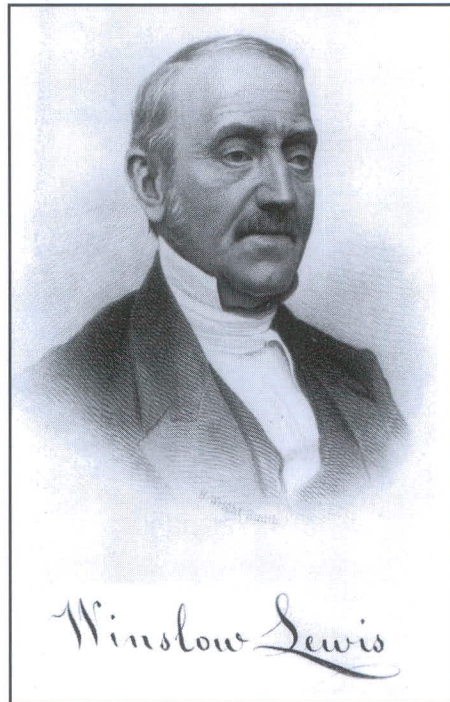


Winslow Lewis

A Nineteenth Century Lighthouse Scalawag

Compiled by Wayne Wheeler



Prior to the absorption of the U.S. Lighthouse Service by the Coast Guard in 1939, four individuals – more than any others – shaped the establishment and operation of lighthouses in the United States. For better or worse, these men are Winslow Lewis, Stephen Pleasonton, RADM William Bradford Shubrick and George Putnam.

Lewis came on the scene in 1812 as a contractor for the government and ultimately helped hold back our system of aids to navigation with his numerous antics. Pleasonton was appointed 5th Auditor of the Treasury in 1820, a political appointee with little understanding of aids to navigation and a person taken in by Lewis. He was in charge of our system from 1820 to 1852. RADM Shubrick was the first Chairman of the Lighthouse Board, established in 1852 (replacing Pleasonton). He instituted numerous changes to our system which brought us up to the state of the art and beyond. Putnam was the first Superintendent of the Bureau of Lighthouses established in 1910. He changed the control of our system from a military board to a civilian board.

This story focuses on Winslow Lewis and on some facets of Winslow Lewis's character which show just what a scalawag he was – perhaps he could even be called nefarious.

In the early days of the last century an unemployed sea captain convinced the authorities in charge of our aids to navigation system that he had invented a lighting system for lighthouses consisting of a lamp with hollow wicks, backed by parabolic reflectors, which was greatly superior to the system then in use. At the time our few lighthouses had various models of a lamp called a spider lamp. They consisted of hollow reservoirs with solid cotton wicks protruding from the top; some were round and some rectangular.

In fact, Lewis's lamps had been designed by Amee Argand in 1784, 18 years before Lewis showed his 'new' invention to Henry Dearborn, Collector of Customs at Boston. Lewis copied Argand's design and added a convex green lens in front of the flame which actually reduced the power of Argand's design. Further, his supposed parabolic reflector was described by an engineer of the day as about "as parabolic as a baby's wash basin."

In any event, Congress moved to not only purchase the patent from Lewis but also to pay him a princely sum to construct, install and maintain the lamps in our nation's lighthouses for a term of seven years. This was just the beginning of Winslow Lewis's hand dipping deep into the government's pocket.

An Act to authorize the Secretary of the Treasury, under the direction of the President of the United States, to purchase of Winslow Lewis his patent right to the new and improved method of lighting light-houses, and for other purposes.

Sec. 1. Be it enacted by the Senate and House of Representatives... that the Secretary of the Treasury be... empowered... to purchase of Winslow Lewis his patent right to the plan of lighting light-houses by reflecting and magnifying lanterns, if the same shall be proved to be a discovery made by him; and to contract with the said Winslow Lewis for fitting up and keeping in repair any or all the light-houses in the United States... upon the new and improved plan of the reflecting and Magnifying lanterns, or to contract with the said Winslow Lewis for such sum as he may think for the interest of the united States: Provided, The sum so to be allowed shall not in any case annually exceed the appropriation made for supplying the light-house establishment with oil in any given year which has passed for a term not exceeding seven years... And further enacted, That a sum not exceeding sixty thousand dollars be... appropriated.

This act was approved March 2, 1812.

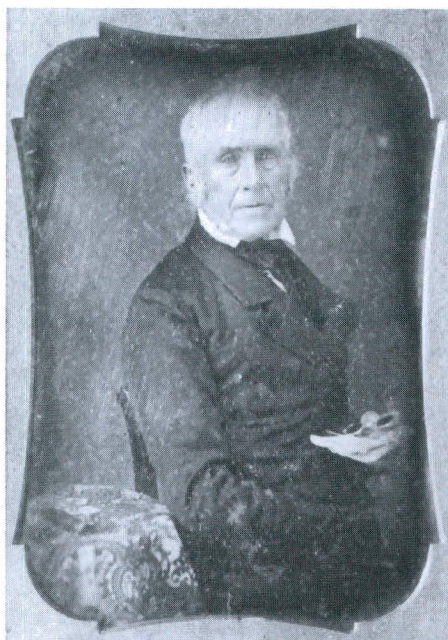
Using charts that show the relative value of money over time based on the consumer price index, \$60,000 in 1812 is worth over \$825,000 today... a very tidy sum, indeed!

