



CHAPTER cxcii.

An Act for rendering valid certain Letters Patent granted to Dugald Campbell for an improved process for the treatment of sewage and the production of manures therefrom. A.D. 1875.

[2d August 1875.]

WHEREAS by letters patent under the Great Seal of Great Britain bearing date the thirtieth day of March in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty Queen Victoria, Her Majesty did give and grant unto Dugald Campbell, consulting and analytical chemist, of 7 Quality Court, Chancery Lane, London, his executors, administrators, and assigns, her special licence, full power, sole privilege, and authority, that he the said Dugald Campbell, his executors, administrators, and assigns, and every of them, by himself and themselves or by his and their deputy or deputies, servants, or agents, or such others as he the said Dugald Campbell, his executors, administrators, or assigns, should at any time agree with, and no other, should and lawfully might during the term of fourteen years from the date of the said letters patent make, use, exercise and vend, within the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, an invention therein mentioned for "An improved process for the treatment of sewage and the production of manures therefrom," and in which letters patent is contained a proviso making void the said letters patent if the said Dugald Campbell, his executors and administrators, should not cause a particular description of the nature of the said invention and in what manner the same is to be performed, by an instrument in writing under his or their or one of their hands and seals, and cause the same to be filed in the Great Seal Patent Office within six calendar months next and immediately after the date of the said recited letters patent, and also if the said Dugald Campbell, his executors, administrators, or assigns, should not pay the stamp duty of fifty pounds, and produce the said recited letters patent

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stamped with a proper stamp to that amount at the office of the Commissioners of Patents for Inventions before the expiration of three years from the date of the said letters patent, which term expired on the thirtieth day of March one thousand eight hundred and seventy-five :

And whereas a specification was duly filed by the said Dugald Campbell in the Great Seal Patent Office within the time limited by the said letters patent, whereby the said Dugald Campbell did particularly describe and ascertain the nature of the said invention, and in what manner the same was to be performed :

And whereas the prolongation duty of fifty pounds was due on the thirtieth day of March one thousand eight hundred and seventy-five, but the same was inadvertently omitted to be paid :

And whereas the said Dugald Campbell (in this Act called the inventor), as soon as he had obtained the said patent, submitted his invention to capitalists interested in the treatment of sewage, who at once caused experiments to be made upon a large scale and at a cost of several hundred pounds, and having satisfied themselves that the invention was a good one, resolved to form a company for the purpose of acquiring the said patent and giving practical effect to such invention, and works were established at Wandsworth in the year one thousand eight hundred and seventy-three, where experiments have ever since been carried on, and many scientific persons and public bodies have witnessed the experiments and declared themselves highly satisfied with the process and with the practical utility of the same :

And whereas in consideration of services rendered and of moneys advanced by William Meyerstein, of Love Lane, London, merchant, he became joint owner with the said Dugald Campbell of the said letters patent :

And whereas by a memorandum of agreement made the eighteenth day of April one thousand eight hundred and seventy-three between the said William Meyerstein of the first part, the said Dugald Campbell of the second part, and the several persons named in a schedule to the said agreement of the third part, it was agreed that for the considerations therein mentioned the several parties of the third part should be entitled to an interest in the said letters patent, and by the same agreement full and absolute power was given to the said William Meyerstein to sell and dispose of the said letters patent upon the trusts, terms, and conditions therein mentioned :

And whereas by articles of agreement made the twelfth day of July one thousand eight hundred and seventy-three between the said Dugald Campbell and the said William Meyerstein of the one part (in the said agreement called "the vendors"), and Martin

Speyer on behalf of a company intended to be formed and registered with limited liability under the Companies Acts, 1862 and 1867, of the other part, the vendors agreed to sell and the said Martin Speyer agreed to purchase the said letters patent and all the rights and interests of the vendors in the same :

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And whereas in the month of July one thousand eight hundred and seventy-three a company was formed by the name of "Campbell's Patent Manure and Sewage Company, Limited," to confirm and carry out the said articles of agreement of the twelfth day of July one thousand eight hundred and seventy-three :

And whereas the company so formed have not only agreed to purchase the said invention, but have also taken out patents in France, Belgium, Austria, and Italy, and if the relief sought by this Act be not granted, all the expenses incurred in connexion with such foreign patents, and in connexion with the above-mentioned experiments, may be lost, and the inventor and the company be great pecuniary sufferers :

And whereas the inventor and the company, on discovering that the prolongation duty had not been paid, without loss of time gave the requisite instructions for an application to Parliament for power to pay the said stamp duty, and to render valid the said letters patent, and they humbly trust that as the present difficulty and threatened loss arises from an accident and not from a wilful disobedience to the law of the United Kingdom of Great Britain that they may have the relief now humbly asked for :

