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[Patent office/ correspondence/ 1814-1836]

Department of State
Patent Office 21st Nov 1822

Sir,

In obedience to the resolution of Congress of the 16th of April last, requiring information through you "whether any of the Officers in the Department of State are engaged in other pursuits or professions in no wise relating to the public Service", I have the honor to observe, that when first Commissioned by President Washington, 28 years ago, I had a Salary of $1600; & being a member of the Board of Commissioners, I could visit my Farm occasionally, for Days or even Weeks, without injury to the Public Service; but since that Board was dissolved, my Duties as Superintendent of the Patent Office became so urgent as to induce one of your Predecessors to engage that my Salary should be $2000 p. annum, which, however, I never received but one year. Those Duties have constantly been increasing, till they require such incessant attention that I have not been able to visit my Farm above twice a year for a few hours each time; & instead of my Farm aiding now in supporting me, I am obliged to support my Farm; & I cannot resort to my Medical Profession, nor to any other, because it would interfere with my public Duties; from which I have scarcely absented myself for two days during several years past.

As I am confident that the Justice of Congress dictated this Enquiry, I am in hopes that the result may tend to the benefit of those who have honestly performed their Duties, & that my Salary will not be paid according to the inverse ratio of my Duties, but that I may be paid what was promised for my services, & which in honor ought to be paid.

I am, Sir, with the highest respect & Consideration, &c.

William Thornton.

Honorable John Quincy Adams,
Sec^y of State of the
United States.

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Department of State (Patent Office)

November 23d. 1822.

Sir,

In answer to your letter, addressed to Doctor Thornton, requiring information of the Clerks and Messengers in this Office, respecting any employment they may have except their duties in Office; — I can state for myself, that I have no other business at present. Formerly, out of Office hours, I gave lessons to young officers in the Navy, and to others, in Mathematics; but which I did not consider any breach of duty, nor any injury to the public service: however, I have done very little in this during the present year; and will altogether discontinue it if required.

I am very respectfully,

Your obedient servant,

Wm. Elliot —

To the Hon. John Q. Adams,
Sec'y. of State of the U. States

Exd
JWR

Dept. of State Patent Office

Nov. 23d. 1822

Sir,

I am employed as a Messenger in the Patent Office, and have been requested to state to you whether I have any other employment. — I have not.

I am very respectfully

Your obt. servant.

R. W. Fenwick

To the Hon. John Q. Adams
Sec'y. of State of the U. States

Exd
JWR

Department of State,

Washington 19th. Nov. 1822.

In obedience to a request of the Secretary of State, made in pursuance of a Resolution of the House of Representatives of the 16 of April last, the undersigned has the Honour to state, that he is not engaged in any pursuit or profession other than that of

Notary Public without business.

Josias W. King End
[illegible] JJK

Department of State
Washington 20 Novemr. 1822.

In obedience to a request of the Secretary of State, made in pursuance of a Resolution of the House of Representatives of the 16 of April last, the undersigned, Clerks in this Department, have the honour to state, that they are not engaged in any pursuit or profession other than that relating to the public service

Fontaine Maury
Th. L. Thurston
George E. Ironside
Linnaeus Smith
John Bailey
John Martin Baker End
[illegible] JJK

Department of State
Washington 21st Novr. 1832.

In obedience to a request of the Secretary of State, made in pursuance of a resolution of the House of Representatives of the 16th of April last, the undersigned has the honour to report that he is engaged in no profession or pursuit which necessarily interferes with his duties in the Dept of State – his ministerial duties being generally performed (those of Sunday excepted) in the evenings. – But were it even otherwise, he feels no hesitation in saying, that any time which may have been occupied in this way during office hours, has been amply compensated by official services rendered by his son, as most of the Gentlemen in the Dept, will, I feel confident, readily testify.

Andw. T. McCormick

End
[illegible] JJK

Department of State
November 20th 1822.

In pursuance of a resolution of the House of Representatives of the United States, of the 16th April last, I beg leave to state; that I have not engaged in any pursuit or profession unconnected with the public service. It may, however, be proper to observe, that I have interested in a farm in the vicinity of this City, which I occasionally visit; in which case, I usually go in the afternoon, and return the next morning.

R. Forrest

Ex. A

The subscriber, Chief Clerk of the Department of State, respectfully states to the Secretary, that he is engaged in no Pursuit or Profession other than that of the Public service — It may be proper, however, to mention, that he has a farm in the neighbourhood of this City, under the management of a Person employed by him, which he occasionally visits, and remains at for short periods, seldom exceding a day, when the Duties of the Office conveniently admits of this indulgence.

Ex B

Washington 20th Nov. 1822. Daniel Brent

Sir,

On the 15th of August last, I had the honor of sending to you a representation, with accompanying papers, relative to a publication of the last year by a certain Mr. Nathaniel Sylvester; since as by Doctor Thornton's letter of the 18th I was informed, that the same remained in his possession on account of your absence. I hope the Gentlemen will have had, now, the goodness of laying the whole of them before you, agreeably to my request of the 22d same month. Sometime having already elapsed, without hearing of any result, I conjecture that said papers lay, perhaps, the table for consideration: but conceiving that you might probably be disposed to set them aside, under the general impression that the Sect. of the Law of July 21st 1795 exclusively provides for redress in similar cases,

find myself unavoidably obliged, to trouble you once more on the subject, by shewing that, if I claim the single value of your sentiment it is, in my opinion, a correct step and the only legal one that my case can admit. This being the principal point, which I propose to demonstrate, I shall with your leave postpone it with some explanatory remarks, rendered indispensable by my circumstances. But before I begin, I respectfully pray you, Sir, to bear constantly in mind, that the frankness of my sentiments is never to be considered, in any of its expressions, as divested of that sincere veneration, which the high dignity of your Station and of Government, justly claims from every freeman; and above all, that the arguments I propose to offer, are by no means intended as established principles, but reasonable positions submitted for candid examination.

If Doctor William Thornton, the Director or Superintendent of your Patent Office is positive in his letters to me; I am able to assert upon his own Authority:

† { I. That he, in his said capacity, did not appraise Mr. Sylvester of my patent and Publication.

II. That the personages appointed by the Standing laws to solemnize a National Patent, granted in 1824 that of Sylvester, without paying any regard to the Exclusive Right warranted to me in 1822.

* III. That if a Patent is demanded, it will be issued from that Office, though it is even known that it interfers with a previous one.

By the first of these sentences, I cannot but perceive a material forgetfulness, if not ignorance, of the Office's Records on the part of that Gentleman; as well as a kind of indifference at the regularity thereof: By the 2d. it appears to me, that your entire confidence in the knowledge and vigilance of the Incumbent, has been eventually disappointed. And by the 3d. I have reason to lament the evident facility with which Patents are granted, whereby the original Inventors, launching their discoveries to the Public with a bonafide

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† Doctor Thornton's letter to J. Ch. Peyton dated August 9th 1825.

* Dto. . . . . dto. . . . dto. . . . . do. . . . dto. . 18th do

reliance on the encouraging Law of Congress find themselves unexpectedly exposed to the Surreption of wilful adventurers; to dilatory and expensive litigations; and to the distressing waste of their means and time, in prosecuting the offender. Such being my circumstances, I am kindly consoled by the Supplications Doctor, with the following phrase in his last letter to me of the 18th August last: "But you will find that such a Patent may be set aside by the Institution of the Law by a speedy process". How speedy said process may be, I do not see that it regards at all, whether I have or have not the means to undertake it; and whether I must forsake, on its account, the daily profession which alone affords me a frugal subsistence.

But the more I meditate on this unpleasant consolation, the more I think it repugnant to the feelings of an old Citizen, who sincerely loves and reverences the Authority of his Country. If the Nation suffers the privileges solemnly granted through her Sovereign Will, to any living person, to be brought in question and annulled by a Court of Justice, I shall never be the mover of the suits. I consider, Sir,

I. That Mr. Sylvester acts under a National Authority, which my moral and social duties forbid me to oppose.

II. That he, therefore, is not answerable to me but solely to the High Power, which partially protects him.

Nor can I, with any sense of equity, denigrate his active and industrious influence already acquired, as I understand, throughout the Union, because the credit of a rational being is generally reputed by sensible souls as more valuable than life itself. Besides, this unchartitable measure would apparently prove an antidote both dilatory & useless after all, because the heavy expenses of publications &c. calculated to counteract in every quarter the impressions made by him, would by far exceed my pecuniary means, in consequence of which any insufficiency would bid me to sink under his evident oppressions, and leave the happy Alien to prey on any interest and comfort as he pleases.

But, Sir, on turning the leaf of this despondent detail, a sudden Inspiration (not for me a Gentleman of the Law, because for

want of means I am not in the habit of consulting any, but one of those that sometimes awaken my mind) encourages me to view my present case as partaking of such a singular hue, as to be, in statu quo, exempt from the cognizance and decision of the District or any other Court of the U. S. Dispensing with the auxiliary doctrines of Grotius, Vattel, Puffendorf and such other celebrated Civilians, guided by simple common sense, I submit the following arguments, which I sincerely take to be correct:

I. The above mentioned Sect. 10th. of the Law provides a redress, through the District Court, against patents surreptitiously obtained by Citizens; but in my present case the surreption comes from a National Favourite, who is not a Citizen of the U. S.

II. The very purport of the late Act of May 26th 1824, evidently shows, that it was never intended by the Statute, nor expected by the Judiciary Power.

III. Should it be insisted upon, that my redress is only to be obtained by the usual proceedings through the District Court of the U. S; then, as the prosecution should necessarily arise from the retrospective effect of said late Act, the same would exhibit the symptoms of an ex post facto Law, incompatible with Sect. X & 1 of the Federal Constitution.

IV. The decisive jurisdiction manifested by Government† to said Alien, wears the clear appearance of its grant pretending to be a new sovereign Act on National Responsibility, and cognizable by none but itself.

V. Hence it follows, that Government, if unwilling to grant me a relief at his hand, and generously disposed to see my grievance impartially redressed, by letting the extent of its responsibility be determined by a National Jury, I rea-

† Under this denomination is to be understood the Legislative & Executive Powers, both being the Authors of the Patent in question.

reasonably expect that it will probably think on the expedient of passing an Act, whereby, waiving its dismissal Decision, I may be authorized to issue process against the same before the Supreme Court; and in that case, enable to employ counsel, I cannot avoid claiming the honor of being there admitted as Amicus curiae.

When I reflect, Sir, on the prominent bearings of my present case, my affliction leads me to lament the issuing of Sylvester's Patent, and its concomitant incongruity, as a Deed consummated by mere Power, unsupported by any Right; and in this very manner I consider myself to have been unexpectedly divested of my lawful property, for the purpose of bestowing the same on the fortunate Englishman who on stepping on this liberal Land, ignorant (as I charitably suppose him to have been) of American Discoveries, boldly claimed the attention of Government, as the Inventor of a previous Invention.

The fifth Art of the Amendments to the Federal Constitution positively enjoins, that "private property shall not be taken for public use without just compensation," how then be presumed, that such a sublime Charter of this grand political Compact, did ever think it probable that our Government, sitting (as it is solemnly bound to do) under its authority, should at a future time take the property of one old Citizen, not for the use or benefit of the Public, but solely to regale with it a Foreigner just arrived? And will any honest Citizen pretend to assert, that the unfortunate sufferer must undergo the ordeal of a Judiciary Power, when the very Constitution that created it did not foresee, and consequently intend to place the fact in question under its jurisdiction?

But to prove unanswerably, that in the case under consideration, I have nothing to do with Mr. Sylvester nor any Court whatever, give me leave to appeal to plain Moral Equity. The honourable laws of this virtuous Community, being founded in Nature, are immutable, and can suffer no alteration but what may be attempted by daring force and of

pression. One of the brightest Axioms that adorn its Sanctuary is that "the Author of a damage is bound to repair the same", as self-convicted by the Fact." The questions and answers broadly hinted by this Doctrine are so obvious and natural as to entitle me, for the sake of brevity, to declare that I hold and look upon our Government as my sole and real Debtor for all damages.

By this last conclusion, nothing remains for me to do but follow the universally recognized rules of Commerce, whereby mariners and merchants make a formal abandonment to the Underwriters or whosoever it may concern, of their wrecked ships or goods as unworthy of their further pursuits: And accordingly, as the Act of May 26th and the Patent issued in favour of Mr. Nathaniel Sylvester on the 12th July 1824, appear evidently to me to have superseded my Patent of August 13th 1822, the same, not deserving my further attention, is hereby solemnly renounced and abandoned for the account of Government, entertaining the confident expectation that its Justice, its Dignity, and its known Liberality will not withhold from me an equitable compensation therefor.

In closing my actual Representation, permit me, Sir, to call again on your superior penetration and generally admired urbanity, inviting you with the utmost deference to favour me with the speedy display of any objection you might conceive against my exposition of the 15th of August last, or the contents of the present. Anxiously wishing to be corrected if wrong, but to be righted if right, I beg you to consider me as any honest Logician, who sincerely looks for truth, and scrupulously follows it in the full extent of his mental faculties; hence rather diffident than positive, Reason alone will with me maintain or reject my greatest interest. Under this candid assurance, I do solemnly protest and promise to retrace my steps, and silently quash my pretentions, whenever I can be made sensible

that the ground I have assumed is materially defective and untenable. To this reasonable object my fervant prayers are directed, and considering the ample stock of information which you possess to ascertain the fact, I do anticipate to myself the gratification of receiving your respectable sentiments thereon.

But if unheeded, and left to my insulated reflections, it is evident that no other resource is left to me but that of troubling the attention of Congress at their next Session. Unwillingly, indeed, I shall yield to the necessity of such a measure, still I will not so much regret it, as the dread that the nature of my case may afford matter of detraction to ill disposed Editors & scribblers, who eagerly seize every opportunity for scandalously inveighing against the most liberal of earthly Governments.

Conscious, Sir, that the probable crowd of National affairs under your serious consideration, must view a private application like this as a disagreeable diversion; I do devoutly beseech you to forbear the liberty I have taken, as I propose to be the last, unless you condescend to reason with me, and your observations require from me further illustrations.

With the most sincere and profound respect,
I have the honor to be, Sir, Your most
Obedient & very humble Servant,
James Ph. Puglia
Prof. of For. Lang.

Mount-Airy's College, Germantown
Philad.a Co. September 5th 1825.

Ex.d
S.F.R.

Honourable Henry Clay,
Secretary of State of the U.S.
Washington.—

(25[illegible]

Dept of State, patent office,
November 23d. 1825. —

Sir,

Some time ago, I promised to take the liberty to give you some important improvements on the patent-law, suggested by observation in that office for several years. They are briefly as follows. —

1st. An explanatory clause to the two of the first section of the patent law is wanted. At present the phrase reads, "not known or used before the application". Query, what is meant by application? Is it for a patent? Or, is it the application of the invention to some new and useful purpose? This ambiguity of expression has been the cause of much litigation; and has been the cause of some patents being set aside; because the inventor had used his own invention before he applied for a patent: which is both absurd & unjust.

2d. When a patent exceeds 1000 words it ought to be charged at the rate of 20 cents per 100 words for all above that number; besides the value of the parchment; for some patents have been issued which have cost the government more than 100 dolls. although charged only thirty.

3d. There should be a new section granting inventors caveats for one year, which would allow them time to perfect their inventions; and would prevent the workmen which they employ from stealing their inventions, and taking out a patent before the true inventor. A caveat might be charged five dolls. By this means the public revenue would be increased, and much litigation prevented.

I will take the opportunity most respectfully to suggest, that all money received for patents be immedi-

ately deposited in bank, in the name of the applicant, by some block in your office; and when wanted, either to pay the patent fee or to be returned drawn out by check. By this means no mistake could ever occur with regard to the patent fee's being first paid before the patent is issued; and all responsibility on that account removed from this Office.

As respects myself I am particularly desirous this course should immediately be pursued; for at present I am often made responsible for money without any adequate guard by which I may be protected from imposition.

I am most respectfully, Your obedient servant

End 8 W.R. To Dan'l Brent Esqr. Wm. Elliot

Dept. of State
Patent Office, 12th Decr. 1825.

Sir,

The inclosed Letters were written in 1821, since which the Patents have increased greatly in number, but the Duties do not increase merely in the proportion of the number of Patents issued, but also in the difficulties arising from a recurrence to all that have preceded: The weight of the Duties therefore may be considered as compounded between the increased number of Patents issued, & the laborious intricacies arising from this interminable progression; for it requires no small labour to wade through many thousand patents already issued, to guard with incessant and watchful attention against ingenious projectors, who seek by various means to reinstate themselves in those that are expiring, or that have become public property; some by inclosing them under small additional Improvements & some attempting to obtain Patents for Inventions that are of foreign origin; to guard against which requires an examination of the Repertories of the Arts &c. — All these with the very extensive com

pondence*, render the situation of the Superintendent one of the most difficult and irksome of the Executive Officers & in the estimation of considerate & intelligent men entitled to as much compensation at least as any of the officers under the Heads of Departments: for the Hon. Robert Smith, then Secy. of State, considered the Superintendt. of the Patent Office as entitled to a Salary of $2000 pr. annum in the year 1810, & the never-ceasing Duties which are daily increasing, not only in quantity but still more in quality, would surely entitle the person who is thus situated, to as much compensation as those Officers whose time is only occupied by almost an invariable routine, requiring little more than daily attention, without a single scientific investigation whatever, and whose labours terminate with the Duties fulfilled, but the more are fulfilled in the Patent Office, the more difficult are the subsequent duties. –

I am, Sir, with the highest respect & consid.n &c.

Honorble. Henry Clay — William Thornton — End

Secy. of State of the U.S. – J.W.R.

[illegible]

Patent Office, Feb. 23d. 1826.

Sir,

Having been requested to state what duties Robert Fenwick performs in this Office, I answer. –

Besides doing the usual business of a messenger in a public office, he copies in a book most of the letters written to correspondents respecting patents, &c.

It is also with pleasure I state, that as far as I am acquainted, he has uniformly conducted himself in this of-

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* Within these eight years the Secy. of State can judge of this labour, as, since that time, tho' not before, all letters to the Patent Office have been opened by him, except those sent directly to the the Superintendt. or conveyed to him by private hands, or those franked by due authority. –

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fice obligingly, & with fidelity and industry. —

I am, most respectfully,

Your much obliged and obedient servant,

Wm. Elliot.

To Dan'l Brent Esqr.

End. W.M.

City of Washington 12th Novr. 1821.

Dear Sir

While you were the Secretary of State I had the honor of submitting to your Consideration the Duties of my Office, & you being convinced that they were not ordinary Duties, thought it proper to give me such a Compensation as you deemed compatible with the public Good, and stated in a written memorandum dated on the 16th Day of June 1816, that my salary should be at the rate of $2000 pr. annum, from the 1st day of July following, and I received at that rate for some quarters; but the Duties of the Dept. of State requiring afterwards some additional Clerks, this salary was not paid to me regularly. — Your Predecessor, Mr. Madison, has occasionally given me at this rate, but my salary had not been fixed, till you were so good as to determine it. — In consequence of no due appropriation I addressed the Congress, & the appropriation in my favor passed both Houses, but not in the same Session, therefore was not enacted: at last my papers to contained the written agreement, with which you were so good as to honor me, and a letter from President Monroe, when Secy. of State, also from Mr. Rush, when retiring from that Office, & from Mr. Secy. Adams, all concurring with you, & recommending the measure, were, at the last Session of Congress mislaid or lost in the Senate, and I am now without the aid of these important Papers. Therefore, though I with great reluctance trouble you with old affairs, I am under the necessity of soliciting a Certificate that you honored me with such a paper; for I must apply to Congress again on this subject; & try to obtain what may be considered as some compensation for the total

and never-ceasing dedication of my time & labor to an Office which requires great attention; & which precludes me from retiring occasionally into the country for relaxation, & from engaging in any other beneficial employment.

By favouring me with such a Certificate you will very much oblige me.

I am, dear Sir, with the highest respect, and consideration, yr. sincere Friend &c.

Honorable Robert Smith. William Thornton –

Washington County, District of Columbia –

Personally appeared William Thornton, who made solemn affirmation to the Truth of the foregoing statement. –

Affirmed this 15th Novr. 1821. before

Enoch Reynolds J.P. End I.H.R.

(455 a.d.)

William Thornton Esqr.

Sir,

I cannot allow myself to entertain any doubt as to the correctness of your statement in the foregoing letter to me. It is confirmed by the accompanying documents, I have, however, greatly to regret that my memory does not enable me to state with the requisite accuracy the term and conditions of the written memorandum dated June 16. 1810. But will not Congress receive, as equivalent to the original, your affidavit of the Contents of the last paper, and especially as the loss is not imputable to you.

With Respects. &c. &c.

R. Smith

Baltimore Nov. 17. 1821. End I.H.R.

(100 a.d.)

W. Thornton's respectful Compts. to the Hon: Secy. of State & requests he will be so obliging as to lay the inclosed before the President of the U. States. –

Dept. of State

Patent Office 8th May 1826 – End I.H.R.

(40 a.d.)

Dep^t of State
Patent Office, 8th May 1826.

Sir,

At a time when I know you must be very much engaged with official Duties, I lament the necessity of requesting your attention to any thing that shall tend to increase them; but the Patent Laws are so inefficient, that complaints are made from all parts of the Republic, of the unprotected State of the Arts & Sciences. I have revised every section, & made every alteration that I conceive to be necessary, & have given, in another paper, my reasons, at large, for every alteration thus made. These have been in the hands of the Judiciary Committee, of which Mr Webster is Chairman: but he says nothing can be done in the business this Session. If the Committee would expend one hour in considering it, they might report thereon: & from so very respectable a Committee, what they would recommend, I have no doubt, would be adopted by the House. My Public Duties have suffered, repeatedly, by my not having the liberty of franching & receiving letters free of postage. The Hon. Post-Mast^r Genl is so convinced of the propriety of this, that he informed me if I would write to the Committee on Post-Offices & Post-Roads, on the subject, he would give his opinion in writing, to the same honorable Body. —

If the Judiciary Committee should not incline to act on the Patent Law, I was in hopes they would have taken into consideration my Salary. I would rather execute the Duty of the Treasurer, the Register, the Second Controller, or one of the Auditors, for $2000: being all generally duties of routine, than the Duties of my Office for $3000, yet they have each $3000, & I have only half as much, & not more than the common Clerks of the Offices, or the Door-keepers of Congress! — A Bill^s reported to give me an additional Clerk: But this only diminishes the Duties of the Clerks, & lessens not my labours: for I correspond with the whole Nation, on the most difficult Subjects, & every Letter is written with my own hand, and every patent issued by me, amounting now, to double the number that were

issued when the Hon. Robert Smith appointed me to a salary of $2000. per annum.

I understand that wishing to diminish their labours, the judiciary Committee have requested my Claims & Salary may be submitted to the Committee of Claims, of which Mr. Williams of North Carolina is the Chairman, but which Committee is generally conceived to be, not very propitious to any claim, however just: and I have not waited on any member of Congress, for I think it proper to permit whatever I claim to rest on its own merit, rather than on the private favours of Individuals, however respectable, influential or powerful; and in thus presuming to address you, & to request your attention to this subject, I should be very unwilling to solicit any thing that you may deem incompatible with your public Duty.

I am, Sir, with the highest respect & consid.

Yrs. &c. William Thornton

President of the United States.

End
JJ.

(594 ad.)

Dept. of State

Gentlemen, Patent Office. 8th May 1826.

As the Patent Office is a branch of the Dept. of State & I have not the power of franking & receiving Letters free of postage, I am obliged to send all the public letters & Patents to the Secy. of State, to be franked: he is often engaged in Council & they delayed. I have also been obliged to open the Letters addressed to me in the Post Office, and send the public Letters to the Secy. of State to pay the postage, obliging him thus to keep an account of all the public letters sent to me &c. not only subjects him to much inconvenience, but this delays also than Letters which often come from great distances, & thus many posts depart before the Letters can be answered, which involve the Citizens in unforeseen difficulties that can only be corrected by giving to the Superintendt. or Director of the Patent Office, the power of franking & receiving Letters free of postage, that amount to not more than two ounces, leaving larger pack-

Packets still subject to the Secy. of State.

To grant the franking privilege to the Patent Office, has been recommended by every President & every Secy. of State, for they have successively experienced the inconveniences of this power not have been granted, tho' frequently promised.

I submit this with the greatest deference, & am,

Gentlemen with the highest respect & consid.n &c.

Congress of the United States. William Thornton

(262 [illegible])

Patent Office, 16th June 1826.

Dear Sir,

If the Hon. Secy. of State has ordered the arrangement you mention, respecting the Patent Fees, I am satisfied, otherwise I will not permit Mr. Elliot or any other Gentleman to make the arrangements of my Office. – I feel sufficiently the degraded State in which the late Secy. placed me, by directing all the Letters of my office to be opened by others, to permit any direct encroachments on my station without repelling them. – I served under Mr. Madison, Mr. Monroe, and Mr. Rush, no letter directed to my office was ever opened by any of them, nor was there ever a Dollar missing. – I have no objection to the arrangement, but any regulations respecting my office shall never be made by any other than myself, except the Secy. of State, to whom only am I amenable – I mean not in any respect to reflect on you, for you have always acted towards me with the utmost politeness. –

I am, dear Sir, very respectfully, Yrs. &c.

Daniel Brent Esqr. William Thornton –

(202 [illegible])

Dept. of State.

Sir, Patent Office 16th June 1826.

The Drawings of this Office amount to many thousands, & they can neither be reduced or enlarged with ease, without a Pantagraph, which will cost $40. With your permission I will therefore obtain

one, from Mr. Pishey Thompson, & send his account to the Dept. of State.

I am, Sir, with the utmost respect &c.

Honble Secy. of State of the U. S. William Thornton Exd JMR

August 1st 1826.

Dear Sir,

I am truly sorry that you have sent us Coal that will not burn. Last year we were without fires half our time & have most of the Coal remaining still. – I was in hopes after what I said that we might have been permitted to lay in our own Coal. I beg that this small coal fit only for Blacksmiths may be taken back, because we cannot use it.

Very respectfully &c.

Danl Brent Esqr W: Thornton – Exd JMR

(82 words)

Department of State

Dear Sir, Patent Office 18th Aug^st 1826

The sixth Vol. of Dobson's Encyclopedia was loaned to Mr. Colvin, while in the Dept of State & was never returned. – It is therefore probaly lost, unless to be found in the Library of the Dept. – The last Vols. from the letters S.A.P. were never received, & I request you to send to Mr. Dobson for them to compleat the work.

I am very respectfully, Yr &c.

Daniel Brent Esqr William Thornton

Dept. of State Exd JMR

(60 words)

Dept. of State –

Sir, Patent Office, 28th Novr 1826

I consider it not only a duty to my Family & myself but to those Gentlemen who are in my Office, & consequently to the public, through an attention to them, to give a candid Statement of the Clerks required in the Patent Office, necessary to perform the current Business, and to submit, with great deference, whether the Superintendent & the several Clerks are not entitled to be con-

sidered by the Government in the same light as persons employed in the secondary branches of the various Departments of Government, and to be provided for with as much liberality, for it will be unanimously admitted that the duties require at least as much learning ability and attention as any of those. –

It will require two Clerks to copy Specifications of Patents, to endorse and arrange the Papers, & answer the numerous Enquiries, assist in answering and recording Letters, separating Inventions, & interferences &c.

It will require two Clerks to record . . . the Patents handsomely in Books, to arrange the Drawings, and to make out a proper Index &c.

It very frequently happens that the papers sent to this Office are incorrectly written; it therefore requires those of intelligence & good Education to perform the duties of copying, recording &c.

As this Office is a Section of the Department of State, & the high duties thereof were performed by a Board consisting of the Secy. of State, the Secy. of War, & the Attorney Genl. of the United States, it cannot be considered as an Office of small importance especially as its duties have increased at least six fold, and as the business increases must of course become more & more difficult, because the numerous Inventions & Improvements have always to be referred back, to what has been done; so that the labours are not increasing merely by numbers, but in a compound ratio; which is not the case with any other Office, where the Business is a matter of mere routine, and the labours finish with the Day, & are not subject to an eternal recurrence, – requiring a continual stretch of memory & an attention to all the Acts & Decisions, not only known, but in progression; increasing the Correspondence of the Superintendent accordingly. –

This Office stands in the same relation to the Department of State that the Genl. Land Office does to the Treasury Dept

artmt. and that the Offices of the Auditors & the Pension Office do to the various Departments of which they are branches; and as the Duties enumerated require at least as much talent & industry as any of the above, it would be but reasonable that those who are employed should receive the same Compensation that these Officers have enjoyed under the Classification law of 1818.[11] — If this be admitted by the Honble. Secy. of State, through whom a very extensive Correspondence is daily passing, it is hoped that the labours of this Branch of his Department will claim his Official attention, & that so important an Office will not fail to engage his Support. It was deemed worthy of the attention of President Madison, who, as an enlightened, scientific Gentleman & Statesman, few have ever equalled.*

According to the Salaries of the various Auditors, Commiss: of the Land Offc. & those under them, the Provision for the Patent Office would require — For the Superintendent . . . $3000 pr. annum, with the liberty of franking & receiving Letters free from postage.

For Senior Clerk from 1400 to 1700 pr. annm. —
For three other Clerks, from 1000 to 1150 Do. —
For Messenger . . . . . 700 Do. —
For Machinist . . . . . 700 Do. —

I will here remark, that the above statement relates only to carrying on the current Business of the Office; & should it be required to bring up the recording to the present time, it will require additional temporary aid. —

This Office has never enjoyed its proper rank: it is an office which has done much to encourage & perfect the useful & liberal Arts of this Country, & from which a considerable revenue has been derived. It has produced, during the last seven years,

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[11] See an Act to fix the Compensation of Clerks &c. in the diff: Offs. Vol: 6th ch: 369 P. 318 - Laws of the U. S.

* See his Message to Congress on retiring from Office.

at the small rate of $30 a patent $42.000; and I will here beg leave to suggest that a suitable Building be erected for the Office & models in a convenient place, out of the money received for Patents. — I have no doubt that from the commencement of the System of issuing Patents — between $50.000 & $60.000 at least have been received in the Treasury, after deducting every expence relative to the Patent Office.

I have the honor to be Sir, with the higest respect & consid^n. &c.

Honble. Henry Clay — William Thornton

End J.M. Sec^y. of State of the U.S.

(1012 wds)

Dear Sir,

Please to state to the Hon: Sec^y. of State that the bearer, Mr. Myggott has an American work for sale, entitled the Mechanick's Magazine which would be useful in the Patent Office if he would permit a Copy to be purchased for the use thereof. — The price is $3.—

Very respectfully

Daniel Brent Esqr. W. Thornton

End J.M. Dep^t. of State — 12th. Decr. 1826 —

Departm^t. of State

Patent Office 9th. March, 1827.

Sir,

Mr. Little was engaged by the authority of the late Secretary of State in recording Patents, & when the subject was reported on by the Committee of Congress, & considered in the House of Representat^s. it was so approved as to pass that House, & by the Senate it met with no opposition, but was introduced at so late a period, as to be excluded from consideration. As it is a duty that must finally be fulfilled, I presume the sooner it is encountered the better, & it appears perfectly under the control of the Sec^y. of State,

by the 11th § of the Patent Law of 1793 — Indeed whatever Duties are required in fulfilling the Law, relative to the issuing of Patents, appear to be provided for in the same section, & to be completely under the authority of the Hon.ble Secy. of State, except where Congressional acts have fixed the Compensation of the persons who are engaged in executing the Law. And though the compensation of the recorders of Patents has been placed so very low, and it would not be prudent to exceed that small sum, yet the voice of one House of Congress having been made known, I presume no person could object to the continuance of the duty thus approved & thus limited. — Mr. Little's abilities are so well known that I have deemed it unnecessary to make any observation on that subject. — These impressions are submitted with the greatest deference & respect. —

I am, Sir, with the highest respect & consideration —

Hon: Henry Clay, Secy. of State of the U. States. William Thornton

End JGR

(312 wds)

Daniel Brent Esqr.

Dear Sir,

Not knowing when the pressure of other business will permit the Secretary of State to look into my affair, I thought it best to request you when you conceive him to be sufficiently disengaged to present him with the enclosed Account. I cannot but hope that he will determine to continue this work through another year, but if not, it is of great importance to me to get paid for what I have done. —

I am, Sir, with great respect Your most obedt.

March 9, 1827. Robert Little

End JGR

(9[illegible] wds)

The Hon Henry Clay
Secretary of State.

Sir. By the permission and ad-

vice of my friend Col. Trimble I enclose you a Copy of the Report made by the Committee of the H. of R. on the affairs of the Patent Office. Though the direct object of this report was not obtained at the late Session, yet it is presumed that enough was elicited by it, to induce you to order payment for my past services, and to continue them by the aid of the Contingent fund of the Department, until provision can be obtained from Congress more effectually to fulfil the Law.

I am Sir, Your most obedient

Robert Little

Exs. Washington
H R March 5, 1827.

(117 wds)

The Select Committee to whom was referred so much of the Report of the Secy. of State of the 13th of Jany. 1827 as relates to the Patent Office, Respectfully report

The Patent Office was established by an act of April 1790 "to promote the progress of useful arts". That Act was repealed by the act of Feby. 1793 and the Office since that date, has been regulated by the provisions of the latter act. This act secures to inventors the full and exclusive right to their respective inventions and improvements for the term of fourteen years. It requires each inventor to file a petition and deliver a written description of his invention or improvement, and of the manner of using it; and in the case of a Machine, he is to give a full explanation of the principle, and the mode of application. These descriptions or specifications, together with the Models, Specimens, drawings and written references are to be deposited in the Office and preserved for the use and benefit of the inventor and the public.

Each inventor is allowed to take out a patent for his invention or improvement, upon his petition and specification, and the act declares that the same "shall be recorded in a book kept for that purpose in the office of the Secretary of State".

The Law further requires, each inventor to pay thirty dollars into the Treasury of the United States, before he presents his petition for a patent and declares that "the money thus paid shall be in full for the Sundry Services to be performed in the office of the Secretary of State consequent on such petitions, and shall pass to the account of Clerk hire in said office"

The Committee have thought proper to refer the House to some of the requisitions of the act of 1793 for the purpose of showing that the Government undertakes to perform "Sundry Services" for each patentee whom it grants a patent, and requires from each an equivalent for those services. Upon inquiry & examination at the office it is found, that the Government has failed to perform a part of those services; and that the failure has already been injurious, and is likely to become much more so, to the public, as well as to the patentees. None of the Patents have been recorded as the Law requires, from the year 1802 to the 4th of March 1825, nor the Committee is satisfied, that the failure is owing to the want of the requisite assistance of Clerks in the office. The Law allows only one Clerk to assist the Superintendent, and it is believed that two are indispensably necessary to record the patents as they issue, and perform the current business of the office. The present Secretary of State directed an extra Clerk to be employed in the business of recording patents, and with his assistance the patents issued after the 4th of March 1825 have been duly recorded up to the 1st of May 1826. No provision was made for additional Clerks at the last Session of Congress; and the extra Clerk was discharged; the consequence of which has been that the Patents issued since the 1st of May 1826 remain to be recorded. —

The Committee consider it proper to inform the House that the Models are not kept in fire proof apartments; and

that the utility of the Model Office is very much diminished in consequence of its deranged condition; the models being placed on the floor and shelves of the office, in the most irregular manner, without any System, order, or classification.

It is the opinion of the Committee that the Government after receiving from Patentees an equivalent for its services, is bound in justice to them and the public to apply the money in performance of its promises; and that the failure on its part to have the Patents properly recorded, and the models properly preserved is in contravention of its statutory stipulations. It is the interest of the public & the Patentees, that the records in arrear should be brought up as speedily as possible, and that in future the business of recording should be done, if possible, as fast as the Patents issue.

The amount of money received into the Treasury for fees on letters Patent from 1793 to 1826 is $135.690; and the disbursements during the same time was only $63.757. It is certain that there is a balance of at least $60.000 in the Treasury, applicable under the law of 1793 to the account of Clerk hire, in the Patent Office, and it is manifest that the proceeds of the office are nearly double the amount of its disbursments, including salaries, Clerk hire, and all other expenses and cotingences whatever. It was not the policy of the Law, nor the intention of Congress, to make the Patent Office a source of revenue; and the Committee can see no reason why the Money in the Treasury to the account of Clerk hire, should not be applied to the service of the Office.

It is believed that one or two extra Clerks ought to be employed in the business of recording patents until they bring up the Records in arrear, and for that purpose the Committee ask leave to report the following resolution — &c —

Exd
J.S.R.

(117)

W. Thornton's respectful compliments to the Hon. Secy. of State, & re

turns the inclosed, as it appears to be of a private nature.

Dept. of State Pat. Off: 12th Apl. 1827. Exd Ofh

(Sec. Wd.)

Hon.ble H. Clay, Vincennes March 22d. 27.

Sir,

I recd. yesterday a letter from Hon J Jennings dated 1st March informing me he had failed in making the deposit of $30. in the U. States Treasury, which I spoke of in my letter to you enclosing the necessary papers for a patent of the Facility Spinner.

I must respectfully solicit your attention, to patronize and aid me in this useful Machine. Enclosed you have a blank deed for the District of Columbia and Maryland, which any Gent or Comp. can own on the payment of the above sum in the U. States Treasury. I challenge the best Artists or Mechanics to show a well grounded objection to this Spinner. I am well assured this Machine will be introduced in the different Woolen Factories. If this scheme should fail to raise the money, please to let me know, I have sold conditionally. If its patented 3 of the Southern States for $1000. I have directed my Brother Ross to exhibit this machine to the Lexington Agricultural Society. —

Your goodness to this will be amply reciprocated by

Your friend & Humble Sect.

Hon H. Clay Wm R McCall Exd JHC

Dept. of State.

Dear Sir, Patent Office 14th May 1827.

Mr. Elliot waited on the Hon. Secy. of State with the papers of Mr. Sealy, for a patent for ornamenting Cider & Beer Pumps with ornaments of gloss instead of metal. — The application is not for a new and useful invention in this case, but only for an ornamental invention, by merely changing the substance which the second § of the Patent Law of 1793 declares "shall not be deemed a Discovery". — When I refused to issue a patent positively against the

the express Letter of the Law, Mr. Blagrove appealed to the Hon: Atty: Genl. but he has not received an answer. — The Atty Genl. could not be expected to give an answer till the query was officially put to him, through the Hon: Secy. of State: for as the Attorney Genl. has to "certify that the Patent has been examined by him, & he finds the same conformable to the law", it has always been deemed the Duty of the Hon: Atty Genl. to decide Questions of this kind, & the mode of approaching him is only officially through the Hon: Secy. of State, who has never been considered as subject to investigations of this troublesome nature. — I am dear Sir very respectfully Yrs &c

Ex. Daniel Brent Esqr. William Thornton

Dept. of State

Sir, Patent Office 28th Augst. 1827.

I understand that Mr. John M. Benham has appealed to you in consequence of my refusal to include in his Patent what I know to be a public & common right. He solicits a patent for making Tubes by laying water proof cement in the Ground, round a Tube, which he will slide out as the covering of the Cement progresses, & I stated that I did not know of any objection to his having a Patent for the same: but where he stated that he meant to make Conduits for Water of brick & stone laid with the water proof Cement, I objected to his inserting these, as it includes a common principle that would invade the rights of our Fellow Citizens in every part of the Union; and involve them in Law suits: for Conduits are made of stone and Brick in many parts of this City, laid with Mortar, & have been in use for more than thirty years; and it would invade a public right to attempt to prevent those who make such Conduits from using any kind of lime mortar they may please to purchase & use, for this Water cementing lime is but a poor lime, sold here publickly. — Besides the great Tunnel under the Thames is made in the same manner. — I therefore think it my Duty officially to protest against this intended violation of a public right. —

I am Sir, with the highest respect & consid. Yrs &c

Ex. Hon: Henry Clay, Secy. of State of the U.S. William Thornton

Dept of State.

Sir, Patent Office 11th Sept 1827

Mr Wood, the Bearer of this, is desirous of taking out a Patent for burning Bricks made of clay in the usual manner, except that he mixes pounded anthracite or Lehigh Coal with the clay. I told him that I could not grant a Patent for this, as Mr Lovell has used fine Coal, & Cinders more than twenty years ago, mixed with the Clay of which he made his Bricks, & Major Dallibe of the State of New York had mixed anthracite or Lehigh Coal pounded with the Clay, of which he made his Furnaces, & had patented the Same on the 26th of Sept 1823. This therefore is not a new Invention, & to grant him a Patent would only invade the common rights and privileges of the Citizens.

I am Sir, with the highest respect & consideration &c.

Honble Henry Clay William Thornton

Secy of State of the U.S.

Exd
J.W.

Depart of State - Patent Office

Sir, Feby. 18th 1828.

I am still confined to my bed by sickness, and very much lament that it prevents me from attending my Office, nevertheless my official duties are not neglected, as far as my ability permits, & I receive daily the letters & papers relative thereto, which I examine, & direct what ..... is to be done. —

I have not been so long from my Office for these twenty years except from sickness, & I am in hopes that I am getting better, tho' at present nearly a skeleton. —

Mr Elliot & Mr McIntire who are engaged in executing the Duties of the Office, have been exceedingly attentive thereto; they work incessantly, but are incapable of going thro' the accumulating mass, & keeping up with the application for Patents, yet they are paid less than the efficient Clerks of any other Office, — Mr Elliot receiving but $1000 & Mr McIntire but $800, tho' they are men of good

Education, which the Office requires, & have large families to support: — they have both been sick by their labors, & I have thought it my duty to state to you, that I hope the Congress won'd not object to an increase of their Salaries 200$ each. — Another Clerk will also be necessary to assist in issuing the patents, as you will see by a further explanation in this letter, & a good Clerk can hardly be obtained for less than 1000$ who is capable of executing such intricate & difficult Duties. — Two recording Clerks will also be necessary, to record the Patents as they are issued. — The application for Patents are continually increasing, & to defray the extraordinary expences, yet to make some return to the Treasury, it might be well to increase the price to forty dollars the present year, & add ten dollars each year, for seven years to come, till the price for a patent shou'd amount to 100$; at the present price they return to the Treasury 10.000$ — As the price for a patent in the year 1793 was 30$ (the year in which the Patent Law was revised) at which time the Census gave only three millions of People, at present amounting to twelve millions, a patent is of four times the value it was then, and by the gradual increase of 10$ a year for seven years, a patent will still amount but to 100$ which will be little more than three times as much, tho' in seven years the increase of inhabitants wou'd be still so much advanced: — This would still be admitted as favoring the Manufacturing Interests, for in England the price of a Patent is more than 1200$ in France about 1000$. — It may also be necessary to state that many Individuals take advantage of the Law which permits the Specifications of Patents to be written with unlimited diffusion & some of them require in transcribing 20, 30, 40, pages on parchment. I lately indeed received some that wou'd require a hundred pages of Parchment, which would take out of the Treasury for parchment twice as much as the value of the Patent puts in. — It is in consequence of very long patents that another Clerk is required, & it wou'd be well, that a law requiring 20cts for every hundred words in granting copies of patents should also be laid upon issuing of them. — I have thought it my

duty, on mature consideration, to say these subjects before you, which I do without the knowledge of the persons concerned. — The Messenger also receives less than those of any other Office white or black.

With respect to my own Salary I leave its consideration to those enlightened Members of Congress who are acquainted with my duties. Twelve years ago the Honble Robt Smith, increased my Salary to 2000$ a year, but I only received part of it two years (as the Treasury Books will shew), for the want of due appropriation in the Department of State. — I believe that many of the most intelligent Members of Congress knowing that mine are not duties of common routine, but that require continual recurrence to all that has been done for more than twenty years back, as well as a daily attention to all the arts and sciences now progressing, to prevent impositions, think me entitled to as much as the Commissioners of the Navy, the Land Office & auditors. —

The above is most respectfully submitted, with the hope that you will be pleased to transmit it in any way you may think proper, to the Honble Congress.

I am Sir, with the highest respect & consideration

Honble Henry Clay, William Thornton End

Sec^y of State — [illegible] J.G.R.

Dep't of State Patent Office

February 25th, 1828 —

To Henry Clay, Secretary of State of the United States.

Sir,

On Saturday last I called at your Dep't with a view to obtain your decision on three cases of patentees specially referred to yourself by the applicants: — Two of which by your direction were decided by Mr Brent; he concurring in what I had written: but the third, (the case of the Hon. Mr Foote, M.C. for Mrs. Bulkley) still remains undecided: herewith you will receive a copy of my letter to Mr Foote: of the correctness or incorrectness of my opinion you will please to decide.

I have at all times avoided giving any unnecessary trouble

to your Department; nor would I at this time do any thing to add to your numerous, arduous and perplexing duties, did not the public interest loudly demand it. Since the last meeting of Congress, the business of this Office has greatly increased, (84 patentees having paid 30 dollars each into the treasury, amounting to 2520 dolls. since the 1st of Jany last): that Mr. M'Intire and myself are quite inadequate to its performance. Besides Dr Thornton has, during that time, been confined at home by sickness. There are at this time more than 20 patents applied for, and which are constantly written for, but remain unissued for want of sufficient Clerk aid.

This is, therefore, most respectfully to solicit the help of another Clerk for this Office, to perform the current daily business of the Office; and whose services will immediately be dispensed with as soon as you shall direct. It is to be hoped that the person sent, shall be a good, expeditious & correct writer.

Most of the patents applied for are by Members of Congress; who are exceedingly urgent, to gratify the wishes of their constituents. - I need not remind you of the numerous letters which are daily received on this subject.

I have the honor to be Your obedient servant,

William Elliot, Senior Clerk -

Ex 1 1/16

Dep't of State Patent Office
March 5th 1828. -

To the Hon. Henry Clay Secretary of State of the U. States,

Sir,

Mr. Uriah Brown of this City, has produced a letter, signed by you, wherein it is stated, that he is to have free access to the papers, drawings and models of this Office, to procure copies for a work entitled "the Polymathist", edited by John Brannon and Uriah Brown. The object of this letter is to know from you, Sir, in what way you viewed this matter; and to learn whether they are at liberty to

take drawings of the models, free of expense, and without the consent of those depositing them.

I will here remark, that hitherto Dr. Thornton has uniformly refused such a privilege. I will beg leave to refer you to the 11th section, Laws of the U. S. Vol. 2d, page 351 –

I have the honor to be,

Your much obliged & obedient servant,

William Elliot, Senior Clerk –

For Dr. Thornton, who is still sick – Exd. J.F.R.

(168 [illegible])

Dep't of State, Patent Office.

To the Hon. Henry Clay. March 31, 1828.

Sec'y of State of the U. States.

Sir,

With a view to give you such information as may be useful in deciding on the many applications that have or may be made to you for the late Dr. Thornton's office; and that your decision may meet the public approbation, do justice, as well as promote the public interest, I will most respectfully beg leave to state, that from my long services in the patent office, my friends, as well as myself, would naturally expect to fill an office, the principal duties of which I have so long performed, and that for the small salary of 1000 dolls. per annum. But as I had not the good fortune to be born in this Country, though I have lived in it nearly all my life, and reared a family nearly to manhood, still as the prejudice which exists in the minds of the vulgar, might operate with some against the present administration, I most willingly offer up my personal interest, at the shrine of public good, if thought necessary: All that I most respectfully solicit is, that when the appointment of Superintendent is deemed necessary, that the person appointed shall be of such rank and character in society, that I shall

feel a pride and honour in serving under him.

But as the law has not yet created the office of Superintendent of the Patent Office, and the title is only given through Courtesy to the Chief Clerk; perhaps it would be well at present, to let the office remain vacant till by law it is put on its proper footing. By this course, Sir, you would not give any just cause of complaint; and you would not only gratify my wishes but you would serve a Worthy man, a firm friend of the Administration, Mr. Alex. M'Intire, a Clerk employed in this office at 800 dolls. per ann. and who lost his situation as Clerk in the Bank of the Metropolis, because he acted as honour and principle dictated in a case wherein the Character of Mr. Adams was most shamefully assailed by Mr. Kerr, the Cashier of that Bank.

To accomplish this, it is only necessary to send an additional Clerk to the Patent Office, with a salary of about 800 dolls. per ann. by which means the current business will go on as usual.

I have the honour to be

Your much obliged and obedient servant,

(431 A.B.) William Elliot

Patent Office Department of State,
Washington, August 7th 1828.

Daniel Brent Esquire,
Department of State,

Sir,

I have the honour to acknowledge the receipt of your communication of the 4th instant, informing me that in the absence of the Secretary of State, the President is of opinion that I ought not to make any further use of the circular issued by me from this office. I shall, of course, govern myself by this opinion in my future course. Allow me to observe, that the objectionable passage in the letter was not intended, nor do I think upon examination, it will be found calculated

to impeach the former proceedings of this Office, as it relates exclusively to an instrument furnished by the Solicitor, and which is to be recorded in his own words—

The circular was placed in the hands of the Secretary of State, before a single copy of it was issued, and his approbation, in general terms, communicated to me, verbally, by Mr. S. A. Elliot, assistant. This fact is stated merely with a view of shewing that I have not established precipitately in the business, or forgotten that I was an Officer under the Secretary of State—

I am, Sir, very respectfully,
Your obedient servant,
Thos P Jones. Esq

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Patent Office, Dep.t of State
August 11th 1828

Daniel Brent Esquire, Dep.t of State.

Sir,

I beg leave to call your attention to the situation in which the business of this Office is placed, in consequence of the Treasurer of the United States having objected to the mode hitherto followed in making the payments from this Office into the Treasury; & the Cashier of the Bank of the United States having declined to give the individual certificates required by the Treasurer. The result is that patents cannot be issued, and several individuals who have deposited their money are seriously inconvenienced. To remove this difficulty I am ready to adopt any proper course which may be pointed out, and shall be obliged by your advice in the premises. Allow me to enquire, whether, in your opinion, a direct payment of the money to the Treasurer would not be proper, and unobjectionable.

I have the honour to be Sir very respectfully Your obed.t servt. Esq
Thos P Jones Supt

Philadelphia Octr 24th 1828

Dan'l Brent Esqr
Department of State

Dear Sir,

I have the honour to acknowledge the receipt of your letter of the 22 instant, written at the request of the Secretary of State. Before the arrival of your favour, Mr. Elliot was in possession of written directions to open all letters addressed to the office. He would have received a verbal request to that effect, had not his early departure on Saturday, deprived me of the opportunity of making it; not that I deemed this necessary, as it has been heretofore the practice, both for my predecessor and myself.

My absence was not intended to exceed half the time named by Mr Elliot. You will please to communicate the contents of this letter to Mr. Clay; and believe me to be with the greatest respect,

Your obedient Servant,

Thos P. Jones

Patent Office March 3rd 1829

The Hon'le Henry Clay
Secretary of State

Sir,

Should you think proper to appoint Mr Charles Bullfinch Junr to the situation of Clerk in the Patent Office, I am of opinion that he will fulfil the duties faithfully, and he will be perfectly acceptable to

Your obedt and Obliged servt

Thos P. Jones Supert

Dr Jones has my entire concurrence in the appointment of Mr. Bullfinch, if there be an authority of law for it. I have not yet seen the law. 3 Mar. 1829.

R. Clay Secy of State

Dep't of State Patent Office.
March 10th, 1829

To the Hon. James A. Hamilton
Acting Secretary of State of the United States.

Sir,

Your will either act upon the information contained in the enclosed letter or transmit it to the Secretary of State as you shall think proper.

I am, with the highest respect,
Your obedient servant,
William Elliot
Clerk in the Patent Office

Ex D
p 116

Dep't of State Patent Office
March 10th, 1829

To the Hon. Martin Van Buren,
Secretary of State of the United States,

Sir,

I have for many years been employed as a Clerk in the Patent Office, and, I trust, have always conducted myself as becomes my situation.

On the death of the late Doctor Thornton, I naturally looked forward to be his successor; and I was supported in that expectation by the Doctor and most of the officers of the General Government.

But as I was poor and not willing . . . . . .
. . . to expose my family to want, I thought it best to part us with this evil, rather than continue on those that were unknown; and therefore concluded to serve his successor, with all the ability I possessed. However I cannot silently see many abuses in office without entering my protest. And I therefore solemnly declare, and stand ready to prove, that the duties of the Patent Office have not been fulfilled by the present Superintendent, neither agreeable

to law, nor the usage of office.

I have the honor to be most respectfully,
Your obedient Servant.
William Elliot

Dep't of State, Patent Office,
April 28th, 1829.

To the Honourable M. Van Buren,
Sec'y of State, of the U. States.

Sir,

When the case of Doctor Jones Superintendent of the Patent Office shall be examined, I respectfully suggest, that the following persons be summoned, and the subjoined questions put to them.

Questions to be put to Mr. Alexander M'Juskie, Clerk in the Patent office. — Do you know that Dr Jones ever made out Specifications of Patents for patentees, in office hours, and charged for the same?

Did you ever know him to issue patents out of their regular chronological order; and contrary to the rules of the office?

Has he ever issued any patents without first submitting them (agreeably to ordres) to the present Atty Gen'l of the U. States. —

Do you know any thing of his taking papers from the files of the office, and not returning them immediately; creating much difficulty in the necessary searches?

Do you remember that Mr. Elliot informed him, (soon after he came into office) that there were no perquisites in the office?

Do you remember any thing respecting two dollars received from Mrs. Thornton for the extra compensations to the late Dr Thornton; and whether this money was ever returned to the person sending it?

Are the drawings which are now made for the office as good as formerly; and who is it that makes them, and receives the pay for them?

Are you aware that Dr Jones has a considerable sum of money now in his desk, which ought to have been deposited in bank to the credit of the persons sending it?

In what manner does Doctor Jones conduct the business of the office? and what duties does he himself perform?

