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**BILL.**

An Act to extend to this Province Letters Patent, granted to William Edward Newton for certain improvements in the method of effecting the separation of the fibres of Wood for the manufacture of Paper therefrom, and for the separation of other substances for similar or other purposes.

**PRIVATE BILL.**

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Received and read, 1st time, Tuesday, 23rd  
April, 1861.

Second reading, Wednesday, 24th April,  
1861.

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**MR. DUNKIN.**

Mr. H. J. GIBBS,  
Parliamentary Agent.

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**QUEBEC:**

**PRINTED BY THOMSON, HUNTER & CO.,  
ST. URSULE STREET.**

An Act to extend to this Province Letters-Patent granted to William Edward Newton, for certain improvements invented or discovered by him in the method of effecting the separation of the fibres of wood for the manufacture of paper therefrom, and for the separation of other substances for similar or other purposes.

**W**HEREAS, Azel Storrs Lyman, of the City of New York, in the United States of America, Gentleman, hath, by this Petition to the Legislature, represented that he is the inventor of an improved method of effecting the separation of the fibres of wood for the manufacture of paper therefrom, which process is also applicable to the separation of the fibres of flax or other substances for the manufacture of textile fabrics, and also to the separation of other substances for similar or other purposes, for which invention Letters-Patent were granted in England to William Edward Newton, Patent Agent, on behalf of your Petitioner, by Her Majesty the Queen, bearing date at London, the twenty-first day of June, in the year of Our Lord, one thousand eight hundred and fifty-eight, which said Letters-Patent were afterwards, to wit: on the twenty-sixth day of November, in the same year, duly assigned to the said Azel Storrs Lyman by the said William Edward Newton, by deed of Assignment, a copy whereof is contained in Schedule B, to this Act annexed, and whereas, the said Azel Storrs Lyman is desirous of obtaining Letters-Patent in the Province for the said invention with the view of establishing a manufactory therein, and hath prayed in his said Petition that such Letters-Patent be granted to him, and considering that the said invention is calculated to call into existence in this Province a new and valuable branch of industry, and to convert into a source of available wealth products to be found in Canada in great abundance, but now of little or comparatively no pecuniary value, it is expedient to grant the prayer of the said Petition: Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. The said Letters-Patent, a copy of which is contained in Schedule A, to this Act annexed, shall be and they are hereby extended to this Province, and it shall and may be lawful for the said Azel Storrs Lyman, 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.

Preamble.

The Letters Patent annexed to this Act extended to this Province:

Assignee of Patent to erect buildings within one year.

2. Provided always, that the said Azel Storrs Lyman, his Executors, Administrators, Assigns or Agents shall within one year after the passing of this Act, establish and erect in such part of this Province as shall be deemed most convenient, buildings and machinery sufficient to carry out the objects of the said Letters-Patent and to bring into use the said invention, otherwise the privileges granted under this Act shall cease and determine.

3. This Act shall be deemed a Public Act.

#### SCHEDULE A.

“ Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.  
 “ To all whom these Presents shall come, Greeting: Whereas William Edward Newton, of the Office for Patents, 66 Chancery Lane, in the County of Middlesex, Civil Engineer, hath by his Petition humbly represented unto us, that he is in possession of an invention for “ An improved method of effecting the separation of the Fibres of Wood for the manufacture of paper therefrom, which is also applicable to the separation of the Fibres of Flax or other substances for the manufacture of Textile Fabrics, and also to the separation of other substances for similar or other purposes,” which the Petitioner believes will be of great public utility, that the said invention has been communicated to him from abroad, 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 the 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 notion have given and granted, and by these Presents, for us, our heirs and successors, do give and grant unto the said William Edward Newton, his executors, administrators and assigns, our especial license, full power, sole privilege and authority, that he, the said William Edward Newton, his executors, administrators and assigns, and every of them by himself and themselves, or by his or their Deputy or Deputies’ Servants or Agents, or such others as he the said William Edward Newton, 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 the 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 William Edward Newton, his executors, administrators and assigns, or any of them shall, in his or their discretion, seem meet. And that he the said William Edward Newton, 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 William Edward Newton, his executors, administrators and assigns, for and dur-

