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Remarks on Commissioner Holt's First Annual Report.

It is with no ordinary satisfaction that we appropriate two pages of this number to the publication of the Annual Report of the Commissioner of Patents. To attempt to criticise this admirable document—so frank, so manly, and so outspoken in the support of the high claims of inventors—would be a work of supererogation. In our judgment, it is above all carping criticism, and at once places the Commissioner in the position of a champion of those rights which he is called upon to foster and encourage.

We republish a single quotation for the purpose of calling especial attention to the just conception which he entertains as to the manner in which the duties of the Patent Office should be administered. In comparing our system with that which prevails in European States, he says: "It eschews that stern, unsympathizing, and distrusting temper which would receive the inventor as a stranger beneath the roof of this magnificent edifice, which has been reared at once as a monument to his genius and as a depository of the trophies of his labors. That better policy, which adopts the happy medium between two equally pernicious extremes, which, while welcoming the inventor as a friend and patron, in that frank and free conference with him enjoined by law, kindly and anxiously sifts from his invention its minutest patentable features, is a policy essentially American in its origin and aims, and must be inflexibly maintained in the administration of this Office, so long as it remains faithful to the high mission with which it has been charged."

Compare this spirit and language with the repulsive, miserable and forbidding system which had possessed the Office previous to the appointment of Judge Mason, and we shall be able to account for the upward spring which has been given to the ingenuity of our countrymen. The murky atmosphere which prevailed in the Patent Office when Judge Mason entered upon its duties was enough to stifle the generous impulses of any ordinary man who had not the nerve and practical ability to apply some judicious system of ventilation. He succeeded, and before he left the Office—regretted by all—most of the rough corners were knocked off, and the inventor is now received beneath the roof of the Patent Office as a friend and patron in frank and free conference.

This system has been most happily extended by Commissioner Holt, and yet in spite of his endeavors to render the Patent Office the friend instead of the enemy of the inventor, he has met with a sullen, mulish opposition from certain quarters where he had a right to expect encouragement and support. His policy has been scouted, and efforts are working to subvert it, by an under current of opposition too cowardly to show its hand in fair and open warfare. Instead of a system of mutual conferences, designed to carry out the wisest and best measures to encourage the progress of invention—and which should prevail in the Patent Office—would-be-wise men are planning a breakwater to check its uninterrupted flow, and are endeavoring to hedge it in by the old system of mismanagement and illiberality which has so nearly met its death.

In the exercise of that sound discretion which rests in him, Commissioner Holt has already commenced the removal of such subordinates in the Office as are known openly to oppose his comprehensive policy. In this course he will be sustained by an enlightened public judgment; and we hope it will be carried on until the Office is thoroughly purged of this refractory element, and the Commissioner's policy fully vindicated.

We cannot now spare the space necessary to the full discussion of this subject, but we in-

tend soon to refer to it again, and will then endeavor to show from what sources the opposition springs. It has only two heads, but the sooner they are lopped off, the better. We now say, unequivocally and unqualifiedly, that, in our intercourse with inventors and the public in respect to patents—and we venture to assert that it is more extensive than that of any other establishment, save the Patent Office itself—not one word or syllable has ever been written or uttered in our hearing, condemnatory of the liberal spirit which Commissioner Holt is endeavoring to establish. We therefore know that he is right; and we urge him, by every consideration of duty and policy, to go forward!

We solicit a careful examination of this admirable report, believing that its spirit and language will give general satisfaction.

Sugar Canes and African Imphee.