Do you know any thing of a work called the Franklin Journal, of which the Doctor is the Editor, and have you observed any specifications of patents patented in the office published in it, complete or in substance?

Questions to Mr. James Keller, Machinist of the Patent Office.

Since Dr Jones came into office, have the models been regularly labelled, and deposited in the model room, as formerly?

Has the Doctor ever taken any models out of the room, which he has not returned?

Have you ever known him interfere with patentees respecting making drawings, &c.

Questions to be put to Mr Robert Fenwick, Messenger of the Patent Office. —

Do you know any thing respecting Dr Jones's taking the papers from the files of the office, for his own private use? and how many has he taken at once?

Do you know any thing of his having received money from patentees for making out specifications?

Do you know any thing of his contracting for making drawings for the office? and by whom are those drawings made? and to whom is the money paid?

Do you know any thing of his franking packages to Philadelphia, not relating to the business of the office; and of his receiving packages from the same place, under the same circumstances?

As you copied the letters formerly, and do so still, have you not remarked, that little or no money, (till within a month), received for extra compensation, has been returned; though in

the time of Dr Thornton considerable was returned?

Did you know any thing of Dr J's taking the keys of the office, and coming in the evening tho' absent most of the day? and do you suppose he did any thing but his own private business in these evening visits and is not this contrary to the former Custom of the office?

I have the honour to be

Your obedient and humble servant

Wm Elliot —

Charges preferred against Dr Thos S. Jones, Superintendent of the Patent Office, by Wm Elliot

Charge 1st. Not conducting the business of the office according to law.

Specification 1. Ever since he came into office, he has taken from the files most of the new specifications, copied them or made extracts, and published them in a work called the Franklin Journal (of which he is Editor) without making any account to the Treasury for the copying fees. Also has franked all the packages for that work, from this place to Philadelphia: thus abusing the franking privilege of the Patent Office.

Specification 2d. He has issued patents without proper drawings; and in some instances without drawings: which may be seen by consulting the files of the office.

Specification 3d. He has received money from patentees for making out their papers and drawing. This can be proved by Mr. A. Gutire, Robt Fenwick & Chs. Keller.

Charge 2d. He has not conducted the business of the Office for the public benefit, nor agreeable to the former Custom.

Specification 1st. Instead of opening the packages, as formerly in the Clerk's room, and having the papers properly endorsed, placed on file, and returning any money that might have been enclosed, as presents, they are now opened in his own room, without witness; the papers are filed

where the Clerks have no access, and little or no money has been returned, which was sent as presents; as will appear by the letter book. The models also have not been labelled and put in the model room; but retained in his own; thus the public have no benefit from viewing the new inventions.

Specification 2d. He has suffered the correspondence of the Office to fall behind, and has required the aid of a Clerk to bring it up: though formerly it was all executed by Dr Thornton; as well as writing the heads of the patents: which the present Superintendt leaves to a Clerk.

Specn 3d. He has delayed the issuing of patents unnecessarily by keeping the papers in his room till they amounted to 15 or 20 patents; though at the same time had nothing to do for three or four days.

Specification 4th. Though there has been little or no more business in the office during the present than in the last year, at this season (when Dr Thornton was sick) yet the business is much more behind, on account of its not being properly conducted. Exd JJR

Patent Office, April 7th 1829.

The Honourable Martin Van Buren

Secretary of State of the United States.

Sir,

As an officer in your Department, both duty and inclination impel me to lay before you all the information respecting my proceedings in the public service.

Having received an intimation that such a course would be acceptable I yesterday addressed a letter to the President, accompanied by some documents relating to the course of Mr. Wm Elliot, a Clerk in this office, to which papers I respectfully beg leave to refer you.

I take the liberty to enclose a correspondence with Dun Brent Esqr respecting which I need not detain you by any comments of mine, as the last note will shew the ground which I have taken, and which I shall, most perseveringly, maintain.

I have the honour to be very respectfully Your Obedt servt Exd JJR

Thos P. Jones

Copy of letter to Washington April 6th 1829

Daniel Brent Esq.

Department of State

Sir,

I am informed, from a source entitled to credit, that you, some time since, when at the house of Mr. Wm Elliot, remarked to him that you understood there was a Money changer in the Patent Office, and that it was his duty if there were any mal-practices in the office, to make them known to the government; he being the oldest Clerk there.

You will perceive, Sir, the propriety of my asking you whether the information given to me be correct; if it is, whether you had any allusion to me, and upon what circumstance such an allusion was founded. I need not Sir, urge upon you, as a gentleman, the necessity of a prompt and distinct answer to these inquiries.

I am very respectfully your obedt servt

(Signed) Thos P. Jones.

Ens
JPR

Copy of Mr. Brent's reply to the above.

Washington 6 April 1829

Thomas P. Jones Esq.

Patent Office.

Sir,

In answer to the enquiries which you have made of me, in your letter of this date, I lose no time in stating, that I have no recollection whatever of the conversation to which you refer, at Mr. Elliot's, or elsewhere, in which you have been informed. I remarked to Mr. Elliot that I "had understood there was a money changer in the Patent Office, and that it was his duty, "if there were any mal practices in the office, to make them known to the "Government; he being the oldest Clerk there".

Having understood, however, upon authority highly respectable, that upon one occasion you had given money to a petitioner for a Patent, receivable at the Treasury, for money not so receivable, at a premium for yourself, to one

able him to pay for his patent, it is possible I may have mentioned the circumstance to Mr. Elliot, as an improper innovation, in my judgment, upon the practice of the Office, which required to be made known to the Head of the Department.

I am Sir, respectfully

Your obedt Servt

(Signed) Daniel Brent

Exd
JJR

1210

Copy of a second letter to Mr. Brent

Danl. Brent Esqr.

Patent Office April 7th 1829

Department of State.

Sir,

I have this moment received your note of yesterday, in reply to mine of the same date, and regret that I am compelled again to trouble you upon the same subject.

It will be necessary Sir, in your own justification, to furnish the "authority highly respectable", which warranted you in propagating a report to my disadvantage; as I do, hereby, declare, that the allegation was altogether unfounded and false.

I am very respectfully Your obedt. servt.

(Signed) Thos. P. Jones.

Exd
JJR

Dep't of State, Patent Office.

April 10th. 1829—

To the Hon. Van Buren,

Sec'y of State of the United States.

Sir,

At the time when I have charged a public officer, with mal practices in office, I find myself most falsely and shamefully abused in U. S. Telegraph of last evening: but this is a state trick to accuse the accusers to start new objects to draw off the attention.

As the President and yourself may probably read this attack on my character, I deem it proper to state the whole truth of the allegations,

that you may form a correct opinion of my character.

It is stated in the paper above referred to, that I am "one of the most clamorous office seekers": that I was connected with the late Newspaper called "For the People": and that I said that General Jackson ought to have been hanged for the murder of the six Militia men". The whole is without the least foundation in truth.

You know I have solicited no new office under you: I am desirous to see the Patent Office, in which I have spent so many of my best days, prosper, and become an honour to the nation, and a lasting benefit to the public: and on this account I have preferred certain charges, of abuses in office, which I hope will be properly investigated. I cannot but feel an interest in an office, of which I have been one of the chief means of raising for out of the 75 or 76.000 dolls. now in the public Treasury to the credit of the Patent Office, over and above all expenses, at least 50.000 dolls. were earned by my unaided hand. And I do not think it would have been very unreasonable to have received some preferment in an office the chief duties of which I had performed for so many years. But I have received no advancement, neither in rank, nor pay; and remain at this day with the same salary as fixed by Congress in 1815.

With regard to having said that General Jackson ought to have been hung for the murder of the six Militia men, it is a falsehood too glaring to need refutation. For I, as well as all the nation knows, that the Militia men were ordered into service for six months by Governor Blount (whether legally or illegally I shall not say); that they left their service before the expiration of that time; were tried by a Court Martial for desertion; were condemned to be shot; and that General Jackson merely confirmed the sentence of the Court: therefore such a remark as that attributed to me was erratic mad, and void of Common Sense: this information is utterly false.

With regard to the romantic stories & misrepresentations of Mr. Faux, the English Traveller, I have nothing to do: he wrote his book no doubt to sell, and adapted it to please the palate of his country men: I am no more answerable for what he has said, than Mrs. Royal in her Black Book lately

published. I wrote a refutation of all the charges made against me in the article referred to, and sent them (this day) to the U. S. Telegraph, for publication, but it was refused, without any explanation.

I have to beg the favour of you, Sir, that in case the President should ever refer to this subject, in your presence, you will shew him this letter, or represent what I have written.

I have the honour to be Your obedient servant

William Elliot —

(700 wds) Ex'd JJR

Sir,

Having been disappointed in not seeing you this morning, to pay my personal respects, I must defer the pleasure to some other opportunity. But for fear my relative, Mr. Lewis, should have neglected to deliver a copy of the charges preferred against Dr. Jones of the Patent Office, I inclose another copy, with an additional charge & which has taken place since you came into office.

I have the honour to be, Your obedient servant

William Elliot.

Dep't. of State, Audience Chamber, Apr. 6th 1829.

Sec'y of State of the United States —

P. S. Should you wish any further information on the above subject, I shall be happy to wait on you when & where you may appoint.

W. E. Ex'd JJR

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(Copy) Washington, April 6th. 1829.

To the Hon. M. Van Buren,

Sec'y of State of the U. States,

Sir,

The following charges and specifications were preferred by William Elliot against Dr. Jones Superintendent, of the Patent office; and were sent to the Department of State on the 21st ult. — by the hand of Mr. Geo. Lewis. —

Charge 1st. The said Dunlop Jones does not conduct the business of the office according to law.

Specification 1st. He has constantly, ever since he came into office, taken from the files most of the new Specifications - made extracts from them, or published them entire, in a work published by himself in Philadelphia, called the Franklin Journal, without making any account to the Treasury for the copying fees. He also franks all letters and packages to and from Philadelphia, on account of the same work, thus abusing the privilege of franking.

Spec'n 2d. He has issued many patents without proper drawings: or had them imperfectly executed by some one in his own family.

Spec'n 3d. He has received money from patentees for preparing their papers.

Charge 2d. He has not conducted the business of the office according to former usage, nor to the benefit of the public and Government.

Specification 1st. Instead of opening the packages in the Clerks room, as formerly; - endorsing the papers, and putting them on file, they are opened privately in his own room, and filed when the Clerks have no aid: nor has he returned any money, (till within a few weeks) received as presents; though formerly considerable sums were returned by Dr Thornton, on that account.

Spec'n 2d. Instead of labelling and placing the new models in the Model room, they have been kept, like within a few days, in his own room; thus depriving the public of the sight of them.

Spec'n 3d. He has suffered the correspondence to fall greatly behind: though last year there were as many or more patents issued between the 1st of June & 21st of March than this year: and the Superintendent was absent from sickness; yet the correspondence was kept up.

Spec^n 4th. He has delayed the issuing of patents by withholding them in his own charge till they accumulated to a considerable number; whilst Mr. M'Intire and myself were idle for 3 or 4 days at a time.

Spec^n 5th. At the last Session of Congress, a clause was inserted into the General Appropriation Bill, for the last three quarters of the present year, (commencing on the first inst.) 1000 dolls. for an additional clerk for the patent office: but without producing a letter of appointment, sanctioned by the present Secretary, he has introduced Mr. Chs. Bulfinch into the office; — has given him at the rate of 800 dolls. and added 200 Dolls. per annum to the salary of Mr. M'Intire, without any authority; who authorized the payment of the salaries for last month I cannot say.

To prove the truth of these charges I refer to the testimony of Mr. Alex^r M'Intire, Mr. Robert Fenwick, and Mr. Jonas Heller; — to the files of the office; and to the letter book &c.

P. S. Not having an exact copy of the charges as formerly made, they are written chiefly from recollection; with an additional one. Exd^r

(637) J.J.R.

Department of State

The Hon. Martin Van Buren Patent Office May 14th 1829.

Secretary of State of the United States.

Sir,

A copy of the charges and specifications preferred against me by Mr. Elliot, has, agreeably to your order, been furnished to me by Mr. Brent, and I have now the honour to present to you such remarks upon them, as their nature appears to me to demand.

"Charge 1st. Not conducting the business of the office according to law".

"Specification 1st. — Eversince he has been in the office, he has taken from the files most of the new specifications, copied them, or made extracts and published them in a work called the Franklin Journal (of which he is editor) without making any account to the Treasury for copying fees. Also has franked all the packages for the work, from this place to Philadelphia, thus abusing the franking privilege of the Patent Office".

Answer. I have rendered no acceptable service to the Patentees, and to the public, by making known, more fully than had heretofore been done, the nature of the things patented, and the claims of the patentees. To shew in fact, what has been done by me in this particular, I enclose the last number of the Journal, in question. The monthly list of patents for January last, will be found between the pages 254, and 268.

Persons applying to this office for official copies of Specifications, or other papers, are subjected to a charge of 20 cents for every hundred words; such papers are written by Mr. Seth A. Elliot, who retains the fees for his labour. I have never employed any Clerk in the office to write a line for me, although Mr. Seth Elliot has frequently offered to do so. nor have I ever myself written a line of any description for my Journal, during the hours of business in the office.

I am not aware that, by sending copy to my printer, I have abused my franking privilege; but I know that had Mr. Elliot been the keeper of my conscience, as regards this privilege, I should have covered his private correspondence, and thus escaped being repeatedly dealt with severely by him, for refusing to do so. My compliance with his wishes in this respect, would have served to give some point to this Specification.

"Specification 2nd She has issued patents without proper drawings; and in some instances without drawings, which may be seen by consulting the files of the office."

Answer. Respecting what are proper drawings, I must, necessarily be the judge. The worst which I have passed, have been accepted under the advice of Mr Elliot, who has observed that in some sections of the country, good drawings could not be obtained. I have no interest in passing such as are insufficient, and, certainly, those which have been deposited during my incumbency, will not suffer in a comparison with the drawings received in any former period of the existence of the office.

Many patents do not require drawings, and such have, of course, been issued without them. Upon this point I have been especially careful; but if, by any inadvertency, I have ever passed without drawings, papers which have required them, Mr. Elliot, who has been so free in reproaching my whole course, has violated his duty to the public, and to me, by not having called my attention to the fact.

"Specification 3rd He has received money from Patentees for making out their papers and drawings. This can be proved by Mr. McIntire, Robert Fenwick and Chas. Keller".

Answer. Whatever I have done needs no other witness than myself. I may have written half a dozen specifications for persons who, because they had special confidence in my ability for the task, have urged me to do so; but whenever I have done it, it has been in my own house, and at night. I have uniformly wished to avoid it; not because I thought it was, in the slightest degree, improper, but merely because I have not had time to devote to business of this kind. I have written in my office some specifications for unlettered and indigent persons, but for these have never received a cent. Mr. Elliot, when I came into office, was in the habit of referring applicants to his son, John, then a minor and unacquainted with the principles of Mechanics, who made out their specifications and other papers. With this practice I have interfered, but not to my own profit.

Drawings furnished at the request of patentees, are made by persons connected with the office. In obtaining these I have consulted the interest of the applicant only, and have procured them wherever I could get them best done at the lowest price. This is a necessary part of my duty, but it is an unpleasant part, and one from which I should very gladly be released.

"Charge 2nd He has not conducted the business of the office, for the public benefit, nor agreeably to former custom."

"Specification 1st. Instead of opening the packages as formerly in the Clerk's room, and having the papers properly endorsed,

"placed on file, and showing any money that might have been enclosed as presents. They are now found in his own room without witness. The papers are filed where the Clerks has no ready, and little or no money has been returned which was sent as presents, as will appear by the letter book. The models also have not been labelled and put in the Model room, but retained in his own. Thus the public have no benefit from viewing the new inventions".

Answer. Mr Elliot has repeatedly observed that the money transactions of this office have been managed by me with more system and correctness than had been previously known in it. No dispute, or miscarriage, or difficulty of any kind, has occurred in this part of the business of the office. I have yet to learn that it is my duty to open letters in the presence of my Clerks, in order to keep me honest, or to preserve my character from suspicion. All letters received since I have been in office, are placed on file, which was not the practice previously. The replies to them also, are, of course upon record. I have no answer to make to the despicable insinuations contained in the foregoing Specification. Let the man appear who will attempt to bring a charge of corruption home to me, and I am ready to meet him. That less money than formerly is now sent as presents, is highly probable. —— this, however, is a question which I am not desirous to agitate.

Mr. Elliot complained that Mr. Keller had neglected to keep a list of the models deposited in the model room. To correct this I have detained a number of them in my own room until they could be properly labelled and entered, which has been done as soon as more important business admitted. Had I done so in my room, I should still keep many there until they could be placed in a secure and suitable situation; as they are now exposed to injury, but not disadvantage, when ..... taken to the model room.

"Specification 2d. He has suffered the correspondence of the office to fall behind, and has required the aid of a Clerk to bring it up, though it was formerly all done by Dr. Thornton, as well as the writing

"the heads of the patents, which the Superintendent leaves to a Clerk".

Answer. A more gross and extended tissue of misrepresentation than is contained in this specification, could not be woven into a paragraph of the same length. I will not invade the sanctuary of the dead to enquire what my predecessor did, or neglected to do. Mr. Elliot, however, has repeatedly informed me that he always examined the papers for Dr. Thornton, and indicated to him, the points to be embraced in the replies to them. During more than a year I have not had three days aid from a Clerk, in conducting the correspondence of the office. The books will tell what that correspondence was formerly; and a comparison of that, with what it now is, both in amount and in tenor, would be most welcome to me. There never has been an accumulation of the correspondence, for a period of three days, excepting during the most busy part of the Session; and then nothing of importance was neglected.

I never knew, until now, that the heads of patents were formerly written by the Superintendent, and why they should have been, I have yet to learn. This writing, however, has not amounted to six lines a day.

"Specification 3d. He has delayed issuing of patents unnecessarily by keeping the papers in his room, till they amounted to 15 or 20 patents, though at the same time [ ] had nothing to do for three or four days."

Answer. If Mr. Elliot has been idle for a moment while at the office, he has been so through his own perverseness, and with a view to reflect discredit upon me. I have not been absent from my office two days in six months; have been several times every day into the Clerk's room; have sent in specifications by the Messenger whenever they were wanted, and never suspected until now, the fact set forth by Mr. Elliot in his specification.

"Specification 4th. Though there has been little or no more business in the Office during the present, than in the last year at this season, (when Dr. Thornton was sick) yet the business is much

more behind, on account of its not being properly conducted."

Answer. The foregoing specification is altogether false. The books have been constantly supplied with specifications to copy, and the business of the office has been promptly attended to, as the letters during the whole period, will testify. There are not, at the present, three patents in waiting, excepting from defective applications, or for want of the signature of the Attorney General.

For the correctness of the foregoing statements made by me, I refer you Sir, to every person now employed in my office, including the son of the complainant. I will not detain you with any further animadversions; but I, most earnestly though very respectfully, request a speedy termination of this unpleasant business.

All the value, both of the emoluments, and the honours of office will have passed away, in my estimation, if my character form no defence against intrigue and slander.

The correspondence of this office will supply ample testimonials of the entire satisfaction of those who have done business with me in it; and were I to retire tomorrow, I should do so with the credit, as well as the consciousness, of having performed my official duties with zeal and with fidelity.

I am Sir, with the greatest respect & consideration

Your obedient servant.

Thos. P. Jones Supt.

Department of State,

May 1829.

S. A. Elliot is hereby continued the Copyist of the Patent Office, to execute, in and out of the office, the extra-copying of the same: he being responsible for the specifications, drawings, etc. used; and he paying the fees received for all legal copies into the Treasury of the United States, according to law, and

receiving the same therefrom in the manner prescribed by this Department. Ex'd J.H.R.

Department of State,
Patent Office June 24 - 1829.

To the Hon. Martin V. Buren,
Secretary of State of the United States.

Sir,

In accordance with your sanction and request, I have drawn up what appears to me to be the best arrangement of the Duties to be performed in this Office; commencing with the First Clerk's, & ending with the Mechanist's; assigning to each such Duties as his situation & the business of the office seemed to require: Your particular inspection, and alteration of any part which you may deem incorrect, is most earnestly desired by

Your obd^t. Servant,
John T. Temple. Ex'd J.H.R.

(50 [illegible])

Dep^t. of State Patent Office
June 23 - 1829 -

First Clerk's Duties

1st. To assist the Superintendent in any business which he may wish; as in . . . the correspondence, &c.

2nd. To make all entries in the Alphabet . . . and General Index Books.

3rd. To examine all copies of papers & Specifications previously to their being taken from this office.

4th. To examine all Patents, Enter them & send them off.

5th. To Enter all Models received, in the Register of Models.

6th. To transact (in the absence of the Superintendent) the business of the office in his name.

7th. To fill up and send off, all Bonds for the delivery of

Models at this office.

8th. To assist, when no other duties present, in copying specific.

Second Clerk's Duties.

1st. To Endorse & file away papers, take charge of the files of the Office, & refer to them on occasions when applicants require it.

2nd. To see that the papers are kept in their proper places, & order: the Responsibility resting on him.

3rd. To take charge of and file away receipts for Treasury fees.

4th. To make out all heads of Patents & file away papers entered as Caveats.

Third Clerk's Duties.

To record Patents & assist in copying Specifications when necessary and label all Models.

Messenger's Duty.

To keep the rooms and desks in order, to carry all communications to and from the Dept. of State & the Atty. Generals, and record all letters.

Mechanist's Duty.

To keep all Models in repair & exhibit them when required.

I approve of the preceding

M. Van Buren

Washington July 3d 1829.

End
P.R.

Patent Office, July 7 - 1829.

Hon. Martin Van Buren,

Sir,

I understand it to be the intention

of the Executive to recommend to the next Congress, an appropriation for erecting an Observatory; and in some conversation with Mr. Ingham on the subject, I expressed a wish that the Minister, about to proceed to London, might be instructed, to procure a plan & description of Trinity Observatory; it being considered among the most complete in Europe. Mr. Ingham highly approved of the proposal; but thought the application should be made to the Minister by the Secretary of State.

Should you Sir, approve of the undertaking, I have no doubt but the desired information may be obtained, by your applying through Mr. McClean, to Dr. Pond, the Astronomer Royal; or to Dr. Brinley of Trinity College, Dublin.

Yours Respectfully,

John D. Craig

Ent
JFR

Dept. of State Patent
Office Jan. 1, 1830.

Sir,

In winding up and reviewing the labours of the last year, in this office, I find that Mr. Bulfinch, placed in this office by Mr. Clay on the 3d of March last, has in ten months, recorded 109 patents; which, at $800 pr. ann. is equal to $6.11 cents, each. At this rate the number, (447) issued within the year, would cost $2.730.

I am satisfied that to record one patent per day, at an average, would be a very moderate task, for an ordinary Clerk; which would amount to 260 in ten months, instead of 109.

I have thought it my duty to submit this statement to you, Sir, and will be ever ready to act agreeably to your judgment in all such matters.

With sentiments of esteem & regard

Hon. Martin Van Buren
Secy of State –

Yours Respectfully

John D. Craig

Ent
JFR

Dept. of State Patent Office
Jan. 2d 1830.

Sir,

In order that the Resolution of Congress, of 1802, may be complied with I herewith send a list of the patents, & patentees, for the year 1829. Also, the first number of a quarterly list, agreeably to instructions from the State Department, dated Oct. 30. 1829.

Very Respectfully,
John D. Craig.

Hon. Martin Van Buren
Secretary of State

End
J.D.R.

Patent Office Jan. 20. 1830.

Sir,

According to your instructions, I wrote to Mrs. Thornton, & Mr. Elliot. Copies of the letters, and Mr. Elliot's answer, I have the honor now to transmit.

Printed H.R. Doc 38 p. 770

I beg leave to observe, that the causes assigned by Mr. E- are altogether insufficient. The patents re-issued are all marked in the "Entry Book", and not one of them, taken into the list, I made out. If they were, they would not answer the purpose. Thus in 1818, there was not one re-issue, yet there was a deficit of $1920; & 58 patents omitted in the Secretary's Report to Congress. In 1819, there was one re-issue, & a deficit of $1620: and in no one year does there appear to have been more than three patents re-issued. The other causes assigned, it is presumed, require no notice.

From Mrs Thornton no answer is received.

With great respect I am, &c.
John D. Craig

Hon. Martin Van Buren
Secretary
of State

End
J.D.R.

End
J.D.R.

Dep.t of State, Patent Office
January 15th 1830

Madame,

You are respectfully requested by the Hon. M. Van Buren, Secretary of State, to afford this office such information or explanation, as it may be in your power to communicate, in relation to a discrepancy which appears to exist between the number of Patents issued from the year 1790 to the year 1828, inclusive) & the amount of monys paid into the Treasury of the U. States; the deficit of money is from four to five thousand dollars.

Print!
HR Doc 38
p 790

Any communication you may please to make, is requested on or before Tuesday next.

I have to honour to be Madam,
Your obt. servt.
John D. Craig.

Mrs. A. M. Thornton.

(Copy)

Exd
JJR

Department of State,
Patent Office, January 15th 1830.

Sir,

You are respectfully requested by the Hon.ble M. Van Buren, Secretary of State, to afford this office such information, or explanation, as it may be in your power to communicate, in relation to a discrepancy which appears to exist, between the number of Patents issued from the year 1790, to the year 1828 (inclusive) & the amount of Moneys paid into the Treasury of the U. States; the deficit of money is from four to five thousand dollars. —

Print!
HR Doc 38
p 791

Any communication you may please to make, is requested on or before Tuesday next.

I have Respectfully
John D. Craig

William Elliot Esq.r

(Copy)

Exd
JJR

Washington Janry. 16th 1830.

To John D. Craig Esqr.
Superintendent of the Patent Office.

Sir,

Yesterday I received your Letter of the 15th inst. requesting information respecting a discrepancy which appears to exist between the patents issued and Treasury receipts, to which I most respectfully reply. –

In order to understand the principle on which patents were issued, by the late Dr Thornton for many years, it will be necessary to recur to the origin and progress of the patent office.

From about the year 1790 till 1803, the patents were issued by a Clerk in the Dept of State. At that period Dr Thornton was appointed by Mr. Jefferson to issue the patents and took upon himself the title of Superintendent; and he continued to issue them for 24 years, or till the time of his death in 1827. –

During many years of his Superintendance he considered himself to be invested with, and exercised freely, much discretionary power in the issuing of patents; for he held it as a maxim, and, I believe, a very good one, that the patent law was made solely for the "encouragement of authors and inventors"; and not to collect revenue: and therefore when any mistake or omission took place in issuing patents, whether by the inventor or the office, he would order a new one to be issued, without the payment of an additional patent-fee; however, it was not till about the years 1815, or 1816, that he put this principle in full operation, and from that time till about 1824, many patents were issued for amended Specifications, without the payment of any additional fee.

A minute or memorandum was regularly made of all patents issued, whether for new, or corrected, Specifications: hence a much greater number of patents will appear in the entry books, than there are Treasury Receipts. – Also in the annual report made

to Congress of patents issued, those for which no fee had been paid, were omitted: or rather, I believe, the Docket reported only as many patents as there were Treasury receipts. This, of course, will make the list of patents furnished to Congress appear to contain fewer names than the entry books. It remains to be proved by experience whether the present system of issuing patents, without limitation, or obstruction, is more beneficial to the country than the judicious exercise of a discretionary power, vested in the Superintendent, to aid the ingenious, but poor man, in obtaining a perfect patent, without farther expense than the original patent fee; and, also, for refusing patents, (under the control of the Secretary of State and Atty. General), to mere Speculators, (not inventors), who make a business in levying contributions on the public, by licenses, under the title of "Patents", for neither new nor useful inventions, signed by the President, Secretary of State, and Attorny General; and who fill the country with litigation.

There are other causes that operated in producing a disagreement between the number of patents issued and the Treasury Receipts: For in all cases where the money was lost, a patent was issued without a fee — the patent itself containing a receipt for the Patentee. —

However, besides the causes above mentioned, it was frequently discovered, by those in the Office, that owing to the want of a proper system, patents were issued by mistake without a fee: therefore, to avoid in future these mistakes, and to introduce into the office a more perfect system of accountability, about 6 or 7 years ago, I made a representation of the same to the Secretary of State, and the Chief Clerk D. Brent Esq. in consequence thereof, about the year 1823 or 1824, all moneys received for patents were ordered to be paid into the hands of the agent of the Dep't of State. About the same time, it was decided, by the Attorny General of the U. S. that all patents re-issued for defective specifications, (except for clerical errors) were required to pay a new fee: from that time, therefore, till the present, the Treasury Receipts and number of patents issued, as minuted in the entry book, will probably, nearly correspond: tho'

not exactly, because the money was often received in one year, and the patents issued in another.

I will here beg leave to remark, though it does not exactly come within the request of your letter, nor will it account for the discrepancy referred to, that in cases where a person had inadvertently paid his money into the Treasury, and could not withdraw it, the Doctor was in the habit of transferring this individuals money to pay the patent fee of another; and giving the money of the new applicant to the one whose money was already in the Treasury, but did not wish to have a patent: thus, many patents will appear to have been issued without fees, because the money was paid in a different name from that of the person obtaining the Patent.

As regards myself, during the many years I was in office, it never was any part of my duty either to receive the patent fees or issue the patents: mine was the laborious part of copying specifications, and giving information; and I can say with truth, that much of the money now in the Treasury, to the credit of the Patent Office, over and above all expenses attending the issuing of patents, was earned by my labours.

In some cases, when applicants for patents sent their money and papers, and the invention was not considered new, or interfered with another, the money was then deposited in a Bank, till a decision took place. This account was, at first, kept in the Bank of Columbia, in the Doctor's name; after the removal of that Bank, it was deposited in the Bank of the Metropolis, where it was kept for some time; but being found troublesome, and not profitable to the Bank, (the amount deposited being trifling; and after the individuals deposited and drawn out) the account was ordered to be closed by that Bank. Then, at the request of Dr Thornton, an account for the above purpose was opened with the Patriotic Bank in my name. This also was closed in 1825; as will be seen by the statement of Robt W. Tenwick, herewith enclosed. However, it will be seen these were altogether private responsibilities, and did not in any way concern the public; the person sending his money will, of course look for repayment to the person receiving it — as far as it respects me all these cases have been fully discharged.

Since 1825 till the time I left the patent office, in May 1829, all moneys received for Patents whether to be paid immediately into the Treasury, or deposited in the Bank, were paid into the hands of the Agent of the Dep't of State. Therefore,

The causes of the discrepancy between the patents issued and the Treasury Receipts, were in my opinion, occasioned chiefly, by

1st. The re-issuing of patents for defective Specifications, without additional patent fees.

2nd. For patents issued when the money was lost &c.

3rd. For patents issued, through mistake, without the fees being first paid, & for want of a proper system such as was adopted in 1824.

I am, most respectfully
Your obedient servant
William Elliot.

Enr
J.M.R.

Washington County District of Columbia, Ss.

On this 3d day of December 1829 personally appeared before the subscriber a Justice of the Peace in and for the above county; Robert W. Fenwick of the City of Washington, D.C. and made oath according to law to the truth of the following Statement of facts, according to the best of his knowledge and belief

C H W Wharton J P

Printed H.R. Doc 35 p 793-4

Statement above referred to. That previous to the year 1825 or thereabouts, it was the custom of the late Superintendant of the Patent Office, Dr Thornton, to receive all the Patent fees; and when the patents were ordered by him to be issued, to send the money to the Treasury: But in cases where they were not immediately decided on, either to retain the money in his own hands or put it into a bank till a decision took place: if the patents were to be issued, then the money

was paid into the Treasury, but if not issued, it was returned to the person who sent it; and that I have in every instance paid all the money thus entrusted to my care into the Treasury.

I also further solemnly swear that in the cases where the money was deposited in the Patriotic Bank in the name of William Elliot it was so done by the request of the said De Thornton and that the name of the person sending it, was always mentioned in the note, accompanying it to the Bank; and the same name was always mentioned in the order which drew it out again. And further, that when William Elliot declined having any more to do with the money belonging to the applicants for Patents his account was settled at the Patriotic Bank; and his Bank-Book with the orders or checks by which the different sums had been drawn were delivered to the said De Thornton, examined by him, and found correct.*

Witness R. W. Fenwick

Exd J J R C. H. W. Wharton

* This took place in the year 1825.

Patent Office Jan. 21, 1830

Sir,

I hereby transmit the original affidavit of R. W. Fenwick; it being Mr. Elliot's wish that it should accompany your Communication to Congress.

Very Respectfully,

Hon. Martin Van Buren, John D. Craig

Exd J J R Secretary of State.

Dept. of State Patent Office
Ap. 1 - 1830.

Sir,

I have the honor of transmitting herewith, a list of

the patents issued from this office, during the three months of the present year, now terminated; also the several dates of the Treasurer's receipts, for the fees of said patents.

Very Respectfully Yours &c &c.

Hon. Martin Van Buren,
Secretary of State. —

John D. Craig

Exd
J H K
65

Patent Office, Apr. 3 – 1830.

Sir,

Being desired to state in writing, any objections to issue a patent on the conditions insisted on by the Hon. Wm L. Storrs, I beg leave to observe, that the alleged invention in question, being a composition of . . . . . matter; and that the law, in all such cases, requires, not only a written description of the invention, and of the manner of using, or process of compounding the same, but also; – "Specimens of the ingredients, and of the composition of matter, sufficient in quantity, for the purpose of experiment". The law being thus imperative; and having been constantly adhered to by my predecessors, as far as I can discover, I trust that I will not be considered to violate, what I have undertaken, and solemnly sworn, faithfully to execute. I am

With great respect,

Your obedient Servt

Hon. Martin Van Buren,
Secretary of State. —

John D. Craig

Exd
J H K
65

Pat. Office, 3d. Apr. 1830.

Dr Jno L. Craig,
Supt. of the Pat. Office

Sir,

The usage of this Office in cases of application for Patents for a compound or composition of matter, has been,

to demand of the persons applying, the ingredients (or specimens of them) in quantities sufficient for experiment.

Very respfy Your Obt. Servant

Alexr. McIntire Clerk

William P. Elliot.

Exd J.J.R.

Patent Office, Apr. 29 - 1830.

Sir,

Perceiving yesterday that I was tres-passing on your time; I did not state one principal objection to the granting of patents to foreigners, or any others, for improvements in machinery, without models. For, suppose it done; and, as frequently happens, in the present rapid state of improvements, that a citizen soon after makes a similar improvement. In order to see whether he is anticipated he comes to the Patent Office and examines the models: and as he finds nothing there similar to his alleged improvement, he takes out a patent. The first patentee is soon appraised of the fact, enters a suit against the second. Sets aside his patent, & casts him in heavy costs & damages. All which would have been avoided had the first been compelled to furnish a model.

Very Respectfully,

Hon. Martin Van Buren
Secretary of State. —

John D. Craig

Exd J.J.R.

Patent Office June 30 - 1830.

Sir,

I beg leave to request your opinion respecting the measures to be taken with the Resolution of Congress, of which the enclosed is a copy.

Very Respectfully

Hon. Martin Van Buren,
Secretary of State.

Your humble Servt.

John D. Craig

Exd J.J.R.

Statement of monies received by William P. Elliot for making out copies of Patents, drawings, and for recording transfers of Patent Rights, from the 31st of December 1829 to the 31st of December 1830 inclusive.

1st Quarter	D.	C.	2nd Quarter	D.	C.	3rd Quarter			4th Quarter		
Jan. 7 5	1	"	April 2	"	48	July 1	1	"	Oct. 1	1	"
" 6	8	10	" 2	"	36	" 2	"	25	" 1	1	"
" 6	4	70	" 5	2	45	" 8	1	44	" 2	3	"
" 7	"	50	" 7	"	41	" 10	2	25	" 2	"	50
" 9	2	69	" 7	1	53	" 17	8	12	" 4	1	44
" 11	1	"	" 8	1	17	" 19	2	25	" 4	1	"
" 14	4	50	" 8	"	55	" 20	1	85	" 5	3	"
" 16	5	"	" 9	3	"	" 19	12	30	" 6	2	"
" 16	1	76	" 10	2	"	" 21	1	32	" 8	3	"
" 18	2	"	" 10	1	37	" 24	2	97	" 8	"	50
" 18	"	50	" 14	1	12	" 24	2	50	" 18	3	50
" 21	3	13	" 15	"	25	" 28	3	"	" 19	"	84
" 23	1	34	" 15	2	"	Aug. 7	22	84	" 20	3	75
" 25	1	"	" 16	1	"	" 10	1		" 23	1	11
" 26	2	"	" 17	1	21	" 12	1	48	" 27	2	"
" 30	"	50	" 17	7	01	" 21	4	60	" 27	2	50
Feby. 1	2	91	" 21	2	"	" 23	"	50	" 28	5	"
" 2	"	67	" 23	1	"	" 25	2	"	" 29	1	"
" 3	4	39	" 26	1	50	Sept. 13	4	50	" 30	3	"
" 4	4	50	" 26	"	75	" 16	1	"	Nov. 1	1	
" 5	"	50	" 28	4	50	" 16	2	62	" 6	3	50
" 5	1	25	" 29	2	90	" 18	3	46	" 6	1	50
" 5	"	36	May 1	25	11	" 21	"	50	" 8	1	50
" 8	5	"	" 3	21	"	" 22	1	75	" 9	2	25
" 9	"	25	" 3	"	41	" 22	1	"	" 9	1	25
" 10	2	50	" 5	2		" 25	10	"	" 9	16	"
" 10	"	50	" 7	1	80	" 27	2	25	" 10	1	"
" 11	"	75	8	4	36	" 28	2	50	" 12	3	"

	$	¢
Feby 15	2	20
" 16	1	44
" 17	3	
" 19	"	50
" 20	2	85
" 20	1	56
" 23	5	41
" 25	4	"
" 26	1	75
" 27	3	60
March 1	"	50
" 1	1	25
" 2	9	53
" 2	2	"
" 3	19	64
" 4	2	69
" 5	2	75
" 5	4	50
" 4	2	"
" 10	1	50
" 10	"	75
" 11	1	"
" 13	4	37
" 15	1	56
" 16	"	78
" 20	3	44
" 22	4	75
" 24	4	52
" 29	"	81
" 30	"	40
	$ 158	68
	4	50 Seals
	$ 154	18

May 8	"	60
" 17	"	75
" 13	1	88
" 17	1	"
" 18	2	50
" 19	2	"
" 21	4	25
" 22	1	13
" 22	1	"
" 24	5	"
" 26	4	25
" 28	3	50
" 29	4	74
" 31	"	68
June 2	2	44
" 4	2	25
" 4	2	"
" 14	"	25
" 14	1	"
" 17	2	88
" 23	2	11
" 28	1	
" 28	"	50
"	$ 140	96
"	1	75 Seals
"	$ 139	21

Sept. 29	1	60
" 29	2	"
" 30	2	"
	$ 106	85
	1	50
	$ 105	35

Nov. 15	7	
" 16	5	"
" 19	1	"
" 22	"	77
" 27	"	40
Dec 1	1	50
" 1	1	25
" 6	3	"
" 10	4	50
" 11	7	"
" 8	4	29
" 10	5	
" 13	4	45
" 14	5	"
" 14	"	56
" 14	1	50
" 16	"	50
" 17	"	50
" 17	1	50
" 21	1	50
" 21	2	"
" 23	1	"
" 23	3	"
" 27	1	"
" 27	2	"
" 29	3	"
	$ 132	20
	3	50 Seals
	$ 128	70

$ 158.68 first quarter
140.96 second do.
106.85 third do.
132.20 fourth do.

$ 538.60

Deduct for 45 seals. 11.25

$ 527.44 amount of proceeds received for copying &c. during the year 1830.

William P. Elliot.

Exd
JJR

Patent Office Jan. 1 - 1831.

Sir,

Accounts similar to the enclosed from the copying Clerk, were formerly given in to Mr. Waddell, who, it is understood, declines receiving any more of them, I am at a loss to know how to dispose of it.

Very Respectfully,

Hon. Martin Van Buren, John D. Craig
Secretary of State.

Exd
JJR
56

Patent Office April 1, 1831.

Sir,

When Mr. Isaacs applied for his patent, he expressed an anxious desire to have it issued as soon as possible. With a view to his accommodation, I sent his money immediately to the Treasury; from which, of course, it cannot be withdrawn.

Very Respectfully.

Hon. Martin Van Buren, John D. Craig
Secretary of State.

Exd
JJR
6

Dept. of State, Pat. Office March 28th 1831.

In compliance with the request of the Secretary of State, in the case of Lee vs. the Patent Office, the Superintendent has the honor

to submit the following report:

Granting to Mr. Lee all the advantages his own statement will furnish, it is believed that he has no just cause of complaint. The same channels for gaining information from the Office, are open to him that all others have. He can, by paying the legal fee, obtain copies of any patented papers, and drawings in the Office. Or by visiting the Office he can peruse, in the room in which they are deposited, the original papers belonging to any patent that has been granted.

These facilities are granted to all applicants, and are considered quite sufficient. But to give every applicant on demand, an account of the coincidences & divergencies, between what he claims, and what has been claimed by all that went before him, would be a task which twenty Clerks could not at present accomplish. In the case before us, to collate and compare all the Patents in this Office, on steam boilers, with that of Mr. Lee, would be the labour of several weeks, and the report would form a volume of considerable size. The thing is therefore impracticable, as well as an evasion of the law which declares that 20 cents per 100 words shall be paid for all copies made out in the Office. And to suffer any unpatented papers filed in the Office, to be taken out of it, or inspected by any except the owners, would be to throw open another avenue to Patent frauds; of which there are plenty already; and as far as can be learned, no such practice has ever been permitted in the office; if therefore it has been tolerated in any instance, it must have been clandestinely.

The Superintendent is well aware, that great pains have been, & still are taken in a certain quarter to excite prejudice against him; but careless & fearless of all such attempts, he will persevere in the faithful & important discharge of his duty.

Exd)
P.R.

All which is respectfully submitted

John D. Craig

Department of State.
Patent Office, April 27th 1831.

In compliance with the request of the Secretary of State, made this morning thro' Daniel Brent Esqr the Superintendent of the Patent Office has the honor to submit, in addition to the Report of the 28th Ultº, the following:—

Dr Jones was not refused permission to examine the papers of Mr. Lee, after the presentation of an order authorizing him so to do, nor was it intended to refuse him the privilege of examining any Patented papers, in the room where they are filed, and in the presence of the Clerk having charge of them. But according to the long established rule, and invariable usage of the Office, the liberty was withheld, to examine unpatented papers, (except as in the case of Mr. Lee, an order from the owner of papers, to do so was presented,) or to take patented papers out of the Office for comparison, or examination.

Respectfully submitted,
John D. Craig

Exd
JFR

Patent Office, May 28-1831.

Sir,

That you may have a correct knowledge of the present state of this Office, I take the liberty of sending herewith a copy of the Report, submitted to Congress, during the last Session; but not aided on.

Very Respectfully
John D. Craig

Hon. Edward Livingston
Secretary of State.

Exd
JFR

Patent Office June 7. 1. 1831.

Sir,

Agreeably to your request, I have the honor to submit, for the use of Government, the following Report.

The number of patents issued during the last year, was four thousand one hundred and forty three, and the corresponding amount of fees paid into the Treasury, ... $16.320.

The whole annual expenses of the Office, during the said time, for Clerk hire & contingencies was . . . . . 6.500.

Leaving a balance in favour of the Revenue, of . . . . 9.820.

The appropriations granted at the last session of Congress, to complete the fixtures of the Office, was, ... 4.600.

This object has as far as practicable, been accomplished; the amounts expended as per receipts, being, ... 3.530.42

Leaving an unexpended balance of 1.069.58

which has been paid into the Treasury.

It was contemplated to expend two hundred dollars of said appropriation, in fitting up for a Machine Shop, the second story of the Engine House, adjoining the Office; but on examining the act of Congress, authorizing the building of that house; it appeared to have been intended exclusively for the Engine, its apparatus, and the meetings of the Fire Engine Company. A Machine Shop for the Office is indispensibly necessary; and none for the purpose could be more appropriate than the house mentioned; tho' it is badly calculated for its present use. Should Congress see proper to authorize the building of an Engine house, on the north west corner of the lot belonging to the General Post Office, similar to that near the Capitol, and assign the old one to this office, it is believed the arrangement would be highly advantageous.

The whole number of patents issued by this office since its organization, is 6371 of which one more than one thousand are yet unrecorded; though the law expressly declares, that "all patents issued shall be recorded in a Book kept for that purpose;" and many of the original papers are so much worn, and the ink so much faded, that ere long they will be illegible.

To record five hundred of these per annum, would be sufficient employment for a good copying Clerk, consequently it would require two years to record the unrecorded patents, now in the Office; and to

would require two in addition to the present number to keep up the current business of the office, and record agreeably to the existing laws, the patents as they are issued.

Should Congress in its wisdom think proper to appropriate means for accomplishing these objects, it is respectfully suggested, whether instead of allowing the recording clerks, an annual salary, it would not be preferable, to pay each of them monthly, at a fixed rate, in proportion to the quantity he had correctly recorded. This method, it is believed, would tend to excite industry; accomplish the business, with the same number of clerks, in much less time; be less expensive, and render to every one employed according to his performance.

Among the patents issued from 1836 to June 1829, there are 249 the drawings belonging to which, were not to be found in the office, at the last enumeration date. This circumstance places the Superintendent in a very disagreeable situation, when copies of any such are called for; and affords a strong argument in favor of making it penal to take from the Office either papers, drawings or Models belonging to it.

In the Report from this office, submitted to Congress during the last Session, it was respectfully suggested, whether an increase of the Treasury fee for obtaining patents, would not be advantageous to the community at large, and also to the individuals whose discoveries, or improvements are really entitled to encouragement and protection, and daily experience tends to confirm the same opinion.

Patents frequently demanded, and cannot be refused, for alleged discoveries or improvements, that have not the shadow of claim to originality; yet the citizens in general, prefer submitting to the imposition, rather than undertake to vindicate their common rights, by an appeal to a judicial tribunal. It is believed that augmenting the Treasury fee, would in a great measure remove this evil; and afford additional security to Patentees who merit protection.

It is also respectfully submitted, whether it would not be advantageous to publish annually a list of such patents as had expired during

...preceding year. It is known that the community has been imposed on by persons selling patent rights after they had expired. Such a publication would tend to prevent such impositions.

At present the patent office is a source of revenue; which, it is presumed, the framers of its laws never intended; and the compensation received by those connected with it, is far less, in proportion to their labor and responsibility, than that in any other office of the Government within the District: said compensation having been fixed when neither the labor nor responsibility was one fourth of what it is at present. It is therefore kindly hoped that Congress will take the subject into consideration; revise the whole system, and appropriate its income, or so much thereof as may be considered expedient, to its own expenditure, and the extension of its utility. Unfortunately, an opinion appears to have prevailed, that the establishment was not an object of sufficient importance, to require any particular Legislative attention. Should Congress in its wisdom see proper to appoint a Committee of their Honorable Body, to examine its present condition; perhaps the Report of the Committee, would induce a different impression, and lead to improvements, of which the office is susceptible, and to which its resources are fully adequate.

With Great Respect,

Hon. Martin Van Buren — Yours truly

Secretary of State

Dept. of State. Patent Office

July 1831.

The Superintendent of the Patent Office presents his respects to the Secretary of State, and requests that the opinion of the Attorney General on the following queries, may be obtained.

First. A patent having been issued for any improvement in the useful arts, and afterwards cancelled by petition of the Patentee, another, bearing the same date, comprising an additional improvement, issued in his favour; — would it be legal

at any period before the expiration of said Patent, to issue another exclusively for said additional improvement, so as to secure the right thereof to the inventor, as long after the original Patent expired, as the aforesaid cancelling was subsequent to the original issue; in other words, to secure to the inventor the exclusive right of the second improvement, fourteen years?

Second, Is there any legal authority for the practice of cancelling and of inserting alterations and improvements in a subsequent issue, as above?

Third, Is it consistent with the existing Patent Laws, that an individual shall have the privilege of coming into the Patent Office, and taking copies of papers belonging to it, without paying into the Treasury the specified fee of twenty cents per hundred words in said copies?

Fourth. Do the existing Patent Laws of the U. S. authorise the Secretary of State to employ a sufficient number of Clerks to discharge all the duties of the Patent Office, as required by said laws?

Respectfully submitted. Exd JSR

Washington July 7th 1831.

Sir,

It is with the utmost reluctance I trouble you with my personal concerns; but the necessity of the case I hope will plead my excuse. — I am employed at present as a Messenger in the Patent Office; — my duties are not only to perform the ordinary duties of a messenger; but I also copy all the letters: — for which I receive 500 dollars per annum: — I have a numerous family of small children, and this sum is inadequate to their support.

Now, Sir, I beg leave most respectfully to represent that the messenger in each of the Executive Departments receives 700. dollars, per annum: with assistants. — My duties are as great as

theirs besides copying the letters.

Formerly, when there were not more than 100 or 200 patents issued in the year, the correspondence was trifling compared with what it is at present. — Within the last two years it has nearly doubled; for there are about 600 patents now issued yearly; and there are frequently 15 or 20 letters to copy per day. What with my duties as messenger and copying I am employed nearly the whole day. —

The object of this letter is most respectfully to ask an additional compensation for Copying letters: 100 dollars was allowed several years ago, when the service to be performed was not more than one half that it is now. —

I am, With the most profound respect,
Your obedient & humble servant,
Henry Bishop.

To the Hon. Edward Livingston,
Secretary of State of the United States.

Exd
JSR

P. S. This letter has been submitted to the inspection of Dr. Craig.

Patent Office, 11 July 1831.

Sir,

I understand that a man of the name of White, from Baltimore, has applied, or is about to apply, to you for a Clerkship in this Office. This man about three years ago, married a young lady with a large fortune, and in a short time spent the whole of it in dissipation, with abandoned associates. I hope a public office will not, during the present administration, be the reward of such conduct. I know it would be very unpopular in Baltimore, where he is detested; & have thought it my duty to acquaint you with the circumstance.

Very Respectfully
John D. Craig —

Exd
JSR

Hon. Edward Livingston
Secretary of State.

Patent Office, March 12 - 1832.

Sir.

To accommodate the Recording Clerks with room in this Office, I find to be very embarrassing, and to suffer the work to be performed elsewhere, is a measure to which I cannot consent, and be responsible for its execution, or the safety of the papers. Perhaps the General Post Office could spare part of the room it now occupies. If not, the Patent Office cannot be long accommodated in the same building: for business, and the room it unavoidably requires, increase in a greater ratio than the population of the country.

With great respect,

Hon. Edward Livingston, Secretary of State.

Yours truly,

John D. Craig

Exd
J.F.R.

Patent Office, May 17th 1832

Hon. Edward Livingston
Secy. of State

Sir,

With feelings of delicacy and diffidence, I commence this communication to you. A purity of intention is my best apology. A sterling friend of the Liberty we so eminently enjoy, who, to promote public good, does all in his power to enhance the best interests of our common Country, is sometimes called to make sacrifices, painful to his private feelings, producing wounds, that find a healing balm in the reflection of having done right. However painful it may be, a man of this cast obeys the calls of duty, with promptness and decision, and, if guided by prudence and discretion, renders himself useful in Community.

I have observed, with much pleasure, the untiring diligence of the present administration, to introduce "retrenchment and reform", into the various branches of the general government.

Correct System, in its simplest forms, should consti-

bute the subdivision of all business, to produce favorable results.

An experiment is now being made in the office in which I am employed, which, if properly matured and judiciously arranged, will take a respectable stand in the list of reforms, and will, I am confident, be favored the best method of keeping up the records, in all the public offices. If matured and adopted, the chaotic state of unrecorded public papers would speedily be arranged, and all future records made in due time, at much less expense, than by salary Clerks. Upon this subject permit me to suggest a few ideas.

No man should be appointed a recording Clerk, who does not sustain an unsullied reputation for moral integrity. He should write a legible hand, be a good reader of manuscript, and possess those high feelings of honor and justice, that will induce him to make a correct and faithful record, without requiring the watchful eye of a scrutinizing supervisor.

During the hours of writing, order and harmony should be preserved, and disputations upon various subjects entirely prohibited.

The reading to the Supervisors, and their examinations, should be in a separate apartment.

The Supervisors should be men whose deportment will command respect, whose intelligence will inspire confidence, and should see every error in the words faithfully corrected.

For the good of all parties concerned, the Clerks should be compelled to write at least 4000 words per day, unless absent by sickness, or on necessary business, by leave of the head of the department, in which case, the Supervisor should receive his pay for examining 4000 words, per day, and if the Clerk is absent under any other circumstances, the most paid to the Supervisor should be deducted from the next due said Clerk, when he receives his next payment. —— By the present arrangement, the remuneration of the Supervisor is of a very uncertain tenure. ——

One Supervisor can attend to 10 instead of 6, the present number

assigned. I think $5 for examining every 40.000 words, a sufficient compensation, instead of $8.33 2/3/100 the amt. now paid, provided the Supervisor has the privilege of recording, should he have any leisure time.

If there are a large number of Clerks in one company, the most competent of the Supervisors should have delegated to him the powers of a Superintendent over that Company, to maintain the strict observance of such rules as are adopted by the head of the Department.

If these rules, and, during the experiment, such others as may be found expedient, can be adopted, I think self interest, the grand fulcrum of human action, will dictate a cheerful compliance. I think they would prove salutary to individuals, and beneficial to the Department.

These suggestions are Communicated, Sir, for your consideration, and should they contribute in the remotest degree, to the advancement of that wise system of "Retrenchment and Reform", so happily commenced, and whose successful, bold and fearless march, is onward, I shall be highly gratified.

With feelings of high respect, I have the honor to be, Sir,

Your obt. Servt.