“ing 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 William Edward Newton, his executors, administrators and assigns,  
 “and every one 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 condi-  
 “tion soever they be within Our *United Kingdom of Great Britain* and  
 “*Ireland*, the *Channel Islands* and *Ile 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 William Edward Newton 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 Inven-  
 “tors, Devisor or Devisors thereof without the consent, license or agree-  
 “ment of the said William Edward Newton, his executors, administra-  
 “tors, 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  
 “William Edward Newton, his executors, administrators, or 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 William Edward Newton, 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 Let-  
 “ters-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 in-  
 “convenient 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 *Ile of Man*, or that the same was not first introduced  
 “therein, by the said William Edward Newton, as aforesaid, these Our  
 “Letters-Patent shall forthwith cease, determine and be utterly void,  
 “to all intents and purposes, anything hereinbefore contained to the  
 “contrary thereof in any wise notwithstanding. Provided also, that  
 “these our Letters-Patent or anything herein contained, shall not ex-  
 “tend or be construed to extend, to give privilege unto the said William  
 “Edward Newton, his Executors, Administrators or Assigns, which  
 “hath heretofore been found out or invented by any other of Our sub-  
 “jects whatsoever, or any of them, to use or imitate any Invention or  
 “Work, whatsoever, and publicly used or exercised within our *United*  
 “*Kingdom of Great Britain* and *Ireland*, the *Channel Islands* and *Ile*  
 “*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 William Edward Newton,  
 “ 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 Let-  
 “ ters Patent are upon this express condition, that if the said William  
 “ Edward Newton, his Executors or Administrators, shall not particu-  
 “ larly 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 William Edward Newton, his Executors, Admin-  
 “ istrators 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 Patent for In-  
 “ ventions, before the expiration of three years from the date of these  
 “ Our Letters-Patent pursuant to the provisions of the Act of the six-  
 “ teenth year of Our Reign, Chapter 5 ; And also, if the said William  
 “ Edward Newton, 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 to 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 William Edward Newton, his Execu-  
 “ tors, Administrators or Assigns, shall not supply or cause to be sup-  
 “ plied for Our Service, all such articles of the said invention as he or  
 “ they shall be required to supply by the Officers or Commissioners ad-  
 “ ministering 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 pur-  
 “ pose 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 granted, shall utterly cease, de-  
 “ termine and become void, anything hereinbefore contained to the con-  
 “ trary thereof, in any wise notwithstanding : Provided that nothing  
 “ herein contained shall prevent the granting of Licenses, in such man-  
 “ ner 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 William Edward Newton, his Executioners, Ad-  
 “ ministrators 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 William Ed-  
 “ ward Newton, his Executors, Administrators or 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 Success-  
 “ ors in Our *United Kingdom of Great Britain and Ireland, the Chan-  
 “ nel Islands and Isle of Man*, and amongst all and every the Subjects  
 “ of Us, Our Heirs and Successors whatsoever and wheresoever, not-  
 “ withstanding 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 Twenty-first day of June, one thousand eight hundred and  
 “ fifty-eight, in the twenty-second year of Our Reign, and to be sealed  
 “ as of the said twenty-first day of June, one thousand eight hundred  
 “ and fifty-eight.

“ By Warrant,

(Signed,)

“ EDMUNDS.

“ We hereby certify the above

“ to be a true Copy,

“ (Signed,) A. J. PROTHERO,

“ ED. TOWERS,

“ Clerks in the Great Seal Patent-Office.”

#### SCHEDULE B.

“ This Indenture, made the twenty-sixth day of November, in the  
 “ year of our Lord one thousand eight hundred and fifty-eight, between  
 “ William Edward Newton, of the office for Patents, 66 Chancery Lane,  
 “ in the County of Middlesex, Civil Engineer, of the one part, and Azel  
 “ Storrs Lyman, of the City, County and State of New York, in the  
 “ United States of America, Gentleman, of the other part. Whereas,  
 “ the said William Edward Newton obtained Letters-Patent from her  
 “ present Most Excellent Majesty, Queen Victoria, bearing date the  
 “ twenty-first of June, one thousand eight hundred and sixty-eight, for  
 “ an invention of an improved method of effecting the separation of the  
 “ fibres of Wood for the manufacture of Paper therefrom, which is also  
 “ applicable to the separation of the fibres of flax or other substances  
 “ for the manufacture of textile fabrics, and also to the separation of  
 “ other substances for similar or other purposes,” thereby giving and  
 “ granting full power, sole privilege and authority unto the said  
 “ William Edward Newton, his executors, administrators and assigns,  
 “ or such others as he or they should at any time agree with, and no  
 “ others, from time to time and all times during the term of fourteen  
 “ years thereby granted, to lawfully make, use, exercise and vend within  
 “ the *United Kingdom of Great Britain and Ireland, the Channel*  
 “ *Islands and Isle of Man*, the said Invention in which said Letters-  
 “ Patent is contained a proviso avoiding the said Letters-Patent, and  
 “ all liberties, privileges and advantages whatever, thereby granted, in  
 “ case the said William Edward Newton should not by an instrument in  
 “ writing under his hand and seal, particularly describe and ascertain  
 “ the nature of the said Invention and in what manner the same was to  
 “ be performed 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 now reciting Letters-Patent: And whereas the period limited  
 “ by the said proviso contained in the said recited Letters-Patent for  
 “ filing a specification of the said Invention has not yet arrived, and  
 “ whereas the said William Edward Newton hath agreed to assign the  
 “ said Letters-Patent to the said Azel Storrs Lyman, the said William  
 “ Edward Newton having obtained the same on behalf of, and as Agent  
 “ for the said Azel Storrs Lyman: Now this Indenture witnesseth that  
 “ in pursuance of the said agreement and in consideration of the sum of  
 “ five shillings of lawful English money to the said William Edward