In 1814 Congress appropriated \$40,000 more, "For completing the fitting up of all the light-houses with Winslow Lewis's improvements, in addition to the sums heretofore appropriated for that purpose, forty thousand dollars."

And, in 1816, "For completing the fitting up of all the light-houses with Winslow Lewis's improvements, in addition to the sums heretofore appropriated for that purpose, sixteen thousand dollars..."

In 1817, "For fitting up the light-houses with Winslow Lewis's improvements, agreeably to his contract of the 26th day of March 1812, in addition to the sums appropriated for that purpose, six thousand dollars." Over five years, Congress awarded him contracts totaling \$122,000, worth today over \$1.5 million.

Lewis also received funds to construct new lighthouses over the years. He was well known in government circles when political appointee Stephen Pleasonton was appointed 5th Auditor of the Treasury in 1820 and placed in charge of our aids to navigation system. Because Winslow Lewis had been 'around' for eight years, and in that Pleasonton had no technical knowledge regarding aids to navigation, he placed a lot of trust in him. From time to time mariners and others criticized Lewis and our system, but Pleasonton was quick to come to his defense. When word of the wonderful new



David Melville photo courtesy of Sarah Gleason.

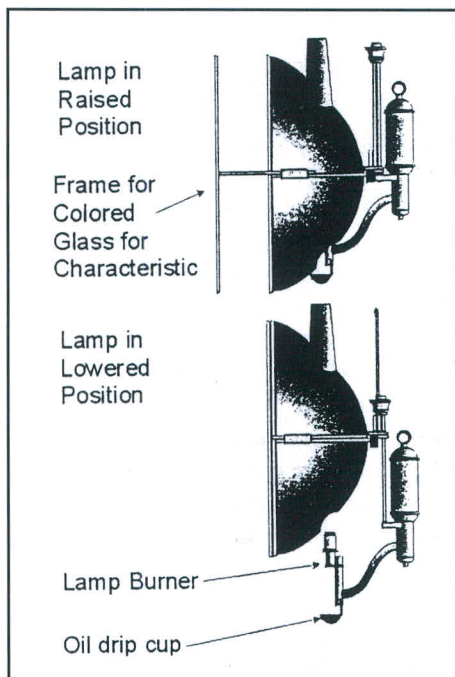
Fresnel lens system reached our shores, Lewis was able to maintain 'his' system by convincing Pleasonton that Fresnel lenses were too expensive. Lewis 'sweet talked' various mariners into testifying that they were very well satisfied with the present system.

Many of the lighthouses Lewis constructed, supervised or sub-contracted failed after a few years. Shoddy materials and poor construction techniques were the culprits. Lewis was so well entrenched with the government and so trusted by Pleasonton, that he made decisions without consulting with Washington or even the local Collector of Customs who was in charge of the lighthouses in an area. On one occasion he arbitrarily changed the characteristic of the Mobile Point, Alabama lighthouse from fixed to flashing, giving it the same characteristic of the Pensacola Lighthouse, the next lighthouse down the coast! This potentially disastrous change was made without informing Pleasonton, the local collector of customs or the mariners.

One case in particular clearly illustrates Winslow Lewis's character. It occurred in Newport, RI and began at the home of David Melville, an old Yankee inventor and entrepreneur. Melville invented a system of natural gas lighting and installed gas lights in a bath house he owned in Newport. He was attempting to convince the government that gas lighting was not only suitable for lighthouse purposes, but would cost one quarter of that which was being spent on sperm whale oil. When the

affair was over Melville sent an Expose of Facts to the Secretary of the Treasury. What follows is David Melville's side of the tale.

