

Scientific American.

NEW YORK, JUNE 19, 1858.

A Good Chance for Inventors.

Notwithstanding the thought expended and the ingenuity displayed by the inventors of our country toward the improvement of railroad cars, with a view of better adapting them to the comfort of the traveling community, there yet remain two objects for them to accomplish which are not only desirable to companies and travelers, but which are sure to bring to the inventor who is fortunate enough to successfully produce them a handsome income. We allude to some system by which convenient and simple sleeping couches can be provided for night travel, and readily converted into ordinary seats during the day, and some contrivance for ventilating the cars, without admitting the clouds of dust that necessarily enter the cars when the windows are raised or opened.

These subjects have occupied the minds of many inventors for some time, and for several years past statements have gone the rounds of the press in praise of what were erroneously termed improvements for effecting both objects. The efforts of the numerous inventors whose attention they have occupied have not produced the desired effect in a satisfactory manner, although good has resulted from their labors. A few years ago a prize was offered for the best sleeping car by the late F. M. Ray, of this city, but among those exhibited there was not one which was deemed entitled to it.

In this country where we measure distance by thousands of miles, and think no more of a trip by rail from New York to St. Louis, nearly two thousand miles, than they think in Europe of a trip from London to Paris, about three hundred miles, it is with many persons an absolute necessity that the railroad companies should provide them with sleeping accommodations for the night, and in consequence we learn from the letters of our correspondents that there is at present quite an interest among inventors to produce a really good and convenient sleeping car.

We understand that a western railroad company have agreed to give one cent per mile for the use of an approved arrangement of sleeping couches on every car on their road to which it may be applied. This would yield an income to the successful inventor of \$1,000 per annum for each car, and as the road employs forty cars, would ensure to the inventor for the single road a tariff of \$40,000 per annum. Railroad companies would be justified in paying a liberal sum for the use of inventions for accomplishing these objects in the satisfactory manner desired, for the increase of travel that would follow their adoption would produce an extraordinary increase in the annual receipts of the company.

In case that any of our readers should wish to try their inventive powers on this subject, we will give them the points that are desirable to be remembered in the production of the present desideratum. The car must be simple in its construction, and the seats be capable of reversing as at present, and should be able to accommodate as many sleeping as sitting down; the less shelving the better, and strength combined with lightness are points to be recollected, and above all, rapidity of adjustment either from seats to beds, or *vice versa*, should be the end to be attained.

We have applied for patents for several improvements, but there is still room for further inventions on what are termed "sleeping cars," and we hope inventors will exert their energies in that line until the same facilities are offered for night traveling on railroads as are obtained on our river steamboats. Give us easy seats by day, and convert the seats into a state-room at night, and railroad traveling will then have reached a state of perfection in this country that will make American railroads far beyond those of any other country.

Extension of Patents by the Commissioner and by Congress.

Messrs. Editors—I noticed some weeks since an announcement in the SCIENTIFIC AMERICAN that Charles Goodyear had applied for an extension of his india-rubber patent, and that the time for hearing had been fixed for some day during this month. I am interested in the result of this case, and have been anxiously watching for an expression of your opinion in reference to it, but not one word have you uttered for or against it up to this time. It was in your power to have defeated Goodyear's case if you had taken hold of it in earnest. I now fear it is too late. Why have you permitted this single important case of extension to progress without opposition? I cannot understand your silence.

H.

New York, June 9, 1858.

[Our correspondent refers to the patent of Goodyear, issued on June 15th, 1844, for the principle feature in vulcanizing india-rubber. It embraces the "curing process," which consists in submitting prepared rubber to a high degree of heat, which preserves it from being affected afterwards by atmospheric and other influences, and yet sustains its elastic character. It is a very valuable patent; the process is essential to all the varied manufactures of this material. From the tone and language of our correspondent's letter, it is evident that he does not understand our position in regard to the extension of patents. In commenting upon his communication, we wish him (and all others who may hold similar views and opinions) to note particularly that there is a radical distinction in nature and in character between the extension of patents by the Commissioner, according to an established general law, and the extension of patents by special acts of Congress; this case of Goodyear comes under the former classification. Our opinions in regard to all such questions are guided by general principles, and have no reference whatever to persons or parties whose interests are likely to be affected by them.