" Newton, paid by the said Azel Storrs Lyman, (the receipt whereof is  
 " hereby acknowledged,) and in consideration of the premises, he, the  
 " said William Edward Newton, doth by these presents grant, bargain,  
 " sell, assign, transfer and set over unto the said Azel Storrs Lyman, his  
 " executors, administrators, and assigns, all that the said invention  
 " herebefore mentioned and all those the said before Letters-Patent  
 " bearing date the twenty-first day of June, one thousand eight hundred  
 " and fifty-eight, together with all privileges exclusive and other powers,  
 " benefits and advantages whatsoever to the same or to the said Inven-  
 " tion and Letters-Patent belonging, or in any wise appertaining, or  
 " used, exercised or enjoyed therewith, and all the estate, right, title,  
 " interest, property, claim and demand whatsoever, both at law and in  
 " equity, of him the said William Edward Newton, of, in, to or out of  
 " the said Letters-Patent hereby assigned or expressed and intended so  
 " to be, to have, hold, receive, take and enjoy the said Invention and  
 " Letters-Patent, and all and singular other the premises hereby as-  
 " signed or expressed and intended so to be with the profits and advan-  
 " tages incident thereto and to be derived therefrom unto the said Azel  
 " Storrs Lyman his executors, administrators and assigns, for all the  
 " residue and remainder now to come and unexpired of the said term of  
 " fourteen years. by the said Letters-Patent granted, and the said  
 " William Edward Newton doth hereby for himself covenant and agree  
 " with the said Azel Storrs Lyman his executors, administrators and  
 " assigns, in manner following (that is to say), that he the said William  
 " Edward Newton, shall and will at the costs of the said Azel Storrs  
 " Lyman his executors, administrators or assigns, execute a specifica-  
 " tion of the said Invention and cause the same to be filed pursuant to  
 " the proviso contained in the said Letters-Patent, and the said William  
 " Edward Newton for himself his heirs, executors and administrators,  
 " doth hereby further covenant and agree with the said Azel Storrs  
 " Lyman, his executors, administrators and assigns, that he the said  
 " William Edward Newton hath not at any time heretofore made, done,  
 " committed, omitted or wittingly or willingly permitted or suffered to  
 " be done any act, deed, matter or thing whatsoever, whereby or by  
 " reason or means whereof the said recited Letters-Patent or the rights,  
 " privileges, powers, authorities, benefits or advantages incident thereto  
 " or conferred thereby are or can, shall or may be impeached, charged,  
 " incumbered or prejudicially affected in any manner whatsoever or  
 " whereby or by means whereof he the said William Ewd. Newton is  
 " hindred or prevented from assigning or transferring the same, or ren-  
 " dered the less liable to assign or transfer the same to the said Azel  
 " Storrs Lyman, his executors, administrators and assigns, in manner  
 " aforesaid and according to the true intent and meaning of these  
 " presents. And also that he the said William Edward Newton, his  
 " executors, administrators and all and every other person or persons  
 " having or claiming, or who shall or may have or claim any interest  
 " into or out of the said Letters Patent and premises hereby assigned  
 " or intended so to be, or any part thereof by, from, under, or in trust  
 " for him the said William Edward Newton, his executors, adminis-  
 " trators or assigns shall and will, from time to time, and at all times  
 " hereafter during the continuance of the said term of fourteen years  
 " by the said Letters-Patent, granted upon the request and at the cost  
 " and charges of the said Azel Storrs Lyman, his executors, adminis-  
 " trators or assigns, make, do and execute, or cause or procure to be  
 " made, done and executed all such further and other lawful and rea-  
 " sonable acts, deeds, assignments and assurances in the law whatsoever,  
 " for the better and more absolutely assigning and transferring the said



" Letters-Patent and premises hereby assigned, or intended so to be unto  
 " the said Azel Storrs Lyman, his executors, administrators or assigns,  
 " as by the said Azel Storrs Lyman, his executors, administrators and  
 " assigns, or his or their Counsel in the Law shall be reasonably advised  
 " and required. In witness whereof the said parties to these presents  
 " have hereunto set their hands and seals the day and year first above  
 " written :

(Signed,) W. E. NEWTON, (Seal.)

Signed, sealed and delivered by the within-named William Edward  
 Newton, in the presence of

(Signed,)	J. W. MOFFAT,	} Clerk to Newton, junr., 66, Chan-
(Signed,)	C. J. WINTERGILL,	