5, are the material parts of one machine, and those alone afford all the information necessary. Then, besides that, there is the roving machine, which consists of Nos. 6, 7, and 10, joined together. If that be the truth of the case, and there are to be two distinct machines to be made up by parts only of the instrument specified in this plan, let us see whether it is so said in the specification. There is not a word of it.

If a fair discovery be intended, useless particulars will not be intruded into the specification.

If two machines be intended this intention must be stated in the specification.

it. It begins with the first, or No. 1, which is a breaker or beater of seeds and husks, and a finer of the flax, hemp, and other articles, which are to be prepared for dressing. Then says the counsel, there was a difference as to those things, because the hammer was proper for the hemp, and not proper for wool. If there be that difference, it was necessary for the defendant to state it in his specification; but he has made no distinction, he has left to those who are to learn his art and secret, to use the same machine for every part of it; he has not distinguished between the cotton and the flax: the specification states, that it is proper for every thing. Is it so? It is admitted it is not. Is there any thing which states that these parts are for two machines, and how they are composed? *That* the specification is totally silent about. What is there in the specification that can lead you to say you must make use of three things for one of the machines, and three for the other, and which three for one or the other? And even were it so, what is to become of the other four? If those are of no use but to be thrown in merely to puzzle, I have no difficulty to say, upon that ground alone, the patent is void; for it is not that fair, full, true discovery which the public have a right to demand from an individual, who, under the sanction of parliament, gets so great a reward as a monopoly for fourteen years together.

If articles are thrown into the specification merely to puzzle, the patent is void.

“ However, upon the part of the defendant,
they

they have called several witnesses, to shew you it is perfectly intelligible, and that they can make the machines from this specification. The first is *Richard Pridden*, he, you observe, is partner with the defendant's son, and the defendant's son does actually work this machine; says he, No. 3 is the feeder described by the patent, and that was not in use before to his knowledge; he can only speak to his knowledge: says he, No. 6 are the rollers, with these the cotton is sized and roved, this is done with less labour than before, and better, because the lengths are longer.

“The next is *Charles Wilkinson*; he says he lived at *Nottingham*, kept an academy, that he was applied to by Mr. *Arkwright* to draw the specification; that he had no directions from the defendant to make it obscure, and he did it to the best of his skill; he had seen the old machine before; he thinks from this specification alone it might be made; he is not acquainted with the cotton business, but the essential parts are described; but he says, he looks upon the rollers to be the essential parts of the old machine; as to the roving box and the crank, he took them from a model of part of the machine, and all the rest from the defendant's description; as to a scale, he says a thing drawn in perspective does not admit of a scale; when you draw sections, it is necessary, he thinks it is necessary, to have a scale to shew the different proportions of the rollers.

“Now

“ Now you see this man took his information, or a great deal of it, from the defendant himself; and supposing it true that he or any other person instructed by the defendant, and having seen what he does, can make a machine from the specification; yet that will never support it, unless other people, from the specification itself, who have any knowledge in the business, can also do it. That is not the case with this man; but the last thing he says is also a material thing against the patent; for he says, for different purposes, different proportions of the rollers are necessary. How is any man to find that out? It is not said in the specification it must be different in one case from the other, and that you are to have different rollers for hemp, or for cotton; all this remains to be the subject of a future discovery.

A stranger, without any information from the patentee, must, from the specification alone, be able to construct the machine, to support the patent.

“ Mr. *Samuel Moore* says, he is well acquainted with mechanics, that he has been examined at both trials, that he never saw a cotton machine till a day or two before the first trial; he says, he has seen the old machine in use before; he says these are rather additions to the machine, than a whole and complete machine itself. Now you will observe what he says as to the making of it: ‘ I believe, with due attention to the old machine, and an accurate attention to the specification, I could direct a skilful artificer to make the machine.’ This is all that a very ingenious sensible man can say of this specification; he has examined the instruments

and

The various proportions of the rollers for the different purposes of hemp and cotton, should have been stated in the specification.

A knowledge of the old machine invented prior to Mr. Arkwright's, is necessary, in order to understand the specification.

and machine, and seen a great deal of it between the trials ; and at last, he believes, with all the extreme caution that I have mentioned to you, that he could direct a skilful artificer to make the machine : he says, that as to No. 3, a piece of cloth, with cotton, or any other material that was to be carded, rolled up in it, would certainly move much better, and more steady with a roller within side, but it would do without it. If wanted, he thinks it would easily occur to a mechanic to put it in : that is, that a sensible man would have understanding enough to supply any defect in this specification : but in this case, it proves the specification is insufficient : it will not do of itself, but wants something to be added : it is deficient, and there is nothing in the specification that imports there should be a roller in it.

The specification is insufficient, if a man of ingenuity be required to supply its defects.

“ He says the crank is clear : as to No. 5, that it is intelligible to him ; but, says he, if I was bound to proceed according to the form of the plan, I certainly could not direct a spiral cylinder.

It is necessary that the specification should be so explicit that from it alone an artificer should be able to construct a new machine.

“ According to this account, how is the machine to be made? the question is, Whether that machine can be made hereafter, by persons that follow the trade, from this specification? The defendant uses a spiral cylinder ; is that to be found out by the specification? Why, No ! Mr. Moore says it cannot be done. The specification states, that there must be parallel fillets,
and

and the defendant uses a spiral one: he admits it is so material to the case, that if it moved in a parallel form, it would choak the work; he says it does look as if it were intended to have a horizontal motion by the length of the spindle, but he admits there is no such description in the specification; he says, upon the former trial, the cotton was spread the whole breadth, and then it choaked; but now he sees it is put in fillets. There is no necessity for putting it the whole breadth of the cloth; he says he has read the verbal explanation, and it appears from the drawing and explanation that No. 6 is the section of the rollers.

“ Now, it is admitted by the former witnesses, if there are sections of rollers, there ought to be a scale; and there is no scale, there is nothing in the plan to shew the different comparative velocity of the rollers, but there will be a difference, because the one is larger than the other in diameter.

“ You see how that applies to this part of the evidence. There is nothing, says he, that shews what the difference of velocity should be; *that* remains for experiment hereafter. Is that the case with the defendant? No, he knew to a certainty what it was. The man that comes to give an account of the invention, says, I had calculated it, and the difference of the velocity was to be as five to one; this is the way I made my rollers: now the defendant has not said a word

The different velocities of the rollers, of five to one, should have been inserted in the specification.

of that in the specification; in that he has kept back the knowledge he had as to the size of the rollers and velocity, and it is left to people to find it out as chance may direct.

“ He says, he understood pretty well what No. 7 was; but that was better explained by the machine itself. No. 10 he don't think is a difficult matter to account for, he says, that knowing the original machine, he could have put the machine together.

“ He thinks now he could do it: but that does not apply to the question at all, if he means he could now do it from the four instruments, and the old machine, which the counsel have told you was all necessary to be understood, for that is not the thing described by this specification.

“ Upon his cross examination, he says there is nothing in the specification which imports the cotton is to be laid on in fillets, *that* depends upon the rollers. As to the velocity of the rollers, that may or not depend upon their size; he says he is not a practical mechanic; he thinks there is no difference between the rollers of the first and last machines; he says, from the sections of the rollers, he could not determine what diameter the rollers should be for making any particular thread; he says, Nos. 6 and 9 are very much like the old machine; No. 2 is not used in this machine at all, he does not know what it alludes to; he thinks the can might do

without rollers, but much more ineffectually without the rollers: he thinks, upon the whole, it is sufficient for an intelligent mechanic now to make the machine by it.

“The next witness is Mr. *James Watt*; he says, having known the machine, and having the specification in his hand, he thinks he could make such a machine as this; but, when the specification was first put into his hand, he was told No. 1 and No. 2 were not used in the cotton manufactory. Then this man did not act in the same way the others did that were called for the prosecutor; because he had other knowledge conveyed to him more than he could collect from the specification. He did not immediately conceive what was meant by No. 5; he was not acquainted with the term fillet cards; upon reading the specification he did not conceive there was the old machine in it; he, by his own account, was misled, and formed a different idea of the specification and plan from what the defendant used. He says No. 3 would do without a roller, but if it was necessary, there could be nothing so common as putting in a roller; that it must occur to any man of common sense; from the plan he had not an idea the cotton was to be put in fillets; as to No. 2, he should have conceived *that* a separate machine; he admits the hammer, No. 1, is not a new invention, and that the rollers used in the roving and spinning machine perform the same thing; he says, there

is not a word about the wheels to turn the rollers; he says, to effectuate the different purposes, they must be of different diameters, or the same if they are differently moved by the wheels.

“The next witness is *John Stead*; he says he has seen the specification and the old carding machine, and knowing that, he believes he could make this machine from the specification; that he has done part from the drawing, that what he did was to try experiments; says he, my object was to make the new machine, but to avoid his patent. He has no doubt but he could have made the whole; he said it was necessary to find out something that might be clear of the patent, and what he made was by substituting different things, meaning to make a machine that might not come under the description of the patent; he says the specification so describes it, that he has no doubt whatever of making it. He says the roller in the feeder does not appear, but the purpose may be answered without; he has seen a mill which he was informed was built under the patent, and that is with a roller. The spiral card does not appear. As to the rollers, he says there must be a different velocity, but what that might be he cannot tell; and he believes no one set of rollers, of different diameters, could be ascertained for all sorts of work; he says the size of the rollers is not specified, and they could not specify that, because there must be different rollers for different sorts of work.

“Then,

“Then, according to his account, the defendant has not stated that which was necessary for any one thing. It is not so stated as to enable the person that reads that specification to know what size they are to be for any one thing to which this patent relates.

The diameter of the rollers is not stated for any one purpose to which the patent relates.

“The next witness is *Thomas Wood*, who was partner with *Pilkington*: he says he has examined the specification; he put No. 4, 5, 6 and 7 together, and that machine he has worked ever since; he don't recollect that the defendant used any thing else. If that be true, it will blow up the patent at once; he says he believes nobody that ever practised would find any thing necessary upon this paper, but the No. 4, 5, 6 and 7; he should look after no others.

The inutility of six out of ten articles in the specification, must blow up the patent at once.

“Now, if four things only were necessary instead of ten, the specification does not contain a good account of the invention. As to the can, he made use of it without rollers at the mouth; he thinks it answers just the same without it.

“*William Allen* says, *Stead* furnished him with the specification and drawing a fortnight before the last trial, and desired him to make a model from the drawing and specification, which he did, which answered much the same for carding and roving; but, says he, I had another friend I talked to, that was one *Whit-*

more ; he says the specification is competent to enable a workman to complete the machine ; he says it occurred to him they were moveable rollers which were described to him as No. 6 ; he says, in order to procure different degrees of fineness in the roving that passed between those rollers, it is necessary there should be different degrees of velocity.

“ *William Whitmore* has made models of machines for different purposes, He has seen the drawing and the specification. *Stead* shewed it to him, that he undertook to make the machine for carding, that he had not even the knowledge of the old machine at first. He says, the defendant employed him to make a model, and that *Allen* saw his model before his own was finished ; says he, I had two or three hours conversation with the defendant after I had begun the model. I had a description of the old machine, but I think I could have done it without.

“ The next witness is *Dr. Darwin* ; he says he had seen the machine previous to the drawings ; he thinks he might have made it from them ; he says the want of a scale was not very material, but it would have been worse if they had been intended for different purposes ; he says the rollers must have been of different diameters for different purposes.

“ *John*

“ *John Hagget* tells you he has known the defendant fourteen years; he says he has seen the specification, he thinks it is a sufficient description for a person acquainted with the old one to form a new one; that he was employed by Mr. *Arkwright* from the first beginning of these new machines, and trying experiments; that he gave him directions sometimes with chalk upon a board, and sometimes by crooking of lead and wire as models; he says he don't remember hearing him say he received instructions from any body else.

“ Then *Thomas Bell*, a joiner, is called; he was concerned for the defendant about five years, in making parts of the machine that were invented from time to time; he says the crank, No. 4, he had never known to be used by any person before the defendant.

“ This is the evidence that relates to the specification upon the one side and the other. You see, upon the part of the prosecution, they have called to you very ingenious men, that seem to be much beyond what are called common mechanics in life; they have all told you it is impossible for them to make the machine according to the specification.

General observations on the evidence.

“ Upon the other hand, several respectable people are called upon the part of the defendant, who say they could do it; but there is difference in their description; most, if not every one of them,

them, have looked at and seen how the machines were worked by the defendant, and have got their knowledge by other means, and not from the specification and plan alone. Besides, they admit the manner the defendant works it, is not consistent with the plan laid down, particularly as to the cylinder, a particular part of the business; for *Moore* says, this upon the face of it must be taken to be a parallel, whereas that which plainly appears to be used is a spiral; besides, after all this, they have spoken most of them in a very doubtful way; particularly *Mr. Moore*, who qualified his expression in the way which I have stated to you; and the others qualifying their expressions, saying, they think, upon the whole, they could do it. Suppose it perfectly clear they could, with the subsequent knowledge they had acquired, yet if it be true, that sensible men that knew something of this particular business, and mechanics in general, cannot do it, it is not so described as is sufficient to support this patent. It will be for you to say, upon this part of the case, whether you are satisfied this specification is such as, with the plan, it may be made from it or not, taking the whole machine in to its assistance, which, by the by, the specification has not taken notice of as known. If you think it is not sufficiently described, that alone puts a complete end to this cause, and then it will be unnecessary to trouble you any further.

If sensible men that know something of the business, and mechanics in general, cannot understand the thing invented, it is not so described as to support the patent.

“As to No. 8 and 9, it is admitted those are entirely out of the cause, and may be used, says the counsel for the defendant, instead of No. 7.

“The question they make is, the specification does not import that No. 8 or 9 was necessary to be used, and because No. 10 is to be fixed to No. 6 to work No. 7, 8, or 9. Now the words of the specification are these: ‘No. 8 is a machine for twisting the contents of No. 6, in which (d d) is a frame of iron; (b) a roller, upon which a bobbin is fixed; this is turned the same as No. 7, that is, by a dead pulley, or wheel fixed to a wooden frame at (G). Then No. 9 is a spindle and flyer fixed to No. 6, for twisting the contents from (b) in No. 6. (a) is a pulley under the bobbin, which hath a communication by a band to No. 10 at (d d), it being a conical or regulating wheel, which moves the bobbin quicker or slower, as required.’ This is the account given of those two, namely, that nothing imports to be used with No. 7, but, on the contrary, that was to be used instead of them; therefore you may take any one of these things, and it will do.

Recital from the specification.

Inutility of certain articles in the specification.

“The first question is, Whether that is the fair construction of this specification? Suppose it was so, it is perfectly clear the defendant has never used either of them, and some of the witnesses tell you they cannot use them at all.

Any redundancy designedly introduced into the specification, to render it obscure, will vacate the patent.

One

One tells you they cannot be used, and therefore it is a little unfortunate they got into this specification, if nothing more was meant than to make a fair discovery of what was useful; but in this manner the description is given."

The jury, without a minute's hesitation, brought in their verdict for the crown.

SECT. II.

What is the Form of the Specification?

THE instrument containing the description must be under the hand and seal of the inventor, and must be accompanied with a drawing or design whenever verbal explanations are insufficient clearly to expose the subject of the invention.

The specification must be under the hand and seal of the inventor.

The following is the established form, which must be acknowledged before a Master in Chancery :

Form of the specification.

“ To all to whom these presents shall come, I, A B, of C, in the county of D, hat-manufacturer, do send, greeting. Whereas his most excellent Majesty King George the Third, by his letters patent, under the great seal of Great Britain, bearing date at Westminster, the twelfth day of April, in the forty-third year of his reign, did give and grant unto me, the said A B, my executors, administrators, and assigns, his special licence, full power, sole privilege, and authority, that I, the said A B, my executors, administrators, and assigns, during the term of years therein expressed, should and lawfully might make, use, exercise, and vend, within England, Wales, and the town of Berwick-upon-Tweed, my new-invented material

Recital of the grant in the patent.

Also of the proviso therein for the description of the invention, and its enrolment, to give validity to the patent.

The description so required.

Hand and seal.

material article in the making of hats ; in which letters patent there is contained a proviso, obliging me the said A B, under my hand and seal, to cause a particular description of the nature of my said invention, and in what manner the same is to be performed, to be enrolled in his Majesty's High Court of Chancery within one calendar month next and immediately after the date of the said recited letters patent, as in and by the same (relation being thereunto had) may more fully and at large appear. Now know ye, that in compliance with the said proviso, I, the said A B, do hereby declare, that my said invention is the hair of or from the kid's skin or kid's hair, which, if taken off the skin with lime, must be washed in water, or beat to free it from the lime ; but if taken off the skin by stoving, or without lime, then the washing or beating will be unnecessary. After the same is dried in the air or upon the kiln, the hair may be mixed with wool, and made into hats, or made into hats without the aid of any other article ; the same process of manufacture being pursued as is usual in the manufacturing of hats commonly called felt hats. In witness whereof I, the said A B, have hereunto set my hand and seal, the tenth day of May, in the year of our Lord one thousand eight hundred and three.

(Signed)

“ A. B.”

SECT. III.

What is necessary for the Enrolment of the Specification.

AN instrument in writing, describing the invention, is to be enrolled in the High Court of Chancery within one calendar month next and immediately after the date of the letters patent, otherwise they are to be void.

The enrolment is an official duty, which is in course performed on the specification being presented at the repository of the court.

The enrolment of the specification is considered of great importance to the public; and if the patentee have passed over the time for the enrolment, it cannot be enlarged without an act of parliament for that express purpose.

In the case, *ex parte Hoops*, the petition was presented by the patentee of an invention of making paper of straw, and the object of it was, that the Lord Chancellor would dispense with the enrolment, or that some precautions should be taken to prevent the specification from being made public, suggesting the danger that foreigners might obtain copies of the specification in consequence of such enrolment.

Ex parte Hoops.
Vesey's rep.
Chan. vol. 6. 599.
1802. Jan. 22.
Enrolment of a patent cannot be dispensed with for the purpose of preventing the specification being made public.

After a patent has passed, the time for enrolment cannot be enlarged without an act of parliament.

Lord Eldon, C. How can I do this? Either upon this or some other case in the last session a clause for this purpose was inserted in an act of parliament; and upon the motion of Lord *Thurlow*, upon reasons applying not only to that but to all cases, and seconded by Lord *Rosslyn*, the clause was universally rejected, and rejected as it appears to me, upon very substantial grounds, in which I readily concur. As to the worth of the apprehension suggested, a man has nothing more to do than to pirate your invention in a single instance, and he will then force you to bring an action, and then the specification must be produced.

The specification is for the use of all the King's subjects.

But with regard to the King's subjects a very strong objection occurs, which makes it necessary that the specification should be capable of being produced. They have a right to apply to the Patent Office to see the specification, that they may not throw away their time and labour, perhaps at a great expence, upon an invention, upon which the patentee might afterwards come with his specification, alledging an infringement of his patent, when if those persons had seen the specification, they never would have engaged in their project. The enrolment is therefore for the benefit of the public.

It was then desired that the time, which would expire on the 17th of the next month, might be enlarged, in order that the petitioner might apply to parliament.

Lord

Lord Eldon, C. I cannot do that if the patent has passed ; for the patent is void, if the proviso is not complied with. You should have applied to the Attorney General before the patent passed, for a longer time upon the special circumstances. I cannot take the Great Seal from a patent, and repeal it in the most essential point : it is a legal grant, with a proviso for the benefit of all the King's subjects. You can do nothing, except by an act of parliament to enlarge the time mentioned in the proviso."

The patent is void if the proviso be not complied with.

The patent is a legal grant, with a proviso for the public benefit.

The petition was dismissed.

CHAPTER THE ELEVENTH.

*On the Infringement, Repeal, and Surrender of
a Patent.*

Buller's N.P. 62.
Action lies for
infringement of
a patent.

“ IF the King grant a patent for the sole use of any invention, and the patent be good in law, an action lies against any person for infringing it.

If an action be
brought, the pa-
tente must
shew that the
invention be
new, and that
the specification
be good.

“ If the action is brought by the patentee, it is incumbent on him to shew, 1st, That the invention was new ; 2dly, That the specification is full and complete ; that is, such as that the public, after the term of the patent is expired, may have the benefit, and be able to do without further instructions, the thing for which the patent is granted.”

Hale, 1. Vent.
222.

If a grant by letters patent be pleaded, it ought to be stated under what seal.

4 Inst. 88.

If the King undertake to grant a thing not capable of being granted, he, *Jure Regio*, for the promotion of justice, may have a *Scire facias* for repealing his own grant ; but if the patent be void in itself, *Non concessit* may be pleaded to it, without a *Scire facias* to repeal it.

R. 2 Rol. 191.
l. 20.

If

If a grant be founded upon a false suggestion, the King, *Jure Regio*, may have a *Scire facias* for repealing it*.

4 Inst. 88.
2 Rol. 191. l. 35.

If the King grant, by his letters patent, the same thing to several persons, a *Scire facias* lies for repealing the last patent; in such a case, the *Scire facias* is to be brought by the first patentee. A *Scire facias* for the last patentee shall not be allowed, though he seem to have the right with him.

4 Inst. 88.
Dy. 197. b. 198. 2.
Adm. Dy. 133. b.
2 Rol. 191. b. 50.
Cont. 39 H. 6. 33.
R. Dy. 276. b.
277. a.

A *Scire facias* is not necessary, where the cause of forfeiture appears by office or other record, for then the King may oust the patentee without such writ. If the King grant by patent to A, and afterwards by a second patent grant another thing to B, who by colour of it ousts A, where in truth A had not a grant for the same thing, he shall not have a *Scire facias*, but an assise.

R. 9 Co. 95. 96.
2 Rol. 191. l. 10.

2 Rol. 192. l. 12.

A *Scire facias* for repealing a patent may be sued in Chancery. If a *Scire facias* out of the petty bag is returnable, *coram nobis in Cancellariâ nostrâ in Octab, &c. ubicunque tunc fuerit*, it is good, without being limited, *ubicunque in Angliâ*.

In what courts the *Scire facias* lies.

4 Inst. 79. 88.
Dy. 197. b. 3.
Lev. 220.
Rex. v. Harc.
H. 5 G.
Str. 146.

N

A

* See the case of a market, to the injury (*ad Nocumentum*) of another market, R. 3 Lev. 221; yet a writ *Ad Quod Damnum* was executed before the patent passed, which found it not *ad Nocumentum*. R. 2 Vent. 344.

4 Inst. 72.

Mod. Ca. 229.

A *Scire facias* for repealing a patent may also be brought in the King's Bench. If it be returnable there, the King's Bench alone hath jurisdiction to examine the irregularity of the issuing return, &c.

In what manner to be sued.

R. 3. Lev. 222.

Semb. Mod. ca. 229.

R. 3. Lev. 223.

R. 3. Lev. 222.

Dy. 198. b.

A *Scire facias* ought to be founded upon some record, and therefore a *Scire facias* to repeal a patent ought either to be in Chancery, where the patent is upon record, or in a court, where a forfeiture, or other cause of repeal, appears by office or other matter upon record in the same court. The patent is a sufficient record upon which a *Scire facias* may be founded for repealing it. An inquisition, which finds a patent and a cause of forfeiture, is an adequate ground for a *Scire facias*. A *Scire facias* is sufficient, if it alledge matter by *datum est nobis intelligi quod*, &c. for that is sufficient to put the party to an answer. If a *Scire facias* be by a former patentee, the cause of forfeiture need not be mentioned in the writ.

