ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. LXVIII.

An Act for veſting, for a certain Term of Years, in the Right Honourable *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, the ſole Property of a Kiln or Oven, by him invented, for burning Lime, and for the Uſe of Diſtillers and Brewers, and for other beneficial Purpoſes.

[19th *May* 1795.]

Preamble.

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 Firſt Day of *January* in the Twenty-ſecond Year of His Reign, did give and grant unto *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, his eſpecial Licence, full Power, ſole Privilege, and Authority, of making, uſing, exerciſing, and vending, within that Part of His Majeſty's Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, his Invention of a Kiln and Oven for the Purpoſe of ſaving great Part of the Expence employed in burning Lime, as alſo in the ſeveral Branches of the Diſtilling and Brewing Buſineſs, and for other beneficial Purpoſes, where the Uſe of Fire is concerned, for the Term of Fourteen Years; with a Proviſo, obliging the ſaid *Henry Seymour Conway*, by an Inſtrument in Writing under his Hand and Seal, to cauſe a particular Deſcription of the Nature of the ſaid Invention to be inrolled in His Majeſty's High Court of Chancery, within Four Calendar Months after

Recital of His Majeſty's Letters Patent, dated *Jan.* 1, 1782.

after the Date of the ſaid recited Letters Patent: And whereas the ſaid *Henry Seymour Conway* did, in purſuance of the ſaid Proviſo, cauſe a particular Deſcription of the ſaid Invention to be inrolled in the ſaid High Court of Chancery, upon the Twenty-third Day of *April* in the Year of our Lord One thouſand ſeven hundred and eighty-two; which Deſcription is in the Words and Form, or to the Effect following; (that is to ſay),

Specification of the Invention.

'The ſaid Invention conſiſts of a Kiln and Oven ſo contrived that the 'ſame Fire is made to ſerve at the ſame Time the different Purpoſes 'of burning Lime, and of giving Heat to Stills or Boilers placed over 'them, ſufficient for diſtilling, or any other uſeful Purpoſe they may be 'employed in, while the Fuel uſed, being Coal, is not waſted or con-'ſumed, but turned into an uſeful Cinder, generally called *Coake*, by 'which it acquires rather an additional Value, in ſome Places to a con-'ſiderable Amount. The Oven, which ſhould be made of good *Windſor* 'or other Bricks, beſt able to reſiſt the Force of the Fire, has a dead 'or flat Hearth, on which the Coal is laid. Near the ſaid Oven, and 'moſt conveniently oppoſite to the Mouth of it, a Lime Kiln is placed, 'the Bottom of which may be on a Level with the Floor of the Oven, 'having an Opening into the Oven, through which the Flame or Heat 'is drawn into the Bottom or lower Part of the Lime Kiln, which being 'ſomething narrower below, ſhould be nearly cylindrical, or rather 'drawing inward above, ſo as to give the greateſt Effect to the Heat: 'Over the Kiln and Oven are placed the Stills or other Veſſels pro-'poſed to be employed, in ſuch Manner as not to be immediately open 'to the Fire in the Oven or the burning Lime, but to receive their 'Heat through Flues diſpoſed and governed by Regiſters inſerted in 'them, in ſuch Manner as to increaſe or moderate the Heat in each 'Part at Pleaſure, ſo that the different Operations by the Stills or Boil-'ers, *et cætera*, may be carried on independent of each other; for this 'End both the Oven and Kiln ſhould have ſtrong and thick Crowns or 'Coves, at the ſpringing of which the Flues may moſt conveniently be 'made, through which the Flame or Heat is to be conveyed to the Stills 'or Coppers placed over them, or, if thought neceſſary, a double or 'falſe Crown might be added, ſo as more effectually to repreſs the Heat 'when required; obſerving, that when the Veſſel over the Oven is to 'be kept cool, the Regiſters of the Flues leading to it from the Oven 'are to be cloſed, and the Heat thereby confined to the Lime Kiln alone; 'and when the Veſſel over the Lime Kiln is to be cooled, the Regiſters 'under that being in the ſame Manner cloſed, the Heat is then carried 'off through a Flue or Chimney erected for that Purpoſe, or may even 'again be employed for ſome farther uſeful Purpoſe at Pleaſure: Alſo, 'when the Heat is admitted to the Veſſel over the Oven, it paſſes from 'thence by other Flues into the Middle or higher Part of the Lime Kiln; 'theſe have alſo Regiſters in them, which either exclude or admit the 'Flame through thoſe Channels, or prevent its returning from the Lime 'Kiln to the Veſſel over the Oven, when that is to be kept cool. It is 'fit that the Regiſters in the different Flues ſhould be of good and ſo-'lid Metal, well framed, and ſhould be double, having a Space between 'them; into which Space, if the outward Air is alſo admitted by a 'ſmall Opening for that Purpoſe, which may be ſtopped at Pleaſure, it 'will greatly contribute to the more perfect ſuppreſſing of the Heat. 'From this Conſtruction it is plain that, with ſlight Variations, on the ſame

