

Scientific American.

NEW-YORK, MAY 10, 1856.

The Woodworth Patent Extension Scheme.

The Senate and House of Massachusetts have, by an unanimous vote, passed resolutions against the further continuation of the great Lumber Planing Monopoly; the Members of Congress from the Old Bay State are likewise officially instructed to use all honorable means in their power to prevent the renewal of the patent.

When we state that the Massachusetts House of Representatives consists of about four hundred members, and that the resolutions we speak of were passed without a dissenting vote, it will be understood that the people of that State have a deep feeling upon the subject; they have long endured the oppressive operations of the Monopoly; it rests like an incubus on their mechanical and inventive genius; its greedy grasp is felt in almost every branch of their industry. With one voice, therefore, they protest against its further continuance.

The Chairman of the Committee in the Massachusetts Legislature, to whom the subject of the Woodworth Patent was referred, made a very able report, which we herewith present to our readers. It should receive a careful and deliberate reading.

We also present an interesting letter from the Putman W. Taft, Esq., from whom we received copies of the resolutions. Mr. Taft has long been distinguished for his lively interest in all that promotes the welfare of working people. He is a member of the House, and labored with great zeal to procure the present public expression of the views of that body.

HOUSE OF REPRESENTATIVES, }
BOSTON, April 25, 1856. }

MESSRS. MUNN & Co.—In your paper of the 22d of March I saw a statement that a resolution had passed the New York Senate with great unanimity remonstrating against the further extension of the Woodworth Patent. In some of your papers of prior or subsequent date I have also noticed that similar resolutions have passed the Legislatures of Ohio and Louisiana during the past winter. I now have the pleasure of transmitting a copy of a report and resolves upon the same subject, which have been *unanimously* adopted by both branches of the Massachusetts Legislature. I send them to you for publication in the SCIENTIFIC AMERICAN, as being the organ and true exponent of principles best calculated to promote the true interests of the industrial and producing classes in the United States; and while advocating the rights of the inventor to their utmost limits consistent with the constitution, is still the uncompromising foe of Monopoly, especially when that monopoly seeks not only to oppress and paralyze the inventive genius of our mechanics by numerous and vexatious law suits, but also enters the political arena with its hundreds of thousands of ill-gotten gain—filched from the earnings of labor by enormous tax—as an electioneering fund to elect Senators and Representatives in Congress who are willing to become its pampered menials; and to bribe, corrupt, and debauch our national Legislature for no other purpose than to perpetuate its own existence. I send them, too, that the mechanics in our sister States may know that the *people* of Massachusetts, without regard to trade, calling, occupation, or profession, are a unit upon this question, and are ready to instruct their Representatives and Senators in Congress to oppose the further extension of that gigantic monopoly. This is not the first time that Massachusetts has spoken upon this subject. In 1852, while a member, I procured the names of all the members of both branches of the Massachusetts Legislature to a remonstrance against the renewal or further extension of the Woodworth Patent, and sent it to Washington. The Committee on Patents, to whom was referred the petition of Wm. Woodworth, speak of that remonstrance as embodying the sentiments of the people of the

State, and as being entitled to high consideration. I trust that the resolves which have just been passed, without a dissenting vote, in one of the largest State Legislatures in the United States (amounting as it does to about four hundred members) will be duly appreciated this year by the Congressional committee having the same subject under consideration.

I have in my possession, and shall forward in a few days, a remonstrance signed by nearly a thousand of the mechanics of the city of Worcester, of which number I have the honor of being one. Other similar papers will be sent from Greenfield, and other parts of the State. Very respectfully yours.

PUTMAN W. TAFT.

COMMONWEALTH OF MASSACHUSETTS, }
IN SENATE, April 12, 1856. }

The Joint Committee on Manufactures, to whom were referred certain resolves relating to Woodworth's Planing Machine, have duly considered the same, and submit the following REPORT:

Your Committee learn that Woodworth's Planing Machine was first patented in 1828.—The patent was originally issued for fourteen years; it was then extended by the Commissioner of Patents for seven years, and again, by an Act of Congress, seven years longer, making, in all, twenty-eight years. The last extension will expire in December, 1856. Efforts are now making to have it extended fourteen years longer.