Pleas to a *Scire facias*, and judgment upon confession, or by default.

Dy. 197. b.

Dy. 197. b.

2 Rol. 192. b. 20. 25.

3 Lev. 221.

Rex v. Eyre,

H. 3. G. Str. 43.

If the defendant in a *Scire facias* can say nothing for maintaining the patent, judgment may be for annulling the patent upon his confession. Judgment will be in the same manner, if the defendant, being returned warned, makes default. The defendant may demur upon a *Scire facias*, if the matter alledged be not sufficient for the repeal of the patent. That the grant, (without mentioning the user) is to the prejudice of, &c. is a good issue.

The judgment in a *Scire facias* for repealing a patent, is, *Quod Literæ patentes Domini Regis revocentur, cancellentur, exvacuentur et adnihilentur, et vacue invalide et pro nullo penitus habeantur, ac quod Irrotulamentum eorum cancelletur cassetur et adnihilentur.* The *Scire facias* is the last stage the law admits, the event of which in the nature of it is final.

4 Inst. 88.
Dy. 197. b.

If a patent be delivered to be cancelled, and there is no actual surrendering, cancelling, or *vacatur* entered of the enrolment of the patent, it is not sufficient.

Surrender of a patent.
Semb. Lane 14.

If a person surrender his patent, and it be cancelled, and a note of it be indorsed, and afterwards the surrender enrolled, the patent is vacated. After the *vacatur* is entered upon the roll, a *constat* of it is not to be granted.

Dy. 167. a.

Dy. 167. a. in Marg.

If a patent be to two persons, and the chancellor make a duplicate, and deliver the original to one, and the duplicate to the other, a surrender of the original patent is sufficient, though the duplicate be not surrendered or cancelled; for the duplicate was made by the chancellor without warrant. A surrender, and cancelling with an indorsement of it, is not sufficient, if the surrender be not enrolled. Nor is a surrender to a master in chancery out of court, which was accepted by him and enrolled, sufficient, without delivery of the patent to be cancelled.

R. Dy. 179. b.

Dy. 167. a. 195. a.

Semb. Dy. 197. b.

King v. Arkwright, by Sci. fa. 1785.

Motion for a new trial.

On the 25th June 1785, the cause by writ of *Scire facias*, was heard in the case of the King v. Arkwright, in the Court of King's Bench, before Mr. J. Buller, when the jury found a verdict for the crown. On the 10th of November, the same year, the court was moved for a rule to shew cause why a new trial should not be granted, on the ground of want of preparation with the competent evidence with which the defendant was afterwards provided. On this occasion the subsequent observations were made by the court.

The defence wholly unsupported.

Buller, J. (Interlocutory matter.) It appeared to me, after we had been four or five hours in the cause, the defendant *had not a leg to stand upon*. I thought it a point of duty and decency in me, in such a cause, and of that consequence, and where it had been tried before two respectable judges, who held a difference in sentiment, that I should hear it fully out.

Earl of Mansfield, C. J. It is very clear to me, upon your (the counsel's) shewing there is no colour for the rule. The ground of it is, if there is another trial, you may have more evidence. There is no surprise stated, no new discovery, but upon the material points in question you can give more evidence. There were two questions to be tried, that is the specification and the originality of the invention. There has been one trial in this court, another trial in the
Common

Common Pleas, where this patent has been questioned; and this proceeding is brought finally to conclude the matter; for it is a *Scire facias* to repeal the letters patent. The questions to be tried are stated upon record: there is not a child but must know they were to try the questions there stated; they come prepared to try them, they have tried them, and a verdict has been found which is satisfactory to the judge; and now you desire to try the cause again only that you may bring more evidence. There is not a colour for it.

The rule was refused; and four days after this application, the Court of King's Bench gave judgment to cancel the letters patent.

Rule refused.
Judgment
given.

The patent to Boulton and Watt was granted for the improvement of a steam engine, or an improved steam engine. On the infringement Mr. Justice Rooke remarked (p. 480): "I consider the most essential part of the patent, the keeping the cylinder hot, inclosing it in a case, and surrounding it with steam, as carried into practical effect at the time of granting the patent; this the defendant has infringed."

Boulton & Watt
v. Bull, Bl. Rep.
1795.

On the 23d Dec. 1802, before Lord Ellenborough and a special jury, a trial was had for the alledged infringement of Tennant's patent for a bleaching liquor.

A patentee cannot maintain an action for the infringement of the royal grant, unless he can support the validity of his patent.

The abuse of
Patents requires
some remedy.

Lord Ellenborough, in his charge to the jury, declared this to be a scandalous patent, and equally unfounded in law and justice. From what he had seen when Attorney General, he said, he knew there were shameful abuses in patents, and his Lordship took this opportunity of hinting that some remedy was necessary to be applied.

Patentee nonsuited, because the invention was not new, and he not the sole inventor.

The plaintiff was nonsuited on two grounds; 1st. That the process had been used five or six years anterior to the date of the patent, and therefore was not a new invention; 2dly, That a chemist at Glasgow suggested to Mr. Tenant the agitation of the lime water, which was indispensable in the process, and therefore that it was not the invention of the patentee.

CHAPTER THE TWELFTH.

Some Matters incidentally connected with the Patentee

A ALLEDGED that he had a right to a certain patent machine, and having covenanted with **B** that he (**B**) should use it in a particular manner, **B**, on his part, covenanted to use it accordingly. In an action by **A** on such a covenant, **B** is not estopped from pleading in bar of the action that the invention was not new, or that **A** was not the inventor, but he may shew that the patent was invalid, and that on that account he had received no consideration.

Hayne v. Maltby, M. 30. G. 3-3. T.R. 438.

Yet if an action be brought by the assignee of a patentee against the patentee himself, the latter will not be permitted to shew, in the face of his own oath and deed, that it was not a new invention.

Oldham v. Langmead. Sitings after Trin. 1789, cor. Ld. Kenyon, 3 T.R. 439 and 441.


On the case, *ex parte*, O'Reilly, it appeared a patent even in fee could not stand if abused; but a doubt arose if a patent could be the subject of a trust.

Ex parte, O'Reilly, April 1790. 1 Ves. jun. 118 & 129.

An act passed in 1782, directs that any person actually possessed of a patent for a new invention, or a prolongation thereof by act of parliament, and having contracted with go-

Contracts of Patentees with Government how dissolved.

verment concerning the object of the said patent before the passing of this act, shall give notice of his intention to dissolve the said contract; and the same shall be null and void from the time of giving such notice.



CHAPTER THE THIRTEENTH.

General practical Considerations preliminary to obtaining the Royal Grant, and on the Formulae with which it is connected.

IN a preceding chapter we have entered on the manner of passing a patent, as founded on the 27th H. 8. c. 11* ; the present shall be devoted to some observations of a practical kind, which will, we presume, considerably facilitate the candidate for a patent, in acquiring the knowledge by which he is to obtain his object.

In the case, *Ex parte O'Reilly*, in Chancery, the court refused to seal a patent for representing Italian operas, because the provisions for carrying it on were by agreement with the Lord Chamberlain, his executors and administrators, and the right to the patent was not sufficiently connected with the property in the house.

*Ex parte,
O'Reilly, April
1790.
1 Ves. Jun. 112.*

It is not sufficient for the party applying merely to answer objections, but he must lay a proper case. *ibid.*

On such application the court will take care that the King is not deceived, nor his object *ibid.*
dis-

* See Chap. 5. page 51 and 52.

disappointed, and will represent the whole to the King, but will not decide on the merits of various claimants.

Ibid. 128.

The court will not sign a patent, which does not put the parties under some controul, though there be no caveat.

Caveat.

It is a precaution frequently taken by inventors, to deliver a caveat * at the chambers of the Attorney and Solicitor General, that the object of their labours may not be disappointed by anticipation. This caveat is useful for one year, after which, if the inventor have not brought his contrivance to maturity, he may renew it again for an equal period, and so forward for any successive number of years.

x Burn, 207.

The caveat is not wholly unknown in our legal forms in the ecclesiastical courts, but is not always treated with respect in the temporal courts. In the former it is employed to stay certain proceedings ; and an institution after a caveat entered, is void by the ecclesiastical law. From hence, by analogy, it has been considered with respect to the practice in patents, as sufficient to prevent a patent being taken out for the particular discovery or invention to which such caveat refers. This prejudice, however, has arisen with persons not acquainted with the forms and
duties

* See the form of the Caveat, Appendix M.

duties regarded in the public offices, and the expression in the caveat itself shews that its object is to obtain information of the intention of any person to take out a patent for a similar discovery. The caveat is deposited at the chambers of the Attorney and Solicitor General, and it is the rule of office, that if an application be made for a patent for an invention of the same nature, notice is given to the person who has taken the precaution to enter the caveat. If no such notice be received, it may be concluded that no attempt has been made to procure a patent for the object to which the caveat refers.

It will be seen in the concise form we have given of the caveat, that the discovery is expressed in very general terms, "for any improvement in the steam engine." It is prudent to employ in this document these general expressions, in preference to the more contracted form, identifying the particular improvement; because in such a case notice would not be communicated for an invention, nearly allied to that comprized within the terms of the caveat, of which however it might be extremely material for the inventor, who enters the caveat, to be informed.

What is expedient to be done in the event of receiving notice, is the next consideration.

Should the party, entering the caveat, require

it, the Attorney General gives a separate audience to each of the rival inventors, and having listened to all they have to offer on the priority of the invention, and having examined the coincidence of the discovery, he makes his report to the King, according to his opinion of such priority, and the patent is granted agreeably to the prayer of that report*.

The opinion of the Attorney General may be well or ill founded. If ill founded, the party who is justly entitled to the King's grant, has a remedy to prevent the validity of the patent of the other party, should he consider that his social duties required its application; and as the public good may be sometimes promoted by it, we shall not hesitate to explain it. The reader is not now to be informed that if an invention be published before a patent be sealed, the patent is void. The inventor, thus aggrieved, therefore has only to publish the invention at any time (even the day) before the sealing of the patent, when the whole transaction will be nugatory, and the discovery will be thrown open for the general advantage. The publisher should, in such a case, particularly examine that he is not actuated by personal malice, and that

* On a late occasion, when a dispute arose between two parties respecting the priority of the invention of an improvement on carriages, to prevent litigation, the Chancellor himself, in his private room at Westminster Hall, examined the models, and heard the pretensions of the suitors for the royal grant.

that he is not depriving ingenuity of its fair and honourable remuneration.

But we have chiefly suggested this to serve as a caution to the person intending to avail himself of the patent privilege, that he may not indiscreetly communicate his discovery to improper persons, for he will see how easy it would be for an ill-disposed individual to defeat his purposes, by abusing his confidence, and proclaiming his invention.

The petition is the next step preparatory to taking out a patent: it states the nature of the invention, and prays his majesty to grant his royal letters patent for the sole use of the invention for the term of fourteen years *.

This petition must be accompanied by an oath, taken before a Master in Chancery, which declares that the invention is new, and has not been practised to the best of the knowledge and belief of the inventor †.

In the form of the petition we have given, we have made the prayer reach only to the exclusive use of the invention in the united kingdom of Great Britain and Ireland, called England, the dominion of Wales, and Town of Berwick upon Tweed; but the petitioner may extend his application further, by adding the words,

* See the form of the Petition, Appendix N.

† See the form of the Oath, Appendix O.

words, and in all your Majesty's colonies and plantations abroad, which however is attended with the additional expence of five pounds sterling.

Report.

On the receipt of this petition and oath by the Secretary of State, application is made to the Attorney General to report his opinion upon it*. This report is accordingly made to his Majesty, under the authority just referred to; and it states that a communication has been made by a principal Secretary of State; it recites the general expressions of the petition and of the oath; and it recommends, at the hazard of the petitioner, whether the invention be new or successful, that the royal letters patent be granted to him, he causing a particular description of his invention to be enrolled in Chancery.

Warrant.

Bill.

Patent.

Specification

His Majesty being thus informed through the proper officers, issues his warrant under the sign manual, in consequence of which the bill is made out, which is the grant of his Majesty, and of this the patent is the transcript †. Nothing more remains for the patentee to perform (for so we may now call him) but correctly to describe his invention, and to procure the enrolment of such description, which we have minutely explained in our preceding chapter on the specification.

These

* See the Report, Appendix P.

† See the Patent, ch. 6, p. 24, *et infra*.

These are all the documents with which the acquisition of the patent is concerned; and when these steps are regularly taken, the petitioner is completely invested with the privileges of the royal grant.

CHAPTER THE FOURTEENTH.

Observations on the Repositories of Patent Records, with Remarks on the Officers employed in them, their Fees and Duties.

NOTWITHSTANDING the convulsions to which the country has been exposed from civil war, it is satisfactory to discover that the greater portion of the public records have been preserved from the time of that ancient register of William the Conqueror, Domes-day Book*, *Liber Judiciarius vel Censualis Angliæ*. The principal deficiencies have arisen in the twelfth century, during the reign of Stephen; in the thirteenth, in the time of the third Henry; and from the termination of the Saxon line to the union of the families of York and Lancaster under Henry VII. comprizing a period of nearly two hundred years. No diligence that can be in future directed to this object is at all likely to supply the defalcation after the ineffectual exertions that have been recently made.

Most of the public records are preserved for the last 700 years.

Deficiencies under Stephen, Hen. 3, and the Wars of the Roses.

As

* This book was formerly kept under three different locks and keys; one in the custody of the treasurer, and the others of the two chamberlains of the exchequer. It is now deposited in the chapter house at Westminster, where it may be consulted, on paying to the proper officers a fee of 6s. 8d. for a search, and 4d. per line for a transcript.

As early as the reign of Edward III. these vouchers were considered the evidences of the people; and it is ordained that all the King's subjects shall have access to them. Statutes were passed for their protection from erasure, falsification, and embezzlement, in the 8th year of Richard II. and the 11th of Henry IV. Subsequently means were employed to preserve them in the successive reigns of Elizabeth, James, and Charles; but the internal commotions that shook the kingdom towards the middle of the 17th century, again threw every thing into confusion; the feeble attempts that were made to restore order soon after the Protectorate were unproductive, and the mischiefs were not completely retrieved until the time of Queen Anne, whose reign is not more celebrated for the exploits of Marlborough in military tactics, than for the compilation of the *Fœdera of Rymer* in political jurisprudence. This national Thesaurus is principally devoted to foreign transactions; but through the whole of that reign, and to the beginning of the time of George II. inclusive, much assiduity was applied in the collection and arrangement of the domestic records.

Records evidences of public right.

Rot. Parl. 46. E. 2 vol p. 314. Statutes passed to protect them.

8 R. 2. c. 4.

11 H 4. c. 3.

Attempts to preserve the records under Eliz. Ja. 1. and Ch. 1.

Rendered abortive in the 17th century.

Ayloff's Int. to the cal of ancient chrs p. 36.

Mischiefs redressed under Anne.

Importance of Rymer's Fœdera.

Domestic records arranged and collected under Anne, Geo. 1, and Geo. 2.

It will appear extraordinary that, from that period, nearly seventy years should have been permitted to elapse without any efforts being made to accelerate this design; but if the exertions have been postponed to the present time, they have been greater than at any former æra. The returns from the offices of public records,

Recent exertions to collect information on the state of the records.

in 1732, were only eighteen; those now produced are between three and four hundred. The committee appointed for the purpose prepared a catalogue of all the public repositories, and directed their applications to every officer whose duties were concerned in the care of these instruments*.

Cal. Rot. Pat. in Tur. Lond. printed in 1802.

In pursuance of an address of the House of Commons, during the last year, was printed the *Calendarium Rotulorum Patentium in Turri Londinensi*; and the authorities from which it is collected are MSS. procured in the year 1775, collated with two MSS. of the Cottonian library in the British Museum, marked Titus, C. II. and C. III.

Many omissions and deficiencies in the Tower copy have been supplied by that in the Museum, which is attributed to some capable clerk in the time of James I. who selected what appeared to him most material. The calendar we have referred to, though entitled to great merit, is given us with the caution, that being only a selection, various entries appear on the patent rolls which are not here described; therefore the diligent enquirer is not to be deterred from the examination of any record referred to elsewhere

* As many valuable papers, during the troublesome times to which we have referred, have fallen into private hands, it would have been desirable for the committee to have extended their researches to private collections.

where as being on the patent roll, because it is not to be discovered here.

The patent rolls in the Tower of London are in the fort, called Wakefield's Tower; they commence with the 3d year of John, and conclude with the 24th of the reign of Edward IV.

Rolls in the Tower from John to Edw. 4.

We have already said, that the patents for new inventions are enrolled in the Court of Chancery. They are under the direction of the Master of the Rolls, who is the chief clerk; in his custody are such enrolments and treaties as are not of high antiquity.

Patents for new inventions.

The repositories of the court, with which the patentee is principally concerned, are those distinguished under the names of the Chapel of the Rolls, the Petty Bag Office, and the Six Clerks' Office.

The offices through which they pass. Chapel of the Rolls. Petty Bag Office. Six Clerks Office.

In the Rolls Chapel the different classes of records are eighteen in number. The patent records begin with a small roll of Edward V. and are continued down to the 28th year of the reign of his present Majesty, or somewhat later. Upon these are enrolled all grants in fee or perpetuity of the demesne lands of the abbey, and escheat lands; all patents for creations of honour, grants of charters of incorporations and liberties, grants of offices, denizations, patents for new inventions, &c.

Rolls Chapel. Patent records therein from Ed. 5. to 28, Geo. 3.

The rolls annually made up.

These rolls are annually made up by the person appointed in rotation for the Riding Six Clerk, from the Privy Seals, or signed bills; from which also the patents and other instruments are engrossed, in order to be passed under the Great Seal by the several officers concerned. As soon as these enrolments are made, they are delivered by the Riding Six Clerk, (together with such instruments contained in the patent rolls as are estreated on rolls, called "Estreat Rolls," according to the statute of estreats;) and also the privy seals or signed bills, into the Petty Bag Office, in order to be examined by the senior clerk of the office, by whom the patent rolls, and the privy seals or signed bills are remitted into the Rolls Chapel, and the estreats into the Exchequer, where they are denominated the "Originalia of Chancery."

Statute of Estreats 16 Ed. 2.

Calendars of the instruments.

There are alphabetical calendars, or indexes of these instruments, in the Rolls Chapel, consisting of many folio volumes, which have been made yearly by the present clerk of the records, and the officers who have preceded him in that station. In these catalogues are given the names of the grantees, and references to short abstracts, containing the date and general purport of the grants. The calendars have been found very correct; but as it often happens that persons requiring the inspection of grants are both ignorant of the time when the grant was made, and of the name of the grantee, calendars

dars of the names of places alphabetically arranged, referring immediately to the date and the name of the grantee, have been much wanted. The deficiency has been supplied by the executors of the late Henry Rooke, Esq. from whom five folio books, indexes to twenty-four others of the same size, have been procured*.

Additional calendars procured.

In the Petty Bag Office are sixteen distinctions of public records, among which are enrolments of specifications of patent inventions from the 8th of Queen Anne to the present time. These are put up with the surrender of offices during the same period, into seventy-three bundles, and are entered in a calendar, with an alphabetical index referring to each bundle. The persons who have the custody and arrangement of the records in this office are the three clerks of the Petty Bag, who jointly appoint an assistant, whose duty it is to arrange, take care of, and attend with the records when legally required during the office hours, from ten o'clock to two o'clock, and from five o'clock to eight o'clock in the evening, every day, holidays excepted. The clerks receive no

Petty Bag Office contains enrolments of specifications of patent inventions.

Calendars referring to them.

Assistant of office to attend to them.

remu-

* The following are some of the fees payable at this office :

	£.	s.	d.
For search of the calendar each year, under each name	0	1	0
For taking down every roll	0	2	6
For taking out any instrument out of any bundle ..	0	6	8
For each sheet copied (close).....	0	5	6
For certificate of being a true copy	0	2	0

remuneration for this duty excepting the appointed fees *.

Six Clerks Office,
Records from
Ch. 2. to Geo. 1.
sent to the Tower.

From the Six Clerks' Office all the records, with a few exceptions, from the beginning of Charles II. to the first of George I. were sent to the Tower on the 16th of Oct. 1738, under a warrant from the Master of the Rolls; and some judgment may be formed of the extent of this clearance by the charge of 1000*l.* it incurred, and the period of six years it required to sort, clean, and arrange them. Notwithstanding the expence occasioned, and the time consumed, fifty-one more bundles were discovered afterwards, which were sent to the same place on the 23d of Oct. 1779.

Expence and
time required
for the arrange-
ment.

Privy seals of the
two last years of
Geo. 3. with the
Six Clerks.

Among other articles, the Six Clerks have in their care the privy seals, or signed bills of the two last years of his present Majesty, from which the grants, charters, &c. which have been passed under the great seal during that time were engrossed, in order that they may enrol them on the patent rolls, and make estreats from them.

Grants now en-
rolling.

Complete and
correct alphabe-
tical indexes are
preserved.

There are complete and correct alphabetical calendars or indexes to each distinction of records

* The following are some of the fees :

Searching for a specification any number of years,	£.	s.	d.
and inspecting the same	0	1	0
Copying per folio, of seventy-two words, besides			
each page	0	0	8

records under the care of the Six Clerks, whereby any record may be immediately referred to. The records in this office are sorted, bundled, and entered into a calendar at stated periods* .

It is to the credit of the Rolls' Chapel and of the Six Clerks' Office, that the select committee of the House of Commons distinguished the internal arrangement of these two national repositories with its public approbation.

Internal arrangement of the Rolls Chapel, and Six Clerks Office commended.

The petitions upon inventions from 1685 to 1767 are deposited in the Old State Paper Office, Whitehall.

Petitions upon inventions in the State Paper Office.

The patent rolls under John, Ed. 2, and Hen. 6, are in the receipt of the Exchequer at the Chapter House of Westminster Abbey.

Patent Rolls in the Chapter House.

This venerable structure, and the Tower of London, are the only general repositories of records in the kingdom. Wakefield Tower, where the patent records are kept, incloses a magnificent apartment of an octagon form, the walls of which are ten feet thick, and the height nearly twenty-four. Under the direction of Sir William Chambers, the roofing was plated with iron, and a door of iron was substituted

The situation and present condition of the buildings where the patent records are deposited. Wakefield's Tower.

for

* Certain fees of the Six Clerks' Office :

Search of every record transmitted into the Record Office	£. s. d.
Office	0 1 0
Copies of records in dormant cases, per sheet,	0 0 0
Attendance on persons desiring the perusal of any record	0 0 0

the old wooden door; so that it may be considered secure from fire and other accidents.

Rolls Chapel. The Rolls Chapel is in Chancery-lane, and appears fit to receive the records; they are of easy access, and are placed in presses somewhat removed from the walls. The records of the

Petty Bag Office. Petty Bag Office are in the Rolls yard; the building is detached from the surrounding houses, and is deemed sufficiently substantial, and well adapted to the purpose to which it is applied.