'Plan and Principle, this Invention may be employed for One or more 'of the above Purpoſes, with One, Two, or even more Stills or Boilers, 'and with or without the Lime Kiln, according to the Situation or Bu- 'ſineſs intended.'

And whereas His ſaid moſt Excellent Majeſty, by His other Letters Patent, under the Seal appointed by the Treaty of Union to be made uſe of in place of the Great Seal of *Scotland*, bearing Date the Tenth Day of *November*, in the Twenty-ſixth Year of His Reign, did give and grant unto the ſaid *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, the like Licence, Power, Privilege, and Authority, of making, uſing, exerciſing, and vending, his ſaid Invention, within that Part of His Majeſty's Kingdom of *Great Britain* called *Scotland*, for the like Term of Fourteen Years; with a Proviſo obliging him, by Writing under his Hand and Seal, to cauſe a particular Deſcription of the Nature of the ſaid Invention to be inrolled in His Majeſty's Chancery in *Scotland*, within Four Months after the Date of the ſaid recited Letters Patent; in purſuance of which Proviſo the ſaid *Henry Seymour Conway* did cauſe ſuch Deſcription to be inrolled in the ſaid Chancery of *Scotland*, upon the Twenty-third Day of *January* One thouſand ſeven hundred and eighty-ſix, in the ſame Words and Form, and to the ſame Effect, as that herein-above mentioned as inrolled in the High Court of Chancery of *England*: And whereas the ſaid Invention, in the Opinion of competent Judges, who have inſpected the ſame, and examined the ſaid *Henry Seymour Conway*'s Method of conducting the Proceſs thereof for the Purpoſes above mentioned, and alſo of other Perſons who have actually uſed the ſame, will be attended with many beneficial Conſequences to the Publick, as thereby the Expence of the Whole or the greateſt Part of the Fuel uſed in thoſe Proceſſes to which the ſame Invention is applicable will be effectually ſaved, and in ſome Caſes a Gain or Profit will be abſolutely obtained upon the Fuel ſo employed: And whereas the ſaid *Henry Seymour Conway* devoted a very conſiderable Portion of Time, and expended very large Sums of Money, to the Detriment of his private Fortune, in bringing his ſaid Invention to Perfection; but notwithſtanding the Advantages reſulting to the Publick from the Uſe of the ſaid Invention, and although Thirteen Years of the Term contained in the ſaid firſt-mentioned Letters Patent, and Nine Years of the Second, are elapſed, he has not been able hitherto to reimburſe himſelf the great Expence which he has incurred: And whereas, upon the Expiration of the ſaid Letters Patent, which will happen the Firſt within One Year, and the latter within Five Years from the preſent Time, the Publick at large will (unleſs reſtricted) be entitled to uſe and exerciſe the Invention thereby ſecured, which will be a very great Prejudice to the ſaid *Henry Seymour Conway*, and deprive him of the Means of reimburſing himſelf the Expences which he has ſuſtained in bringing his ſaid Invention to Perfection; and as ſeveral Years may elapſe before the Uſe of the ſaid Invention can become ſo general as to produce any conſiderable Profit, the Expiration of the ſaid Letters Patent will entirely prevent him from being reimburſed his ſaid Expences: And whereas the ſaid *Henry Seymour Conway*, under theſe Circumſtances, is induced to apply to the Legiſlature to have the Terms granted by the ſaid Letters Patent prolonged, and his Property in the ſaid Invention ſecured for ſuch

His Majeſty's Letters Patent for *Scotland* recited.