Levi Carroll Judson

Note. If the Clerks were Compelled to write 24.000 words per week, instead of being confined to 4.000 per day, justice might be awarded to the Supervisor, and the Clerks be better satisfied, for what is lost in one day, might be made up by extra industry, and the Supervisor, in the mean time, occupy his leisure moments at recording.

Respectfully &c.

Hon E. Livingston Secy. State. L. C. Judson Ent

JFR

Patent Office, Jan. 1. 1833.

Sir,

Mr. Charles Bulfinch spends much of his time absent from this Office, and even while present, his performance

is very disproportionate to that of any other; or to the salary he receives, and since Congress seem not disposed to allow the Office any more Clerks, it is respectfully submitted, whether the Public interest, — justice to others in the Office; — and to the Government, do not require a more efficient person appointed in the room of Mr. Bulfinch?

With great respect.

Hon. Edward Livingston
Secretary of State.

John D. Craig

Exd
JHC

Dept. of State, Patent Office,
July 11th, 1833.

The undersigned Clerks in the Patent Office, in justice to the Superintendent, as well as themselves, state, that having a perfect knowledge of the duties performed by Mr. Bulfinch, he has not averaged, more per day, than the writing of two sides of a record book each side containing 400 words, more or less.

In doing this they disclaim any unkind feelings towards Mr. Bulfinch.

Alexr. McIntire
Saml. P. Walker

Exd
JHC

Washington, 26th Jan. 1833.

The Hon. Edward Livingston
Secretary of State,

Sir,

I have the honor to enclose to you a letter written by Dr. Temple, at this time, a clerk in the Post Office, but formerly in the Patent Office, respecting Mr. Bulfinch. He had good opportunities of judging of his character and fidelity, and in this letter he has certified to both. If every Clerk in the

office were examined, I am sure the report of each upon this subject, would be the same. Mr. B. is a remarkably upright, virtuous, and conscientious young man, and it is utter incomplicable with all the principles that govern human action, that he who with singular scrupulousness, performs all his duties in private life, should be regardless of the duties that devolve upon him in a public station. All charges of that nature, I know to be untrue, and I fortify my assertion by the testimony of Dr. Jones and Dr. Temple, and may very safely refer to all who have had the like opportunities of observation, except one man. And I beg leave respectfully to submit it, to your sense of justice, whether he ought to be made a sacrifice to the personal prejudice of that one man.

Much more I might say, but I will refrain, trusting confidently that you will not allow the unfounded representations of Mr. Craig to sow in your mind, the prejudices with which his own has been filled, against a faithful fellow Clerk.

I am Most Respectfully, Sir, your Obt.

D. A. Hall.

Exd
J.F.R.

Washington City
January 26, 1833.

Hon. Edward Livingston,
Secretary of State.

Sir,

Having heard that Mr. Bulfinch is desirous of changing his situation as Clerk in the Patent Office, for a similar situation (of Clerk) in some other Office, it affords me much pleasure to testify to his excellence as a man, & to his faithful and conscientious discharge of his duty as a Clerk. Having been a Clerk in that Office, in the same room with Mr. Bulfinch, I am enabled to speak from personal observation.

I conceive it my duty to state farther, that while I remained in the Patent Office, I had frequent occasion to witness on the part of the Superintendent, a deportment towards Mr. Bulfinch, which to me appeared the result of the strongest prejudice.

With the highest respect, Your Obdt. Servant. John T. Temple.

Exd
J.F.R.

80

Dept. of State Patent Office
June 24th 1833.

Hon. Louis McLane
Secretary of State.

Sir,

I deem it my duty to inform you, that Mr. Charles Bulfinch a Clerk in this Office, at a salary of eight hundred dollars per annum is incapable of performing the duties assigned to him.

For dereliction of duty, he has long since been admonished, without its having produced a state of things more satisfactory. It is his misfortune to be physically unable to perform the ordinary duties of a Clerk; his eye sight is bad, and his bodily health such (from disease either real or imaginary) as to incapacitate him for business.

From the 3rd of March 1829, up to the first of this month, excepting four months, which I consider a liberal estimate for the time he was employed, when a press of current business required his aid in writing out Patents, he has recorded 707 Patents, containing 672.209 words, which at 12½ cents per hundred words, (the rate fixed by Congress for recording Patents) is equal to $840 24/100 as the subjoined statement of all the recording done by him will show: it therefore does appear, that during the period of four years, less one month, his services were worth to the government a little more than two hundred dollars per annum.

In conclusion I will add, that if an efficient Clerk be appointed in his stead, the recording of all assignments and copies of Patents, for legal & other purposes, can be done by a regular Clerk, and the fees accruing therefor be paid into the Treasury as the law requires; which of itself will save to the government six hundred dollars, or more, per annum.

All which is respectfully submitted for your consideration.

I have the honor to be Sir, Your obedt. servt.

John D. Craig

Ex
for K

Patents recorded by Chas. Bedfinch Junr from Mar. 3^d 1829.
to June 15th 1833.

Words	Words	Words	Words	Words
491	33.490	63.124	88.184	114.769
361	660	500	1.560	195
1.090	370	640	420	507
500	630	665	750	610
810	780	680	1.510	530
210	150	520	360	150
250	310	2.375	330	1.120
600	900	1.130	3.406	600
3.237	1.596	625	442	415
300	120	1.130	363	685
900	1.716	440	385	1.300
1.833	209	510	552	1.100
1.232	429	585	975	400
595	1.070	830	1.170	430
374	1.250	430	403	460
156	730	540	369	250
350	530	360	1.380	830
650	820	140	2.080	900
150	494	1.855	1.312	756
250	2.644	1.170	288	936
290	2.957	460	1.060	1.635
4.110	468	920	355	637
1.216	540	815	330	1.535
170	1.440	2.160	960	340
920	320	610	840	755
480	945	540	610	990
310	1.200	470	348	630
720	455	360	610	1.054
515	1.550	450	468	610
1.300	400	750	1.156	1.055
670	1.807	610	963	790
7.270	1.220	1.090	400	1.280
1.180	924	700	430	230
33.490	63.124	88.184	114.769	138.544

133.344	177.061	209.942	244.113	278.354
1.130	260	374	270	994
780	375	702	280	1.110
1.870	1.695	1.015	1.160	550
750	872	182	450	400
930	645	940	430	1.394
6.510	870	817	340	1.060
540	872	1.471	1.629	530
840	690	1.100	684	870
576	570	1.015	559	442
335	460	1.340	676	1.107
520	750	900	348	3.140
430	860	1.210	550	3.350
650	340	730	1.195	665
1.290	1.235	350	533	325
2.680	455	390	1.055	1.460
870	940	1.150	450	286
470	470	240	780	4.207
810	2.175	330	1.186	5.430
690	200	160	430	1.915
90	1.070	360	3.990	2.295
660	590	330	720	1.500
910	975	640	300	380
2.630	2.763	275	340	1.706
940	859	1.580	550	625
300	955	880	410	390
230	1.300	3.630	540	1.060
380	2.920	120	492	510
610	760	580	4.020	1.480
930	585	900	1.900	1.560
300	447	590	1.468	1.630
3.636	880	290	1.094	570
1.220	945	1.470	782	1.570
700	695	1.990	644	1.520
780	1.011	420	1.718	1.850
650	729	1.290	1.510	480
810	183	2.410	755	240
177.061	209.942	244.113	278.354	327.954

328.935	379.391	426.414	455.382	483.356
490	1.720	600	756	1.089
220	470	416	381	525
1.530	820	1.250	287	736
1.355	1.650	510	762	449
2.240	560	1.920	2.196	1.600
760	270	1.200	248	1.589
330	220	1.130	403	427
12.860	200	420	1.126	337
210	910	670	783	330
2.040	1.550	590	444	662
1.580	220	210	1.277	777
580	1.840	560	1.036	374
750	1.010	2.400	480	3.005
670	680	650	624	1.000
270	2.000	480	744	1.504
1.747	636	500	450	400
2.230	520	860	341	1.045
3.090	616	830	516	800
3.660	1.980	430	500	1.324
680	1.470	430	1.065	1.512
600	1.350	560	290	228
750	264	2.680	1.000	558
300	4.820	200	1.251	1.044
1.679	657	590	431	916
312	387	700	1.128	404
300	335	520	660	1.896
210	6.447	690	1.068	540
336	2.950	970	540	881
3.926	2.890	410	684	798
290	374	910	1.383	960
2.311	310	1.206	336	1.729
350	1.720	650	2.040	602
890	453	1.152	1.464	260
640	740	750	205	356
756	612	360	331	204
900	2.650	624	241	754
379.891	426.414	455.382	483.356	515.463

515.465	553.034	575.150	606.002	636.764
528	209	1.692	530	330
504	284	280	1.212	1.025
5.338	508	972	374	2.145
3.884	200	1.352	1.104	535
793	610	734	1.008	865
481	768	744	1.528	740
2.769	430	1.008	1.024	570
1.456	231	691	350	285
854	450	521	590	1.130
448	429	418	585	770
276	588	876	2.008	815
3.598	2.244	642	1.126	860
204	627	282	490	540
240	1.188	2.807	300	435
1.105	726	697	294	360
414	120	742	530	3.150
453	560	1.188	1.594	630
678	144	742	920	640
760	156	486	1.130	1.270
154	799	470	536	450
228	600	814	280	2.245
316	1.078	176	560	800
242	283	913	330	1.100
434	945	936	735	1.170
800	550	770	2.600	310
889	506	3.017	860	1.520
508	572	707	1.080	496
2.102	768	154	2.708	1.300
374	816	600	590	240
664	722	888	440	1.240
385	1.000	636	580	400
514	744	231	396	810
1.025	550	1.226	925	315
1.112	924	864	700	965
561	206	418	285	296
2.256	231	1.048	410	1.320
553.634	575.150	606.002	636.764	669.124

Nouns
609. 121
270
310
290
405
1.300
510

672.209 Words at 12½ cents per hundred words, and comprising 707 Patents. $840.26

Approved.

June 22, 1833. John D. Craig Ex'd

Statement A.

of all the Patents Recorded by Chas. Bulfinch Jr. from Aug.t 15th, 1829, to June 11th, 1833; the nouns &c, taken by an assistant Clerk from the Record Books.

Vol. 2. 0. — From Jan.y 2d to June 11, 1829.

Johnson Barney	264	Bennett	1.232	Jennings	872	Parker	447
Campbell,	990	Badger	963	Do (Syrac)	820	Blackstone	530
Mosher	4.820	Taber	1.718	Robinson	1.312	Small	470
Wood	2.311	Howe	1.070	Wood	374	Cole & Johnson	430
Lemont	1.635	Commons	1.250	Cushman,	1.394	Pearson	462
Lambert	429	Knapp	1.535	Scott	1.195	Rider	1.471
Gordon	695	Goodrich	1.510	Pettinos	817	Rice	1.107
Houghton	657	37	42.006	January	553	Saylor	1.720
Debit	348	Goodrich 2d	755	Reed	494	Lockie	320
Bakewell	1.011	Ridgway	374	Johnston	890	Draper	750
Demarest	491	Parker	361	Williams	156	Hutchesonmac	870
Larcom	387	Cooper	702	Harrington	2.646	Reed	945
Harris	1.468	Taylor	1.015	Heilbrunn	3.763	Harrington	1.200
Thorpe	1.094	Longaneker	182	Harrington	2.957	Phillips	435
M.c Neal	468	Fitch	730	Seifried 37	1.900	Tomlinson	3.140
Baker	637	Williamson	994	Com.s Jour.s 74	86.111	Rogers	450
Osborne	550	Manning	6.667	Gardiner	1.055	Holloway	780
Follit	1.807	Sanford	350	Sovatt	282	Burgess	340
Rodgers	729	Woodlin	595	Doty	468	Pearce	3.250
Casey	900	Goulding	2.950	Hoodside	640	Gilbert	755
Alvater	1.833	Sam.l	2.890	Smith	310	Ravenel	1.186
Perry	1.380	Graves	1.110	Jennings	650	Thorp	665
Cushman	1.220	Drury	550	Coons	540	Odiorne	935
Lennox	924	Drury	400	Bassett	1.090	111	124.284
Wade	782	Wilbor	530	Knight	1.640	Phillips	455
Beckwith	683	Howe	400	Wyeth	1.220	Babcock	325
Perkins	1.156	Hunt	780	Hess	1.060	Jacks	350
Ely Jno. E.	2.080	Cummings	374	Lewelly	625	Sullivan	1.563
Ely Elisha	335	Cook	940	Thorp	750	Woodside	1.450
Harding	644	Strong	335	Norris	859	Chase	940

Brown	286
Colburn	1.100
Bryan	4.207
Bowen	400
Chew	455
Alley	500
Gay	5.430
Sarton	1.015
Boynton	500
Post	990
Teissier	1.915
Reynolds	1.300
Davis	470
Bushnell	640
Salisbury	520
Lapham	430
Salisbury	650
Reest	1.340
Wright	430
Brewster	3.295
Howe	2.175
Atwood	665
Sanderson	900
Pond	900
Boynton	740
Watson	1.290
Bliss	680
Mc Clentic	1.720
Emmons	1.210
Hinds	612
Cahoon	2.680
148	164.809
Nichols	680

Tudor	1.500
Pierce	870
Averill	1.054
Stone	872
Johnson	2.650
Risley	380
Burnap	1.980
Morris	520
Mc Coller	600
Fleming	2.375
Fairchild	730
Shankland	1.130
Byington	195
Rogers	610
Shaw	1.055
Johnson	1.706
Reed	416
Allen & Barnett	625
Conn	625
Catlin	390
Jennings	507
Knight	3.990
Davis	1.250
Jennings	690
Boatwright	350
Jarves	260
Wright	720
Swift	300
Golden	510
Skinner	810
Fuller	470
Conant	810
Clark	470

Foss	1.130
White	390
Pede	440
185	198.869
Lee & Stewart	1.060
Houghtaling	650
Copcutt	150
Wheeler	1.920
Fanshaw	250
Leonard	1.150
Hills	340
Naylor	1.480
Medley	810
Altenderfer	240
Massey	290
Minturn	330
Hunt	820
Gardiner	510
Howard	1.200
Rhodes	160
Brown	1.560
Miller	550
Atwater	4.110
204	216.449

Vol. 2. D. from June 11th to Nov. 23d 1829.

Mc Pharren	1.216
Dow	585
Rogers	170
Howe	920
Sanburn	830
Brown	430
Pike	540

Reynolds	480
Clark	310
Thorp	1.630
Merritt	570
Morton	610
Cahoon	1.130
Phillips	200
Van Hoesen	690
Bromwell	730
Marshal	515
Schermerhorn	570
Murray	360
Pennell	420
Wells	360
Raymond	1.855
Coffin	1.300
Peck	1.170
Meestin	140
Bartholomew	670
Van Hoesen	530
Medley	1.070
White	150
Smith	1.570
Bronson	460
Do	410
Freeborn	90
Francis	330
238	239.460
Barnum	660
Lee	790
Chubb	910
Wileman	640
Boynton	275

Fowler	1.120
Madison	590
Bryan	1.650
Pratt	210
Angel	1.580
Lounsbury &c.	920
Arnold	1.175
Bridgman	560
Mount	1.520
Bennett	1.850
Reynolds	480
Jarves	460
Goulding	2.450
Ruggles	880
Darracott	880
Burt	3.630
Brittingham	600
Gold	2.920
Emmons	560
Mead &c	650
Jackson	120
Lazell &c	480
White	270
Blakeslee	415
Adams	540
Salisbury &c	2.680
Pennington	220
Selden	1.060
Malcolm	740
Parkinson	1.280
273	275.175
Tibbitts	940
Arnold	500

Carter	240
Harman	200
Henricks	610
Richards	510
Rounage	685
Wilson	300
Packard	490
Torrey	670
Britt	220
Powers	230
Hart	210
Payne	815
Allen	760
Bowman	860
Allen	1.530
Dunn	375
Abernathy	1.300
Madison	1.150
Kilburn	910
Atwater	7.270
Hoffman	1.110
Wood	355
Davison	1.355
Stith	2.160
McCune	830
Bakewell	1.180
Wickersham	780
Barker &c	400
Booth &c	580
Richards	2.240
Woodson	660
Kendle	1.470
Tilden	230
308	309.300

308	309.300
Lester	760
Cherry	430
Wood	1.550
Folger	1.870
Stocking	430
Wright	610
Jennings	860
Shelter	250
Emmons	900
Bornsister	1.695
Do	590
Smith	330
Wallace	540
Olcott	470
Brown	290
Espy	560
Neer	360
Thomas	380
Horn	430
White &c	1.350
Hilleas	1.470
Lane	1.990
Robinson	610
Ryner &c	370
Butler	220
Faries	750
Thomas	630
Prindle	450
McOmber	12.860
Mosher	2.680
Mitchell	420
McGrath	330
Sperry	750

Sillibridge	210
Gilliam	610
343	348.305
Turner	960
Russell	780
Addison &c	2.040
Phelps	150
Barnes	1.580
Young	580
Gibbs	200
Halderman	580
Hatch	750
Morris	1.290
Chapin	670
Tornpet	460
Baldwin	930
Morrison &c	1.090
Sizer	300
Hayward	840
Patterson	340
Barrett	700
Parker &c	4.410
Stone	1.840
Ely	270
Shively &c	590
Reeder &c	270
Miller	280
McOmber	1.560
Finlay	250
Gifford	1.160
Hull	1.010
Vinton	930
Burdick	310

Reeder	590
Pell	450
Buckenberger	420
Ransom	750
Ward	1.510
Saxton	360
Battle	1.747
380	381.252
Hurd	2.230
do	900
do	830
do	945
Orndoff	3.090
Blydenburgh	680
Wood	3.060
Orthoudt	330
Doolittle	610
Hubbard	700
Jones	680
Berry	520
Folger	6.510
Wright	690
Tucker &c	600
Hale	750
Pope	600
Hines &c	970
Smith	430
Davis &c	300
Van Kleck	240
Brainerd	610
402	407.627

Vol. 2. E. From November 23rd Dec. 31. 1829

402	407.627
Hanna	1.596
Ruggles	1.679
Slayton	910
Carter	312
Burwell	300
Owen	2.000
Hall	900
Coon	120
Perkins	1.206
Grover	3.406
Girard	1.629
Mason &c	684
Prince	700
Atkins	756
Cook	348
do	442
Mauck	492
Eastman	936
Cobb	363
Hurd	385
Davis	585
Johnson	210
Teal	975
Bell	540
do	559
Putnam	1.235
Temple	840
Reckers	552
Doolittle	975
Barnes	636
Follet	1.170
Dennis	650
Root	3.636

Thorpe	1.152
O'Brien	403
Wernwag	1.716
438	442.625
Western	520
Chase	576
Smith	396
Mosher	3.237
Adams	209
Thompson	336
Wheeler	3.926
Haws	616
Hosford	670
447	453.117
Vol. 2. I. from January 5th 1832, to June 22d 1832.	
Walsh	300
Stern	624
Chase	756
Fitch	381
Lewis	287
Douglas	762
Vannoy	2.196
Granger	248
Meneely	403
Irvine	1.126
Keeper	783
Taylor &c.	444
Whitiers	1.277
Kimball	1.036
Simmons	480
Young	624
Bogardus	744

Holloway	450
do	341
do	516
Sawyer	500
Mullier	1.065
Faber	290
Harvey	1.000
Snyder	1.254
Woodcock	431
Hotchkiss	1.128
Jones	660
Douglas	1.068
Drinkhouse	540
Quimby	684
Phillips	1.685
Hurd	336
Rives	2.040
Varden	1.464
482	481 038
Holmes	205
Carriel	331
Urquhart	241
Booker	1.089
Bruner	525
Messer &c	736
Brown	949
Hathaway	1.600
do.	1.582
Dare	427
Gomperts	337
Miller	330
Mc All &c	662
Mc Arthur &c	777

Miller &	374
Richardson	3.005
Powers	1.000
Haskins	1.504
Coffill	400
Fairbanks &	1.045
Prince &	800
Corey	1.324
Lambert	1.512
Mills	228
Wilmore	558
Gifford	1.044
Sinclair	916
Ogle	404
Allen	1.896
Remington	540
Francis	884
Adams	798
Drummond	960
Emmons	1.729
Seebold	600
517	512.350
Badeau	260
Washburn	356
Brannan	204
Newsom	754
Richards	528
Harris &	504
Bruce &	5.338
Fox	3.854
Morrison &	793
Harris	431

Willard	2.769
Goodyear	1.456
Snow	854
Smith	448
Look &	276
Hulch	3.598
Prior	204
Wolf	240
Blaylock	1.105
Humberd &	414
Curtis	453
Calvert &	678
Lancaster	760
Badger	154
Grinnell	228
Ball	316
Register	242
Dean	434
Faber	800
Gray	889
Pratt	808
Pier &	2.102
Plumb	374
Wilson	666
Parker	385
552	546.075
Gidney	514
Dowler	1.025
Cornell	1.112
Savage	561
Holland	2.256
Costell	209

Reese	284
Carrington	808
Minton	200
Washburn	610
Wilson	768
Branch	430
do	231
do	450
Duffey	429
Flint	588
Harland	2.244
Madeira	627
Angorme	506
Peabody &	1.188
Adams	726
Cook	120
Coston	560
Morgan	144
Norton	156
Dayton &	799
Nash	600
Harvey	1.078
Moffitt	283
Barnes	945
Drummond	550
Whittemore	572
Stinchfield	768
Newbrough	816
Rhodes	722
587	569.954
Sullivan	1.000
Philips	744

Drake	530
Green	924
Springer	206
Monchon	231
Bamford	1.692
Gardner	280
Shultze	972
Johnston	1.352
Hank	734
Prichard	744
Dugdale	1.008
Coleman	691
Boston	521
Zwahlen	418
May	876
Potter	642
Dudley	282
Willard	2.807
Fraley &c	697
Kable	742
Andrews	1.188
Beach	742
Gee	486
Taft	470
Towle	844
Witherby	176
Dart &c	913
Beale	936
Bartlett	770
Graham	3017
Philips &c	797
Wilson	154

Embank	600
Moffet	888
Plummer &c	636
624	600.684
Plummer &c	231
Sheffield &c	1.226
Bogardus	864
Turk	418
Kyle	1.068
Allen	580
Ruple	1.212
Webster	374
Aborn	1.104
Hackett	1.008
Pulsifer	1.528
Carpenter	1.024
Blood &c	350
Munson	590
Gregg	585
Adams	2.008
Fellows	1.126
Prescott	490
Judd	300
Foster	294
Fahnstock	530
Fish	1.594
French	920
Mayo	1.130
Sawyer	536
Steddard	280
Knapp &c	560
Green	330

Stahl	735
Watson	2.600
Mott	860
Greene	1.080
Byram	2.708
Hurley &c	590
Foster	440
Chapin	580
Booth	396
661	632.933
Chapman	925
Darrow	700
Winslow &c	285
Bacon	410
do	330
Prentiss	1.025
Mason	2.145
Colver	535
Sellers	865
Wiswell	740
Smith	570
Loomis	285
Mason	1.130
Day &c	770
Parmelee &c	815
Burrall &c	860
Richardson	540
Avery	435
Bright	360
Howe	3.150
Kendall	630
Ladd	640

Merrell	1.270
Coinman	450
Porter	2.245
Parker	800
Wilson	1.100
Laning	1.170
McCay	310
690	658.423
Tibbitts	1.520
Batchelder	490
Nuckolls &c	1.300
Horn	240
Cobb	1.240
Kinkley	400
Power	810
Goodell	515
Philips	965
Griscomb	390
Hale	1.320
Showerman	270
Keen	310
Crowl	290
Wolf	405
Van Gorder	1.300
Brown	510
707	670.698

Patents Vol. 28. From June 22d 1832, to June 28th.

In the foregoing pages there are

8	columns of Patents. 37 each	296
7	" " " 35 "	245
1	" " "	36
1	" " "	19
1	" " "	22
1	" " "	9
1	" " "	29
1	" " "	17
1	" " "	34
	Patents Recorded	707
	In days, 686	

Statement B.

Giving the number of Patents, with the Patentees' names, which patents were copied on Parchment for Issuing — taken from memoranda kept by C. Bulfinch Junr at the time of writing them.

Specifications copied on Parchment for Issuing New Patents by C. Bulfinch Junr.

1830. May 17 days
Allen
Lane
Porteaux
Batby
Varle
Fisher &c
Hyde
Howell
Pond
Kirkpatrick
Kingsbury
Williams
Church
Babcock
Lewis
Bogardus
Overman
Brewster
Evans
Peterson
Potts
Snyder 22
June 26 days
Stimpson
Baker
Mobley
Yeckley
Sanford
Crabank

Wood
Willard
Miller
Williams
Klanberg
Peters
Smith
Arnold 14
Patents 36
Pool
G. Arnold
Horton
Ott
Estlin
Newton
Lester
Kenton
N. Adams
Bettis &c
S. P. Mason
Gilpin
Stocking
Kingsbury
Beach
Stratton
Sliver &c
Pearce
Hammond 19
July 15 days
Pettis

Thompson
Phelps
Pollock
Langford
Arnold
Shepherd
Honeywell
Smith
Stowits
Dunscomb
Granger
Foot
Hale
Post
Stroop
Stondinger 17
72
Zell
Slater 2
October (9 days)
Jarvis
Gammon
Averill
Fairlamb 11 pages
Salisbury
Thurston
Ricafinali
Laning
Disbrow 9
Novr. (19 days)

Lewis
Annesley
ditto 8 pages
Davis
Breant
Girard
Rundle
Rice
Williams
Holmes
Littlebey
Disbrow
Tenney
Smith
Dewey
Cole
McGann
Barron
Bruce
Flagg
Ambler
Tomkins 22
105
Decr. (6 days)
Burrall
Gentry
Tiffany &c
Thompson
Newsom &c
Foote

Palmer
ditto 2° pat.
Little 9
Patents 114
1831. Jan 7. (2 days)
Cogswell
Hinkley
Conser
Fahrney
Feby (24 days)
Sherman
Reily 9 pages
Emmons
Cooper
Fox &c
Meigs
Harman
Cornell
Hornback
Wooster
Hetzel &c
Tuck
Otis
Eastman
ditto 2° pat.
Greenwood
Jacobs 21
Sherman
6 pages
Angevine
Barlow 3
March (23 ds)
Hyde

Boyden
Roe
Gallup
McMullen
Cleeves
Gentry
Crofs
Pawling
Robinson
Detterick
Morrison
Turner
Woolley
Forbes
Yeamans
Schultz
Millis
Dawley
Chapman
Blanchard
Bill &c (long)
Sites
Cande 24
April (22 ds)
Willcox
Coe
Marks
Eastman
Davis
White
Packhurst 7
Coney 55

Hayward
Munroe
Andrews
Jeralemon
Shaw
Wolfe
Wood
Titus
McCormick
Currier
Harrington
Dean &c
Smith, 6 pages
Bangs
Warren
Girand
Newton
Stone
Jencks 20
May (26 ds)
Hind
Hewitt
Arnold 8 pages
Strobel
ditto 2° pat.
Fahrney
Baker
Phipps &c
Evans &c
Hale
Embree
Mackrell

Brown
Coolidge
Evans
Judge
Tyler 17/92
Crane
Gillet
Fairlamb
Phillips
Hill
Judson
Hitchcock
Tees
Eckstein
Palmer
Jinkham
Patterson 12
June, (24 ds.)
Bryant
Chase
Sutton
Marsh
Reckers
Hoyt
Kimball
Coston
Burlow
McKinney
Swett
Elliot
Kearsing
Clark

Vosburgh
Douglass
Converse 2 pages
Taft
Woolson
Thatcher
Tackels
Bates &c 15 pages
Seely
Palmer
Winnans. 10 pages
Skinner 26
130
July (20 ds)
Pine
Dornett
Payne, &c
Prescott
Whitman &c
Wykoff
Turner, 26 pages
Balch &c
Etheridge
Redifer
Rogers
Munch
Carriel
Heerstman
Genung
Maltby
Menkinney
Jennings
August (25 ds)

Emmons
Tyson
Fobes
Broughton
Oxnard
Wallace
White
Stewart
Williams
Spencer
Estes
Hull
Narracong
Tileston
Thull
Stimpson
ditto 2d pat. 7 pages
Wright, 8 pages 18
166
Thomas
Evans
Colley
Wykoff (reissued)
Fay
Barron
Barber
Tinkler 8
Septr. (26 days)
Morvin
ditto 2d pat.
Sample
Barnes
Graham

Goodyear
Stone
ditto 2d pat.
Britton
Clibborn
Brieff
Bryant
Carpenter
Van Anken
Reed
Eastman
Buck
Bull
Folles
Cooper
Wickwire
Van Tuyl
Willcox
Myers
Wooley
Page
Brees
Richards
Clark
Cole &c
Green &c
Hull 32
206
Octr. (24 days)
Wooley
Henderson
Treadwell 43 pages
Goddard

Cooper
Zimpel
Stanford
Holt
Stimpson
Sullivan
Phelps
Robbins
Tibbitts
ditto 2d pat.
Prescott
Reading
Lane
Gordon
Baker
Hooper
Williams
Richards
Kranser 23
Novr. 19 days
Borgonzio
Brown
Holdredge
Shaw &c
Bent &c
Conwell
Parker
Cromlien
Tufts
Spencer
Tuthill
Sullivan

Hawkins
Stewart 14
243
Jennings
Kirkpatrick
Hinkle
Rice
Newberry
Wiemwag
Shaffer
Porter
Emes
ditto 2d pat.)
Fletcher
Beach 12
Patents 255
for 1831. copied on
Parchment.
Patents written on
Parchment in 1832
Feby (2 days)
6th Urquhart
" Curriel
17th Haskins
April (8 days)
Washburn
Flint
Peabody
Dayton &c
Adams
Stinchfield
Newbrough
Rhodes
Sullivan

Green
Bamford 14
May (18 days)
Kable
Sowle
Graham
Sheffield
Bogardus
Ruple
Webster
Hackit
Carpenter
Adams
Fellows
Prescott
Fisk
Mayo
Watson
7 pages
Mott
Byram
5 pages
Darrow 18
32
June (13 days)
Prentiss
Mason, 5 pages
Smith
Mason
Howe
Burrall
Kendall
Overman
Parker
Richardson 10

Nov. (3 days)
McWilliams
Otis
Dickinson
Hughes 4
Decr (19 days)
Barlow
Lockwood
Fossard, 23 pages
Callender
Reynolds
Stanley
Green &c
Willet
Huffman
Cronshaw
Kirk
Long
Walker 13
In 1832 59
Patents, 1833.
on Parchment.
Jany. (13 ds.)
Bradshaw
Fairlamb
Duplantier
Dibble
Cole
Brewster
Keith
Bachmann
Barr

De Witt
Whipple
6 pages
Hathaway 12
5 pages
Feby (21 days)
Riley
Bearce
Rich
Scholfield
5 pages
Preston
Morrison
Douglass
15 pages
Cook
Mt Duffee
Hemenway
Hinkle
Graham
Boynton
Allen 14
March (10 ds)
Fisher
Roberts
Thacher
Turbish
Berry
Stuart
Bidwell 7
33
Luckey
Pott, &c
Boynton
Moses
Page
Lewis 6
April (4 days)
Reed
Bayba &c
Wallace
Hayden 4
43

Recapitulation of amount of Patents written on Parchment for Issuing new patents, in the years 1830, 1831, 1832, 1833.

				Patents	
1830 in	May	17	days	22	
"	June	26	"	33	
"	July	15	"	19	
"	October	9	"	9	
"	November	19	"	22	
"	December	6	"	9	— Parts of 6 months, 92 days — 114 Patents.
1831. in	Jany	2	days	4	
"	Feby.	24	days	20	
"	March	23	"	24	
"	April	22	"	27	
"	May	26	"	29	
"	June	24	"	26	
"	July	20	"	18	
"	August	25	"	26	
"	Septr.	26	"	32	
"	October	24	"	23	
"	Nov.	19	"	26	— Parts of 11 months. — 235 days. — 255 Patents.
	11	235	"	255	
1832. in	Feb.	2	days	3	Patents
"	April	8	"	11	"
"	May	18	"	18	"
"	June	10	"	10	"
"	Novr.	3	"	4	"
"	Decr.	19	"	13	"
	6	60	"	59	" Parts of 6 months. — 60 days — 59 Patents
1833. in	Jany.	13	days	12	Patents.
"	Feby.	21	"	14	"
"	March	10	"	13	"
"	April	4	"	4	Parts of 4 months — 48 days — 43 Patents
	4	48	"	43	Parts of 27 months — 435 days — 471 Patents.

Allowing 26 working days, (off Sundays) to a month, — 435 days would give 16 months & 19 days.

Statement C.

Showing the time elapsed, since the entrance of C. Bullfinch Junr. into the Patent Office; — together with the deductions to be made therefrom.

Statement of the time elapsed, since my entrance into the Patent Office, with the deductions to be made therefrom.

Entered the Patent Office, March 5th 1829.

Days in March from the 5th		26
From April 1st to Decr 31st, 9 months	days.	275
		301
In 1830		365
" 1831		365
" 1832 (leap year)		366
" 1833 to June 11th,		162
	Days.	1559

Deductions from the above, viz.

1829. March — Labelling and Registering Models	days	26
April & May — Waiting on Parchment for Issuing Patents		61
June & July — Spent partly in recording, partly on Parchment — 2 weeks on a journey		61
August 1st to Decr 31st, 5 months, — Sundays & Holy-days —		22
		170
1830. Sundays		52
Holy-days, viz. Janry 1st. July 5th, Oct. 28th. Nov. 6th, Dec. 25th, (Christmas)		5
Sick — March 20th, July 19th, Augt 20th, Octr 14th & 15th, Novr 15th & 19th.		7
On a journey by commission from Aug. 21st to 31st,		10
Letters to write for the Office, Octr 4th, 21st. Nov. 23d Decr 16th.		4
		248
1831. Sundays.		52

Holydays — Janʸ 1st. July 4th, Decʳ 26th 3
Sick — Janʸ 12th. March 4th & 24th, June 18th.
July 1st. 5th, 13th & 14th, Augᵗ 5th & 8th. Oct. 5th. Nov. 10th, 12
Out of work. Augᵗ 22ᵈ. 1
Absent, with leave. June 7th, July 7th. (Mamma's death) 2
carried forward 318

1832, Sundays, ... 52
Holydays — Janʸ 2ᵈ. Febʸ 22ᵈ. July 4th, Decʳ 25th . . . 4
Sick — Janʸ. 23ᵈ & 26th, March 20th & 21st, May 14th,
June 4th, 16th. 25th. Oct 17th. Nov. 6th. 8th. 14th.
——— Decʳ 4th, 19th, 24th, 25th, ... 16
Letters to write for the Office May 11th. . . . 1
Absent, with leave, Feb. 3ᵈ. March 30th. April 28th
——— June 7th, Oct. 15th. Nov. 16th, (Carroll's death) 6
Out of work. Feb. 21st 1
Making estimates for the Office, from Nov. 20th to 28th. 7
405

1833. Sundays, from Janʸ. 1st to June 11th,
——— in 162 days. Sundays. . . . 23
Holydays, Jan. 1st, March 4th, ... 2
Sick, — Feb 2ᵈ. & 20th, April 3ᵈ & 23ᵈ. May 15th, June 1st, 6
Absent, with leave, Janʸ 4th, Feb. 25th. . . 2
438

Time since C. Bedfinch Jr. entered the
Patent Office, (as above) . . . days 1559
Deduct, as above, ... 438
Regular working days. . 1121

Washington, June 25th 1833

Honᵇˡᵉ Louis McLane.

Sir,

I received, yesterday, a notice from

you, stating that charges of incompetency had been preferred against me, by the Superintendent of the Patent Office, & that in consequence, my employment would cease on the last day of this month.

It is with the greatest regret I perceive, that the Superintendent is not satisfied with the services rendered by me; but painful as it is, to come in conflict in any manner, with the statements of my Superior, — I believe that a statement from me, of the manner in which my time has been occupied in the Patent Office, together with the amount of service of different kinds performed by me, will satisfy you, that I have been neither neglectful nor incompetent, to the discharge of my duties.

I shall therefore, Sir, esteem it a great favor, if my sentence of dismission may be suspended, until I can furnish a statement of the amount of duty performed by me; & that I may have free access to all Books & documents in the Office, from which the necessary data can be drawn.

It would also be a favor, if I could be furnished with a copy of the charges preferred against me.

I have the honor to be, with the greatest respect, Sir, Your most humble servant,

Chas. Bulfinch Junr.

Exd
J.H.R.

Department of State,
Patent Office, June 26th 1833.

To the Hon. Louis McLane,
Secretary of State of the United States:

Sir,

It is with the utmost reluctance that I add to your laborious official duties, by troubling you with any communication of a private character; but the necessity of

the case will apologize for my appeal to one, who has always been distinguished for his justice and liberality.—

For many years I have been employed in the Patent Office, to record transfers of patent rights and to make out Certified copies of patents, with drawings; and for which I received as a compensation for my services, the fees allowed by law, viz. 20 cents per 100 words, which never amounted to more than 400 dolls: per annum, including the sums received for copies of drawings, the cost of each being determined by the trouble of executing it.

I find by a proposed arrangement, that this duty is recommended to be done by a Clerk with an annual salary. This, if carried into effect, would displace me from office, (unless I were to be that appointed Clerk) and deprive me of my small employment, — and would in my opinion be an act of injustice.

By an arrangement between Mr. Van Buren and my father (who was formerly a Clerk in the Patent Office) I was to be appointed to this office, on his relinquishing his office. When the arrangement was made, I was in Europe, pursuing my studies as an artist: — On the faith of this arrangement, I came home; and entered on the duties of office: — how I have fulfilled these duties I leave to the Superintendent to State. — For the truth of my statement I appeal to Mr. Van Buren & Mr. Danl. Brent.

I do not by this communication wish to be understood as interfering with the economy proposed in the arrangement: all I desire is that I shall not be made the victim to the alteration. However, I cannot help here remarking that this subject has already been in consideration, before former Secretaries of State, and it was decided that the present system was quite as economical as any that could be proposed; because the person doing the duties which I perform, must not only be a Clerk but a draftsman; the Copies of patents . . . . in many

cases being accompanied with drawings.

I shall be happy to make any farther explanation on this subject if required.

I am, most respectfully,

Your obt. servt.

W. P. Elliot.

P. S. It is an undisputed fact, that the business of the Patent Office, like that of the Gen'l Post Office, is annually encreasing, (depending on the encrease of population in the U. S.):— how then can any of the present Clerks be dispensed with, when they, and more, were deemed necessary a year ago, and for several years past, to perform the current business, as may be seen by the Secretary's annual reports to Congress.

W. P. E.

Ex—
JJK

Patent Office, June 27th, 1833.

To the Hon: Louis McLane,
Secretary of State,
of the United States,

Sir:—

In my communication of yesterday, I referred to former decisions of your predecessors in office, on the subject of my letter;— herewith you will receive the copy of a letter which I wrote, addressed to Mr. Livingston; and upon which he decided that the business should be continued to be done as formerly, and paid for in the same way.—

After the decisions of Mr. Adams & Mr. Livingston in this subject, it seems difficult to account for agitating it again at the present time:— economy will certainly not account for it.

I am, most respectfully,

Your obt. servant,

W. P. Elliot.

Ex—
JJK

(Copy) Washington, Novr 9th. 1831.

To the Hon. Edward Livingston
Secretary of State
of the United States.

Sir: —

The Attorney General of the United States, having lately given an opinion, respecting the disposition of money received for making copies of Patents, and Drawings in the Patent Office, which affects the compensation I receive for my services in that office, I was induced at the request of Lieut. John D. Craig, Superintendent, to apply to you for your decision. To make you fully acquainted with the business, and to allow you time to consider it at your leisure, I leave the enclosed proper to give you a narrative in writing of what has been the custom and decision of former Secretaries of State, and Attorneys General on this subject; with a full confidence that you will decide this question according to law and the interest of the public.

In the proviso of the 11th section of the Patent law of 1793, it is stated, "That for every copy which may be required at the said Office (Patent Office) of any paper respecting any patent that has been granted, the person obtaining such copy, shall pay at the rate of 20 cents for every copy sheet of 100 words; and for every copy of a drawing; the party obtaining the same shall pay five dollars; of which payments, an account shall be rendered annually to the Treasury of the United States; and they shall also pass to the account of Clerk hire in the office of the Secretary of State".

As the amount for copying &c. was very trifling (not exceeding 200 dolls. per annum) up to the year 1824, it was always paid over to the person performing the services. And as it required a draftsman as well as Clerk, and no clerk in the department of State being adequate to the task, the business was given to

some one out of the Department, capable of performing it. In the year, 1824, when Mr. Adams was Secretary of State, he enquired from the late Doctor Thornton, information on this subject; this the Dr gave; relating the practice of the Office as before stated. Mr. Adams decided, that the business should be done by the same person as heretofore; but that the money received was to be paid to the Agent of the Department of State, who was to dispose it to the credit of the Department, and give a check for the amount deposited, for payment to the person performing the services. He also required that a quarterly account of the same should be rendered to the Department of State; and this was always done till within the last two years; when the present Agent of the Department (Mr. Wadell,) declined receiving the money; though the account has always been regularly kept and rendered to the Secretary annually. —

It must be obvious to you, Sir, that it is almost impracticable to fulfil literally the letter of the law; because it requires a draftsman as well as a Clerk to make the copies required, and no one can be found who will make a copy of drawings for two dollars; when they are worth from 20 to 30 dollars, & sometimes more.

For the last 14 years I have performed the duties above mentioned; (except 3 years that I was in Europe) and I have never received more than 500 dolls. per annum: & since the services have been performed, I appeal to the present superintendant, and those connected with the Patent Office to say. I hope, therefore, that should you decide that it is necessary to have a Clerk appointed by Congress, for the above purposes, I shall, by my former services, have merited your approbation and receive the appointment. However, which way soever you may think proper to decide, I feel assured that it will be in justice and kindness to

Your much obliged & obedient servant

H. L. Elliot.

Ex
8716

Hon.ble Louis McLane,
Secretary of State.

Washington July 3d 1833.

Sir,

Having been kindly indulged by you, with the time and opportunity to make my defence against the grave charges preferred against me by the Superintendent of the Patent Office, charges going back to the time of my entrance into the Office; I have bestowed my most careful attention in preparing what I hope will be received as a satisfactory vindication.

I received my appointment in March 1829, upon the recommendation of many highly respectable members of Congress.

The branch of business for which I was appointed, (being a newly created Clerkship) was for the Recording of Patents, which had been issued from the Office.

I was at first directed by Dr. Thos P. Jones, the then Superintendent, to label a number of new Models:— this occupied my time till about the first of April. I was then employed in writing Specifications on Parchment for issuing Patents, during April & May. About the 1st of June I commenced Recording Patents (my special duty),— but was frequently required after this, to assist in the current Parchment work of the Office. I was then allowed by the Superintendent, to take a short journey, & was absent about two weeks. Thus June & July were spent, partly in Recording, and partly on Parchment, & the remainder on a journey.

My regular recording I consider as commencing about the 1st August 1829. (for though frequently taken from this duty, after that date, yet I had recorded enough in June preceding, to make up the deficiency.)

My recording, though fairly commencing Aug.t 1st, 1829, consisted of Patents issued at & from the beginning of the year;— thus putting back my record, even at starting, about seven months:— this has unavoidably increased, from my being taken from the

record & put upon parchment work, since Jany 1st, 1830, more than sixteen months, as per Statement B. accompanying this, — and also from the necessity of my being obliged to do all the recording of any given year — whereas the same patents when issued, are, upon a press of business, put into the hands of several Clerks.

The number of Patents, Recorded, from August 1st, 1829, as before, to June 11th 1833, is, as per Statement A, 707, recorded in 686 days. June 11th is the period to which the Superintendent makes up his Statement, & my number of recorded patents agrees with his.

The number of patents, copied on Parchment for issuing from May 1830, to April 9th 1833, is as per Statement B, 471 in 435 days.

Patents Recorded	707	in days	686
Patents for Issuing	471	" "	435
Patents	1178	Days	1121

Besides the above 471 Patents, many more were copied on parchment in 1829, of which no exact account has been kept. — Statement A, shows the number & names of all the Patents Recorded by me, since my entrance into the Office — drawn from the Record Books.

Statement B. shows the number and names of Patents copied on Parchment since May 1830: — of those copied before that date, no exact account has been kept.

Statement C. shows the time spent since I entered the Office, with the deductions to be made therefrom.

The accounts of my employment previous to January 1st 1830, are taken from a copy of a letter addressed by me to the Secretary of State, Jany 5th 1830. The subsequent accounts are drawn from the memoranda kept by me, at the time, of each days work — these are now in my possession.

In reply to the Charges preferred by the Superintendent, —

As to "omission of duty", I am not aware of any. I have rarely absented myself from the Office, even for a few minutes, without his assent, or notifying the cause to the first Clerk, except when absolutely disabled from performing my duties by sickness, and while at the Office. I think I may truly say, that I have devoted my time as conscientiously to the public service as any Clerk whatever. When absent on a journey, or away from the Office for a few days (always by permission of the Superintendent) I have always, when required, furnished a substitute at my own expense to perform my duties, my substitute being approved & accepted by the Superintendent.

As to "physical inability", I think it a cruel and exaggerated charge. Occasional infirmity is the common lot of humanity — every one is sometimes prevented by sickness from attending to business; & I think it will appear, as from Statement C, that absence from duty for 7, 12, or 16 days in the year, owing to sickness, is hardly enough to subject a Clerk to the charge of "physical inability", or of health so bad as to "incapacitate him for business".

My eye-sight, I allow, is not so strong as that of some, but it is probably not worse than that of many, who, like me, are in the habit of wearing glasses; & the writing of 1178 patents, many of them from 6 to 10 or 20 pages, in 1121 days, I would respectfully submit, does not appear like incapacity for business.

But the greatest injustice, I conceive, is done me, by allowing no more than "four months", for all the time employed on Parchment work; as by my Statement B, it appears, that from May 1830, to April 1833, I was employed, (at different intervals) upon this sort of work, 16 months & 19 days, or 435 days; in which time I copied 471 patents. This Statement is drawn from a memorandum or diary, in which each days work was minuted down, as it was actually performed. Besides this, many Patents were written on Parchment in 1829, of which I kept no exact minute, but obtained the time so spent, from a copy of a letter of mine, dated Jan 7th

1830, addressed to the Hon. Mr. Van Buren:— that writing occupied at least two months, (May & June 1829, as per Statement B) making with those mentioned above, nearly 14 months. Indeed all my time, from March 5th to August 1st, 1829, was occupied in such miscellaneous duties, as will appear from Statement C, that I consider my regular employment of Recording, as commencing Aug.t 1st, & deduct the previous five months from the time since I entered the office, as also all the time afterwards spent on Parchment work, Sundays, Holydays, &c.

From March 5th 1829 (when I entered the Office)
to June 11th 1833. is . . . . . 4 years 93 days
Off, (as before) the first 5 months, Sundays &c.
as per Statement C, . . . 438 days
Off, time spent on Parchment
work, from 1830 (per Statement B) 435

873 days are 2 yrs. 143 days

Remains 1 year 315 days

All the time which I have spent on Recording, is
1 year 315 days, or 1 year 10 months 15 days.

From the above it appears that, instead of "four years, less one month", spent by me on the Recording, as stated by the Superintendent; — after proper allowances are made — only one year, 10 months & 15 days were so spent:

With regard to my general character for moral conduct, & quiet, assiduous attention to my duty, in the office, I would respectfully refer you to Dr. Thos. P. Jones, by whom I was nominated to the Department, & who had, for a considerable time a good opportunity to observe my conduct.

I hope the above Statement is sufficient to show, that during the four years & a quarter since I entered the office, I have performed a reasonable amount of duty — that if not one of the most rapid writers, I am still very far from being the

least efficient Clerk under Government. This, I am persuaded, would more strikingly appear, could the performances of others be subjected to the same severe scrutiny, as mine have been.

I will now, Sir, leave the whole matter to your decision, well convinced that you will not be disposed to judge harshly, nor deprive of his means of subsistence, without full cause, one, who has devoted his time conscientiously & to the best of his abilities, to the faithful discharge of his duties.

I am, Sir, with the greatest respect,

Your very humble servant,

Chas. Bulfinch Junr.

Exd
J F R

Patent Office July 10th

Sir,

As you have been discharged from this Office, you cannot, till reappointed, be considered as belonging to it.

Yours Respectfully,

Mr. Charles Bulfinch Junr. John D. Craig

Exd
J F R

(Copy) Washington. 10th July 1833.

J. D. Craig Esqr.

Superintendent of the Patent Office.

Sir,

As the decision of the Secretary of State in my case, has not yet been obtained, and as from his suspension of my dismission, I am still in the office, I am ready, and it would be agreeable to me, to perform any duty which may be assigned me.

If therefore, it would be agreeable to you, I shall be glad to have papers delivered to me, that I may continue my recording, until the pleasure of the Hon: Secretary be made known.

I am Sir. Your obdt. Servt. Chas. Bulfinch Junr.
(Signed)

Exd
J F R

Patent Office, July 17th 1833.

Honble Louis McLane,

Sir,

Having understood the suspension of your order for my discharge from the Patent Office, as placing me on the footing on which I previously stood, at least, until a definite and final decision should be made by you, upon the charges preferred by Dr. Craig, I had believed it incumbent on me to perform the duties of a Clerk as usual. Accordingly, after I had finished the recording of all patents that were in my hands, I called on the principal Clerk for more papers to copy. He said that he had orders from Dr. Craig not to furnish me any more patents to record.

I then applied by a note to Dr. Craig, a copy of which I herewith inclose, tendering him, as I believed it my duty to do, my services in the Office, until your pleasure in the matter should be made known. To that note I received the reply of Dr. Craig, which is also inclosed. I have, notwithstanding, deemed it proper to give, and accordingly have given my daily attendance at the office, & have always been ready to perform my duties, with as much fidelity and efficiency as God has given me the power to do.

Charged as I am, by my superior in office, not indeed with crimes, or moral obliquities, but with an inefficient & imperfect discharge of duty, I have felt sensibly, the difficulties which a just and proper defence of myself imposed upon me. I cannot make the issue personal, between myself and Dr. Craig, but I think I may venture to say, that an unreasonable prejudice on his part has induced him to the various efforts he has made to cause me to be removed from the office. For I must remark, that this is the third time that he has preferred similar charges. He first did so before Hon. Mr. Van Buren, and then before Hon. Mr. Livingston, both of whom, after a full investigation of facts, dismissed the charges. He has now presented them to you, Sir, but relying upon your disposition to do justice, I must cheerfully leave the decision in your hands. — Dr. Thos. P. Jones knew me well, and the nature of my services in the office, and as he is now unconnected with it, and well known to you, I should be happy that you should have his testimony upon the subject; but as I understand that he is about to be for some time absent, I request your permission to take his statement in writing.

Exd —
P. R.

I am, with great respect,

Sir, your very obedient servant,

Chas. Bulfinch Junr.

Dept of State, Patent Office,
July 11th 1833.

Hon. Louis McLane,

Sir,

I have perused the defence set up by Mr. Chas. Bulfinch Junr. against the allegation filed by me on the 24th Ultr. and deem little else necessary on my part, than to offer a most positive denial to the correctness of it.

It is doubtless true, that he has made it up from memoranda kept by him, but from my own personal knowledge and observation, he has taken credit for much more time than was ever consumed in the performance of other duties than recording patents. So far as the records of this office furnish data, I am sustained in the statement made of the recording done, and acknowledged by him; the letters copied by him have been examined, and found to contain not more than 8000 words, for which $10. would be ample compensation.

I will now take Mr. Bulfinch upon a single, and by far the most important item, to him, in his defence, and by his own showing prove, that he has not earned $450. per annum; I have estimated it at a little more than $200.

He admits that 686 "working" days were consumed in recording 707 patents, containing 672.209 words, averaging 979 words per day at 12½ cents per hundred words gives him 1.22/100 per day, for 313 "working" days = $381.86 pr. annum.

As Mr. Bulfinch has labored to prove the charges false, I am under the painful necessity of calling upon the other two Clerks for a statement which is herewith transmitted.

I have the honor to be Sir, Your Obedt. Servt.

John D. Craig

Exd
JPR

Dept. of State. Patent Office,
July 18th. 1833.

Hon. Louis McLane.
Secretary of State.

Sir,

Before a final decision in the case of Mr. Bulfinch I beg leave to trouble you with a few observations.

Congress, in 1832 appropriated $14.612 – "for recording the patents issued and unrecorded, as well as those hereafter to be issued, at a rate not exceeding 12½ cents for every hundred words". The "unrecorded" Patents then in the office, have been recorded, and a part of said appropriation yet remains unexpended, sufficient to pay for recording all that will be issued for several years to come, at the rate fixed by law.

Again the act of 1793 (last clause of 1st section) is understood to declare, that Letters Patent "shall be recorded in a book to be kept for that purpose in the Office of the Secy. of State, and delivered to the Patentee or his order" as they are issued.

Mr. Macdonald was appointed by Mr. Livingston to fulfill both these provisions: he engaged to record all the Patents as issued for 12½ cents per hundred words, and has proved himself fully equal to the task. Whereas Mr. Bulfinch, were he to exert his utmost powers, could not record one-half of them. – Already this year, 319 have been issued; a number Mr. B. could not record in 12 months, were he to labor every day. If then Mr. Bulfinch be reinstated, Mr. Macdonald, one of the first Clerks in Washington, must be discharged; for only one person on the recording can now be retained, and the recording again falls behind; and cost at least three times the sum specified by Congress.

If to these inevitable consequences, be added, as formerly stated, the loss of at least $600 per annum sustained by the revenue, in consequence of the "fees for copies" of patented papers, not going as the law requires to the account of Clerk hire, a view of the subject will be presented, which I hope, for the honor of those now in

power as well as for the public interest, will never be realized.

