



ANNO QUADRAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 133.

An Act for vesting for a limited Time in the Reverend *Edmund Cartwright*, Clerk, Master of Arts, his Executors, Administrators, and Assigns, the sole Property in certain Machinery by him invented for Woolcombing. [2d July 1801.]

WHEREAS His most Excellent Majesty King *George* the Third, by His Letters Patent under the Great Seal of *Great Britain*, bearing Date the Twenty-seventh Day of *April*, in the Thirtieth Year of His Reign, did give and grant unto the Reverend *Edmund Cartwright*, then of *Doncaster* in the County of *York*, but now of *Saint Mary-le-Bone* in the County of *Middlesex*, Clerk, Master of Arts, his Executors, Administrators, and Assigns, His especial Licence, full Power, sole Privilege and Authority, to make, use, exercise, and vend, certain Machinery by him invented for dressing, heckling, combing, and preparing Hemp, Flax, Wool, Hair, Silk, and Cotton, in that Part of His Majesty's Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick-upon-Tweed*, for a Term of Fourteen Years from the Date of those Presents; and by other Letters Patent under the Great Seal aforesaid, bearing Date the Eleventh Day of *December*, in the Thirty-first Year of His said Majesty's Reign, after reciting therein that it had been represented to His said Majesty that the said *Edmund Cartwright* had invented certain Improvements on, and

Preamble.
His Majesty's
Patent,
30 *Geo.* III,
to Mr. *Cartwright* for his
Machinery;

another Pa-
tent 31 *Geo.*
III. for Im-
provements to
his Machi-
nery; and

[*Loc. & Per.*]

28 R

Additions

another Patent 32 Geo. III. for further Improvements.

His Majesty's Patent for Scotland.

Additions to his said Machinery, for which His said Majesty had been pleased to grant the Letters Patent herein-before set forth, His said Majesty did give and grant unto the said *Edmund Cartwright*, his Executors, Administrators, and Assigns, his especial Licence, full Power, sole Privilege and Authority, to make, use, exercise, and vend his said Invention in *England and Wales*, and the Town of *Berwick-upon-Tweed*, for the Term of Fourteen Years from the Date of those Presents; and by other Letters Patent under the Great Seal aforesaid, bearing Date the Fifteenth Day of *May*, in the Thirty-second Year of His said Majesty's Reign, after reciting therein that it had been represented to His said Majesty that the said *Edmund Cartwright* had invented Improvements upon and Additions to Machinery by him already invented (and for which he had at sundry Times obtained His Majesty's Letters Patent) for manufacturing and fabricating Wool, Hemp, Flax, Silk, Hair, and Cotton, from the raw State of each respective Article, till made into Yarn, Twist, Cords, Ropes, and Cables, and till perfected in the Loom, and cut for raising a Pile, His said Majesty did give and grant unto the said *Edmund Cartwright*, his Executors, Administrators, and Assigns, his especial Licence, full Power, sole Privilege and Authority, to make, use, exercise, and vend his said Invention in *England and Wales*, and the Town of *Berwick-upon-Tweed*, for the Term of Fourteen Years from the Date of those Presents: And whereas His said most Excellent Majesty, by His other Letters Patent under the Seal appointed by the Treaty of Union to be kept and used in *Scotland* in Place of the Great Seal formerly used there, bearing Date the Twenty-third Day of *December* One thousand seven hundred and ninety, in the said Thirty-first Year of His Reign, did give and grant unto the said *Edmund Cartwright*, his Executors, Administrators, and Assigns, His especial Licence, full Power, sole Privilege and Authority, to make, use, and vend his said Machinery for manufacturing and fabricating Wool, Hemp, Flax, Silk, Hair, and Cotton from the raw State of each respective Article till perfected in the Loom, within that Part of His Majesty's Kingdom of *Great Britain* called *Scotland*, for the Term of Fourteen Years from the Date of those Presents: And whereas in the said recited Letters Patent respectively, were contained Provisoos obliging the said *Edmund Cartwright* to describe and ascertain the Nature of his said Inventions, and in what Manner the same were to be performed, by Instruments in Writing under his Hand and Seal, to be respectively inrolled as herein-after is expressed; namely, the Instruments describing the Inventions which were the Objects of the said Three first recited Letters Patent, to be inrolled in the High Court of Chancery in *England*, within One Calendar Month from the Dates of the said Letters Patent respectively; and the Instrument describing the Invention which was the Object of the said last recited Letters Patent, to be inrolled in the Court of Chancery in *Scotland*, within Four Calendar Months from the Date thereof: And whereas the said *Edmund Cartwright* did accordingly, in pursuance of the said respective Provisoos, and within the respective Times so limited as aforesaid, cause particular Descriptions or Specifications of his said Inventions to be respectively inrolled in the said Courts of Chancery in *England* and in *Scotland*, in and by Instruments in Writing under his Hand and Seal: And whereas in consequence of the valuable Nature of his said Inventions, the said *Edmund Cartwright* hath been exposed to sundry Invasions of his Property therein, by Persons falsely pretending themselves to have been Authors of the said Inventions or some of them; and