The Constitution of the United States provides, that "Congress shall have power to promote the progress of science and useful arts, by securing, for *limited times*, to authors and inventors, the exclusive right to their respective writings and discoveries." This exclusive right can only be conferred for a limited time, not perpetually. The object of this provision is, to allow time to the inventor to mature and test the merits of his invention, and also to give him the exclusive right of manufacturing, vending, and operating the same for a series of years, that he may obtain a reasonable remuneration for the time and expense necessary to perfect the invention. This time has been fixed, by law, to fourteen years, and is sometimes extended to twenty-one years in extraordinary cases. The invention then becomes public property by the condition of the grant—by the terms of the contract between the patentee and the government. The case should be of an extraordinary character in which the rights of the public are divested for a second term, and the duration of a monopoly prolonged by an act of special legislation.

But the case must be still more extraordinary in which Congress is invoked to grant a third extension for a term equal to that of the original patent, thus reaching forward to a second generation, and depriving them of the benefit, not only of the patented machine, but of all subsequent inventions which, by refinement of judicial construction, quickened by the ramifying interests of a profitable monopoly, may be brought within any of the changing phases which ambiguous language may be made to assume, for the purpose of expanding the claim of the patentee.

This patent has already been extended for a term almost unparalleled in the history of the government, and one is almost amazed at the effrontery and pertinacity with which interested parties seek to continue this odious monopoly. The immense profits that have been derived from the use of this patent enables the parties to exert a tremendous power for their own advantage. By a perfect combination of the numerous assignees all over the Union—by making every user of the machine an interested party—by promises of a continuance of the monopoly, and by making each contribute to the general fund—by requiring all those interested to join in memorializing Congress, and in writing letters to the Senators and Representatives—by the employment of the best legal talent in the land—by subsidizing the press, as far as possible, they are able to create what may seem to the Members of Congress to be a public opinion in favor of their petition. It is on this account, and because the public has no ordinary enemy to contend against, that there is an urgent necessity for legislative action.

Twenty-five per cent. of the cost of dress-

ing lumber by these machines is now paid to the holders of the patent right. Thus this patent affords an annual revenue of several millions of dollars, much of which has been, and still continues to be used, to perpetuate its own existence. So long as it shall continue it fixes a direct and heavy tax upon nearly all the machine-dressed lumber in the country. It imposes heavy burdens upon all people, the poor as well as the rich, by compelling them to pay much higher prices for lumber with which to build and repair their shops and dwellings than would otherwise be required. All who use the machine are required to charge the same prices for work, and thus there can be no competition among them. Should the patent be still further extended there is no prospect of a reduction of rates, for when the last extension was granted there was an immediate rise in the price of work, adding from a dollar to a dollar and fifty cents per thousand feet to the former prices.

The Committee on Patents of the House of Representatives in Congress, in the year 1852, in their report against the extension of the Woodworth Patent, use the following language:—

"The various grants from the government have invested the memorialist with the most profitable monopoly which was ever granted to a citizen. They have imposed upon the public the most onerous burden of taxation for the benefit of a single man, which was ever inflicted upon the country. The profits have been shared by him and his voluntary grantees. The public have borne the burden. They have borne it so long that it may well occasion surprise. But when they are asked to bear it longer, the inquiry naturally arises, when is the burden to cease? Are thirty-one States to be taxed for another term of fourteen years, that one citizen may become rich enough to satisfy not only himself, but all the grantees with whom he chooses to share the national bounty? If the millions already paid are not sufficient to satisfy the claim, how many millions more are demanded? The country is now paying \$15,000,000 annually, for work which can be done for \$3,000,000. *A profit of one hundred per cent. would seem to be sufficient*, upon an article of indispensable necessity. But even beyond this, there is an excess of \$9,000,000 a year, to be paid by the public for fourteen years. And even this furnishes no guarantee that a new extension will not be applied for before the term begins to run. The next Congress may be told, as we are told now, that the extended term has been sold out by the administration for \$50,000, and that the debt due to William Woodworth has not yet been paid to his son.