Great pains and labor have been bestowed to bring the business of the Office from a state of confusion and irregularity, to that of order and system, which cannot be preserved without the change suggested; the business can then be conducted upon correct principles, justice will be done to the Government, system preserved, and duties performed in strict conformity with the Patent laws.

I have the honor to be, Sir,

Your Obedt. Servant,

John D. Craig

Exd

JFK

Washington, July 17th, 1833.

Honble. Louis McLane.

Sir,

Understanding that Dr. Craig has replied to the vindication of myself against his charges, & wishing for a full opportunity of knowing & answering every statement, I shall esteem it a favor if I can be furnished with a copy of Dr. Craig's reply to my statement, together with copies of all papers accompanying it.

With the greatest respect I am, Sir,

Your most Obedient Servant,

Chas. Bulfinch Junr.

Exd

JFK

Patent Office, July 22d. 1833.

Honble. Louis McLane,

Sir,

A copy of Dr. Craig's reply to my defence against his previous charges is received.

I consider it a matter of course that he should maintain the correctness of his former statement, & consequently that he should deny that of mine

For the accuracy, however, of my statement, I have happy to have it in my power to appeal, as Dr. Craig admits, to memorandae kept by me, in which I carefully noted down, daily, the amount of each days work as it was performed. These vouchers are as authentic as any investment accounts, the entries being made as my daily work was done; with no view to any especial use, but merely as matter of precaution against any renewed charges, like those presented to Hon. Mr Van Buren, and which were set aside by him. These memorandae I shall be happy to exhibit to you if desired.

Dr. Craig affects that I have "taken credit for much more time than was ever consumed in the performance of other duties than recording patents." I humbly conceive that this will not appear, when the time spent upon Parchmental work for issuing new patents is considered, & upon which Dr. Craig is most totally silent.

Dr. Craig notices my item of "Letters copied for the office" This is but one & an unimportant item, among many others, accounting for the time spent, such as Labelling Models, Sundays, &c; upon this I lay no particular stress.

As to the amount of recording, there is no difference between Dr Craig & myself; — he allowes me 707 Patents, I claim no more.

The value of my recording, now allowed by Dr. Craig, is $381.86 per annum: — in his former Statement, he made it a little more than $200, thus nearly doubling the amount in my favor.

But his entire want of fairness is evident, upon observing his utter silence as to the three Parchmental work for Issuing, done by me. While he notices the trivial matter of "Letters copied" & considers the Recording as the most important item to me in my defence", he totally omits all notice of what is really my most important point, upon which there is any dispute, viz. the Parchmental work for Issuing new patents.

For this item, he allowed me, in his former Statement, "four months", but now passes it over in total silence, — whereas I can prove by my memoranda, which are perfectly authentic, because made at the time the work was done, — that from May 1830 to April 1833, I was employed upon this sort of work 16 months & 19 days, in which time I copied 471 patents. To the above adding two months in 1829, May & June, as per my former Statement C, — nearly 19 months more spent on Parchment work; — of all the time so spent Dr. Craig takes no notice. The number of words in these patents, cannot be known, as they were sent off without being estimated; many of them however were very long.

Patents recorded, as per my statement A.	707 in days	686
ditto copied for Issuing, as per Statement B.	471 "	435
Patents	1178 Days	1121

These 1121 days, with the various allowances for Labelling Models, Sundays, Holydays &c. as mentioned in my former Statement C, will make the whole time spent by me in the office from March 1829 to June 11th 1833, viz. 4 years & 3 months.

I hope I have sufficiently answered Dr. Craig's charge of taking credit for much more time than was ever consumed in duties, other than recording.

Dr Craig chooses to estimate my services at the rate of 12½ cents per 100 words: — this was the rate fixed in the appropriation Bill for the compensation of a number of Clerks who were temporarily employed in bringing up the back records, & was never intended to apply to Clerks receiving permanent salaries; & disclaiming all intention of implying that less is to be expected from permanent than temporary Clerks, I would respectfully submit it, whether this rate should be applied to me, which is never applied to other salary officers; especially as I have often been engaged in miscellaneous duties.

Messrs McIntire and Walker, Clerks in the Patent office,

have given a certificate stating that "I have not averaged more per day than the writing of two sides of a record book, each side containing 400 words more or less".

I am willing to hope as they assert, that they do this from no unkind feelings towards me; but I think they are mistaken in their view of the subject.

I will take for example, the Record Book, Vol. 2. I, which contains 558 pages. By my memorandum I find, I commenced this book April 6th 1832, and (with my substitute while I was absent on a journey who recorded 71 patents in 60 days — not more than I should have done in a like period) I finished the volume in 209 days. 558 pages, written in 209 days, will average 2⅔ pages per day.

I have the honor to be, Sir,

Your most humble Servant,

Chas. Bullinch Junr.

Dept: of State Patent Office

Hon. Louis McLane, 15th Aug: 1833.

Secy. of State,

Sir,

I herewith transmit certain papers received this morning from Jno. Goulding, and as they present an entirely new case, I beg to be instructed relative to the issuing of a Patent as prayed for by said Goulding.

On the 25th of June 1824, Letters Patent were issued to Calvin Whiting, Saml. Lowder & Saml. Lowder Jr. for an "Impt. to the Carding Machine; being a condensing Machine for forming the rolls of wool or cotton". — the last named Lowder dies, Saml. Lowder for himself and as Administrator of the deceased, assigns all interest in Patent, to Calvin Whiting, then Calvin Whiting as sole proprietor assigns his right to Jno. Goulding, — after which, it is discovered that the Patent right thus assigned is defective, the Assignee surrenders it,

and prays for a re-issue upon a corrected Specification, of Whiting & Lowder's Patent or invention signed by himself and sworn to by no person.

If a man can purchase a defective title, & by his own ingenuity render it valid, will it not be in violation of that universal maxim, that a man shall not take advantage of his own wrong?

I would be pleased to receive instructions in this case, if it be decided that a patent can issue, upon the papers sent, particularly as regards the printed forms to be signed by the President, Secy of State & Attly Genl.

I have the honor to be, Sir,

Your obedient Servant,

John D. Craig

Exd
JFR

Dept. of State, Patent Office.

Hon Louis McLane
Secy of State

19th Septr 1833.

Sir,

I have just received a letter from the 5th Auditor of the Treasury, stating that my account as Supt.dt of the Patent Office, in relation to paying the contingent expenses of the same, has been adjusted and transmitted to the Comptroller of the Treasury, for his decision thereon, and that the result of the settlement is, a balance against me of $510.16 cts, in lieu of $310.16 cts. the balance due the U. S. as per my account rendered, up to 30th June 1833. The sums paid to Henry Bishop (the Messenger) for copying letters from 30th June 1832 to 30th June 1833, constitute this difference, "which sums have been disallowed at the State Department."

I beg leave to state, that on the 1st of Octr 1826, Mr. Clay, then Secy of State, allowed the Messenger in this office $100, (in addition to his salary as such) payable out of the Contingent Fund, for copying letters, which was also sanctioned by Mr. Van Buren, and such allowance was paid to the Messenger up to the first of July 1831; from which period Mr. Livingston, in consideration of the great increase in the business and correspondence of this office, made a further allowance, amounting to

$200 per annum, as per copy of a letter from Danl Brent Esq. which I herewith transmit.

Under these circumstances I doubt not that the credits referred to in my account and claimed by me will be allowed, and as the messenger saves the time of a Clerk, who cannot be spared to copy letters, I respectfully suggest the propriety of permitting him to continue in the performance of that duty, and to receive the allowance as heretofore.

I have the honor to be, Sir,

Your Obedient Servant,

John D. Craig

Exd
JFR

(Copy)

Dept. of State
Washington July 22, 1831

Jno. Craig Esq.
Supt. of the Pat. Office

Sir,

I am directed by the Secretary to inform you, as I take great pleasure in doing, that he wishes you to add one hundred dollars to the annual allowance which is made to Bishop, the Messenger of your office, for salary, counting from the first of this month, in consideration of his being occasionally employed in copying for the Office.

I am &c.

(Signed) Daniel Brent

Exd
JFR

Dept. of State Pat. Office.
Octr 1st, 1833.

Hon. Louis McLane
Sec^y of State

Sir,

I have the honor to transmit the names and places of birth of the persons employed in this Office, viz.

John D. Craig, Superintendent born in Ireland.
Alex. McIntire Principal Clerk " " Delaware (U. States)
Saml P. Walker " " " Ireland

Charles Bullinch Jr. " " " Massachusetts "
Chas. M. Keller . . . Machinist " " France
Henry Bishop . . . Messenger " " England

I am, Sir,

Your obedient Servant,

John D. Craig

Ed
JFK

Dept. of State, Pat. Office
3rd Oct. 1833

Ashbury Dickins Esq
Ch: Clk. Dept. of State

Sir,

I herewith transmit the a/cs and vouchers of the Supt. of this Office for expenditures on account of Contingent Expenses, and recording patents, for the quarter ending 30, June 1833.

I am, Sir, Yr obedient Servant,

Alexr. McIntire Clerk.

Ed
JFK

Dept. of State, Pat: Office,
15th Oct. 1833.

Hon: Louis McLane
Secretary of State -

Sir,

I have the honor to acknowledge the receipt of a letter addressed to the Secretary of State by Mr. Bishop, the Messenger in this Office, and referred by the Secretary to the Superintendent for a report thereon. — In compliance therewith I beg leave to submit the following Report

That the services performed by Mr. Bishop are far from being over-rated in said letter. It is confidently believed that his duties are double that of any other Messenger in the Dept. of State; and it can be made to appear by the testimony of the Rev. O. B. Brown, that he was engaged to perform the double duties of Messenger and letter copier; for the former he was to receive $400 & for the latter $100, or more per annum; which agreement

was sanctioned by Mr. Van Buren, then Secy of State.

I cannot conclude without adverting to the anomalous appearance the Office presents, one of its inmates permitted to enjoy a Salary of $800, though his services are not worth one third of that sum; another not belonging to the office, permitted to pocket $600 per annum, which by express law of Congress ought to be paid into the Treasury, though he is in the receipt of an ample income without it, while Mr. Bishop, who is of more use in the Office than both of them, who has a wife and five children to support, is deprived of one third part of his small income, stipulated for when he entered the office, & which he faithfully and dearly earns.

I have the honor to be, Sir,

Your Obedt. Servant,

John D. Craig

Exd. J.J.R.

Washington Sept. 20th. 1833

Dear Sir.

Understanding that a difficulty has occured respecting a certain compensation allowed me for recording letters in the Patent Office, I take the liberty respectfully to represent; that my salary as Messenger is $400. a year the salaries in this office were fixed by law, when the Office was first instituted the business at first was small, but has ever since been increasing with the growth of the Country in population. The salaries of the messengers, in most of the other Offices, is $700 a year.

The Messenger in this office had been allowed $100. a year for several years for recording letters, in 1831 on representation being made to Mr. Livingston, of the great increase of business; all the correspondence of the office having to be recorded, consisting of frequently a dozen letters a day & some times more; he kindly ordered another $100 to be added to the previous allowance to be paid annually, which has been done ever since. In conclusion Sir, I take the liberty to state, that I have a large family having five children to bring up & educate & have to be very economical, but if the $100. in question should be withheld,

it will be a very serious loss to my family.

With the greatest respect,

Your obedient Servant

Henry Bishop

Exd. Hon. Louis McLane
JR Secretary of State.

Patent Office, Nov. 19, 1833.

Sir,

A volume of "American State Papers", Marked Public Lands, Vol. 1, is just received from the Dept. of State — It is the only one that has been received at this Office

Very Respectfully,

John D. Craig

Exd. A. Dickins Esq. Dept. of State.
JR

Washington, 23d. Nov. 1833.

Sir,

I have the honour to return Capt. Richards' letter which you referred to me, and in compliance with your request that I should state the circumstances to which he alludes of the refusal of the Superintendent of the Patent Office to give the information required on his behalf, I submit the following Statement.

At the request of G. H. Richards of New York, I called at the Patent Office, on the morning of the 12th inst. to make some enquiries connected with an application he had made for a patent for tanning. From information he had received he was apprehensive that some one to whom he had confided his invention had applied for a patent. I mentioned these apprehensions to Dr. Craig, and asked him whether any one had obtained or applied for a patent for tanning in the same method. This information he refused, in a very rude manner. So rude as to put it out of my power to have any further intercourse with him.

I have the honor to be, very respectfully,

Your obedient Servant,

Francis A. Dickins

Exd. The Hon. Louis McLane,
JR Secretary of State. —

Dept of State Patent Office
December 9th 1833

Hon Louis McLane
Secy of State

Sir,

A letter from Mr. Geo: H. Richards to the Hon. Secretary of State, is received at this office, with an indorsement desiring the superintendent to state the reasons why the information afforded in that letter was refused? In answer to which I have the honor to state, that the information asked for, was such, as under a rule of the Office established at its commencement, could not be given, and since I came into office this rule has not been violated.

All unpublished papers on file in this office are considered private property, & as such they are held sacred. They are not seen by, nor their contents made known to any person without the order of the owner. In the present instance I was desired to state whether any other papers than those of Mr. Richards had lately been sent to the office on the subject of tanning, and if so, what was the persons name, who sent them: — and did they contain any improvements similar to those of Mr. Richards?

To have answered these questions, I would consider a violation of my oath of office, & certainly a violation of that trust and confidence reposed in me by any person who deposites in the office Specifications of his improvements before he is ready to take out a Patent.

I have the honor to be, Sir,
Your obedient Servant
John D. Craig

Ex
S & R

Department of State,
Patent Office Dec. 9th 1833.

Hon Louis McLane
Secretary of State

Sir,

It is a duty I owe to myself and the gen-

clerks employed in this Office, may respectfully be represented:-
That the compensation fixed by law to the Superintendent and
Clerks in the Patent Office is very inadequate to the duties performed
by them, and for use in proportion to their labor and responsibility,
than that in any other Office under Government.

I take the liberty to submit the following facts for your consideration, as a justification for asking an increase of salaries:
The Patent Office, according to a report made by me as Superintendent, in the year 1836, last, up to that time, yielded to the Government, $154.110,- since which, and up to the commencement of the present year, the further sum of $61.150. has been paid into the Treasury, making a total amount of $215.260, derived from Patent Fees: and for the last four years, the average annual revenue from this Office has exceeded its expenses at least $9.000 per annum.

Thus it appears, that there has been a great increase of revenue, and a still greater increase of labor & responsibility,- while the compensation of those performing such heavy duties remains the same that it was, when the business of the Office was not one fourth of what it is now, and still increasing, as will appear by the report to be made from this Office at the close of the present year.

I therefore hope Sir, under these circumstances, that you will as one act of justice towards us, recommend, that the Superintendent and Clerks in the Patent Office be placed upon a more respectable footing in point of compensation

I have the honour to be Sir.

Your obedient humble servant

John D. Craig

Ex
HR

Washington, Dec. 11th. 1838.

To the Hon Louis McLane
Secretary of State of the United States.

Sir, I was mortified exceedingly sorry to be unable

you again on my affairs; but a direct violation, both in spirit and fact, of the arrangement entered into, about a month ago, respecting my employment in the Patent Office, as you know.

You determined on my being deprived of my office of making copies of papers and drawings for the Office, that I should be allowed to retain my table in the Office, as formerly; & to make the original drawings &c. required by applicants for patents, of their machines; and with which the Office has nothing to do. And to enjoy this privilege I made no application for the vacant Clerkship caused by the removal of Mr. Bulfinch: Knowing that had I accepted the office I should have been deprived of the right to make original drawings for individuals.

Mr. Steiger, from Baltimore, (a gentleman who understands drawing), was appointed a Clerk, with a Salary of $800. dollars per annum, to fill the vacancy. But he is hardly become known in the Office, 'till he begins to execute original drawings for applicants for patents, directly interfering with my business. Now, this is not only contrary to the classification law of Clerks passed in 1818, (which says each Clerk shall receive his fixed salary and no more) but contrary to the usage of office, and what was never deemed to done by a Salary Clerk before.

Now, therefore, it is considered that this gentleman is paid by his salary for his whole time, he can have none to spare, in which to make drawings for Individuals: besides how could I compete with one in the same business who receives a Salary: he could very well afford to do his work for one half the price which I can. When this circumstance is considered, as well as the arrangement made with Mr. Van Beuren, and my coming from Europe, in consequence of this arrangement, I hope you will give directions to the Superintendent of the Patent Office, requiring that your former order be fulfilled in spirit: and that no one in the office be allowed to interfere with my

business with the public.

I have the honor to be

Your most obliged and obedient servant

William R. Elliot.

Washington December 12th 1833.

To the Hon Louis McLane,

Secretary of State,

of the United States,

Sir,

I do not know what apology to offer for again troubling you:— nothing but the urgency of the case can apologize for me. What may appear a trifle to others is of importance to me:— my livelihood depends on your decision.

This morning, without the smallest provocation on my part, Dr. Craig, Superintendant of the Patent Office, ordered me to give up my table and place to Mr. Steiger; for no other reason that I can ascertained with, than having sent my letter of yesterday to you, complaining of Mr. Steiger's interfering with my private business. I informed him in a respectful manner that I should not leave without your order: he then called me "an ungrateful rascal", with other abusive epithets. Had it not been for the respect I owed you and the Office of which you are the head, this gross insult would not have gone unresented. I have been attached to the Patent Office for more than 13 years:— have always done my duty without ever giving the smallest offence to the Superintendent: and the manner in which I have done my business has received the approbation in the House of Representatives, by one of its most distinguished members: even Dr. C. has himself spoken highly of me: but now, because I will not suffer him guiltily to deprive me of my bread, I am to be abused,— and because I am not to render way for a favorite pupil of

his. I know you will not suffer such injustice.

I have the honor to be, your much obliged and obedient servant,

William P. Elliot.

Exd
JJR

Patent Office, Dec. 12, 1833.

Sir;

The "drawing table" in this Office has been occupied by Mr. Elliot for several years, though he has no claim to it. It is now wanted for Mr. Steiger, to execute copies of drawings for such as call for them: but Mr. E. says he will not give it up, or leave the Office, unless ordered by the Secretary of State. On this subject I have called twice at the Department of State; but had not the pleasure of seeing the Secretary.

With great Respect

John D. Craig

Hon. Louis McLane.
Secretary of State.

Exd
JJR

Dept. of State, Pat: Office
Decr. 17th 1833.

Hon. Louis McLane.
Secretary of State

Sir,

I had the honor this morning to receive your letter of yesterday, transmitting a copy of certain charges filed against me by Wm. P. Elliot.

As an unqualified denial of them on my part, would not be evidence that they are false & vexatious, it is due to me, that an investigation may be instituted, by which means Wm. P. Elliot may be confronted with the evidence he says he is prepared to adduce in support of his allegations. I respectfully request that the Hon. Secy. of State will order a full & free investigation in the case.

Very Respectfully Your Obedt. Servant,

John D. Craig.

Exd JJR

Dep.t of State Pat. Office
Dec. 18th. 1833.

Hon. Louis McLane,
Secretary of State.

Sir,

I had the honor this morning to receive your letter requiring further & specific information relating to the complaint of Mr. Geo. H. Richards:— viz. "I will be glad to be informed, by what authority, and for what objects, unpatented papers were deposited to remain on file in the Patent Office; and, also, for what purpose, the papers referred to by Mr. Richards, if any such were received, were deposited."

In answer, I respectfully state, that the right of persons to send papers to be filed in this Office, for their own future use and protection, previous to their being prepared to take out Letters Patent, has never been questioned; and upon the receipt of them, there has not been, nor can I conceive, any objection, to placing them on file;— the object as I understand it, is, that they are so deposited for safe keeping — to show the time of the invention or discovery, — and to indicate the intention of the inventor to take out a Patent at a subsequent period; No such papers as were referred to by Mr. Richards were received. Patented papers are always exhibited to all persons applying for them, and if copies of them are required, it matters not, for what purpose, they are invariably and immediately furnished.

"You will please, also, to state the actual condition of Mr. Richards' application, and, at the same time, to communicate a copy of the rule to which you have referred, and, also, inform me in what particulars you would have violated your oath of Office &c."

I respectfully answer, that the actual condition of Mr. Richards' application at the time the enquiry was made, through another person, was, that all the requisites of the Law had been com-

plied with, his patent prepared, and the Attorney General of the United States, being absent, his signature could not be obtained until yesterday, and this day the Patent was returned by him, and mailed to Mr. Richards at New York. The rule to which I referred is not a written rule, but to show the rule, or rather the usage, from the time of the first Superintendent, I submit the following extract (one amongst many that can be shown by the Letter Book) from a letter addressed to Hezekiah Hamblen, dated Oct 26th, 1822, — Extract "Your papers with the invention will be kept secret until you think proper to publish them". Deeming it my duty therefore, according to the usage of the Office, to keep inviolate unpatented papers, in doing otherwise, I should have violated the Oath of Office, which requires of me "faithfully to discharge the duties of Superintendent of the Patent Office, to the best of my skill & ability. All which I have the honor to submit.

I am, Sir, Your obedient servant,

John D. Craig

Exd
J.F.K.

Washington Dec. 19th. 1833.

To William P. Elliot.

Sir,

In reply to yours of the 19th instant, I have only a simple statement to make.

I destroyed certain letters which had been placed on file in the Patent Office by Dr. Thornton.

As well as I can recollect, they were generally letters enclosing or accompanying specifications, or asking for information, and were said to be of no use.

I burnt them by no will of my own, but by the orders of Mr. McIntire, believing at the time that his orders were the orders of Dr. Craig.

Very respectfully I am &c Yours, William G. Cranch

Exd
J.F.K.

Dept of State Pat: Office
Dec: 21st 1833.

Hon. Louis McLane
Secretary of State.

Sir,

I had the honor this morning to receive your letter of yesterday requesting a copy of a letter from which we entered was taken also that to which it was a reply; and, also, to be informed, "whether it is not usual, for persons depositing unpatented papers, to state the object of placing them on file; and what is the practice of the Office in regard to unpatented papers since the letter of 24th October 1832."

In obedience to your request, I herewith transmit the copies required; and beg leave to state, that it is usual for persons depositing papers in this Office, to state the object of placing them on file. The practice of the Office in regard to unpatented papers since Oct: 1822, has been in accordance with the 24th Article of the printed circular, which, at different periods was submitted to, and sanctioned by ..... the respective Secretaries of State: The Hon. Edward Livingston, the Hon. Martin Van Buren, and the Hon. Louis McLane. I respectfully refer you Sir, to the 20th & 24th Sections of the printed circular accompanying this letter.

I am Sir, very Respectfully
Your Obedient Servant
John D. Craig

Patent Office, Dec 23, 1833.

To the Hon. Louis McLane.
Secretary of State.

Sir,

Last October I sent you a petition, requesting you to recommend in your report to

Congress on the estimate of your Dept. that my salary might be raised, from its present amount of $600 per annum to that of the other Messengers viz $700 per annum.

Uncertain whether or not it has met your approbation, I have taken the liberty to call upon you in person, and most respectfully to solicit that you will grant my request. I am entirely unable to support my family on my present salary. I hope you will not be offended at the liberty I have taken as my only resource is in yourself.

With great Respect Your Obedient Servt
Henry Bishop

Ex
HB

To the Hon. Louis McLane,
Secretary of State,
of the United States,

Patent Office, Oct. 9, 1833.

Sir,

Having received notice that the two hundred dollars allowance me for copying letters, is not hereafter to be paid, I beg leave most respectfully to state, the circumstances attending this matter, that you may be enabled to judge of the hardship I & my family will suffer by this deprivation.

My duties are to have the charge of cleaning of the office; make fires; carry the money of Patentees to the Bank; Patents to the office of the Attorney General; and then to the State Department to be sealed; attend on the Superintendent & perform all his errands; with many other particulars which I will not relate; these duties in one office, like the Patent office, are sufficiently arduous for any one to perform; and for which I receive only four hundred dollars per annum: this sum I find too small to support a wife & five children. I therefore performed extra duty with a view to receive 2[illegible]

dollars extra pay; and this is barely sufficient to give my family a decent support.

Within the last twenty years the business of the Office has greatly increased: at first about 200 patents were issued yearly, now there are between 5 & 600: then there was only one Clerk, & no Machinist. Now there are four and a Machinist. The business of the Office seems to increase with the population of the Country.

I hope therefore, if it shall be deemed improper to pay me for my extra services, you will please to do me the kindness, in your next report to Congress, on the expenses of the Department of State, to recommend that my salary be raised to that of other Messengers in all the Departments, viz. 700 Dollars per annum: — and you will forever receive the grateful thanks of

Your most Obedient Servant

Henry Bishop.

Ex. Off. R

Patent Office, Dec. 24, 1833.

The Superintendent of the Patent Office presents his respects to the Secretary of State, with the inclosed letter of George H. Richards. It was to have been returned with the remarks it called forth, but was omitted by some oversight.

Ex. Off. R

New York, Nov. 17, 1833.

Sir,

I am constrained to appeal to you in behalf of my rights, in consequence of the very rude and ungentlemanly behaviour of your Superintendent of the Patent Office toward a gentleman, Francis A. Dickins Esq., whom I had authorized & requested to make enquiries at the Patent Office, whether there were any conflicting claims filed in that Office against my application

for a patent for a new mode of tanning leather by means of a vacuum or Exhausted Receiver.

For the security of the public, as well as for my own, I am desirous of ascertaining whether such conflicting claims have been filed? from whom? and at what times, within the last twelve months?

Permit me to add, in this place, that I presume the Patent Office is designed by law for the advantage & convenience of the public; but, from the jagged manners of the present incumbent, he appears to consider the Office as instituted for his private benefit, and to be rightfully subject to his arbitrary will & caprice.

From your former polite & kind attention to my correspondence, whilst you were our Envoy at London, and from my knowledge of your character, I doubt not that you will cause to be rendered, promptly, to me or to my friend in this business, all the information which I may rightfully require.

I have the honour to be with sentiments
of the highest respect, sir,
Your Obt. Servant,
George H. Richards.

To The Hon. Louis McLane,
Secretary of State,
Washington.

Ens
GHR

Dept. of State, Patent Office
1st January, 1834.

The Superintendent of the Patent Office has the honor to submit to the Secretary of State the following
Report;

The number of Patents that expired during the last year was 157; and the number issued during the same period 586. The corresponding amount of fees paid into the Treasury was $17.580

(over) $17.580

Which with the amount received for copies of Patented papers, and the recording of assignments paid to the account of Clerk hire in the Department of State . . . 130.77

Make $17.710.77

Mean time the whole expense of the Office for Clerk hire & contingencies was 7.575.

Leaving in the Treasury for the year 1833, a balance of $10.135.77

In consequence of the great increase of applications for Patents, the labor of the Office has become so onerous, that unless additional aid is allotted to it, it will be impossible to despatch the current business in due time; litigation on patent claims has become so prevalent, that one Clerk is almost constantly employed in making out copies of drawings and patented patented papers.

It is believed, that the framers of the Patent Laws, never intended the Office to be a source of revenue; Yet, it has paid into the Treasury of the United States, more than one hundred and ten thousand dollars beyond its expenses, to the Government. A sum, fully adequate to erect a suitable fire proof building for the establishment: afford sufficient aid to carry on its business; and to allow a just compensation to those who perform the labor; which is not now the case.

All which is respectfully submitted.

John D. Craig

Patent Office, July 2. 1834.

Sir,

As you are now appointed a Clerk in this Office, I think it necessary, candidly to inform you, of what character I understand you bear in Washington; and I have it from the President, that he has had similar information on the subject, though he is not inclined to believe it true, & I sincerely hope it is not.

You are represented, as a man of disagreeable temper and constantly endeavouring, to undermine and supplant others in the Offices in which you have been, You are also stated to be a very inferior Clerk, Such are the common reports in this City, and I have it in charge from the President to inform him minutely how far such charges or any part of it, shall prove to be true, and he has assured me, that your stay in the Office will depend upon your conduct, contradicting said reports.

With regard to the duties of the Office, they are both important and laborious, and require both talents and attention, the hours of attendance throughout the year are from 9 to 3 o'Clock, and no encouragement to visitors except on the business of the Office, is to be given to any person, or any conversation permitted with visitors, except on subjects of the same kind, and it is an invariable rule, that no one belonging to the Office, shall absent himself or leave the Offices, during Office hours, without permission. —

Thus with perfect candour & good feelings to avoid future misunderstanding, have I, made this communication. —

I am,

Your humble Servt

John D. Craig.

To Doct. Mayo.

Ed→
J.K.

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Washington, July 3. 1834.

Dr Mayo finds himself in duty bound to submit to the President the enclosed letter from Dr. Craig. At the same time, Dr. M. cannot refrain from remarking how utterly he was astounded at so unveiled an attempt to wound his feelings and his honor, at the moment of his induction into office, to which he had been appointed, by the Secretary of State, with the avowed approbation and confidence of the President.

Dr. M. would most respectfully submit to the consideration of the President, whether it be not a reasonable request, either that an investigation of these charges be instituted, or that the letter of Dr. Craig be ordered to be expunged from the files of the Office.

It is but too manifest, that to accept office under such dark imputations, of dishonor, accompanied, too, with a querulous detail of other specifications of office, so novel, & I might say unexampled, would be to take part in fixing the stamp of that dishonor, and loading the wounded spirit with such oppression, as would drive his soul in disgust from his body.

Yours very respectfully &
Obedient Servant
Jno. Mayo.

Ex
1882

To the President U.S.

Washington Nov.r 18th, 1834.

Hon. John Forsyth
Secretary of State,

Sir,

Every principle of honor & self respect call upon me to lay the enclosed note before you. You will perceive, that it contains an implied charge, either that I neglect my duties, by absenting myself from office, or that I contemplate doing so, hereafter – neither of which is true.

Almost daily, for nearly five months since my appointment, I have been in attendance at the Office, as early as eight O'Clock in the morning, and I believe never later than half past eight, being always the first Clerk in the Office, except in some instances Dr. Craig is there a few minutes before me: and almost as uniformly am I the last to leave the Office except Mr. Seaton, who frequently remains after office hours. This statement can be established by the Messenger, Mr. Bishop, whose constant presence at convening & adjourning makes him acquainted in detail; while it can also be established in chief, by Dr. Craig himself, and every other person about the Office. And whilst in Office, I am unremitting in my duties, except at intervals when I have worked out of materials & there is nothing left to go upon – which has been the case, at short intervals, nearly every day, the last week. On one of those occasions I stept up to the Dept. of State, to see Mr. Dickins, and on another, I called to see the Secretary of State. On Saturday, the date of the enclosed note, I was at the Office at 8 O'clock. In the course of that morning, there being nothing before me to do, and having important demand to step out for a few minutes, about 12 O'clock, I did so, and was out about half an hour.

In fine, to sum up the whole of my absence from Office, for four months and a half, though in bad health a great part of the time, I am confident it will not amount to one day, whereas, the average of an hour before time every morning, would set to the credit of my official zeal, but little short of 16 days gratuitous attendance. On the other hand, it is well known that Mr. McIntire scarcely ever came to the Office before ten O'clock, and as uniformly withdrew at 2 O'half after 2 O'clock. Also each of the other Clerks & the Machinist have been absent from days to weeks at a time, in the course of the time that I have been thus indefatigable in my attendance, sick or well.

Taking this summed attack on my feelings & official by department, in connection with Dr. Craig's letter to me of the 3d July, detailing anonymous scandals, of me, in disregard of the avowed disbelief of the President in those imputations when Dr. Craig was urging them against my appointment, I could but see in it the most conclusive evidence of predetermination, injustice & wanton personality.

Whether any more motive has prompted Dr. C. to this avowed manifestation of his harsh feelings towards me, or whether it be only an additional evidence of a settled gossamer temperament, my mind is somewhat at a loss to conjecture; but that it is to be attributed to one or both these causes, the Secretary of State will be able to form some estimate for himself, from the following facts, in point, of many that could be adduced.

On one occasion, I have been under the necessity of declining to copy a Specification, for which a patent was ordered to be issued by Dr. Craig, on the ground that it was deficient in legal form, not having the signature of the petitioner nor witnesses. On another occasion, I remarked, upon making a copy of a Specification, that I

could not qualify to its being a true copy, as I did not believe any two persons would give it the same reading if they could make it out at all, so equivocally was it written, composed, spelled, erased, & unmeaned. Also, early last week, I was required by a message from Dr. Craig, to command the Specification of a patent that had been issued to a Mr. Kelly, which I declined doing, stating to Mr. Kelly that his only remedy, to amend a defective Specification after Patent is issued, was to take out a new patent; which has been done so far as relates to the action of this Office, but the patent is detained at the Attorney General's Office, for want the Treasury rec'd. Still more recently, on Thursday or Friday last, I declined making corrections in the orthography, grammar, punctuation, &c. in two Specifications for patents issued to a Mr. Tompkins of Alabama, one of which has been in the office more than a year, and both of them written in such incoherent phrases, as to be entirely unintelligible, and only of a parallel with the incoherent jargon that is to be heard in the cells of a lunatic hospital. When the examiner found I had declined making these corrections, he reported the copy to Dr. Craig, who acquiesced in the copy, but the patents were issued. On a recent occasion, a Mr. Shaw, who is now in the City, being in attendance to procure a patent, exhibited to me his drawings which he informed me, were executed by Mr. Keller, for which he paid him three dollars; upon which I remarked to him that I was surprised at that, as it was an infraction of law & rules of office, to do so. Other instances of this sort have occurred, and as the work has to pass through the Superintendents' hands, it may have been in his power to recognize the style & manner of the artists, with which he has before had opportunities to become familiar. And it being known in the Office that I have become acquainted with these facts,

may render it desirable to embarrass my official relations as much as possible.

As to the occurrences arising . . . . . out of the general temperament of Dr. Craig, it would be a work of supererogation to give more instances. However, I may give one or two — Mr. Bass from Richmond Va. was on a visit a few weeks ago, on patent business. He told me that Dr. Craig's conduct to him was so violent, that it was as much as he could do, to refrain from personal resentment in the office notwithstanding his age. This may pass for a sample of the instances that could be stated, of which a recent denial of official information to a gentleman of this city might be regarded of nearly equal enormity. I allude to a visit of Wm. P. Elliott on Saturday last — to whose enquiries for information in relation to the patent business of some of his correspondents, all answer was refused both by Dr. Craig & Mr. Steiger. Whether any personalities of feeling between those gentlemen on account of private griefs on either side should exclude a citizen from official intercourse, I apprehend can hardly be made a question. Nor can I appreciate by conjecture, any process of reasoning, by which Dr. Craig can justify himself, on account of what, I know not, in the double wrong of withholding all official courtesy, ... and embracing ill grounded pretexts to cast indirect censure on a zealous discharge of duties, certainly unsurpassed, because there is no arrearage, but much gratuitous attendance given.

I wish, if possible, to avoid presenting these matters to the Hon. Secretary of State as formal complaints and accusations; in that sense however they are entirely at his option, as the proofs are at hand in relation to violation of orders &c, and in relation to the notes addressed to me, I could as easily have done any other disreputable act, as

as to have passed them, in passive subjection to their stigma. It would be but to plant in my breast an eternal consciousness, & grating recollection, that however I came here as a free and independent citizen, there is evidence on the records of one of the most important Offices of the Republic, and which has been under the management (if not mismanagement of foreigners versus the foundation of the govern^t.) that my spirit is broken, & handcuffed, as a slave, by the least meritorious of them all. I need not repeat a just desire that these documents (unworthy the character of official – the garb they have improperly put on) be stricken from the records. The Hon. Secretary of State has within his own breast that sense of right which I am sure will stand me in stead of the request. —

Most respectfully,

Ro: Mayo.

Exd
JFR

Patent Office Nov. 15, 1834.

Mr. Mayo will please to recollect, that no person belonging to this Office, is to absent himself from it during Office hours, without permission.

J. D. Craig

Exd
JFR

Patent Office January 7th 1835.

Honorable John Forsyth,
Secretary of State,

Sir,

When the President informed me that Dr. Mayo would be appointed a Clerk, in this Office; he desired that I should state occasionally how he (the Dr.) conducted himself, and performed the duties assigned to him. — In compliance with which injunction, I now beg leave to state the following facts: —

One of the rules and regulations from the Department of State, is, that no person belonging to this Office shall absent himself during Office hours, without permission; yet Dr. M. has been oftener absent than all others belonging to the Office; and that without ever asking permission; or even notifying his intention to be absent. No matter what the pressure of business may be, he walks off at any hour, & returns or not during the day just as he thinks proper; to say nothing of such an example as a public Office; one consequence is that there is no certainty when any work put into his hands will be finished, and Mr. Johns has to be taken from his regular employment to perform what should have been done by the latter.

How far his productive labour while in the Office will compensate for his absence, will appear by the following Statement of his performance during the six months he has been in the Office.

Viz. In July he wrote . . . . . 29.852 Ms.
" August " . . . . . 37.268 "
" September " . . . . . 39.688 "
" October, " . . . . . 48.134 "
" November " . . . . . 47.210 "
" December " . . . . . 53.761 "
Total in six months, . . . 255.913 "

Which at 12½ Cents per hundred, the price fixed by Congress would amount to $319.89 or $639.78 per annum.

It would appear from the charges lately brought against this Office, by W. O. Elliot, that Dr. Mayo has been performing the part of an Informer for that gentleman:- If so, he is welcome to all the honor of that employment;- It also appears from the public papers, that he has petitioned for the benefit of the Insolvent Laws, in reference to which I can-

not help remarking, that one of the most efficient Clerks, this Office ever had, was discharged by order of the President for a similar application

It thus appears that Dr. Mayo, is acting in defiance of the Rules & regulations of both the President and Secretary of State :- performing the office of Spy :- and drawing from the Treasury of the United States one thousand dollars per annum, for services worth little more than half that sum.

All which is Respectfully submitted
By Your Obedient Servant,
John D. Craig

End
J F R

This communication, appearing to have been made in pursuance of the President's direction, is respectfully submitted.

Dept. of State, Jan. 7. 1835.

Let a copy of the within charges be furnished to Dr. Mayo, and a full explanation required on all the charges.

A. J.

End
J F R

Patent Office,
Jany 10th. 1835.

Honorable John Forsyth,
Secretary of State.

Sir,

I have this moment rec^d. your letter of yesterday, inclosing me a copy of a letter from the Superintendent of the Patent Office to the President of the United States, preferring a series of Charges against me, which, in conformity with your request, I proceed to answer forthwith.

These Charges appear to be reducible to the three following heads, viz. -

1st. That I habitually violate a rule of Office, by fre-

quently absenting myself from Office, during office hours, without asking — leave of the Superintendent — accompanied with details & remarks.

2nd. That my services are worth but little more than half the amount of my Salary — also accompanied with a Statement of my work, as per Statement of words written, & estimated at 12½ cents per hundred.

3rd. That I have been performing the office of Spy, & Informer to Wm. P. Elliot, in his late charges against the Patent Office.

4th. That I have petitioned the District Judge for the benefit of the Insolvent Laws — with remarks.

The want of accuracy and fairness in these statements, strikes me as the pervading characteristic of the whole of this anomalous document — the gross colourings of which, have but the semblance of facts of any kind, and surely none of a reprehensible kind to base them upon.

1st. In relation to the first charge, — I deny it, and its details in toto — except as to the fact, of having, in a few instances, left the Office in office hours under peculiar circumstances, but neither frequently, nor of sufficient duration, to bring such absence within any rule of neglect or suspension — in as much as my prescribed Clerical duty is specific, and has never been in arrear since I have been in the Office properly so to be alleged, but instead of which, very frequently during the time of my service, I have been idle for days together for want of employment, and on some of these occasions I have slipt out for a few moments when it would be, as I should apprehend, a vexatious display of servility, to recognise such momentary absence as coming within the rule of the alledged inhibition, having all the while my oath of office before my mind's eye, to perform my duties

with fidelity, & having fully squared & balanced them daily. On the other hand, I have very uniformly resorted to the Office, sick or well, before office hours (as I have had occasion to state in a former communication to the Hon. Secretary of State) for the most part before any other Clerk, and generally, was the last to leave the Office, and when the influx of business has been greater at certain times, than at others, which it is, in the nature of things, I have returned to my Desk, in the afternoon, for the extra gratification of my own impulses, to keep it from accumulating. If any part of my duty has ever been handed over to another to perform, from my default, I have not ever been so informed: that such a thing may occur, in most offices, in order to meet Spicial emergencies, I have no doubt, but surely such a transfer has not been made in this case without my knowledge, merely to afford a little colouring matter for this extraordinary document. I am moreover certain that this Statement of the Superintendent has been taken on trust from some malicious, false representations of others, as I scarcely ever meet with him in the Office or out of it. — In relation to this Charge, and its correlative details, I beg that Mr. Johns, & Mr. Bishop, may be examined; and that my former communications to the Hon. Secretary of State may be referred to, as a part of this answer.

2nd. The second Charge is fully answered in meeting the first Charge & Specifications as above — except so far as relates to the count of words, upon which I may state, a fact, that this count of words is not always accurate in the Office. In one instance that came to my knowledge, it deviated from the truth, as afterwards ascertained, 25 per cent. But suppose the count be true, in this case, still a material fact is left out of view, which would totally

change the character of the imputation. These words so particularly assailable, are written upon parchment, the roughness of which, and its ridings, together with the well known assailable nature of parchment in general; to receive the impression of ink, from a single hand, render it extremely unfair to put this matter upon the footing of a count by words which is not the rule of compensation for writing on parchment in any of the Departments, even when it is done by the job.

3rd. There is nothing specified — I deny the imputation.

4th. In relation to the case cited as a parallel to my application to the District Judge, I must object to its accuracy. It is not a parallel case. I made my application to the Judge, under peculiar circumstances of a sudden run upon me the instant I went into office, in July, I will not say by a conspiracy to produce that result as a means of waging a former action of the President to bear upon me. However that may be, it is certain that the cases are dissimilar in all their material facts. — Without entering into general circumstances of the other case, it may be sufficient to say, that it occurred as a sequence of several years in office. Mine occurred before I had received a cent, and therefore had no opportunity to reserve my payments, as I had formerly devoted my salary to pay my expenses here. And as a further, & the evidence of my good disposition in that regard, since I have been exonerated by the District Judge, I have observed, and continued the same course of payments of my own free will & sense of justice, devoting every cent of every month's salary to those accumulated debts: & the last blank year, scarcely reserving the means of subsistence for my family from month to month — but as every creditor could

not have preference, in the first payments; I have given preference to those who have given me less annoyance — and the scheme of liquidation is as rigidly in progress now as ever, reserving nothing even for the day of precarious future, though fully sensible of the efforts continually impending over my head, to turn me out of office. All of which is respectfully submitted, by

Your respt. & Obedt. Servt.

Ro: Mayo.

Exd
JJR

Washington Jany. 10th, 7 O'clock
P. M. 1835.

Hon. John Forsyth,
Secretary of State,

Sir,

My letter of this afternoon, in answer to a document placed in my hands at 11 o'clock this morning, is more brief than what I apprehend the case calls for; but it was despatched in that laconic form, in order to place a response in your hands with all promptness; — and to throw no obstacle in the way of immediate action, if desired, by the delay of a protracted and specific statement. I shall now proceed to draw a more detailed statement, and convey it to you as soon as possible, in the hope that if there be no pressure for the use of so brief an answer, when a "full explanation is requested" and is now in progress, that I will be permitted to substitute it for the other. This, of course, will be entirely at the option of the Hon. Secretary of State. I purposed to have made this expose, in person, when I called to hand in the answer, but was prevented by the preengagements of your Company at dinner.

I am very respectfully,
Your Obedt. Servt.
Ro: Mayo.

Exd
JJR

Patent Office,
Jany. 19th. 1835.

The Hon. John Forsyth,
Secretary of State,

Sir,

In the course of preparing a full answer to the Charges preferred against me by the Superintendent of the Patent Office, I have found some obstruction, for want of copies of any orders, rules, & regulations, of the Department of State, relative to the Patent Office, which it may be proper for me to have access to, in order to make such references thereto, as the purport & bearing of those Charges & my defence require. May I beg the favour of the Hon. Secretary of State to cause me to be furnished with such copies as it may be proper & admissible for me to have in such extremity, & oblige his very respectful & obedient servant,

Ro: Mayo

Exd
J & R

Patent Office,
January 23d. 1835.

Honorable John Forsyth,
Secretary of State,

Sir,

I received about 11 O'Clock, on the morning of of the 10th instant, your letter of the 9th enclosing to me a copy of a letter of the 7th from the Superintendent of the Patent Office, to the President of the United States, preferring a series of Charges against me - which, in pursuance of your request "to furnish the Department with a full explanation in reference to all the charges therein contained", I proceed to answer with all practicable despatch, at my intervals of leisure after office hour, till completed. I also take this occasion to acknowledge your letter of the 19th in answer to my request of that

date, informing me that you had instructed the Superintendent to permit me to make and obtain copies of the letter of the Secretary of State to him, of the 16th of December 1833, and of the arrangement for the business of the Patent Office, of the 16th September 1834, in order to enable me to reply to the Charges referred to, and to express my thanks for the copies thus obtained, of which I had no previous knowledge, but in a vague & unofficial way.

Being now brought to the platform of Justice, I must beg leave to premise, that such references and such remarks as I may conceive it proper to make, by virtue of the extraordinary and responsible position in which I am placed, in order to give the full explanation desired, and which my own character & honour appear to me to demand, will not be made in any spirit of disrespect to any one, as I shall endeavour to divest myself of every other feeling but a sense of justice to all concerned — forbearing even to smite the vulnerable points of my adversaries, while I simply advert to them, in acquitting myself of a two fold duty of self defence & a proper regard to the good of the public service in which I am engaged.

The Charges referred to, with the details and remarks accompanying each, are reducible to three heads, to wit:

I. That I habitually violate a rule of the Department of State, by frequently absenting myself from office during office hours, without asking leave.

II. That my productive labour is worth but little more than half the amount of my salary.

III. That I have been performing the office of Spy and Informer to W. C. Elliot, in conducting his late Charges against the Patent Office.

IV. That I have prostituted the Chief Justice of this

District, for the benefit of the Insolvent Laws.

I may here remark, in general, that a want of accuracy and fairness strikes me as the pervading characteristic of the whole of this most extraordinary and inconclusive document. The highly wrought colourings of which have been by the resemblance of facts, of any kind, and surely none of a reprehensible kind, to ground them upon.

The letter sets out, in the very first sentence, with evident disingenuousness towards the President, in endeavouring to throw the patternity of this procedure on him, by alledging that it is "made in compliance with his injunctions to state to him occasionally how I conduct myself, and perform the duties assigned me". Here is a palpable declaration, that the President at the time of my appointment entertained doubts of my conduct and very efficiency, in discharging the duties that might be assigned me: Whereas, in the Superintendents own extraordinary reception of me, in personal language, and by letter, of the 2d July, when I presented him my letter of appointment, he substantially avowed, that the President disbelieved those very allegations which he (the Superintendent) had been urging against my appointment. But, to quit the distresses of the Superintendent, it appears, the President gave him the alternative of putting me to the severest test, by reporting, from time to time, any thing he might find amiss, in my conduct & performance. Here, then, is evidence from his own words, that the President disredited those allegations: and further, I am confident in the belief, that if the President had entertained those doubts, he never would have sanctioned the appointment until they were removed: nor need I say that I have tangible evidence that I would not have accepted the appointment under such imputations, so uncredited or unrecognised. I never viewed the

strictly to report me from time to time, as originating in the distrusts of the President (tho' it existed sub silentio by virtue of every official relation), not only because my confidence in his better opinion, forbid it, but because the very words of the Superintendent's first interview & letter demand the very contrary of the impression now obliquely sought to be made. How far he has abused the alternative & the confidence of the President, in making erroneous & frivolous charges, will probably appear by the following comments of his report, taking it by Items.

I. In relation to the first Charge, the Superintendent says- (1) "One of the rules & regulations from the Department of State, is, that no person belonging to this Office shall absent himself during office hours, without permission: (2) Yet Dr. M. has been oftener absent than all others belonging to the Office, and that without ever asking leave, or even notifying his intention to be absent. (3) No matter what the pressure of business may be, he walks off at any hour, and returns or not, during the day, as he thinks proper. (4) To say nothing of such an example in a public office, one consequence is, that there is no certainty when any work put into his hands will be finished, and (5) Mr. Johns has to be taken from his regular employment, to perform what should have been done by the other."

(1.) "One of the rules & regulations from the Department of State, is, that no person belonging to this Office shall absent himself during Office hours without permission".

This is the first time I had learnt that such a rule had been adopted by the Department of State: nor had I any knowledge that such a rule exists in any other department, though evidently much called for (to prevent perjury) as a Codicil to the Law organizing the Departments & requiring the Clerks to make oath "to perform with fidelity the duties to be assigned them" &c. Anterior to the existence of the rule, the Superin-

intendent, in his letter to me of 3 July, did speak of a note of this import, in conjunction with many others, as appertaining to the Patent-Office, which it appears by the Documentary evidence did not exist by any competent authority; and all of which was so connected with other vagaries, so foreign from any usage of the Department on the induction of Clerks into Office, as entirely to deprive it, as I apprehend, of any official character, and upon that account, I referred that letter to the Secretary of State & the President. (that reference, with a letter from myself to the President not having yet been acted upon, but probably will be, on this occasion, is herewith transmitted, as properly connected with the points under review) And it now appears by copies supplied me by instructions of the Secretary of State, at my request of the 19th Instant, that such a rule did not then exist, but was adopted nearly three months thereafter, on the 16th of September last; and still was I not, till now furnished with a copy, or apprised of it, except a harsh reproof for the legitimate mode of conveying such information, after leaving it enveloped in secrecy as a post-fact; such I did receive in a note from the Superintendent (referred to the Secretary of State) while I was still unconscious of violating any rule, and as conscientiously engaged in the daily and hourly discharge of my duties & fulfilling my Oath to do so with fidelity. For at the moment this reprimand was given, I had despatched every item of employment that was then in readiness for me, and having immediately stepped out a few moments, of this respite of my official functions, when I returned I found on my table, (I will not say hastened up on the spur of the occasion, to make the reprimand there more poignant) one small specification, for me to make out the schedule for a Patent; which I immediately despatched the same afternoon; and then I was out of employment again. But this note of reprimand was forthcoming, being handed

to Mr. Steiger by Dr. Craig, to record in the Letter Book, and then pass to me, while I was executing this fortnight hope of official-double entender — perhaps I may call it. But it imported me little whether the Department of State had adopted any rules of rigour, whose object, I conceived, could only be to ensure the performance of public duty; for having my oath of office always before my mind's eye, and my own conscientious dictates of propriety for my guidance even without such an oath, it was my settled content & firm resolve, that any such regulations could not & never should have any practical bearing upon me, as I should never absent myself from Office in the reprehensible sense which such regulations must be intended to prevent, or in any manner prove recreant to my duties and my oath. But being now in regular possession of the regulations since the 20th instant, I shall most cheerfully conform to the very letter by remaining in office the six hours, whether there be employment or not. To ask leave of absence, there shall be no necessity.

(2.) "Yet, (says the second specification) Dr. Mayo has been oftener absent than all others belonging to the office".

I could have preferred that this comparison between myself and all others in the Office had not been made, as in truth it will give me an advantage in the actual exposition of the case, which I should be sorry to claim, for the sake of Mr. Johns at least. But the comparison being made, I am bound to notice it in the same way. I have been, innocently, absent for short intervals, neither frequently, nor of sufficient duration to bring such absence within any rule of neglect, even had I known the existence of any other rule than my oath, as it is in my power to declare and to prove, that my duties (such as I was permitted to perform) have never been in arrear since I have been in the Office: but, instead of arrear, very frequently have I been idle for days together, in the month

of July, and for single days and parts of days, at subsequent times, for want of employment. On several of these occasions I have slipped out a few moments to avoid the evil of idleness, without neglect of duty of course, or infringing the spirit and meaning of the rule had I known it to exist. On the other hand, I have uniformly repaired to the Office about 8 o'clock in the morning through the summer & autumn, being one hour before office hours every day, and have been as uniformly by the last to leave the Office, except Mr. Steiger, who commonly stays after 3 o'clock. Thus have I never lost a day, or a half day, in continuance, though I was frequently so ill in the summer & fall, as to be obliged to go to bed as soon as office hours expired, and to avoid complaints or the appearance of neglect, and still more to gratify my own emulation to keep my duties within my grasp, have I left my sick bed in the morning, to go to the office, while there was, in fact, no pressure of business to make such an effort necessary. So that estimating my extra attendance at one hour per day, would give a clear gain of one day per week to the office; which in four months, before the winter would give more than sixteen days, while I am confident, that were all the fractional particles of time that I have slipped out of office united, they would not amount to two days. Now, I defy the other gentlemen belonging to the Office, to give any thing like such an account of themselves. All of them, except the Superintendent and the Messenger, have been absent to distant Cities, Mr. Steiger once to Baltimore, Mr. Evans twice to Frederick, & Mr. Keller two or three times to Baltimore, Philadelphia, & New York, some, for days, and others for weeks together. And

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as a common practice Mr. Keller seems to be very generally absent, leaving his little brother who does not belong to the

office, to answer to the calls that may be made for him) and doing but little duty when he is present, except when the monthly accumulation of models on his floor oppresses him, when it takes him a week or ten days to put them out of the way of being handled and deranged by the concourse that takes place in his room on such occasions. Also Mr. Johns, from the distance of his residence I presume, loses from one hour to an hour and a half every day, in late arrivals a little before time, and in early adjournments, about half after two — making a difference between my extra & his deficit of about two days a week. That the Superintendent has made this exaggerated statement of my absence, from the misrepresentations of some other person, I have the best reason to believe, from the fact that I seldom see him either in, or out of office, and therefore he could not have made it from his own observation. If it were necessary, I could give a specific statement of every absence that I have incurred, and show at the same time that there has not been a single Schedule for a Patent delayed a moment on that account; and the preparation of these Schedules is the only duty I have been permitted to perform since the distribution of duties of the 16th September last, though I am thus distinctly required "To make out Patents, & to enter in the Index Books the patents granted". Mr. Johns, who writes in the room that I do, can testify, that he never comes to the office in the morning without finding me at work, and that he never withdraws in the afternoon without leaving me at work; and he will as truly say that I scarcely ever leave my seat in the interval. And Mr. Bishop, the Messenger, who is present early and late can equally testify to my constancy.