And whereas it is expedient that the said letters patent should be rendered valid in manner herein-after mentioned, but the purposes aforesaid cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by authority of the same :

1. That within one month after the passing of this Act it shall be lawful for the company, their successors or assigns, to pay the said stamp duty of fifty pounds, and for the said letters patent (a true copy of which is set forth in the Schedule to this Act), or a duplicate thereof, to be stamped with proper stamps showing the payment of the said stamp duty, and to be produced at the office of the said Commissioners of Patents, and for the said Commissioners of Patents or their clerk to stamp the said letters patent or a duplicate thereof, specifying the date of such production, and to endorse on the said letters patent or duplicate thereof a certificate of the production of the same duly stamped, and to endorse a like certifi-

Power to
Commis-
sioners of
Patents to
stamp letters
patent.

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Letters
patent
confirmed.

2. That the said letters patent so stamped as aforesaid shall be considered, deemed, and taken to be and to have been as good, valid, and effectual to all intents and purposes as if the said stamp duty of fifty pounds had been paid and the said letters patent stamped with a proper stamp duty to that amount, and had been produced by the said Dugald Campbell or the Company at the office of the Commissioners of Patents for Inventions before the expiration of three years from the date of the said letters patent as in the said letters patent provided.

Saving
rights.

3. Provided always, that no action or suit shall be commenced or prosecuted at law or in equity, nor any damage recovered, for or in respect of any infringements of the said letters patent which shall have taken place after the expiration of the said three years from the date of the said letters patent, and before the payment of the said fifty pounds and the stamping of the said letters patent in pursuance of this Act.

SCHEDULE referred to in the foregoing Act.

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1872

No. 944.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come greeting: Whereas Dugald Campbell, consulting and analytical chemist, 7 Quality Court, Chancery Lane, London, Middlesex, hath by his petition humbly represented unto Us that he is in possession of an invention for an improved process for "The treatment of sewage and the production of manures therefrom," which the petitioner believes will be of great public utility, that he is the first and true inventor thereof, and that the same is not in use by any other person or persons to the best of his knowledge and belief; the petitioner therefore most humbly prayed that We would be graciously pleased to grant unto him, his executors, administrators, and assigns, Our Royal letters patent for the sole use, benefit, and advantage of the said invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, for the term of fourteen years pursuant to the statute in that case made and provided; and We, being willing to give encouragement to all arts and inventions which may be for the public good, are graciously pleased to condescend to the petitioner's request: Know ye therefore that We, of Our especial grace, certain knowledge, and mere motion have given and granted, and by these presents, for Us, Our heirs and successors, do give and grant unto the said Dugald Campbell, his executors, administrators, and assigns, Our especial licence, full power, sole privilege, and authority that he the said Dugald Campbell, his executors, administrators, and assigns, and every of them, by himself and themselves, or by his and their deputy or deputies, servants, or agents, or such others as he the said Dugald Campbell, his executors, administrators, or assigns, shall at any time agree with, and no others, from time to time and at all times hereafter during the term of years herein expressed, shall and lawfully may make, use, exercise, and vend his said invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, in such manner as to him the said Dugald Campbell, his executors, administrators, and assigns, or any of them, shall in his or their discretion seem meet; and that he the said Dugald Campbell, his executors, administrators, and assigns, shall and lawfully may have and enjoy the whole profit, benefit, commodity, and advantage from time to time coming, growing, accruing, and arising by reason of the said invention for and during the term of years herein mentioned, to have, hold, exercise, and enjoy the said licences, powers, privileges, and advantages herein-before granted or mentioned to be granted unto the said Dugald Campbell, his executors, administrators, and assigns, for and during and unto the full end and term of fourteen years from the day of the date of these presents next and immediately ensuing, according to the statute in such case made and provided: And to the end that he the said Dugald Campbell, his executors, administrators, and assigns, and every of them, may have and enjoy the full benefit and the sole use and exercise of the said invention according to Our gracious intention herein-before declared, We do by these presents, for Us, Our heirs and successors, require and strictly