At a recent meeting of the United States Agricultural Society, as noticed by us in our last number, Mr. Leonard Wray, an English gentleman who has seen considerable of the world, having lived for several years in the East Indies and in South Africa, brought up the subject of the African Imphee. This plant resembles the Chinese sugar cane, and he asserts that it is the parent of the latter, having been carried by the Portuguese, in the palmy days of their kingdom, from Africa to China, and there cultivated. While living in Port Natal, he found it growing wild around the huts and in the fields of the Kaffirs, (who merely sucked it for its sweet taste) and was induced to try a series of experiments with its juice, as he thought it might yield sugar. In this he was successful, and collecting a considerable amount of seed, he then sailed to Europe, being convinced that it could be cultivated in temperate climates, and sugar raised profitably from it. In France he obtained a silver medal, at the *Exposition Universelle*, for the specimen of his sugar and cane seed; and at the invitation of Governor Hammond of South Carolina, he came to the United States, in April last year. All the seed of the Imphee which he brought with him was planted on the Governor's plantation, and from choice selections about four hundred bushels of new seed have been saved. In a letter recently written by Governor Hammond—who is a thorough and enterprising agriculturist—he says, "I think this seed well worth distributing. They produce a sugar cane at least equal to the Sorgho in all respects, and some of them are twice the size. I am inclined to think, we shall ultimately find several of them (ripening at different periods) superseding the Sorgho altogether. I plant this year (1858) 60 acres, 4 of Sorgho, the remainder of Imphee."

We really hope that the Imphee is a superior sugar producing plant, and that either from it, or the Sorgho, sugar may be manufactured with profit. We caution our farmers, however, in every section of our country, not to get so excited on the subject as to enter upon the very extensive cultivation of these plants, in the hopes of making fortunes by engaging largely in their culture—let them be generally but not too extensively cultivated. If these plants are adapted to our varying climates, and if sugar can be made from them so as to be sold at remunerating prices, steady and cautious experiments will be more likely to establish their success than hasty and excited efforts.

Weatherology—Vegetation—Gulf Stream.

The mild and beautiful winter weather in this section, to which we have already alluded in a former number, has continued up to the present period. In the parks and gardens, trees and shrubs have budded and thrown out leaves. Probably we shall yet have frost to cause them injury, but the spring will call them forth to bud and bloom again. Fears have been expressed regarding the killing of the winter-wheat by its exposure to frequent frosts and thaws, it not being covered with its usual warm mantle of cold snow. We would advise our farmers to go over their

wheat fields with rollers in the spring, so as to press down all the roots of the grain which may be thrown out of the soil. This practice is pursued regularly in England, where the winter seasons are similar to our present one. Our farmers should also take measures for sowing spring wheat in situations where the winter kind may be killed!

This surprising mild season has exercised the fancy of some of those learned pundits who are always so ready to advance reasons for things which neither themselves nor anybody else understand. They assert that the recent warm weather has been caused by the Gulf Stream flowing about fifty miles nearer our coasts than formerly, according to the reports of some sea captains. It is well known that this wonderful stream does flow nearer the coast some seasons than others, and it may be the case this winter; but, while this would undoubtedly influence the atmosphere on the Atlantic coast, it never could affect that beyond the Alleghanies, in Canada, or the West and Northwestern regions, where the thermometer has been seldom much below the freezing point this winter, whereas it was thirty and forty degrees below it the last one. It is folly to pretend to be wise beyond actual knowledge. No person really knows why there are such variations in the seasons. Observers may yet detect causes, and science arrange the weather influences, but at present weatherology is very far from being reduced to a science.

Harbor Navigation and Dirty Streets.

The engineer—Charles H. Haswell—of the Board of Underwriters in this city has presented an interesting report in reference to the condition of our harbor. In it he sets forth the danger to be apprehended of the channel growing so shallow that its navigation, at some future day, not very far distant, may be stopped, and our great commercial mart become desolate and forsaken by its thrifty merchants, and those who go down to the "great deep" in ships. It is complained that the vast amount of gravel, sand and filth, washed down from our dirty streets through the sewers, is one great cause of the evil; these being deposited in the channel, thus tending to shoal it up. In the main ship channel 2,532,000 cubic feet of sand have been deposited in twenty years.

Great quantities of mud are deposited from the water in our city docks; this is lifted by dredging machines, but the practice of removing it has simply been to carry it away on punts and dump it in the lower part of the channel, from whence it is brought back again by returning tides. This operation forcibly reminds us of the wisdom displayed by that Gothamite who employed the effectual method of destroying a hornet's nest in his barn by setting the building on fire.

