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SAMUEL COLT.

[To accompany bill H. R. No. 59]

DECEMBER 21, 1853.

Mr. THURSTON, from the Committee on Patents, made the following

REPORT.

The Committee on Patents, to whom was referred the petition of Samuel Colt for the extension of letters patent granted to him on the 25th day of February, A. D. 1836, for a new and useful improvement in fire-arms, respectfully report:

That Samuel Colt made his invention before the year 1832; but from the great difficulties which he experienced in reducing it to successful practice, and from his poverty, he was unable to procure a patent until 1836; that he, in the same year, assigned his patent to the "Patent Arms Manufacturing Company," a corporation in New Jersey, of which he became the manager; that Mr. Colt devoted five years after the date of his patent to the object of establishing his repeating-arms, but that the company and he both failed, losing about two hundred thousand dollars, and many years of time and labor. At this time the invention had fallen into such disuse that none of the arms were made in the country, and the whole thing was considered a failure. The Mexican war created a demand for the arms, and the great success which followed their use during that contest at once established them as the most valuable improvement in fire-arms which up to that time had ever been made. The patent, however, had been assigned to the Patent Arms Company, and Mr. Colt was very largely in debt, resulting from his former efforts to bring his invention into use. Under these circumstances, Mr. Colt applied to the court of chancery to settle the affairs of the Patent Arms Company, and the result was that in 1850 his patent was assigned to him by a receiver in chancery. At the same time, the Commissioner of Patents extended the patent, so that Mr. Colt, in February, 1850, began to enjoy the privilege which the general act intended meritorious inventors to have, but which, for fourteen years, he had been deprived of by no fault of his own.

Mr. Colt, before the expiration of his patent, commenced his self to manufacture his arms. Their great success depends as much upon the manner in which they are constructed, as upon the peculiarity of their organization. So complicated a machine can only be made valuable by great accuracy and perfection in its manufacture, and that can only

be done by perfect and expensive machinery. To procure that perfection has been Mr. Colt's constant effort, and as rapidly as profits arose from the sale, he reinvested them to increase and perfect his machinery. By this means he has brought his arm to great perfection, and at great cost; but as soon as the invention becomes public, the *manufacture of cast-iron* and other cheap and absolutely dangerous arms will drive out of the market those arms which are made with great care and expense, and ruining the business, which is conducted in the most costly manner, necessary to produce so perfect a result. Mr. Colt is confident that an extension of seven years will enable him so to increase and perfect his manufactory, and so to subdivide and cheapen his processes, that at the end of that time he will be able to furnish the consumers the most perfect arm, which is capable of being made at so small a cost, that manufacturers of spurious imitations will not find the profit sufficient to encourage the business.

In order to protect himself from the destructive effects which would follow the introduction of these spurious arms into use in England, where he has no patent, and in Europe generally, Mr. Colt has established an armory in London, to which he has carried American machinery, and which is operated entirely by American mechanics, and where he is now engaged in the attempt to demonstrate the superiority of his arms over all imperfect imitations of them, in the hope that the European consumers will discourage the manufacture of any except such as are perfect. In that undertaking, however, it is evident that he can make no money, but must control the market for the present by supplying the demand at the same price that inferior arms can be sold for, even at a loss. Already the English armory has exhausted all the surplus which had been accumulated in this country, and is even now a constant drain on the resources and energies of the inventor. Yet he is determined to carry out his plan, impressed with the belief, that unless the quality of the arms made can be maintained, the whole manufacture will fail. The reasons which are given for this belief appear to be very conclusive and satisfactory, and your committee are of opinion that every encouragement ought to be given to Mr. Colt in carrying out his plans.

The great object to be attained in the manufacture of fire-arms is perfect certainty under all circumstances: compared with that, the price is of no consequence. The public would not be benefited if such arms as these, manufactured in an imperfect and inaccurate manner, could be furnished gratuitously to every applicant; but the public will be greatly benefited by the supply of reliable, perfect, and effective weapons, at any cost. The experience of the past has demonstrated that Mr. Colt, above all others, has supplied the *great desideratum*, and the constantly diminishing price at which the arms are produced and sold proves that his anticipations are reasonable, and that he will be able to manufacture them at such rates as to exclude all arms constructed on the same principle, of an inferior quality from the market, to the great advantage of the public.

The money which was lost during the first term of this patent, if applied to any ordinary business of manufacturing, would have given to Mr. Colt more than has ever been realized out of the entire proceeds

of manufacture; and as all that has been realized has been invested in the manufacture itself, and must share its fate, the whole of the proceeds of the manufacture have been thus far invested, in this country and in Europe, in the machinery, tools, and property fitted exclusively to the production of fire-arms; and the perfection and expense of this machinery are exhibited by the fact that the separate parts which compose the arms are thrown promiscuously into heaps, and are so perfect that when assembled into a pistol they exactly fit each other, and any other part to which they may be properly applied; so that in using these arms, new ones may be at once constructed out of the broken ones left on the field of battle without altering the shape or size of the parts. Your committee are of opinion that, as a question of profit and loss alone, Mr. Colt ought to have the benefit of an extension of his patent.

He has made his plans for the purpose of constructing an armory at Hartford of such proportions and capacity as to enable him to manufacture these arms in their greatest perfection; but he hesitates to involve himself in so heavy an expenditure unless he can be protected from the competition of inferior and worthless arms; and he would scarcely be able to finish his armory before the expiration of his patent. For these reasons it is important to him, and to the whole country, that he should now receive the assurance of safety which the extension of this patent will afford him.

But in addition to this, the great service which Mr. Colt has rendered this government, and which the people have derived from the use of these arms, as is evidenced by the common approbation of all the officers in the army and navy, and among all classes of our citizens who have used them or seen them used; the truly American spirit and enterprise which Mr. Colt has exhibited in carrying this branch of manufactures into the heart of the great armory of the world; the high marks of consideration which the military governments and scientific bodies in Europe have shown him, entitle him, in the opinion of your committee, to this evidence of the approval of the government. Your committee therefore recommend the passage of a bill extending this patent for seven years, reserving to the government of the United States the right to make and manufacture the arms in all of their own armories, for military and naval purposes.