(3.) "No matter what the business may be he (Dr. M.) walks off at any hour, and returns or not, does

ing the day, just as he thinks proper.

This allegation is so totally incorrect, that I am utterly unprovided to divine how Dr. Craig could bring his mind to compose such a Statement. There has at no time been a great pressure of business in the branch that I have been permitted to officiate, viz, the making out Schedules preparatory to issuing patents, the other branches of my designated duty, as before stated, having been withheld from me. There has never been an accumulation of Specifications, in waiting, for me to prepare the Schedules, except in a very slight degree in December, and those not exceeding ten or twelve in number, though, during that month the greatest influx is brought by members of Congress for their constituents. Yet, even that recommendary accumulation fluctuates down to three or four in the course of the month; and since that in the present month they have been several times entirely exhausted, leaving me at short intervals without employment, as is the case at this moment, (Saturday) which affords me an opportunity to give an imperfect answer. So that this branch of business has at all times been as nearly up to the date as was practicable or desirable. In fact more so than is desirable because it continually subjects me to the liability of being idle at intervals, which would not so likely occur, were I to have the filling the blanks Letters Patent in connection with the Schedules as prescribed by the Secretary of State, and the entering in the Index books the Patents as issued. But at the very time the Superintendent was making his Charges, there was a considerable accumulation of Schedules, not less than 20 in number, already prepared by me, and waiting to be revised, for issuing the patents; nor was this and subsequent accumulations subdued until the 15th of January, instant, when the balance

on hand, of fifteen Schedules were examined on that day. If there has been any obstruction to the despatch of any portion of the business of this office, it cannot be laid to my charge — for have I ever on any day been absent from the office at the usual time of adjournment.

(4.) To say nothing of such one example in a public office, one consequence is, that there is no certainty when any work put into his hands will be finished" —

There has, at no time, been any work put into my hands, that dwelt there a moment beyond the time that the most sedulous devotion to my duties would execute it; nor was it ever intimated to me there was any greater hurry for the despatch of one patent than another; and I have understood the usage to be, a uniform forwarding of all applications, in the order of their passing from the hands of the Superintendent, with the indorsation by him, "to issue" — which indorsation, indeed, is sometimes made prematurely and the Specifications passed to me, & the Schedule, made out before the models are received, two of which have occurred in this month.

(5.) "And Mr. Johns has to be taken from his regular business to perform what should have been done by the other."

There has never been any part of my duty handed over to Mr. Johns or any other to perform, from any defaults of mine, of which I have had any knowledge, or the slightest intimation. One Specification, of two very long ones (for Patents issued by Special act of Congress to a foreigner for Steamboat navigation of the waters of the United States in violation of the Constitution & the Laws of Naturalization authorised by the Constitution as the only channel through which foreigners can be admitted to the benefit of Citizens), was placed in Mr. Johns' hands in August or Sept., while I was

preparing the other, not from the backwardness of my performances, but to justify the Agent Dr. Jones, of the State Department proper, as I understood it, in having been both in forwardness at the same time; now the consequence of calling in the aid of Mr. Johns on this occasion, was, to throw more idle hours on my hands thereafter; so that the time Mr. Johns was employed on that Schedule was literally thrown away, as to his proper employment, and useless to any available purpose of the Office. If such a matter — transfer of any work ever occurred, it was without any knowledge, & I presume there could have been no other ground for it, than to make speedy issues of patents upon some similar emergency, of which I was ignorant, and which might just as likely occur the very next day after being idle for want of Documents; and yet there could have been no actual necessity, at any time, for the adoption of such a policy, as a little patience on all those emergencies would have enabled me to subdue any such momentary inflict, in the even course and tenor of my duty. Surely such transfers have never been made with a view to procure a little colouring matter for a premeditated caricature. Yet Mr. Johns' own work has always been in arrear, partly owing perhaps to having been frequently taken from it also to examine Mr. Walker's & Mr. Macdonald's.

II. In relation to the second Charge — the Superintendant says —

"How far his productive labour, while in office, will compensate for his absence will appear by the following Statement of his performance during the 6½ months he has been in the Office" — which, at 12½ cents per hundred words, the price fixed by Congress, would amount to little more than half the sum he is drawing from the Treasury of the United States."

This Charge is fully answered and refuted, in

meeting & refuting the first Charge & Specifications as above — except so far as relates to the count of words; on which I may state a fact, that this count of words is not always accurate in the Office. In one instance that came to my knowledge, it deviated from the truth 25 pr. ct. as was afterwards ascertained by revision, upon remonstrance of the party interested. But suppose the count to be true in this case — Yet I have fully shown that my work, so far as I was permitted to officiate, in the duties prescribed to me by the Secretary of State, was always up to the gage of the current business, and of course it would not be my fault, if it had been fifty per cent less. Nevertheless, it appears from this count, that my performance was nearly a hundred per cent greater in December, than it was in July or August; but this comparative difference is fully explained by the same corresponding difference in the current applications for patents in those months — all of which rather proves that there does not come to the office enough of this current work to keep me employed, which the Superintendent surely ought to have known when he scaled my efficiency by this estimate. Wherefore, then, were the other branches of my duty withheld from me, and conferred, in excess, upon Mr. Steiger — a conformity to the distribution prescribed by the Secretary of State, would have afforded me more full employment, and would have saved Mr. Steiger from being excessively worked, as I have understood is proclaimed by some persons connected with the office. Surely this disregard of the arrangements of the Secretary of State did not proceed from a predetermination to impoverish my performances in a beggarly exhibit of words counted at 12½ cents the hundred, and to enhance the lustre & eclat of Mr. Steiger's performances. But again, these words, so particularly counted (which indicates a prodigal waste of time to little gain) are

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written on parchment, the roughness of which in many respects, is similar to writing paper; also its ridings, and otherwise unsuitable qualities to receive the impression of ink from a swift hand, render it obviously unfair, to put the estimate of this duty, upon the footing of a count by the hundred words: besides, writing upon parchment, for these very reasons, no doubt, is never paid for by this rule in any of the Departments, or elsewhere, save where it is done by the job, but rather at a ratio of twice or thrice this estimate of 12½ cents the hundred words - a price fixed by Congress, on the ordinary recording on paper, not on parchment, as I understand it. Transcribing would my work, (though not fully employed) taking the estimate of December for the criterion, amounts to between 16,000 & 24,000 dollars a year. Further, I have never understood that any such estimate was ever taken into consideration, in fixing the permanent salaries of Clerical Officers of the Government. I presume no such estimate was made to shew to Congress that the arduous labours of Mr Greenhow entitled him to an advance of more than fifty per cent, say from $1000 to 1500 dollars in a few months after his appointment in the State Department, when the former sum had been considered for a series of years adequate compensation for the light duties of his predecessors - as in a dozen similar cases that I could mention in the other Departments. But as small as my performances have been, in despite of my ability to do all, & readiness to do more than I have been permitted to do, how would it compare with that of Clerks on similar, or any other duties in this Office, a few years ago, when there was not one fourth the number of patents issued, nor one tenth the quantity of transfers, per year, as in the year just past, to say nothing of the entire omission then to record patents, though the same number of Clerks, or nearly so,

have always been allowed – these facts are shown by the books & files.

III. In relation to the third Charge, – the Superintendent says –

"It would appear from the Charges lately brought against this office by W.P. Elliot, that Dr. Mayo has been performing the part of an informer to that gentleman' (alias) 'performing the office of a Spy."

This allegation seems to be, in effect, a repetition of the general imputations thrown upon me by the Superintendent in his letter of the 3rd of July, already referred to. As, however, there is no specific charge, but a general inference from charges made by another gentleman against this office, of which I had no knowledge, nor heard of, till after they were made, I have nothing specific to answer in the case, but to deny in general terms the truth of the imputation. Nevertheless, as some light may be thrown upon the sensitive suspicions of the Superintendent, – in connection with the good faith of the Public Service & the escape from any dereliction thereof, by thus attempting to implicate my honour and good faith, as a decoy" observing envelopes, I must exercise my right & my duty by virtue of the responsible position in which I am placed by the Superintendent, to advert, in a general way at least, to a great mass of facts that seem to be embraced in the range of this Charge – a course not only important to my own full vindication, but equally important in leading to a full enquiry, for the information of the President, and the Secretary of State. This being done, I must make no effort to show, that this Charge (upon vague information) taken in connection with the imputations of the letter of the 3rd July, has been suggested rather by the actual condition & transactions of the office, than from any chargeable misdeed of mine.

And who has not early learnt, as a salve against the designs of the wicked, "that conscious rectitude has no need of alarm about Spies & informers." Yet the Superintendent virtually admits there is matter of impropriety in the conduct of the Patent Office, upon which he would enforce rigid secrecy among all belonging to the Office, otherwise he could feel no alarm, as there would be but a barren field for the odious vocation of a Spy or informer.

1st. In regard to Mr. Elliott, I have no particular connection or intercourse with him, but by virtue of his intercourse with the office, & otherwise as an artist. Mr. Elliott has frequently visited the Patent office with letters from his correspondents, & has in some instances addressed them to me, making enquiries in their behalf, for information. I referred his enquiries of me, in two instances, to the Superintendent, but finding it an unpleasant agency. I declined thereafter and suggested to Mr. Elliott on a third call at the office, to carry his letters to the Superintendent & make his enquiries for himself. On several of these occasions, so far as my presence and observation enabled me to judge, I am free to say that Mr. Elliott was utterly denied any intercourse with the Office, and was repulsed on two or three occasions by one of the Clerks, (Mr. Steiger) who has charge of the files, in terms derogatory to the character of a gentleman, stigmatizing him with improper or dishonorable motives & declaring that he would have nothing to do with him — explicitly refusing to give any satisfaction to his enquiries, though letters were exhibited as the foundation of his enquiries — Of these facts Mr. Elliott could have required no information from me.

2nd. There is ample evidence, in the Office, that the files and models are not in safe keeping; many of the

former being lost, and are daily liable to be lost or mislaid, and many of the latter broken to pieces, lost, and daily liable to be annihilated: All of which can be proved officially, in part evidence of which it may be sufficient here to advert to the broken condition of models in many parts of the office, & particularly in the machinists room, where the new models are usually accumulated on the floor, pell mell, and there continue a week or ten days, subject to be handled and experimented upon by his little brother for the amusement of persons resorting there on those occasions. This monthly scene of floor exhibition now exists (Saturday 24th Jan'y.) has been going on more than a week and will probably continue for several days to come. And I should judge that the greater part of the more delicate models get dislocated and considerably damaged before they are put away.

3rd. The office is liable at night to be in the possession of an individual not belonging to it. (Dr. Jones of the State Department) by means of false keys or duplicates thereof, having his own writing table & depository of papers & drawings in the room that I write in, to which I have seen him making visits three times myself, without seeking or expecting to make any such discovery: and when I mentioned this apparently exceptionable intercourse with the office, to Mr. Dickins, and the probability that Dr. Jones was still in the habit of preparing papers for his own emolument, from the great number of applications that were brought to the office by him, Mr. Dickins remarked, that he understood Dr. Jones no longer charged fees for his agency since the orders of the Department of the 16. Dec'r 1833, but only received presents from patentees. So that in order still to adhere to the substance he found a virtue in changing the name of the thing. — Of this description

of transgressions, no doubt many facts exist — one other alone has come to my knowledge, which is the case of Mr. Keller preparing a drawing for a patentee, who told me personally on depositing the drawing; that Mr. Keller prepared it, and charged him three dollars. Whether these papers could be recognized by the Superintendent as evidences of transgression, from his knowledge of their style of performance I know not. But I can explain that Mr. Elliott knows much more of such facts than I do, by virtue of his long connection with the Office, and his intercourse as an agent, with persons resorting here on patent business, and persons could need no information from me as he has obtained more that I know of; surely more as a spy or informant — Where the misdeeds of my office I may be in, seem to call for such an agency as is by the Superintendent attempted to be so stigmatized, my resort would be, as in duty bound, to the Superior Officer.

Indeed, so conscientious do I endeavour to be at all times in that respect, that I will now mention another fact, lest I should be chargable with the omission on so appropriate an occasion, — and particularly as I know the Secretary of State is under an erroneous impression in relation to it, from a remark he made to me, on the comparative duties of Mr. Johns & myself — saying, to this effect, that while my writing was chiefly on parchment, I had less to write, in making out patents, than Mr. Johns had to do, in recording them, by the difference of the printed forms of Letters Patent, which I only had to fill the blanks, while he had to copy or record the whole. Now, the fact is, the Patents are not recorded, as issued, according to the orders of the 16th September last; nor are they recorded at all, and never have been, though the law also requires them to be so recorded, and enjoins it

in the order of official proceedings, before forwarding the patents now to the patentees. All that has ever been attempted towards complying with this requirements of the law of the Department, has been to record the Specifications and the date of the issue, as entered on the specification, whereby we have two copies of the Specifications, the original & the record, but none of the Letters Patent proper, they being sent away before any attempt is made to subscribe them to record. And as to other details of the arrangement adopted 16th September, I may add that the copies I make, are revised by Mr. Steiger, not in conformity to any distribution of duty assigned to him, but apparently in disregard of the specific assignment to the Superintendent, "to revise all writings prepared in the office, originals & copies" — unless Mr. Steiger's performance of this duty is, constructively, the performance of the Superintendent. Also, the notations, in Mr. Steigers hand writing, on the Specifications, in designating the titles for the Schedules, indicate that the examination of these Documents preparatory to their admission to be patented, is confided to Mr. Steiger.

IIII. In relation to the fourth . . . . Charge, — the Superintendent says —

"It also appears, from the public papers, that he, (Dr. M.) has petitioned for the benefit of the Insolvent Laws — in reference to which I cannot help remarking, that one of the most efficient Clerks this Office ever had, was discharged by order of the President, for a similar application".

This is obviously an attempt to impugn the consistency of the President, should he fail to order my discharge on account of the application here referred to. How dismal such an attitude towards the President, might be estimated, even were the cases parallel, is not for me to question or pass upon: — But that the Superintendent has entirely

erred in his assumption of their parallel character, it becomes me most especially to show; and I shall make it clearly appear, that they are as different as two cases can well be, whether taken respectively, or retrospectively. I made my application, as stated in the very papers quoted (of which I communicated immediate information to the President at the Hermitage) in consequence of a sudden ruin upon me, the instant I went into office in July last, chiefly by agents here, for anticipated claims, foreign from this District; While the other case occurred as a sequence of some years in office, on claims incurred here, while in office a wide difference at once. Previous to my loss of office in 1833, (under the deliberate false pretense of the Commissioner of Pensions, debarring that there was no employment to engage me on at the office) I had regularly devoted my salary to the payment of my expenses here — while it is clear the other gentleman did not, or he would have had no occasion to resort to such relief while he was in the regular receipt of his salary, unless his expenses overreached his receipts, from vices that might have afforded strong reasons for his dismissal, than the act held up to view — and God knows, no man has ever been able to impute any thing of the sort to me even in this centre of all examinations. Here the comparison drops, of course. But my vindication will be still more complete, when I add, that previous I have been exonerated by the Judge; I have, of my own free will and sense of justice, devoted every month's salary to the payment of my arrears here, which, but for the relief more complained of, would have been swallowed up in old foreign claims, to the exclusion of citizens with whom I have dealt upon the credit of any poor prospects I might have here; — and which,

God knows, get worse and worse daily, from my zeal & good faith in a cause I am willing to die by, as I have already hazarded assassination from a hundred hands that were too cowardly to strike. But as every creditor could not have preference in the first instance of payment, I gave the preference to those who had given little or no annoiance; and in this scheme of liquidation, am I still as rigidly progressing as ever, reserving nothing for the subsistence of my family, for the days of precarious future, though fully sensible of the efforts continually engendering to turn me out of office. Nor would I murmur at the complete success of these machinations, if they were not contrived by those who have no claims on the countenance of this administration, or had I as little pretentions as they. And if the Superintendent of the Patent Office desires that the President shall know still more of my private affairs, he is welcome, in all conscience, for I have no disguises — I live in a garret, with my wife, and an indifferent domestic, at as little cost as possible, and shall continue to do so, till I can make up the arrears of my late vacant twelve months — or do worse.

In fine, without legal or other counsel, as to form and technicality, or as to expansion or restriction of range; and without seeking the intercession of friends, because I never would so call in question the entire justice & impartiality of the President & Secretary of State — I submit this "full explanation" in answer to the aforesaid Charges, as in duty bound — & remain.

Very respectfully
Your Obedient Servant.
Ro: Mayo.

Ex. F.R.

Patent Office,
November 14th, 1834.

Honorable John Forsyth,
Secretary of State,

Sir,

In conformity with the order from the Department of State, dated October 15th 1834:— I have the honor herewith to transmit:— A list of Applicants for Patents, with their places of Residence and Titles of their Inventions, whose Treasury Fees, were deposited in the Bank to their credit, but who have not obtained their Patents on the 1st of October last.— Said Deposites are now transferred to the Treasury of the United States, and Bank Receipts for the same, transmitted to said Applicants respectively:— The total amount so transferred being $3060.

I have the honor
to remain
Your Obt. Servt.
John D. Craig.

Ext
J.F.R.

(over)

A List of Applicants for Patents, whose money in the Secretary of State, dated October 1st, 1834.

When Received	Names of Applicants.	Residence.	
1830. March 16	J. A. Tiessier	Boston	Ms
" 22	Richard Allen	New York	
April 5	William A. Burt	Ditto	
" 26	James Prince	Ditto	
May 31	Edw.d T. Bainbridge	Louisville	Ky.
Sept. 1	Levi Silliman	Albany	N.Y.
Nov.r 11	D. Young & E. White	Green Tp.	O.
1831. Feby. 1	Boas Lambson	Saline	Mic. Ter.
" 22	Oliver Clark	Moretown	Vt.
April 26	Marcus B. Belknap	Cross Creek Iron Works	Tenn.
May 24	Wm. Kendall	Fairfield	Me.
July 1	Ovid Pinney	Danube	N.Y.
Aug. 23	George Anchuts	Pittsburgh	Pa.
" 30	Bryce McDougall	Ditto	"
Sept.r 5	Orange Church	Friendship	N.Y.
21	Martin Hayward	Easton	Ms.
Nov.r 3	Asahel Fairchild	Queensbury	N.Y.
" 10	Mathew D. Brown	Mason Co.	Va.
Dec.r 2	Joseph Share	Baltimore	Md.
1832. Jany. 13.	Isaac Adams	Boston	Ms.
" 27	Saml. Couillard	Ditto	"
Feby. 2	Wm. Chandler	Near Nashville	Tenn.
March 9	John L. Sullivan	New York	
" 28	Saml. Brooks	Ditto	
June 7	James S. Wood	Buchanan	Va.
" 15	Thos. Harrison	Lockport	N.Y.
July 3	Reuben Fairchild	Trumbull	Ct.
" 4	Jno. W. C. Heeming	Brooklyn	Ms.

Transferred to the Treasury in conformity with an order of

Inventions or Discoveries.	When Patented		Amount
Salt Evaporator.	1834 Oct 2	7	$30
Cotton Spinning Machy.	"	"	30
Writing Mach.	"	"	30
Solar, Planetary & Belt Wheel.	"	"	30
Propelling Boats.	"	"	30
Smut Mill.	"	"	30
Blast for Furnace.	"	"	30
Corn Planter.	"	8	30
Carriages.	"	"	30
Steam Blast for Furnace.	"	7	30
Steam Engine.	"	8	30
Tan Mill.	"	28	30
Pumps for Salt Wells.	"	8	30
Lath Machine.	"	27	30
Impt. Patent Wheel Head.	"	8	30
Sawing Fellies.	"	"	30
Stave dressing Mach.	"	"	30
Propelling Ferry Boats.	"	"	30
Rail Road Car.	"	9	30
Roller Boy.	"	9	30
Printing Machy.	"	"	30
Steam Bellows.	"	"	30
Rail Way.	"	"	30
Manufg. Trunks. &c.	"	"	30
Musical Instrument.	"	"	30
Force Pumps.	"	10	30
Comb Machine	"	"	30
Salt Works	"	"	30

A List of Applicants for Patents, whose money was the Secretary of State, dated October 1st, 1834.

When Received	Names of Applicants.	Residence.	
1830. March 16	J. A. Tiessier	Boston	Ms
" 22	Richard Allen	New York	
April 5	William A. Burt	Ditto	
" 26	James Prince	Ditto	
May 31	Edwd. T. Bainbridge	Louisville	Ky.
Sept. 1	Levi Silliman	Albany	N.Y.
Novr. 11	D. Young & E. White	Green Tp.	O.
1831. Febry. 1	Boas Lambson	Saline	Mic. Ter.
" 22	Oliver Clark	Moretown	Vt.
April 26	Marcus B. Belknap	Cross Creek Iron Works	Tenn.
May 24	Wm. Kendall	Fairfield	Me.
July 1	Ovid Pinney	Danube	N.Y.
Aug. 23	George Anchuts	Pittsburgh	Pa.
" 30	Bryce McDougall	Ditto	"
Septr. 5	Orange Church	Friendship	N.Y.
21	Martin Hayward	Easton	Ms.
Novr. 3	Asahel Fairchild	Queensbury	N.Y.
" 10	Mathew D. Brown	Mason Co.	Va.
Decr. 2	Joseph Share	Baltimore	Md.
1832. Jany. 13.	Isaac Adams	Boston	Ms.
" 27	Saml. Couillard	Ditto	"
Feby. 2	Wm. Chandler	Near Nashville	Tenn.
March 9	John L. Sullivan	New York	
" 28	Saml. Brooks	Ditto	
June 7	James S. Wood	Buchanan	Va.
" 15	Thos. Harrison	Lockport	N.Y.
July 3	Reuben Fairchild	Trumbull	Ct.
" 4	Jno. W. C. Heming	Brooklyn	Ms.

Transferred to the Treasury in conformity with an order of

Inventions or Discoveries.	When Patented.		Amount.
Salt Evaporator.	1854. Oct.	7	$30
Cotton Spinning Machy.	"	"	30
Writing Mach.	"	"	30
Solar, Planetary, & Belt Wheel.	"	"	30
Propelling Boats.	"	"	30
Smut Mill.	"	"	30
Blast for Furnace.	"	"	30
Corn Planter.	"	8	30
Carriages.	"	"	30
Steam Blast for Furnace.	"	7	30
Steam Engine.	"	8	30
Saw Mill.	"	28	30
Pumps for Salt Wells.	"	8	30
Lath Machine.	"	27	30
Impd. Patent Wheel Head.	"	8	30
Sawing Fellies.	"	"	30
Stave dressing Mach.	"	"	30
Propelling Ferry Boats.	"	"	30
Rail Road Car.	"	9	30
Roller Boy.	"	9	30
Printing Machy.	"	"	30
Steam Bellows.	"	"	30
Rail Way.	"	"	30
Manufg. Trunks. &c.	"	"	30
Musical Instrument.	"	"	30
Force Pumps.	"	10	30
Comb Machine	"	"	30
Salt works	"	"	30

List

When Received		Names of Applicants.	Residence	
1832. July	17	Abijah Hawley	Geneva	N.Y.
"	21	Robert Lawing	Murfreesbro'	Ten.
August	3	Lewis & Prentice	Lockport	N.Y.
"	8	Stephen H. Whiting	Lisbon	N.H.
"	17	Wm. Thompson	Nashville	Ten.
"	30	Woodward & Mitchell	Anderson C.H.	S.C.
Sept.	26	Jonathan Hobbs	Falmouth	Me.
Oct.	22	Oliver Teal	Salina	N.Y.
"	27	John Cole	New York	
Nov.	6	Josiah S. Hurd	Charlestown	Ms.
"	30	Elias Howe	Spencer	Ms.
Dec.	8	Robert Kelly	Schenectady	N.Y.
1833. Feby.	18	S. Odronaux	New York	
March	7	Ebenr. Johnson Jr.	Brandon	Vt.
"	8	John T. Towne	Mount Morris	N.Y.
"	16	Samuel Haynes	Belfast	Me.
"	22	John Goulding	Dedham	Ms.
May	7	Amasa Goodyear	Waterbury	Vt.
June	18	Peleg Sweet	Ashtabula	O.
July	2	Barnes & Hill	Ditto	"
"	6	Anson Walcott	Bloomfield	N.Y.
"	12	Sheldon Graves	New York	
"	"	Edward Polouze	Ditto	
"	22	Thomas Rogers	Paterson	N.J.
Aug.	5	Jonathan Crane	Sharon	Ms.
"	17	Caleb Tompkins	Montgomery	Al.
"	31	Tristam McDowell	Spring Branch	Mi.
Oct.	14	Charles B. Austin	Kensington Phil.d	Pa.
"	25	Alex. Harrison	New Haven	Ct.
Nov.	9	Joseph Kennedy	Boston	Ms.

Continued

Inventions or Discoveries	When transferred		Amt.
	1834.		
Impelling Mills.	Octr.	10	$30
Cotton Gin.	"	"	30
Application of Steam.	"	"	30
	Amt. forwarded	Dis.	$30
Window Blinds.	Oct.	10	30
Bath Apparatus.	"	"	30
Press.	"	27	30
Shingle Ma.	"	11	30
Under water Excavator.	"	"	30
Platform Scale.	"	"	30
Fire Grate.	"	27	30
Straw Hats.	"	11	30
Water Wheel.	"	"	30
Filter.	"	"	30
Cooking Stove.	"	"	30
Saw Mill	"	"	30
Shoe Cutter	"	13	30
Cons. of Steam Boilers.	"	16	30
Faucets.	"	13	30
Brick Striker.	"	27	30
Branding Instruments.	"	28	30
Distillation	"	13	30
Paper Cutting Ma.	"	"	30
Type Rubber.	"	"	30
Cotton Speeder.	"	"	30
Excavating Drawer.	"	"	30
Combination of levers.	"	14	30
Cotton Press.	"	"	30
Glass Blowing Mach.	"	"	30
Steam Boiler.	"	"	30
Cooking Stove.	"	"	30

List

When Received		Names of Applicants.	Residence.	
1833 Nov.	15	Uriah Savage	Wheatland,	N. Y.
"	21	Jas. Hamilton	New York	
Dec.	10	Jno. Randall Jr.	Ditto	
"	13	Thos. S. Gilliman	New York	
"	20	Pierre Barthelemy	Ditto	
1834. Jany.	15	Barnabas Langdon	Gibbonsville,	N. Y.
"	22	Thos. Haskell	Boston.	Ms.
July.	28	Austin B. Robbins	Jerusalem	N. Y.
March	25	Joshua Bean	Readfield	Me.
April	3	B. & T. Bigsby	Weston	N. Y.
June	9	Benj.n Jones	Pittsburgh	Pa.
"	19	Robert Rogers	South Berwick	Me.
"	20	Henry Ruggles	New York	
July	11	John Sinnott	Do	
"	15	S. H. Scarborough	Brownsville	Ten.
"	16	Lewis Winiston	Hallowell	Me.
"	26	Simeon Hyde	New York	
"	30	John Goulding	Dedham	Ms.
"	"	Ditto	Do.	"
August	12	Gilliman Roberts	Portland	Me.
"	16	Thos. Porter Jun.	Bowling Green	Ky.
"	"	Saml. G. Ladd	Hallowell	Me.
"	20	Whiting & Mear	Boston	Ms.
"	"	Lawton & Grover	Springwater	N. Y.
"	22	Armstrong & King	New York	
"	27	Tennent & Eaton	Wooster	O.
Sept.	2	Stephen Chadbourn	Wareham	Ms.
"	3	Edwd. L. Fitch	Liberty	Me.
"	10	Henry Richardson	Poultney	Vt.
"	"	Levi Beebee	Watertown	N. Y.

Continued.

Inventions or Discoveries.	When transferred		Amt.
Water wheels.	1834.		
Sawing Mach.	Octr	15	$ 30
Rail Road Cars.	"	14	30
Valves for Steam Engines.	"	9	30
			Dec 1830
Type Casting Ma.	"	14	30
Boat Building.	"	11	30
Stoves.	"	14	30
Potatoe &c. &c Cutter.	"	15	30
Thrashing Grain.	"	"	30
Spinning Wheel.	"	"	30
Steam Engine.	"	28	30
Heating Buildings.	"	15	30
Making Pitch.	"	16	30
Steam Boiler.	"	"	30
Cotton Press.	"	"	30
Spiral Spring Churn.	"	15	30
Metallic Pen.	"	16	30
Steam Boilers.		28	30
Making Dry Steam.	"	16	30
Washing Mach.	"	"	30
Engine.	"	"	30
Bishop's Straw Cutter.	"	28	30
Stoves	"	17	30
Planing Mach.	"	28	30
Grain Cleaning Mach	"	17	30
Thrashing Machine	"	22	30
Nail Machine.	"	17	30
Wheel Carriages.	"	"	30
Cooking Stove	"	"	30
Portable Horse Power	"	15	30
	"	"	30

List

When Received		Names of Applicants.	Residence.	
1834 Septr.	15	Alanson D. Lord	Bethany	N.Y.
"	"	Metzer Truell	Milo	Me.
"	16	O. R. Dinsmore	Goffstown	N.H.
Septr.	25	Fowler & Germond	Union Vale	N.Y.
"	26	Ezra Coleman	New Bedford	Ms.
"	"	Harlow Isbell	Meriden,	Ct.
"	"	Ditto	Do	"
"	"	Chapin & Risley	East Windsor	"
"	27	Jno. Salmon	Girard	Pa.
"	29	Isaac Hunter	New Braintree	Ms.
"	"	John Shaw	Augusta	Me.
Octr.	1	Jno. Rynex	Schenectady	N.Y.
"	4	J. & D. Fitzgerald	New York	
"	"	Ditto	Do.	

Patent Office,

Honorable John Forsyth,
Secretary of State,
Sir,

In com-
of the 1st October last, I have the honor here-
plied for patents, and whose monies were re-
practice, to their credit in the Bank; But said
had said monies returned, as per vouchers filed in
since 11th June 1829, is fifteen hundred dollars.

Continued.

Inventions or Discoveries.	Month	Day	Amt.
	1834.		
Washing Machine.	Octr.	17	30
Planing Mach.	"	"	30
Riding Saddle.	"	"	30
Amount brought forward, Dolls.		.	2730
Roving Machine.	Octr.	18	30
Bedstead.	"	19	30
Door Handles	"	"	30
Ditto	"	"	30
Cylinder Paper Mach.	"	18	30
Sawing Machine.	"	"	30
Cheese Curd Cutter.	"	"	30
Threshing Mach.	"	19	30
Cast iron China.	"	20	30
Conical Grain Grinder	"	"	30
Grain Threshing Mach.	"	"	30
		Dolls.	3060

John D. Craig.

Exd
JGB

Novr. 21st. 1834.

pliance with the order from the Department of State, with to transmit: — A List of names of persons, who ap-ceived at this Office, and deposited according to the usual persons having afterwards declined taking out their patents this Office: The total amount of monies so returned all which is respectfully submitted, by

Your obedt. Servt. John D. Craig.

A List of Applications for Patents whose money deposited to their credit in Bank, was withdrawn by said Applicants, previous to the order of the Secretary of State, dated October 15th 1834 in conformity with which this list is made.

Date Withdrawn		Names of Applicants	Residence.		Date Received.		Amt.
1830.					1829.		
Janf.	5	J. B. Waring	North Salem	N.Y.	April	19	5
	6	E. Kendall	Leominster	Mas.			3
March	6	Saml. Harris	Hartford	N.Y.	April 1829.	28	3
April	21	J. C. Cutler	Phila.	Pa.	March 1830.	17	6
July	13	Chamberlain & Smith	New York		April	5	6
Dec.	20	Proctor Antrim	Taunton	N.J.	July	30	3
Janf. 1831.	4	Thomas Hand	New York		May	6	3
March	15	J. Drake	Phila.	Pa.			3
April	16	Bridgeman & Bills	Middletown	Ct.	July	30	3
July	16	Joseph Willet	Macon	Ga.	Nov.	5	3
"	30	Thomas & Holbrook	Brattleboro'	Vt.	June 1829.	10	3
Sept.	13	Jacob Prink	New York		March	14	3
Dec.	28	Saml. Kepner	Harrisburgh	Pa.	June 1831.	30	3
Janf. 1832.	4	J. B. Armistead	Bloomfield	N.Y.	Janf.	24	3
Febf.	29	S. S. Richardson	Palmyra	N.Y.	Dec.	8	3
March	30	D. Steinhauer	Phila.	Pa.	Janf. 1832.	14	3
May	24	Jas. Van Auken 2d	Ithaca	N.Y.	April	17	3
June	7	Geo. F. Comstock	Geneva	N.Y.	Febf. 1831.	5	3
"	8	Rutherford & Scott	Cabarrus Co.	N.C.	Dec.	8	30
"	20	Jas. Lindsey	Sweetbush	N.Y.	March 1832.	29	3
"	25	H. Mitchell	Phila.	Pa.	May	24	30
"	29	Jas. Everod	Geneva	N.Y.	April	18	30
July	4	L. P. Woodbury	Cumberland		Febf. 1831	28	30
	9	Boisné & Clinkinds	Versailles	N.Y.	March	15	3
	19	R. C. Arnold	Bridgeport	Ct.	Janf. 1832.	23	3

Date of Warrant	No.	Names of Volunteers	Residence		Date of Discharge	Amt
Dec.	16	Silvester Chadwick	Rock Bay	Ja.	Oct. 1832 30	30
Sept.	15	Gershom Chesnick	Maryland	N.Y.	Nov. 1831 21	30
"	15	Simeon Hampton	Baltimore	Md.	Feb. 1832 25	30
Oct.	17	Nathl Hopkins	Middletown	Ct.	Nov. 16	30
Nov.	27	Jesse Hill	Johnsage	C.	July 19	30
Jany 1833	21	E. H. Lester	Boston	Ms.	March 23	30
"	Jany	J. M. Dean	Shannondale Co.	K.	Jany 1833 18	30
May	14	H. H. Saunders	New York		April 22	30
			Amount forward		Dolls.	1050
June 1833	5	Jas. D. Brower	Lyme	N.Y.	March 1833 30	30
"	26	M. Pearson	Newberry Port	Ms.	April 1832 21	30
"	"	Jas. Collins	Springfield	Ms.	July 1833 15	30
Aug.	1	J. Edgar	Fair Hill	Md.	May 1	30
Sept.	10	Danl. Ormsbe	Redding Ridge	Ct.	June 25	30
Oct.	29	Danl. Mallikon	Perry Village	N.Y.	Feb. 1831 8	30
Jany 1834	17	Walter Liversidge	Dorchester	Ms.	March 1832 26	30
"	27	E. Rogers jr.	Russelsville	N.Y.	Nov. 1833 12	30
March	11	Daml. S. Forney	Gettesburg	Pa.	Jany 1830 18	30
"	15	Wm. Page	Portland	Me.	May 1833 1	30
"	29	Wm. S. Pendleton	Boston	Ms.	Dec. 1832 24	30
"	25	A. & S. H. Brower	Hillsdale	N.Y.	Nov. 5	30
April	29	Jacob Van Buren	Schenectady	N.Y.	March 1834 5	30
May	24	Wm. Hayward	New York		" 8	30
July	28	Danl. Cook	Meriden	Ms.	May 1832 29	30
					Dolls.	1500

John D. Craig.

End
JWR

Department of State Pat. Office
7th Jan. 1833 (4)

Hon. Louis McLane.
Secretary of State,

Sir.

I herewith transmit a decision of the Atty Genl. of the U. S. in a case analagous to that of Mr. Francis B. Ogden:

The rule relating to assignments is, "An inventor may transfer his right before a Patent has issued, and the assignee take out a patent; or he may obtain his patent, and afterwards assign it. The assignment in either case, must be recorded in the Patent Office."

This rule applies to the whole invention, and not a part, previous to the issuing of the Patent. The present practice of the Office is to require joint and other inventors to take the oath prescribed by the Act of 1793, and to issue the Patent in the name of the inventors, and not in the name of a part inventor and assignee of the other part; Where a moiety, or part of an invention is assigned, it is always after the Patent issues to the inventors. The Superintendent suggests an objection to Mr. Ericson's obtaining any right, either as sole or joint Inventor; — it is, that he is an Alien, residing in a foreign Country, and could obtain a right only under a special act of Congress.

I have the honor to be Sir
Your obedt. servant,
John D. Craig

P. S. The Superintendent knows of no other practice or usage in the Patent Office at any time. Ed. J. H.

Washington Jany. 3d. 1834.

Sir,

Mr. Francis B. Ogden, who is the Consul of the U. States at Liverpool, has requested me, as

his friends wish agent, to present his petition to you, praying a patent for one invention, which is designated as "An Engine for producing motive power, whereby a greater quantity of power is obtained from a given quantity of fuel than heretofore". Of this Engine Mr. Ogden and one John Ericson a subject of the King of Sweden are the joint inventors: but the former, by virtue of an assignment from Ericson, has become the sole proprietor: and his application for a patent is made upon the ground, of his being the inventor as to the one half, and the assignee of the inventor as to the other half -

The petition would have been presented without hesitation, had I not been informed, that under similar circumstances a patent had in one instance been refused - This report has induced me, as a preliminary step, to take the liberty of asking, whether it be true that such a decision has taken place; and if so, whether it were made under such circumstances as to render it a precedent in the government of all parallel cases - It is understood to be the settled construction of the Statute, sanctioned by long practice in the Patent Office, and in fact declared by the printed regulations of the Superintendent, that the assignee of an invention is entitled to a patent: and it is difficult to perceive, why an individual who is both inventor and assignee should be excluded from a privilege, which would have been granted to him either as inventor or assignee - If such a determination were ever made, it is believed that it arose from some misapprehension of the case: and a confident persuasion is entertained, that it will not be permitted to operate to the prejudice of subsequent applications.

I have the honor to be, Sir,

To the Hon. Louis M'Lane, Secretary of State.

Very respectfully Your obed.t Serv.t

R.O. Dayton

Copy Department of State,

Washington, July 3.d 1833.

Roger B. Taney Esq.r Attorney Gen.l U. S. Sir, I beg leave to refer

the within papers to you with a request that your opinion on the case to which they relate may be communicated in writing for the purpose of being filed with the archives of the Dept. of State.

Should it be your opinion that a patent ought to issue to Mr. Newton, upon his petition as joint inventor with, and assignee of Laning, I will thank you to say whether the difficulty may not be removed, by a petition signed by Newton for himself, and as Attorney for Laning.

The papers which accompany this are Laning's assignment to Newton; duplicates of the petition, specification and oath which Newton has deposited in the patent Office, and the statement marked A, which was presented to me with the foregoing papers. I know the ——— A. ——— hand to be &c. L. M.

Case submitted to the Secretary of State, at the request of Thos. W. Newton of Philadelphia.

Thomas W. Newton and John H. Laning are joint inventors of an improved Hydrant for which they determined to obtain a patent: Laning was on the eve of removal to the Western Country, but previously to his departure a Specification was drawn up and the legal oath taken by both parties and appended thereto: Laning then assigned his right to Newton which assignment with the other papers money &c. was sent to the Patent Office, the petitions being signed by Newton for himself and as assignee of Laning.

On the 5 th day of February the Superintendent writes to Newton, that "joint inventors cannot take before they obtain their patent. Your petition therefore must be a joint one, and the assignment must be subsequent to and contain the date, and title of the Patent, otherwise it would not be valid in law."

The legal provisions respecting joint patents and assignments are the following: In Section 1st of the laws 1793, these words occur; "granting to such petitioner or petitioners his her or their heirs administrators or assigns, for a term &c. — The 3 d Section of the same Act is in the following

words: "And be it further enacted, that it shall be lawful for any inventor, his executor or administrator to assign the title and interest in the said invention at any time; and the assignee having recorded the said assignment in the office of the Secretary of State, shall thereafter stand in the place of the original inventor both as to right and responsibility, and so the assignees or assigns to any degree."

It is respectfully submitted that if Mr. Newton had not been a joint inventor, his right to a patent under an assignment would not have been questioned; it is possible therefore, that he has not now a right, and that this disability can arise from his having been in part the inventor of the thing for which he solicits a patent?

It does not appear that any recorded opinion of the Attorney General has been given on such a case, nor is any decision of Court recollected which affects it.

Attorney Generals Office, July 5. 1833.

Sir,

I proceed to state my opinion on the questions proposed in your letter of the 3d. inst. concerning the application of Thomas C. Newton for a patent.

The Petition is by Thomas C. Newton alone, and he states himself to be a joint inventor with Joseph H. Laning and produces a paper purporting to be an assignment of Laning's interest to him.

I should have preferred an official statement of the case from the head of the Patent office, instead of the paper A. which was presented to you, & accompanies your letter. It is desirable in a question of this sort that I should be apprised of the difficulties which suggest themselves to the Office. I should also be informed of the usage of the Office in similar cases. For if a law ambiguous in any of its provisions, has received in practice for many years a particular construction such construction ought not to be lightly departed from. And in the law in question there are several other provisions besides the passages referred to, in statement A, which bear upon the point and which when taken in connection with the paragraphs you-

ted, in the statement involve the subject in some obscurity.

The first question proposed in your letter was verbally put to me from the Patent Office some time ago. And I then understood that it had been the usage of the Office not to grant a patent on a joint invention to one of the inventors upon the assignment of the other — but to require all who were concerned in the invention to join in the petition. And upon examining carefully the Act of Congress on that occasion I expressed my opinion that it was adviseable to adhere to the interpretation of the law as heretofore practised on — and I still entertain that opinion.

The second question is one that is more proper for your decision than mine. It depends on your department to fix by regulation (when the law is silent) what evidence will be deemed sufficient to authorise one man to act as the Attorney of another in any of the Bureaux under your direction. The evidence usually required in similar cases is a power of Attorney sufficiently authenticated. But if you think any other evidence ought to be received by the Patent Office, as sufficient proof of authority, it is for you to prescribe the form as well as the manner in which it must be authenticated.

I am, Sir, very respectfully,
Your obt. St.
R. B. Taney. End JJK

Department of State Pat: Office, Jany. 10th, 1834.

Hon. Louis McLane
Secy. of State.

Sir,

I have the honor to transmit an account of monies received at this Office for copies of Papers, Drawings &c. and recording transfers of Patent Rights, from the 21st Oct. to the 31st December 1833 inclusive, and have paid the sum of $130.77/100 into the Treasury of the U. S. "to the account of Clerk hire in the Office of the Secretary of State" according to the

11th Sect: of the Act of 1793.

Very respectfully, Your obedient servant,

John D. Craig

Ex'd
J.M.

Dept. of State Pat. Office,
January 24th 1834.

Hon. Louis McLane.
Secretary of State.

Sir,

Before this I should have acknowledged the receipt of the copy of Mr. Elliot's evidence in proof of his charges against me, which you did me the honor to transmit to this Office of the 7th instant. Press of business in closing the labor of the last year, is my apology for the delay.

Were I not a public officer, I should scorn to notice him or his slanders; Being thus situated however, I have deemed it an imperative duty, not only to repel the charges in the most effectual manner, but also to expose the turpitude of their author, by employing a Gentleman of the Bar to file a declaration, and to prosecute the Suit to the utmost extent of law and justice.

Duty to myself and the public require the dismissal of Mr. Elliot from this Office, which I very respectfully request.

I have the honor to be Sir,

Your very humble servant,

John D. Craig

Ex'd
J.M.

Washington January 27, 1834.

To Louis McLane, Secretary
of State of the United States.

Sir,

About a month ago I preferred certain charges against John D. Craig, Superintendent of the Patent Office, with proof in support of them; but have not

yet heard of any decision in the case.

I hope, Sir, your attention will be directed to this subject as early as your other important duties will permit; because, whilst he is enjoying the benefits of his Station, without a decision, my character is subject to misconstruction, and chargeable with being a Slanderer & libeller; a character which I abhor.

Since furnishing the proof I have received the enclosed letter from Capt. Weaver, respecting Mr. Craig's behaviour in Office. And I can add, that I happened to be present when Mr. Livingston visited the Office, and heard the complaints of the Clerks; of which Mr. Livingston seemed to be sensible; and ordered me to communicate to Mr. Craig that he wished stoves and benches to be procured, and sent by me a warrant for money for that purpose. When I communicated this to Mr. C. he answered churlishly, that he should do no such thing; and never did do it:—and such has been the uniformly arbitrary conduct of this man.

I have the honor to be

Your most obt. servt.

W. P. Elliot. Ed JJR

Washington December 28th. 1833.

Sir,

Yours of the 19th was duly received, wherein you state, that you "have been obliged to prefer charges against John D. Craig, Superintendent of the Patent Office", and among other charges mention, "that he once treated me rudely."

Called upon in this manner in relation to the conduct of a public Officer, I feel that I have no right to evade or to refuse to state such facts as I am possessed of, however great the disinclination to volunteer myself as an accuser, when I was myself suffering wrong. I will mention as briefly as possible one or two instances, where I was made to feel Mr. Craig's injustice, & want of feeling.

My appointment with others at the Patent Office to record the the ancient patents under a special Act of Congress was made by Mr. Livingston in the winter of 1832, in the latter part of the winter. We expected as a matter of course to be made comfortable; but found to my surprise that we were denied seats of any sort, & the indispensible requisite at that season, Fire. I have borne much hardship in my life, the extremes of heat and cold; but where I could take exercise. I found my health becoming affected, others were suffering more severely than myself. Mr. Cummings came near losing his life, in consequence of the violent cold he took. Mr. Van Ness was also dangerously ill. I was one to solicit of Mr. Craig, that we might be accommodated with fire, and was denied rudely and churlishly. An appeal was made to Mr. Livingston. He came to the patent Office himself, made due enquiries, designated the place where stoves should be put, and gave the proper orders for our comfort and convenience. Those orders were disobeyed by Mr. Craig. Yet unwieldy examinations of our work was held by his order, Three gentlemen were turned out for not performing their work well, writing in a barn of a room, snow upon the ground, a part of the time and no fire.

The other transaction to which I alluded, as characteristic of his injustice and want of feeling, was the refusal to make me a payment for work done, after a warrant had been sent him by the Secretary of State for the express purpose of paying the gentlemen employed as I have stated. A day or two after the warrant was signed we were informed that all those who had recorded forty thousand words could have a check for fifty dollars. I declined receiving of the Clerk, Mr. McIntire, $50. I requested him to inform Mr. Craig that I had written more than eighty thousand, & hoped, as the money was due me, I might be paid. It was refused. I waited upon Mr. Craig; Explained to him the situation of my family -- That my wife was in the seventh month of her pregnancy -- That she was anxious to come on to me from Columbia County New York -- That I wanted this money which was due to me, to send

to her, for her travelling expenses — That she was there with five small children without a home, her furniture having been shipped to Washington. To this representation, I was answered in the rudest possible manner. "No Sir! No Sir! I never break my rules."

The consequences were near proving fatal to Mrs. Weaver I could not send her the money I had promised her, Disappointment and apprehension induced sickness, which brought her to the verge of the grave.

Disappointed in obtaining the $100, I then applied to the Clerk for the $50 — a sum which all others, who had written 40.000 words had received — This was also denied me, I suppose as a punishment for daring to ask for what was my due. I never mentioned these facts to Mr. Livingston or to any other person in authority by way of an appeal; but they were at the time of general notoriety in the Patent Office, and were considered as the offspring of a malicious and vindictive spirit. I now regret the necessity which requires I should give the statement; but feel that I have no right to resist "the requirement of the Secretary of State", for whose perusal these facts have been drawn up, and for no other purpose whatsoever

I have the honor to remain very respectfully

Sir, Your obedt. servt.

William P. Elliot Esq. William A. Weaver Ed. H.R.

Department of State Pat. Office
Jany 28th, 1834.

Hon Louis McLane,
Secretary of State

Sir,

In answer to your enquiry of the 27th inst: whether I have written to Mr. Geo. H. Richards and given him the information he asked for, I have to state that on the receipt of your instructions of the 7th inst: and before I had read them quite through, several persons came into the Office, and obliged me to lay the paper aside; and not having seen

seen the order to write to Mr. Richards, the paper escaped my memory till reminded of it yesterday

I immediately wrote to Mr. Richards, and herewith enclose a copy of the letter; and as a postscript refers to a former one sent him, I take the liberty to enclose a copy of it also.

I have the honor to be Sir, Your obedient servant

End J.F.R. John D. Craig

(Copy) Dept. of State Pat. Office, Decr. 7th 1833.

Sir,

Yours of the 17th Ultº. to the Hon. Secretary of State is just received at this Office. It contains serious charges. Charges, which, if true, must render me totally unfit for remaining in this Office. I have therefore to request a copy of the information on which they are founded.

This I apprehend is a reasonable request, and my only object in making it, is to avoid charging any blame where it is not due.

Yours Respfly

Mr. Geo H. Richards. Signed – Jno. D. Craig

End J.F.R.

(Copy) Dept. of State Pat. Office Jan. 27th 1834

Sir,

I am desired by the Secretary of State, to inform you of the fact, that no application was made to this office for a patent for Improvements in Tanning similar to yours, prior to issuing your Patent on that subject; and, that the rule of the Office contained in the 24th article of the Circular issued from this Office is no longer in force.

Yours respectfully

End J.F.R. Mr Geo H Richards, New York. Signed – Jno. D. Craig

P.S. I wrote you on the 7th Inst. but have received no answer

J. D. C.

Hon. Louis McLane
Secretary of State.

Patent Office January 30th 1834.

Sir,

In answer to your note of the 27th inst. just received, I have to state, that nothing could afford me more pleasure than an immediate investigation of Mr. Elliot's charges in any mode the Secretary of State will choose; provided the evidence on both sides shall be personally confronted on oath.

With great respect,

John D. Craig.

Ens 8th

Washington, Jan'y 4, 1834.

To Louis McLane, Secretary
of State of the U. States.

Sir,

I have the honor to acknowledge the receipt of your note of yesterday's date requiring my attendance at the investigation of the charges preferred against the Sup't of the Patent Office to morrow at 12 o'clock.

Owing to severe indisposition which has confined me to my bed for the last 9 days, I am reduced to a state of weakness which prevents me leaving my room. I would therefore beg your indulgence for a few days in order that I may recruit my strength to be able to attend the investigation personally: but should this delay be deemed improper I will instruct my attorney in my place to attend at the time and place appointed.

I have the honor to be Your ob't servant

W. P. Elliot

Ens 8th

Dept. of State Pat. Office
9th Jan. 1834.

Mr. Henry Bishop

Sir.

In answer to yours of this date, stating that in order to fulfill the duties of your Office, as Messenger, you have been under the necessity of employing your son to assist you for twelve months past or more and for which he has received no compensation; – you therefore request, that he may be employed to copy the letters, and receive the compensation of two hundred dollars formerly allowed to you. – I have to state, that I have no authority to comply with your request, or it should be done with great pleasure, as I am fully satisfied, your compensation is neither adequate to your labour, nor the support of your family.

Respectfully

John D. Craig.

Exd
HK

Hon. Louis McLane
Secretary of State.

Patent Office Feb. 1, 1834.

Sir,

I take the liberty to lay before you the inclosed letter; being an answer to a communication made to the Superintendent of the Patent Office.

I hope Sir, that you will be so good as to consider this subject in a favourable manner, and grant the request of,

Your obedient servant

Harry Bishop.

Exd
HK

Department of State,
Washington, Feby. 19, 1834.

Sir,

In the course of the examination which I have been conducting, by your direction, at the Patent Office, Mr. William

T. Steiger, one of the Clerks in that office, was called as a witness by Mr. William P. Elliot, and the following questions were put to him.

1. Have you not executed original drawings for applicants for patents, for your private emolument, since you heard of the order of the Secretary of State forbidding it?
2. Does not Dr. Craig make the bargains with the applicants, and pay you the money for executing such drawings?
3. How do you obtain the references for the drawings attended to?
4. Do you not obtain such references from the original papers during office hours?
5. Have you never taken original papers out of the Office?
6. Did you execute the drawing now exhibited to you and bearing your initials?

These questions Mr. Steiger refused to answer, upon the ground that they implied a charge of misconduct against himself. I have thought it my duty to submit a statement of the case to you, and to ask your instruction whether the enquiries objected to are to be persisted in or waved.

I have the honor to be Sir very respectfully,

Your obedt. Servt.

A. O. Dayton

Ed. 1836

Dept. of State Pat. Office
Feby 20th. 1834.

Hon. Louis McLane,
Secy of State.

Sir,

I very respectfully request, that I may be furnished with a certified copy of a letter written by Wm P. Elliot, making certain complaints or charges against Mr. Bulfinch; which letter was addressed to the "Hon. Louis McLane Secy. of State", and shewn to me sometime in June last,

probably near the end of that month.

I am Sir, Your obedient servant

End PJR

John D. Craig

Dept. of State Pat. Office
March 25th. 1834.

Hon. Louis McLane
Secretary of State.

Sir.

My only objection to issuing a patent on the papers submitted by James Bogardus, is, that the affidavit subjoined to the specification is not conformable to the rule prescribed, & sanctioned by former Secretaries of State, & Attorney Generals: who seem to have considered it requisite, that the applicant for a patent should himself qualify to his eligibility for obtaining it. If, however the present Secretary shall think proper to dispense with the rule, or substitute another in its place, I of course will act accordingly.

I have the honor to be, Sir,
Your obedient servant

End PJR

John D. Craig

Dept. of State Patent Office
10th April 1834.

