

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1857. Toronto: Stewart Derbishire & George Desbarats, 1857.

20 Victoria – Chapter 226

**An Act to extend to the Province of Canada Letters Patent granted to Henry Bessemer for certain improvements invented or discovered by him, in the manufacture of Malleable or Bar Iron and Steel. Assented to 10th June, 1857.**

Whereas Henry Bessemer hath by his petition set forth that he is a British subject, and has invented or discovered certain new and useful Improvements in the manufacture of Malleable or Bar Iron and Steel, which have not been used or known by others within the Province of Canada or any other country, previously to the invention or discovery thereof by him, and that Letters Patent for the said invention or discovery were granted to him by Her Majesty the Queen, bearing date the twelfth day of February, One Thousand Eight Hundred and Fifty-six, for the term of Fourteen Years, and hath prayed that the said Letters Patent may be extended to this Province; And whereas it is reasonable and expedient to grant the prayer of the said petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. The said Letters Patent, a copy of which is contained in the Schedule to this Act annexed, shall be and they are hereby extended to this Province, and it shall and may be lawful for the said Henry Bessemer, his executors, administrators, assigns, and agents, to make and use and vend to others to be made and used within this Province, to the exclusion of all other person or persons whomsoever, the aforesaid Invention or Discovery upon the terms and conditions in the said Letters Patent expressed and contained, and upon the further condition that a Copy of the said Letters Patent stamped with the Great Seal of the Patent Office of the United Kingdom be recorded by the proper officer in the book kept for that purpose in the Office of the Provincial Secretary and Registrar; and on the production of such copy, so sealed, it shall be the duty of such officer so to record the same.

Schedule.

[L.S.] "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 Henry Bessemer, of Queen Street Place, New Cannon Street in the City of London, Civil Engineer, hath by his Petition humbly represented unto Us that he is in possession of an invention for "Improvements in the manufacture of malleable or bar Iron and Steel," 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 his 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 Henry Bessemer, his executors, administrators and assigns, Our especial license, full power, sole privilege and authority, that he the said Henry Bessemer, 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 Bessemer, 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 Henry Bessemer, his executors, administrators and assigns, or any of them, shall in his or their discretion seem meet. And that he the said Henry Bessemer, 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 licenses, powers, privileges and advantages hereinbefore granted or mentioned to be granted unto the said Henry Bessemer, 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 Henry Bessemer, 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 hereinbefore declared, We do by these presents for Us, Our Heirs and Successors, require and strictly 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 Henry Bessemer as aforesaid, nor in any wise 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 consent, license or agreement of the said Henry Bessemer, 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 Henry Bessemer, 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 he 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 Henry Bessemer, 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 any thing 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 Henry Bessemer 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, any thing hereinbefore contained to the contrary thereof in any wise notwithstanding. Provided also, that these our Letters Patent or any thing herein contained, shall not extend or be construed to extend, to give privilege unto the said Henry Bessemer, 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 Henry Bessemer, his Executors, Administrators and Assigns, and all and every other person or 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 Henry Bessemer, 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 Henry Bessemer, 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 sixteenth year of Our Reign, Chapter 5; And also if the said Henry Bessemer, 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 Henry Bessemer, 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 to 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, any thing hereinbefore contained to the contrary thereof in any wise notwithstanding. Provided that nothing herein contained shall prevent the granting of Licenses, in such manner and for such considerations as they may by Law be granted. And lastly, We do by these Presents for Us, Our heirs and successors, grant unto the said Henry Bessemer, his Executors, Administrators and Assigns, that these Our Letters Patent or the filing thereof, shall be in and by all things good, firm valid and sufficient and effectual in the Law, according to the true intent and meaning thereof, " and shall be taken, construed and adjudged in the most favorable and beneficial sense for the best advantage of the said Henry Bessemer, 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 cause thesed Our Letters to be made Patent this Twelfth day of February, one thousand eight hundred and fifty-six, in the nineteenth year of Our Reign, and to be sealed as of the said twelfth day of February, one thousand eight hundred and fifty-six.

“By Warrant,

Signed,            EDMUNDS.

“ We hereby certify the above,  
to be a true Copy,

“(Signed) W S. Sheppard,  
Ed. Towers,  
Clerks in the Great Seal Patent Office.”