Six Clerks Office. The splendid edifice of the Six Clerks Office stands on a portion of the ancient garden ground of Lincoln's Inn. The Record Room was planned expressly for the use to which it is devoted, and after the experience of nearly four-and-twenty years, it has been found completely to answer the original design.

Commissioners to make an annual report on the public muniments.

It will have been seen with satisfaction by every friend of order, that the superintendance over the public muniments of the kingdom, appointed the 19th of July 1800, was a permanent duty; on the progress of which the commissioners are directed to make an annual report to the King in privy council.

APPENDIX.

NOTE A. CHAP. II. p. 14.

*Principal Laws respecting the Freedom and
Restriction of Trade.*

ALL merchants, unless expressly prohibited, may have safe and secure conduct either to leave England, or to enter England; to stay in one place, or to travel through the country, by land or water, to buy or sell. St. M. Ch. 9;
H. 3. c. 30.

Confirmed by 2 Ed. 3. c. 9.

The sea shall be open to all merchants, to pass where they please. 2 Ed. 3. c. 9.

All merchants, strangers not at enmity, may safely come and dwell in the realm, where they will; and from thence return with their ships, wares, &c.; and may freely sell, &c. paying the customs due, 27 Ed. 3. c. 2.

Confirmed by 14 Ed. 3. St. 2. 2.

All merchants, strangers, and denizens, or any other, may sell corn, &c. and every other thing vendible, to whom they please, foreigners or denizens, excepting the King's enemies; and any charter, proclamation, allowance, judgment, &c. to the contrary, shall be void. 9 Ed. 3. c. 1.
25 Ed. 3. c. 2.

Confirmed by 11 R. 2. c. 7.

5 R. 2. c. 1. All merchants, aliens, at amity with the king, may safely come within the realm, and in all cities, boroughs, &c. ; abide with their goods as long as they please, without disturbance, and buy and sell, in gross and by parcels, to whom and of whom they please; and return, &c.

16 R. 2. c. 1. But as much as relates to selling by retail, was withdrawn, excepting victuals.

12 Car. 2. c. 18.
6 2. No alien, unless naturalized or made denizen, shall exercise the trade of a merchant, or factor, in any of the lands, islands, plantations belonging or which may belong to the king, or his successors, in Asia, Africa, or America, on pain of forfeiture of all his goods, &c.

11 Ed. 3. c. 3.
3 Ed. 4. c. 4.
1 R. 3. c. 12.
19 H. 7. c. 21.
25 H. 8. c. 9.
33 H. 8. c. 4.
5 Eliz. c. 7. By the statutes restraining importation of woollens, laces, ironmongery, cutlery, &c. , it will be seen to what a considerable extent these limitations were carried before the conclusion of the sixteenth century.

3 Jac. 1. c. 6. All subjects of England may trade to and from Spain, Portugal, and France, paying their customs and duties; notwithstanding any incorporation, made by the king, to any, to have a sole trade there.

23 Geo. 2. c. 13. Any person soliciting, &c. any artificer, in any manufacture of Great Britain, or Ireland, to go abroad, forfeits 500l. and is to be imprisoned for one year: the second offence, double forfeiture and double imprisonment.

Note.—Persons exporting tools in the silk and woollen manufacture, forfeit the tools and 200 l.; Captain taking on board 100l.; Captain of king's ship 100l. and cashiered; custom-house officer signing cocket 100l. and forfeits his place.

NOTE B. CHAP. II. p. 15.

Fines relating to Trade or Merchandize.

Extracted from the History and Antiquities of the Exchequer, from the Norman Conquest to the End of the Reign of King Edward II. Taken from the Records. London Folio, 1711.

MANY fines were made relating to trade or merchandize, with its incidents. The weavers of Oxford rendered a mark of gold for their gild (e). The Corvesers of Oxford rendered v ounces of gold, by way of gersome, to have again their gild (f).

Robert, son of Leuestan, rendered xvjl. for the weavers gild, in London (g).

The weavers of Lincoln fined in ij chascurs, that they might have their customs, (or rights), as the king commanded by his writs (h).

The weavers of Winchester fined in one mark of gold, by way of gersome, to have their customs and liberties,
B 2
and

(e). Telarij de Oxeneford r c de j marca auri, pro gilda sua: in thesauro vjl pro j marca auri, et quieti cont. Mag. Rot. 5 Steph. Rot. 1. a.

(f). Corvesarij de Oxeneford r c de v uncijs auri de gersoma, pro gilda sua rehabenda; in thesauro xxxs. pro ij uncijs auri; et debent ij uncijs auri. Ib. Rot. 1. a.

(g). Robertus filius Leuestani r c de xvjl, de gilda telariorum Londoniae; in thesauro l, et Q. e. Ib. Rot. 15. a.

(h). Telarij Lincolniae r c de ij fugatoribus, ut habeant consuetudines suas, sicut Rex præcipit per Brevia sua; in thesauro xls. pro ij fugatoribus, et Q. s. Ib. Rot. 12. 2.

and the election of the alderman (of their gild). And the fullers of Winchester rendered vj l. for their gild (i).

Arnald, son of Mabel, was fined for leave to export corn to Norway (k). The burgesses of Gloucester were fined that they might buy and sell in their guildhall, for the improvement of their burgh (l). Hugh Oisel and Adam his brother, fined in L marks, that they might buy and sell in England, without being charged with dismes and other dones, for two years. And Hugh Oisel fined in CCCC marks, for liberty to trade in England, and the king's other dominions; and to carry away his own merchandizes whithersoever he would, either in time of peace or war: provided that if he wrongfully owned any other man's goods, he should forfeit his own (m). Nigell de Havene, gave L marks for the partnership in merchandizes which he had with Gervase de Hanton (n). Walter de Leissebi and William de Cotes gave xvijl. de cremento, above the usual ferm, that they might have the toll and mills of Grimesbi, with the soke at ferm; they rendering Ll. per annum in the whole, and repairing the mills when the same

(i). Telarij Wintoniæ debent j marcā auri de gersuma pro consuetudinibus et libertatibus suis habendis et pro eligendo aldermanno suo, et amodo dabunt ij marcas auri per annum; unde reddunt computum inferius. Mag. Rot. 12. H. 2. Rot. 8. a. Hantescira.

Telarij Wintoniæ r c de j marca auri de gersuma, et de j marca auri pro gilda sua, et de Lxs. de dimidio anno, in thesauro, xv l. in iij tallijs, et Q. s. Ib. Rot. 8. a. Civit. Wint.

Fullones Wintoniæ r c de vj l. pro gilda sua, in th. l. et Q. s. Ib. juxt.

(k). Ærn. filius Mabilæ debet ij Girfalcons, pro licentia ducendi bladum in Norweiam. Mag. Rot. 27. H. 2. Rot. 6. a. Nordf. et Sudf.

(l). Burgenses de Glocestria r c de ijs. ut possint emere et vendere in gildhalla sua, ad emendationem burgi; in th. l. et Q. s. Mag. Rot. 5. R. 1. Rot. 9. a.

(m) Hugo Oisel et Adam frater ejus [debent] L. marcas, ut possint emere et vendere in terra domini regis, sine decimis et alijs donis a proxima pascha post secundam coronationem domini regis in duos annos. Hugo Oisell [debet] CCCC marcas, pro licentia negociandi in Anglia et in alijs terris domini regis, et abducendi mercaturas suas proprias quocunq; voluerit, sive fuerit pax sive guerra; ita quod si alterius res advocaverit, suas amittat. Sed ex hijs reddidit domino regi C marcas ultra mare; sicut rex testatur per litteras suas archiepiscopo Cantuar. directas. Mag. Rot. 8. R. 1. Rot. 23. h. Londonia et Midd.

(n). Nigellus de Havena [debet] L marcas, pro societate mercandisarum quam habuit cum Gervasio de Hantona. Mag. Rot. 9. R. 1. Rot. 2. a. Sughant. t. i. De conventionibus per H. Cant. Archiepiscopum.

same wanted repairs: and that the merchants coming thither might safely pass and repass without disturbance, paying their quinzime: and that the said men of Grimesbi might safely pass and repass through the King's dominions with their merchandizes, under the right and ancient customs. And accordingly the sheriff was commanded to give them seisin of the said toll and mills, if he saw it to be for the king's profit (o). The men of Worcester fined in Cs. that they might buy and sell dyed cloth, as they were wont to do in the time of King Henry (p). And several other towns fined for the like: as Bedford (q). Beverley, and other towns in Yorkshire (r). Norwich (s). Huntingdon (t). Northampton (u). Gloccster (w). Nottingham (x). Newcastle

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upon

(o). *Walterus de Leissebi et Willelmus de Cotes debent xvij l. de Cremento, pro habendis ad firmam tolneto et molendinis de Grimesbi cum soca sua, præter firmam quæ inde reddi prius consuevit; ita quod ipsi per totum reddent per annum Ll. et ipsi ad cultum suum molendina illa reparare faciant si reparatione indigeant; et per sic quod mercatores qui illuc venient salvo possint ire et redire sine impedimento, per xv partem dandam; et per sic quod prædicti homines de Grimesbi salvo possint ire et redire per terras regis in marcandis suis per rectas et antiquas consuetudines. Et mandatum est vicecomiti, quod eis sine dilatione saisinam de prædictis tolneto et molendinis habere faciat, si viderit commodum esse regis. Mag. Rot. 6. J. Rot. 6. b. Linc.*

(p). *Homines Wigorniae r c de Cs. ut possint emere et vendere pannos tinctos, sicut solebant tempore Regis Henrici. Mag. Rot. 4. J. Rot. 2. a. Wircestrescira.*

(q). *Homines de Bedeford r c de iiij marcis, ut possint emere et vendere pannos tinctos, sicut solebant tempore Regis Henrici. Ib. Rot. 2. b.*

(r). *Ib. Rot. 4. b. Everwichscira.*

(s). *Homines de Norwiz [debent] Cs. ut possint sine dampno emere et vendere pannos tinctos, sicut solebant tempore H. Regis. Ib. Rot. 8. b. Norf. et Sudf. tit. Nova Oblata.*

(t). *Homines de Huntendon r c de xls. pro habenda licentia ut possint vendere pannos tinctos, sicut solebant tempore Regis Henrici; in thesauro l, et Q. s. Ib. Rot. 10. a.*

(u). *Homines de Norhanton r c de x libris, ut possint emere et vendere sine dampno pannos tinctos, sicut solebant tempore Regis Henrici; in th. l, et Q. s. Ib. Rot. 11. b.*

(w). *Burgenses Glocestræ r c de x marcis, ut possint sine dampno emere tinctos pannos de quacumq; fuerint latitudine vel strictitudine; in th. l, et Q. s. Ib. Rot. 13. a.*

(x). *Homines de Notingham r c de v marcis, ut possint emere et vendere tinctos pannos de quacumq; fuerint latitudine, sicut solebant tempore Regis Henrici; in th. l, et Q. s. Ib. Rot. 14. a.*

FINES ON TRADE.

upon Tyne (y). Lincoln (z). Stamford, Grimesby, Barton, and Lafford (a). St. Albans, and Baldock (b). Berkhamstead (c). And Chesterfield (d).

Nicolas, the Dane, was to give the king a hawk every time he came into England, that he might have free traffic throughout the king's dominion (e). William Blund, for himself and his men, of Brich and Estorp, fined for the like (f). And the men of Dunwich (g). Simon Curlevach (h). And Alexander de Warham, (i) for the like. Mutatis mutandis

The

(y). Homines de Novo Castello super Tinam r c de xxv marcis, ut possint libere emere et vendere pannos, sicut solebant tempore Regis Henrici; in th. l, et Q. s. Ib. Rot. 14. b.

(z). Homines Lincollie [debent] xl marcas, ut possint vendere et emere pannos tinctos, sicut solebant tempore Regis Henrici. Ib. Rot. 17. a.

(a). Ibid. Rot. 17. a juxt.

(b). Idem vicecomes r c de ij marcis, de Hominibus S. Albani, ut possint emere et vendere tinctos pannos, sicut solebant tempore Regis Henrici; et de xs. de Baldach pro eodem; in thesauro liberavit in ij taleis, et Q. e, Ib. Rot. 19. b. Essex et Hurtf.

(c). Homines de Berchamstede r c de xls. ut possint vendere sine dampno pannos tinctos; in th. l, et Q. s. Mag. Rot. 5. J. Rot. 10. b. tit. Berchamstede,

(d). Homines de Cestref [eldia] r c de ij marcis, ut possint emere et vendere pannos tinctos, sicut solebant tempore Regis H: in th. l, et Q. s, Mag. Rot. 4. Joh. Rot. 1. b. Not. et Derb. tit. Item de Oblatis. viz, ex Mag. Rotulo Cancellarij Scaccarij.

(e). Nicolas Dacus debet in quolibet adventu suo in Angliam j osturam regi, ut possit salvo et secure ire et redire cum marchandis suis et negotiari per totam terram regis, quietus ab omnibus consuetudinibus quæ ad terram pertinent. Mag. Rot. 6. J. Rot. 8. a. Londonia et Midd.

(f). Willelmus Blundus debet iij palefridos, ut ipse et homines sui de Brich et Estorp quieti sint de sectis scirarum et hundredorum et auxilijs vicecomitum et bailliverum suorum, et de omnibus placitis et querelis quæ ad eos pertinent, usq; ad terminum, sicut continetur in carta quam habeat; et quod possint salvo ire et negotiari cum merchandis suis per omnes terras regis, faciendo inde rectas consuetudines. Mag. Rot. 7. J. Rot. 16. a. Essex et Hurtsfordscira.

(g). Homines de Dunewiz debent C millia allecum, per sic quod salvo et secure eant cum navibus suis. Ib. Rot. 20. bis. a.

(h). Simon Curlevach [debet] Cs, quod salvo et sine impedimento possit abducere a terra Angliæ usq; valericum v lestos de corijs, et salvo redire, faciendo inde rectas consuetudines. Mag. Rot. 10 J. Rot. 3. a. War. et Leircestr.

(i). Alexander de Warham r c de ij tonellis vini; pro habendâ licentiâ abdu-

The Abbat of Fescamp fined in two barrels of wine of Auxerres, that he might have the king's letters patent of licence to bring into England one ship load of wine, at one time, before the feast of St. Peter, ad vincula, in the eleventh year of the king's reign (k). Gerrard le Seintier gave two tonnels of wine, for letters patent giving him leave to bring into England a ship load of wine (l).

Geoffrey Fitz Pierre, the chief justicier, fined in two good Norway hawks, &c. that Walter le Madine might have leave to export a hundred weight of cheese out of the king's dominions (m).

King John, by his letters patent, gave to Fermald, his burgess, of Bayonne, and to Bernard, Fermald's partner, leave to bring a ship-load of corn from Normandy to Bayonne. But the letters patent imported a leave for that one voyage only (n).

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NOTE

abducendi unam navatam salis et coriorum usq; in Normanniam : in thesauro nichil, et regniæ ij dolia vini, per breve regis, et Q. e. Mag. Rot. 8 J. Rot. 13. b. Dors. et Sumers. Nova Oblata.

(k). Idem Abbas [de fiscammo] debet ij dolia vini aucerensis et raspati, pro habendis literis patentibus de licentiâ ducendi in Angliam unam navatam vini semel infra festum S. Petri advincula anni regni regis xj. Mag. Rot. 11. J. Rot. 1. a. Sudsexia. tit. Nova Oblata.

(l). Gerardus le Seintier debet ij tonella vini, pro abendis literis regis patentibus de licentiâ ducendi in Angliam unam navatam vini. Per plegiagium briani de insulâ. Mag. Rot. 11. J. Rot. 12. b. Everwichse.

(m). Idem G. [filius Petri] debet ij bonos austurcos norrenses [sanos] et integros et ij tercell. [sed habet inde quietantiam per breve regis], pro licentiâ dandâ Waltero le Madine ducendi C pondera caseorum extra terram regis. Mag. Rot. 13. Joh. Rot. 6. b. Essexia et Hurtsfordscira.

(n). Rex &c. Senescallo Normanniæ et Ballivis suis, &c. Sciatis quod nos dedimus licentiam Fermaldo burgensi nostro de Bayonâ et Bernardo socio suo, ducendi j Navatam bladi de Normanniâ usque Baionam. Et ideo vobis mandamus, quatinus ipsos bladum illud sine impedimento abducere permittatis. Et valeant litteræ istæ hac solâ vice, solummodo ad hanc navatam bladi ducendam. T me ipso apud danfront, xxv die Octobris anno r n quarto. Pat. 4. J. m. 8. Several other letters of licence to trade, negociari per terram regis, may be seen in this bundle of Pat. 4. J.

LIST OF PATENTS.

NOTE C. CHAP. II. p. 17.

A List of the principal Monopolies, by Royal Grant, from the Reign of Henry VII. to the Reign of Charles I. inclusive.

[From Anderson's History of Commerce.]

A.D.	
1506	FOR Allum, to an Italian.
1530	Rope making at Bridport, exclusive of its neighbourhood.
1534	Woollen cloth, by the city of Worcester, exclusive of the adjacent country.
1544	Coverlets to York City.
1552	Felt hats, &c. to Norwich and Norfolk.
1585	A trade to Morocco.
1591	Printing a book.
1608	Allum.
1625	Saltpetre and gunpowder.
1629	Pawnbrokers in London.
1630	Melting of metals without sea-coal or wood. Separating gold and silver from other metals. Saltpetre, to multiply and make, in a field of four acres, sufficient to serve all our dominions. Raising water from low pits by fire. Making any sort of mills to go on standing waters, by continual motion, without the help of wind, weight, or horse. Making all sorts of tapestry without any weaving loom, or any other way ever yet in use in this kingdom. Making boats, ships, or barges to go against strong wind and tide. Making the earth more fertile than usual.

- 1630 For raising water from low mines and coal pits, by a way never yet in use.
 Making hard iron soft, and likewise copper to be tough and soft, which is not in use in this kingdom.
 Making yellow wax white very speedily.
 Conveying fresh water to London from Hodsden; and for a lottery.
- 1631 Preserving marsh lands from inundations.
 Soap made of English materials.
 Starch, idem.
 Playing cards, idem.
- 1632 A diving project.
 An instrument called a wind-mate; very profitable when common winds fail, for a more speedy passage of calmed ships or vessels on seas or rivers.
 The fish call; or a looking glass for fishes in the sea: very useful for fishermen to call all kinds of fishes to their nets, sears, or hooks. As several calls are needful for fowlers to call several kinds of fowls or birds to their nets or snares.
 A water bow, for the more speedy preservation of houses on land, and ships at sea.
 A building mould, or stone press, very requisite for the building of churches or great houses; by which stone windows, door cases, chimney-pieces, &c. are made more speedily, without hewing, cutting, sawing, carving, or engraving. As also for the making of bricks and tiles more beautiful to the eye, and more durable against foul weather; being as smooth as glass, on the one side or end, with divers colours or works, as if carved by curious workmen.
 A moveable hydraulic, or chamber weather-call, like a cabinet; which being placed in a room, or by a bed-side, causeth sweet sleep to those, who either by hot fevers, or otherwise,

- otherwise, cannot take rest: and it withall alters the dry hot air into a more moistening and cooling temper, either with musical sounds or without.
- 1632 For the corrected crane, by which wine, oil, or any other liquor may be transfused from one vessel, which cannot be well removed, to another remote. As also water may be drawn from one place to another, without any sucking or forcing by the mouth, as vintners and others used to do.
- 1634 Cleaning of indigo.
Sedan chairs. For a price current.
Sope-making. For gardeners.
Saltpetre, gunpowder, &c.
Sealing of foreign hops, weighing hay and straw, and marking butter casks.
- 1635 Glass making. For raisin wines.
Gold and silver thread.
Malt and brewing.
- 1637 Cards and dice.
Maltsters and brewers licences.
Butter casks, pigs and bars of iron, and licensing hackney coachmen.
Wine casks used by brewers.
Drying malt and hops with sea-coal and turf.

In the years 1630 and 1632, under Charles I., the most singular ingenuity was displayed, if we may give credit to this account of the productions of the inventive talent. It will, however, be recollected by the reader, that at that time was issued the proclamation against calling parliament, and the severities of the star chamber and high commission courts were practised: hence these feigned discoveries, it will be admitted, were only new expedients to impose upon the public.

NOTE D. CHAP. II. p. 18.

Some Extracts from the celebrated Debate on the Subject of Monopolies, in the House of Commons, in the Year 1601.

THIS debate began on the 20th of November, and the affair was first brought in by Mr. Lawrence Hide, for the purpose of passing an act to be entitled “An act for the explanation of common law, in certain cases of letters patent.”

Mr. Spicer, M. P. for Warwick, introduced into his discourse several quotations from the learned languages, and gave a curious account of the origin of the word monopoly.—“Let us consider,” said he, “of the word monopoly, what it is; *Moys* is unus, and *Moza* is civitas; so then the learning of the word is, a restraint of any thing public, in a city or commonwealth, to a private use, and the user called a monopolitan, *quasi cujus privatum lucrum est urbis et orbis commune malum.*”

Our readers will entertain no very favourable idea of the learning of the house of representatives at that period, from this example of Mr. Spicer's etymological ingenuity. We cannot avoid quoting, as a specimen of the slavish principles which disgraced the Commons House when this great question was agitated, the speech of Francis Bacon, then the Attorney General, and afterwards Lord Verulam and Chancellor of England, one of the most able and enlightened men of any age or country:—“I confess,” said he, “the bill, as it is, is in few words; but yet ponderous and weighty. For the prerogative

royal of the prince, for my own part I never allowed of it; and it is such as I hope shall never be discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. For, by her prerogative, she may first set at liberty things restrained by statute law, or otherwise: and, secondly, by her prerogative she may restrain things which be at liberty. For the first she may grant *non obstante*, contrary to the penal laws; which, truly, according to my own conscience," (and so struck himself on the breast,) "are as hateful to the subject as monopolies. For the second, if any man, out of his own wit, industry, or endeavour, finds out any thing beneficial for the commonwealth, or brings any new invention, which every subject of this kingdom may use; yet in regard of his pains and travel therein, her majesty, perhaps, is pleased to grant him a privilege to use the same only by himself, or his deputies, for a certain time. This is one kind of monopoly. Sometimes there is a glut of things, when they be in excessive quantity, as perhaps of corn, and her majesty gives licence of transportation to one man: this is another kind of monopoly. Sometimes there is a scarcity or a small quantity, and the like is granted also. These, and divers of this nature, have been in trial, both at the common-pleas, upon actions of trespass; where, if the judges do find the privilege good and beneficial to the common-wealth, they then will allow it; otherwise disallow it. And also I know that her majesty herself hath given commandment to her Attorney General, to bring divers of them, since the last parliament, to trial in the Exchequer: since which time, at least fifteen or sixteen, to my knowledge, have been repealed; some by her majesty's own express commandment, upon complaint made unto her by petition: and some by *quo warranto* in the Exchequer. But, Mr. Speaker," (said he, pointing to the bill,) "this is no stranger in this place; but a stranger in this vestment. The use hath been ever to humble ourselves unto her majesty, and by petition desire to have our grievances remedied; especially when the remedy toucheth her so nigh in point of prerogative. All cannot be done at once;

once; neither was it possible since the last parliament to repeal all. If her majesty make a patent, (or, as we term it, a monopoly,) unto any of her servants, that must go, and we cry out of it: but if she grant it to a number of burgesses, or a corporation, that must stand; and that, forsooth, is no monopoly. I say, and I say again, that we ought not to deal, to judge, or to meddle with her majesty's prerogative. I wish every man, therefore, to be careful in this business; and humbly pray this house to testify with me, that I, the queen's attorney general, have discharged my duty in respect to my place, in speaking in her majesty's behalf; and I protest I have delivered my conscience in saying what I have said *."