When Captain Lewis was on his way to fit the Point Judith, RI Light House in November 1816, after it was rebuilt, he stopped at Newport, and dined with me in company with William Simons (his particular friend) and Captain George Shearman, Keeper of the Newport Light House [Beavertail]. After dinner the conversation turned to the difficulty of keeping the lamps burning in the light houses in very cold weather. Capt. Lewis observed that he had very many complaints of the lamps going out, owing to the chilling of the oil, and asked Captain Shearman if he experienced the difficulty at his light house. Capt. Shearman answered that he did, that he frequently found three or four lamps out in the morning, and that one night last winter he found four lamps out at 12 o'clock, and that he carried into the lantern a basket of wood and charcoal, and remained there until daylight, putting fuel into the stove as fast as it would consume [it], but could not get the lamps that had gone out to light up again, and could barely keep those that were still lighted when he visited the lantern. Capt. Lewis then observed, 'If that be the case you must have a larger stove in the lantern, there is no other remedy, and I will send you one.' I had for several years previous to this known of a method to keep oil warm in Argand's lamps in the coldest situations and had mentioned it, and described it by drawings to several persons... but I had guardedly kept a particular description of it from Lewis, lest [sic] its introduction in the Light Houses might prevent the introduction of Gas Lights, which was my primary object. At the moment of his observation to Capt. Shearman, being off my guard, I asked Capt. Lewis if he could not contrive a plan to keep the oil warm in the lamps, in the winter season without a fire in the lantern? His answer was 'No, my dear sir, that is impossible.' I observed I could tell him of a plan; he asked me how it could be effected. I answered him by communicating heat to the oil from the flame of the lamp and described to him a plan which I had used with effect for several years, and how I proposed applying it to Argand's lamps, which are the kind used in lighthouses. He appeared not perfectly to understand me, and asked me to sketch the lamp with the improvement for him, which I did immediately and handed it to him; he then appeared to understand it and said that it would answer the purpose, and said he would try and put the drawing in his pocket-book. I then informed him that I knew it would have the effect, and if the gas



Reflector System. Drawing by Tom Tag.

lights were not introduced in the light-houses, I intended to take out a patent for the improvement to keep the oil in a fluid state, and make him pay for the use of it in the light-houses. He replied, that when he should go to Washington, which would be in a few weeks, he would propose to the Commissioner of the Revenue to have an experiment made with gas, which he had no doubt would succeed, and supersede the necessity of any improvement in the lamps, and he observed that patents were useless under the present patent law, as they were so easily evaded. The whole of this conversation, and my sketching the improvement for him was in the presence of William Simons, Esq. and Capt. George Shearman, Keeper of the Newport Light-House, on the 14th or 15th November 1816.

In December following, having had the honor of the appointment to carry the electoral votes for President and Vice President to Washington, I availed myself of this opportunity to propose to the government to have an experiment made with gas, to ascertain the practicality and utility of substituting gas for oil, in United States Light-Houses. . .

In March 1817, having heard nothing from Washington relative to my proposition to make an experiment with gas, I wrote the following Specification of the Improvements in the lamps, and had it noted as an evidence of the invention, with a view of securing a patent if events should render it expedient. Soon after I received notice from the Commissioner of the Revenue that my proposal to light a lighthouse with gas, for the experiment, was acceded to by the government; and the improvement in lamps was suffered to rest, to wait the issue.

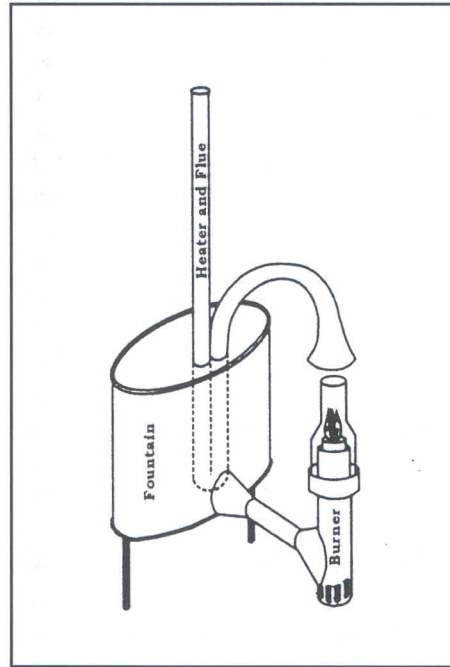
Melville had his invention for keeping whale oil warm and fluid notarized and mailed to Washington in May 1817.

In November, 1817, one month after the Newport Lighthouse was illuminated by gas, Captain Lewis visited it and informed Melville that the Commissioner of Revenue had an unfavorable opinion about using gas in light-houses – even though he vehemently defended the use of gas. In actuality Lewis did not want to relinquish his \$35,000 contract to furnish sperm whale oil over the seven year period of the contract.

In December, Melville wrote to the Commissioner stating that he had invented a method to keep the oil warm three years earlier, but had delayed proposing it to the government, hoping that gas would be accepted. Now that it was apparent that gas would not be adopted, he wanted the government

to adopt his oil warming design. Additionally, he discovered a method of keeping the windows of lantern rooms from fogging up by making simple no cost alterations to the lantern rooms.

In February 1818, Melville wrote to Winslow Lewis, reminding him of the dinner back in November of 1816 at which he explained his invention and provided a drawing of same. He also spoke of the method to keep the windows from frosting or fogging up.



Winslow Lewis's drawing of the oil lamp warming design he "appropriated" from David Melville. Thomas Tag drawing.