the said
 Instruments
 were
 inrolled
 in the
 High Court
 of Chancery
 in England
 within
 one Calendar
 Month from
 the Dates
 of the said
 Letters Patent
 respectively
 and the
 Instrument
 describing
 the Invention
 which was
 the Object
 of the said
 last recited
 Letters Patent
 to be inrolled
 in the Court
 of Chancery
 in Scotland
 within
 four Calendar
 Months from
 the Date
 thereof
 And whereas
 the said
 Edmund
 Cartwright
 did accordingly
 in pursuance
 of the said
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and hath in One Instance, in order to obtain Satisfaction for such an Invasion, been put to great Trouble and Vexation and Expence, in prosecuting a Suit at Law, which required Attendances in *London* of many Witnesses on his Behalf, at different Times, and from several distant Counties: And whereas the said *Edmund Cartwright* has bestowed much Study and Labour, and has devoted a very considerable Portion of his Life, and has also expended very large Sums of Money, and involved himself deeply in Debt, in bringing his said Inventions, and particularly his Inventions relating to the Art or Business of Woolcombing, to their present State of Perfection, and in prosecuting his said Suit at Law; and the said *Edmund Cartwright* is therefore induced to apply to the Legislature to have the several Terms of Years granted by the said recited Letters Patent, so far as relates to such of his said Inventions as are applicable to the Art or Business of Woolcombing, prolonged, and the sole and exclusive Property therein secured throughout that Part of the United Kingdom called *Great Britain*, without which he will not only be unable to reimburse himself the heavy Expences he has incurred, and will receive no Recompence or Remuneration whatever for his Time, Study, and Labour, but will be wholly unable even to pay and satisfy the said Debts contracted by him in prosecuting and bringing to Perfection and publishing his said Inventions: To the End therefore ~~the said~~ *Edmund Cartwright* may be enabled by such Prolongation of the several Terms granted by the said recited Letters Patent as aforesaid, to pay and satisfy the said Debts so contracted by him as aforesaid, and also to obtain an adequate Recompence for his Study, Labour, Time, and Expence, and a suitable Remuneration for the Services he has by his said Inventions rendered to the Publick: May it please Your Majesty, (at the humble Petition and Request of the said *Edmund Cartwright*), that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled; and by the Authority of the same, That from and after the passing of this Act, the sole Privilege and Advantage of making, using, exercising, and vending all such of the said Machines and Inventions mentioned in the said recited Letters Patent as are applicable to the Art or Business of Woolcombing, with the Additions and Improvements made therein, within that Part of the United Kingdom called *Great Britain*, shall be and are hereby declared to be vested in the said *Edmund Cartwright*, his Executors, Administrators, and Assigns, as his and their exclusive Right and sole Property, for and during the Term of Fourteen Years; and that the said *Edmund Cartwright*, his Executors, Administrators, and Assigns, and every of them, by himself, or themselves, or by his or their Deputy or Deputies, Servants or Agents, or such others as he the said *Edmund Cartwright*, his Executors, Administrators, or Assigns, shall at any Time agree with, and no others, from Time to Time, and at all Times during the Term of Fourteen Years herein before mentioned, shall and lawfully may make, use, exercise, and vend all such of the said Inventions (whether of Machines or of Improvements upon and Additions to Machines) as are or shall be respectively applicable to the said Art or Business of Woolcombing, within that Part of the said United Kingdom called *Great Britain*, in such Manner as to him the said *Edmund Cartwright*, his Executors, Administrators, and Assigns, or any of them, shall in his or their Discretion seem meet; and that the said *Edmund Cartwright*, his Executors, Administrators,

