

IN THE SENATE OF THE UNITED STATES.

JULY 21, 1856.—Submitted and ordered to be printed.

Mr. FESSENDEN made the following

REPORT.

*The Committee on Patents and the Patent Office, to whom was referred the application for the extension of the patent for a planing machine granted to Uri Emmons, report:*

That the original patent was granted on the 25th of April, 1829. A patent for a planing machine of a similar character had been previously granted to William Woodworth on the 27th December, 1828. A controversy arising between the parties, it was adjusted by an agreement, by which the territory of the United States was divided between them. The machine known as Woodworth's combined all the essentially important characteristics of both patents.

Woodworth's patent was extended for seven years, under the act of 1836. Emmons failed to procure an extension, though there would seem to have been no good reason for refusing such extension. In 1845, the administrator of Woodworth procured another extension for seven years, by act of Congress. Emmons, however, had no benefit from the extension of Woodworth's patent.

What is known as Woodworth's machine, embracing all the valuable principles of both inventions, has been protected for nearly twenty-eight years, and will become public property on the 27th of December, 1856.

The Committee of the Senate on Patents and the Patent Office for the last Congress, being of the opinion that as Emmons was, at least, equally deserving with Woodworth, reported a bill granting him an extension to December 27, 1856, the day when Woodworth's last extension will expire. That bill did not pass, and it is manifest that such an extension now would be of no service to the petitioners. They ask an extension for seven years from that period.

Your committee are of opinion that the prayer of the petitioners ought not to be granted. The machine will, at that time, have enjoyed protection for twenty-eight years. And however it may be regretted that Emmons may have failed to receive a proper share of the benefit, it will be unjust longer to withhold his invention from the public. Such an extension as that applied for would impose great burdens on the community, and your committee see no sufficient grounds for imposing them for the benefit of the petitioners. They therefore report adversely.