Winslow Lewis wrote back, "... as to your invention for heating the oil, I have no Recollection of any particular time that we conversed on that subject, nor do I recollect you ever describing to me any Particular manner of doing it, but I have no doubt that you must have often heard me express my wish that something might be found to keep the oil warm without having a fire in the lantern room..." He continued by stating that of course Melville had the right to a patent of a design he made, as every citizen of the country had that right. He went on, "... Last March a Capt. Black undertook to introduce an invention of his for heating the oil – in May a Mr. Johnson brought forth something different from Blacks, these could not have been taken from your Plan as Neither of them had seen you. I have both Blacks and Johnson's [lamps] in a lighthouse near here to try which is best. Black's does not answer

but Johnson's does most completely..." Lewis continued to say that maybe Melville's invention was superior to Johnson's and if so it would certainly be adopted. Also, he explained that he double glazed the lantern and that seem to keep the glass clear and from fogging up. Finally, "Should your plan of heating the oil be Not Either Different or Superior to those now in use, I cannot see on what ground you can dispute the right of either Black or Johnson, holding their Patents, yours will supersede theirs if a Different and better thing. I could wish to know your plan, and which ever is best will have all my support to carry it into use, Leaving it to the inventor to settle the question who it belongs to."

David Melville responded to Lewis's letter on February 19, 1818, stating he was amazed that there were two patents regarding keeping oil warm in cold weather. He also explained his method of keeping condensation off the windows of the lantern room. It consisted of a tight scuttle (entrance door) in the floor of the lantern and the introduction of four or more small air ports fitted in the walls of the lantern below the windows. With the scuttle closed and a few vents opened the glass would be free of frost and condensation in any season. He told Lewis he had this invention notarized on February 4, 1818.

Melville then wrote to a John Boss of Washington (perhaps a friend) explaining his oil warming method and asked if he would obtain a copy of Johnson's drawing and patent for warming oil lamps.

Boss replied, "Sir: On inquiring at the Patent Office, I have been informed that no patent has been issued to Johnson for a lamp. There have been only two Patents issued for the kind of lamp you refer to, one to A. Black of Barnstable, and the other to your friend Lewis [the plot thickens]. If you wish copies of either or both of those I will obtain them for you. John Boss 19 February 1818."

March 26, 1818—"Dear Sir—[wrote Melville] I'm astonished at the information that my friend Lewis has taken out a patent for the improvement of the lamps, the principle of which I have evidence of having communicated to him in Nov. 1816" He asked Boss to obtain copies of the two patents, which he did, sending them along on April 8, 1818.

Alexander Black's patent was issued on Oct. 3, 1817. His improvement embraced a means of trimming the lamp wicks, snuffing the lamps, heating the oil, raising the wicks for

keeping seamen's feet and hands warm while at the helm and feet warm of people traveling on horseback. Melville noted in his Expose to the government, "... Mr. Black is said to be an insane person, and his specification is pretty good evidence of it, but whether he be insane or not I have ample proof of the priority of my invention, and prevent him from using his, if I choose... The Specification of Winslow Lewis's improvement is incomplete and I asked Mr. Boss to procure a certified copy of his [Lewis's] Patent and Drawing..."

In May 1818, Boss sent Winslow Lewis's Patent and Drawing, submitted by Secretary of State John Q. Adams, and stated that no patent for lamp improvement was ever issued to a Johnson.

The patent stated that Winslow Lewis, his heirs, etc., had the right of a patent for the warming method for fourteen years from the date of issue, January 23, 1818, signed by James Monroe, President.

Winslow Lewis's patent described his improvement as,

... A copper, or an other metal tube with a funnel mouth, which is placed over the chimney of the lamp, it then passes through the top of the fountain [oil reservoir] to the bottom and then is turned up, and is led back through the top of the fountain. The heat and smoke that is passing into the funnel end will go through the tube and are

led off at the other end through the fountain: the heat of the blaze thus passing through the oil in the fountain will keep it limpid or warm in the coldest weather, by which means summer strained oil will possess all the advantages of winter strained. This mode of warming the oil I claim as my own particular improvement, and for which I desire my patent. Winslow Lewis.

Obviously David Melville was furious that his 'friend' had stolen his invention. In his Expose he wrote,