In consequence of the decided part taken on this occasion, by the best friends of the nation, the queen sent a message to the house, importing that the monopolies should be revoked; and on the 30th day of Nov. the speaker, attended by about one hundred and eighty members of the House of Commons, was admitted into the council room, where the queen, under a canopy of state, received them, and the following address was delivered; less worthy the Princess Elizabeth, than the Caliph Motazem.

" Most sacred, and more than most gracious Sovereign,

" We, your faithful, loyal, and obedient subjects, and commons, here present, vouchsafed, of your especial goodness, (to our unspeakable comfort,) access to your sacred presence; do, in all duty and humbleness, come to present that which no words can express, most humble and thankful acknowledgment of your most gracious message, and most bounden and humble thanks for your majesty's most abundant goodness, extended and performed

* Biography is more interesting and instructive than general history; principally because it gives us the opportunity of observing the same man under different biasses, according to the stations he occupies, and the interests he pursues. In the succeeding reign Bacon gave the following advice to Sir George Villiers, (afterwards Duke of Buckingham,)—" But especially, care must be taken that monopolies, which are the *canlers* of all trading, be not admitted, under the specious colours of public good."—Bacon's works, folio, vol. 1, page 725.

formed to us. We cannot say, most gracious sovereign, we have called and been heard; we have complained and been helped; though, in all duty and thankfulness, we acknowledge your sacred ears are ever open, and ever bowed down to hear us, and your blessed hands ever stretched out to relieve us; we acknowledge, (sacred sovereign,) in all duty and thankfulness, we acknowledge, that before we call, your preventing grace and all-deserving goodness doth watch over us for our good; more ready to give than we can desire, much less deserve. That attribute which is most proper unto God, to perform all he promiseth, appertaineth also unto you, our most gracious sovereign, queen of all truth, of all constancy, of all goodness, never wearied in doing good unto us, (the deeds themselves do speak,) most careful to provide all good things for us, most gracious, most tender to remove all grievances from us, which all your princely actions have ever shewed, and even now your only mere motion and special grace for the good of all your people doth witness to us. We come not, sacred sovereign, one of ten, to render thanks, and the rest to go away unthankful, but all of us, in all duty and thankfulness, do throw down ourselves at the feet of your majesty. Neither do we present our thanks in words of any outward thing, which can be no sufficient retribution for so great goodness; but in all duty and thankfulness, prostrate at your feet, we present our most loyal and thankful hearts, even the last drop of blood in our hearts, and the last spirit of breath in our nostrils, to be poured out, to be breathed out, for your safety.

Then, after three low reverences made, he, with the rest, kneeled down.

[Parl; hist: of England, vol. 4. p. 452, et infra].

NOTE E. CHAP. II. p. 30.

*The principal Statutes relating to Patents,
passed prior to the Statute of Monopolies,
21 James I. c. 3.*

AN act annulling second letters patents during the king's pleasure, making no mention of the first letters patents. 6 H. 8. c. 15.

“The king's highness, of his goodness, calling to his remembrance, that where his grace hath granted to divers of his subjects (for their service to his grace done), lands, tenements, fees, offices, and other things, to have to them during his pleasure; and after other persons, by their sundry suits, have obtained of his highness other letters patents of the same, not advertising his grace of his former grants, whereby the said former patentees have been avoided, and put from the advantage of their said former grants and patents, contrary to the intent and grant of our said sovereign lord.”

Wherefore be it ordained, established, and enacted by our said sovereign, the lords spiritual and temporal, and the commons in this present parliament assembled, and by authority of the same, that if any person or persons from henceforth do make suit to the king's highness for any lands, tenements, offices, or any other things so by his grace granted, or hereafter to be granted to any person or persons during his pleasure, the said first patentee then being in life; that he do express in his said bill of petition or patent, the tenor of the said former patent, and that the king then hath determined his pleasure against the
first

What shall be expressed in the king's letters patent, in the case of duplicate grants of the same boon.

first said patentee; or else the second letters patents of any of the premises to any person hereafter to be granted, to be void and of none effect.

II. This act to commence and take effect from the fourth day of April next coming, and not before.

4 Ed. 6. c. 4. An act concerning grants and gifts, made by patentees out of letters patents.

Explained by
13th Eliz. c. 6.
Grants made by
patentees out of
patents, shall be
good.

“Where the right noble and famous king, of full worthy memory, King Henry the Eighth, father to our most dread and now natural sovereign liege lord sithence, the fourth day of February, in the twenty-seventh year of his late reign, and also the king’s most excellent majesty, by their several letters patents, have given, granted, and bargained, sold, and exchanged, to and with divers and sundry the subjects of this realm, bodies politic and corporate, in fee-simple, fee-tail, for term of life or years, divers honors, castles, manors, lands, tenements, and other hereditaments and offices, after and since which grants, bargains, sales and exchanges, divers of the said patentees, their heirs, successors, or assigns, have bargained, sold, given, exchanged, or demised divers particular parts, parcels, or portions of the said honours, castles, manors, lands, tenements, hereditaments, and offices, or other things thereunto appertaining or belonging, to other person or persons, bodies politic or corporate; that is to say, to some of them in fee-simple, to some others in fee-tail, for term of life or years, or otherwise; and after the same patentees, for considerations then moving, have surrendered and given up their said letters patents into the Chancery, or otherwise the same letters patents have been forfeited by attainder, lost, cancelled, imbezzled, or by other ways or means have come to the hands of the king’s majesty his late father, and thereupon oft-times the enrollment of the same hath been made void and frustrate, sometime in part, and sometime in the whole, by reason whereof such persons, bodies politic

politie or corporate as have had interest or title in or to the same castles, manors, or particular portions, or parcels of the same so as to them given and granted, have been in time past, and in time to come are like to be disinherited, or in danger of loss of their interest in or to the same, to their no little hindrance and peril.

II. “ For remedy whereof be it ordained, established, and enacted, by the authority of this present parliament, that all and every person or persons, bodies politic or corporate, which lawfully shall or may claim by force of any patent or patents made sithence the said fourth day of February, or hereafter to be made by the king’s majesty, his heirs or successors, kings of this realm, or by any of them, and all other that now have or hereafter shall happen to have any good or lawful estate, right, title, rent, profit, interest, or possession, of, in, to, or out of any honours, manors, lands, tenements, hereditaments, or offices, or of other things to any of the premises appertaining or belonging, or to any part, parcel, or number of them, or any of them, by, from, or under any such patentee or patentees, or any of them, or by, from or under the heirs, successors, or assigns of them, or any of them, or by, from, or under the estate of any others which had, have, or hereafter shall have the estate, title, or interest of any such patentee, or patentees, or by any other means under the date of such letters patents, shall and may at all times hereafter, in any of the king’s courts, his heirs or successors, and elsewhere, by virtue of this present act, make and convey unto himself title, by way of declaration, plaint, avowry, title, bar, or otherwise, as well against the king’s highness, his heirs and successors, and every of them, as against any person or persons, unto the said honours, castles, manors, lands, tenements, offices, and other the premises or any part or parcel of the same, unto them or any of their predecessors or ancestors, or others whose estate they have in the same, by, from, or under the said patentees or any of them, or the heirs, successors, or assigns of any of them, or otherwise under the date of the said letters patents, comprised and contained in any exemplification or con-

An exemplification of the king’s letters patents, under the great seal, shall be of as good force as if the same letters patents were shewn.

5 Co. 53.
Dyer. 167. 179.
Pr. Surrender 51.
Co. Lit. 225. b.

stat thereof, made or to be made, by the shewing forth of the said exemplification or constat of the roll, or of so much thereof as shall serve for the matter in variance, under the great seal of England; and the said exemplification or constat of the said enrolment, so as is aforesaid pleaded and shewed, shall be of like and the same force and effect to all intents and constructions in the law, as the said first letters patents were and should be of, if the same were or should be pleaded or shewed.

13 El. c. 6.

An act that the exemplification or constat of letters patents, shall be as good and available as the letters patents themselves.

A supply of the statute of 3 & 4 Ed. 6. c. 4.

“For the avoiding of all such doubts, questions, and ambiguities, as heretofore have risen and been moved, and of such as hereafter might rise and be moved, in and upon the statute made in the parliament begun and holden at Westminster, the fourth day of November, in the third year of the reign of our late sovereign lord King Edward the Sixth, intituled, *An act concerning grants and gifts, made by patentees out of letters patents, and for a due and full supply of all such wants as may be thought to be therein.*”

An exemplification of letters patents shall be of the same force as the letters patents themselves.
5 Co. 53.
Co. Lit. 2. s. b.

II. “Be it enacted and declared, by the authority of this present parliament, that all and every patentee or patentees, their heirs, successors, executors, and assigns, and all and every other person and persons having by or from them, or any of them, or under their title, any estate or interest of, in, or to any lands, tenements, or hereditaments, or any other thing whatsoever, to such patentee or patentees, heretofore granted by any letters patents, either of the most famous princes, King Henry the Eighth, King Edward the Sixth, Queen Mary, King Philip and Queen Mary, or by any of them, or by the Queen’s most excellent majesty that now is, at any time sithence the fourth day of February, in the twenty-seventh year of the reign of the said late king Henry the

Eighth, or else by the queen's majesty that now is, her heirs or successors, at any time hereafter to be granted, shall and may, at all times hereafter, in any of the queen's highnesses courts, her heirs and successors, or elsewhere, by the authority of this present act, make and convey, or be allowed and suffered to make and convey, to and for him, them, and every of themselves, such claim or title, by way of declaration, plaint, avowry, bar, replication, or other pleading whatsoever, as well against the queen's highness, her heirs and successors, and every of them, as against all and every other person and persons whatsoever, for or concerning the lands, tenements, hereditaments, or other things whatsoever, specified or contained in any such letters patents, or of, for, or concerning any part or parcel thereof, by shewing forth an exemplification or constat, under the great seal of England, of the enrolment of the same letters patents, or of so much thereof as shall and may serve to or for such title, claim or matter, the same letters patents then being and remaining in force, not lawfully surrendered nor cancelled, for or concerning so much and such part and parcel of such lands, tenements, hereditaments, or other thing, whereunto such title or claim shall be made, as if the same letters patents self were pleaded and shewed forth; any law, usage, or other thing to the contrary notwithstanding.

Coke, pla. 54r.

An act for confirmation of grants made to the queen's majesty, &c. and of letters patents, made by her highness to others. Assurances made to or for the queen of any lands, &c. since February 8, anno 25, of her reign; and all letters patents made by the queen to others since that time, &c. confirmed. To what letters patents this statute doth extend, and to what not. A saving of the right of others. Sales of the queen's lands to be made by force of the commission in being before the end of the session of parliament, confirmed. Letters patents shall be expounded beneficially for the patentee. Mis-naming, mis-recital, non-recital of the lands. Lack of finding

43 El. c. 1.

finding of offices. Mis-recital or non-recital of leases. Mis-recital or non-recital of the queen's estate. No estate-tail recited. Lack of certainty, casting, rating of the yearly rent or value. The lands valued at more or less than they be. Mis-naming or not true naming of the places where the lands lye. The lack of the true naming of the lands, and of the kinds, sorts, &c. Mis-naming of the corporation. Lack of attornment, livery, and seisin. Mis-naming of the late owners, notwithstanding. Letters patents of offices excepted. Recompence for the overplus of lands, sold by the queen, to be made by the rate of three-score years purchase. Certain grants excepted. Patents of concealed lands. Patents made by warrant of commissioners authorised to make composition with others. Patents decreed to be void by act of parliament, or in any of the queen's courts of record. Monopolies. Patents touching penal statutes. The right of others saved. Patents of lands whereof there is an estate-tail in the queen. Leases made to the queen by the bishop of Carlisle, excepted. 34 and 35 H. VIII. c. 21.—1 Ed. VI. c. 8.—7 Ed. VI. c. 3.—4 and 5 Ph. and M. c. 1.—18 El. c. 2.—35 El. c. 3.

NOTE F. CHAP. IV. p. 31.

21 JA. I. c. 3. STATUTE OF MONOPOLIES.

An Act concerning Monopolies and Dispensations with Patent Laws, and the Forfeitures thereof.

“FORASMUCH as your Most Excellent Majesty, in your royal judgment, and of your blessed disposition to the weal and quiet of your subjects, did, in the year of our Lord God one thousand six hundred and ten, publish in print to the whole realm, and to all posterity, that all grants and monopolies, and of the benefit of any penal laws, or of power to dispense with the law, or to compound for the forfeiture, are contrary to your Majesty’s laws, which your Majesty’s declaration is truly consonant and agreeable to the antient and fundamental laws of this realm: And whereas your Majesty was further graciously pleased expressly to command that no suitor should presume to move your majesty for matters of that nature; yet nevertheless upon misinformations and untrue pretences of public good, many such grants have been unduly obtained, and unlawfully put in execution, to the great grievance and inconvenience of your Majesty’s subjects, contrary to the laws of this your realm, and contrary to your Majesty’s most royal and blessed intention so published as aforesaid.” For avoiding whereof, and preventing the like in time to come, may it please your Excellent Majesty, at the humble suit of the Lords Spiritual and Temporal, and the Commons, in this present parliament assembled, that it may be declared and enacted by authority of this present parliament, that all monopolies and all commissions, grants, licences, charters,

All monopolies, &c. shall be void.
Still 214.
3 Inst. 181, 182, 183.
1 Haw. P. C. p. 230, and sequent.

and letters patents heretofore made or granted, or hereafter to be made or granted to any person or persons, bodies politic or corporate whatsoever, of or for the sole buying, selling, making, working, or using of any thing within this realm or the dominion of Wales, or of any other monopolies, or of power, liberty, or faculty to dispense with any others, or to give licence or toleration to do, use, or exercise any thing against the tenor or purport of any law or statute, or to give or make any warrant for any such dispensation, licence, or toleration to be had or made; or to agree or compound with any others for any penalty or forfeitures limited by any statute; or of any grant or promise of the benefit, profit, or commodity of any forfeiture, penalty, or sum of money, that is or shall be due by any statute, before judgment thereupon had; and whatsoever any way tending to the instituting, erecting, strengthening, furthering, or countenancing of the same, or any of them, are altogether contrary to the laws of this realm, and so are and shall be utterly void and of none effect, and in no wise to be put in ure or execution.

3 Mod. 131.

Monopolies, &c. shall be tried by the common laws of this realm.

II. And be it further declared and enacted by the authority aforesaid, that all monopolies, and all such commissions, grants, licences, charters, letters patents, proclamations, inhibitions, restraints, warrants of assistance, and all other matters and things tending as aforesaid, and the force and validity of them and of every of them, ought to be and shall be for ever hereafter examined, heard, tried and determined, by and according to the common laws of this realm, and not otherwise.

All persons disabled to use monopolies, &c.

III. And be it further enacted by the authority aforesaid, that all person and persons, bodies politic and corporate whatsoever, which now are or hereafter shall be, shall stand and be disabled and incapable to have, use, exercise, or put in ure any monopoly, or any such commission, grant, licence, charter, letters patents, proclamation, inhibition, restraint, warrant of assistance, or other matter or thing tending as aforesaid, or any liberty, power,
or

or faculty, grounded or pretended to be grounded upon them or any of them.

IV. And be it further enacted by the authority aforesaid, that if any person or persons, at any time after the end of forty days next after the end of this present session of parliament, shall be hindered, grieved, disturbed, or disquieted, or his or their goods or chattles any way seized, attacked, distrained, taken, carried away, or detained, by occasion or pretext of any monopoly, or of any such commission, grant, licence, power, liberty, faculty, letters patents, proclamation, inhibition, restraint, warrant of assistance or other matter or thing tending as aforesaid, and will sue to be relieved in or for any of the premises; that then, and in every such case, the same person or persons shall and may have his and their remedy for the same at the common law, by any action or actions, to be grounded upon this statute; the same action or actions to be heard and determined in the courts of King's Bench, Common Pleas, and Exchequer, or in any of them, against him or them, by whom he or they shall be so hindered, grieved, disturbed, or disquieted, or against him or them, by whom his or their goods or chattles shall be so seized, attacked, or distrained, taken, carried away, or detained; wherein all and every such person and persons, which shall be so hindered, grieved, disturbed, or disquieted, or whose goods or chattles shall be so seized, attacked, distrained, taken, carried away, or detained, shall recover three times so much as the damages which he or they sustained by means, or occasion of being so hindered, grieved, disturbed, or disquieted, or by means of having his or their goods or chattles seized, attacked, distrained, taken, carried away, or detained, and double costs; and in such suits, or for the staying or delaying thereof, no essoin, protection, wager of law, aid, prayer, privilege, injunction, or order of restraint, shall be in any wise prayed, granted, admitted, or allowed, nor any more than one imparlance: And if any person or persons shall, after notice given, that the action depending is grounded upon this statute, cause or procure any action at the common

The party grieved by pretext of a monopoly, &c. shall recover treble damages and double costs.

He that delayeth an action grounded upon this statute, incurs a praemunire.

law grounded upon this statute, to be stayed or delayed before judgment, by colour or means of any order, warrant, power or authority, save only of the court wherein such actions as aforesaid shall be brought and depending, or after judgment had upon such action, shall cause or procure the execution of or upon any such judgment to be stayed or delayed by colour or means of any such order, warrant, power, or authority, save only by writ of error or attain; that then the said person and persons so offending, shall incur and sustain the pains, penalties, and forfeitures ordained and provided by the statute of provision and præmunire made in the sixteenth year of the reign of King Richard the Second.

16 R. 2. c. 5.

Letters patents heretofore granted for 21 years, to use new manufactures, saved.

V. Provided nevertheless, and be it declared and enacted, that any declaration before-mentioned shall not extend to any letters patents and grants of privilege for the term of one and twenty years or under, heretofore made, of the sole working or making of any manner of new manufacture, within this realm, to the first and true inventor or inventors of such manufactures, which others at the time of the making of such letters patents and grants did not use, so they be not contrary to the law, nor mischievous to the state, by raising of the prices of commodities at home, or hurt to trade, or generally inconvenient, but that the same shall be of such force as they were or should be if this act had not been made, and of none other: and if the same were made for more than one-and-twenty years, that then the same, for the term of one-and-twenty years only, to be accounted from the date of the first letters patents and grants thereof made, shall be of such force as they were or should have been if the same had been made but for the term of one-and-twenty years only, and as if this act had never been had or made, and of none other.

Letters patents hereafter to be granted for 14 years, for new manufactures, saved.

VI. Provided also, and be it declared and enacted, that any declaration, before-mentioned, shall not extend to any letters patents and grants of privilege for the term of fourteen years, or under, hereafter to be made, of the
sole

sole working or making of any manner of new manufactures within this realm, to the true and first inventor and inventors of such manufactures, which others at the time of making such letters patents and grants shall not use, so as also they be not contrary to the law, nor mischievous to the state, by raising prices of commodities at home or hurt of trade, or generally inconvenient. The said fourteen years to be accounted from the date of the first letters patents or grant of such privilege hereafter to be made, but that the same shall be of such force as they should be, if this act had never been made, and of none other.

VII. Provided also, and it is hereby further intended, declared, and enacted by authority aforesaid, that this act, or any thing therein contained, shall not, in any wise, extend, or be prejudicial to any grant, or privilege, power, or authority whatsoever, heretofore made, granted, allowed and confirmed by any act of parliament now in force, so long as the same shall continue in force.

This act not to extend to grants sanctioned by parliament.

VIII. Provided also, that this act shall not extend to any warrant or privy seal, made or directed, or to be made or directed by his majesty, his heirs or successors, to the justices of the courts of the King's Bench or Common Pleas, and barons of the Exchequer, justices of assize, justices of oyer and terminer and gaol-delivery, justices of the peace, and other justices for the time being, having power to hear and determine offences done against any penal statute depending in suit and question before them, or any of them respectively, after plea pleaded by the party defendant.

Warrants granted to justices, saved.

IX. Provided also, and it is hereby further intended, declared, and enacted, that this act, or any thing therein contained, shall not in any wise extend or be prejudicial unto the city of London, or to any city, borough, or town corporate within this realm, for or concerning any grants, charters, or letters patents, to them or any of them; or unto any corporations, companies, or fellowships

Charters granted to corporations, saved. 3 Inst. 185.

ships of any art, trade, occupation, or mystery, or to any companies or societies of merchants within this realm, erected for the maintenance, enlargement, or ordering of any trade of merchandize; but that the same charters, customs, corporations, companies, fellowships and societies, and their liberties, privileges, powers, and immunities, shall be and continue of such force and effect as they were before the making of this act, and of none other; any thing before in this act contained to the contrary in any wise, notwithstanding.

Letters patents that concern printing, saltpetre, gunpowder, great ordnance, shot, or offices, saved.

X. Provided also, and be it enacted, that this act, or any declaration, provision, disablement, penalty, forfeiture, or other thing before-mentioned, shall not extend to any letters patents of grants of privilege heretofore made, or hereafter to be made, of, for, or concerning the digging, making, or compounding of saltpetre, or gunpowder, or the casting or making of ordnance, or shot for ordnance, nor to any grant or letters patents heretofore made, or hereafter to be made, of any office or offices heretofore erected, made, or ordained now in being, and put in execution, other than such offices as have been decreed by any his majesty's proclamation or proclamations: but that all and every the same grants, commissions, and letters patents, and all other matters and things tending to the maintaining, strengthening, and furtherance of the same, or any of them, shall be and remain of the like force and effect, and no other, and as free from the declarations, provisions, penalties, and forfeitures contained in this act, as if this act had never been had nor made, and not otherwise.

This act shall not extend to commissions for allum mines.

XI. Provided, also, and be it enacted, that this act, or any declaration, provision, disablement, penalty, forfeiture, or other thing before-mentioned, shall not extend to any commission, grant, letters patents, or privilege heretofore made, or hereafter to be made, of, for, or concerning the digging, compounding, or making of allum, or allum-mines; but that all and every the same commissions, grants, letters patents, and privileges, shall be

be and remain of the like force and effect, and no other, and as free from the declarations, provisions, penalties, and forfeitures contained in this act, as if the act had never been had nor made, and not otherwise.