Hon. Louis McLane
Sec. of State,

Sir,

I herewith transmit an account of fees received at this Office, for copies of papers and drawings during the first quarter of this year, with a certificate of deposite in the Bank of the Metropolis to the credit of the Treasurer of the U. States, for $261 86/100

I have the honor to be Sir, Yr. obedt. servant

End PJR

John D. Craig

To the Hon. Louis McLane,
Secretary of State of the United States.

Sir,

Without views to public good and the due execution of the patent law of 1793. &c. the following charges are made against John D. Craig, Superintendent of the Patent Office, by William P. Elliot, of the City of Washington.

Charge 1. By the 9th section of the Patent Law of 1793 for granting patents, interfering applications for patents are required to be referred to Arbitrators; — the Secretary of State choosing one, and each of the parties one; and their decision is to be final as far as regards the issuing of the Patent. During the whole time Dr Craig has been in Office, he has never had an arbitration, though often required: — and he has in some cases issued three or more patents for the same invention; — alleging that it is no use arbitrating, because the parties would go to Law afterwards. But by the same reasoning all our inferior Courts might be dispensed with, because the parties have an appeal to Superior Courts. Besides this, by his course our Courts are filled with Litigants; and the Country over run with Patentees and their Agents, who rob the people under the specious title of a Patent from the United States, signed by the President, Secretary of State, and Attorney General; many of which for the want of the due application of this 9th Section of the Patent Law, have been surreptitiously obtained. The method of deciding interfering applications for patents had always been decided by Arbitrators till Dr Craig came into office; and was the means of preventing more one third to one half the number of patents being issued that are now issued. —

Charge 2. Formerly a Book was kept in the Office in which were recorded applications for patents, made by means of which interfering applications could be ascertained;

as well as furnishing correct information to Applicants respecting the originality of their inventions or any interfering applications: this book has been entirely discontinued: and by consulting the Doctor's letter book, it will be seen what meagre and incorrect information he now affords enquiring applicants, compared with what was formerly done by his predecessors.

Third Charge. He has destroyed all the letters of correspondence with the Office; preserved during forty years; and continues to destroy his own, by which all examinations as to the correctness of the answers given is totally cut off.

Charge 4. There are other charges of a minor character which with justice might be made against the Doctor; such as his proverbially rude uncouth manners to visitants to the Office: his total incompetency to discharge the duties of his office; and his general character as Superintendent; which are sufficiently manifest to the public, and need not here be farther noticed.

The truth of all the above charges I am prepared to prove, if called upon, by the most incontrovertible evidence.

I have the honor to be, &c.

Ed. J.M.R.

William P. Elliot.

(Copy)

Department of State,
Washington, April 7, 1834.

Sir,

Your letter of the 1st inst. has been received. The report made to me by the Commissioner appointed to investigate the charges preferred by you against Mr. John D. Craig, the Superintendent of the Patent Office, having been prepared solely for the information of the Secretary of State, it is not thought proper to furnish you with the requested copy. No reason is perceived, however, for withholding from you the result of the investigation, as communicated to Mr. Craig

in a letter addressed to him on the 28th Ult.o That result was, that although from a view of all the circumstances it was not deemed expedient to remove him from Office, yet that there was much to censure, in his conduct, and that of Mr. Steiger, as developed in the examination which had taken place. Mr. Craig was also directed to comply strictly, for the future, with the orders of the 17th October and 16th November last, — to consider no case as exempt from the application of the 9th section of the Act of Feb 21. 1793, until the patent should have been actually issued — to file all the Official correspondence — to keep a book corresponding to that formerly kept under the name of the "Caveat Book" — and not to suffer original papers to be taken from the Office without the permission of the Secretary of State.

I am Sir, very respectfully,

To Mr. William P. Elliot, Louis McLane

Washington.

End

J.M.

To the President of the United States,

Washington, April 9th, 1834.

Sir,

Some time ago, from a sense of duty, and with a view to correct certain abuses which had crept into the administration of the duties of the Patent Office, I deemed it proper to prefer certain charges against the Superintendent of the Patent Office, to the Secretary of State. The Secretary ordered an investigation into the same, by a Commissioner, appointed for that purpose, who made a report to the Secretary, which report sustains me in every charge.

The Secretary, although he finds him guilty, privately reprehends him and orders the abuses to be corrected. I requested a copy of the Report, and of his letter to the Superintendent;

but was refused, on the ground contained in the Secretary's letter to me: a copy of which is enclosed. As I am not content with this confidential reprimand, I have thought proper to lay the whole matter before the President.—

And I will here observe that this investigation developed facts of a more outrageous character than those with which he was charged; for not only was it proved that the official correspondence was destroyed; but it appears that the Letter Books containing answers to the letters from the beginning of the Office to the year 1815, and which were in his possession as late as the year 1831 or 1832, are now missing.

His misapprehension of the Patent Law, gross ignorance, and total incompetency were clearly proved from his own Letter Books, as may be seen by the report referred to, and which is now on file in the Department of State.

Great abuses of a different nature still exist in the Patent Office of which the Superintendent must be perfectly well aware; but these I shall leave for others to expose.

From this Report and Decision it will be seen what has been the conduct of the present Superintendent in office; and what part I have acted;— and I leave it to the President to judge and decide if he is a proper person to hold such an office.

I am, Sir, very respectfully,

William P. Elliot.

The enquiry has been completed, and on due consideration the report of the Secretary of State fully approved by the President and will not be opened unless new charges made and substantiated by proof. A. J.

End 9th

Washington City, July 16th, 1835.

To the Honourable John Forsyth

Secretary of State, Sir, I beg leave to lay before

you the inclosed petition.

With the greatest respect your obedient servant,

Henry Bishop

Ex 9 4 R

To the Hon. John Forsyth, Washington City, July 16th 1834.

Secretary of State.

The petition of Henry Bishop, Messenger in the Patent Office.

Your petitioner respectfully begs leave to state, that in the year 1830, he was employed, by the present Superintendent of the Patent Office, as Messenger & Letter copier; he was informed by the Superintendent, of the duties to be performed as Messenger, and as letter copier he was to keep charge of the letter book, and record all the Official letters sent from the Office; he was likewise notified, that his compensation would be four hundred dollars a year for his duties as messenger, and one hundred dollars or more for recording the letters.

The next year the Secretary of State (the Hon. Ed. Livingston,) directed the Superintendent of the Patent Office, to add another hundred dollars to the compensation for recording the letters, making two hundred dollars for copying the letters.

When the late Secretary of State, (the Hon. Louis McLane) came into office, he gave orders to the Superintendent to discontinue the compensation for recording the letters, alledging that as the Messenger had a regular salary for his services, the compensation for recording the letters was extra pay, which he considered illegal; but your petitioner begs leave to differ in opinion, on this subject, with the late Hon. Secretary, for these reasons, the two hundred dollars in question was not extra pay, because when your petitioner was appointed to the office he holds he was employed for this express purpose to perform this duty of recording the letters: Your petitioner here begs leave to refer the Hon. Secretary to a letter on file in the Department of State, from the Supt. of the Patent Office, to the late Secretary of State, dated Oct. 15th 1833, from which the following extract is made "and it can be made to appear by the testi-

mony of the Rev. O. B. Brown that he (your petitioner) was engaged to perform the double duties of Messenger and letter copier: for the former he was to receive $400, & for the latter $100, or more per annum; which agreement was sanctioned by Mr. Van Buren then Secretary of State."

The practice of employing the messenger to record the letters, has received the sanction of the following Hon. Gentlemen, whom Secretaries of State, Messrs. Adams, Clay, Martin Van Buren, and Livingston.

The cause of employing the messenger at first, to copy the letters, was, that there was so few Clerks in the Patent Office, that they could not attend to it: this cause still continues; the correspondence of the office has greatly increased of late years; your petitioner has frequently, a dozen letters to record in a day.

Your petitioner's compensation was discontinued from the last day of Sept. 1833, since that time he has continued as before under the direction of the Superintendent, to record the letters; to the best of his ability; and there is now nine months pay due him, amounting to $150, to the first of the present month, and an appropriation has been made by Congress of $200, for the present year, to pay for recording the letters. The item will be found in the estimate of the Contingent expences of the Patent Office.

Your petitioner humbly hopes that your Excellency will perceive the justice of his claim, it amounts to this, a contract was made with your petitioner, to perform a certain work, for which he was to receive a certain compensation; he has performed his part faithfully, no complaint has been made; Congress has made an appropriation to meet the claim, and why should it be withheld? especially as your petitioner is a poor man with a large family to maintain.

Your petitioner's salary as messenger is but $400, a year, while the messengers in all other Offices receive a salary of $700, per annum, while the duties in this Office are as arduous and responsible as in any other; the $200, a year for recording the letters made your petitioner's salary $600 a year, with which he was satis-

fice, but the reduction of one third from this small sum, has very much embarrassed his affairs and on which he is unable to support his family.

The prayer of your petitioner is that your Excellency will restore what your predecessor has withheld, that his arrearages may be paid, and his compensation placed as it was when the late Secretary came into office.

And your petitioner will ever pray.

Henry Bishop

Ex'd 1842

Hon. John Forsyth
Secretary of State.

Patent Office, July 25, 1834.

Sir,

When I accepted of an appointment in this Office, the idea was held out to me, that if a vacancy occurred in either of the other Clerkships, in the Office, my salary should be raised from $ 800 to $ 1000 per annum.

Such a vacancy has now taken place by the death of Mr. Walker. I therefore beg leave respectfully to solicit, the Hon. Secretary of State, to realise the expectation formerly held out.

In reference to my qualifications, I respectfully refer to Mr. Ewing the Superintendent.

I remain with great respect,
Your Honorable Servt.

William T. Steiger

Ex'd 1836

Patent Office July 28th 1834.

Sir,

The Superintendent of the Patent Office has the honor to acknowledge the return of his note of the 26th inst. with the Secretary of States endorsement, asking for facts in reference to Mr. Walker's capability, for discharging the duties assigned to his late father.

In reply to which, the Superintendent begs leave to state, that

Mr. Walker writes a tolerable fair hand, though inferior to that of his late father, but with as much speed. For any other qualification, the superintendent is unable to give any opinion, as Mr. Walker has not been employed in this office, except for copying. — His late father was employed in the same business.

Ex. F.M.

Patent Office, July 30th. 1834.

Sir,

In answer to yours of the 29th inst. desiring to know what portion of Patents heretofore granted, remain to be recorded, and what force is now employed in bringing down the recording of patents, to this date, — I have the honor to state: — That all the Patents issued by this office, prior to March 19th, 1834, are recorded, and that Mr. Stephen Macdonald is the only person employed on that business.

When all the patents issued prior to the fall of 1832, were recorded, said Mr. Macdonald, was appointed by Mr. Livingston, then Secretary of State, to record the patents as issued, until the balance of the appropriation granted by Congress for that purpose should be expended; during the following winter however, he was taken off that business, to make out a general index of all the Patents then recorded, being considered the most competent person known, for that purpose; said index occupied his attention for nearly five months, since which time he has been constantly employed in recording the Patents issued, subsequent to his being engaged on said Index; and having brought down the recording to said 19th of March, will, at the rate he labours, overtake the current issuing of Patents, in about six weeks: after which, he is to record the Patents daily as issued.

I have the honor to remain,

Your obedt. servt.

John D. Craig

Hon. John Forsyth
Secretary of State.

Ex. F.M.

Patent Office, August 23rd 1834.

Sir,

In reference to your inquiry, relative to the rule of this Office, with respect to applicants for Patents, furnishing Models; — I have the honor to State: —

That the three last Secretaries of State, made it imperative on the Superintendent, to issue no patent for any improvement susceptible of a Model, until a good Model, agreeing with the specification and drawing was furnished, nor has the rule been dispensed with in a single instance, though each of the Secretaries of State were frequently importuned on the subject.

Honorable John Forsyth, Secretary of State.

Your Obt. Servt.
John D. Craig

Ex'd JMR

Hon. John Forsyth
Secretary of State,

Patent Office, Sep. 17, 1834.

Sir,

I have the honor to acknowledge Your Note of the 16th inst. with Regulations for this Office, and the recording of the patents.

As far as in my power, these regulations shall be strictly adhered to.

With great respect,
Your humble servant.
John D. Craig

Ex'd JMR

Patent Office Sep. 22, 1834.

Sir,

11 O'Clock A.M.

No communication from the Department of State, has reached this Office for several days, tho' Mr. Steiger informs me, that one was sent on Saturday.

With great respect,
John D. Craig

Hon. John Forsyth
Secretary of State

Ex'd JMR

Patent Office, October 3rd 1834.

Sir,

I have the honor to acknowledge the receipt of yours of the 1st instant, requiring the amount of deposits, now in Bank to the credit of Applicants for Patents, to be transferred immediately to the Treasury &c. which order in all its details, shall be carried into execution with all convenient despatch.

With regard to the authority for the practice, now objected to; — as far as I am concerned, it was derived, from my having learned, on taking charge of the Office, that such was then, and had, for a number of years, been the uniform practice in the Office: — On that occasion, my predecessor, Doct. Thomas P. Jones, transferred to my credit in the Bank, the amount of Deposits ($1200) which he had then in charge, and the same account has been kept open ever since.

The practice in question was certainly well known, to Mr. Van Buren, Mr. Livingston, and Mr. McLane, for all the money accounts belonging to the Office, were minutely explained to each of those Gentlemen, upon his first visit to the Office, as Secretary of State, nor was the smallest objection to the practice, made by any one of them.

I have the honor to remain,

Your obt. Servt.

John D. Craig

Hon. John Forsyth
Secretary of State.

Hon. John Forsyth
Secretary of State.

Patent Office October 8th, 1834.

Sir,

In answer to yours of the 7th instant, returning the "Account of Fees received at the Patent Office for the week ending Oct. 4. 1834"; I have to state, that in consequence of not having received the printed "Information to persons having business to transact at the Patent Office" until Monday last, I did

not think myself authorised to change the practice of the Office being unable to give correspondents the reason of the change: — The Treasury fees received were therefore deposited during the last week as formerly, and the new practice commenced on Monday last. — The amount of all such deposits are now in train to be transferred into the Treasury, having commenced with those deposits, received at the earliest date, and transferring them in chronological order.

As the duplicate Bank receipts are received, one of them is inclosed in a letter to the owner, accompanied with a copy of the printed information from the Department of State.

Respecting your order to "open an account with the Bank of the Metropolis in my "own name" as Superintendent of the Patent Office, and to deposite from time to time, to my credit on that account, the fees received for recording transfers, and for copies of Patents Drawings &c. I have to state, that ever since the Public Deposits were withdrawn from the United States Bank and its Branches, I have had an account open as Superintendent, with the Bank of the Metropolis; the appropriations for the incidental & contingent expenses of the Office, & also for the recording patents, being deposited there to my credit: and if said Bank will keep a separate account for the Fees alluded to, in your order, and receive the small sums on deposit as they come to the Office, I shall be very well satisfied with the practice; I must observe however, that, a great part of the money sent to the Office, in payment for these fees, is in notes from Country Banks, which will not be received at the Bank of the Metropolis.

Inclosed is an account of the money deposited in Bank last week, as formerly, the respective sums being deposited the day that they were received at the Office.

I remain,

Your obt servt

John D. Craig

Ed

JPM

Patent Office, October 3rd 1834.

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I have the honor to acknowledge the receipt of yours of the 1st instant, requiring the amount of deposits, now in Bank to the credit of Applicants for Patents, to be transferred immediately to the Treasury &c. which order in all its details, shall be carried into execution with all convenient despatch.

With regard to the authority for the practice, now objected to; — as far as I am concerned, it was derived, from my having learned, on taking charge of the Office, that such was then, and had, for a number of years, been the uniform practice in the Office: — On that occasion, my predecessor, Doct. Thomas P. Jones, transferred to my credit in the Bank, the amount of Deposits ($1200) which he had then in charge, and the same account has been kept open ever since.

The practice in question was certainly well known, to Mr. Van Buren, Mr. Livingston, and Mr. McLane, for all the money accounts belonging to the Office, were minutely explained to each of those Gentlemen, upon his first visit to the Office, as Secretary of State, nor was the smallest objection to the practice, made by any one of them.

I have the honor to remain,

Your obt. Servt.

John D. Craig

Honorable John Forsyth
Secretary of State.

Hon. John Forsyth
Secretary of State.

Patent Office October 8th, 1834.

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As the duplicate Bank receipts are received, one of them is inclosed in a letter to the owner, accompanied with a copy of the printed information from the Department of State.

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Inclosed is an account of the money deposited in Bank last week, as formerly, the respective sums being deposited the day that they were received at the Office.

I remain,

Your obt servt

John D. Craig

Ed

2d

The Honorable John Forsyth
Secretary of State.

Washington, Nov. 6, 1834

Sir,

I beg leave to state, that in order to fulfil the duties of my office as messenger in the Patent Office, I have been under the necessity of employing a person to assist me every winter, at my own expense; the wood has to be carried from the cellar to the second story of a lofty building, which is impossible for one person to accomplish, and the business of the Office generally is, much greater in winter than any other season. The reduction of my salary from $600. to $400 renders it impossible for me to employ a person as heretofore.

I therefore respectfully request, that the Hon. Secretary will direct that a labourer may be employed by the Dept. to assist me during the winter.

I beg leave to refer to the Superintendent of the Patent Office for the correctness of this statement.

With the greatest respect,
Your most Obedient Servant
Henry Bishop
Messenger of the Patent Office.

Ex-J
HB

Hon. John Forsyth
Secretary of State.

Patent Office Nov. 8th 1834.

Sir,

In reference to Mr. Henry Bishop's letter, referred to this Office, I beg leave to state, that I believe it too much for any one person to discharge all the duties incumbent on the messenger of this Office, and carry the fire wood from the cellar, & attend the fires, during the winter season. Mr. Bishop, than whom no man can

be more industrious, or faithful has always had to employ an assistant through the winter; which it is obvious he cannot now do, on his diminished salary, & support himself, a wife, & six children.

Very respectfully Your humble Servt

John D. Craig

Exd J.F.R.

Honorable John Forsyth
Secretary of State.

Patent Office, Novr. 10th 1834.

Sir,

In regard to Mr. Macdonald's note of the 7th inst. referred to this Office, I beg leave to state, that a general Index of all the Patents issued, from the establishment of the Office in 1790, to the end of the year 1830, was completed about eighteen months ago; and it would be a great convenience to have it continued up to the 1st of September last, when the new arrangements took place in the Office; more especially as the Volume containing said Index has ample room for the purpose; and no person can be better qualified for the task than Mr. Macdonald.

The unexpended Balance of the Recording appropriation on the 1st October last, as per the Comptroller's receipt, was $2860 8/10

Since that date Mr. Macdonald received	$7 8-18	
And Mr. Walker,	8 40-47	162-65
Leaving an unexpended balance of	Dolls	2698-17

Both these Gentlemen have finished the task assigned to them.

Your obt. Servt.

John D. Craig

Exd J.F.R.

Honorable John Forsyth
Secretary of State.

Patent Office Novr. 14th. 1834.

Sir,

I have the honor to acknowledge

the receipt of Wm. P. Elliot's Letter of the 5th instant, containing various charges, and referred to this Office for an explanation: — In conformity to which, I beg leave to observe in general, that in consequence of having exposed shortly after coming into the Office, extensive frauds, that had been committed, by some persons formerly in it; I have experienced the most inveterate hostility, in a certain quarter ever since; so that, if I were to credit reports, rank cowardice alone, has saved me from assassination.

With respect to the charges preferred against me to the late Secretary of State, I shall only observe, that a suit is pending in the District Court, for the purpose of proving the falsehood of said charges: and,

As for the causes that lead to the Complainants ejectment from the Building, I would state, in the first place, that he had no right to be there; and the room he occupied was wanted, for the convenience of those who were entitled to be there: — Second, continued complaints were coming from the Clerks who wrote in the same room, of the annoyance they experienced, from the noisy conversation carried on between him, and his visitors, in consequence of which, they found it impossible to avoid errors in their writing: — A third reason was, that complaints of his exorbitant charges, brought reflections and censures on the Office, with which he was identified: — But above all, on being prohibited from pocketing any longer the copying and recording fees, (By which the revenue has been defrauded of several thousand dollars) he displayed, such malignancy of disposition, that it was not thought prudent, to suffer him to remain in the building; especially as there were strong suspicions, that he was in possession of false or duplicate keys, which gave him access to the rooms in the Office, when no other person was there: — And,

As for the President being dissatisfied with his removal,

as he states, the fact was so very different, that, it was by the President's express command to me, that I applied to the Secretary of State for his removal; —

As for the late "Outrages" of which he complains, with regard to the first, I have only to state, that it has been my constant practice, to keep unpolluted models in my own room, and to prevent any person, not belonging to the Office, from examining them: — and, as for his final Charge, I would beg leave to state the following simple facts: that on the 23rd day of October, Mr. Mayo came into my room, and handed me a paper, observing that there was a letter, asking for some information from the Patent Office. I said "very well, leave the letter with me and I will answer it"; he replied, that the person to whom the letter was written, wanted the information verbally: I told him such was not the practice of the Office, and would not be complied with: — William P. Elliot, then made his appearance, from behind his mantle Counter and observed, that that letter was written to him and he must have the information to answer it: — To which demand, ... I gave a silent negative, by taking up — not a newspaper, as he states, but a pen, and writing an answer to the letter in question, a copy of which is herewith inclosed, and to which by due course of mail I received an answer in which Mr. Sherpe informed me, that he had received my letter of the 14th October, it having lingered in the Post Office some days, in consequence of the neglect of the Carrier: and that he had written to the person alluded to in my letter, some days before, that he belonged to the Office.

It is with extreme regret, that I have so far trespassed upon the time of the Secretary of State; to those unacquainted with the character in question, such explanations would not be requisite; and I sincerely hope, Sir, that you will never

have cause to know as much of him, as is known to,

Your humble servant

John D. Craig

Exd
JMB

(Copy)

Patent Office, Octr. 23rd 1834.

Sir,

A person with whom this Office can have no intercourse, was this day making inquiry, respecting your papers and money sent here for a patent.

Said papers and money were received, on the 14th inst. and the money, ($30) returned, to your address, on the same day, for reasons therein stated, and which I hope you have received

Yours respty

John D. Craig

Mr. John R. Sleeper
Exd JMB Philo. Pa.

To John Forsyth, Secretary of State of the U. States.

Washington Novr. 15th 1834.

Sir,

I have the honor to acknowledge the receipt of your communication of the 15th instant, in answer to mine of the 5th, complaining of Dr. Craig's Official Conduct in refusing information when respectfully solicited respecting papers and money sent to the Patent Office and supposed to be lost. It would have given me satisfaction to have seen what apology could be made by a public Officer for such rude and ungentlemanly conduct:— however I must at present submit.

This morning I called on the Superintendent of the Patent Office with the inclosed letter from Mr. Adam Ramage of Philo. respecting an improvement in the Printing Press, which he wishes to patent; but was again treated with the same rude-

ness as formerly complained of, and all information denied; — the Superintendent remaining mum and his Clerk refusing all intercourse. But, Sir, what can be expected from men who have pronounced the salutary rules of your Department tyrannical, forbidding Clerks receiving presents or fees for doing extra business as they term it, and who continue to put these regulations at defiance; which I pledge myself to prove, if called upon, by the most incontrovertible evidence.

I am, Sir, Your obd.t Serv.t

W. P. Elliott

End
J. J. R.

To John Forsyth
Secretary of State, of the
United States.

Washington, Nov.r 19th, 1834.

Sir,

I have the honor to acknowledge the receipt of your communication of the 17th inst: requesting me to furnish your Department with such evidence as I may possess, in relation to the Complaint which I recently made of the Conduct of the Officers of the Patent Office.

In compliance with this request I called on the Superintendent of the Patent Office and asked permission to examine his Letter Book, and Port Folio of Drawings for the present year, in accordance with the practice of the Office under Dr. Thornton. He remained stubbornly silent. I then went to Mr. Steiger, the Clerk having charge of them, and made a similar request. His answer was, "You cannot see them, as I before told you: and I shall hold no intercourse with you".

Now, Sir, the object of this letter is, respectfully to request, that you will please to give directions to the Superintendent of

the Patent Office to shew me what papers, drawings, and books I may have occasion to examine, in order to enable me to comply with your request.

I am, Sir, Your obedient servt.
Wm P. Elliot

Ex 5
J.W.C.

To the Honble John Forsyth,
Secretary of State of the United States.

Washington November 24th, 18..

Sir,

I have the honor to acknowledge the receipt of your letter of the 20th instant.

You were quite correct, Sir, in supposing from the pledge I had given to prove the charge, incidentally made against some of the Officers of the Patent Office, that the proof was in my possession at the time I made the charge. — But, I regret you cannot consent to my examining the Records of the Office, in order to enable me more fully to sustain the charge, without having recourse to proof implicating a Gentleman of your Department.

The following evidence will no doubt be deemed sufficient.

A few days ago, Mr. William C. Grimes called on Dr. Thos: P Jones, of your Department, with a view of having a number of Specifications and Drawings prepared for inventions which he was about to have patented. The Doctor agreed to correct his papers, and to procure the necessary drawings at a reasonable price: and for this purpose Mr. W. T. Steiger of the Patent Office was employed to execute some of them. The Doctor received from Mr. Grimes ten dollars as part payment. Mr. G. shewed me the original specifications corrected in the hand writing of the Doctor; but which were subsequently copied by another. Dr. Mayo, of the Patent Office, will make oath, that Mr. Dick-

me informed him that Dr Jones had confessed to him that he did receive presents from Patentees, for doing their business. And he will also swear that many of the Specifications which came under his notice in copying them, bear the signature of Dr Jones as a witness, with their evidence of their having been written by him.

About the beginning of the present month, Mr. George Cameron, of this place, called on Dr Jones to get a drawing made of his fine Engine, which he was about to patent. The Doctor referred him to Mr. Steiger, who executed the drawing, and charged him five dollars for the same, as will appear by the affidavit of Mr. C. herewith enclosed.

That Dr Craig is well aware of the existence of similar infractions of the orders of your Department, and encourages the continuance of them, is evident from the fact that he declared to Dr Jones that the orders were "tyrannical"; and perseveres in putting them at defiance by receiving Drawings and Papers from the hands of Dr Jones & Mr. Steiger, executed by themselves, for private emolument, without forbidding the practice; — which may be seen by reference to the files of the Office.

In requesting that the record might be submitted to my examination I had no intention "to seek for proof to sustain a charge which I had made without proof"; but merely to avoid the necessity of adducing such proofs as I feared might implicate Dr Jones. Besides, in making the request I thought I was asking no more than any citizen had a right to demand, in accordance with the spirit and usage of the Office; and in conformity with the instructions of Mr. McLean, on file in the Patent Office; — and to your own instructions recently promulgated to the public through the Official Newspaper in the following words. "Caveats not being recognized by the present laws

of the United States, no paper will hereafter be received under such a claim, and those which have been heretofore deposited, if permitted to remain, will be open to public inspection.

In order to point out other cases of violation of orders, and to adduce further proof that they are committed with the perfect knowledge of the Superintendent, I am ready to attend at the Patent Office with any Agent you may please to appoint for that purpose.

Nothing can be more unpleasant to my feelings than making Complaints and preferring Charges; but, Sir, it so happens that the abuses complained of in the Patent Office, not only effect the public, but are peculiarly injurious to me; for how can I enter into competition with men who receive regular salaries, in making Drawings &c. Besides, I have it from undoubted authority that the Superintendent uses all his Official influence in preventing me from getting business from Applicants for Patents; — and in endeavouring to injure my moral character.

I am, Sir, Your obedient servant,

William P. Elliot.

Ed. J. M.

Washington, Nov. 18, 1834.

On or about the 1st instant I called on Dr. Thos. P. Jones of this place, to have a drawing executed of my Fire Engine, for which I was about obtaining a patent: The Dr. said he did not make drawings himself; but would find me some one who could make me a drawing; and referred me to Mr. Steiger, a Clerk in the Patent Office. I went to Mr. S. who made the drawing; and when I asked him how much he charged; answered, five dollars.

George Cameron

County of Washn. } ss.
District of Col.a }

On this 18th day of Nov 1834. personally appeared before the subscriber a Just: of the peace for said County, George

Cameron, before named, who made oath to the truth of the foregoing statement. Fleet Smith J. Peace. End J.W.R.

Extract from Mr. William P. Elliot's letter to the Secretary of State dated November 24th 1834.

"Dr. Mayo, the Patent Office will make oath, that Mr. Dickins informed him that Dr. Jones had confessed to him that he did receive presents from patentees for doing their business."

On the foregoing paragraph I deem it proper to make the following remarks.

Dr. Mayo having represented to me that Dr. Jones was frequently at the patent Office and was extensively engaged in preparing papers and otherwise assisting persons obtaining or applying for patents, and, (as Dr. M. believed) received compensation for such services, contrary to a regulation of the Secretary of State, I informed Dr. Jones, by the Secretary's direction, of this representation; but without mentioning by whom it had been made.

Dr. Jones stated in explanation, that his frequent visits to the patent Office were for the purpose of obtaining information respecting new patents for publication in the Franklin Journal, but that such visits were not made within the hours prescribed for his attendance at the Department of State; that he did not make any charge, nor receive any compensation for the assistance rendered by him to persons obtaining or applying for patents, although in consequence of his prior connection with the patent office, and his supposed knowledge of the subject, he was often called on for such assistance; but that he was frequently consulted by his friends on matters relating to new inventions, and to the patent laws, and that for his opinions given on such occasions, and given out of office hours, his friends sometimes made him presents.

When I next saw Dr. Mayo I acquainted him with Dr. Jones' explanation.

A. Dickins. Nov.r 25, 1834. Dept. of State. End J.W.R.

Honorable John Forsyth,
Secretary of State.

Patent Office, November 29th, 1836.

Sir.

I have the honor to acknowledge the receipt of your note of the 27th instant, inclosing "an Extract of a Letter from Wm. P. Elliot Esqr." requesting that I would communicate such information to the Department, as I might possess, relative to the Statements in said extract":— In answer to which I beg leave to state, that in reference to Mr. Grimes' affair, all that I know is, that he some day last week, brought into the Office two models with the requisite papers and drawings; These papers were certainly neither in the hand writing of Doct. Jones or Mr. Steiger;— As for the case of Mr. George Cameron, I never heard of it till now, and therefore can say nothing concerning it:— Respecting the papers said to be made out and amended by Doct. Jones, I have to state, that I have examined the files for the last fourteen months and found only one paper on which any thing like Doct. Jones' hand writing is to be seen: it is herewith enclosed:—

Doct. Jones has occasionally brought papers, models, and drawings into the office, which I have understood to have been directed to his care, but neither papers nor drawings can I recollect to be in his hand writing during the last twelve months.

But it is asserted, "that I am well aware of the existence of similar infractions of the order of your Department and that I encourage the continuance of them":— and in proof of the assertion it is said, that I pronounced the order referred to as "tyrannical"; Such proof might be very acceptable to Wm. P. Elliot but, I hope I am not yet under the Meridian of Ispahan, where, to object to a law, is deemed a violation of it.

If the order alluded to be one issued by the late Secretary of State, I have pronounced it tyrannical and unjust; but Wm. P. Elliot with all his spies and Informers, cannot produce a single instance, in which I have either encouraged, or connived at,

the violation of that or any other order from the same Department.

With great respect, I remain,

Your humble servant,

John D. Craig

End J.M.

Honorable John Forsyth

Secretary of State

Patent Office,

Sir,

November 29th, 1834.

I have the honor to acknowledge the receipt of your communication of the 27th instant, enclosing "an Extract of a Letter from Wm. P. Elliot Esqr. of this City", and requesting me to communicate such information as I may possess relative to the statements therein contained and such explanations as may be necessary:—

With reference to Doct. Thomas P. Jones, I beg leave to state, that I have examined the recently patented papers on file in this office, and as stated have found his name subscribed to several of them as a witness, but whether any of these specifications, which are in different hands were written by Doct. Jones, I am not sufficiently familiar with his writing to decide:— With regard to his agreement with Mr. Wm. C. Grimes, all that I know is that he undertook to procure the necessary drawings; I have examined the late specifications of Mr. G. now in this Office, and find that they are not interlined, in the manner stated in the extract before me, nor is Doct. Jones a subscribing witness to either of them:—

With regard to the deposition of Mr. George Cameron, quoted in the extract, I beg leave to state, that I am willing to make affidavit, I never received a cent from him:— that I can prove by the testimony of Mr. Thomas Shriver of Baltimore, who was at my house and actually done great part of Cameron's drawing, I never expected to receive any thing; and it was well understood at the time, that the drawing was not intended to make a part of an

application for a patent; but to raise a subscription for the purpose of testing the principle of his Machine; as you will see by the accompanying Certificate (No 1) of Mr. J. F. Callan a highly respectable gentleman & the druggist in my neighbourhood, to whom Emerson (evidently Mr. E's tool for this occasion) applied immediately on leaving my house.

As regards the drawings of Mr. Grimes and others, said to have been executed by me. I humbly beg your indulgence, while I endeavour to make an accurate statement of such facts as relate to the business and to my connection with the Office from the beginning, and which, as I think, have an important bearing upon myself and others; especially, since the present is the first fair opportunity, that has been afforded me of so doing: —

When Mr. McLane decided that the copying fees instead of being received by Mr. W. P. Elliot, should be paid into the Treasury, there was no Clerk in the Office qualified to make copies of the official drawings, except Mr. E. and the Office was until the day of my arrival compelled to continue that business in his hands, he receiving for said drawings, not the legal fee of $2 per sheet, but whatever he chose to charge, which often amounted to five times that sum. — Such, Sir, was the situation of affairs: — the Office without a Draughtsman, and the salary of $800, miserably not worth the attention of a person competent to discharge the duties of both, a Clerk and Draughtsman, indeed, I have it in the hand writing of Mr. Elliot himself, that he declined applying for the situation, when I received at Baltimore a letter from Dr Craig, of which the enclosed is a copy, (No 2) inviting me to let him name me for the situation, and in a subsequent letter, (from which an exact is also sent, No 3) in answer to mine to know the duties and regulations of the office &c. a direct reference is made to drawings, with which the Office had no business I might execute for applicants during "out of office hours", as some compensation for the smallness of the salary; no order or message of the Patent Office to forbid it, existing, at that time, on the contrary, Mr. Elliot had been executing such drawings for applicants at all hours, both in and

out of office, and received hundreds in his time from Dr Craig, however ungrateful he has since proved himself for such disinterested kindness, and however sensative to infractions of the orders from your Department" he may wish to appear to you Sir, on the present occasion: and this fact was well known to Mr. McLane.

I accepted the invitation thus kindly given by Dr. Craig, was no sooner nominated than appointed, commenced my duties on the 2d of December last, and made original drawings during out of Office hours, for applicants for patents, before the expiration of the month however, a complaint was lodged by Mr. E. and an order obtained in his favour, without explanation & without affording me the slightest opportunity to show that the business was perfectly innocent in itself, was no part of the public business, could have no corrupt influence or evil tendency whatever, on the contrary, was of great service to the Office; but above all Sir, without considering the smallness of my salary, it not being sufficient, even after the most rigid economy, to defray the expenses of my family: — such an order was obtained from Mr McLane, which although expressed in general terms, restricted me in the practice of making drawings, in direct opposition to the understanding with the Superintendent under which I had relinquished my business at Baltimore with to me, great sacrifices to accept the appointment: — I confess to you Sir, that I continued to make original drawings after the reception of this order, for no other resource was left me to support my family, whilst at the same time, let me assure you Sir, that I would rather have seen them suffer than have been guilty of any conduct not strictly correct and honorable: it is not my character, as hundreds in my native City, of Baltimore, and among them individuals of the first standing can testify if necessary. — It is kindly requisite to mention that subsequent to the communication which took place in March

last, the order was rescinded and although the description of work I had done previous to that order, was sent in part to Mr. Stone, a draughtsman convenient to the Office as will appear by the enclosed certificate of that Gentleman (No 4); I do not pretend to deny that I have executed original drawings in out of office hours, among which are those referred to as coming through Doct. Jones, in order as I have already stated to assist in the support of my family; trusting that a faithful discharge of my official duties would be all that would be required of me, without reference to a trifling deviation from an order, not your order Sir, but made by your predecessor under the circumstances just detailed and which you had the power to annul or confirm whenever you pleased:—

In conclusion, if I have been mistaken and have erred in the course pursued, I hope, all the circumstances of my case considered, it will not be construed to the serious injury of myself or of those whose feelings of disinterested friendship alone, for me caused them to be at all connected in the business, and if after the explanations which I have thus kindly, for the first time been permitted to make, should you gratify your informant, whom I know to be the rank enemy of our venerable President and of all who write themselves his friends except — Doct. Mayo — by confirming the order in question, however hard it may bear upon me and mine Sir; I shall observe it most rigidly, and trust to the justice of the Secretary of State, for such an increase of my salary, as will place me beyond the necessity of resorting to extra means for a support.

All which is most respectfully submitted by Sir,

With great respect,

Your most Obed.t Serv.t

Wm Tell Steiger

Washington 28th Nov. 1834.

I hereby notify that Mr. George Cameron called on me lately say three or four weeks since - & showed me a drawing of a fine Engine & at the same time handed me a subscription paper which he was carrying about for the purpose of raising money to build a Machine for the purpose of testing the ability of the principle of his invention. John F. Callan. Ed 996

(Copy) Patent Office. October 23d 1833.

Dear Sir,

There is some prospect of a vacancy in this Office, which I think you would fill to advantage. The salary at present is only $800 pr. annum, but if a competent person had the situation, I have no doubt that it would be augmented by Congress to $1000. Should it appear an object to you worth acceptance, I would thank you to let me know, as early as convenient, that I might mention you to the President & Secretary of State before any other may apply. Ed 997

Mr. Wm Tell Steiger, Yours truly

Baltimore Md. John D. Craig.

Extract from Dr. Craig's Letter of Oct. 26. 1833.

"In reply to yours of the 24th inst. I have to state, that the "Office hours are from 9 to 3 o'clock - the 'permanency' of the situation, "during good behaviour - the business, filling up Letters Patent - in promptness - recording assignments, and making out copies of patents, "papers and drawings when called for, - and the time of commencing "as soon as convenient.

"Applicants for patents frequently want some person "here to execute drawings, by which out of office hours you may realize "something considerable". Ed 998

I certify that my profession is that of a draughtsman, for the preparation of drawings & specifications for Patentees. That they have been recommended to me repeatedly by Mr Craig, & that it has been my profession since Feby. last. Henry Stone

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Patent Office Dec. 1. 1834.

The Superintendent of the Patent Office presents his respects to the Secretary of State, and begs leave to refer the inclosed letter from C. Sullivan, Esq. to the Department, for instructions, in relation to its contents.

The Hon: J. Forsyth
Secretary of State.

Washington Dec. 1st 1834.

Sir,

In reply to your note of the 28th ult. requesting that I would communicate to the Department such information as I may possess relative to certain statements made by Mr. Wm. S. Elliot, I have the honor to inform you that Mr. Wm. C. Grimes and myself have long been correspondents, our letters relating generally to inventions made by him, the object on his part having been, solely, to ascertain my opinion of the utility and originality of his machines. Upon these points, I have communicated my ideas very freely; but Mr. Grimes has never proposed to me, so far as I recollect, to draw up specifications for the Patent Office, or if he has proposed it, it has been declined. It is a business which he has performed for himself, and to which he is perfectly competent.

With respect to the ten dollars of which Mr. Elliot speaks, its history is as follows. About twelve months since, Mr. Grimes remitted to me one hundred dollars, portions of which I was, when directed by him, to pay into the Patent Office;

as his applications were matured. Having occasion for money here in October last, drew upon me for $90. leaving in my hands a balance of $10. with respect to which not a word has ever passed between us. I am well aware, however, that Mr. Grimes considers himself in my debt, for what he has accounted valuable information, as I have procured his taking out several patents for inventions in which he had been interested.

On his recent arrival in this City Mr. Grimes has sought the same kind of information on other inventions, and for this purpose has exhibited to me some of his models and descriptions. In looking over the latter I sometimes drew my pen through certain words, and interlined others, but for so doing I have neither charged or received any thing. I have not, in fact, a knowledge of the forms in which Mr. Grimes has finally presented his papers to the Office.

With respect to the drawings which Mr. Grimes has had executed, and the obtaining of which was the main object of his visit, several of them have been done by Mr. Steiger. Mr. Grimes desired me to recommend some person to make them from his models, which he then had with him. I named Mr. Shaw, but he had already seen that Gentleman, and thought his charges high. I then informed him that I thought I could get them done by a person in the neighbourhood, and that if he wished it, I would do so: the models were consequently sent in to Mr. Steiger. I have not, nor have I any interest in the transaction, excepting that which I have taken in rendering a gratuitous service to Mr. Grimes, of whom I think highly. — I did not refer him to Mr. Steiger, because I was apprehensive that that gentleman might think it improper to make a bargain with an applicant for a patent, although I was aware that he indirectly executed drawings for them, when models have been forwarded to the office, and the Superintendent has been requested to obtain them.

Mr. Common, whose affidavit accompanies Mr. Elliot's letter, applied to me to obtain a drawing of a fire engine of which he wished to make trial, stating that he wanted it for the purpose of aiding him to raise a subscription to enable him to construct the instrument. Not a word passed upon the subject of obtaining a patent. I informed him that Mr Staiger would probably execute it for him. This is all the information which I possess respecting that affair.

Dr Mayo has undoubtedly given the strongest evidence in his possession to my disadvantage, namely, that he has seen my name as a witness to specifications; if this is a crime, it is one which I cannot refuse to commit whenever called upon for that purpose; as to the inferences of that individual, I do not anticipate the being required to defend myself against them; the facility with which he makes mistakes is evinced by the memorandum of Mr. Dickins, relating to other points which Dr Mayo states he stands ready to prove under oath.

My situation as Professor of Mechanics in the Franklin Institute; as the Editor of a Journal, devoted to the useful arts, and as formerly Superintendent of the Patent Office, are circumstances which have placed me before the public in a prominent point of view; and, in addition to these, whether deservedly or not, a high degree of confidence is placed in my information and judgment in whatever relates to discoveries and improvements in the useful arts. I am, therefore, placed in a situation from which I could not escape if I would; my opinion is frequently desired, and I have considered, and do consider, the information which I have acquired as, to a considerable extent, public property; and whilst it has been, and will be, my determination so to employ it as not to violate the rules of Office, or to interfere with the duties which devolve upon me, as a public Officer, it is manifest that I cannot pursue such a course as will enable me to steer clear of misrepresentation on the part of those who are prone to comment.

Papers to be deposited in the Patent Office, and money to be

paid into the Treasury, are frequently sent to me, and I have never refused to perform a task which obliges my fellow citizens, gives but little trouble, and costs nothing. I some time since gave a public notice in my Journal that where this was done, I required no more than to be saved the expense of postage.

I have the honor to be with great respect,
Your most obed.t Serv.t
Thos. P. Jones

Dec.r 8th 1834. T.P. Jones begs leave to file with the foregoing, a letter received from Mr. Grimes in May last, which will fully confirm the statement made respecting the nature of his transactions with that Gentleman. — All which is most respectfully submitted. T.P.J.

York, Pa. May 22d 1834.

Dear Sir,

You will find with this enclosed the drawings and specifications of a machine for attenuating iron or other metal. and also the specification of the revolving forging engine, the papers of which I sent to you some weeks since, this specification is to be substituted for the former one if the machine is patented but I should like to have your opinion of these machines and also of the one for cutting round rods and window sash from boards or plank which I mentioned in a letter some two or three weeks since

I have prepared the papers which I send you to day with the intention of having the machines patented if there is not any thing in the way and you think them worthy of being patented

I should be pleased to have some information respecting the note on the private Bank which I sent to you some time since for I heard that that Bank had stopped payment what loss is there on the note in consequence if it is necessary I will immediately forward more money to procure these patents

Yours with respect
William C. Grimes Esq
Dr. Thomas P. Jones

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To the Hon. John Forsyth
Secretary of State of the United States.

Washington December 18th 1835

Sir,

I this morning called at the Patent Office, to make certain enquiries and examinations, respecting models and papers of inventions for a friend at a distance. But was informed by Mr. Stiger, a Clerk in that Office, that they would hold no communication with me; nor should I make any such examination there.

What have I done to deserve this treatment? Is it for having exposed the ignorance and mal-practices of those who conduct the affairs of the Patent Office? I cannot believe that you have given any order to sanction such conduct; and believe that the present insolent behaviour of the Superintendent arises altogether from his arbitrary disposition: and the ignorance of the duties of his office. It cannot be possible that you will deny to me that right which every other citizen enjoys, viz. to examine the papers and models of our Office, whose very title, (Patent) shews that they are to be open to public inspection. I would not deserve the title of a free citizen of the United States, if I should submit to this treatment without resentment; and therefore am determined to have redress. As I have the highest respect for your independent, honorable spirit, and high sense of justice I hope therefore you will apply a proper remedy to such grossly improper conduct.

I have the honor to be respectfully
Your obed.t Serv.t
William P. Elliot

Patent Office, Aug. 7, 1835.

Sir,

I have this morning discharged Mr. Smith, (who has been temporarily employed as clerk), in consequence of the suggestion of the Secretary of State last evening, that there was no appropriation for additional assistance in the Patent Office.

Not finding in the office any record of Mr. Smith's appointment, or authority for his employment, I have to enquire how the balance due him shall be paid?

Permit me to say, I understood Mr. Pickell first employed him, while superintendent, and subsequently his services were continued by the acting superintendent Mr. Johns.

When I entered upon my duties, I understood from Mr. Johns "that Mr. Smith was employed to bring up the business generally, and that his compensation was the same as paid Mr. Mayo; viz. 12½ cents for every 100 words, chargeable to the contingent fund." Before I make further payments I should be happy to be instructed from what fund Mr. Smith shall be paid.

Yours most respectfully and obediently, Ex a Pickl

Henry L Ellsworth

Hon. John Forsyth
Secy. of State.

Patent-Office, Aug. 10, 1835.

Sir,

In the applications of Henry C. Wall, and Thomas H. Reilly, for a "Spark extinguisher", there is an interference, and both parties have been notified of the fact, and required to appoint an arbitrator respectively.

Will the Hon. Secretary select one arbitrator in conformity with the law on this subject —

Mr. Hobbie who has notice on several cases has one

quired of me, whether arbitrators receive any compensation, and if so, how much? — If arbitrators are to be paid by this office I should be happy to know the amount and to what fund the same shall be charged?

Most respectfully

Henry L Ellsworth

Hon. John Forsyth
Secy of State

Patent Office Aug. 10. 1835.

Sir,

It is just one month since I entered upon the arduous duties of Superintendent of the Patent Office. During this time, I have assiduously endeavored to bring up the business in arrear, and also to learn the task which devolved upon me.

Finding it impossible with the present help, to comply with all the orders on file, I feel constrained to present the state of the office, as some apology for what might seem remissness.

The peculiar manner of conducting the business in the office, presented unexpected embarrassment. The whole correspondence of the office, (letters rec.d) was formerly burnt by the Superintendent — Within a few years it has been kept on two long wires.

I found upwards of 60 models in the Superintendent's room occupying about ⅓ of the floor — No index or alphabetical list of unpatented models has ever been made, nor had the unpatented papers, including caveats been indexed since expir 1829, if we except a part of the time since 1834 —

Allow me to notice the course I have pursued —

In the first place, I removed all the models from the Superintendent's room, to a private apartment for "unpatented models" first taking an alphabetical list of the same. This situation has made the Superintendent's room far more

pleasant and enabled me to commence an index for all models received. By the aid of this alphabetical list, several models have been found, that were supposed lost, thereby, causing a delay in issuing the patent.

The correspondence, which I found on the wires, I have ordered bound, and shall prepare an index for the letters as soon as possible —

Answers to enquiries compose 1/3 of the correspondence, and I would here remark, that the delay in handing up information from letters kept on wires, and papers without any index, is not only vexatious but injurious to all concerned; besides, on every examination of letters, thus kept, a new hole was pierced, obliterating of course more or less words.

I have also procured three seperate books, for the three seperate funds, which in consequence of being all kept in one small book, were likely to become and in some cases did become blended.

I found also, that no list of applicants, for patents, was ever kept — The only entry made, was on the original petition itself, of the time it was received —

It will therefore easily be seen that as the original papers are often sent back for correction, and handed to draughtsmen for drawing (by order of the patentee) that this original file was very liable to be mislaid, and all evidence of one application having been made, gone, except the faint trace, of some correspondence respecting a patent. To remedy this evil in part, I have caused envelopes to be printed which when filed are never taken out of the office. The envelope also will save much writing, preserve uniformity in files, and guard against all radical defect in issuing a patent.

I have also ordered a book, for the entry of all papers, received into the office, either for patents, or as caveats. When this book

is completed, I shall be able to comply for the first time, with that order, which requires a weekly list of applicants for patents.

Not only patentees, but assignees of patents, and others in court, have been pressing the Office with great importunity, for their respective papers. In some cases, the delay has been very injurious to the parties — and it is deeply to be regretted, that causes in Court, are obliged to be continued, at great expense for the want of a paper, which, with help, might be copied in an hour, and for which, time as much is charged (20 ct.) as it costs to furnish the same.

I am happy to say that so far as strangers are concerned, the business of the Office, devolving on myself, is nearly brought up. (50 patents are now awaiting the signature of the President) — The official reports however, required by the Secretary of State, and the indexes to a considerable business, is quite behind. On this part of the subject, I beg to observe, that a weekly report of the patents, applied for, and also issued, together with a list of fees received for copies and transfers, could easily be made, but a Digest of the letters rec'd, & written, will employ one clerk, at least two or three hours every day — The correspondence often embraces 40 or 50 letters in a day — some of the letters rec'd are very long, and it will take much time to peruse them. As these letters, will now all be regularly filed, bound, and indexed, and become the records of the Department, I leave very respectfully to enquire, whether this last mentioned order respecting the weekly Digest of letters could not be relaxed, or suspended, until Congress should allow more assistance.

The order, which requires all letters rec'd, to be answered the same day, however onerous the duty, may be, should remain imperative — it has been strictly complied with by myself, and will be while my health is spared —

There are several alterations made in the details

of office arrangement, and especially in comparing the specification, drawing & model together; a practice hitherto omitted I understand, but absolutely necessary to protect the public interest. These changes however, do not contravene any order of the Secretary, and have incurred but a trifling expense, & I will not now particularize — At a future time, I will beg leave to suggest a few things, which may expedite the issuing of patents, and equalise the duties and expenses of the office.

My object now is, more particularly, to call the attention of the Hon. Secy to the manner in which the patents are recorded.

I presume, the Secretary supposed, that the Patents were recorded — This I believe has never been done. Allow me to explain — The specification only, is recorded. What is technically & in fact the patent — the document, tested by the President, and signed by the Secretary of State, and Attorney Genl is, with all its forms and dates, left wholly unrecorded. When copies are required of any patent, reference is had to the specification on record — The deficiency is made up by taking one of the common forms, or "heading" of patents borrowing from the index of Patents issued, the name of the patentee, the date of the transaction, & the object of the patent, and gathering from the chronological events of the day, the name of the President, Secretary & Attorney Genl.

I need not add, that a record made up in this manner, cannot be certified with entire confidence — For, should there happen to be an acting Secretary of State, or Atty. Genl the record would, in a court of justice, be a fatal variance with the original. Besides, if the form of the patent should be changed, (and it may) then, it would be extremely difficult to furnish a true copy. I will not enlarge. I had supposed, that Congress intended the whole patent should be recorded, and

for this made an appropriation.

The expense of making a full record, is no greater, or a trifling more, provided the form of the patent is printed, with blank dates, and the records made up on sheets as is now done & then bound.—

While I feel unwilling to make so great an alteration in the mode of recording, without the knowledge or approbation of the Secy, I feel bound, to submit the matter without delay, to his notice and consideration.

Ext. With the highest respect I am Yours respectfully,

W.J.C. Hon. John Forsyth Henry L Ellsworth

Secy of State.

1464 wds.

Patent Office Aug 21. 1835.

Sir,

The continued ill health of Mr Johns compels me to observe that the business of the office is accumulating very fast, as well as increasing in amount compared with former years— Since July 17 I have issued 127 patents—

There now remain on hand 37 specifications & assignments to be copied for strangers — and some of the cases very urgent — Also 8 drawings — There is now about 30 patents to be copied on parchment—

Within 2 days there has been 10 new applications for patents — I have devoted 8 and 9 hours a day to keep up the current daily business and as there is now a fund of $2000. untouched for contingent expenses and which will not be needed but in part for ordinary expenses I have to enquire whether under these circumstances I cannot employ some temporary help.

I only add that since the 1st July I have written over 500 letters to correspondents — and the bound correspondence shows more than double the amount this year compared

with the last The emoluments to the Govr since 17th July is $400 and the expenses about 5 or 600 only —

I feel desirous and ambitious to keep up the business and can do it with a little more efficient help.

Yours respectfully

Hon. John Forsyth
Secy of State.

Henry L Ellsworth Exd
B.J.C.

Patent Office, Aug 21. 1835.

Sir,

I have the honor to acknowledge the receipt of the accompanying papers returned here for the correction of the certificate — Permit to remark that I once forwarded them precisely as they now are, and they were returned with the enclosed letter — The books were then carefully examined, and a certificate amended or rather enlarged to meet the precise case —

I am a little at a loss to know how to furnish the evidence required to be used in a court of justice unless by the seal of the Secretary of State — I have not a copy of the U States laws and therefore have respectfully to ask how the information requested shall be furnished by this office.

Yours obediently

Hon. John Forsyth
Secy of State

Henry L Ellsworth

P. S. I also transmit the certificate requested, now sent separately.

H.L.E

Exd
B.J.C.

