319 1

Baker

To the Honourable the Senate and House of Representatives in Congress assembled,

The Memorial of Eli Whitney.

Respectfully sheweth,

That your memorialist is the inventor of the machine with which the principal part of the Cotton raised in the United States is cleaned & prepared for market. — That being in the State of Georgia in the year 1793, he was informed by the planters, that the agriculture of that State was unproductive, especially in the interior, where it produced little or nothing for exportation. — That attempts had been made to cultivate cotton; but that the prospect of success was not flattering. — That of the various kinds which had been tried in the interior, none of them were productive, except the Green seed Cotton, which was so extremely dif-

difficult to clean, as to discourage all further attempts to raise it. — That it was generally believed this species of cotton might be cultivated with great advantage, if any cheap and expeditious method of separating it from its seeds could be discovered — and that such a discovery would be highly beneficial both to the public and the inventor. —

These remarks first drew the attention of your memorialist to this subject and after considerable reflection he became impressed with a belief that this desireable object might be accomplished. —
At the same time he could not but entertain doubts, whether he ought to suffer any prospect of so precarious a nature, as that which depends upon the success of new projects, to divert his attention from a regular profession —

About this time Congress passed a New Patent Law, which your memorialist

considered as a premium offered to any citizen who should devote his attention to useful improvements and as a pledge from his country, that in case he should be successful, his rights and his property would be protected. —

Under these impressions your memorialist relinquished every other object of pursuit and devoted his utmost excersions to reduce his invention, which, as yet was little more than a floating image of the mind, to practical use — and fortunately for the Country he succeeded in giving form to the conceptions of his imagination and to matter a new mode of existence. — and the result of this new modification of matter, was every thing that could be wished —

After reducing his theory to practice, by effectual & successful experiments your memorialist took out a Patent. —

— So alluring were the advantages devellopied by this invention that in a short time the whole attention of the planters of the middle and upper country, of the Southern States, was turned to planting the Green Seed Cotton — — The means furnished by this discovery of cleaning that species of cotton, were at once so cheap and expeditious, and the prospect of advantage so alluring, that it suddenly became the general crop of the country —

Little or no regard, however, was paid to the claims of your memorialist — and the infringment of his rights became almost as extensive as the cultivation of cotton — He was soon reduced to the disagreable necessity of resorting to courts of Justice for the protection of his property —

After the unavoidable delays which usually attend prosecutions of this kind

and a laboured trial, it was discovered that the Defendents had only <u>used</u> — and that as the law then stood they must both <u>make and use</u> the Machine, or they could not be liable — the Court decided that it was a fatal, though inadvertant defect in the law and gave judgment for the Defendents. —

It was not untill the year 1800. that this defect in the law was amended. — — Immediately after the amendment of the law, your memorialist commenced a number of suits; but so effectual were the means of procrastination and delay, resorted to, by the Defendents, that he was unable to obtain any decision on the merits of his claim untill the year 1807 — not untill he had been <u>eleven years</u> in the Law & <u>thirteen years</u> of his patent term had expired. —

A compromise has been made with several of the States, to which your memorialist has assigned his right and relinquished all further claim; but from the state in

which he first made and introduced his invention, and which has derived the most signal benefits from it, he has realized nothing — and from no state has he received the amount of half a Cent pr pound, on the cotton cleaned with his machine, within that State, in one year. —

Estimating the value of the labour of one man at twenty cents pr Day, the whole amount which has been realized by your memorialist for his invention, is not equal to the value of the labour saved in one hour by his machines, now in use, in the U States. —

Permit your memorialist further to remark that by far the greatest part of the cotton raised in the United States has been & must of necessity continue to be the Green Seed. — That, before the invention of your memorialist, the value of this species of cotton, after it was cleaned, was not equal to the expence of cleaning it — that since; the cultivation of this species has been a great

source of wealth to the community & of riches to thousands of her citizens — That as a labour-saving machine it is an invention which enables one man to perform in a given time that, which would require a thousand men, without its aid, to perform in the same time. — in short that it furnishes to the whole family of mankind the means of procuring the article of cotton, that important raw material, which constitutes a great part of their clothing at a much cheaper rate —

Your memorialist begs leave further to state that a confident expectation that his case would be embraced in the general law which Congress has, for several years, had under consideration, has prevented his making an earlier application. — That the expenses incurred by him in making and introducing this useful improvement and establishing his claim to its invention, have absorbed a great proportion of what he has received, from those States with which he has made a compromise —

That he humbly conceives himself fairly intitled to a further remuneration from his Country — and that he ought to be admitted to a more liberal participation with his fellow citizens, in the benefits of his invention —

He therefore prays your Honourable Body, to take his case into consideration, and authorize the renewal of his Patent, — or grant such other relief, as Congress in their wisdom and their justice may deem meet and proper —

Eli Whitney

Washington 16th Apr.l 1812.

No. 319

Petition of Eli Whitney.

20th Apl. 1812.

Presented.

22d Apl. 1812.

Ref.d to Mr. Sowndes
Mr. Pitkin
Mr. Hall of Georgia
Mr. Nelson, and
Mr. Gray.

1

Bill presented

Series 10

No. file

Miscellaneous
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12th Congress

1 ref.d to 5.