XII. Provided also, and be it enacted, that this act, or any declaration, provision, penalty, forfeiture, or other thing before-mentioned, shall not extend or be prejudicial to any use, custom, prescription, franchise, freedom, jurisdiction, immunity, liberty, or privilege heretofore claimed, used, or enjoyed by the governors and stewards and brethren of the fellowship of the hoast-men of the town of Newcastle upon Tyne, or by the ancient fellowship, gild, or fraternity, commonly called hoast-men, for or concerning the selling, carrying, lading, disposing, shipping, venting, or trading of or for any sea coals, stone coals, or pit coals, forth or out of the haven or river of Tyne, or to any grant made by the said governor and stewards and brethren of the fellowship of the said hoastmen to the late queen Elizabeth, of any duty or sum of money to be paid for, or in respect of any such coals as aforesaid; nor to any grants, letters patents, or commission, heretofore granted, or hereafter to be granted, of, for, or concerning the licensing of the keeping of any tavern or taverns; or selling, uttering, or retailing of wines to be drunk or spent in the mansion-house, or houses, or other place in the tenure or occupation of the party or parties so selling or uttering the same; or for or concerning the making of any compositions for such licenses, so as the benefit of such compositions be reserved and applied to and for the use of his majesty, his heirs or successors, and not to the private use of any person or persons.

Nor to the liberties of Newcastle upon Tyne, nor to licences of keeping taverns.

XIII. Provided also, and be it enacted, that this act, or any declaration, provision, penalty, forfeiture, or other thing before-mentioned, shall not extend or be prejudicial to a grant or privilege for or concerning the making of glass, by his majesty's letters patents under the great seal of England, bearing date the two and twentieth day of

Nor to letters patents granted to Sir Robert Mansel, Knt. or to James Maxwell, Esq.

of May, in the one and twentieth year of his majesty's reign of England, made and granted to Sir Robert Mansel, Knight, Vice Admiral of England: nor to a grant or letters patents, bearing date the twelfth of June, in the thirteenth year of his majesty's reign of England, made to James Maxwell, Esquire, concerning the transportation of calves skins: but that the said several letters patents, last mentioned, shall be and remain of the like force and effect, and as free from the declarations, provisions, penalties, and forfeitures before-mentioned, as if this act had never been had nor made, and not otherwise.

Nor to those
granted to
Abraham Baker
or Lord Dudley.

XIV. Provided also, and be it declared and enacted, that this act, or any declaration, provision, penalty, forfeiture, or other thing before-mentioned, shall not extend or be prejudicial to a grant or privilege for or concerning the making of smalt, by his majesty's letters patents, under the great seal of England, bearing date the sixteenth day of February, in the sixteenth year of his majesty's reign, of England, made or granted to Abraham Baker; nor to a grant or privilege for or concerning the melting of iron ewer, and of making the same into cast-works or bars with sea coals or pit coals, by his majesty's letters patents, under the great seal of England, bearing date the twentieth day of February, in the nineteenth year of his majesty's reign of England, made or granted to Edward, Lord Dudley; but that the same several letters patents and grants shall be and remain of the like force and effect, and as free from the declarations, provisions, penalties, and forfeitures before-mentioned, as if this act had never been had nor made, and not otherwise.

NOTE G. CHAP. V. p. 51.

EXTRACTS FROM 27 HENRY VIII. CHAP. XI.

An Act respecting the Offices through which the King's Grants shall pass, and certain Fees to which the Officers are limited.

WHEREAS the King's clerks of his grace's signet and privy seal, giving their daily attendance for the passing and writing of his Majesty's great and weighty affairs, and the causes of this realm, having for their entertainment and their clerks, no fees nor wages certain for those offices, other than such fees as cometh and groweth of the said signet and privy seal; to the intent that from henceforth they should not by any manner of means be defeated of any part or portion of the same their fees: be it therefore ordained, established, and enacted, by the consent and assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by authority of the same, that all and every gift, grant, and other writing, which shall be made or given in writing by the King's highness, or any of his most noble posterity, to any person or persons, signed with his grace's sign or the sign or signs manual of any of them, to be passed under any his grace's great seals of *England, Ireland, Duchy of Lancaster,* or any of his highness's counties, palatines, or principality of *Wales,* or by other process out of the Exchequer, after the fifteenth day of April, in the twenty-seventh year of his most noble reign, and that all and every gifts, grants, and other writings, of what name or names, quality or qualities soever the same be, or hereafter shall be named, deemed, or called, which the master

4 Inst. 45.

The King's grants shall be brought to the secretary or to a clerk of the signet.

of

§ Co. 18.

of the King's wards, or general surveyors of the King's lands, for the time being, or any other office or officers that now be, or hereafter shall be made, shall, by virtue of an act of parliament, or any the King's grants to them or any of them made, or hereafter to be made in that behalf, give, grant, or make, after the aforesaid fifteenth day of April, to any person or persons in the King's name, to be passed under any of his Majesty's seals, be in any wise first, and before the same grant, or any of them, be passed under any the King's said seals, or other process made of the same, brought and delivered to the King's principal secretary, or to one of the King's clerks of his grace's signet for the time being, to be at the said office of the signet passed accordingly.

A warrant by the clerk of the signet to the lord keeper of the privy seal.

II. And be it also ordained and enacted by the authority aforesaid, that one of the clerks of the signet, to whom any of the said writings, signed with the King's most gracious hand, or the hand of any other aforesaid, or any of them fortune to be delivered, may and shall by warrant of the same bills, and every of them, within the space of eight days next after he shall have received the same, unless he have knowledge by the said secretary, or otherwise, of the King's pleasure to the contrary, make or cause to be made in the King's name, letters of warrant, subscribed with the hand of the same clerk, and sealed with the King's signet, to the lord keeper of the King's privy seal, for the further process to be had in that behalf; and that one of the King's clerks of the said privy seal, upon due examination had by the said lord keeper of the said privy seal, of the said warrant to him addressed from the office of the said signet as afore, may and shall within the space of eight days next after he shall have received the same, unless the lord keeper of the privy seal do give them commandment to the contrary, make or cause to be made, by warrant of the aforesaid warrant to the said lord keeper of the privy seal, address from the office of the signet aforesaid, other letters of like warranty, subscribed with the name of the same clerk of the privy seal, to the lord chancellor of England, lord keeper of the great seal, chancellor of

A warrant from the privy seal to the great seal.

of the duchy of Lancaster, chancellor of the King's land of Ireland, treasurer and chamberlains of the exchequer, and chamberlains of any of his counties palatines, or principality of Wales, or other officer, and to every of them, for the writing and ensembling with such seals, as remain in their custody, of letters patent or closed, or other process making, due and requisite to be had or made upon any the said grants, according to the tenor of the warrant to them or any of them directed from the officer of the privy seal, as is afore specified.

III. And also be it enacted, by the authority aforesaid, that no manner of clerk or clerks, or other person or persons, do write or make any manner of writing, warrant or warrants upon any manner of gift; or grant, made by the King's highness, or by any other his grace's officers as aforesaid, or procure the same or any of the same to be passed under the seals aforesaid, after any other sort, manner or fashion, or by any other warrant or warrants, than as before specified and delivered, upon pain to forfeit for every bill, warrant or writing, passed contrary to the order before limited and prescribed, the sum of 10*l.* the one-half thereof to be to our Sovereign Lord the King, and the other half to him that shall first sue for the same by action of debt, writ, bill, plaint, or information in any of the King's courts; in which action or suit, no essoin, protection, privilege, nor wager of law, shall be admitted; any manner act, statute, provision, proclamation, or other ordinance heretofore had or made, contrary to this present act, or any article of the same, in any wise notwithstanding.

The penalty for altering of the course aforesaid.

IV. And nevertheless be it also enacted, that every of the said clerks, or other person, which shall pass in writing, or procure to be passed in writing, any grant or grants by immediate warrant, wherefore fees be paid at the great seal, shall of the parties receive for the offices of the said signet and privy seal, as well as such fees as in this act is taxed for writing of any such grant or other writings, as also the fees for the seal of the same; which fees,

Fees for writings which pass by immediate warrant.

fees, and every part and portion thereof, the same clerk or clerks, by whom any grant shall pass in writing by immediate warrant, shall upon a bill of the hand of one one of the said clerks of the said signet or privy seal, deliver unto one of the same clerks of the signet or privy seal, within the space of three months next and immediately ensuing after the passing and sealing of any of the said grant or grants by immediate warrant, upon pain of 10*l.* to be by every such of the said clerks or other person as shall offend, forfeited, to be levied in form aforesaid, as often as he or they shall offend contrary to the meaning of this act.

This act shall not prejudice the lord treasurer for directing the warrants to the great seal.

V. Provided also, that this act, or any thing contained in the same, be not in any wise prejudicial to the lord treasurer of *England* for the time being, concerning such warrants or precepts, as he by virtue of his office shall and may direct immediately to the Lord Chancellor of *England*, or to any other person or persons for making out of the King's grants or letters patent, to any person or persons, of any offices, farms, or lands, or tenements, or of any other thing belonging to his nomination or disposition; but that as well he may direct his said warrants or precepts for the causes abovesaid, as also his clerk, or clerks, or other person, may procure the same to be sealed under any of the seals aforesaid, without any warrant to be before or after sued or obtained under the King's signet or privy seal for the same, in as large and ample a manner, and after such sort or fashion as he or they might have done at any time before the making of this act; any thing in the same act mentioned to the contrary notwithstanding.

(VI. This clause refers to leases of the duchy lands of Lancaster, which may pass under the seal of the same duchy, see 4 Inst. 210.)

(VII. This relates to the grant of a small office in the duchy.)

VIII. This

(VIII. This section treats of certain trifling fees to the clerk of the signet for writing warrants for tales or reward, gift of offices, pensions, &c.)

IX. Provided also, that the Lord Chancellor of *England* for the time being, shall and may at all times use his discretion in passing and speeding any thing by the great seal, and delivering the same without paying any fees for the great seal, signet, and privy seal, as the case of necessity shall require, and as hath been accustomed; and that the clerks for writing or procuring such writings and patents, by his commandment shall be discharged of all penalties expressed before in this act, for not receiving and paying fees to the signet and privy seal; any thing in this act contained to the contrary hereof notwithstanding.

The lord chancellor may pass instruments without fees.

(X. XI. XII. The first of these clauses refers to the officers and clerks of the court of augmentations. The second to the sealing of instruments in the King's private affairs, &c. The last respects grants or leases of farms under the yearly rent of 6l. 13s. 4d.)

NOTE II. CHAP. VII. p. 64.

On the King's Charter as regulating Trade.

THE King by his charter may constitute fraternities, or companies for the management of foreign or domestic trade.

For trade cannot be maintained or increased without order and government; and therefore, the King may erect gildam mercatoriam, a fraternity or incorporation of merchants for the advancement of trade.

8 Co. 125. a.

D

None

- Skin. 224. None but the King can erect a society for trade.
- Hard. 55. The King by his grant may require, that all ships which come to such a haven, unload in such a place, for the security of the customs.
- 1 Rol. 5. That ships shall unload in a public place, and not elsewhere.
- Per. Dod. 1 Rol. 5. That tonnage be paid at such a port, more convenient for the King's officers, and not prejudicial to the subject.
- Hard. 55. vide post. A grant by the King to the corporation of weavers in London, that none shall intermeddle with their trade, unless he be free of their fraternity, is good.
- Hard. 55. A grant to London that every one who brings saleable goods there, shall pay such a toll, will be good.
- 2 Ca. Ch. 67
Acc. in Domo
Proc. 1 Ver.
120. Skin. 234.
R. Cart. 90. The King by his patent may grant, that such persons shall have the sole printing of books of the common law.
- Semb. 2. Ca.
Ch. 66. Skin.
234. Or the sole printing of almanacks.
- 2 Ca. Ch. 76 93.
1 Ver. 120. 275. Or the printing of the statute books, for they are matters of state.
- 2 Ca. Ch. 93.
1 Ver. 120. Or English bibles.
- Cart. 90. So by patent the stationers have the sole printing of bibles, testaments, common prayer books.
- Cart. 90. So for civil law books, school books, almanacks.
- R. per ten, J.
1068. 2 Ca.
Ch. 67. But a patent, granted to Moor by King James, for the sole printing of books of the common law, does not extend to new books of the law never printed before the patent.

If the King grant power to the stationers for printing such books, he cannot afterwards grant to the university to print the same books. Dub. Skin. 234.

NOTE I. CHAP. VII. p. 68.

*Law of Patents before the Statute 21st
James I. c. 3.*

THE curious reader may wish to refer to those decisions that relate to the exercise of the royal prerogative, in grants of privileges to the subject, as the law stood in that part of the time of Sir Edward Coke, which preceded 21 Ja. I.; we have therefore selected from the reports of that learned judge the most important causes on the subject.

The figures of the pages correspond with the original French copy, and with the marginal figures of the second Edition of the English translation, Lond. fo. A. D. 1680.

The following passages in the cases referred to, apply to those instances where the King's grant is good or otherwise, by the terms *mero motu, ex certa scientiâ, et speciali gratiâ*.

	Part	Page	
Case of Alton Wood	1	43, 44, 45,	} Trin. 42 Eliz.
		46, 48, 49,	
		50, 51, 53,	
William Doddington	2	32,	Mich. 36 & 37
Sir Hugh Cholmeley		50, 54,	Pasch. 39
The Marquis of Winchester	3	4,	Mich. 21 & 22
The Dean and Chapter of Norwich	}	73,	} Mich. 40 & 41
Bozoun		4	
William Holland		75,	Mich. 26 & 27
Wheeler	6	6,	Trin. 39
Lord Chandos			Pasch. 43
John Webb	8	55,	Trin. 4 James
Lord Stafford		45,	Mich. 6
		74,	Trin. 7

LAW OF PATENTS BEFORE 21 JA. I. C. 3.

	Part	Page	
Case of John Whistler - - -	10	63, 64	Hil. 10
Arthur Legat - - -		109, 112,	} Mich.
Priddle and Napper - - -	11	113, 114,	

Where the King's grant made at the instance of the party, out of false suggestion, or false consideration, is void, or not.

	Part	Page	
Case of Alton Wood - - -	1	41, 43,	Trin. 42 Eliz.
Sir Hugh Cholmley - - -	2	54, -	Pasch. 39
Humphrey Barwick - - -		94, -	Pasch. 39
Lord Chandos - - -	6	56, -	Trin. 4 James
The Wardens of the Church of St. Saviour's, South- wark - - -	10	67, -	} Trin. 11
Arthur Legat - - -			
	110, 111,		
	112, 113,		
		114,	

Where the King's grant is void for default of recital, false recital, misnaming, &c. and where not.

	Part	Page	
Case of Alton Wood - - -	1	43, 45,	} Trin. 42 Eliz.
		46, 50,	
		51, -	
Wiseman - - -	2	16, -	Trin. 27
Lane - - -		17, -	Mich. 28 & 29
Sir Hugh Cholmley - - -		50, 54,	Pasch. 39
Dowtie - - -	3	3, 10,	Trin. 26
Butler and Baker - - -		31,	Mich. 32 & 34
The Dean and Chapter of Norwich - - -	}	73, 76,	} Mich. 40 & 41
Fermor - - -			
Bozoun - - -	4	35, -	Mich. 26 & 27
Barwick - - -	5	93, 94,	Trin. 39
Lord Chandos - - -	6	55, 56,	Trin. 4 James
Sir Moyle Finch - - -		66, -	Mich.
The Prince - - -	8	29, -	Hil. 3
Earl of Rutland - - -		55, 56, 57,	Mich. 6
Earl of Cumberland - - -		167, -	Mich. 7
Earl of Shrewsbury - - -	9	47, -	Trin. 7
Auditor Curle - - -	11	4, -	Hil. 7
Master and Fellows of Mag- dalen - - -	}	67, 76,	} Pasch. 18

Where the King's grant is void to all intents, because he was deceived in his grants, and not apprized of the law or grant.

	Part	Page	
Case of Alton Wood - - -	1	43, 44, 45,	} Trin. 42 Eliz.
		46, 47, 48,	
		49, 50, 51,	
		53,	

	Part	Part	
Case of Doe v.ington	2	32, 34,	Mich. 36 & 37
Sir Hug. Cholmieu	-	-	Pasch. 39
Bozoun	4	34,	Mich. 26 & 27
Barwick	5	94,	Trin. 39
The Dean and Chapter of Norwich	3	73, 74,	Mich. 40 & 41
Fermor		78,	Hil. 44
Green	6	29,	Trin. 44
Lord Chandos	-	55, 56,	Trin. 4 James
Sir Moyle Finch	-	66,	Mich. 4
Earl of Rutland	8	56,	Mich. 6
Lord Stafford	-	74, 77,	Trin. 7
Earl of Cumberland	-	167,	Mich. 7
Earl of Shrewsbury	9	47,	Trin. 7 James
Whistles	10	64, 65,	Hil. 10
Wardens of St. Saviour's, Southwark	}	67,	Trin. 12
Arthur Legat		112,	Mich. 10
Auditor Curle	11	4,	Hil. 7
Priddle and Napper	-	11,	Mich. 10
Monopolies	-	87,	Trin. 44 Eliz.
Earl of Devonshire	-	90,	Hil. 4 James

Where the King's grant is void to all intents, because not in his power to grant; and what things he cannot grant by letters patent.

	Part	Page	
Case of Mitton	4	33, 34,	Pasch. 26 Eliz.
Bozoun	-	35,	Mich. 26 & 27
Wirral	5	50,	Hil. 41
Sir Drue Drury	6	73,	Pasch. 5 James
Earl of Bedford	7	8,	Mich. 28-29 Eliz.
Penal Statutes	-	36, 37,	Hil. 2 James
The Prince	8	16, 17,	} Hil. 3 James
Earl of Rutland		19, 22,	
Lord Stafford	-	55,	Mich. 6
City of London	-	77,	Trin. 7
Sir George Reynel	-	125, 126,	Hil. 7
Anthony Lowe	9	97,	Hil. 9
Arthur Legat	-	123,	Trin. 7
Auditor Curle	10	113,	Mich. 10
Priddle and Napper	11	4,	Hil. 7
Monopolies	-	11,	Mich. 10
Earl of Devonshire	-	87,	Trin. 44 Eliz.
	-	90,	Hil. 4 James

We might have extended this list of cases to a much greater length, under a variety of divisions into which the subject could have been dissected, but as they would be rarely applicable to the modern practice of patent law, we shall not here enlarge our catalogue. We shall however subjoin the principal statutes which bore upon the preceding cases from the time of the great Restitutor of British Law, Ed. I. to the 4 Ja. I. inclusive.

NO undue grants to be made 4 H. IV. c. 4, confirmation of grants 1 Ed. IV. c. 1, 7 Ed. IV. c. 4, 7 Ed. VI. c. 3, 4 and 5 Ph. and M. c. 18, Eliz. c. 2, 43 Eliz. c. 1.

An act annulling during the King's pleasure second letters patent making no mention of the first letters patent - - - - -	6 H. VIII. c. 15
Form of patents, of confirmation, and liberties - - - - -	13 Ed. I. c. 6.
Letters patent shall not bear date before the day of the delivery of the King's warrant into the chancery -	13 H. VI. c. 6.
Offices and fees connected with, and incident to the royal grant - -	27 H. VIII. c. 11.
Confirmation of patents - - - -	1 E. VI. c. 8.
In what way the enrolment of patents is to be received in evidence -	3 and 4 E. VI. c. 4.
The exemplification or constat of letters patent under the great seal may be pleaded - - - - -	13 Eliz. c. 6.
The charter of incorporation for trading to Spain and Portugal annulled -	3 Ja. I. c. 6.
Elizabeth's charter to merchant adventurers of Exeter preserved - - -	4 Ja. I. c. 9.

NOTE K. CHAP. VIII. page 71.

Acts for continuing Patent Privileges, with the Reason assigned for their Continuance.

IN 1743 an act was passed for vesting in John Elwick, Esquire, the sole property of an engine for making stone pipes, and to enlarge the terms granted by letters patent for that purpose.

This act was obtained for making valid the letters patent for the residue of the first fourteen years more, on the ground or considerations that the work or undertaking stood still several years; and by reason that M. Elwick had, by great pains, labour and industry, and at a considerable expence, amounting to several thousand pounds, very much improved the engine, by bringing the same to perform more work with less labour and expence than it was capable of doing when it was first invented.

In the year 1749 an act was passed for securing the whole property, benefit, and advantage of an engine invented by Israel Pownal, deceased, for raising ballast, sullage, and sand, and for removing banks, shelves, and shoals, in rivers and harbours, to the children of the said Israel Pownal, for a certain term of years.

The equity of this case arose from the death of the patentee, the inability of his family to work the engine, and the improbability of their being reimbursed the money laid out, unless the property, by the aid of parliament, was further secured to them; which accordingly was done.

In the year 1751 an act was passed for vesting, for a certain term of years, in Michael Menzies, Esquire, his executors, administrators, and assigns, the sole property of a machine, by him invented, for conveying of coals from the places where they are dug, to the heaps at the mouths of the pits, and, in some cases, from the heaps to the staithes or places where they are put on board ships or keels.

By this act, the benefit was secured to the inventor for an additional term of fourteen years, the first term granted by the patent being inadequate to the intense application, and the large sums of money expended in the pursuit.

To these might be added the enlargement of the term in William Clockworth's patent for porcelain ware, in 1775, and of Hartley's, for iron plates, in 1777; with several other recent instances of the extension of the term in the grants; but perhaps these will be sufficient to explain the general grounds on which the additional term is obtained.

The form adopted in the statutes, for the continuance of the patent privilege beyond the prescribed period of the royal grant, provides "that every objection in law competent against the patent, shall also be competent against the statute; that is against the benefit to be derived to the patentee under the statute." See page 46 ante, opinion of Mr. Justice Grose, in *Hornblower and al, v. Bull and al*: from T. R. 8. 99.

NOTE L. CHAP. IX. p. 101.