Patent Office Sept 18 —

Sir

I have the honor to transmit the amount of fees recd for fees for four weeks ending 5 Sept 1835

Hon. John Forsyth
Secy of State

I am, very respectfully
Henry L Ellsworth
Superintendent.

Exd
B.J.C.

Weekly account of Fees received at the Patent Office, for the week ending the 15th day of Augt 1835.

1835 Received of sundry individuals for recording Deeds of Transfers, &c. 1.28

Received from ditto, for copies of Patents, &c. . . 28.58

$ 29.86

Henry L Ellsworth
Superintendent

Weekly account of Fees received at the Patent Office, for the week ending the 22d day of August 1835.

1835 Received of sundry individuals, for recording deeds of transfers, &c. 4.77

Received from ditto for copies of Patents &c. . . 2.70

$ 7.47

Henry L Ellsworth
Superintendent

Weekly account of Fees received at the Patent Office, for the week ending the 29th day of August, 1835.

1835 Received of sundry individuals, for recording deeds of transfers, &c. 1.10

Received from ditto for copies of Patents &c. . . 5.01

$ 6.11

Henry L Ellsworth
Superintendent

Weekly account of Fees received at the Patent Office, for the week ending the 5th day Septr 1835.

1835 Received of sundry individuals, for recording deeds of transfers, &c. 4.78

Received from ditto for copies of Patents &c. . . 15.53

$ 20.31

Henry L Ellsworth
Superintendent

Exd
W.C.

Patent Office September 29 - 1835.

Sir, I take the liberty of submitting a few remarks to the

Hon. Building relative to the wants and accommodations of the Patent Office.

There is an immediate want of more room to hold the models for the Patents already issued and the number is daily increasing — Several hundred are now piled away in the garret of the Post Office.

The great weight of the present models is found to endanger the building. In addition to this all the rooms now occupied by the Patent Office is needed by the P. M. Genral. Under these circumstances it is presumed that Congress will readily provide for the wants of the department becoming more & more interesting and important to the Government as well as to the public.

It deserves to be mentioned that the Patent Office is now credited beyond the expenditures since its organization a sum exceeding $130.000. The receipts for the last year will exceed $7000 for patents issued while the whole expenses authorized by law will in the same time fall short of $2500.

A suitable building could be erected sufficiently large to exhibit all the models arranged in such a systematic order as to shew the progress and improvement in the arts, without encroaching upon any rooms separate from the Patent Office.

To any observer it must be apparent that the old law of '93 needs revision. The table of fees is in some cases too exorbitant, in others too little. Every drawing for instance required in the office is charged by law at $2, without reference to its size or complexity. Some drawings are worth from $30 to $40 others are worth less than $2. The fee for copies & for recording is 20 cents for every hundred words, while the expense of getting the work done does not exceed 10 cents -

this is a high tax upon many unable to bear the exaction.

It may be deserving of consideration in this enlightened age of communication & reciprocity, whether a more liberal attention to foreign inventors would not be advisable. Our own citizens are daily availing themselves of the courtesy of other nations to secure the benefits of their inventions, while the favor is not reciprocated unless in a very limited degree. What effect our monopolizing may have on other nations is only to be conjectured.

It is also believed that the requirement of so many signatures to the patent is unnecessary to protect the public rights or to guard against errors. If the Superintendent could be authorized to act judicially and such additional effective aid allowed as is necessary, there would be no need for delay in issuing a patent (when the papers are prepared) beyond a very few days. At present the President Secretary of State and Attorney General all have to sign the patent & in the transmission of the documents through so many hands delays of course occur to the great inconvenience and injury of the Patentee.

In the case of interfering patents it may be worthy of consideration, whether the decision of the Superintendent with an appeal to the Secretary would not be better than the present arbitrators, where the court is composed in part of two referees selected for their friendship to the respective parties — for these arbitrators also there is no provision by way of compensation, although each case of importance must necessarily consume time and attention.

But it is not the design of this communication to show the objects of the present law, so much as to make the absolute necessity of some provision for the accommodation of models and additional assistance

(with adequate compensation) to discharge the onerous duties of this branch of the Department.

I am very respectfully yours
Henry L Ellsworth

Hon. John Forsyth
Secy of State

Exd.
N.G.C.
682
wds

Patent Office December 9 1835

Sir,

Yours of 8th instant was recd this A M requesting a plan of arrangement for a change of duties among the Clerks.

I have the honor to observe that by the order of Sept 17 1834 Mr Johns was required to record patents issued, and in a seperate book, transfers of patent rights"

Mr Johns never recorded any patents — This duty was, and is wholly performed by Dr Mayo; of course little remains for Mr Johns under that order.

I would recommend, that all the duties now assigned to Mr. Mills be assigned to Mr Johns except the duties of Draughtsman; requiring Mr. Mills to render such other service as leisure permitted

Yours most respectly
Henry L Ellsworth

Hon. John Forsyth
Secy of State

Exd.
N.G.C.

Patent Office Dec 11 1835

Sir,

I have the honor to acknowledge the receipt of yours of 10th instant requiring an explanation of certain duties omitted to be performed by Mr Johns.

The Hon. Secretary will recollect the appropriation by Congress of a certain sum for recording patents. Under

this appropriation, Dr Mayo has been employed, by my predecessors, and myself, and his compensation has been charged to this fund and not the contingent fund.

Mr. Johns has not recorded any patents since March 1835 but generally been engaged in copying patents on parchments - making copies ordered - copying transfers, copying letters, and occasionally other duties.

Hoping this explanation will be satisfactory

I remain yours obediently & Respectfully

Henry L Ellsworth

Ex'd
H. H.

Hon. John Forsyth
Sec'y of State

Patent Office, Dec. 16. 1835.

Sir,

Yours of the 15th inst was received this A M. The Sec'y is pleased to observe that "the explanation about the employment of extra aid out of the special fund is not satisfactory". Permit me to suggest a belief that on this point the Secretary has not embraced the view I endeavoured to present in my communications. No charge has been made to the "Special fund" (if by this is meant the appropriation by Congress for bringing up the records) except the services performed by Doc. Mayo. I have looked for his appointment to record patents, but cannot find it. I presume the appointment of Doc. Mayo, whose compensation is 12½ cents for each 100 words has met the sanction of the Secretary. If however I am mistaken here I beg to be corrected.

If there is any written appointment of Doc. Mayo I should be happy to receive a copy of it. I shall then know definitely what the duties of the Clerks are. Doc. Mayo has however performed no duties but those under the special act of Congress.

I am sorry to trouble you with so much writing -

but as your letter might imply blame somewhere and has become a matter of record, I thought it due to myself to write these lines in reply.

I am yours respectfully & obediently
Henry L. Ellsworth

Hon. John Forsyth
Secy of State

Exd.
W.J.C.

Patent Office, Feb 7. 1835

To the Honorable John Forsyth
Secretary of State

Sir,

In extenuation of my conduct with regard to a Regulation of the Department of State concerning the employment of Clerks and which it is alledged I have disobeyed by preparing papers for applicants for Patents, I most respectfully beg leave to submit the following facts.

That I have never till now understood distinctly that the Regulations applied to me in the business of making drawings for applicants for patents, not having been expressly forbidden I acted under the impression when the late superintendent was notified on the subject, that I was at liberty to determine for myself whether that regulation reached my case or not he (the Superintendent) was of opinion that it did not, and unfortunately, I fell into the same error, chiefly owing to the circumstance of the employment being in itself innocent, the reason of the rule therefore not being applicable to it. It is known that I had no one to disabuse me of my error I therefore continued to make such drawings, without attempting to procure as it was my place to have done by proper explanations a modification of the rule, and in case that could not be granted with perfect propriety,

to desist.

I hope Sir this explanation will be received and I beg leave to assure you, that no individual employed in the Department entertains a higher respect of your orders, or will obey them more punctually than

Your most obliged obedient servant

Wm. T. Steiger

Exd
WJC

Patent Office, Feby. 6, 1835.

Hon. John Forsyth,

Sir,

I am satisfied, that the draughtsman in this Office, should have the 1000$ situation, as you suggested, a few days since: provided however that he performs the duty of a Clerk, as the present draughtsman has done.

If agreeable to you, I should regard it as a favor if Mr. Steiger could remain a week or two longer, or until the end of the session. The press of business is great; the applications for patents numerous and the interruptions very frequent. This will cease, in some degree, after the adjournment of Congress; and I should then be better qualified to give another draughtsman, the instructions, that he might find necessary. — It will be but just to say; that Mr Steiger, in the discharge of his duties, is prompt, punctual and efficient.

It is very desirable that an additional Clerk should be assigned to this office; for, including the Clerk, whose place is now vacant, the force is altogether unequal to the labor that has to be performed.

With great respect Your obt Servant,

J. C. Pickett

Exd
WJC

Patent Office, April 4. 1835.

Sir,

Among the funds deposited in the Bank of the Metropolis, by the late Superintendent of this Office, and within your control, is the sum of 629 dollars, remitted by various persons as fees for patents, which have never been issued. This sum was not transferred to the Treasury in October last, as you directed; because the residences of some of those persons and the names of others could not be ascertained. Among the latter, is Jacob F. Walter of Philadelphia, who has recently applied to have a fee of thirty dollars returned. It seems to be very clear, that the money was paid and that he did not obtain a patent; but I do not consider myself authorized to refund the fee, without being directed by you to do so; and I respectfully ask to be instructed, as to the course I shall pursue, in relation to this case, and in cases similar to it, should any occur. I have the honor to be with great respect,

Your obt. Servant,

J. C. Pickett

Hon. John Forsyth
Secretary of State

Exd
[illegible]

Patent Office, April 21, 1835.

Sir,

In the garret of this office, there are about four hundred unpatented models; many of which have been much injured by mischievous persons, who have had access to them. Mr. Keller will repair them, should you order them to be repaired, provided he is furnished with the necessary tools; which would cost between three and four hundred dollars: But not one in fifty, perhaps, of these models, will ever be patented, and would not therefore, be

of much use, if repaired; nor would they be very ornamental in a model room, as they are in general, very rudely and unmechanically constructed. I think it desirable however, to purchase the best; as some of the purchased models are rather out of order, and cannot be repaired, as it should be done, for the want of them.

It does not appear that the conditions of these models is chargeable to any neglect. They seem to have been abandoned by their owners, as being of no value; and had they been of any, there is no secure room belonging to this Office, in which they could have been properly placed.

I have the honor to be very respectfully,
Your obedient Servant,
J. C. Pickett

Ex'd
W.C.

Hon. John Forsyth
Secretary of State

Patent Office, May 9, 1835.

Sir,

In consequence of the changes which have been made in this office during the present month, by which the duty of Superintendent has devolved on myself; I find the regular business of the Office already encumbering to such a degree that I fear the public interest will suffer unless speedily remedied.

There are now about thirty patents ready to be issued, and only one Clerk to attend to this duty, as well as those of making copies, recording transfers, and copying letters &c. neither of which admits of delay.

I have considered it my duty to make this statement, and to apply for such additional aid as the necessity of the case seems to demand. All which is most

respectfully submitted.

I have the honor to be
Your most obedient servant
Thomas Johns Actg Supt

To the Hon. Ashbury Dickins
Actg Secy of State

Exd
W.J.C.

Washington

Sir,

I have the honor to enclose the certificate of Judge Cranch that the oath of office has been duly administered.

Most respectfully yours
Henry L Ellsworth

May 11, 1835
Hon. John Forsyth
Secy of State.

Exd.
W.J.C.

Washington May 11 1835

Sir,

I have the honor to accept the office of Superintendent of the Patent Office and will immediately transmit the certificate of the administration of the oath by law required.

Having made a previous arrangement to meet my son (now in Arkansaw Territory) in Indiana about the 1 of June, and being desirous to arrange my domestic matters I have respectfully to request leave of absence for sixty days. I shall loose no time by delay and will reach Washington as much sooner as is practicable.

I remain most respectfully, Yours &c.
Henry L Ellsworth

Hon. John Forsyth
Secy of State

Exd
W.J.C.

Hartford May 18. 1835

Sir,

I have the honor to acknowledge the receipt of yours of the 12, embracing the appointment of Superintendent of the Patent Office & granting the leave of absence which I requested.

Yours most respectfully
Henry L Ellsworth

Hon. J. Forsyth
Exd. N.G.C. Secy. of State

Patent Office, May 29, 1835.

Sir,

On account of the absence of the new Superintendent, the late superintendent has not transferred any portion of the funds belonging to this office, it is left without the means of paying the bills of Mr Smith and Mr Mayo, heretofore chargeable, respectively, to the contingent expense account, and the account of the appropriation for recording Patents.

It is therefore respectfully asked, that authority be granted, for the transfer of so much of the said funds, in the hands of the late Superintendent, as will discharge the claims alluded to, or as may be deemed most expedient.

All which is most respectfully submitted

I have the Honor to remain Your most obt. Servt.
Thomas Johns, Act 7. Supt.

Exd. To the Hon. Ashbury Dickins
N.G.C. Act 7. Secy. of State

Patent Office, Feb. 5, 1835.

Hon. John Forsyth:

Sir;

Barnes & Hills paid 30$ into the Treasury, with the intention of obtaining a patent for a branding iron. Subsequently, Hawkins became interested

in the invention, and all the papers are made out in the name of Barnes, Hills and Hawkins. Can the patent be issued to Barnes Hills and Hawkins, the receipt for the 30$ being in the names of Barnes and Hills only?

This seems to be a new case in this office and is submitted for instructions.

I have the honor to be with great respect,
Your obedient servant,
J. C. Pickett

Referred to the Attorney General for his opinion upon the question. Dep^t. of State Feb. 1835.

The act of Congress of Feby 21 st. 1793, (§ 11) requires the payment of $30, before the inventor's petition is presented, as a compensation for the services consequent on such petition. The money having been actually paid, in the case within mentioned, with a view to this particular invention, and but one petition, as I suppose, having been presented, and one set of papers made out, I cannot doubt the propriety of issuing the patent. Indeed, the $30. may well be considered as having been paid by the petitioners, for the same assignment or other act which gave Hawkins an interest in the invention, gave him also, as between him and the patent office, an interest in the money paid on account of the fees of office.

B. F. Butler Atty Gen. Exd
Feby 12 th. 1835. WGC.

Patent Office, May 20 1835.

Sir,

I have the honor to transmit the amount of fees rec^d for recording transfers and for copies from the 1 day of May 1835 to 8 August 1835 (weekly) amounting in

all to 232 5/100 dollars — of this Mr Thomas Johns. acting superintendent receives from 1 May to 4 July $155-83. which perhaps he should have certified but he is now unwell the remainder I rec'd between July 4 and 8 August 76-73 making the sum 232 5/100 dollars.

Yours respectfully
Henry L Ellsworth

Hon. John Forsyth
Sec'y of State

Patent Office, Sept. 10. 1835

Sir,

I have the honor to transmit a weekly list of the applications for patents since I intend upon the duties of superintendent. In some cases the entries may appear deficient — It is the custom now to enter the application, upon the receipt of any of the requisites — the fee may be transmitted with a request for the patent; of course one files the application & waits for papers — it sometimes happens that the object is not described fully by the first letter. Under the present orders of the Secretary, I have hesitated to know my duty, or his wishes. I cannot possibly discharge the daily current business and keep up the weekly reports without additional assistance, but will most cheerfully suspend any other business to make the weekly reports if this is required.

I am very respectfully, Your obedient
Henry L Ellsworth

Hon. J. Forsyth
Sec'y. of State

P. S. About 200 applications have been made during the two months I have been in office.

H. L. E.

Patent Office
Sept 14, 1835.

Sir,

I have the honor to transmit a list of Patents issued from April 22? 1835 to August 27, 1835.

I am very Respectfully,
Your obedient
Henry L Ellsworth

Hon.
John Forsyth
Secy of State

(over)

Patent Office September
28th 1835.

Sir,

I have the honor to inform the Department that the business of the Office is now brought up, & a report of the correspondence and some indexing is required.

All the new forms and new books introduced are ready for exhibition and examination – These improvements have introduced more system, and saved much future labor.

The accounts of the contingent fund are herewith presented with the vouchers, embracing the time when Mr. Thomas Johns was acting Superintendent.

Herewith are transmitted the weekly lists of applications from the 5th Sept to 26th of Sept inst. Also the account of the fund for recording patents with the vouchers.

I am very respectfully yours

Hon. J. Forsyth
Secretary of State

H. L. Ellsworth Esq
Com.

Patent Office
September 29 – 1835.

Sir,

I have the honor and pleasure to observe that the business of the Office is now brought up, & the digest of the correspondence and several indexes are completed – The new arrangement which has been lately adopted, with it is believed correct some errors and remedy much inconvenience.

The income of the Office is very great and increasing, but still no additional help could be obtained. The sickness of the regular Clerks has thrown unusual labor upon those able to work. I have cheerfully devoted all my time to the business of the Office, & have not lost a single hour – My son has aided me for a week past, and will if agreeable

able to the department remain a few weeks longer.

I have now to solicit the indulgence of a few weeks absence to go to Indiana for Mrs. Ellsworth who is now there on a visit.

My son now here is a graduate of Yale College & a quick and accurate writer. He posses a good moral character and is about entering upon his profession at the Bar. he will aid me the duties of the Office while I am gone & from active business habits will contribute much to keep up the business until my return. I would add he is not an applicant for office.

I cannot say exactly how long it will take to go to Indiana for Mrs. Ellsworth – about 9 or 10 days in going and as much in returning will be a reasonable allowance – a few days there will probably consume 3 or 4 weeks. I shall hear from the office every day and should business require my presence I will hasten back sooner than I have stated.

Whether my son shall receive my compensation or not is left entirely to the discretion and judgment of the department his services will be needed and be useful, & I cheerfully leave the matter for the future decision of the Hon. Secretary.

I am yours very respectfully and sincerely.

Henry L Ellsworth

Hon. J. Forsyth
Secretary of State

Patent Office October 22, 1835.

Sir,

In the application of J. C. F. Salomon & Samuel Thompkins, for an improvement in Steam Engine Boilers, there is an interference, and both parties have been notified of the fact, and requested to appoint an arbitrator respectively. Will the Honorable Secretary select an arbitrator in conformity with the law on this subject.

I have the honor to be Ob. Sr

Hon. John Forsyth
Secy. of State.

Thomas Johns Cert. Supt. Exd
W.J.C.

Washington Nov. 14, 1835.

Sir,

I have the honor to transmit herewith, my accounts, as late Superintendent of the Patent Office. The funds belonging to the office, were transferred to my successor as you will perceive from the receipts, a few days after he arrived at this place, with ~~with~~ the intention of entering on his official duties; and my accounts were prepared and sent to the 5th Auditor's Office with but little delay. By some accident or other, they did not reach that office; though I was not apprised of the failure, until about two months after it occurred. To enable me to make them out again, it was necessary to procure some new vouchers, which I could not do immediately, as some individuals to whom payments had been made, were absent, and duplicate receipts could not be obtained. I have been absent also myself, and have but recently returned.

This statement I trust will account satisfactorily, for the apparent delay in rendering my accounts; as it will be perceived, that there was no unnecessary delay, in transferring the funds of the Patent Office, to the present Superintendent.

I have the honor to be with great respect.

Your obedient Servant.

J. C. Pickett

Hon. John Forsyth
Secretary of State.

Exd
W.J.C.

Patent Office Dec. 5, 1835.

Sir,

I beg leave to submit the application of Mr White for a surrendry of old patent and issuing a new one. The facts are simply these,

as will appear by the correspondence inclosed — On 15th June Mr White
applies for a patent — on 17th June Mr Johns then acting Superintend-
ent writes informing "when specimens was received a patent would be
put in progress" — no answer was returned — On examining the
papers after my entering upon the duties, it was found that the case
did not require a specimen & the papers being all regular I ordered
on 18 July the patent to be issued — a patent was duly made out &
transmitted to Mr White and now lies in post-office there I suppose.
Mr. White has made some further improvements I understand
& wishes to enlarge and otherwise modify his specification to meet his pre-
sent wishes — The office doubtless did right in issuing the patent al-
ready ordered and never countermanded — but whether the letter requir-
ing the specimen so far justified Mr White in believing the patent
would be suspended until further proceedings on his part & thus equi-
tably or legally entitles him to a remittance of the usual fee required for
renewal of patents for defects, I beg to be informed.

With the highest respect I am yours obediently

Henry L Ellsworth

Hon. John Forsyth
Sec'y of State

New York, June 15 1835

Thomas Johns Esq.

Dear Sir,

I forward you herewith the pa-
pers and affidavit of deposite necessary for a patent for an im-
provement on Dayton, Hoyt and White's artificial stone
or marble Coffins, which please forward to me, this City, as
early as your convenience will permit. With thanks for your
prompt attention to the other patent &c.

I am in haste

Your friend & Sert

John White

Patent Office, June 17, 1835.

Sir,

Yours of the 15th inst. is received with your papers & a Bank receipt for $30 – on your improvement in artificial stone, and you will be good enough to forward a specimen, when your patent will be put in progress.

Yours respectfully

Thomas Johns Adj. Supt.

Col. John White
New York

Exd. W.G.C.

Washington, Dec. 4, 1835.

H. L. Ellsworth Esqr.

Dear Sir,

On the 17th of June last I recd. a letter from the Patent Office informing me that my Patent for Coffins made of cement could not issue until specimens were supplied. Having discovered that my specification was imperfect I was therefore glad of the occurrence, of this difficulty, and determined to leave the business in that state untill I could visit Washington and see that every thing was correct. Since arriving here I have learnt that notwithstanding the assurance that it could not issue, and without any further intimation to me, it was actually issued on the 18th of July last – as by the act of the office I have been prevented from correcting my specification, I must ask of you the favor to submit the question to the Secretary of State whether I ought to be compelled to pay another fee for the purpose of making my patent correct.

With great respect Your obt. Servt.

John White

Exd. W.G.C.

Patent Office Dec. 5, 1835

Sir, The increase of business in the Office renders

it impossible for the Clerks to perform the duties imposed upon them by the order dated 16th September 1854. By that order the following duties were assigned to Mr. Steiger and since have by direction of the Hon. Secretary, devolved upon Mr. Mills viz. "Mr. Steiger will copy and record the letters prepared in the Office, and file those received, will keep the Book of entries, will file the communications presented in the nature of Caveats, and register the same in a book kept for that purpose, letters received and written shewing in regard to the former, when received, date, by whom written, purport, and date purport of answer, will keep the accounts of the Office, and will also perform the duties of a draughtsman."

I have respectfully to observe that I presume the draughtsman was appointed for his skill in the art of drawing, and that to him alone the Superintendent must look for all the copies of drawings on file.

It being therefore utterly impossible for Mr. Mills to perform the duties specified in said order, I have to solicit the permission to make some changes in the present duties of the Clerks, and especially to assign to Mr. Mills the duties of Draughtsman with such other duties as can by him be performed from time to time, to expedite the business of the Office.

I am with the highest respect, Yours obediently

Henry L. Ellsworth

Hon. John Forsyth
Sec^y of State

(Unofficial) Patent Office, Jany 29 1856

Sir,

I transmit my report on the enquiries submitted & return the Letter of the Hon. Mr Ruggles

I have endeavoured to omit an allusion to any subject not deemed important — Should the statements or remarks not appear correct or judicious I beg the kind sug-

gestion of the Hon. Secy of State before the report is transmitted to the Committee. I am yours respectfully & obediently

Hon John Forsyth
Secy of State

Henry L Ellsworth

Exd
W.J.C.

Patent Office January 18 1836

Sir,

Since my return from the State department this morning, I have examined the amount of copies ordered and assignments left for record.

The amount of fees to be received for the above, will be about $175, at the rate of 20 cents per 100 words. I could readily have the same completed for 10 cents per 100 words if the Hon. Secy should think proper to direct the assistance –

The fees rec'd for copies and transfers are paid into the Treasury and pass to the account of Clerk hire –

Some of the copies are much wanted, and could any relief be granted, I am confident those interested would feel very grateful.

I am with the highest respect yours obediently

Hon. J. Forsyth
Secy of State

Henry L Ellsworth

Exd
W.J.C.

Patent Office January 8 1836

Sir,

I have the honor to acknowledge the receipt of yours of the 6 instant requiring a duplicate list of Patents which expired in 1835 which is herewith transmitted.

I am yours respectfully

Henry L Ellsworth

Exd
W.J.C.

Hon. John Forsyth
Secy of State

Patent Office Jany 3 1836

Sir,

I have the honor to acknowledge the rect of yours of the 2 inst requiring an alphabetical list of the names of persons who ~~have~~ obtained patents in 1835, which alphabetical list is now transmitted together with list of patents returned from the State Depmt.

I am yours very respectfully
Henry L Ellsworth

Hon. John Forsyth
Secy of State

Ex.
1.96

Patent Office June 5 —

Sir,

I inclose the letter rec'd from the State Department having been referred to this office, written by the chairman of the Committee of Claims, and beg to remark that I fear I have committed an error, in transmitting the information to Mr Whittlesey instead of sending the report to the State Department. I inclose a copy of mine to Mr Whittlesey

Yours most respectfully & obediently
Henry L Ellsworth

Hon. John Forsyth
Secy of State

Ex.
1.96

Copy Patent Office Dec 24, 1835

Sir,

Your letter of the 23 d inst to the Hon. Secy of State, was referred to this office this A.M. for information. I have the honor to state that it appears from the Books of the Office that in April 1830 Jacob F. Miller deposited 30 dollars for a patent. It was the custom at that time for the superintendent to receive the money - By the list of money received at the Treasury Office as transmitted here, it appears that Je-

cob F. Walter's fee of 30 dolls was paid into the Treasury of the 27th Apl 1835. I presume this is the same sum now sought to be recovered back. There are many similar cases and I understand there will be efforts made to get some general law passed to provide for all such applicants

(Yours Resp.)

E. Whittlesey Chairman Comt on Claims. Henry L. Ellsworth Exd. W.G.

Patent Office Jan 1 1835

Sir.

I have the honor to transmit a list of expired patents in 1835; also a list of patents granted in 1835 classed in the respective act—

I am most respectfully

Hon. John Forsyth Sec.y of State Henry L. Ellsworth Exd. W.G.

Patent Office April 4 1836

Sir,

I have the honor to inclose the weekly list of fees recd for recording deeds of transfers & for copies of Patents, since 1st January amounting to $136.93. which amount I have paid into the Treasury—

I am most respectfully yours Exd. W.G.

Hon J. Forsyth Sec.y of State Henry L. Ellsworth

Patent Office April 5 1836

Sir,

I have the honor to inform the Hon. Sec.y of State, that I propose to leave this evening for Indiana to hold the healy

with the Miami Indians; and in pursuance of your verbal request have desired Mr Johns to take charge of the Office until otherwise directed by yourself. I instead the Secy also to direct Mr Ringold to remain and aid in the Office during my absence. All other extra help, (Dist. Mayo excepted) is discharged.

I am most respectfully Yours obediently

Henry L Ellsworth

Ex Hon. J. Forsyth
Wg C Secy of State

Patent Office April 5 1836

Sir,

I have the honor to observe that with the extra help allowed by the Secy the patents are all issued where the papers are ready, and the transfers recorded, & Office copies furnished. The contingent fund is now exhausted and those employed to copy will be discharged unless the Secy shall prefer to continue the authority to employ the like assistance in keeping up the current daily business —

Allow me to add that there was a resolution passed the Senate authorising the Secy to expend the fund originally appropriated for recording patents, for other purposes in the Office — Whether this resolution has passed the House I have not been informed — if so, there are $1179 76/100 remaining under that appropriation to the credit of this office.

During the last three months 277 patents have been issued & 325 new applications been made.

The extra clerk hire has been performed with fidelity & despatch — And at 10 cents per 100 words amounts to little short of $400. The receipts of the Govt. during the 3 months have been very large from patent fees and office fees

I am with the greatest respect yours obediently

Henry L Ellsworth

Ex Hon John Forsyth
Wg C Secy of State.

P.S. There remains much business such as indexing Books & papers classifying patents, and comparing records which cannot be done without more permanent help, unless daily business is neglected.

H. L. E.

Exd. N.G.C.

Patent Office April 6. 1836

Sir,

I have the honor to request an answer to Mr. Ellsworth's letter of the 5th instant authorizing me to act as Superintendent until his return

I have the honor to be very Resp.y

Your Ob. Sec.t

Thomas Johns

Hon. J. Forsyth
Sec.y of State.

Exd. N.G.C.

Patent Office April 29. 1836

Sir.

Being requested by Mr. Dickins to report to you, on the subject, I have the honor to state that the actual arrangement of the duties in the Patent Office is the same as prescribed in the regulations of the Secretary, of the 16 September 1834, with the following modifications

Mr. Johns performs all the duties therein assigned to Mr. Steiger, except those of Draftsman, and except also the registering of Caveats, and of letters received and written, which has been lately discontinued, as the press of business in the office has rendered those entries impracticable.

Mr. Roane performs the duties therein assigned to Doc Mayo and records the transfers of patent rights, which latter duty is therein assigned to Mr. Johns. Mr. Hills performs the duties of Draftsman and such other services as the business of the Office may from time to time require, and his duties permit.

The recording of patents is done by Doc. Mayo, who is temporarily employed, and paid out of the special appropriation for recording patents.

It is proper also to state that the Superintendent, finding it out of his power to perform all the duties assigned to him, generally employs Mr. Keller, the Machinist, to examine the specifications, drawings, and models and see that they conform to the laws. Mr Keller also has special charge of the models.

I have the honor to be Sir your Obt

Thomas Johns Acg Supt

P.S. I would also add the ages of the Clerks employed in the Patent Office –

Thomas Johns	–	44 years
Robert Mills	. .	45 "
J. J. Roane	. .	38 "
C. M. Keller	. .	25 "

Exd. 1836.

F. J.

Patent Office May 2, 1836

Sir,

In the report I had the honor to make to you on the 29 Ult. in relation to the arrangement of the duties of the Clerks in this Office, I omitted to state, that the enquiries relative to the originality of inventions or principles and infringements of Patents rights, are submitted to Mr. Keller the Machinist.

I have the honor to be very Respy

Your Obt Servt

Thomas Johns Acg Supt

Exd. 1836

Hon. John Forsyth
Secy of State

Patent Office May 2, 1836

Sir,

I regret, most sincerely, that the omission of regis-

tering the Caveats and of letters received and written in this Office, should have produced the dissatisfaction expressed in your letter of the 30th ult. I had hoped Sir that the communications of the Superintendents to you had shown the impossibility of keeping up these registers with the existing strength and increased business of the Office. So far as I am concerned I beg have to assure you, that I have not only industriously devoted all the time of usual office hours, to the performance of the duties assigned to me, but I am in the habit of giving two or three hours, extra time, daily to their performance, as Mr. Ellsworth, were he present, would testify.

Had these registers been kept, other current business of the Office must have been unavoidably neglected, and nothing has been left me but a choice of evils.

Upon the return of Mr. Ellsworth I confidently hope it will be in my power so far as my duties are concerned, to remove all cause of complaint.

I have the honor to be Sir very Respt. Exd.
Your Obt. Servt.
Thomas Johns Acg. Supt.

Hon. John Forsyth
Secy. of State

Patent Office June 1. 1836

Sir,

I find on my return that the business unfinished has accumulated to such a degree as to occasion much delay to persons making applications unless some temporary assistance can be afforded –

There are between 80 & 90 patents complete and issued from the Superintendent's desk waiting clerical aid to transcribe. There are thirty office copies of patents or specifications ordered; and 20 assignments or transfers to

be recorded — In addition to this the weekly reports have fell behind, and it is important that the records made by Doc. Mayo should be examined by a Clerk in the office —

I have required the Clerks to aid in extra hours, to bring up the reports to the State Department. In perusing the correspondence of the acting Superintendent in my absence I regret to find, he mentioned the "Discontinuance" of certain reports & business required by the orders from the State Department — In the impossibility to do all, some has been delayed, but none discontinued. I shall esteem it a duty and pleasure to conform to every requisition, with the despatch the limited force in the office permits, and to give preference to those duties deemed most impressive by the Hon. Sec^y of State.

I am with the highest respect yours obediently

Henry L Ellsworth

Ex^d Hon. John Forsyth
Wm C. Sec^y of State.

Patent Office June 1 1836

Sir,

I have the honor to transmit the weekly reports of receipts for recording Deeds and transfers from 2 d. April to 28 May 1836

Yours most respectfully

Henry L Ellsworth

Ex^d Hon. John Forsyth
Wm C. Sec^y of State.

Patent Office June 13, 1836

Sir,

I have the honor to transmit a weekly list of the patents granted from the 1st January to the 4th June 1836 inclusive

Very respectfully

Henry L Ellsworth

Ex^d
Wm C. Hon. John Forsyth
Sec^y of State.

Patent Office June 22, 1836

Sir,

I have the honor to transmit herewith, the weekly list of Assignments recorded during the 11th & 18th instant

Very respectfully

Henry L Ellsworth

Hon: John Forsyth
Secy of State.

Patent Office June 9 1836

Sir,

In the applications of William Norris of Philadelphia and Arthur Pellington of Providence both for a patent for Spark extinguisher an interference is adjudged – The parties have been duly notified. Mr R. Beale & Wm P Elliott have been appointed by the applicants. Will the Hon. Secy appoint a third arbitrator.

Yours respectfully

Henry L Ellsworth

Hon. J. Forsyth
Secy of State.

Patent Office June 23, 1836

Sir,

I have the honor to transmit herewith, the weekly lists of Patents granted for the weeks ending the 11th & 18th instant.

Yours respectfully

Henry L Ellsworth

Hon. John Forsyth
Secy of State.

Patent Office July 22d 1836

Sir,

In the months of September & October the Mills labored as many hours beyond the 6 hours fixed as the time

of employment and I promised to present his bill for extra compensation to the consideration of the Hon Secy. I inclose his account

I am very respectfully

Hon. John Forsyth
Secy of State.

Henry L Ellsworth

Patent Office July 8th 1836

Sir,

We have had three different plates to conform to the different descriptions of persons and the oaths required of each. The new law requires the same oath of all inventors whether foreigners or citizens, so far as respects the invention or discovery — the oath of country of allegiance is different — I have thought one plate with more blanks might accommodate all applicants — I submit a form. —

I also submit a device for the seal and that the same may be laid before the President for his approbation if the same meets the approbation of the Hon. Secretary.

The circular to patentees desiring information I hope to have ready monday morning

Very Respectfully

Hon. John Forsyth
Secy of State —

Henry L Ellsworth

The Secretary of State having examined the device for a seal and being satisfied with it, provided the words Seal of the Patent Office be added to it, respectfully submits it to the President — together with the accompanying forms and drawings. Dep. of State, July 9 1836.

The act provides for a seal with such device as the President shall approve.

Approved with the addition as above. Seal of the Patent Office. A. J. Exd. B.J.C.

Patent Office Sept 20 1836

Sir,

My son was employed a few weeks in my absence last October and by my letter to the Hon. Secy dated 29th Sept it was left discretionary with the Secy to allow any charge for the services. — As help was necessary and the services faithfully rendered I think the charge at the rate of 1000$ per year would be equitable — I felt unwilling to trust my private papers and political correspondence in the hands of a stranger and therefore wrote my son to come from New Haven —

I would remark that the appropriation under the old law remains and must remain mostly unexpended as the Secy of the Treasury has decided that all expenses incurred since the passage of the new law must be charged to the patent fund established and accruing under the same. These expences accruing previous to 4 July (and my son's bill is one) are chargeable to the old fund.

The Hon. Secy will please decide whether the charge is proper.

I remain most Respy

Henry L Ellsworth Exd. B.J.C.

Hon. John Forsyth
Secy of State.

Patent Office October 28 1836

Sir,

Previous to the passage of the new patent law, it was customary to reissue two or more patents for one surrendered but the applicant paid the fifth fee of 30$ — The old law authorized a new patent to be granted and had there

been no precedent, sanctioned by the Attorney General I should have hesitated about granting, under the old law, more than one patent for another surrendered.

Under the new law I have uniformly declined giving but one new patent on a reissue; because the law says "a new patent may be issued" and because the fee is limited to 15$ — It will be seen that if more than one is granted, the revenue will be defrauded — a case now before me will fully explain.

Messrs Fairbanks, took out several years since two patents — They want to surrender the two, and take out seven distinct patents — for these seven I can only charge 15$ each — But when granted the patents will each be distinct and complete, and, although the Messrs Fairbanks would cheerfully pay the 30$ each, still, I cannot, nor can the Treasury, take over 15$ the sum fixed. — Let me add, suppose an individual should embrace in one what might make 10 patents After the patent was obtained for 30$ would it do to surrender the old one, and get out ten new ones for 15$ each? this might encourage dishonesty.

Congress might authorise more than one reissue for a surrendered patent, and then the same would be free from the objection stated.

I have received several letters from distinguished Counsel for patentees, and promised to lay the subject before the State Department for the opinion of the Atty. Genl. unless the Hon. Secretary should decide the point without such reference

I am most respectfully,

Henry L. Ellsworth

Hon. John Forsyth
Secy. of State

P. S. I enclose the new law with the section, (15) marked referring to the point in question. H. L. Ellsworth Exp. N.J.C.

Patent Office Dec 2 1836

Sir,

Herewith you will receive the letter referred to me on the 30th ult. with the assignment of J. C. F. Solomon, duly recorded in this office.

I have the honor to be very respectfully
Your Obt. Servt
H. L. Ellsworth Exp. N.J.C.

Hon. John Forsyth
Secretary of State.

Patent Office Dec 14. 1835

Sir,

I have the honor to acknowledge the receipt of yours of the 11th, this morning. To the enquiries why Mr Johns has not performed the duties assigned him & why other persons were paid for performing these duties, I have very respectfully to observe, that when I entered on the duties of Superintendent in July last I found the division of labor, the same as it remained until the change made last Saturday, under instructions from the Secy. Mr. Johns performed the same duties after my Superintendency as before.

Entering on my new duties I found much to do and many embarrassments, and I did suppose that the duties of the Clerks, as then performed, were satisfactory. While I must therefore refer to my predecessors for the most definite information on subjects not of record I will briefly add what I understood upon enquiry some months after my arrival why the duties enjoined by the

order of Sept. 1834 were not exactly complied with. I understood Mr. Mayo was once dismissed and reinstated, or rather employed to record patents under the special appropriation of Congress — Mr. Mayo entered upon this last duty in March 1835 — as he was competent to do the whole of the recording of patents, Mr. Johns not required to do other work demanding immediate attention such as I specified in my last letter of the 11th instant.

Mr. Steiger occupied the place which Mr. Mills lately held, he was active, industrious & systematic and he kept the accounts of the Office. Why Mr. Pickett found it expedient to keep these accounts himself as well as perform some other duties assigned to Mr. Mills (as successor of Mr. Steiger) I beg to refer to Mr. Pickett — I am confident his reasons will be satisfactory. In answer to another enquiry, I remark, Mr. Roane has suffered some from ill health and I understood it was impossible to keep up the business of the Office without some occasional help in his branch; as the general order of 1834 made it obligatory on the Clerks to do such other duties as were required, I presume it was supposed that it would be satisfactory to employ Mr. Johns in the manner I have mentioned since March 1835.

I cannot omit to add, that the great increase of business has imposed upon the incumbent a correspondent effort & compelled him to do the business if possible without additional Clerks — The Clerks generally do not enjoy very good health, and this fact together with the increase of business & the very pressing importunities of Patentees could be offered as an apology for occasional departure from the strict letter of the order of 1834, but it is not my object or province to apologize for others. I followed the "beaten track" and introduced no change or alter-

tion which had not I believe been fully sanctioned by the Hon. Secretary;

I have the honor to be most respectfully
Yours obediently
Henry L Ellsworth

Exd
Wf.

Hon John Forsyth
Secy of State

Patent Office December 15, 1835

Sir,

In answer to the enquiry as to the delay of Victor de Braine patent, I have to observe, that it took its regular turn in the docket and has this morning been rec^d from the Attorney Genl — After receiving the seal of the Secretary of State it will be forwarded — I have written to Mr Jonathan Cook of New York who addressed yourself the letter, giving him the above explanation.

I regret that the business is accumulating so fast — the enquiries of members of Congress are frequent and require great search. One enquiry occupied a Clerk nearly two days — I hope for some relief soon.

Yours respectfully
Henry L Ellsworth

Hon John Forsyth
Secy

Exd
Wf.C.

Patent Office Dec 15. 1836

Sir,

I deeply regret to say, that all the records models and papers of the patent Office were destroyed by fire last night — I hastened to the scene and used every personal effort to save the papers, but in vain. The same causes which prevented those who slept in the City Post Office directly under the Patent Office from saving the mails, prevented

me from saving any thing in the patent office—

The patent office is now destitute of all accommodations for the transaction of business and I hasten to enquire what shall be done?

I am yours respectfully

Henry L Ellsworth

Exd NGC

Hon John Forsyth
Secy of State—

To the President of the United States—

Sir,

A letter has been this morning received from the Superintendent of the Patent Office, dated on the 15th instant, in which he states that all the records, models, and papers of that office were destroyed by fire on the previous night, and that he is destitute of all accommodation for the transaction of business — and enquiring what under these circumstances is to be done.—

I have the honor to suggest, that the Superintendent be directed to procure such temporary accommodation as may be necessary for the transaction of the business of the office, until provision shall be made by Congress for that purpose.

I have the honor to be Sir Your obt Servt,

John Forsyth

Department of State
Dec. 16, 1836—

Exd NGC

Approved—

Andrew Jackson

Attorney Generals Office December 15th 1836.

Sir,

In answer to the question proposed in the letter of the Commissioner of patents enclosed in your communication

of the 31st of October last; and on which you have requested my opinion, I have the honor to reply, that in my judgment, there is no sufficient reason for departing from the construction which was given to the corresponding part of the former patent law; and the usage which obtained under it, in respect to the issuing of several patents in lieu of one patent surrendered.

As the charge on the new patent is reduced from thirty to fifteen dollars, the Commissioner suggests, that the revenue may be defrauded, if a party be allowed first to include several distinct improvements in one patent, and then to surrender the patent and take out several new ones; and if the suggestion were well founded, it would certainly furnish a good reason for a more rigid construction of the present law, than was given to the former statute. But unless there be some error in the specification, arising from "inadvertency, accident, or mistake, and without any fraudulent or deceptive intention" the new patent cannot be issued; and in the case supposed in the objection I am considering, there is a fraudulent and deceptive design to elude the payment of the legal charge, and of course such a case is not within the law.

I am Sir, with high respect, Your obt. Servt.

The Honorable John Forsyth
Secretary of State

B. F. Butler

The letter of the Commissioner of Patents is herewith returned.

Patent Office
June 6 1836

Sir.

I have the honor to transmit in conformity with the order of Sept. 1834 a list of Assignments recorded between July 18th 1835 and June 4th. 1836.

Yours
most respectfully
Henry L Ellsworth

Hon.
J. Forsyth
Secy of State.

(over)

Dept of State
December 27 th. 1814.

Doctor William Thornton,

Sir,

I have, on full reflection, drawn up a regulation for the Patent Office, which I herewith beg leave to inclose to you.

As the Officer having the superintendance of the Patent Office, is especially charged with receiving, and keeping all the papers, documents & records, relative to Patents; and as in the questions that may arise out of them, and which this Department may ultimately have to determine, a respect is due to his experience and judgment, it is conceived that there are good reasons why he should abstain from appearing as a party interested, either directly, or indirectly, in any case of a claim for a patent right. If it be said that this is taking from the Patent Officer a right which the law gives to every other Citizen, the answer is obvious; that it is adopted as a mere regulation of the Department, which when it is made known beforehand to the Officer, it is at his option to assume the superintendence, subject to the restriction. I have made it, as you will observe, prospective, to operate after the first of January. This has been done with a particular reference to yourself as the present incumbent of the Post; and that, as you have heretofore had no notice of any such rule, time may be allowed you to perfect any rights which you may now happen to have, if such be the fact, under the Patent Law; in the same manner as if the rule in question had not been adopted.

Besides other reasons in its favor, there is that de-

rived from the analogy of the law of Congress which prohibits Officers of the Customs from owning a vessel, or having any participation in the importation of goods; and the law which interdicts all the Officers of the Treasury Department from dealing in any wise in stocks or public securities of the United States, or of any State. There are other laws of a similar spirit in our Statute book.

It is proper to add, that the rule is laid down from the opinion I have adopted of its propriety upon general grounds, as connected with the business of the Department, and not from any supposition that motives other than those which aim at a faithful execution of the Patent law, ever have, or could, influence your conduct.

Ed. HR

I am Sir, &c.

Jas. Monroe.

William Thornton Supt. Patent Office

24 July, 1818.

Mr. Adams presents his compliments to Dr. Thornton, & thanks him for the two drawings which he had the goodness to make for the Dept.

With respect to the postage of letters to the Patent Office, on public business, Mr. A would observe, that as the laws have made no provision for that case, he knows of no other rule than the practice in relation to similar cases heretofore. What that practice has been he is not informed, & therefore cannot do better than leave the question to the discretion of Dr. Thornton. End 8 Feb

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February 1, 1819.

William Thornton,

Sir,

Alexander Black is desirous of exhibiting to the Committee of Commerce and Manufactures of the House of Representatives, the models of certain Lamps which he deposited in the Patent Office some time ago, and upon which he obtained a Patent. and also models for Lamps which Winslow Lewis deposited in the same Office, and upon which he has obtained a Patent, and has asked for authority from this Department to get them accordingly delivered to him. As he states that he wishes these models for the purpose above mentioned, and that the Committee is desirous of inspecting them, for an object which is now before them, you will please to deliver them to him, taking his engagement that they be returned to the Office uninjured, and unaltered.

I am, &c.

J. Q. Adams

End 8 Feb

Doctor Wm. Thornton
Superintendent of the Patent Office,
Department of State.
Washington 26 Oct. 1819.

Sir,

I have received an application from several respectable persons recommending the employment of Mr. Jonas Keller "to repair the numerous models in the Patent Office, which are understood to be at this time in a state of mutilation, requiring a skilful and careful hand to mend and arrange them". I have therefore to request of you a report, particularly stating whether any, and, if any, which of the models are in such of state of mutilation, and the cause or causes, by which they have been mutilated.

I am. &c.
John Q. Adams

End
J.R.C.

William Thornton Esquire,
Patent Office
Department of State
Washington 6 July 1820.

Sir,

I am desired by the Secretary to inform you that it would be very agreeable to him if you could comply with the earnest request of Mr. Legris, in furnishing him with a detailed Certificate of the deposit in the Patent Office of his numerous claims to Inventions, to serve as a general Caveat against others, setting up titles to the same Inventions.

I am &c.
Daniel Brent.

End
J.R.C.

Department of State,
Washington 29 Aug 1822.

William Thornton Esquire
Patent Office,

Sir,

I am directed by the Secretary to inform you that he authorizes you to employ the Swiss, Keller, till the meeting of Congress, to repair and keep in order the Models in the Patent Office, at the allowance not exceeding two dollars a day for this service.

I am Sir, respectfully
Your obedient humble servant,
Daniel Brent Ed 1816

Department of State,
Washington 11 Nov. 1822.

William Thornton Esquire
Patent Office,

Sir,

I am directed by the Secretary, to return to you the enclosed letters from and to J. R. Nourse, and at the same time to transmit the enclosed copy of a Letter from the Attorney General of the United States to this Department dated the 5th instant; upon the subject of the reference which was made to him at your instance of the questions proposed in Mr Nourse's Letter, as to the true construction of the laws respecting Patents, in the case stated in his Letter.

I am Sir, with great respect and esteem,
Your obedient and very humble servant
Daniel Brent. Ed 1816

Department of State
Washington 11th April 1823.

William Thornton Esqr.
Patent Office,

Sir,

The Revd. Mr. Robert Little has asked permission to examine such specifications in the Patent Office as are not under an engagement of secrecy, and to take copies of such as he may deem fit for publication in a quarterly Magazine, which he is about to publish in this City. The Secretary sees no objection to his having this permission and desires that it be accordingly given to him.

I am Sir, Your obedt. & hble. Servt.

Ed. HR. Daniel Brent

Department of State,
Washington 9 April 1823.

William Thornton Esquire,

Sir,

I have been directed by the Secretary to inform you that you are at liberty to employ Heller in the Patent Office, in the way that he has heretofore been employed, upon condition that he will depend for his pay upon the success of an application which will be made to Congress by this Department, at the commencement of the next Session, for an appropriation of the money that may be required to defray the expense, and with the understanding that no advances can be made to him in the meantime on this account.

Ed. HR.

I am, respectfully, Sir,
Your obedient humble servant
Daniel Brent

Department of State,
Washington 16 July 1825.

William Thornton Esq.
Patent Office.

Dear Sir,

The President being extremely desirous, as you know, that the Record of the Patents, from the beginning should be brought up, and Mr. Little being, as I understand, willing to undertake the work, upon the presumption that the Secretary will recommend, in his Estimate at the next Session of Congress, an appropriation of money, to meet the expense, and that Congress will accordingly make it, I beg leave, in the absence of Mr. Clay, to advise the employment of Mr. Little for the purpose above referred to, - with an understanding, however, that this arrangement must be subject to the approval of the Secretary, upon his return, for its continuance.

I am, Dear Sir, Respectfully,
Your obt. Servt.
Signed — Daniel Brent - Exd. Pk.

Department of State,
Washington, 8 Decr. 1826.

William Thornton Esqr.

Sir,

I am directed by the Secretary to inform you, in reply to your letter to him of the 28th Ulto., that he will take some suitable opportunity of recommending to the Chairman of the Committee of ways and means of the House of Representatives, an augmentation of your salary; but he directs me to add, that he will not propose any other alterations or augmentations, of any description, with regard to the Patent Office, than those proposed at the last Session of Congress. He will re-

commend only, as it regards yourself, an increase of compensation, leaving to the judgment and discretion of the Committee itself, to establish the degree of that increase, unless he should be specially applied to for advice upon this point; in which case he will be prepared to give it, with a view to all circumstances connected with the affair.

Yours &c.

Signed — Daniel Brent.

Department of State,
Washington 27 Augt. 1827.

William Thornton Esqr.,
Superintendent of the Patent Office. —

Sir,

The Secretary desires me to inform you, as I have the honor to do, that he thinks Mr. John M. Benham is entitled to a patent, for the application of the water proof cement in the manner and for the objects, stated in his specification, and that he wishes you to give him a patent, accordingly, upon his complying with the requisitions of the law. —

I am, Sir, respectfully,
Your obedt. Servt.

Signed — Daniel Brent.

Department of State,
Washington, August 4. 1828.

Thomas P. Jones Esqr.,
Patent Office,

Sir,

I am directed by the President to observe to you, in relation to a circular letter, which is understood to have been prepared by you, and, in some

instances, already used, which contains directions to persons desirous of taking out patents how they are to proceed to obtain them, that, in the absence of the Secretary he is of opinion you ought not to make any further use of that letter. It would seem from an article in the Journal of Commerce, printed at New York, of the 30th or 31st Ult°, that the Circular in question conveys an idea that a very great proportion of the patents which have been heretofore issued under the authority of this Department, with the concurrence of the Attorney General, are defective in substance and form, and that they would not be considered good, if questioned before the Judiciary Authority of the United States. Whilst a suggestion of this sort is well calculated to excite the apprehension of Patentees, as to the validity of the rights, which they have acquired for valuable considerations, it does not appear to the President to have been proper, even, if the fact warranted the remark, and the patents in existence are thus defective, that it should have been made and proclaimed by the Office whence they were immediately issued. The objections to the suggestion apply with still greater force, as he thinks, if there exists, in truth, as is believed to be the case, no irregularity in the patents themselves heretofore granted, either in substance or form.

I am, Sir, respectfully,

Your ob. servt.

Signed — D. Brent. Ex. HR

Department of State,

Washington, 22 Octr. 1828.

Doctor Thomas P. Jones,

Philadelphia,

Dear Sir, I am

directed by the Secretary, to transmit to you the enclosed letter, from Mr. William Elliot, to this Department, and, according to the suggestion, which it contains, to state, that it appears necessary, you should make provision for the opening of letters addressed to you, as superintendent of the patent Office, which shall have been, or may be, received here during your absence, and am with great respect,

Ent 8 8 R

Your obedt. Servant,

Signed — D. Brent.

John D. Craig Esq.
Superintd.t of Patent Office.

Dep.t of State, W. 20 March, 1830.

Sir,

Two requisitions have this day passed from this Department on the Secretary of the Treasury to cause two warrants to issue in your favor, out of the following funds, and for the amounts set opposite to each — You will, of course, be charged on the Books of the Treasury with these amounts; and accounts will have to be rendered, with the approval of the Secretary of State thereon in writing, to the 5th Auditor of the Treasury, with accompanying vouchers, quarterly, say on the first of April, July, October, and January. —

Viz. Out of the appropriation for contingent expenses of the Patent Office for 1830, the sum of $500, and out of the appropriation for completing the fixtures of the Patent Office, $1000. —

I am, Sir,

Yours respectfully,

Signed — Wm. C. H. Waddell. Ag.t — Ed JIR

Dep.t of State, W. 22 July 1831.

John Craig Esq.r
Superintendent of the Patent Office.

Sir,

I am directed, by the Secretary, to inform you, as I take pleasure in doing, that he wishes you to add one hundred dollars to the annexed allowance which is made to Bishop, the Messenger of your Office for salary, counting from the 1st of this month, in consideration of his being occasionally employed in copying for the office.

I am

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I am respectfully
Sir, Your ob. Servt.
Signed — D. Brent.

Ex J M

Dr. John D. Craig, Superintendent of the Patent Office

Dept. of State, W. 17 April 1832.

Sir,

If Mr. Weaver has written to the amount of one hundred dollars, I wish you would pay him as far as he has gone. If the warrant I left for you is not sufficient for your current expenses, another will be issued. I desire also, that benches and a stove might be procured to make the Clerks comfortable.