and

The sole Right to all his Machines and Inventions, so far as they relate to the Business of Woolcombing, vested in Mr. Cartwright, &c. for a certain Time.

and Assigns, shall and lawfully may have and enjoy the sole Property, Profit, Benefit, Commodity, and Advantage from Time to Time coming, growing, accruing, and arising by reason of the said Inventions last-mentioned, or any of them, for the said Term of Fourteen Years, to have, hold, receive, and enjoy the same, for and during and to the full End and Term of Fourteen Years as aforesaid; and that no other Person or Persons within that Part of the United Kingdom called *Great Britain*, shall, at any Time during the said Term of Fourteen Years, either directly or indirectly make, use, or put in Practice the said Inventions, or any of them, or any Part of the same, nor in anywise counterfeit, imitate, or resemble the same, nor shall make or cause to be made any Addition thereto or Subtraction from the same, whereby to pretend himself, herself, or themselves the Inventor or Inventors, Devisor or Devisors, thereof, without the Licence, Consent, or Agreement of the said *Edmund Cartwright*, his Executors, Administrators, or Assigns, in Writing under his or their Hand and Seal or Hands and Seals, in that Behalf first had and obtained, upon and subject to such Pains and Penalties as can or may be justly inflicted upon such Offenders for their Contempt of this Act, and further to be answerable to the said *Edmund Cartwright*, his Executors, Administrators, or Assigns, according to Law, for his and their Damages thereby occasioned.

II. And whereas the Descriptions or Specifications which were inrolled in the Courts of Chancery in *England* and *Scotland* respectively, pursuant to the Proviso in the said recited Letters Patent respectively contained, apply to other Inventions of the said *Edmund Cartwright*, which were equally the Objects of the said Letters Patent, as well as his said Inventions relating to the Art or Business of Woolcombing: And whereas such various and considerable Alterations in the Frame of the said Machines for Woolcombing, and such great Simplicity in the Construction thereof, were successively introduced by the several Inventions which were respectively the Objects of the Three last of the said recited Letters Patent, as to render a great Part of the Frame Work, and some of the Parts for communicating Motion of the Woolcombing Machinery, that was the Object of the first of the said recited Letters Patent, unnecessary and superfluous, so that the Description of the same, as it now stands in the Specifications so inrolled as aforesaid, must, if consulted, occasion to Mechanics, who may be desirous of learning the best and simplest Mode of constructing the said Machines on the true Principles of the several Inventions of the said *Edmund Cartwright* by the Specifications thereof, much unnecessary Study and Trouble; it is therefore expedient, for the more clearly ascertaining the said Inventions and Improvements, that other Descriptions or Specifications, applicable only to the said Woolcombing Machines, and omitting whatever relates to other Inventions of the said *Edmund Cartwright*, and also applicable to the Construction of the said Woolcombing Machines in their improved State, should be inrolled; be it therefore enacted, That if the said *Edmund Cartwright* shall not particularly describe and ascertain the Nature of such of his said several Inventions as are respectively applicable to Woolcombing as aforesaid, and in what Manner the same are to be performed, by Instruments in Writing under his Hand and Seal, and cause the same respectively to be inrolled in the High Court of Chancery in *England*, and also the Court of Chancery in *Scotland*, within Six Calendar Months

next

Mr. Cartwright to inrol other Specifications of his Inventions with respect to Woolcombing.