*Specification of Richard Arkwright's Patent for
his Invention of certain Machines for pre-
paring Silk, Cotton, Flax, and Wool.*

TO all to whom these presents shall come: I, Richard Arkwright, of Cromford, in the county of Derby, send greeting: Whereas I, the said Richard Arkwright, did, by my petition, humbly represent to his present most excellent majesty King George the Third, that I had, by much study, application, and expence, contrived, invented, and brought to perfection certain instruments or machines, which would be of public utility in preparing silk, cotton, flax, and wool for spinning, and constructed on easy and simple principles, very different from any that had ever been contrived; that in regard I was the first and sole inventor thereof, and that the same had never been practised by any other person or persons whomsoever, to the best of my knowledge and belief, I humbly prayed his said majesty to grant unto me, my executors, administrators, and assigns, his royal letters patent, under his great seal of Great Britain, for the sole use, benefit, and advantage of my said invention, within that part of his said majesty's kingdom of Great Britain called England, his dominion of Wales, town of Berwick-upon-Tweed, and also in his colonies and plantations abroad, for the term of fourteen years, according to the statute in that case made and provided: His said majesty being willing to give encouragement to all arts and inventions that might be for the public good, was graciously

ciously pleased to condescend to my request; and therefore, by his royal letters patent, bearing date at Westminster, the sixteenth day of December, in the sixteenth year of his reign; of his especial grace, certain knowledge, and mere motion, did give and grant unto me, the said Richard Arkwright, my executors, administrators, and assigns, his especial licence, full power, sole privilege, and authority, that I the said Richard Arkwright, my executors, administrators and assigns, and every of us, by myself, or themselves, or by mine and our deputy or deputies, servants or agents, or such others as I the said Richard Arkwright, my 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 years therein expressed, should and lawfully might make, use, exercise, and vend my said invention, within that said part of his majesty's said kingdom of Great Britain called England, his dominion of Wales, and town of Berwick upon Tweed, and also in his colonies and plantations abroad, in such manner as to me the said Richard Arkwright, my executors, administrators, and assigns, or any of us should in our discretion seem meet; and that I the said Richard Arkwright, my 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 term of years therein mentioned; to have, hold, exercise, and enjoy the said licence, powers, privileges, and advantage therein before granted, or mentioned to be granted unto me the said Richard Arkwright, my executors, administrators, and assigns, for and during and unto the full end and term of fourteen years from the date of the said presents next and immediately ensuing, and fully to be complete and ended, according to the statute in such case made and provided. In which said letters patent is contained a proviso, that if the said Richard Arkwright should not particularly describe and ascertain the nature of my said invention, and in what manner the same is to be performed,

formed, by an instrument in writing under my hand and seal, and cause the same to be inrolled in his said majesty's High Court of Chancery, within four calendar months next and immediately after the date of the said letters patent *, that then the said letters patents and all liberties and advantages whatsoever thereby granted, should utterly cease, determine, and become void, any thing therein before contained to the contrary thereof in any wise notwithstanding; as in and by the said letters patent, relation being thereunto had, may more fully and at large appear. Now know ye, that I the said Richard Arkwright, in compliance with the said proviso, do hereby describe and ascertain the nature of my said invention, and declare that the plan thereof, drawn in the margin of these presents, is composed of the following particulars; (that is to say:)—No. 1, a beater or breaker of seeds, husks, &c. and a finer of the flax, hemp, and other articles which are to be prepared for dressing, in which (a) is a wheel with teeth, which by acting upon a lever, raises the hammer, (c) the lever, being moveable, upon the center (d.) No. 2, an iron frame with teeth at (a,) working against a lower frame with like teeth at (b;) this lower frame is firmly connected to a wooden frame, by means of the screws (c, c;) the upper teeth are made to act against the lower, by means of the joints, (d, d, d, d.)—No. 3, is a piece of cloth with wool, flax, hemp, or any other such materials spread thereon, as at (a.)—No. 4, is a crank and a frame of iron with teeth at (a,) being moveable at the joints (b, b, b, b,) by means of a crank, and by a cord turning the pulley or wheel (c;) this motion of the teeth (a,) works them backwards and forwards upon the cylinder, No. 5, and dischargeth the cotton, wool, &c. from it at (d.)—No. 5, is the last-mentioned cylinder, which hath fillet cards: behind this cylinder, No. 3, delivers its contents upon another cylinder.—No. 6, consists of rollers fixed to a wooden frame, the contents of No. 5, being brought to it at (a,) and going through at (b,) produceth it a proper size (f;)

(c, c,)

* This term of four months was acceded to under the special circumstances. See chap. 10, sect. 3, p. 175.

(c, c;) are brushes for cleaning the machine. No. 7, a cylindrical box for twisting the contents of No. 6, at (b;) (a, a,) are two rollers, one moving the other, between which the contents of No. 6, passeth into the cylinder (b;) (c,) is a dead pulley fixed to the frame;—(d,) a cord which passing from the pulley (c,) moves the rollers (a, a.)—(F,) a wheel; the movement of which is brought from (F,) to No. 10, and is fixed to No. 6.—No. 8, a machine for twisting the contents of No. 6, in which (d, d,) is a frame of iron; (b,) a roller, on which a bobbin, (c,) is fixed; this is turned the same as No. 7, that is, by a dead pulley, or wheel fixed to a wooden frame, at (g.)—No. 9, a spindle and flyer, being fixed to No. 6, for twisting the contents from (b,) in No. 6.—(d,) is a pulley under the bobbin, which hath a communication by a band to No. 10, at (d, d,) it being a conical or regulating wheel, which moves the bobbin quicker or slower as required.—No. 10, a spindle, which being fixed to No. 6, at (a,) worketh No. 7, No. 8, or No. 9. at (F, F, F,) by the pulley (F, c.)—(d,) a regulator for No. 9.—(b,) a socket, having a bolt going through (d, d,) and (F, c,) to (G,) stops or sets the whole going by means of a catch (a,) for the pulley (G, G,) being loose upon the spindle, (o,) a lever, moveable about, (k,) raiseth or falleth the bolt (h.) In witness whereof, I the said Richard Arkwright, have hereunto set my hand and seal, the tenth day of April, in the sixteenth year of the reign of his said most excellent majesty, George the Third, by the grace of God, of Great Britain, France, and Ireland, king, defender of the faith, &c. and in the year of our Lord, one thousand, seven hundred, and seventy-six.

RICHARD ARKWRIGHT,

Sealed and delivered by the abovesaid
Richard Arkwright, (being first
duly stamped) in the presence of

JOHN HARKER,

D. CROFTS, Clerk to Mr. Evans in Nottingham.

NOTE M. CHAP. XIII. p. 186.

Form of the Caveat.

CAVEAT against granting a patent to any person or persons for any improvement in the steam engine without notice to A. B. of the Strand, Westminster.

NOTE N. CHAP. XIII. p. 189.

Form of the Petition.

To the King's Most Excellent Majesty.

*The humble Pctition of A. B. of G. in the
County of H. Engineer,*

SHEWETH,

THAT your petitioner hath, after much study and expence, found out and invented various improvements in the construction of steam engines, and in the application of fuel to boilers, furnaces, and other purposes, which your petitioner conceives will be of great public utility; that your petitioner is the first and true inventor thereof; and that the same has not been practised or used by any other person or persons, to the best of his knowledge or belief.

Your petitioner therefore most humbly prays your Majesty will be graciously pleased to grant unto him, his executors, administrators, and assigns, your Majesty's

royal letters patent, under the great seal of the united kingdoms of Great Britain and Ireland, for the sole use, benefit, and advantage of his said invention, within that part of your Majesty's united kingdom of Great Britain and Ireland, called England, your dominion of Wales, and town of Berwick-upon-Tweed, for the term of fourteen years, pursuant to the statute in that case made and provided.

And your petitioner shall ever pray, &c.

NOTE C. CHAP. XIII. p. 189.

Form of the Oath.

A. B. of ———, maketh oath and saith, that after much study and expence, he has invented certain improvements in a steam engine: that he is the first inventor thereof, and that the same are entirely new, and have not been practised or used by any other person or persons to the best of his knowledge and belief.

(Signed) A. B.

Sworn, &c.

before

Master in Chancery.

NOTE

NOTE P. CHAP. XIII. p. 190.

Form of the Attorney General's Report.

To the King's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY,

IN humble obedience to your Majesty's commands, signified to me by his Grace the Duke of Portland, one of your Majesty's principal secretaries of state, referring to me the annexed petition of A. B. of G. in the county of H. to consider thereof, and report my opinion what may be properly done therein; which petition sets forth, that the petitioner hath, after much study and expence, invented certain improvements in the construction of steam engines, which the petitioner conceives will be of great public utility. That the petitioner is the first and true inventor thereof, and that the same has not been practised by any other person or persons to the best of his knowledge or belief. And the petitioner therefore most humbly begs that your Majesty will be graciously pleased to grant unto him, his executors, administrators, and assigns, your Majesty's royal letters patent, under the great seal of Great Britain, for the sole use, benefit and advantage of his said invention, within that part of your Majesty's kingdom of Great Britain called England, your dominion of Wales, and town of Berwick upon Tweed, for the term of fourteen years, pursuant to the statute in that case made and provided.

I humbly beg leave to certify unto your Majesty, that in support of the allegations contained in the said petition, an affidavit, C. D. of E. in the county of F. gentleman, hath been laid before me, whereby he maketh oath and saith, that A. B. of G. in the county of H.

FORM OF THE ATTORNEY GENERAL'S REPORT.

hath communicated to him certain improvements in the construction of steam engines, which this deponent conceives will be of great public utility, and that the same are entirely new and never before used or practised, to the best of this deponent's knowledge or belief.

Upon consideration whereof, and as it is entirely at the hazard of the petitioner whether the invention is new or will have the desired success, and as it may be reasonable for your Majesty to encourage all arts and inventions which may be for the public good; I am humbly of opinion, that your Majesty may, by your royal letters patent under the great seal of Great Britain, grant to the petitioner, his executors, administrators, and assigns, the sole use, benefit and advantage of his said invention, within that part of your Majesty's kingdom of Great Britain called England, your dominion of Wales, and town of Berwick-upon-Tweed, for the term of fourteen years, pursuant to the statute in that case made and provided. If your Majesty should be graciously pleased so to do with the usual proviso, requiring the petitioner, within such reasonable time as should be limited in such letters patent, to be computed from the date thereof, to cause a particular description of the said invention, and in what manner the same is to be performed, under his hand and seal, to be enrolled in your Majesty's High Court of Chancery, otherwise the said letters patent to be void.

All which I humbly submit to your Majesty's royal wisdom.

(Signed)

SP. PERCIVAL.

10 June 1803.

List of Patents obtained between 1st January 1800, and 31st March 1803; alphabetically arranged, according to the Subjects to which they refer.

Note.—The Professions or Employments, and Places of Residence of the Patentees, are given in a subsequent Catalogue.

THE following List comprises three hundred and twenty-five patents which have been granted during the last three years and three months. The concise remarks which are sometimes introduced on the general design or utility of these patents are given from the authority of the patentees: they will therefore be conceived to be more correct; but some allowance must be occasionally made for the prejudices of the inventor, however ingenious or liberal, in favour of his own discoveries.

It is a melancholy reflection, that of the numerous patents which pass the great seal, and, of course, subject the grantee to considerable expence; very few become sufficiently popular and notorious to reward him for the application of his time, labour, and talents. We mention this as a caution to men of enterprize and ability, that the sanguine temperament to which they are commonly subject may not lead them to colour too highly the remote prospect. A profound observer of human nature has told us, that before we arrive at the age of forty, we usually make an anticipation too favourable of the future; and the spirit and energy which supply the in-

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ventive talent, is peculiarly liable to this species of self-deception.

It will be seen in the Catalogue, that a great variety of patents have been extended to objects connected with those branches of the trade and manufactures of this country, which are of the first importance to commercial prosperity. No less than thirteen patents in a very short period have been assigned for improvements on the steam engine *; most of which would have been probably suppressed if the legal discussion on the patent of Messrs Boulton and Watt, for an improvement on the same invention, had not completely decided the question on the competency and validity of patents for improvements, whenever those improvements can be deemed *material and useful*.

The mere inspection of the following list will shew how necessary it is that patentees should be informed of the rules laid down in the law of patents. It will be seen how great a portion of the grants appear by their titles to be extended not to any *piece of mechanism, utensil, or manufacture*, but to a *process, method, or principle* for which no patent can be valid. It is, however, some consolation to reflect, that what is stated as such is often the application of a method, process, or principle in some substantial form, for which a patent can be maintained. It is now understood, that where this construction can be given, it will be applied in the most beneficial sense for the patentee; and that no advantage will be taken of minute verbal criticisms, to render the royal grant nugatory, and to disappoint the inventor of his equitable reward.

* Another patent has been taken out for the steam engine since the date of the list, which, with some other patents, will be introduced as *Ad-denda* to this Catalogue.

CATALOGUE.

A.

- 1 **ACID**, White Lead, &c.—Thomas Grace; for a method of making an acid for corroding lead, and for other purposes; and also a new method of preparing and making white-lead, either with or without the said acid. December 30, 1800.
- 2 **Air slides**.—Charles Mercie; for slides, which he calls air slides, to be fixed to windows, doors, and partitions of all descriptions, for preventing the external air from entering rooms, carriages, &c. February 6, 1802.
- 3 **Alarum**.—Joseph Smith; for a method of fixing and setting an alarum, or alarum bell, so contrived as to alarm and awaken families in case of fire. August 19, 1802.
- 4 **Alkali**.—George Hodson; for a method of preparing or manufacturing fossil or mineral alkali, from various substances. February 27, 1802.
- 5 **Arches, construction of**.—Thomas Wilson and Rowland Burdon; for methods of uniting, combining, and connecting the metallic patent blocks of the said Rowland Burdon, for the construction of Arches. July 23, 1802.

B.

- 6 **Bagging**.—Benjamin Haden; for an improvement in the manufacture of bagging, for packing of nails, and other purposes. February 28, 1803.
- 7 **Barges, &c**.—James Tremere; for a method of working barges and other vessels. October 5, 1801.

- 8 Barilla.—Thomas Howard; for a new method of making British barilla and pot-ash, and of obtaining a greater quantity of alkali than hitherto discovered. June 2, 1801.
- 9 Barrel Organs.—John Longman; for newly invented improvements in the construction of barrel organs, to prevent them from getting out of order; and that other musical instrument or instruments may be internally united or attached thereto, and to play with the same barrel. January 27, 1801.
- 10 Beer, &c. drawing.—Thomas Parkinson; for an hydrostatic engine or machine, for the purpose of drawing beer, or any other liquors, out of a cellar or vault; or for raising water out of mines, ships, and wells; or for any other purpose where fluids are required to be raised. February 1, 1800.
- 11 Bleaching.—John Turnbull, junior; for his newly invented processes, or improvements of processes, and apparatus applicable to the bleaching or whitening, and to the purifying, washing, and cleansing of cotton, flax, hemp, silk, and wool, and to the purifying of goods of every description, made or manufactured of cotton, flax, hemp, silk, and wool. Nov. 15, 1800.
- 12 Boats or Barges conveying.—Lawson Huddleston; for a method of conveying boats or barges from a higher level to a lower, and *vice versa*, on canals. December 30, 1800.
- 13 Boats or vessels moving.—Edward Steers; for a machine to be applied to boats or vessels, for the purpose of moving them along with ease and celerity. March 19, 1800.
- 14 Bolting Cloths.—Benjamin Blackmore; for an elastic spring, for the improvement and more complete manufacturing and forming bolting cloths without seams. March 31, 1800.
- 15 Books binding.—Ebenezer Palmer; for a metallic hinge or chain, whereby the art of binding books is greatly aided and improved; particularly merchants' account books. June 13, 1800.

- 16 Boring.—Joseph Chirm; for a machine, on an improved construction, for the purpose of boring timber for water pipes, and other purposes. May 12, 1801.
- 17 Boring Cylinders.—Michael Billingsley; for an instrument, engine, or machine, to be worked by steam, water, or horses, for the purpose of boring cylinders. December 22, 1802.
- 18 Box and Axle-trees.—John Lockett; for a new box and axle-tree for carriages of every description; and for lathes and grindstones, upon a new and improved principle. July 8, 1800.
- 19 Box, Metal.—Joseph Jacob; for a metal box for the axle-trees of wheels, carriages, mills, engines, and other machines. Jan. 20, 1803.
- 20 Breach and Lock.—Charles Grierson; for a breach and lock for single and double-barrel guns, pistols, and other fire-arms, on a new and improved principle. December 19, 1801.
- 21 Bricks.—John Stevens and Thomas Angell White; for their new method of making bricks. January 16, 1801.
- 22 Bricks, Tiles, and Pottery Ware.—Isaac Sandford; for a method of manufacturing and making bricks, tiles, and pottery-ware, in general, and of discharging the moulds used therein. January 13, 1800.
- 23 Bridges, Warehouses, and other Buildings.—Samuel Wyatt; for a method of making and constructing bridges, warehouses, and other buildings, without the use of wood, as a necessary constituent part thereof. June 10, 1800.
- 24 Building.—Samuel Miller; for a machine and process for manufacturing materials for the better securing walls and roofs of houses from lateral pressure, and the inclemency of the weather; by which process the buildings will be built of better materials, and rendered more durable. October 13, 1801.

25 But-

- 25 Buttons.—Joseph Barnett; for a method of making buttons for wearing apparel. February 4, 1800.

C.

- 26 Cables and Hawsers.—James Mitchel the elder, and James Mitchel the younger; for their further improvements in the manufacturing of cables and hawsers.—March 9, 1802.
- 27 Calico, &c. glazing.—Jabez Carter Hornblower; for a method of glazing calicoes, cottons, muslins, linens, &c. February 4, 1800.
- 28 Calico printing.—James Duxburgh; for a machine or instrument to print distant sprigs or spots on calico, cotton, stuffs, linen, silk, satin, cloth, woollen, baize or leather, in a more complete and expeditious manner than has been hitherto used. December 17, 1800.
- 29 Candles.—Thomas Binns; for a method of manufacturing candles of spermaceti, tallow, or any other solid inflammable substance. April 23, 1801.
- 30 Candlesticks.—William Raybould; for candlesticks upon entirely new principles, which will receive, and hold firm, candles of various sizes. May 1, 1800.
- 31 Capstans, &c.—Thomas James Plunknett; for improvements in capstans and windlasses for ships, and other purposes. February 26, 1801.
- 32 Carriages.—William Turner; for a machine to, applied to, and adopted in the construction of wheel-carriages; for improving the principle, and increasing the power of the draught, so as to reduce the quantity of active force necessary to be employed therein. May 30, 1800.
- 33 Carriages.—George Medhurst; for a method of driving carriages, of all kinds, without the use of horses. August 2, 1800.
- 34 Carriages.—Isaac Hadley Reddell; for a method of constructing carriages for the conveyance of merchandise

- chandize either by land or water ; which carriages may be removed, either loaded or unloaded, from the land to the water, or from the water to the land, with ease, expedition, and safety. August 2, 1800.
- 35 Carriages.—Isaac Hadley Reddell ; for his newly invented method of constructing travelling carriages, which are more safe, and, in many respects, more eligible, than those which are now in common use. August 13, 1800.
- 36 Carriages.—John Theodore Koster ; for a new method of building carriages. August 31, 1801.
- 37 Carriages.—Thomas German ; for a method of greatly easing the labour, and lessening the number of horses in the draft of coaches, carts, waggon, drays, and all land carriages whatsoever. September 12, 1801.
- 38 Carriages.—Richard Pottinger ; for an apparatus whereby persons riding in carriages may, on occasions, and in circumstances of imminent danger, liberate themselves, and escape impending mischief, by freeing the horse or horses instantly from the carriage. February 27, 1802.
- 39 Carriages.—John Lewis ; for a method of preventing accidents by a horse or horses drawing a carriage or carriages. February 27, 1802.
- 40 Carriages.—James Roberts and Edward Brine ; for machinery for the purpose of dragging or locking the wheels of carriages of every description, and for instantaneously disengaging the horses therefrom. November 29, 1802.
- 41 Carriages.—Philip James Meyer ; for a machine to prevent danger to persons driving, or being in curricles, single horse-chaises, or other carriages, by horses being restive, breaking or running away with such carriages, or backing, in consequence of taking fright while harnessed thereto. March 24, 1802.

- 42 Carriages.—John Williams ; for a method or means of disengaging horses from carriages. March 24, 1802.
- 43 Carriages.—G. F. Bauer ; for improvements in the construction of carriages, and the wheels of carriages. May 5, 1802.
- 44 Carriages.—James Tate ; for improvements in the construction of wheel carriages. June 26, 1802.
- 45 Cement.—John Baptist Denize ; for a cement for various purposes. July 16, 1800.
- 46 Clarinet, &c.—James Wood ; for an improvement upon the musical instrument called the clarinet ; which invention is also, as to part thereof, applicable to an improvement upon most of such other musical wind instruments as are played upon with keys. March 19, 1800.
- 47 Cloth, finishing of.—Robert Fryer and James Bennet ; for a method of manufacturing, cutting, dressing, dyeing, and finishing of cloth. June 20, 1800.
- 48 Collars for Horses.—John Edwards ; for newly invented collars for horses, on an improved construction. May 2, 1801.
- 49 Colour from Malt.—Matthew Wood ; for preparing a colour from malt, for the purpose of colouring spirits, wines, and other liquors. May 31, 1802.
- 50 Colours preparing.—Thomas Smyth ; for a method of preparing colours in cakes and powder, from logwood and other vegetable substances, for drying and painting. July 16, 1800.
- 51 Common Waggon, Improvements on.—Robert Mason ; for improvements on a common waggon, whereby the same may be separated and used as two carts, which he denominates the "Patent Hampshire Waggon." February 28, 1803.
- 52 Cooking.—Edward Walker ; for a portable stove or kitchen, for the purpose of dressing and cooking victuals. May 12, 1801.
- 53 Cooking.—George Stratton ; for improvements in machines for cooking, and fire places. June 26, 1801.

- 54 Copper-Plates.—William Weller; for a method of manufacturing, forming, making, and engraving copper plates, for printing policies to secure persons from loss of property of certain descriptions. June 17, 1800.
- 55 Cordage.—Joseph Huddart; for improvements in tawing and manufacturing cordage. July 1, 1800.
- 56 Cordage.—William Chapman; for the application of certain substances, either separately or combined, as a preservative of cordage. June 5, 1801.
- 57 Cordage.—William Hoard; for an improved portable machine for manufacturing ropes and cordage; of any length, in a short space of ground, peculiarly adapted for shipping. July 20, 1801.
- 58 Cork-Screws.—Edward Thomason; for an improvement on cork-screws. May 7, 1802.
- 59 Corn and seeds, separating from the straw.—William Lester; for an engine or machine, on an improved construction, for separating corn and seeds from the straw; part of which machinery may also be applied to other useful purposes. June 19, 1802.
- 60 Corn damaged.—Henry Gardiner; for a method of preventing all sorts of corn and seeds, and various other merchandize, from receiving damage by heat, on board ships, and in warehouses, &c. and of improving all such corn, &c. as may have received damage by heat or otherwise. April 15, 1802.
- 61 Corn, Grass, &c. cutting.—Robert Meares; for a machine for cutting standing corn, grass, and the like. May 20, 1800.
- 62 Corn or Grain, dressing of.—John Cooch; for a machine for the purpose of winnowing or dressing corn or grain for bread, cattle or seed. June 17, 1800.
- 63 Corn Mills.—Thomas Wright; for an improved method of making hand-stone corn-mills, for the purpose of grinding wheat and other grain into flour. April 25, 1801.
- 64 Cotton.—Anthony Bowden; for an engine or machine

- chine for bathing or beating and cleaning cotton. July 1, 1801.
- 65 Cotton Wool, &c. cleansing.—Thomas Connop; for a machine for batting, opening, and cleansing cotton wool, and sheep's wool. March 30, 1802.
- 66 Cotton Wool, beating and dressing.—James Pearson; for a machine for beating and dressing cotton wool, or flax. April 15, 1802.
- 67 Cotton, &c. retaining, when pressed.—Archibald Blair; for a method of retaining cotton, and other elastic substances, when pressed. August 19, 1802.
- 68 Cotton Warp, dressing.—Thomas Johnson; for a method of preparing and dressing cotton warp. February 28, 1803.
- 69 Cotton Wool, batting and opening.—Wm. Walmsley; for a machine for batting and opening cotton wool, sheep's wool, tow, hemp, and flax, upon a new principle. July 2, 1802.
- 70 Cotton Yarn.—Robert Stewart; for a method of starching and preparing cotton yarn in that state called the cop, by which means it is at once fitted for being made into warp, on the chain of the web, without undergoing certain operations at present in use; and also that the cotton yarn so prepared by him in the cop, is in like manner at once fitted for the purpose of weft or woof, by which means certain expensive operations are also saved. March 19, 1800.
- 71 Covering the Floors of Rooms.—Thomas Winter; for a new manufacture for covering the floors of rooms, for covering and packing goods and merchandizes, and fit to be used for various other purposes. June 2, 1801.
- 72 Crank, compound.—George Medhurst; for a newly invented compound crank for changing a circular motion into a rectilinear one, and *vice versa*; which is applicable to various mechanical purposes. January 27, 1801.
- 73 Creeks, cleansing.—Stephen Hooper; for machines or machinery, upon improved principles, and methods of
of

of using the same, for the purpose of cleansing creeks, bars of harbours, and preventing bars from making. Feb. 5, 1803.