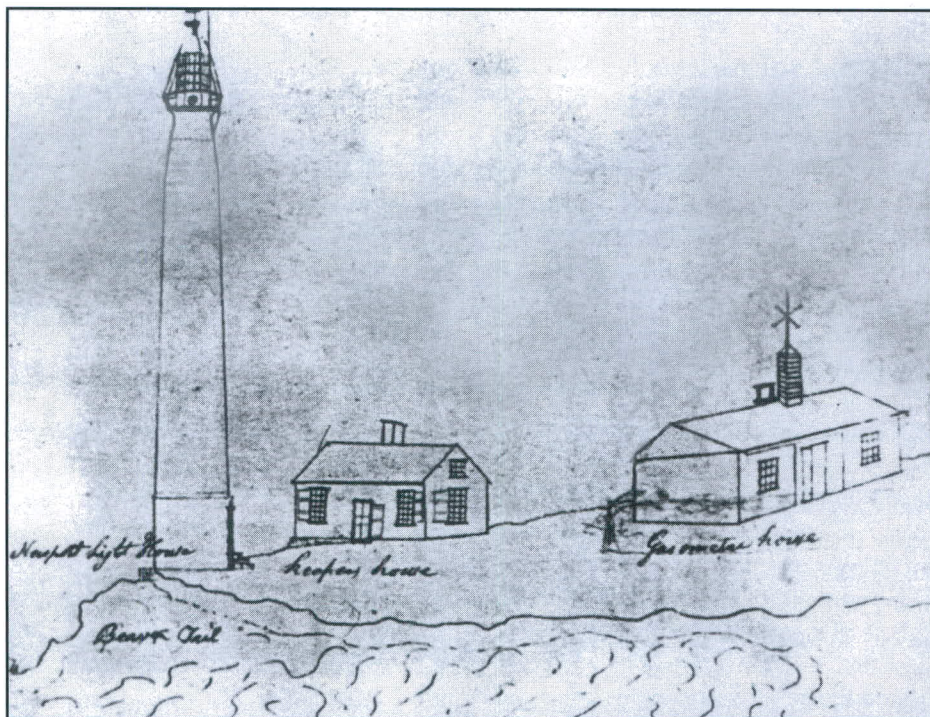
Thus having in my possession evidence sufficient to satisfy my mind, that Capt. Lewis had obtained a patent, as the law expressed it, surreptitiously, for the very same improvement I had communicated to him more than a year before, in a manner, which considering the interest he had in the discovery, rendered it impossible he should have forgotten it; and his evident design to avail himself of my invention, and exclude me entirely of any benefit of it, evinced by his prevaricating letter of the 8th February, and the absolute falsehood therein relative to a Mr. Johnson having taken out a patent, when in fact no person of that name had taken out a patent, and he had himself obtained one for the same thing, but sixteen days before, rendered it not at all desirable to not have any concern with him; but I still felt reluctant to lower his character even in his own estimation, by disclosing to him the facts

that had come to my knowledge, I therefore resolved to make one more effort to come in some degree to my right by putting Black and Johnson out of the question, and showing my sole claim to the improvement, and offering to sellout to him for a reasonable compensation...

The old Yankee Melville played it coy in his next letter to Winslow Lewis. First he iterated what Lewis had written in his letter about Black and Johnson patents, just in case Lewis didn't retain a copy of that letter. Then he told him he had contacted Washington and obtained a copy of Black's improvement and that no Johnson had ever taken out a patent. He also said that he agreed with Lewis that, having viewed it, Black's invention would not do and that he agreed the man was insane. Thus, Melville wrote, in so many words, that leaves 'mine.' Additionally, he had notarized witnesses that his improvement was described in 1813, 14 and 15, and "... although you do not recollect any particular time we conversed on the subject, nor my ever describing to you any particular manner of doing it, I have the evidence of two persons who were present at the time, who have a perfect recollection of it precisely as it is described in a specification and drawings which are annexed, done, witnessed, and attested to soon after the conversation took place..." He mentioned the early letter he had sent to the Commissioner of Revenue stating that he would introduce his invention if gas wasn't accepted as a replacement fuel, and that he knew his invention would allow the use of less expensive summer oil which would, of course, save Lewis a lot of money in the long run and enable him to make more money on the remainder of his seven-year contract with the government to furnish oil.

Melville offered to sell him the right to the improvement and asked for an immediate response; otherwise he had another plan of action. He appended the drawing Lewis had made of his drawing when applying for the patent.

Lewis responded, "Sir, Your favor of the 15 is Received in reply I have to say that the lamp described in your drawing no. 1 A has been in use for 14 months and has been tried [sic] at 9 different light houses the last winter was Deposited with the Collector of this place [Boston] 12 months ago..." He went on to say that the prior December he had described it to the keeper of the Newport Lighthouse, that the tests were not yet complete (some



Sketch of the Beavertail Lighthouse from David Melville's 1818 *Meteorological Table and Diary* relating to the 1817-1818 experiment in gas lighthging of that lighthouse. Drawing courtesy of Newport Historical Society. This was the original Beavertail Lighthouse, later replaced.

problem with smoke) and summer oil would never be used in the winter. He also failed to mention it was he who had the patent. The letter ended with a promise to meet with Melville in about ten days when he would be traveling to New York.

David Melville, in his *Expose*, stated,

Capt. Lewis arrived at Newport about the last of July past. After some conversation relative to the gas experiment I introduced this subject by observing to him that we had had some correspondence relative to an improvement in lamps and asked him what he had to say farther on the subject. He observed that I could have no possible claim to that improvement, that it was invented by an apprentice boy in Boston. I asked him if the young man had taken out a patent, he answered that he had. I then said that I should like to know his name, that I might warn him against using it, he evaded telling me his name, and observed that I could not interfere with the young man, that he [Lewis] stood between him and the law, having bought his patent right, for which he had given him \$500, and that I could oppose nobody but himself. I then told him I should be very sorry to come in contact with him, but if he used the improvement without purchasing the right from me, I certainly should – that I knew it to be my right, and I had sufficient evidence to establish it, and I felt it to be a duty I owed to myself and my family to claim and maintain it.