It is recommended as a remedial measure that the streets of the city be kept very clean, and that the dredged mud from the docks be removed in the punts, and be wheeled on shore to fill up low lands adjacent to the rivers or harbor. The remedial measures proposed must meet the approval of every person, without any reference to the probable shoaling up of the main ship's channel—an event which we think is very far distant.

The Boston Steam Yacht.

It is acknowledged that the steam yacht *Voyageur de la Mer*, built at Boston for the Pasha of Egypt, has proved a failure. About the why and the wherefore of this, there are two sides to the story. One side is that the failure was caused by defective boilers, which were made in New York; the other side is, that it was owing to defective machinery, which was built in Boston. A correspondent from Medford, Mass., who is a ship-carpenter, informs us that the model of this vessel is good, having been drafted by Samuel Pook, Naval Architect, Boston, but that both boilers and machinery are defective. We sincerely regret that any vessel built in our country for a foreign potentate or plebeian should (as in this case) have tarnished the reputation of our American engineers.

Application for Patent Renewals.

*Truss Frames for Bridges.*—C. & T. W. Pratt, of Newton, Mass., have applied for an extension of the patent granted to them on the 4th April, 1844, for the above invention. The petition is to be heard on the 22d of March next, at the Patent Office.

*Hay Presses.*—Joseph Eaton, administrator, applies for an extension of the patent of Charles F. Paine, deceased, for a hay press, granted April 25, 1844. The petition is to be heard on the 19th of April next, at the Patent Office.

*Lock Gate.*—Henry McCarty, of Pittsburgh, Pa., has applied for the extension of his patent for "suspending, opening and closing lock gates," which expires on the 16th of March next.

Persons opposing these extensions are required to file in the Patent Office their objections specially set forth in writing, at least twenty days before the day of hearing: all testimony filed by either party, to be used at the said hearing, must be taken and transmitted in accordance with the rules of the Office which will be furnished on application.

Terrible Steamboat Explosion.

The steamer *Fanny Fern*, bound to St. Louis from Pittsburg, exploded her boiler eighteen miles below Cincinnati on the 28th ult. Fifteen persons are reported to have lost their lives, and thirty were severely injured; the boat was set on fire by the explosion, and burned to the water's edge. This is the most severe accident of this character, we believe, which has taken place on any western river since the new law for protecting life in steamers went into force. We are afraid that the western steamboat inspectors are becoming somewhat careless; and we have good reasons for believing that is also the case with those in the eastern districts. We exhort these officers to look well to their regulations, or they may soon find their situations too hot for them.

A Question in Patent Law.

Messrs Editors:—As there are no lawyers here who are acquainted with Patent business, I wish to enquire if a man is not liable in an action of damages, in the Supreme Court of this State, for making a patented article when it is his intention to sell the same, even though he sells to those who own territory? Or suppose I own a county right to make and sell, can any other make in said territory and sell to others out of said county or in it? Please answer through the SCIENTIFIC AMERICAN.

A. S. RICE.

Waverly, N. Y., Jan. 27th, 1858.

[The Supreme Court of the State of New York has no jurisdiction in patent cases. Suits for damages can only be brought in the United States Courts. A patent is the monopoly of the right to *make, sell* and *use* the article secured by the grant of Letters Patent—therefore no one can manufacture a patented article upon territory owned by another without infringing the right of the latter.—Eds.]

Activity among Inventors.

During the week ending Saturday, January 30, we filed into the Patent Office from our New York Office, *twenty-six* applications for patents, exclusive of those presented through our Branch Office at Washington. This is a cheering proof of the impetus which has been given to inventive skill by the frank and generous encouragement extended to inventors at the Patent Office.

The special correspondent of the *New York Tribune* announces the removal of Dr. Everett from the position of Chief-examiner in the Patent Office—a post he has long filled. The reason assigned is "for preparing a patent bill restricting the sphere of the Commissioner."

See advertisement of Luther Tucker & Son in another column. These veteran publishers of agricultural works are sure to offer something valuable in that line.