74 Curricie Bar.—Obediah Elliot; for an eccentrical anti-labourist spring curricie bar, for one or more horses, upon a new and improved construction. March 9, 1802.

75 Cutlery Ware.—Joseph Eyre; for a method or process of impressing the japan upon ornamented handles of knives, forks, razors, and other cutlery ware, made of wood, paper, &c. in imitation of handles made of tip or horn. December 13, 1800.

D.

76 Dentifrice.—Joseph Sigmond; for his newly invented preservative lotion and dentifrice, which he calls the British Imperial Lotion and Dentifrice, for preserving and beautifying the Teeth and Gums. November 25, 1800.

77 Dining Tables.—Robert Walker; for dining tables, upon an entirely new construction. November 6, 1802.

78 Distilling, drying Coffee and Sugar, mode of.—Charles Wyatt; for improvements in the apparatus for, and mode of distilling, and for drying coffee and sugar. August 2, 1802.

79 Diving Machine.—William Forder; for a diving machine, to be used about shipping, and in stopping holes and leaks in ships bottoms, and for other purposes. October 2, 1802.

80 Doors.—Thomas Pritty; for affixing and hanging certain springs, joints, and other apparatus to doors. May 5, 1802.

81 Drawing and Painting.—Thomas Robert Guest; for boxes of a new and improved construction of various forms and sizes, to contain certain new and improved materials, and other necessary articles for drawing and painting; likewise an entirely new method of arranging on scientific principles, the

colours to be contained in the said boxes. Which arrangement will be of the greatest utility to officers of the army, and engineers, for reconnoitering sketches or plans; to the navy, for signal cards; as well as to professional men, and private persons. June 2, 1801.

- 82 Dressing Piece Goods.—Thomas Jotham; for a machine for raising the wool pile or fibres on woollen, cotton, or other piece goods, preparatory to shearing; and for dressing or dubbing cloths, either wet or dry, otherwise than by gereen cards and pickards. September 15, 1801.
- 83 Dressing Piece Goods.—Thomas Fryer; for a method of manufacturing goods from cotton, cotton and woollen, cotton and silk, cotton and linen, or cotton and mohair, in such a manner as to appear as if covered with ermine or fur, an imitation thereof. October 30, 1801.
- 84 Drill.—William Jackson; for a machine or drill to be fixed to a plough-beam for drilling or sowing turnips. Nov. 3, 1801.
- 85 Drowning, Machine to prevent.—Lawrence Collin, and James Butters; for a machine for saving persons, though ignorant of the art of swimming, from drowning, which they propose to call the Collinette. December 3, 1801.
- 86 Dry Harbours, &c. deepening.—Stephen Hooper; for his newly invented method, by means of certain machinery, of cleansing and deepening dry harbours, rivers, creeks, &c. part of which machinery may be applied to other useful purposes. December 4, 1800.
- 87 Drying Piece Goods.—Alexander Bryce; for a method of drying all kinds of yarn, whether linen, woollen, cotton, or silk, or composed of all or either of these articles, as also all kinds of cloth or stuffs commonly called piece goods. January 2, 1802.
- 88 Dyeing.—Joseph Lewis; for improvements in the art of dyeing, by means of a new method of cooling the cloth,

cloth, and other piece goods, (particularly in dyeing black); and a new mode of applying the fire for the purpose of heating the boiler or other vessels, and which may be also applied to the heating of other boilers or vessels where heat is required. January 16, 1802.

- 89 Dyeing with Madder.—John Leach; for a method of using madder in dyeing calicoes, linens, and stuffs, whereby a great saving is made in the consumption of that root or drug. April 6, 1802.

E.

- 90 Engines, &c. Hydraulic.—J. G. J. B. Count de Thiville; for certain new methods of giving an independent moving power to all machines by means of hydraulic engines; and also of constructing and employing separately several of their parts, such as wheels, pistons, and apparatus for reducing friction, upon new principles. February 5, 1801.

F.

- 91 Fat, Animal.—Thomas Binns; for his newly invented method of applying heat for the purpose of melting and manufacturing animal fat, and a variety of other solid substances. October 27, 1800.
- 92 Felt.—William Bicknell; for a method of covering felt for the making of caps and helmets, and for various other useful purposes. April 28, 1801.
- 93 Files, manufacturing of.—William Nicholson; for machinery for the better and more expeditious manufacturing of files. August 14, 1802.
- 94 Fire-Arms.—Deers Egg; for improvements upon fire-arms. March 23, 1803.
- 95 Fire-Arms.—Thomas Gill, for a new method of rifling the bores or calibres of cannon, and of musquet, carbine, gun, and pistol barrels. August 2, 1800.
- 96 Fire-Arms.—Joseph Hall; for a hammer for guns, pistols,

- pistols, and other fire-arms, which contains the prime, and effectually preserves it from damp and and rainy weather. January 16, 1802.
- 97 Fire-Grate.—Matthew Wyatt; for a fire-grate upon an improved construction. December 21, 1802.
- 98 Fire-Stove.—Robert Young; for an improved fire-stove or grate. February 3, 1801.
- 99 Flax, Hemp and Silk.—Thomas Parker, William Telper, and Alexander Alfeck; for their further improvements in preparing and manufacturing flax, hemp, silk and other materials. April 8, 1802.
- 100 Flax, improvement in manufacturing of.—Thomas Parker, William Telper, and Alexander Alfeck; for their improvements in preparing and manufacturing flax, hemp, silk and other materials. February 3, 1801.
- 101 Flies, &c. chasing away.—William Dobson; for machinery for the purpose of chasing away flies and venomous insects. November 25, 1802.
- 102 Fluids, decomposing, &c.—John Wilson; for a method or methods of purifying, clarifying, reducing, separating and decomposing fluids. May 31, 1802.
- 103 Force, repulsive.—Samuel Miller; for his improved method of applying the repelling or repulsive force of nature, in order to give a stronger impulse to any substance or body in motion, as well as to destroy the effects of its baneful activity. March 16, 1803.
- 104 Friction, lessening.—William Sellers; for a newly improved apparatus of machinery, for the purpose of diminishing friction, and communicating a direct rotary motion from one wheel to another, by means of cranks, which he calls alternate relieving cranks, applicable to wind or water drainage mills, or those for raising water for irrigation, and various other useful purposes. June 18, 1801.
- 105 Frog, artificial.—Edward Coleman; for an artificial
frog,

frog, which being applied to the natural frogs of horses feet, will effectually prevent contracted hoofs, thrushes, and cankers. February 1, 1800.

106 Fuel.—Peter Davy; for improved fuel. May 20, 1800.

107 Fuel.—James Anderson; for a method of economising fuel in the heating of houses, and for improving the construction of hot-houses. February 10, 1801.

108 Furnace Stove, or Fire-Place.—Edward Stephens; for a furnace stove, or fire-place, which can conveniently be applied to the burning of lime-stone, at the same time that it is used for heating all manner of corn-kilns. January 29, 1803.

109 Furniture.—John Elwick; for a new method of framing together chairs and sofas of every kind, and which invention is intended to be applied to every description of household furniture. July 1, 1800.

G.

110 Games.—Ann Young; for an apparatus consisting of an oblong-square box, which, when opened, presents two faces or tables, and of various dice, pins, counters, &c. contained within the same; by means of which six different games may be played, which, besides being amusing and interesting, and such as children of eight years old may be taught to play, are at the same time an improving exercise upon, and serve to render familiar, and to impress upon the memory, the fundamental principles of the science of music, particularly all the keys or modulations, major and minor, both with common and uncommon signatures, musical intervals, chords, discords, with their revolutions, and the most useful rules of thorough bass. March 16, 1801.

111 Gear.—Robert Dickinson; for improvements in the construction of, and additions to, the saddles, harness, and other gear, necessary or useful for the employ of horses and other animals. November 10, 1801.

112 Glass.

- 112 Glass.—John Donaldson; for a method of making all kinds of glass in a more expeditious manner than hitherto attempted. March 5, 1802.
- 113 Goniometer.—Naphaly Hart; for an instrument, or goniometer, which will measure or lay down angles to minutes, from the smallest radius to any extent, draw circles to any radius, draw and measure all kinds of right-lined figures made use of in geometry, trigonometry, and navigation, with an accuracy and dispatch hitherto not known, which instrument he calls the Hartesian Goniometer, and a clamp, applicable thereto, and to other useful purposes; and also a new suspensor and orbicular castor, applicable to maritime and other purposes. December 3, 1801.
- 114 Gout, Rheumatism, &c.—William Beer; for a medicine, and method of administering the same, for the more effectually curing the gout, rheumatism, &c. December 9, 1802.
- 115 Grain and Seeds, depositing in the ground.—James Richards; for a machine or machines for setting or depositing in the ground, grain and seeds. April 26, 1800.
- 116 Grinding Bark, Mill for.—James Weldon; for his further newly invented machine or mill for grinding bark, and various other articles, for which he obtained former letters patent in January 1798; and which machine or mill so improved, may be applied to several other useful purposes. February 10, 1801.
- 117 Gums, Substitutes for.—Archibald Earl of Dundonald; for a new method or methods of preparing a substitute or substitutes for gum-senegal, and other gums, extensively employed in certain branches of manufacture.
- 118 Gun.—Robert Vazie; for an improvement in the construction and application of a gun, by means of removing the touch-hole from the side to the centre of the butt-end of the barrel, and forming therefrom a cylindrical communication, &c. January 23, 1801.

- 119 Gun and Pistol Locks.—John Prosser; for a new-invented water-proof pan and hammer for gun and pistol locks; and also a breech for gun and pistol barrels, for the purpose of a quicker and more forcible explosion of gun-powder. December 9, 1800.
- 120 Gunpowder, Conveyance of.—Henry Smith; for an improved vessel or barrel for the more safe and expeditious carriage and conveyance of gunpowder. Nov. 13, 1802.

H.

- 121 Harbours, Rivers, &c.—Stephen Hodper; for machines or machinery for the purpose of cleansing harbours, rivers, &c. November 10, 1801.
- 122 Hard Substances, dividing.—Samuel Millar; for a machine and process for more easily dividing hard substances, as well as for raising all kinds of heavy weights, and driving all sorts of machinery. February 4, 1800.
- 123 Harps.—Sebastian Errard; for improvements in the musical instrument called the harp. March 24, 1802.
- 124 Harps.—Errard; for improvements in the construction of harps and piano fortes. May 16, 1801.
- 125 Harps, Pedal.—George Froschle; for improvements in the pedal harp. May 3, 1800.
- 126 Harrows.—William Wilde; for improved machinery or apparatus to be attached or connected to harrows, whereby those implements of husbandry will execute their work to much greater advantage than by any mode hitherto practised. February 17, 1801.
- 127 Hats, Caps, &c.—William Pritchard and Thomas Wilmore; for an article for the use of hats, soldiers caps, helmets, &c. May 2, 1801.
- 128 Hats, Leghorn, and Caps.—Richard Hunt; for improvements on Leghorn and chip hats. May 18, 1802.
- 129 Hats, Straw Plait for.—Edward Simpson and Caleb Isbister;

LIST OF NEW PATENTS.

- Isbister; for an improved manufacture of straw plait, made of split straw, presenting only the outside surface of the straw to the eye; and also of other plait of split straw, laid, put, or stuck upon silk, paper, or wood. May 8, 1800.
- 130 Hay, &c. cutting.—William Lester; for an engine or machine for cutting hay and straw into chaff, and other purposes, for the use of cattle. February 4, 1800.
- 131 Hay, &c. cutting.—William Lester; for his further improvement upon an engine or machine for cutting hay and straw into chaff, for which he obtained former letters patent. February 17, 1801.
- 132 Heating Air.—Bryan Higgins; for an apparatus for heating air equally to any requisite degree, and methods of applying the air so heated with peculiar advantage, efficacy, and economy of the fuel, to the numerous purposes for which stoves and kilns have hitherto been employed. February 19, 1802.
- 133 Heavy Bodies, moving.—William Pocock; for a machine for raising, lowering, and moving heavy bodies. April 23, 1800.
- 134 Herrings and Sprats, preserving.—Benjamin Batley; for his newly invented method of curing herrings and sprats. Sept. 11, 1800.
- 135 Herrings and Sprats, preserving.—Benjamin Batley; for a further new method of curing and preserving herrings and sprats, which will also extend to the curing and preserving of other fish. January 20, 1801.
- 136 Hinges.—Stephen Wells; for hinges on a new construction. April 3, 1802.
- 137 Horses, Harness of, &c.—Robert Dickinson; for improvements in the arts of working, and making the furniture, accoutrements, or apparatus, useful or necessary for the employment of horses, or otherwise relating to the same. September 27, 1802.
- 138 Horse-Shoe.—William Moorcraft; for a further new and improved method of manufacturing horse-shoes. May 3, 1800.

139 Horse-

- 139 Horse-Shoe-Nails.--John Spencer; for a new method of making horse-shoe-nails. June 20, 1801.
- 140 Horses, ungovernable.--Robert Wilson; for an apparatus for the purpose of stopping ungovernable horses. January 20, 1803.
- 141 Horizon Artificial.--Chester Gould; for an apparatus or artificial horizon, to be attached to, and used with the quadrant or sextant, for the purpose of taking the altitudes of celestial and other objects, either on land or water, without the assistance of the natural horizon. November 17, 1801.
- 142 Human Body, supporting.--Augustus Fred. Thoel- den; for a mechanical apparatus for supporting the human body. October 30, 1802.
- 143 Hydraulics.--Thomas Parkinson; for an apparatus to be applied to engines for conveying fluids there- from. January 2, 1802.
- 144 Hydrometers.--William Speer; for an improvement in the construction of hydrometers. August 2, 1802.

J.

- 145 Jacks.--Thomas Penn; for a mode of sinking, lock- ing up the jacks, pressing, drawing back the needle bar, and keeping up the jacks in the frames, for the more simple and expeditious frame-work knit- ting of silk, thread, cotton, and worsted. July 24, 1800.
- 146 Iron Liquor.--James Ashworth; for a method of making iron liquor, for the use of dyers and printers. March 24, 1802.
- 147 Iron, Pig.--Isaac Birch; for improvements in, or additions to, the furnace as hitherto used for smelt- ing and making pig iron. April 8, 1802.
- 148 Iron-Rail Roads.--Jonathan Woodhouse; for a method of forming a cast-iron rail, or plate, which may be used in iron-rail roads, or ways, for the working and running of waggons, carts, drays, and other carriages, on public and other roads; and also a new method of fixing, fastening, and securing

such cast-iron rail, or plate, on such roads. February 28, 1803.

L.

- 149 Lamp and Burner.—John White and James Smethurst; for a newly invented lamp and burner. Nov. 15, 1800.
- 150 Lamp or Lanthorn.—Thomas Dawson; for a lamp or lanthorn, upon an improved construction. November 25, 1802.
- 151 Lamp.—J. G. J. B. de Thiville; for a lamp or light, for lighting chambers, rooms, halls, &c. May 26, 1800.
- 152 Lamps and Reflectors.—James Smethurst and Nicholas Paul; for improvements in lamps and reflectors. October 30, 1802.
- 153 Lands, draining of.—Richard Lambert; for improvements on the plough, or machine for draining land. February 4, 1800.
- 154 Lead, &c. extracting.—William Henry Clayfield; for a method of reducing and extracting lead, and other metals from a compound substance, commonly known by the name of Regulus. February 10, 1803.
- 155 Lead Saccharum.—John Whitton; for a lead saccharum, for the use of calico printers, and several other useful purposes. May 10, 1800.
- 156 Leather.—James Hitchcock; for his newly invented art or method of changing and converting skins of parchment and vellum into leather, and making such leather water-proof. September 15, 1800.
- 157 Leg and Arm, artificial.—James Potts; for his newly invented artificial leg and arm, upon a new and improved construction. Nov. 15, 1800.
- 158 Lever, universal.—Simon Huguenin; for a machine for accelerating motion with little friction, to be called the universal lever. November 13, 1802.
- 159 Lime.—Charles Earl of Stanhope; for a new method of burning chalk, marble, and lime-stone into lime. July 20, 1801.

160 Linen

- 160 Linen cloth, &c. bleaching.—John Glover, for a method of bleaching linen cloth, and other cloths. March 24, 1800.
- 161 Liquors, heating.—Thomas Martin; for a method of applying fire by means of certain machinery, for the purpose of heating liquors, and applying such liquors when heated to various useful purposes. November, 20, 1802.
- 162 Locks.—Samuel Hølemberg; for locks and fastenings for general uses, on a new and improved construction. June 24, 1801.
- 163 Logs —Chester Gould; for an instrument or log for ascertaining a ship's distance at sea. May 20, 1800.
- 164 Logs.—Chester Gould; for additional improvements on an instrument or log for ascertaining a ship's distance, for which he obtained former letters patent in May last. December 17, 1800.

M.

- 165 Manure.—Lewis James Armand Estienne; for an invention, communicated to him by a foreigner, of reducing human excrement into a powder, divested of all nauseous smell, preserving at the same time its fertilizing properties in rendering land infinitely more productive and vegetative than any other manure hitherto discovered. January 9, 1802.
- 166 Marine Level.—William Fitzgerald; for a mathematical instrument to be called "the Marine Level," the properties of which are to shew every deviation from the horizontal plane of ships and vessels, and which is also applicable to various purposes in surveying, levelling, and ascertaining elevated situations. August 11, 1801.
- 167 Mars, Powder of.—Innocenzo Della Lend; for a medicine called "Flogistical and fixed Earth of Mars, or Powder of Mars," for the cure of various diseases. August 2, 1800.
- 168 Masts, Yards, Bowsprits, &c.—George Smart; for a method of combining masts, yards, bowsprits, &c. hollow,

- hollow, so as to give them lightness and strength, and which may be applied to other useful purposes. June 17, 1800.
169. Measuring Glasses.—Timothy Lane; for measuring glasses for compounding medicines. June 5, 1801.
- 170 Metal, manufacturing of.—David Mushet; for his newly invented processes applicable to metallurgy, or the manufacturing of metal, or metals, not only from their metallic state or states, to the completion of the various articles or utensils usually made of such metal or metals, but also, from the state of the ore into their metallic state or states, in bars, ingots, or otherwise. Nov. 13, 1800.
- 171 Metals, purifying.—Joseph Hatley; for a method of purifying metals. August 31, 1802.
- 172 Mill, floating.—Benjamin Hawkins; for a new floating mill, or engine to be worked by tides and currents of water for grinding all sorts of grain and various other purposes. August 20, 1801.
- 173 Mill for Bark.—James Whitby, George Bodley, and John Davis; for a mill for grinding bark. September 3, 1801.
- 174 Mill for grain.—Zachariah Barrett; for a method of grinding corn or other grain by a newly invented mill or machine, either moveable or immoveable, and intended to be worked by water, wind, horses, hand, or otherwise. September 18, 1801.
- 175 Motion, Perpetual.—William Johnson; for a machine with new means of obtaining power in mechanical operations, of the nature of a self-moving power or perpetual motion. March 19, 1800.
- 176 Motion, perpetual.—William Johnson; for a machine which has the principle of its motion within itself, denominated the perpetual motion, or mechanical self-moving power. February 10, 1801.
- 177 Mortices, Machine for cutting.—Marc Isambard Brunel; for a machine for cutting one or more mortices, forming the sides of, and cutting the pin hole of, the shells of blocks. February 10, 1801.
- 178 Muslin, &c. Trimmings or borders of.—Marc Isambard

- bard Brunel; for trimmings or borders of muslin, lawn, or cambric. November 27, 1802.
- 179 Music Book.—John Antes, for a machine to turn over the leaves of any music book, by means of a pedal, or a motion with the knee. April 10, 1800.
- 180 Musical Instruments.—Peter Litherland; for a method of keeping in tune various musical instruments, by means of an apparatus. July 31, 1800.
- 181 Musical Instruments.—Isaac Hawkins; for his new invention, applicable to musical instruments; the principles of which are also designed to be applied to other machinery. November 13, 1800.
- 182 Musical Instruments.—John Conrad Becker; for improvements in musical instruments, chiefly applicable to harps and piano-fortes. Nov. 7, 1801.
- 183 Musical Instruments.—Edward Riley; for moveable keys for piano-fortes, organs, and other instruments.
- 184 Musical Instruments.—Peter Litherland; for a mode of keeping musical instruments in tune, and of preserving the strings from breaking. March 24, 1802.

N.

- 185 Nails, &c. making.—John Bennock; for a method, or machine for making nails, bolts, rods, watch-springs, clock-springs, and metal plates. February 17, 1801.
- 186 Naval Architecture.—William Playfair and Nicholas le Farre; for their newly invented improvements in naval architecture, whereby all vessels of all burdens may be enabled to sail faster than they now do, particularly in a heavy sea. December 12, 1800.
- 187 Navigation.—Henry Penneck and Robert Dunkin; for methods of improving the sailing and navigating of certain ships and vessels. February 19, 1802.

188 Nets.—Robert Brown; for a method of manufacturing nets of all kinds. January 16, 1802.

O.

189 Oil, Essential.—Henry Tickell; for a method of more effectually dissolving and extracting the virtues, and preserving the essential oil of hops, malt, and other vegetable substances used in brewing, distilling, &c. June 13, 1800.

190 Optical Apparatus.—Paul de Philipsthal; for an optical apparatus, whereby he is enabled to represent, in a dark space or scene, the human figures, in various characters, proportions, and sizes, and by which means painters and other artists may, accurately, enlarge or diminish with more certainty and facility than has hitherto been known or done. January 26, 1802.

191 Ordnance.—Anthony Cesari de Poggi; for improvements in the construction and using of ordnance to be employed both in the sea and land service. July 24, 1800.

192 Ovens, Portable.—Robert Darby and Morgan Nicholls; for a method of making portable ovens, in various sizes and shapes. May 1, 1800.

193 Ovens, portable.—James Power; for a portable oven on a new or improved construction. February 5, 1801.

P.

194 Paper.—Matthias Koops; for a method of manufacturing paper from straw, hay, thistles, waste, and refuse of hemp and flax, and different kinds of wood and bark, fit for printing, and other useful purposes. August 2, 1800.

195 Paper.—Matthias Koops; for a method of manufacturing paper from straw, hay, thistles, waste and refuse of hemp and flour, and different kinds of wood and bark. February 17, 1801.