Melville mentioned the two witnesses when he described the invention at his house. Melville was just about to disclose the knowledge that he knew that Lewis had taken out the patent for Melville's invention when Lewis interjected that they had been friends for so long it would be a pity to have a dispute over something which wasn't such a big deal and he had a proposition to make to Melville. Melville told him that under the present circumstances he would rather sell his right to the improvement outright. Lewis declined purchasing it at that time, but thought they could agree on terms once the exact value of the improvement was known to the government. Melville agreed.

On August 4, just a few days after their visit, Lewis wrote to Melville.

Dear sir: As there may be some altercation respecting your claim to the improvement on Lamps, I will thank you to forward the deposition you named, [Mr. Simons] and such other proof... that you may be possessed of.

The inventor here is willing to have the thing submitted, if your documents go to prove a prior

invention to his, he will not contend for it. This will be the most ready way of settling it.

W. Lewis.

Melville stated that with the knowledge that there was no inventor in Boston, and no patentee except Capt. Lewis, it was impossible to mistake his views in wishing to possess the evidence. His previous conduct had destroyed all confidence of his integrity. Melville responded that he was surprised by Lewis's letter and thought that they had agreed during their meeting that Melville had proof that it was his invention and that Capt. Lewis had agreed to eventually undertake a joint project with the improvement. Melville said he had no thought that anyone would challenge his right, but if so he would like to have the challenge occur in a court of law and, thus, sending him the proof at that time would be improper.

Melville strongly stated that he would take out the patent and defend it against all others, "Depend on it, sir, the Patentee there dare not meet me on legal ground, and I now state distinctly for his information, that I have in my power, not only to prove my prior claim to the invention, but to satisfy any court or jury that his patent has been surreptitiously obtained." Melville asked him to immediately reply and when he had not received a reply by the end of August he sent a duplicate to a friend in Boston and had him personally deliver it to Winslow Lewis.

Lewis replied,

Sir... I received your Letter the Language of which was so different from anything that I ever received from you, I really have been at a loss how to answer it or whether [sic] to answer it at all. Rest assured, Sir, you are mistaken the Patentee Dare meet you on legal or any other ground and the man you have hastily accused of Fraudulently obtaining his Patent spurns at the idea, he has a character which stands in as high repute as yours or any other man in the community and Nerve sufficient to defend that character. You appear to be anxious to engage in a Law suit, you may have an opportunity and I will give you an opportunity if you so wish it. There appears three who have claimed the invention, all will have Patents when you get yours...

He went on to state that 13 lighthouses had the oil warmer and that if he hadn't been so busy all American lighthouses would have been fitted up, "... before you made any pretensions to the invention..." Then trying to soft-soap Melville, Winslow wrote, "... when I made the proposition to you to make a joint

concern... it was from motives of friendship. I foresaw that in the Gas experiment you would be a sufferer of at least in loss of time, I wished some way might be found for you to benefit [sic]..." Lewis said that he knew Melville's claim would not hold up against the Boston inventor and that he, Lewis, would risk all in the world on the question, but so little did the inventor think of the invention that he offered to sell the rights to Lewis for \$200 and that he should have taken him up on it and that would be the end of the matter. However, it now appeared to Lewis that Melville wanted to act alone. Since they had been friends for so long he would now give him advice which he could take or leave: "Give the other patentee 200 dollars to be paid in one year..." and they, Lewis and Melville, would form a joint venture for the manufacture and installation of the lamps. He remarked it was needless to quarrel about who was or wasn't the inventor, for after all didn't Melville just want the benefit of the invention.

Melville wrote, "Sir: Your letter of the 8th instant, was duly received, and I must confess I never in my life was put to so hard a task as to answer it." Melville stated he was amazed that Lewis thought the language of Melville's last letter was 'indecorous' or that he had stated he wanted to engage in a law suit. Then he dropped his ace in the hole. He mentioned the Black patent which they both agreed was not valid and, "... You informed me of one by Mr. Johnson, and one by an apprentice boy in Boston, but you have never pretended to have invented the improvement yourself or intimated that you had taken out a patent, consequently you had no right to take any exceptions at what I might say respecting the invention or the patentee."