next and immediately after the passing of this Act, that then this Act, and all Liberties and Advantages whatsoever hereby granted, shall utterly cease, determine, and become void; any Thing herein before contained to the contrary thereof in anywise notwithstanding: Provided always, That the said *Edmund Cartwright*, his Executors, Administrators, or Assigns, shall not, in so describing and ascertaining the Nature of his said Inventions, applicable to Woolcombing, or any of them, be obliged to use the same Words, Figures, Delineations, References, Explanatory Notes, or Observations, as were formerly used by the said *Edmund Cartwright* in any of the said Specifications, which were inrolled in the respective Courts of Chancery of *England*, and *Scotland* pursuant to the Provisoes in the said Letters Patent respectively contained, but shall be at Liberty to omit any of the Words, Figures, Delineations, References, Explanatory Notes, or Observations, which he the said *Edmund Cartwright* then used, and to make use of any other Words, Figures, Delineations, References, Explanatory Notes, or Observations, which he shall judge most apt and proper for describing and ascertaining the said Inventions, or any of them, in their improved State, and the Manner in which the same are to be performed: Provided also, That if the said *Edmund Cartwright* shall in such written Instrument as aforesaid, explain any better practical Application of the Principle or Principles of his said Inventions, than may hitherto have been generally practised or made publick, and so as not to vary from such Principle or Principles, such Explanation shall not be taken or construed in anywise to prejudice or weaken the Claim or Right of the said *Edmund Cartwright* to be held and considered as the sole and true Inventor of such Principle or Principles, notwithstanding such Explanation may vary from the former Descriptions or Specifications so inrolled as aforesaid.

Provided always, and be it hereby further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or hinder any Person or Persons from making, using, exercising, or vending Machinery for the Purposes of Woolcombing, by any Method not now of the Invention of the said *Edmund Cartwright*, and which is not described and ascertained, as such in One or more of the said Instruments so inrolled as aforesaid, and which shall not likewise be described and ascertained in the Instruments in Writing directed by this Act to be inrolled, or which has been publicly used and exercised by any other Person or Persons before the granting of the said Letters Patent herein before mentioned respectively, but that all such Methods of Woolcombing which are not now of the Invention of the said *Edmund Cartwright*, and described in the said Instruments so inrolled as aforesaid, and which shall not be likewise described, as such in the said Instruments which are required by this Act to be inrolled, shall be and remain to the Use of the Publick, and to the respective Inventor and Inventors thereof, in like Manner, as if this Act had never been made; any Thing herein contained to the contrary notwithstanding.

IV. Provided always, and be it further enacted, That if the said *Edmund Cartwright*, his Executors, Administrators, or Assigns, or any Person or Persons who shall, at any Time during the said Term of Fourteen Years, have or claim any Right, Title, or Interest in Law or Equity, of, in, or to the Power, Privilege, and Authority, or the sole

To enable Persons to sell Woolcombing Machinery, not of the Invention of *Edmund Cartwright*.

The Right to Invention not to be transferred to more than a certain Number of Persons at one Time, nor to

any Persons as a Body Corporate.

Use and Benefit of the said Inventions, shall make any Transfer or Assignment; or pretended Transfer or Assignment, of the said Liberty or Privilege hereby granted, or any Share or Shares of the Benefit or Profits thereof, or shall declare any Trust thereof to or for any Number of Persons exceeding the Number of Five, or shall open or cause to be opened any Book or Books for publick Subscriptions to be made by any Number of Persons exceeding the Number of Five, in order to the raising any Sum or Sums of Money under Pretence of carrying on the same Liberty or Privilege hereby granted; or shall by him or themselves, or his or their Agents or Servants, receive any Sum or Sums of Money whatsoever, of any Number of Persons exceeding in the Whole the Number of Five, for such or the like Intents or Purposes; or shall presume to act as a Corporate Body; or shall divide the Benefit of the Liberty or Privileges hereby granted into any Number of Shares exceeding the Number of Five, or shall commit or do, or procure to be committed or done any Act, Matter, or Thing whatsoever, during such Time as such Person or Persons shall have any Right or Title, either in Law or Equity, which shall be contrary to the true Intent and Meaning of an Act of Parliament, made in the Sixth Year of the Reign of His late Majesty King George the First, intituled, *An Act for the better securing certain Powers and Privileges intended to be granted by His Majesty, by Two Charters for Assurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry, and for restraining several extravagant and unwarrantable Practices therein mentioned*; or in case the said Power, Privilege, or Authority shall at any Time become vested in, or in Trust for more than the Number of Five Persons, or their Representatives, at any one Time, otherwise than by Devise or Succession (reckoning Executors and Administrators as and for the single Person whom they represent, as to such Interest as they are or shall be entitled to in Right of such their Testator or Intestate) that then and in every of the said Cases, all Liberties and Advantages whatsoever hereby granted, shall utterly cease, determine, and become void; any Thing therein before contained to the contrary thereof in anywise notwithstanding.