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command all and every person and persons, bodies politic and corporate, and all other Our subjects whatsoever, of what estate, quality, degree, name, or condition soever they be, within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, that neither they nor any of them, at any time during the continuance of the said term of fourteen years hereby granted, either directly or indirectly do make, use, or put in practice the said invention or any part of the same so attained unto by the said Dugald Campbell as aforesaid, nor in anywise counterfeit, imitate, or resemble the same, nor shall make or cause to be made any addition thereunto or subtraction from the same whereby to pretend himself or themselves the inventor or inventors, deviser or devisors thereof, without the consent, licence, or agreement of the said Dugald Campbell, his executors, administrators, or assigns, in writing under his or their hands and seals first had and obtained in that behalf, upon such pains and penalties as can or may be justly inflicted on such offenders for their contempt of this Our Royal command, and further to be answerable to the said Dugald Campbell, his executors, administrators, and assigns, according to law for his and their damages thereby occasioned; and moreover We do by these presents, for Us, Our heirs and successors, will and command all and singular the justices of the peace, mayors, sheriffs, bailiffs, constables, headboroughs, and all other officers and ministers whatsoever of Us, Our heirs and successors, for the time being, that they or any of them do not, nor shall at any time during the said term hereby granted, in anywise molest, trouble, or hinder the said Dugald Campbell, his executors, administrators, or assigns, or any of them, or his or their deputies, servants, or agents, in or about the due and lawful use or exercise of the aforesaid invention or anything relating thereto: provided always, and these Our letters patent are and shall be upon this condition, that if at any time during the said term hereby granted it shall be made appear to Us, Our heirs or successors, or any six or more of Our or their Privy Council, that this Our grant is contrary to law, or prejudicial or inconvenient to Our subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, or that the said Dugald Campbell is not the first and true inventor thereof within this realm as aforesaid, these Our letters patent shall forthwith cease, determine, and be utterly void to all intents and purposes, anything herein-before contained to the contrary thereof in anywise notwithstanding: provided also, that these Our letters patent, or anything herein contained, shall not extend, or be construed to extend, to give privilege unto the said Dugald Campbell, his executors, administrators, or assigns, or any of them, to use or imitate any invention or work whatsoever which hath heretofore been found out or invented by any other of Our subjects whatsoever, and publicly used or exercised within Our United Kingdom of Great Britain and Ireland, the Channel Islands, or Isle of Man, unto whom Our like letters patent or privileges have been already granted for the sole use, exercise, and benefit thereof, it being Our will and pleasure that the said Dugald Campbell, his executors, administrators, and assigns, and all and every other person and persons to whom like letters patent or privileges have been already granted as aforesaid, shall distinctly use and practise their several inventions by them invented and found out according to the true intent and meaning of the same respective letters patent and of these presents: provided likewise, nevertheless, and these Our letters patent are upon this express

condition, that if the said Dugald Campbell, his executors or administrators, shall not particularly describe and ascertain the nature of the said invention, and in what manner the same is to be performed, by an instrument in writing under his or their or one of their hands and seals, and cause the same to be filed in the Great Seal Patent Office within six calendar months next and immediately after the date of these Our letters patent; and also if the said Dugald Campbell, his executors, administrators, or assigns, shall not pay the stamp duty of fifty pounds, and produce these Our letters patent stamped with a proper stamp to that amount at the Office of Our Commissioners of Patents for Inventions before the expiration of three years from the date of these Our letters patent, pursuant to the provisions of the Act of the 16th year of Our reign, chapter 5; and also if the said Dugald Campbell, his executors, administrators, or assigns, shall not pay the stamp duty of one hundred pounds, and produce these Our letters patent stamped with a proper stamp to that amount at the said Office of Our said Commissioners before the expiration of seven years from the date of these Our letters patent, pursuant also to the said Act; and also if the said Dugald Campbell, his executors, administrators, or assigns, shall not supply or cause to be supplied for Our service all such articles of the said invention as he or they shall be required to supply by the officers or commissioners administering the department of Our service for the use of which the same shall be required, in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled for that purpose by the said officers or commissioners requiring the same, that then and in any of the said cases, these Our letters patent, and all liberties and advantages whatsoever hereby granted, shall utterly cease, determine, and become void, anything herein-before contained to the contrary thereof in anywise notwithstanding: provided that nothing herein contained shall prevent the granting of licences in such manner and for such considerations as they may by law be granted: and lastly, We do by these presents, for Us, Our heirs and successors, grant unto the said Dugald Campbell, his executors, administrators, and assigns, that these Our letters patent, or the filing thereof, shall be in and by all things good, firm, valid, sufficient, and effectual in the law according to the true intent and meaning thereof, and shall be taken, construed, and adjudged in the most favourable and beneficial sense for the best advantage of the said Dugald Campbell, his executors, administrators, and assigns, as well in all Our Courts of Record as elsewhere, and by all and singular the officers and ministers whatsoever of Us, Our heirs and successors, in Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, and amongst all and every the subjects of Us, Our heirs and successors, whatsoever and wheresoever, notwithstanding the not full and certain describing the nature or quality of the said invention, or of the materials thereunto conducing and belonging. In witness whereof we have caused these Our letters to be made patent this thirtieth day of March 1872, in the thirty-fifth year of Our reign, and to be sealed as of the said thirtieth day of March 1872.

By warrant.