Melville said that the State Department related that no one named Johnson had taken out a patent for the lamp warmer, but that they did state that Winslow Lewis took one out for the lamp warmer which was dated January 23, 1818 – sixteen days prior to the letter Lewis sent to him mentioning the Johnson patent. And, that after examining the drawing Lewis had affixed to his patent it was exactly like the drawing Melville had given Lewis at the dinner. Further, he had the sworn testimony of the two witnesses. "I have been in possession of the certified copy of your patent, for more than three months, but I have hitherto guardedly kept it from your knowledge, out of regard to your feelings. The thing has gone too far now

for us to conduct a joint concern... I shall... relinquish all my claim to the improvement to you, for a sum much below its value." Melville reasoned that there were 600 lamps in America's lighthouses and each used 43 gallons of oil a year, for a yearly total of 25,800 gallons. The cost difference between summer and winter oil was 25 cents and if the lamps allowed the use of the less expensive summer oil in the winter, then the savings would be \$3,325 a year. Since summer oil would burn longer than winter oil an additional \$1,000 a year would be saved. In total, for the 14 years that a patent runs, the savings or amount Lewis would realize, in addition to the profit originally figured into the contract with the government, was almost \$60,000.

Melville went on to say he would not file a patent for his invention nor take legal action if Winslow Lewis would pay him \$9,000, paid as follows – \$3,000 in sixty days, \$3,000 in six months and \$3,000 in twelve months. At this time, principal lighthouse keepers were making \$350 to \$400 a year.

If Lewis refused the offer then Melville would proceed with legal action. He asked for a response in ten days. This letter was dated Sept. 25, 1818. On the 28th Lewis replied with a short letter talking about fitting up lighthouses with lamps and ignoring Melville's proposition. In fact Melville in his reply stated, "... yours [letter] of the 28th received last evening is no answer at all."

Melville then wrote a very lengthy letter outlining the entire affair: their dinner with witnesses, the Black and false Johnson patents, Lewis's untruthful letters, and all that he had discovered. The letter contained such damning statements as, "... you seemed bent on self immolation..." and "... your proposition for me to agree to pay the other patentee \$200... when you know there was no other patentee in Boston but yourself..." and "It has been my first object through this whole business to save your feelings, and your reputation with the public, though it was lost with me."

Melville iterated his demand for payment and stated that if Lewis did not agree, he would sue and, "... consequently expose your conduct to the public and ruin your reputation with the government and the world..." and that he would publish all the correspondence of the sorry affair. Melville had the letter hand delivered.

Winslow Lewis sent a letter in return on October 8, 1818 with a long explanation. He

said that in the summer of 1816 Black entered his patent and the government tried it in the Scituate Lighthouse in the spring of 1817. Then Nathaniel Johnson came to Lewis in February 1817 with a lamp with a heating element running under the lamp. It didn't work, so Johnson and Lewis tried other designs until they found that the tube running through the fountain (oil reservoir) worked. Then, he remarked, in the fall of 1817 he stopped at Newport and while visiting Melville he sketched out the design for the lamp of the door of the Newport lighthouse to show Capt. Shearman. When he got to Washington he learned of Black's patent and because Black had been so troublesome Lewis took out a patent. He said that the previous spring, a year after the thing had been in use "... you came forward and claimed the thing as your invention, but you proposed at the same time to make it a joint Concern with me. Reflect for one moment and think how absurd your claim must have appeared to me... how was it possible that Mr. Johnson... could have taken the plan from you in 1817 for according to your letters you say you [told me about it] late in the fall of 1817..." Melville interjects in his *Expose*, "This is a willful misrepresentation—he knows I communicated it to him in November 1816, and Simmons and Shearman's depositions will prove it". Lewis went on to remark that a Capt. Mercy (appropriate name) called on Lewis in the summer of 1818 and said that he had invented the heater four years previously and had given the idea to Johnson. Johnson would abandon any claim to it and would testify that fact. Lewis said he didn't respond to the demand for \$9,000 as he didn't think the invention was worth more than a few hundred dollars and that Melville's claim was "... as visionary as anything that ever entered the mind of man."

Lewis made Melville two propositions. One was to proceed with obtaining a patent and try to sell it to the government on his own. If successful, he would pay Lewis for the cost of the lamps already installed and expenses of about \$10, or they could have a joint account and split the savings realized. But Melville would have to write that he wronged Lewis. If Melville would go on his own, Lewis would give up his right to the patent, but he couldn't guarantee to protect Melville from the claims of others. However, if they joined forces he would guarantee harm from other claimants.

Melville remarked on Lewis's latest epistle. "I did not think it proper to answer this lengthy

letter in all its particulars; he commences and finishes it with professions of friendship, with how much sincerity, his management, evasion, subterfuge and falsehood, if not fraud, will demonstrate to all who shall have the patience to wade thro [sic] this uninteresting and desultory correspondence..." Melville wrote to Winslow Lewis in mid-October 1818 that he would immediately take steps to vacate Lewis's patent, and would lay the entire matter before the government.

Two days later, October 15, Lewis wrote back, appalled that Melville would go forward with a suit,

... what is gained [now] is that you get an expensive Law suit which you may have had for nothing, on the other side suppose that after two years attending courts you should lose your suit for all Law is at best uncertain, what will be your situation then. I mention these things before you commit a Rash Action, as to your injuring my character I think your threats on that subject ought not to be replied to at present. You have said harsh things in your letters... if you are determined on war I will do my best to meet you...