But the debt has been paid. The application is without a shadow of claim, either upon the justice or the bounty of Congress. This patent should no longer stand as a bar to inventive genius; the public should no longer be burdened with its exactions; this department of American industry should no longer be clogged with the revival of an expiring monopoly. The country is one of progress and growth. It is rich in its builders, its mechanics, its artisans; it is rich in its boundless forests, and neither the axe which fells the tree, nor the implements which adapt it to the uses of life, should be made the instruments of needless exactions."

Your Committee, therefore, recommend the passage of the accompanying Preamble and Resolutions.

For the Committee, B. F. WHITE,
Chairman.

RESOLVES

RELATIVE TO WOODWORTH'S PLANING MACHINE.

Whereas, We believe the true object of our patent laws to be, protection to the inventor, and not the establishment of a monopoly in the hands of speculators in patents, that may tax the industrial pursuits of the country, without an equivalent; and whereas, we believe the renewal a second time of the patent on Woodworth's Planing Machine, would be a violation of the spirit and design of our patent laws, and fix an unjust and oppressive tax on the mechanical pursuits of the country, therefore

Resolved by the Senate and House of Representatives of the Commonwealth of Massachusetts,

That our Senators and Representatives in Congress be requested to use all honorable means in their power, to prevent the renewal of said patent, upon the application of William W. Woodworth, or any person in his behalf.

Resolved, That the Governor of the Commonwealth be requested to forward copies of the foregoing Preamble and Resolution to our Senators and Representatives in Congress.

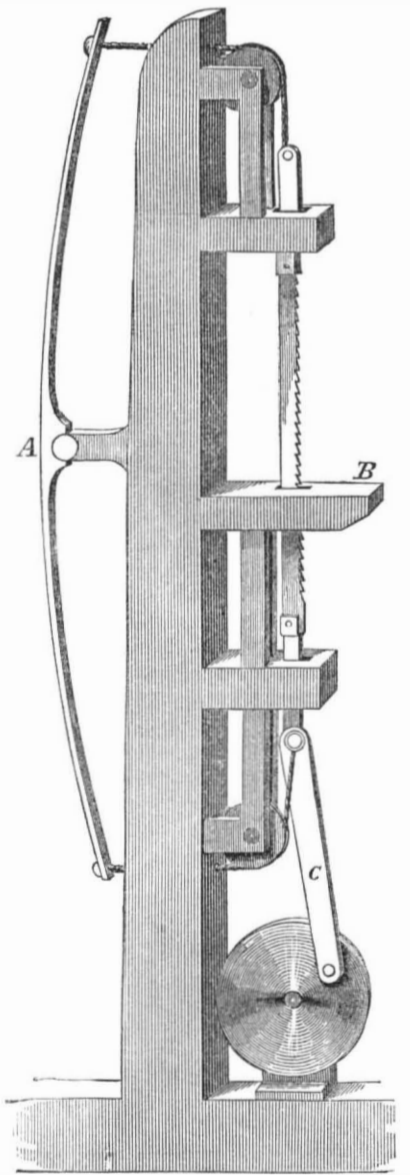
Recent American Patents.

Contrivance for Cleaning Knives—By A. C. Ketchum, (assigned to E. B. Olcutt,) of New York City.—The knives are secured side by side upon a flat board, by means of a clamp, and another board having leather strips, or strips of other suitable elastic material, attached to its under surface, is rubbed back and forth on the knives, and thus they are scoured. This invention is the essence of simplicity.

Improved Electric Printing Telegraph—By Henry N. Baker, of Union, N. Y.—This telegraph differs from other electro-magnetic printing telegraphs principally in the devices, which are employed for sending and for receiving and printing the communications. The various parts are simpler than the ordinary printing telegraphs, and it is much less expensive.

Improvement in Saw Mills—By T. Sharp, of Albany, N. Y.—This invention consists in straining the saw by means of a single spring placed behind the standard, as shown in the engraving.

A is the spring, pivoted in its center. The ends of the spring are connected, respectively with the ends of the saw, by cords which pass over friction rollers. The heads of the saw pass through guide holes in the frame.



The tension with which the saw is strained depends on the stiffness of the spring, which, of course, can be regulated at pleasure. As the saw moves up and down the spring vibrates back and forth on its pivot, always keeping up the same strain. The stuff to be cut is fed against the saw, at B, in the usual manner. Motion is given to the saw by pitman C.

The inventor states that this improvement entirely does away with the heavy and ex-