By a general law of twenty-two years' standing—section 18, Patent Act 1836—a patentee may have his patent extended for seven years from the expiration of his first term, provided his invention is a useful one, and he has not been sufficiently remunerated for its use. To obtain an extension, he is required to show proof of the value of his invention, and the amount of remuneration he has received for its use; and all those opposed to the extension are notified to appear, and show cause why it should not be granted. In such cases a fair hearing of both sides—those for, and those against the petition—is obtained, and the Commissioner of Patents, upon the testimony before him, adjudicates in the matter. As good citizens and just journalists we could not, therefore, consistently oppose the extension of Goodyear's patent, or any other person's patent, so long as the application is confined to a general law enacted to meet all such cases. To do so would be to act the part of obstructionists to the fulfilment of the law; and it would also be passing judgment without a requisite knowledge of all the facts of the case. We consider that the Commissioner of Patents is the most competent person to pronounce judgment in such cases. He is sacredly obligated to dispense justice and maintain the law; and as he has all the evidence of both sides before him he is certainly the best judge as to the right and wrong of granting or refusing such extensions. These brief remarks are sufficiently explanatory, and will, no doubt, be satisfactory to all who read them, in regard to our position of silence in cases coming up before the Commissioner of Patents for extension, according to an established law.

We have opposed the extension of patents by Congress upon general principles; and as we entered very freely into the reasons for so doing in the article on page 277, we will now add but a few words pertinent to this question. Most of those patents sought to be extended by Congress have already had the benefit of

a seven years' extension, or their owners have been well remunerated, and have been refused an extension upon a fair hearing before the Commissioner of Patents. Every bill enacted by Congress for the extension of a patent, is a new law, in every sense of the term, because it is a special act provided for a private person, and cannot be advocated on general principles. To extend patents by acts of Congress to favored individuals is contrary to the spirit of our government; it involves class legislation, and creates invidious distinctions. All patentees are entitled to stand upon the same level in the eye of the law—the rights of one are as sacred as those of another. Our course of conduct in regard to these questions is governed by motives which appear to us to be just, fair, and honorable. We have no personal feelings to gratify, and no private interests to subservise, in opposing the extension of patents by Congress on the one hand, or in remaining silent in regard to those that come before the Commissioner, on the other.

The Agricultural Division of the Patent Office.

Some newspapers whose editors were evidently in want of matter for their respective journals have been making a series of assaults on the agricultural division of the Patent Office, and directing their remarks chiefly against Mr. D. J. Browne, the conductor of that department, charging him with having sent persons to Europe at the government expense, complaining that the seeds were not properly distributed and condemning the agricultural reports. In consequence of this, the Chairman of the agricultural committee of the House of Representatives wrote to the Commissioner of Patents for an account of this department, requesting him to give an epitome of Mr. Browne's history and qualifications. Commissioner Holt replies in one of those elegant, elaborate and yet concise reports for which he has already become noted, and gives such information as clearly satisfied the committee that the charges were false and the assaults unworthy and unprovoked. The Washington Union printed this report, and from it we gain the following information.

By means of this department many new and valuable seeds, plants and cuttings have been sent to all parts of the country, where seed stores were inaccessible, and thus the farmer who tills the ground that forms the outskirts of civilization, has an equal chance with, and can produce the same varieties of vegetables and fruits as the farmer who cultivates the soil closer to the busy haunts of man. Again, there are many plants, such as the Brassica tribes, the cabbages and turnips, for example, which deteriorate in this climate, they ripen and grow too fast, the insect attacks the leaves, and thus the plant becomes daily more coarse, and the seed loses power and health, while in Europe they attain perfection, few insects attack them, and as there are more people for a given amount of labor, more attention is paid to their cultivation. This department, then, actually blesses our land by superintending the importation and distribution of fresh seed which will tend to improve our own varieties.