silent of the Act of 1701

Claims of Mr. Cartwright's Creditors, &c. to remain in Force.

V. Provided always, and be it further enacted, That all Rights, Claims, and Liens, at Law or in Equity, which any Person or Persons (being a Creditor or Creditors of the said Edmund Cartwright, or to whom he hath already bargained, sold, or granted any Share and Interest with him in the Property of his said recited Letters Patent, now lawfully hath or have upon or to the said respective Inventions mentioned in the said several recited Letters Patent, or the Profits or Emoluments arising from the same, shall respectively be and remain and continue in full Force and Effect, so long as this Act shall be in Force, or until the same shall be respectively released or discharged.

Not to affect Mr. Toplis's Letters Patent.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to infringe or affect the Rights or Interests of William Toplis the younger, of Cuckney in the County of Nottingham, Worsted Manufacturer, his Executors, Administrators, and Assigns, or any other Person or Persons claiming or to claim by, from, or under him or them, by virtue of certain Letters Patent under the Great Seal of Great Britain, bearing Date the Eighth Day of June One thousand seven hundred and ninety-three, whereby His

His Majesty granted to the said *William Toplis*, his Executors, Administrators, and Assigns, His Royal Licence, full Power, sole Privilege, and Authority, to use, exercise, and vend certain Machinery therein mentioned to be invented by the said *William Toplis*, for combing and preparing Wool, Cotton, Silk, Flax, Hemp, and Mohair, for the Purpose of spinning; nor shall any Thing herein contained extend, or be construed to extend, to affect or interrupt the Right, Power, or Authority of the said *William Toplis*, his Executors, Administrators, or Assigns, or any other Person or Persons claiming or to claim by, from, or under him or them, to use and exercise the said Invention, or to use, vend, sell, or dispose of the Machinery mentioned in the said last-mentioned Letters Patent, or to affect or impeach a certain Agreement entered into between the said *William Toplis* and the said *Edmund Cartwright*, on the Subject of their respective Inventions and Machines bearing Date the Fourteenth Day of *December* One thousand seven hundred and ninety-three; any Thing herein contained to the contrary thereof in anywise notwithstanding.

VII. Provided always, That no Person or Persons who, either by any direct Contract or Agreement with the said *Edmund Cartwright*, or his Assigns, or by any legal Transfer of any such Contract or Agreement, shall heretofore at any Time have become entitled to use any Wool-combing Machine or Machines so invented by the said *Edmund Cartwright* as aforesaid, and who shall not have again abandoned the Use of such Machine or Machines, nor shall cease to pay for working the same to the full Extent of the Term to which he, she, or they respectively contracted or agreed and are now empowered to use such Machine or Machines, and who shall likewise have duly and justly performed every such Contract or Agreement as aforesaid, shall be subject or liable to pay any annual Rent, Premium, Sum or Sums of Money whatsoever, nor for any longer Term, other than he, she, or they shall have respectively contracted or agreed to pay in that Behalf, nor shall, from and after the Expiration of such his, her, or their Contract or Agreement, be in anywise hindered or obstructed in freely and without Charge using and working such Machine, or so many Machines as he, she, or they shall be already so entitled to use, in the same Manner as if this Act had not been made; any Thing herein contained to the contrary thereof notwithstanding.

Agreements
not to be
voided.

VIII. Provided also, That every Objection in Law competent against the said Patents, shall be competent against this Act, to all Intents and Purposes, except so far as relates to the Term hereby granted.

Objections
against Pa-
tents, compe-
tent against
this Act,
except the
Term.

IX. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same,

Publick Act.