I am, Sir,

Your obed.t Serv.t

Signed — Edw. Livingston

End. 3/1

Dept. of State, W. 15 Jan.y 1833.

John D. Craig Esq.r &c.

Sir,

I am directed by the Secretary, to send you the enclosed letter from Mr. Lewis Williams of the House of Representatives on the subject of the petition of Mr. S. D. Smith which accompanies it, and to request you, on the part of the Secretary, to answer Mr. Williams.

Respectfully,

Yours &c.

Signed — D. Brent.

End. 3/1

John D. Craig, Superintendent of the Patent Office.

Dept of State. W. 24 June. 1833.

Sir,

I have received your letter of this day, representing Charles Bellinah, a Clerk in the Patent Office to be incapable of performing the duties

assigned to him, and have to state in reply that Mr. Bulfinch has been informed that his employment will cease on the last day of the present month.

In the interim I will appoint another Clerk in his stead, who, it is hoped, will possess such qualifications as will enable you to make the saving referred to in the last paragraph of your letter.

I am, Sir, respectfully,
Yr ob. servt.
Signed — Louis McLane

Ex. 1816

Department of State,
Washington, 26 June 1833.

John D. Craig Esqr.
Superintendent of the P. Office.

Sir,

I communicate to you the copy, enclosed, of a letter which I have just received from Mr. Charles Bulfinch, upon the subject of the recent order for his dismissal from the Patent Office. That he may have the opportunity of explanation, I wish you to consider that order as suspended for the present, and, in the mean time, you will allow him free access to such papers, or records of the Office as he may think necessary for his defence.

I am, Sir, respectfully,
Your obedient servt.
Signed — Louis McLane

Ex. 1816.

The Secretary of State transmits to the Superintendent of the Patent-Office the enclosed communication from Mr. Charles Bulfinch Jr. to the Secretary, with the accompanying papers, vindicating himself against the charges exhibited against him, and will be glad to receive such observations thereon as the Superintendent may think fit to make.

Dept of State, 9 July 1833. End 1st

Department of State
Washington 6 July 1833.

John D. Craig Esquire
Patent-Office,

Sir,

The accompanying opinion has been addressed to me by the Attorney General, in reply to questions propounded, relating to the application of Thomas C. Newton for a patent, and I enclose it to you for your guidance in any further proceeding which may be had in that business.

I am, &c.

Signed – Louis McLane. End 3

Department of State
Washington 20 August, 1833.

John D. Craig Esquire
Patent-Office.

Sir,

I submitted your letter of the 15th. with the patent and papers accompanying it, to the Attorney General of the United States, for his opinion on the question stated, as to the legality of issuing an amended patent to John Goulding, on the surrender of one old one, which he holds indirectly by assignment from the original inventors and proprietors, and upon a specification of his own, not sworn to, and I now transmit to you a copy of the opinion of that officer, that the new patent cannot be given. I return the papers in the case.

I am,

I am, Sir, respectfully
Your obedient Servant,
Signed — D. Brent.

End J.F.R.

Department of State
Washington 1st Octr. 1833.

John D. Craig Esquire
Superintendent of the P.O.

Sir,

It appearing by your letter of the 19th Ultº, that an allowance, at the rate of $200 a year has been paid by you to the messenger of the Patent Office, under an express authority of the Secretary of State, you are authorised to include the same in your accounts supported by the proper vouchers, until the close of the quarter ending yesterday. — But as a regulation has been adopted in this Department, by which Messengers are not to be called upon, or permitted to perform the duties of Clerks, no such allowance can hereafter be made.

I am, Sir, Your obedient servant,
Signed — Louis McLane

End J.F.R.

John D. Craig Esqr.
Superintendent of the Patent Office.

Department of State
Washington 17 Octr. 1833.

Sir,

Referring to your several communications to my predecessor and to myself respecting the employment of Clerks in the Patent Office, and to the money received for copies of papers and drawings, I have to observe that by the Act of Congress passed the 25 April 1830, entitled "an act to regulate and fix the compensation of the Clerks in the Department of State", the Secretary of State is authorised to employ one Superintendent of the Patent Office, two Clerks in the Patent Office at a salary not exceeding $1000 per annum, and one Clerk at a salary not exceeding $800 per annum. The Clerks authorised by this law, have been duly appointed, and are now employed in the

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office in their respective duties.

By a resolution of Congress, passed the 7th of March, 1832, intitled a Resolution concerning the recording of Patents for useful inventions", the Secretary of State was authorised, out of the proceeds arising from the fees on patents, to procure the necessary books, and other accommodations for recording patents issued and unrecorded, as well as those hereafter to be issued, at certain rates specified in the Resolution, and by the appropriation act passed the 5th of May 1832, the sum of $12.000 was appropriated for this purpose.

Under this Resolution, the Secretary of State employed several extra Clerks, by whom the patents issued and unrecorded have all been recorded. The Clerks so employed, with the exception of Mr. Macdonald, have been discharged, and their accounts closed; and though a balance of the appropriation remains unexpended, I understand from the Superintendent, that with the number of Clerks authorised by the Act of 23 April 1830, and the remaining one retained, under the Resolution of 1831, provided they are efficient persons, and faithfully perform their duties, the patents hereafter to be issued may be recorded without the employment of any additional force.

Under these circumstances I consider that there is no authority in the Department to employ any other Clerks in the Patent office, and that, in future, they must be limited to that number.

By the act of Congress of 21 February, 1793, entitled, "an act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose", it is provided that for every copy which may be required at the office, of any paper, respecting any patent that has been granted, the person obtaining such copy shall pay at the rate of 20 cents for every copy sheet of 100 words, and for every copy of a drawing $2, of which payments an account shall be rendered annually to the Treasury of the U. States, and they shall pass to the account of Clerk hire in the office of the Secretary of State.

It is represented to me by the Superintendent, that this duty of

making and giving copies of papers and drawings has been heretofore permitted to be, and is now performed by a different person than the Clerks employed under the Act of 23 April 1830, and the Resolution of 1831, who has also received the fees and applied them to his own use. — I consider this practice altogether irregular, an unauthorised. The Secretary of State cannot employ any more Clerks in the Patent office, than those authorised by the Acts of Congress. The Resolution of 1831 does not authorise the employment of any Clerk for the purpose of giving copies of papers and drawings, and therefore this service must be regularly performed by the Clerks employed under the Act of 23 April 1830.

The copies of papers and drawings authorised by the Act of 21 February 1793, should be given under the direction of the Superintendent, by such persons regularly employed in his Office, as he may designate, and the fees paid, therefore, should be by him received and accounted for to the Secretary of State. The direction in the Act of 1793 that the amount received shall pass to the account of Clerk hire gives no authority to employ any Clerk not authorised by the other Acts of Congress, but the money paid into the Treasury is merely auxiliary to the general fund for Clerk hire

In future, therefore, it will be the duty of the Superintendent to see that this duty is performed by a Clerk regularly employed, and that the fees received be regularly accounted for to the Secretary of State, that the amount may be passed to the Treasury according to law.

I am, respectfully, Sir, Your obedient servant,

Ed J W C

Signed — Louis McLane

Department of State
Washington 11 Novr. 1833.

John D. Craig Esqr.

Sir,

I have this day appointed Mr. Steiger a Clerk in the patent office, in the place of Mr. Bulfinch — should it however be the wish of Mr. Bulfinch to continue in office until the end of the present month, his employment during that period will be approved by me.

Ex. J R

I am very respectfully Your obedient servant,

Signed — Louis McLane

Department of State
Washington 16 Decr 1833.

John D. Craig Esquire
Superintendent of the Patent Office.

Sir,

In answer to your letter of the 12th instant, stating that the drawing table of the Patent Office, which has been occupied for several years by Mr. Elliot, is now wanted for Mr. Steiger, but that Mr. Elliot refuses to give it, unless ordered by the Secretary of State, I have to inform you, that if the table is the property of the Office, it is to be under your control. — I take occasion to communicate for your information, and that of the Clerks in the Patent Office, a regulation which has been adopted for the Government of all the Clerks in the Department. It is, that no Clerk can be employed for his private emolument, in preparing papers relating to business which is to be acted on by the Department, nor in copying papers that are on file, or of record in the Department.

Printed

I am, respectfully your obedient servant,
Signed — Louis McLane

Ed & FR

Department of State
Washington 16 Decr 1833.

John D. Craig Esquire
Superintendent of the Patent Office.

Sir,

I enclose a copy of a communication received this day from Mr. William P. Elliot, containing charges against you as Superintendent of the Patent Office, and have to request that you will make such explanations as you may have to offer on the subject of the 1st 2 & 3d charges.

I am, respectfully, Your obedt Servant,
Signed — Louis McLane

Ed & FR

Department of State,
W. 17 Decr 1833.

John D. Craig Esq. &c.

Sir,

Sir,

I have just received your letter of this date, requesting an investigation into the charges preferred against you by Mr. Wm. Elliot, and Mr. Elliot will, therefore, be called upon to furnish such proofs as he may have to adduce in support of them.

I am, &c.

Ex 9 1/2 Signed — Louis McLane

Department of State
Washington 18 Decr. 1833.

John D. Craig Esquire &c.

Sir,

In your letter of the 9th instant relating to the complaint of Mr. Geo. H. Richards that the information requested by him, and which he believed he had a right to obtain, had been refused to him in the Patent Office, you observe that "all unpatented papers on file in this Office, are considered private property, and as such they are held sacred. They are not seen by, nor their contents made known to any person, without the order of the owner. In the present instance, I was desired to state whether any other papers than those of Mr. Richards had lately been sent to the Office on the subject of tanning, and if so, what was the person's name, who sent them, and did they contain any improvements similar to those of Mr. Richards? and that "to have answered these questions I would have considered a violation of my oath of office, and certainly a violation of that trust and confidence reposed in me by every person, who deposites in this Office, specifications of his improvement, before he is ready to take out a patent". You also refer to a rule of the Office established at its commencement, to that effect".

I will be glad to be informed by what authority, and for what objects, unpatented papers are deposited and received on file in the Patent Office; and also, for what purpose the papers referred to by Mr. Richards, if any such were received, were deposited.

You will please, also to state the actual condition of Mr. Richards' application; and, at the same time, to communicate a copy of the rule to which you have referred; and also inform me in what particular you would have violated your oath of office and the trust and confidence reposed in you by those who have deposited papers under the circumstances stated.

I am, very respectfully your obedt. servant,

Signed – Louis McLane Ex. J.R.

Department of State

John D. Craig Esqr. &c. Washington 20 Decr. 1833.

Sir,

I have received your letter of the 18th instant, and have to request that you will furnish me with the letter from which you have given an extract, and also that to which it is a reply.

I have also to request that you will inform me whether it is not usual for persons depositing unpatented papers, to state the object of placing them on file, and that you will state the practice of the Office, in regard to unpatented papers, since the letter of 24 Octr. 1822.

I am respectfully, Your obedt. Servant,

Signed – Louis McLane Ex. J.R.

Department of State

John D. Craig Esquire Washington 6 January 1834.

Superintendent of the P. Office.

Sir,

I have fully considered your several communications relative to the complaint made of your conduct by Mr. G. W. Richards, and perceiving a necessity for an entire revision of the rules for conducting the business of the Patent Office, I will immediately give my attention to the subject.

Above since I am constrained to observe, that the explanation of your conduct in the case of Mr. Richards is not satisfactory. It is true that the 24th rule of the circular to which you call my attention, requires that unpatented papers deposited in the Office shall not be seen by, nor their contents made known to any persons, without express orders from their owners, but it does not appear to me that this rule authorised your refusing to answer the enquiry made by Mr. Richards, much less the manner, in which, it is represented you refused.

Capt. Richards had regularly, and, in due form, filed his application to obtain a patent for a new invention for tanning leather, and the absence of the Attorney General is represented by you, to have prevented the completion of his application. — At that time, you were informed that he was apprehensive, from information received by him, that some one to whom he had confided his invention, had applied for a patent, and you were asked, whether any one had obtained, or applied for a Patent for tanning in the same method. It appears to me that the enquiry was in every view proper. This information you refused, and as is averred by the gentleman applying in behalf of Capt. Richards, and not contradicted in any of your letters, in so rude a manner, as to put it out of his power to have further intercourse with you.

If any other person had either obtained, or applied for a patent for the same invention, the 24th rule did not apply to the case, and it was your duty, especially under the circumstances, to have given the information requested.

It now appears, however, by your letter to the Department of the 18th Dec. last, that "no such papers as were referred to by Mr. Richards were received", and, therefore, even giving to the 24th rule its broadest application to unpatented papers, you would have discovered nothing intended by the rule to be kept secret, nor violated any confidence, nor done any injury to any one by truly giving a negative answer. But by refusing

to give the information, you not only neglected the performance of a plain duty, by founding your refusal upon the 24th rule, but also gave an inference, contrary to the fact, that such papers may have been filed.

I am aware that you may have acted with the best intentions upon your interpretation of the rule, and felt yourself authorised to withhold the information requested by Capt C. Richards. In such case, however, your demeanor should have been respectful, and a citizen applying for information, in which he had a deep concern, was entitled to a civil explanation of the difficulties which prevented him from receiving it. – Courtesy towards those who have business with the public is the indispensible duty of all persons employed in the offices, and, although I am not disposed to ask, on the present occasion with even apparent rigor, I shall, nevertheless feel constrained, in case of a repetition of any disregard of duty, on so important a point, to apply the appropriate remedy.

I content myself for the present, with directing that you will, without delay, send by letter to Mr Richards, a copy of the information he has requested, and that, until you receive the revised rules which I am now preparing, you will consider the 24th rule of your circular of the — of — as rescinded. You will also consider yourself authorised to receive 'unpatented papers', on file in the office, only for the purpose of being made known to others, who may subsequently apply for patents for similar inventions.

I am, Sir, respectfully your obed^{t} servant,

Signed – Louis McLane

Ex 8th

Department of State

Washington 7 Jany 1834.

John D. Craig Esquire

Patent Office

Sir, I have made herewith transcribe a copy

of the specifications of the charges made against you by Mr. William P. Elliot. The investigation of these will be prosecuted in such manner, as you may indicate as most convenient to yourself.

I am, respectfully Your obed.t serv.t

Ex. HR Signed — Louis McLane

Department of State

John D. Craig Esquire Washington 25 Jan.y 1834.

Superintendant of the Patent Office

Sir,

In reply to that part of your letter, this day received, in which you request that Mr. Elliot may be dismissed from the Patent Office, I have to inform you that as that gentleman is not employed as a Clerk, or in any other public capacity this department will not interfere with your desire to prohibit his occupying either of the rooms in your office.

I am very respectfully Your obed.t servant,

Ex. HR Signed — Louis McLane

Department of State

John D. Craig Esquire Washington 27 Jan.y 1834.

Superintendant of the Patent Office

Sir,

In your letter of the 24th instant, acknowledging mine of the 7th instant, you inform me, that to repel the charges of Mr. W. P. Elliot in the most effectual manner, and expose the turpitude of their author, you had brought suit against him; and as you say nothing of the investigation proposed in my letter, I infer that you suppose it to be rendered unnecessary by the institution of the suit. — I have to remark, however, that your proceeding against Mr. Elliot, being to obtain redress for the injury resulting to you from his ac-

cusations, is altogether unconnected with the examination instituted by the Department, with a view to the public service into the truths of those accusations. I shall therefore proceed with the investigation, and you will accordingly indicate the manner in which it will be most convenient for you to have it carried on.

As considerable delay has already occurred, your early attention to the subject is requested.

I am respectfully Your obedt. Servant.

Signed — Louis McLane Exd JMR

John D. Craig Esquire
Superintendent of the Patent Office.

Department of State
Washington 27 Jany. 1834.

Sir,

I wish to be informed whether you have given to Mr. G. H. Richards of New York the information requested by him, and, if so, at what it was transmitted to him.

I am respectfully, Yours &c.

Signed — Louis McLane Exd JMR

John D. Craig Esquire
Superintendent of the P. Office.

Department of State
Washington 2 Feby. 1834.

Sir,

I have received your letter of yesterday in answer to mine of the preceding day.

That the investigation may be conducted in a satisfactory manner, and without unnecessary publicity, I have placed it in charge of Mr. Dayton of this Department, and have directed him to make it at the Patent Office. He will attend, for that purpose, on Wednesday next, the 5th instant, at 12 O'clock, and will continue it from day to day as may be found necessary. Both you and Mr. Wm. P. Elliot will have liberty to

be present, and any witnesses, whom you or he may bring forward, will be examined on oath.

I am respectfully Your obedient Servant

Ex 3rd — Signed — Louis McLane

Department of State

Washington 4 Feby. 1834.

John D. Craig Esquire

Superintendent of the P. Office.

Sir,

Mr. W. P. Elliot having represented to the Department that in consequence of a recent severe indisposition, he is unable to leave his room, the examination at the Patent Office is postponed for a week, viz. to Wednesday the 12th instant, at the same hour.

I am, &c.

Ex 4th — Signed — Louis McLane

Department of State

Washington 22d Feby. 1834.

John D. Craig Esquire &c.

Sir,

In reply to your note of the 22d instant, I have to inform you that it does not appear that any letter making complaints or charges against Mr. Bulfinch has at any time been addressed to this Department by Mr. William P. Elliot.

I am &c.

Ex 5th — Signed — Louis McLane

Department of State

Washington 25 March 1834.

John D. Craig Esquire

Superintendent of P. Office.

Sir, In all applications for spa-

tents under the Act of 1793, it should appear that the applicant is a citizen of the United States. In the case of a native, by some satisfactory proof of his nativity, and in that of a naturalized citizen by some proper attestation of the fact. If, in the opinion of former Secretaries of State, or Attorneys General, the oath of the individual himself has been deemed necessary, it should be, in all cases, insisted upon.

It is understood, that in the case of Mr. Bogardus, the proof of citizenship required by the Office, exists in a former patent, granted to him, and if this be the fact, the proof in the present instance is deemed sufficient.

I am very respectfully, Yours &c.

Signed -- Louis McLane Ed JWR

Department of State
Washington 17 July 1834.

John D. Craig Esquire
Superintendent of the Patent Office,

Sir,

A petition having this day been received from Henry Bishop, Messenger of the Patent Office, praying for additional compensation for services rendered by him in recording of certain letters, I have to state, that, agreeably to the late regulation of Mr. McLane, in which I concur, such compensation cannot be allowed, and the Messenger of the Patent Office is not to be employed in doing the duties of a clerk.

I am, Sir, respectfully Your obedt. Servant.

Signed - John Forsyth Ed JWR

Department of State
Washington 29 July 1834.

Dr. Craig Superintendent
of the Patent Office.

Sir, You are desired to state

what portion of the Patents, heretofore granted, remain to be recorded, and what force is now employed in bringing down the recording of patents to this date.

I am, Sir, respectfully, Yours &c.

Ex. MR. Signed, — John Forsyth

Department of State

John D. Craig Esquire Washington 31 July 1834.

Superintendent of the Patent Office.

Sir,

I have received your letter of the 30th instant, in reply to mine of the 29th, respecting the recording of patents, and have to state, that the services of Mr. McDonald must be dispensed with, on the 1st of September next, and the Patents recorded as issued by the regular Clerks.

I am, Sir,

Your obed. Servant,

Ex. MR. Signed — John Forsyth

Department of State

John D. Craig Esquire Washington 1 August 1834.

Superintendent of the P. Office.

Sir,

I have to inform you that Thomas Johns of Maryland, has been this day appointed to a Clerkship in the Patent-Office, in the place of Samuel D. Walker deceased.

I am, Sir, respectfully,

Ex. MR. Yours &c.

Signed — John Forsyth

Department of State
Washington 16 Sept. 1834.

John D. Craig Esquire
Superintendent of the P. Office.

Sir,

It appearing by your representations made verbally to me, that the patents issued since May last have not yet been recorded, you will employ Mr. McDonald and Mr. Walker in bringing up the arrears, giving to each a separate Book, and assigning to each an equal proportion of that service. The patents issued, after the 22d instant will be recorded in another book, by Mr. Johns, as prescribed by the regulations for conducting the business of the patent Office. Ex. I. W.G.C.

I am, Sir, Your obedient Servant
Signed = John Forsyth

Dept. of State W. 16 Sept. 1834

John D. Craig Esqr. &c.

Sir,

I enclose a copy of the regulations to be observed in conducting the business of the Patent Office from and after the 22d instant. I am, &c. Signed = J. F.

Copy of regulations to be observed in the Patent Office.

The following arrangement of the gentlemen employed, the distribution of their duties, and the rules for their performance, will be observed in the Patent Office from and after the 22d day of September 1834.

Doctor Craig, the Superintendent, will have a general superintendence of the Office, and custody of all the books, papers, drawings and models, will conduct the correspondence, and will examine the descriptions or specifications of inventions, and see that they conform to the laws; will revise all writings prepared in the Office, originals and copies, and will lay before the Secretary of State, weekly, a brief report of the letters received, and those written,

patents applied for and those granted, assignments made, fees received, and will render quarterly accounts of moneys received by him, and of monies placed in his hands for disbursement.

Mr. Johns will record patents as issued, and, in a separate book, transfers of Patent rights.

Doctor Mayo will make out patents, and enter in the index book the patents granted.

Mr. Steiger will copy and record the letters prepared in the office and file those received, will keep the book of Entries, will file the communications presented in the nature of caveats, and register the same in a book kept for that purpose; will register in a book kept for that purpose letters received and written, shewing in regard to the former, when received, date, by whom written, purport, and date and purport of answer, and will keep the accounts of the office; and will also perform the duties of a draftsman.

Notwithstanding the foregoing distribution of duties each clerk will, from time to time, perform such other duties as the public service may render necessary. The date of the receipt of each letter, communication or paper is to be noted on it, and all letters and other communications received at the office will be acknowledged and acted upon, on the same day when received, unless for good cause to be made apparent, that (we) shall be impracticable.

A report will be made to the Secretary of State, as soon as practicable, of the state of the business, and of the records of the office.

(Ex) W.J.C. The hours of business in the Patent Office will be from 9 o'clock A. M. until 3 P. M. – during which no Clerk will be absent, unless in case of sickness, without special permission.

Signed. – J. Forsyth

Dept. of State 16 Sept. 1834.

Department of State
Washington 26 Sept. 1834.

J. D. Craig Esq. Superintendent of the P. Office.

Sir. The enclosed draft of in-

formation to persons having business to transact at the Patent Office", has been prepared, to take the place of the "Circular" now used for the same object — You are requested to examine it carefully, and to suggest any additions or alterations, which you may think proper.

I am, &c.

Signed — John Forsyth (Exd. W.G.C.)

Department of State
Washington 1st Octr. 1834.

John D. Craig Esqr. Superintendent of the Patent Office.

Sir,

From the conversation had with you yesterday respecting the sum of $330, which "in your weekly account of fees received at the patent office, week ending Septr. 27, 1834, is stated to be for patents deposited in Bank, to the credit of the applicant, subject to his order until the patent issues," I understood to consist of fees received by you from applicants for patents, and not paid into the Treasury, because the patents have not yet issued. I understood, also, that a much larger sum is in your hands, received and held under the same circumstances; and further, that if patents should not be granted to any of the parties, from whom these fees have been received, the fees paid by them will be returned, as has already been frequently done.

This whole proceeding on the part of the Patent Office in withholding these fees from the Treasury, in retaining them, subject to the order of the applicant, and on returning any, where patents do not issue, has, no doubt arisen from a misconception of the law; and if it has been done under any instructions from the Secretary of State, you will refer me to them.

The 11th Section of the Act of 1793 directs, that every inventor, before he presents his petition, shall pay into the Treasury thirty dollars, which money is to be in full for the sundry services to be performed in the office of the Secretary of State consequent on such petition. The words shew

clearly that the payment, or the retaining of the fee is not intended to depend upon the issuing of a patent; and if the direction of the Statute for paying the fee into the Treasury had been complied with the intention of the law in this respect could not have been frustrated; as the money when once in the Treasury, could not be withdrawn without an appropriation for that purpose.

You will immediately pay into the Bank of the Metropolis, to the credit of the Treasurer of the United States, all the fees now in your hands, taking duplicate receipts for each fee, which receipts should state the name of the applicant, in whose behalf the payments are made.

You will, also, as early as practicable make a report to me on this subject, accompanied by a statement, shewing in relation to each payment, when it was received, the name and residence of the person by whom it was paid, and the invention, in respect to which the application was made, and, where the fees have been returned the date of the repayment, and to whom. The statement should shew particularly the residence of the parties, as that information will be necessary, if, as you suppose many of the persons by whom these fees were paid, are now dead.

If, hereafter any fees should be transmitted to the patent office, the Superintendent will immediately deposite the same in the Bank of the Metropolis, to the credit of the Treasurer of the United States, and take duplicate receipts, one of which the Superintendent will transmit to the party by whom the money was sent.

Fees received for copies, and for recording assignments are to be accounted for, and paid into the Treasury at the close of each quarter.

I am, Sir, Your obed't Servant,

Signed. John Forsyth

John D. Craig Esquire
Act'g Superintendent of the P. Office.
WFC.

Department of State
Washington 3 October, 1834.

Sir,

I enclose copies of a letter of the Postmaster General, and of the resolution therewith received, and have to request that you will comply with the call therein made, so far as it applies to the Patent Office, for the year ending the 30th of September 1834, and report to me accordingly.

I am, Sir, respectfully, Yours &c.
Signed - John Forsyth

Department of State
Washington 7 Oct. 1834.

John D. Craig Esquire
Superintendent of the Patent Office.

Sir,

In your account of fees received at the Patent Office for the week ending October 4. 1834. there is one item of "Cash of sundry individuals for Patents $360". This I presume consists of fees which have been transmitted to you by mail, and which you have paid into the Metropolis Bank, to the credit of the Treasurer, agreeably to my late instructions on the subject. I wish, however, that the account, instead of presenting the aggregate amount, should state each fee separately, giving the date of the deposite in Bank, and from whom received. Accordingly I return the account, that it may be so made out.

You are instructed in my letter of the 1st instant, to deposite to the credit of the Treasurer, at the close of each quarter, the fees received for recording transfers, and for copies of Patents, drawings &c. It will be proper for you, however, to open one account with the Bank of the Metropolis, in your own name as Superintendent of the Patent Office, and to deposite, from time to time, to your credit in that account, such fees of those descriptions as you may receive. And, at the close of the quarter, the amount should be paid into the Treasury by a check in favour of the Treasurer, and a receipt

Therefor should accompany your quarterly account with the United States.

I have, Sir, Your obed.t Servant

Signed - John Forsyth

Department of State
Washington 9 Oct.r 1834.

John D. Craig Esquire
Superintendent of Pub.l B.s

Sir,

The account of fees received, which accompanied your letter of the 8th instant, is in a form quite satisfactory, and has been filed in lieu of that returned to you on the 7th instant.

I was not, before, aware that the fees for copies, drawings &c were deposited to the credit of an account kept by you in your official character, in the Bank of the Metropolis. If it is stated to be the case, it is unnecessary to open any other account for them with the Bank.

You observe, that a great part of the money sent to the office, in payment for these fees, is in notes from country Banks, which will not be received at the Bank of the Metropolis". By a regulation of the Treasury Department, no bank notes under five dollars are receivable in payments to the United States. It is proper that the same rule should be observed in payments made to this Department. You will, therefore, require all sums under five dollars to be paid in Specie, and if any bank notes of five dollars and upwards should be sent to you, which will not be received as cash by the Bank of the Metropolis, you will return them to the person by whom they were sent, to be exchanged for others.

I am, respectfully, Your &c.

Signed - John Forsyth

Department of State
Washington 12 Nov.r 1834.

John D. Craig Esq.
Superintendent of the P.B.

Sir,

I have to reply to your letter of this date, that Mr. Macdonald can be employed to complete the indexes of patents, issued to the 1st of September last, at a salary at the rate of $900 per annum.

I am, Sir, Your obedt. Servt.
Signed - John Forsyth

Exd.
W.J.C.

Department of State
Washington 27 Novr. 1834.

John D. Craig Esquire
Superintendent of P. Office.

Sir,

I enclose an extract of a letter of William P. Elliott Esqr. of this city, and have to request that you will communicate to this Department, such information as you may possess relative to the statements therein made, and explanations as are necessary.

I am, Sir, respectfully, Yours &c.
Signed - John Forsyth

Exd.
W.J.C.

Same to W. T. Steiger Esqr.
Dr. T. P. Jones, Dept. of State.

Department of State
Washington 2d. Decr. 1834.

John D. Craig Esquire
Superintendent of P. O.

Sir,

In answer to your letter of the 1st instant, I have to inform you that by the 5th section of the Act of Septr. the 15th 1789, copies of records and papers in the Department of State, authenticated under its seal, are evidence of equal authority with the originals, and that the seal of the United States cannot be affixed to such copies. The letter of Mr. Sullivan is herewith returned.

I am, Sir, Your obedt. Servant,
Signed - John Forsyth

Exd.
W.J.C.

Department of State
Washington 19 Jany. 1835.

John D. Craig Esquire
Superintendent of the P. Office.

Sir,

Doctor Mayo having applied for copies of certain regulations relative to the Patent Office, I take occasion to request, that he and each of the other Clerks employed in the Patent Office, be invited to make and retain a copy of the letter addressed to you by the Secretary of State, on the 16th Decr. 1833, and of the arrangement for the business of the business of the Patent Office dated the 16th of Septr. 1834.

Exd. W.J.C.

I am, Sir, Your obedt. Servant.
Signed - John Forsyth

Department of State
Washington, 31 Jany. 1835.

John D. Craig Esqr.
Patent Office.

Sir,

I regret to inform you that the opinion you have expressed, and still entertain, of a salutary rule of this Department, renders it proper to terminate your connexion with it.

Exd. W.J.C.

I am, Sir, Your obedt. Servant.
Signed - John Forsyth

Department of State
Washington 7 Feby. 1835.

J. C. Pickett Esquire
Superintendent of the P. Office.

Sir,

I have to inform you that Robert Mills has this day been appointed a clerk in the Patent Office, in the place of Robert Mayo removed.

Exd. W.J.C.

I am, Sir, Your obedt. Servant, Signed John Forsyth

Department of State
W. 13 Feby. 1835.

J. C. Pickett Esqr.
Superintendent of the P. Office

Sir,

Your letter of the 5th instant, in relation to the case of Barnes, Hills, and Hawkins, has been referred to the Attorney General, and returned by him with the following endorsement:-

"The act of Congress of Feby 21st, 1793, (Sect 11) requires the payment of $30. before the inventor's petition is presented, as a compensation for the services consequent on such petition. The money having been actually paid, in the case within mentioned, with a view to this particular invention, and but one petition, as I suppose, having been presented, and one set of papers made out, I cannot doubt the propriety of issuing the patent. Indeed the $30 may well be considered as having been paid by the petitioner, for the same assignment, or other act, which gave Hawkins an interest in the invention, gave him also, as between him and the Patent Office, an interest in the money paid on account of the fees of office." Signed - B. F. Butler Atty General

I am, Sir, Your obedt. servt. Ex. Ex.
Signed - John Forsyth W. J. C.

Department of State
W. 3 April 1835

J. C. Pickett Esqr.
Superintendent of the P. O.

Sir,

I send for your information a printed copy of a notice dated the 1st instant to persons having business to transact at the Patent Office.

I am, Sir, Your obedt. servant. Ex. Ex.
Signed - John Forsyth W. J. C.

Department of State
W. 6 April 1835.

J. C. Pickett, Esqr.
Superintendent of the P.O.

Sir,

Mr. Steiger's removal, which has been sometime suspended at your request, will be carried into effect tomorrow. The duties of draftsman &c. heretofore performed by him, are to be assigned to Mr. Mills, and the vacant clerkship will be filled by the appointment of Mr — Roane of Virginia, who will perform the duties now entrusted to Mr. Mills.

I am Sir, Your obedt. Servant,
John Forsyth.

Ord
W.G.C.

Department of State
W. 6 April 1835.

J. C. Pickett Esqr.
Superintendent of the P.O.

Sir,

The money mentioned in your letter of the 4th instant, is within the directions given by me to the Superintendent of the Patent Office on the 1st of October last. I can authorise no other dispotion to be made of it, either in whole or in part, than its payment into the Treasury. Where the names of the persons from whom it was received are known, let that course be immediately pursued; and the receipts can be sent when their residence is known. Where the names are unknown, let an examination be made to ascertain them, and the same course afterwards pursued.

I am, Sir, Your obedt. Servt.
Signed John Forsyth

Ord
W.G.C.

Department of State,
22 April, 1835.

J. C. Pickett Esquire,
Superintendent of the Patent Office.

Sir,

I have to reply to your letter of the 21st inst that the unpatented models not being public property, no expense can be incurred in repairing them, but that such tools as are required to repair models belonging to the United States, may be purchased out of the contingent fund of the Patent Office.

I am, Sir, Your obedient servant,
signed — John Forsyth.

Department of State
W. 30 May, 1835.

J. C. Pickett Esqr.
4th Auditor, &c.

Sir,

I have to request that you will transfer such funds as are in your hands, belonging to the Patent Office, to Mr. Johns, the acting Superintendent.

I am, Sir, Your obedient servant,
signed — Ashbury Dickins, Asst.

Henry L. Ellsworth Esqr.
Hartford, Connecticut,

Department of State
W. 12 May, 1835.

Sir,

You are hereby appointed Superintendent of the Patent Office, at a salary of $1500, as at present fixed by law.

The leave of absence requested in your letter of yesterday, is granted, with an understanding that you will repair earlier to Washington, if your affairs will permit.

Your salary will commence when you leave home for this City to enter upon the duties of the office.

I am, Sir, your obedient servant
Signed - Ashbury Dickins, Actg. Secy.

Exd. W.G.C.

Henry L. Ellsworth, Esqr.
Superintendent of the Patent Office.

Department of State,
W. 7 August, 1835.

Sir,

Your letter of this date has just been received. I understand from Mr. Dickins that, during my absence, it was represented to him by Mr. Johns, that, in consequence of J's employment as acting Superintendent, the business of the Patent Office could not be kept up without additional aid, and that Mr. Johns was accordingly authorised to employ such aid, until, by your return, he should be enabled to resume his customary duties. For the services rendered by the person employed under his authority, during your absence, he will be paid out of

Mr. John's salary; for his subsequent services he must be paid out of the contingent fund of the Patent Office.

I am, Sir,

Your obedient servant,

Signed - John Forsyth.

Exd.
W.G.C.

H. L. Ellsworth Esquire
Superintendent of the Patent Office.

Department of State
W. 11 August, 1835.

Sir,

Your letter of yesterday has been received. The arrangement mentioned by you as having been adopted for improving the condition of the Patent Office are satisfactory. The manner in which the patents have been recorded, as described by you, is disapproved, and must be immediately discontinued. The record should contain an exact copy of the entire patent. To save time and labour in recording, printed forms, as suggested by you, may be used, as far as may be practicable, and consistent with an accurate record, and they may be bound, from time to time, when sufficient for a volume. A copy of the printed form should be submitted to me, before it is adopted. The information contained in the weekly reports to the Secretary of State was deemed necessary to the proper supervision of the Patent Office. Although I have entire confidence in your superintendence, yet I cannot dispense with any aid which these reports will afford in performing my own duties in regard to the office. It is probable that those reports will not be found so onerous as you suppose; as they will, in fact, consist of nothing but transcripts of entries which will be made in the book of the Office.

I am, Sir, Your obedient servant,

Signed - John Forsyth.

Exd.
W.G.C.

Henry L. Ellsworth Esqr.
Superintendent of the P. Office.

Department of State,
W. 12 August, 1835.

Sir,

I have to reply to your letter of the 10th instant. That I have appointed Mr. Hobbie .... arbitrator in the case therein mentioned, and that he will not be entitled to compensation by the United States.

I am, Sir,
Your obedient servant,
Signed — John Forsyth.

Henry L. Ellsworth Esqr.
Superintendent of the Patent Office.

Department of State
W. 22 August, 1835.

Sir,

I have received your letter of yesterday. The certificate which you have been requested to furnish cannot be given. It is altogether unusual for the Department to certify that particular acts have not been done, or that particular papers have not been placed on its records. And even, if such a certificate were granted, it would not be evidence; as the law making copies of records, or papers authenticated under the seal of the Department, evidence, could not apply to it.

It would even be hazardous to make, in an official letter, the unqualified statement contained in the proposed certificate. All that can be safely said on the subject is, that it does not appear by such an examination as you have been able to make, that any other letters patent have been granted to Dr. or that any assignment by Dr. has been recorded in this office. Such information you are at liberty to communicate verbally or by letter. The certificate which has

been prepared for my signature is returned.

I am, Sir, Your obedt. servant,

Signed - John Forsyth.

Exd. W.J.C.

Henry L. Ellsworth Esqr.
Superintendent &c.

Department of State
W. 22 August, 1835.

Sir,

Your letter of yesterday, mentioning the indisposition of Mr. Johns, and the pressure of business in the Patent Office, has been received, and until the health of Mr. Johns is restored, you are hereby authorised to employ Mr. Carter, allowing the same compensation which is received by that gentleman.

I am, &c. Signed, John Forsyth.

Exd. W.J.C.

H. L. Ellsworth Esquire,
Superintendent of the P. Office.

Department of State
W. 29 Septr. 1835.

Sir,

I have to reply to your letter of this date, that leave of absence is granted, agreeably to your request, and that Mr. Johns will perform the duties of Superintendent till your return.

I am, Sir, Your obedt. servant,

Signed - Ashbury Dickins, A. Sec.

Exd. W.J.C.

H. L. Ellsworth Esqr.
Superintendent P. O.

Department of State
W. 8 December. 1835.

Sir,

Upon the representation contained in your letter of the 5th inst. received yesterday, the duties, other than those of draughtsman, heretofore assigned to Mr. Mills, will be transferred to some

of the other clerks; and you will be pleased to report to me an arrangement for that purpose.

I am, Sir, Your obedt servant. Exd
Signed - John Forsyth. WJC

H. L. Ellsworth Esquire
Superintendent P. O.

Department of State
W. 9 December, 1835.

Sir,

I have to reply to your letter of the 5th inst. that the Department has no authority to dispense with the payment of the fee in the case to which you therein refer.

I am, Sir, Your obedient servant. Exd.
Signed, - John Forsyth. WJC

H. L. Ellsworth Esquire
Superintendent of P. O.

Department of State
W. 10 December, 1835.

Sir,

As proposed in your letter of yesterday, the duties heretofore assigned to Mr. Mills, other than those of draughtsman, are transferred to Mr. Johns, and Mr. Mills will render such other services, as the business of the office may, from time to time, require, and his duties permit - such as recording patents, as is now required by Mr. Johns.

You will be pleased to explain why the regulation requiring Mr. Johns to record the patents, has not been fully complied with.

Hereafter no person must be paid out of the contingent fund for services which can be performed by the clerks in the office. - I am, Sir, Your obedient servant, Exd. WJC
Signed - John Forsyth

Henry L. Ellsworth,
Superintendent P. Office

Department of State
W. 11 December, 1835.

Sir,

Your letter of this date has just been received. I was aware that Dr. Mayo was paid out of the funds appropriated for recording patents, and not out of the contingent funds of the office. What I desired to have explained was, why Mr. Johns had not performed the duty assigned to him; and why any other person should have been paid for performing a portion of those duties. Seeing, (as is presumed from your proposing to assign other duties to him), that his time was not fully occupied. Your letter suggests another enquiry — Why Mr. Johns should have been employed in making out patents — that being part of the duty assigned to Mr. Rowan.

I am, Sir, Your obedient servant,

Your letter of yesterday was duly received. The explanation about the employment of extra aid out of the special funds, is not satisfactory, but without looking to the past. I deem it proper to apprize you that, in future, the regulations and orders of the head of the Department are to be strictly observed and carried into effect. If obstacles not foreseen by him occur, fulfilling his directions, they should be promptly made known to him by the Superintendent.

I am, Sir, Your obedient servant.
Signed — John Forsyth

H. L. Ellsworth Esq.
Superintendent, Patent Office

Department of State, W. 17 Dec. 1835.

Sir, Your letter of the 16th instant was duly

ved to day. The superintendent of the Patent Office is authorised to employ extra aid in recording patents, only when the force of the Office is insufficient for that service. That such aid was employed, at other times before your appointment; and that you continued to follow the practice of your predecessor, is no explanation, why such aid was employed. Yet this appears to be the substance of all that your letters have contained on the subject. It is not perceived that further correspondence, can be necessary, you will therefore, suffer the subject to rest where it now stands.

I am, &c.

Signed - John Forsyth Exd. N.G.C.

H. L. Ellsworth Esquire
Superintendent P. Office

Department of State
W. 30 December, 1835.

Sir,

Leave of absence is granted agreeably to the request in your letter of this date.

I am, Sir, Your obedient servant. Exd.
Signed, - John Forsyth N.G.C.

H. L. Ellsworth Esquire
Superintendent P. Office

Dept. of State. W. 6 January 1836.

Sir,

A duplicate of the "list of patents which expired in 1835." is required for the use of the House of Representatives.

I am, Sir, Your obedient servant. Exd.
Signed - John Forsyth N.G.C.

H. L. Ellsworth Esquire
Superintendent Patent Office

Dept. of State W. 6 January, 1836.

Sir, The "list of Patents granted during the year 1835."

Henry L. Ellsworth
Superintendent P. Office

Department of State
W. 11 December, 1835.

Sir,

Your letter of this date has just been received. I was aware that Dr. Mayo was paid out of the funds appropriated for recording patents, and not out of the contingent funds of the Office. What I desired to have explained was, why Mr. Johns had not performed the

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H. L. Ellsworth Esquire
Patent Office

Department of State
W. 15 December, 1835.

Sir

Your letter of yesterday has been received. The explanation about the employment of extra aid out of the special funds, is not satisfactory, but without looking to the past. I deem it proper to apprize you that, in future, the regulations and orders of the head of the Department are to be strictly observed and carried into effect. If obstacles not foreseen by him occur, fulfilling his directions, they should be promptly made known to him by the superintendent.

I am, Sir, Your obedient servant.
Signed — Johnn Forsyth

H. L. Ellsworth Esqr.
Superintendent, Patent Office

Department of State, W. 17 Dec. 1835.

Sir, Your letter of the 16th instant was rece
ved

ved to day. The superintendent of the Patent Office is authorised to employ extra aid in recording patents, only when the force of the Office is insufficient for that service. That such aid was employed, at other times before your appointment, and that you continued to follow the practice of your predecessor, is no explanation, why such aid was employed. Yet this appears to be the substance of all that your letters have contained on the subject. It is not perceived that further correspondence, can be necessary, you will therefore, suffer the subject to rest where it now stands.

I am, &c.

Signed - John Forsyth Exd. N.G.C.

H. L. Ellsworth Esquire
Superintendent P. Office

Department of State
W. 30 December, 1835.

Sir,

Leave of absence is granted agreeably to the request in your letter of this date.

I am, Sir, Your obedient servant. Exd.
Signed, - John Forsyth N.G.C.

H. L. Ellsworth Esquire
Superintendent P. Office

Dept. of State W. 6 January 1836.

Sir,

A duplicate of the "list of patents which expired in 1835." is required for the use of the House of Representatives.

I am, Sir, Your obedient servant. Exd.
Signed - John Forsyth N.G.C.

H. L. Ellsworth Esquire
Superintendent Patent Office

Dept. of State W. 6 January, 1836.

Sir, The "list of Patents granted during the year 1835."

1835, is herewith returned, that it may be made to conform with the resolution of the 2nd of April 1830, which requires that it should contain "an alphabetical list of the names of the Patentees.

Exd
N.G.C.

I am, Sir, Your obedient servant.
Signed - John Forsyth

H. L. Ellsworth Esqr.
Superintendent P.O.

Dept. of State, W. 9 January 1836.

Sir,

Your letter of the 6th instant, requesting a passport for Mr. Bacon was received on the 8th. Before a passport can be granted Mr. Bacon, the application must be accompanied by such evidence as may show him to be a citizen of the U.S. with a description of his person embracing the following particulars, to wit: age, years, stature, feet-inches, forehead, nose, mouth, chin, hair, complexion: face is also required, but may be sent to the Dept. after the passport is issued.

Exd
N.G.C.

I am, &c.
Signed - John Forsyth

Henry L. Ellsworth Esquire
Superintendent P. Office.

Department of State
W. 20 January, 1836.

Sir,

I have to inform you that, if the pressure of business in the Patent Office be such, that necessary copying cannot be prepared by persons, at present therein employed, you are authorised to employ others to assist them, to be paid out of the contingent fund of the Patent Office.

Exd
N.G.C.

I am, Sir, Your obedient servant,
Signed, - John Forsyth.

Henry L. Ellsworth Esqr
Washington.

Department of State
W. 16 March, 1836.

Sir,

Enclosed is the passport requested by you for Elbert Jackson Jr. with his wife and daughter. I will thank you to have the blanks filled up with the description of Mr. Jackson's person and a copy thereof forwarded to this Department.

I am, Sir, Your obed. servant. (Exd)
Signed. — John Forsyth. (JF)

Henry L. Ellsworth Esquire
Superintendent of the P. Office

Department of State,
W. 1 April, 1836.

Sir,

In answer to your letter of the 31st ult. I have to inform you that the President, to whom it was referred, has determined that another Commissioner must be elected to treat with the Indians, at Fort Wayne.

I am, Sir, Your obed. servant. (Exd)
Signed — John Forsyth (JF)

H. L. Ellsworth Esqr
Superintendent P. Office.

Department of State
W. 2 June, 1836.

Sir,

In answer to your letter of the 18th instant, I have to inform you that, if the pressure of business in the Patent Office be such, that the necessary copying cannot be performed by persons already employed, you are authorized to employ others to assist them, to be paid out of the contingent fund.

I am, Sir, Your obedient servant. (Exd)
Signed — John Forsyth. (JF)

H. L. Ellsworth Esq.
Superintendent, P. Office.

Department of State
W. 11 June, 1836.

Sir,

In answer to your letter of the 9th instant, I have to inform you that I appoint Joseph W. Hand Esq. of the Post Office Department, as arbitrator in the case to which you therein refer.

Exd. N.G.C.

I am, &c.
Signed — John Forsyth.

H. L. Ellsworth Esq.
Washington, D.C.

Department of State
W. 6 July 1836.

Sir,

The President having appointed you, by and with the advice and consent of the Senate, Commissioner of Patents I herewith enclose your Commission, the receipt of which you will be pleased to acknowledge.

I am, Sir, Your obedient servant
Signed — John Forsyth.

P. S. Should you accept the Commission, you will be pleased to inform the Dep.t of the name of the State or Country in which you were born. Same to Cary A. Harris, Washington D.C. — S. D. King, Do — M. Fitzhugh, Do — J. M. Moore, Do — Hudson M. Garland, (Sent to Maj. Garland, War Dep.t) Wyllis Silliman, sent to Hon. Lewis Cass, Sec. of War. H.

Exd. N.G.C.

H. L. Ellsworth Esq.
Commissioner of Patents.

Department of State
W. 11 July, 1836.

Sir, I return the device for a seal for the Patent

Office, which accompanied your letter of the 8th instant. It has been laid before the President and approved by him with the addition of the words. Seal of the Patent Office.

I return, also, the draft of a form for the letters Patent. It seems to be sufficient for all purposes. The drawings which accompanied your letter are likewise returned. These, with the form of the letters patent, were submitted to the President's inspection.

I am, Sir, Your obedient servant, Exd

Signed — John Forsyth. WGC

Henry L. Ellsworth Esqr
Commissioner of Patents.

Department of State
W. 26 July, 1836.

Sir,

In answer to your letter of the 22nd instant, I have to inform you that the Secretary of State has no authority to allow any such account as that which you therewith transmit. The account is herewith returned.

I am, Sir, Your obedient servant Exd

Signed — John Forsyth. WGC

H. L. Ellsworth Esqr
Commissioner of Patents.

Department of State
W. 8 September, 1836.

Sir,

Your letter of the 6th instant, enclosing that of Mr. J. Knight of the 30th ult., has been received. It appears that the claims in the case of the brig Belesarius to which he refers, were not allowed. The claimants were, George Law, attorney of Samuel Stevens, administrator of A. Armstrong, and the trustees of the New York Col. Insurance Company, and New York Freemen Insurance Company. — Copies of pa-

pers in the case, if he wishes them, will be prepared and sent to Mr. Knight, the charge for which will be at the rate of ten cents the hundred words.

I am, Sir, Your obedient servant
Signed - John Forsyth.

Exd. W.J.C.

H. L. Ellsworth Esqr.
Commissioner of Patents

Dept. of State. W. 22 Sept. 1836.

Sir,

In answer to your letter of the 20th instant, I have to inform you that the Department is not authorised to allow compensation for services rendered necessary by your absence from the Patent Office on private business.

I am, &c. Signed - John Forsyth

Exd. W.J.C.

Henry L. Ellsworth Esqr.

Dept. of State. W. 15 Novr. 1836.

Sir,

Your two letters of the 13th instant have been received, requesting passports for Mrs. Lucretia M. Mitchell and her two children. A passport for Mrs. Mitchell was forwarded yesterday to Samuel Chester Esq. New York. It is necessary in all cases, before a passport is granted, to have a description of the person, in Mr. Day's case you have not furnished one, however to prevent delay a blank will be sent to New York, to the Collector of the customs, S. S. Esq. who can take his description and deliver him the passport when called for.

I am, Sir, Your obedient servant.
Signed - John Forsyth.

Exd. W.J.C.

Henry L. Ellsworth, Esqr.
Com. Patent Office

Department of State, W. 17 Decr. 1836.

Sir,

Sir,

Your letter of the 28th Octr. last, making enquiry as to the construction to be given to that part of the patent law of the last session, which relates to the issuing of new patents in the place of the old ones surrendered, was referred by this Department to the Attorney General, and I now enclose a copy of his opinion upon the subject. Exd.

I am, &c. Signed — John Forsyth V.G.C.

Attorney General's Office
7th. July 1845

Sir,

I have had the honor to receive your communication referring to me a letter from the Commissioner of Patents of the 10th Ult.o, and asking my official opinion on the question stated by him.

The Commissioner states the question to be: "Can an Inventor under the 6th Section of the Act entitled, "an act in addition to an Act to promote the progress of science and the useful arts" approved March 3d 1837, assign to others before the issue of Letters Patent, any interest in his invention, less than the whole?"

The section referred to authorizes the issues of Patents, "to the assignee or assignees of the inventor or discover, the assignments thereof being first entered of record, and the application therefor being duly made and the specification duly sworn to by the Inventor." This is an enabling Statute. Prior to its passage, Letters Patent could only issue to the Inventor, and after they were issued, they were assignable so as to give the assignee in whole or in part legal rights. The act of 1837 gave the right to the assignee or assignees to have the Patent issued to him or them, and not to the inventor. Before its passage it had been held by

Mr. Justice Washington, that the effect of an assignment previously to the grant of the Patent, was to constitute the Patentee a Trustee for the assignee to the extent of his assigned interest, a right to be enforced only in a Court of Equity.

The forms of proceedings prescribed by the previous laws, the oath and the directions as to the issue of the patent, and the terms of the Patent itself, all clearly shew in my opinion, that the patent was to issue only to the Inventor if living.

The 11th. section of the act of 4th. July 1836. made patents assignable in law, either as to the whole interest, or any undivided part thereof, and required the assignment to be recorded in the patent office. This power of assignment however applied only to the Patent and not to the right to sue out the Patent. The act of 1837 authorized the issue of the Patent to the assignee or assignees under an assignment made before the Patent was granted. The practice under this law has been to confine it to the cases within its terms to cases of assignment of the whole interest. It appears to be very clear that the section was framed in view of such cases only. The patent is to issue to the Assignee or assignees, and not to the inventor and his assignees. The inventor is required by the 6th. Section to swear to the specification, and no other duty is imposed on him or right reserved to him. The cases within its operation cannot be enlarged by reference to the 31st. section of the act of 1836. But on the contrary, the construction adopted at the Patent Office, is strengthened by the fact, that while the 11th. section embraces cases of partial as well as general assignment, the 6th. section of the Act of 1837, is confined to cases of assignment of the whole right. Understanding the enquiry of the Commissioner to be, whether partial assignments before issue, entitle the partial assignee to have the Patent issued to him to the extent of his interest, within the meaning of

the 6th section of the Act of 1837, I am of opinion, that the usage of the Patent Office is correct; that the Patent must issue to the inventor, unless proof of a total assignment is offered according to the terms of that section, and then to the assignee or assignees, and that the law does not provide for the case of the issue of a Patent, to the inventor and an assignee of a part interest.

If I had a doubt upon the subject, I would advise that the practice of the Patent Office should be adhered to, until Congress shall interpose and provide for the case; for a Patent issued otherwise, might in a judicial investigation be held to have issued contrary to law, and the rights of the Patentees be materially affected. The act of 1837 does not impair the equitable rights which an assignee before issue of Patent had, and his interests will be protected by the Courts.

I have the honor to be,
Respectfully,
Sir.
Your Obedient Servant.
J. Y. Mason

Ex
[illegible]

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To Henry A. Sylvester,

Sir,

During the absence of Edmund Burke Commissioner of Patents, you are hereby appointed to take charge and to execute the duties of his Office.

James K. Polk

Washington Aug. 26. 1846

To Edmund Burke, Esquire
Commissioner of Patents
Sir,

Department of State
Washington, 7th September, 1848

You will herewith receive the opinion of the Attorney General upon the points presented in your letter to this Department under date the 24th April, last, relative to applications for patents for improvements in the Electric Telegraph, one by Professor Morse, an American Citizen, and the other by Alexander Bane, a British subject.

I am, Sir, very respectfully
Your obedient Servant
Isaac Toucey
Acting Secretary of State.

(see page 385 for Opinion)

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