He stated that he'd take the case to the Supreme Court if necessary and that it was insane to proceed when he was offering Melville the patent for free and added a P.S. "I wish to be understood that my opinion has always been the same respecting your claim to the invention. The only reason why I offer to relinquish the right to you is that I have not time to attend to it – to you it may be of some pecuniary advantage, to me it can be none of it..." He stated that he only wished someone would take action to have them installed for the public good.

At this point Melville just didn't trust Winslow Lewis. He wrote to the Commissioner of Revenue explaining the situation and asking the government to place on hold any business with Lewis regarding the lamp warmer until the issue was resolved. Then he hired a lawyer and registered a complaint in the Massachusetts District Court. In November 1818 the Court ordered Winslow Lewis to appear that December 10.

David Melville had several witnesses deposed who testified that Melville had informed them of his invention in the years 1814, 15 & 16 and the two men who were at Melville's house at the dinner with Lewis testified that they heard Melville explain the lamp warmer and saw him give the drawing

to Lewis. However, Lewis testified that he invented the lamp warmer. Then Henry Dearborn, Collector of Customs at Boston, swore under oath that Lewis brought him the modified lamp in 1817 and he thought it might have been in September (almost a year after the dinner). Johnson testified that Lewis directed him to make a lamp warmer like the drawing in his patent in September 1817 and Samuel Simmons of Highham, MA, a carpenter, testified that Lewis directed him to install lamps with warmers in September and October of 1817. The carpenter also stated that the warmer didn't work very well.

From observations that have fallen from Lewis and his attorney, they were convinced that his patent must be vacated. Melville wrote, "He appears to have two objects in view, by the evidence he has brought forward. First to save himself from the imputation of obtaining his patent surreptitiously (on information received from me) – and secondly, to prove that the improvement is defective, to render it useless to me, in case I should succeed."

Winslow Lewis offered Melville's lawyer to vacate the patent. Lawyer Dutee Pearce said they would take the offer if Lewis would also pay court costs. Lewis agreed except paying for court costs, each eventually paid their own.

After the affair was finished David Melville learned that Winslow Lewis had hoped that Melville's gas experiment would fail, so Lewis could continue his contract to furnish whale oil to the government lighthouses. William Simons, the keeper of the Beavertail Lighthouse (then called the Newport Light) was told by Lewis to relate to Melville that the government wouldn't adopt the gas lighting of lighthouses and that Melville ought to make a deal with the Nantucket people to ensure the experiment failed. From this failure Melville might realize a purse of \$10,000. William Simons testified that when he delivered the "offer", Melville "... treated the proposal with contempt."

David Melville sent a large manuscript regarding the patent brouhaha and the information about asking the test of gas to fail to the Commissioner of Revenue. We don't know what resulted from the receipt of this knowledge, but Winslow Lewis continued to obtain government contracts for constructing lighthouses and furnishing them with supplies for the next 30 years. During those years, the lighthouses he built fell apart and mariners complained about the lights – even after the

Fresnel lens was introduced in 1822, but not adopted by this country. Congressional investigations in the 1830s and 40s proved our system was faulty and lacking, but still Lewis and Stephen Pleasonton managed to hang on until 1852, when the Lighthouse Board took over.



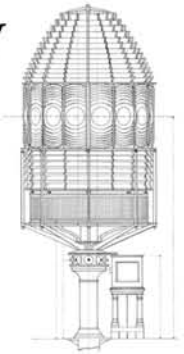
Reflector Sizes produced by Winslow Lewis and his suppliers

SIZE	STYLE	SOURCE
9 inch	Most with 9 inch lens, Spherical	Light List 1839
10 inch	No lens, Parabolic from die	Light List 1854
12 inch	No lens, Parabolic from die	Light List 1854
13 inch	No lens, Spherical until 1835	Light List 1839
14 inch	No lens, Spherical until 1835	Light List 1839
15 inch	No lens, nearly Parabolic	Light List 1839
16 inch	No lens, nearly Parabolic	Light List 1839
16.25 inch	No lens, Parabolic from die	Light List 1849
18 inch	No lens, nearly Parabolic	Light List 1839
21 inch	No lens, Parabolic from die	Light List 1849

Note: When the lights were inspected and the diameter of the reflectors were actually measured, they often varied from the stated diameters by up to 1/2 inch.



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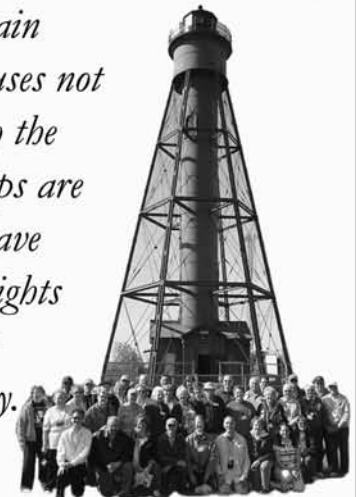
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