The Commissioner takes the opportunity to make some suggestions for improving the distribution, but states that at present "the utmost care is exercised to secure accuracy, justice, and dispatch in these important duties," and his only complaint is that he has not sufficient to supply the demand.

Of the Agricultural Report he speaks highly and thinks it of great importance, but on this point we have our own opinion which we have not hesitated frequently to express.

The testimonial which Commissioner Holt pays to the scientific attainments of Mr. Browne, shows him to be not only exactly "the right man in the right place," but also a gentleman whose knowledge of agriculture is the result of actual experience on farms or plantations, and he has gained his information as a scientific explorer in nearly all parts of the world, as a railway and canal engineer, as a chemist working in his laboratory, as an au-

thor in his study, as an editor in his *sanctum*, ever having at heart the improvement of agriculture in America. It is therefore a credit to the nation to have such a man in the position which he holds, and the position is a proper reward for his valuable services in the cause of practical science.

Goodyear's India Rubber Extension Case.

Messrs. Editors.—The important Goodyear's vulcanized india rubber extension case has been progressing at the Patent Office this week. The patent of Chas. Goodyear for vulcanized gum elastic, dated June 15, 1844, expires on the 15th of this month, unless the Commissioner grants an extension of seven years before the expiration of that date.

This patent of Goodyear's consists in treating rubber with sulphur and heat. The friends or licensees of Goodyear have put forth the most strenuous efforts to obtain an extension of this patent, and the public has also been actively engaged in opposing the extension.

The Examiner, Dr. Thos. Antisell, who has the case in charge, after an immense amount of labor, has presented a very able and elaborate report in the matter. It shows that Chas. Goodyear has personally received \$114,000 profit from the vulcanizing patent alone, and after pointing out that great discrepancies existed in the account furnished by Mr. Goodyear in his petition, it recommends that perhaps the extension had better be granted, as it seems hard to send such a man of genius into the world penniless at the age of 58, who has done so much for the encouragement of the arts. It is also alleged by Mr. Goodyear, in his petition, that he is poor and in very feeble health.

Messrs. Blatchford and Brady, eminent lawyers from New York, are counsel for Goodyear, and Stoughton, Greenough, Stansbury, and others, counsel for the American and European public.

The case in behalf of the latter was very ably argued by Mr. Stoughton of New York, and in behalf of Goodyear by Mr. Brady, in a very learned and dignified manner.

The case will be decided by the Commissioner before the 15th inst., and doubtless a just decision will be tendered, as he is fully qualified to decide in a matter of this magnitude. It is alleged that millions of money hang on this case.

Mr. Goodyear is certainly a man of genius, as the hundred different applications of his invention now on exhibition in the gallery of the Patent Office abundantly testify; among which may be seen almost every kind of stationary articles, carpetings, tents, awnings, coverings, spreads; house, ship, and camp utensils; packing, sheathing, and caulking; valves, stops, springs, wearing apparel, life preservers, beds, combs; surgical, medical, and philosophical instruments, and a host of other things too numerous to mention.

F.

Washington, June 11, 1858.

[Our correspondent will notice in another place an article bearing upon the extension of patents by the Commissioner. This is, undoubtedly, a very important case, of which fact, no doubt, the Commissioner is fully impressed. It strikes us as somewhat queer that if Goodyear has received \$114,000 for the vulcanizing patent alone, he should now appear before the Patent Office "penniless at the age of fifty-eight." We shall be able to give the decision in the case next week.

Dr. James Dean died on the 9th inst., at his residence in Greenfield, Mass. He was distinguished as a geologist, and was engaged on a work relating to the bird-tracks in the sandstone of the Connecticut valley, at the time of his decease. It was to be published by the Smithsonian Institution.

Propeller steamships appear to be fast superseding paddle wheel vessels, both in regard to speed and economy. Those running on the Atlantic make quicker voyages in proportion to their tonnage than the crack steamers of the Cunard line.