Great Expence of the Invention.

Time as may enable him to be reimburſed his ſaid Expences, and to obtain a Recompence adequate to his Labour, Time, and Expence, employed about the ſaid Invention: To the End, therefore, that the ſaid *Henry Seymour Conway* may be enabled, by the Prolongation of the Terms contained in the ſaid Letters Patent, to obtain an adequate Recompence for his Labour, Time, and Expence, in and about his ſaid Invention, May it pleaſe Your moſt Excellent Majeſty (at the humble Petition and Requeſt of the ſaid *Henry Seymour Conway*) 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 Firſt Day of *January* One thouſand ſeven hundred and ninety-ſix, the ſole Privilege and Advantage of making, uſing, exerciſing, and vending, the ſaid Kiln and Oven, herein-before particularly ſet forth and deſcribed, within the Kingdom of *Great Britain*, ſhall be, and are hereby declared to be veſted in the ſaid *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, for and during the Term of Twenty Years; and that he the ſaid *Henry Seymour Conway*, 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 *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, ſhall at any Time agree with, and no others, from Time to Time, and at all Times during the Term of Years herein-before mentioned, ſhall and lawfully may make, uſe, exerciſe, and vend, the ſaid Kiln and Oven within the Kingdom of *Great Britain*, by the Method herein-before deſcribed, in ſuch Manner as to him the ſaid *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, ſhall in their Diſcretions ſeem meet; and that the ſaid *Henry Seymour Conway*, 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 his ſaid Invention, for the ſaid Term of Twenty Years, to have, hold, receive, and enjoy, the ſame, for and during and to the full End and Term of Twenty Years as aforeſaid; and that no other Perſon or Perſons, within the Kingdom of *Great Britain*, ſhall at any Time during the ſaid Term of Twenty Years, either directly or indirectly, make, uſe, or put in Practice, the ſaid Invention, 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 thereunto, or Subtraction from the ſame, whereby to pretend himſelf or themſelves the Inventor or Inventors, Deviſor or Deviſors thereof, without the Licence, Conſent, or Agreement, of the ſaid *Henry Seymour Conway*, his Executors, Adminiſtrators, or Aſſigns, in Writing under his or their Hand and Seal, or Hands and Seals, firſt had and obtained in that Behalf, upon 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 *Henry Seymour Conway*, his Executors, Adminiſtrators, and Aſſigns, according to Law, for his and their Damages thereby occaſioned.

Sole Privilege of making and vending the Invention veſted in the Right Hon. *H. S. Conway*, his Executors, &c. for 20 Years.

II. Provided always, and be it hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice

Act not to hinder the uſing any In-

or hinder any Perſon or Perſons from making, uſing, exerciſing, and vending, of a Kiln and Oven for the Purpoſes aforeſaid, by any Method which is not the Invention of the ſaid *Henry Seymour Conway* as aforeſaid, or which has been publickly uſed or exerciſed by any other Perſon or Perſons before the Time of the Date of the ſaid Letters Patent herein recited; but that all ſuch Methods which are not at preſent of the ſaid Invention of the ſaid *Henry Seymour Conway*, or are not particularly ſpecified in this Act, ſhall be and remain to the Publick, and to the reſpective Inventors thereof, as if this Act had never been made; any Thing herein contained to the contrary notwithſtanding: 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.

vention, which is not the Invention of *H. S. Conway*.

III. Provided always, That if the ſaid *Henry Seymour Conway*, his Executors, Adminiſtrators, or Aſſigns, or any Perſon or Perſons who ſhall at any Time during the ſaid Term of Twenty Years have or claim any Right, Title, or Intereſt, in Law or Equity, of, in, or to, the Power, Privilege, or Authority, of the ſole Uſe and Benefit of the ſaid Invention, 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 ſaid 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 herein-before contained to the contrary thereof in anywiſe notwithſtanding.

Privileges not to be transferred to more than Five Perſons, &c.

6 *Geo.* I. Cap. 18.

IV. And

Publick Act.

IV. And be it further enacted by the Authority aforeſaid, 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.

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FINIS.