196. Paper.—John Gamble; for a machine for making paper in single sheets, without seam or joinings, from one to twelve feet and upwards wide, and from one to forty-five feet and upwards in length. April 20, 1801.
- 197 Paper, &c.—William Plees; for a method of manufacturing paper for various purposes. September 27, 1802.
- 198 Papers, preserving.—Richard Scott; for a method of preserving papers, and other property, from being injured by fire. February 10, 1801.
- 199 Paste, making. Joseph Wilkes and Thomas Jewsbury; for their new method of making paste, to be used in weaving and sizing calico, and for pasting paper, &c. January 16, 1801.
- 200 Pattens.—William Milner; for a method of making women's pattens. May 15, 1800.
201. Pattens or clogs.—Josiah Longmore; for a patten and clog. June 2, 1801.
- 202 Perukes.—William Robinson; for a method of making perukes and scalps. November 10, 1801.
- 203 Perukes.—Alexander Ross; for gentlemen's perukes or wigs. November 29, 1802.
- 204 Piano-fortes.—Antinous Bemetzrieder, Robert Scott, John Scott, and Alexander Scott, for a method of making piano-fortes, entirely new, both in principle, construction, and shape. November 10, 1801.
- 205 Piano Fortes, upright.—Thomas Loud; for improvements in the action and construction of upright piano fortes. March 9, 1802.
- 206 Pills.—William Barclay; for a medicinal compound, called the Rev. Mr. Barclay's Antibilious Deobstruent Pills. July 14, 1802.
- 207 Porcelain and earthen-ware.—William Turner and John Turner; for a method of manufacturing porcelain and earthen-ware, by the introduction of a material not heretofore used in manufacturing those articles. January 9, 1800.

208 Plough.

- 208 Plough.--John Southey, Lord Somerville; for a double furrowed plough fit and proper for ploughing land in this kingdom. February 6, 1802.
- 209 Plough.--James How; for a plough upon an improved construction. October 30, 1802.
- 210 Plush.--Timothy Cobb; for improvements in the manufacturing a kind of piece goods, called shag, or plush. February 21, 1803.
- 211 Pneumatic Power.--Lionel Lukin; for a new method of giving power to machinery by the application of air and water. August 20, 1801.
- 212 Pneumatic machinery.--James Glazebrook; for his further improvements upon the methods of working and giving power to machinery, by means of the properties of airs, which methods were originally invented by him, and for which he obtained former letters patent. May 21, 1801.
- 213 Pneumatics.--Thomas Barnet; for an invention whereby a requisite quantity of air will introduce itself into any vessel containing fluids, or a superabundant quantity of air therein, discharge itself so as to preserve the fluid in a constant state for use. November 6, 1802.
- 214 Power, mechanical.--William Johnson; for a machine with new means of obtaining power in mechanical operations, of the nature of a self-moving power, or perpetual motion. June 10, 1800.
- 215 Power, mechanical.--Mark Brocone; for an instrument or engine possessing a power to work engines or machines, whether on water or land, or for other purposes to which the same can be applied. July 31, 1801.
- 216 Power, mechanical.--William Parkes; for a perpetual power that will give motion to all kinds of machinery, mills, engines, carriages, ships of war, mercantile and other vessels, lighters, craft, and boats of every description. August 20, 1801.
- 217 Power, mechanical.--Richard Brayshay and William M'Mahon;

- McMahon; for a machine for the purpose of gaining an increased speed and power to all mechanical operations by land and water. October 30, 1801.
- 218 Pressing.—Archibald Blair; for machinery, to be variously constructed, for pressing all sorts of substances to which it may be found applicable. May 31, 1802.
- 219 Printing.—John Aloysius Senefelder; for a new method and process of performing the various branches of the art of printing on paper, linen, cotton, woollen, and other articles. June 20, 1801.
- 220 Printing Press, Copper Plate.—Robert Kirkwood; for improvements on the copper plate printing press. February 28, 1803.
- 221 Printing and writing Ink, extracting.—Matthias Koops; for a mode of extracting printing and writing ink from printed and written paper, and converting the paper, from which the ink is extracted, into pulp. April 28, 1800.
- 222 Pump.—Joseph Landels; for a method of working pumps by machinery. September 20, 1802.
- 223 Pump.—Thomas Witherby; for a pump, and method of working machinery. June 23, 1801.
- 224 Pump.—Edward Shorter; for an apparatus for working pumps. March 21, 1803.
- 255 Pump and a Plough.—William Plenty; for his newly invented pump and a plough, upon an improved construction. October 11, 1800.
- 226 Punch or Prop.—John Charlton; for a punch or prop for supporting the roofs of mines. April 10, 1802.

R

- 227 Rats, &c. destroying.—Henry Cundell, junior; for a composition called Cundell's Myoctonus, for destroying

- destroying rats and other destructive vermin.
July 26, 1800.
- 228 Register Stove.—John Lewell; for a register stove upon improved principles. December 21, 1802.
- 229 Refrigerator.—Henry Tickel; for an apparatus or refrigerator, for more speedily and effectually cooling the worts, and other fermented, fermentable, or other liquors, or melted or dissolved animal or vegetable substances, manufactured, made, or used by, or in the processes of brewers, distillers, vinegar-makers, soap-makers, sugar-refiners, chemists, or other manufacturers of articles of a similar nature, or using similar processes. May 2, 1801.
- 230 Roads.—Lawrence Hollister; for machinery for improving roads. May 5, 1802.
- 231 Ropes laying.—John Grimshaw; for improvements in machinery for laying ropes. October 5, 1802.
- 232 Rudder.—William Bolton; for a rudder, and the means of preserving the same. June 23, 1801.
- 233 Ruptures, curing of.—Joseph de Oliveira Barretto and Mary de Lima Barretto, his wife; for a method of curing ruptures. August 30, 1802.

S.

- 234 Saddles.—Walter Inglis; for a method of forming and making a saddle upon a new and improved construction. May 21, 1801.
- 235 Saddles.—Robert Dickinson; for a method of fixing the straps of, and to saddles, to which the girths are usually made fast. February, 6, 1802.
- 236 Salt.—James Manley; for improvements in the manufacturing of salt. July 1, 1801.
- 237 Sashes, &c.—William Bullock; for a fastening to be applied to sashes or dining tables. October 8, 1801.
- 238 Scale Weights.—William Wilson; for an improved
plan

- plan of making, adjusting, and stamping scale weights. April 30, 1801.
- 239 Screws.—Richard Maullin; for a machine or contrivance to mould or withdraw patterns for the casting of wood, bed, and all other screws, which are got up in cast-iron, brass, or other metallic compositions. February 28, 1800.
- 240 Seal-Down.—Robert Fryer and Samuel Fryer; for a mode of manufacturing the down or wool of seals, by mixing it with sheep or lamb's wool, preparing it to be carded, roved, or spun into yarn; which yarn will be capable of being woven into silk, woollen, linen, or cotton; into a cloth fit for garments. May 15, 1800.
- 241 Ship, Motion of.—Edward Shorter; for a machine or engine for working and causing the progressive motion of ships and vessels of every description, without the assistance of sails or oars. February 4, 1800.
- 242 Ship or Vessel.—John Whitely Boswell; for a method of building or fabricating ships or vessels for navigation. May 20, 1802.
- 243 Ship Beams.—Joseph Brindley; for a method of more effectually securing ship beams to their sides. September 20, 1802.
- 244 Shipping and Marine.—William Collins; for the application of sundry articles and materials to be used chiefly for the preservation of shipping, and marine purposes. April 23, 1800.
- 245 Shoes, elastic Fastenings for.—George Hall; for a method of making elastic fastenings for shoes, &c. November 28, 1801.
- 246 Silk, Thread, &c. doubling.—John Sharren Ward; for a machine upon new and improved principles, for the purpose of doubling either silk, cotton, flax, hemp, worsted, yarn, or other threads. December 30, 1800.
- 247 Skins of Sheep and Lambs.—Thomas Richardson; for improvements in the art of preparing, colouring,

- ing, and uniting the skins of sheep and lambs.
June 26, 1802.
- 248 Slates.—Barker Chifney; for an improved method of preparing and laying diamond and other slates, in covering houses and other buildings, and for preparing slates for other purposes. May 2, 1801.
- 249 Slates.—Barker Chifney; for improvements in the manufacturing and preparing roofing slates, and inlaying the same. March 8, 1803.
- 250 Snuffers.—John Wilkes; for a method of making self-acting cylindrical spring snuffers upon a new construction, which cut off, confine, and extinguish the snuff at one motion. July 10, 1801.
- 251 Snuffs, Essences, &c., Boxes for.—George Harris; for newly invented boxes, on an entirely new principle, for snuffs, essences, &c. July 1, 1800.
- 252 Sope.—George Waring; for a method of making sope of a peculiar quality. April 28, 1801.
- 253 Sope, Substitute for.—John Vancouver; for newly discovered materials, which, by certain new processes of manufacture, are capable of being rendered a substitute for sope. July 28, 1802.
- 254 Soundings at Sea.—Edward Massey; for an instrument or apparatus for taking soundings at sea with more certainty and correctness than heretofore; and for other nautical purposes, and matters connected with, or relating to navigation. March 24, 1802.
- 255 Springs for Perukes.—Thomas Bowman; for a newly invented method of making perukes or wigs with fastenings made of a certain elastic compressed steel spring or springs, and also with other flat springs or wires, made of steel, for the closer adhesion of the points and wiskers to the head and face. October 21, 1800.
- 256 Spun Materials.—George Holland; for improvements in woollen-yarn, worsted, silk, and various other kinds of spun materials for the purpose of manufacture. July 2, 1800.

257 Stays.

- 257 Stays.—Martha Gibbon; for newly invented stays for women and others. December 17, 1800.
- 258 Stays.—James Gayleard; for long stays, short stays, and corsets on an improved construction. February 1, 1803.
- 259 Steam Engine.—John and James Robertson; for their newly invented method of applying steam in the working of steam engines; by which a great saving of fuel is obtained. August 13, 1800.
- 260 Steam Engine.—Edmund Cartwright; for improvements in the framing, combining and organizing the parts and mechanism of steam engines, so as to make them more commodious and portable, and also in the mode of regulating their velocities, and in lessening the waste of power. February 5, 1801:
- 261 Steam Engine.—Richard Wilcox; for improvements upon the fire or steam engine and furnacc. April 30, 1801.
- 262 Steam Engine.—William Hase; for a steam engine on an improved construction, by which a considerable reduction will be made in the consumption of coals. May 14, 1801.
- 263 Steam Engine.—Matthew Murray; for an improved method of constructing the air-pump and sundry other parts belonging to a steam engine, by which a considerable saving will be made in the consumption of fuel, and an increased power obtained. August 11, 1801.
- 264 Steam Engine.—William Symington; for a mode of constructing steam engines, and applying their power to the purpose of producing a rotary and other motions without the interposition of a lever or beam. October 14, 1801.
- 265 Steam Engine.—Joseph Bramah; for improvements in the construction of steam engines and boilers, and for the purpose of generating steam, and other purposes. November 28, 1801.
- 266 Steam Engine —Richard Wilcox; for improvements
on

- on the steam engine, furnace, or boiler; and air pump. January 23, 1802.
- 267 Steam Engine.—James Sharples; for newly invented mechanical powers applicable to steam engines; part of which machinery may be applied to other useful purposes. January 28, 1802.
- 268 Steam Engine.—Richard Trevithick, and Andrew Vivian; for methods of improving the construction of steam engines, and the application thereof for driving carriages, and for other purposes. March 24, 1802.
- 269 Steam Engine.—Phineas Crowther; for a method of applying the power of a reciprocating steam engine to the crank or rotative axis, for drawing coals, lead, tin, &c. out of the mines, &c. February 28, 1800.
- 270 Steam Engine.—Matthew Murray; for new combined steam engines, for producing a circular power, and certain machinery thereto belonging, applicable to the drawing of coals, ores, and all other minerals, from mines; and for spinning cotton, flax, tow, and wool, or for any other purpose requiring circular power. June 28, 1802.
- 271 Steam Engine.—Thomas Saint; for a method of increasing the effect of steam engines, and saving fuel in the working thereof. December 21, 1802.
- 272 Steel, bending.—Joseph Egg; for his newly invented method of bending steel without the assistance of heat, which may be applied to the manufacturing of surgical instruments, and to a variety of other useful purposes. August 31, 1800.
- 273 Stirrups.—Emanuel Hesse; for improvements in stirrups. July 24, 1800.
- 274 Stirrups.—Isaac Hadley Reddell; for a method of making stirrups. August 2, 1800.
- 275 Stirrups.—Thomas Maltby; for a stirrup. June 14, 1802.
- 276 Stop-Cock.—Thomas Grylls; for his newly invented stop-cock for barrels, and other vessels, which prevents the wasting of liquor.
- 277 Stove,

- 277 Stove, Portable.—George Bodley; for a portable stove or kitchen, for the purpose of dressing victuals. February 27, 1802.
- 278 Straw, Machine for cutting.—Thomas Sawdon; for a machine for cutting straw for fodder for cattle, on principles entirely new. July 23, 1802.
- 279 Sugar refining.—Thomas Wakefield; for a new method of refining sugar. June 2, 1801.
- 280 Sugar Canes, Mills for grinding.—Thomas Paton; for improvements in the construction of mills for grinding sugar canes. June 24, 1800.

T.

- 281 Tables.—John Marshall; for a newly invented dining and other tables, on an improved construction. April 29, 1800.
- 282 Tables.—Richard Gillow, for improvements in the method of constructing dining and other tables. May 1, 1800.
- 283 Tannery.—Joseph Weeks; for an apparatus, or set of machinery, for a tannery. June 10, 1800.
- 284 Tanning.—Thomas Bagnall; for a mill or machine to chop bark and grind riddle and pound it; to beam or work green hides and skins out of the mastering, or drench, and make them ready and fitting for the use or bark liquor; to beam sheep skins, and others, for the skinner's use, and for scouring or taking the bloom off tanned leather when in the carrying state. May 21, 1801.
- 285 Tanning.—G. F. Lenz; for a method of constructing tan pits for the tanning of hides and skins, and for striking hides by machinery. June 18, 1801.
- 286 Tanning.—Francis Brewin, for a new and improved method of tanning. November 3, 1801.
- 287 Tanning.—Thomas Martin; for improvements in the art of tanning and dressing hides and skins. April 19, 1802.
- 288 Tanning.—John Lawrence; for a new method of tanning. May 10, 1802.
- G
- 289 Tanning.

- 289 Tanning.--John Cant Gate, and John Millan; for a new method of tanning leather. May 31, 1802.
- 290 Tan-pits, &c.--G. F. Lenz; for a method of constructing tan-pits, for tanning hides by machinery, March 27, 1801.
- 291 Telegraph.--James Boaz; for a new and improved method of communicating thoughts, information, and intelligence, to and from different places, at a distance from each other, by means of signs, by lights or otherwise. December 3, 1801.
- 292 Telescopes.--Dudley Adams; for a method of rendering telescopes more portable than hitherto, upon a new principle. May 30, 1800.
- 293 Tobacco, &c.--John Stevenson; for a method of stoving and drying tobacco, in the preparation of snuffs. November 10, 1801.
- 294 Tournequet.--John Horatio Savigny; for an instrument called a Tournequet, for more effectually hindering and stopping the effusion of blood in gunshot and other bad wounds, &c. March 31, 1800.
- 295 Transparencies.--Charles Kandom Berenger; for a method of printing and colouring transparencies on silk, cotton, linen, and other woven manufactures, for carriage and window blinds, screens, &c. March, 31, 1800.
- 296 Trusses.--Thomas Barlett; for improvements in the construction of elastic trusses for ruptures. June 18, 1801.
- 297 Trusses.--Robert Clark; for improvements in the construction of trusses for ruptures. March 23, 1803.
- 298 Tuning.--Egerton Smith, and Thomas Todd; for a method of tuning, and keeping in tune, musical instruments. June 5, 1801.
- 299 Types.--Philip Risher; for improvements in printing types. May 20, 1802.

U.

- 300 Umbrellas and Parasols.--Abner Cowell Lea; for a method

method of manufacturing the furniture for umbrellas and parasols. January 2, 1802.

- 301 Umbrellas and Parasols.—John Barnett and Joseph Barnett; for a new and improved method of making parasols and umbrellas. December 21, 1802.

V.

- 302 Vacuum.—Christopher Wilson; for a method of making and obtaining a vacuum or vacuums, whereby powers are gained or obtained applicable to the improvement of hydraulical, pneumatical and mechanical machines or engines, or any others where fluids, steam, or vapour may be used or applied. March 9, 1802.

303. Vanes or Sails, for windmills.—Thomas Charles Baker; for vanes or sails for windmills. January 28, 1802.

- 304 Ventilation.—David Stewart; for a method of ventilating dwelling houses, theatres, hospitals, and other buildings; and also of ventilating, heating, and constructing of every kind of building; for forwarding or preserving trees, plants, shrubs, flowers, fruits, roots, and vegetables, on an improved principle, thereby reducing the consumption of fuel, simplifying the mode of management, and rendering more certain the production of fruit and flowers. November 3. 18 1

- 305 Verdigris in Lumps or Powder.—Daniel Craaner; for a method of making verdigris in lumps or powder, with ingredients, the produce of Great Britain, which will not only answer every purpose of foreign verdigris, but can be used as a water-colour upon paper. November 30, 1802.

W.

- 306 Washing.—George Medhurst; for improvements of certain machines for washing and wringing linen,
G 2 wcolten,

- woollen, wool, cotton, silk, velvet, or any other commodity that requires washing, cleansing, or scouring. July 10, 1801.
- 307 Water, clarifying of.—Henry Grant; for a machine for purifying and clarifying water, whereby the most putrid or foul water may be rendered perfectly sweet and clean. March 24, 1802.
- 308 Water-Pipes, &c. constructing of.—John Scott, James Clarkson, William Tatham, and Samuel Mellish; for newly invented articles, which they have denominated “Tatham’s Clumps.” for the purpose of constructing water-pipes, sewers, tunnels, wells, &c. and other circular walls or buildings. December 21, 1802.
- 309 Water and other Fluids, raising.—George Elliot; for a machine for the purpose of raising water and other fluids. August 2, 1802.
- 310 Water-proof Articles.—Rudolph Akerman, and Peter James Cutteau; for an improved method of rendering all sorts of woollen cloths, cotton, linen, silk, hats, paper, and other manufactures and substances, perfectly water-proof, and so as to be used on all occasions where a power of repelling rain, wet, or moisture, may be required. April 28, 1801.
- 311 Water-proof Cloathing; John Walker, and Godfrey Alphy; for a method of making and manufacturing men’s hats and caps, and rendering them perfectly water-proof; as also all kinds of leather, cotton, linen, silk, stuffs, pasteboard, and other manufactures and substances, for the purpose of being worked up into shoes, boots, women’s hats and bonnets, and other wearing apparel, and to be used on all occasions where a power of repelling wet or moisture may be required. November 3, 1801.
- 312 Water-proof Cloth.—Elizabeth Duke, and James Jacks; for an invention communicated to them by a person residing in America, whereby they are enabled to render all sorts of woollen, cotton, and
linen,

- linen cloths, canvas, silk, hats, paper and other manufactures, water-proof. April 2, 1802.
- 313 Weighing.—David Hardie; for an apparatus for weighing, in a manner less liable to error, and with greater expedition than by any of the modes of weighing hitherto used. March 19, 1800.
- 314 Weights, raising —James Power; for a machine for the purpose of raising weights, and for various other purposes. April 7, 1802.
- 315 Weights, raising or lowering, and for working mills.—John Harriott, and Thomas Strode; for an engine for raising or lowering weights of all kinds, and for working mills, and other similar purposes. April 13, 1802.
- 316 Weights, raising.—George Matcham; for a principle or mechanical power for raising great weights, in preventing ships from sinking, in raising ships when sunken, or in rendering ships which are disproportioned to shallow water capable of entering rivers, passing bars or shoals, or otherwise moving in shallow water, and for a variety of other purposes. January 29, 1803.
- 317 Windlass.—Robert Gibson; for a windlass upon an improved construction, which may be applied to ships, and other useful purposes. February 26, 1801.
- 318 Windmills, Sails for.—Robert Sutton; for his newly invented sails for windmills, on an improved construction, whose motion and power are regulated by gravitation. August 13, 1800.
- 319 Wood, &c. parallel Surfaces of.—Joseph Bramah; for a machine for the purpose of producing straight, smooth, and parallel surfaces, on wood, and other materials. October 30, 1802.
- 320 Wool, Cotton and Hose, batting or beating and cleaning.—John Thomas; for a method in addition to the machine and methods now in use for the batting or beating and cleaning wool, cotton and hose, preparatory to the carding and spinning thereof. April 19, 1802.

- 321 **Woollen Cloth.**—Joseph Nelson; for a method of making or manufacturing woollen cloth. February 19, 1802.
- 322 **Woollen Cloth, &c. cropping and shearing.**—Isaac Sandford; for a machine for cropping or shearing woollen, cotton, linen, silk, and all other cloths made with a nap, that require to be cropped or sheared. November 14, 1801.
- 323 **Woollen Cloth, dressing, &c.**—Joseph Fryer; for a machine for the purpose of cutting, dressing and finishing woollen cloth. May 31, 1802.
- 324 **Woollen Cloth, &c. felting.**—James Bennet; for a method of felting woollen cloth; and also of felting cloth manufactured of sheep's wool, and other combined materials. March 10, 1803.

Y.

- 325 **Yarn.**—Archibald Thompson; for machinery for the purpose of spinning rope-yarn or sail cloth yarn, and for laying or making ropes, and other cordage. November 10, 1801.

 ADDENDA,

Consisting of Patents granted since the Date of the preceding List.

Bainbridge William, Little Queen's Street, Lincoln's Inn Fields, musician, for improvements on the flagelet, or English flute. April 1, 1803.

Boond William, Manchester, Lancashire, cotton manufacturer, for a newly invented manufacture of mixed and coloured cotton-velvets, velveteens, veverets, thicksets, cords and other cotton piece goods, commonly called fustians. April 5, 1803.

- Hawkins, Richard Francis, Woolwich, Kent, gentleman, for a method of applying a certain power to the working of ship and other windlasses, ship and other winches, cranes, and other purposes, on which the same hath never before been employed. April 5, 1803.
- Leach, John, calico-printer, Merton Abbey, Surrey, for improvements on steam-engine boilers, which improvements are applicable to boilers in general. April 7, 1803.
- Davis, Daniel Paulin, Bloomsbury Square, Middlesex, for a method of cleaning and clearing chimnies. April 11, 1803.
- Todd, John, Bolton, Lancashire, cotton spinner, for a method of weaving and manufacturing woollen, cotton, linen, silk, and worsted cloths or stuffs; and also certain improvements on, and additions to, the machines used in weaving, by means of looms wrought by water, steam engines, or any other power. April 14, 1803.
- Horrocks, William, Stockport, Cheshire, cotton manufacturer, for improvements on the loom for weaving cotton and other goods by steam or water. April 20, 1803.
- Day, Samuel, Charter House, Hinton, Somersetshire, for an engine or time-piece, which he denominates the Watchman's Noctuary, and Labourer's Regulator. April 20, 1803.
- Hall, James, Mellor Glossop, Derbyshire, weaver, for improvements upon looms. April 27, 1803.

*Alphabetical List of the Names of the Patentees
who have received Patents between the 1st
of January 1800, and the 31st of March
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