



NEW YORK, MAY 27, 1848.

Newspaper Chronicles.

Newspapers are the heralds of passing events, hence a file of a good newspaper is a complete and voluminous history. The writings of a Barcroft in comparison with the file of a newspaper which had been published regularly since our government was established, would be as a skeleton compared with the full and robust body in the prime of vigor. Few persons are aware of the importance of regularly filing a paper. The older a paper is, the more valuable it becomes.—We have seen fifty and sixty dollars offered for a volume of a newspaper that had been published for five. Since this is true of a common newspaper, it is certainly no less true of one devoted to Science and the Arts. Had there been a paper like the Scientific American, published just since the Patent Office was first established, how much litigation it would have prevented and money saved.—We have a letter now in our possession, sent us a few days since, by a gentleman, Mr. R. of Pennsylvania, who says that one of our late numbers has saved him one hundred and seventy dollars. It gave him information which he had been in search of in vain for a number of years. The Scientific American is a Chronicle of progressive Science. It notices all the important inventions and discoveries of the day and will be a record of science to future generations. Let our readers, therefore, be careful and file their numbers. No foolish and useless matter of imagination is contained in our pages, it is matter that will wear like a gem, more brilliant the often it passes through the hands of the reader. Some of our subscribers have told us that they would not part with our first volume for five times its original price, nor with the second, if it could not be replaced, for twenty times its original price. Lay up carefully your numbers readers—their value you will discover to be greater and greater the longer they are in your possession.

Rights of Inventors.

There are many mistaken views held by the public relative to the rights of Inventors.—One very common mistake is, the using of a patent improvement irrespective of the patent claim of the original invention. No improved machine can be used on the patent of improvement, while the principle of the machine is covered with an existing patent. The original inventor cannot use the improvement nor the improver the original invention.—Without the consent of the original inventor, a very important improvement, although covered with a patent, may be perfectly valueless to the improver. This is right. There is not a machine in existence but what its defects are easily perceived after it is put in operation—the original invention is the diamond, the improvement is only the work of the lapidary. The idea that a simple improvement patented, guarantees the using of a patented machine with impunity, has been fatal to the rights of and true interests of many inventors, because it has led to using the and trouble and heartburnings. We all know what Whitney suffered in defending his right to an invention that has tripled the value of American cotton. More than Whitney have suffered by the same kind of injustice. We know an inventor who at this present moment is suffering from infringements of his rights, while not a few who have not brains enough to conceive a single part of his invention, are enjoying the fruits of it. Our laws are bound to protect the rights of all inventors, and we are glad to see that there is a prevailing spirit to do this. The Patent Law grants to the inventor the full and exclusive right to his invention, also to his heirs and assigns. No person has a right to use his invention without his consent. The right of an invention, however, must be clearly defined and it can-

not cover any more ground than the machine with the full claim can perform, but it will cover all that it can perform and in the certain way, but not in another way or manner. A contested infringement can only be settled by a fair and full trial and examination of witnesses. It is not to be supposed that a machine claimed for weaving cotton cloth, or a machine for turning irregular surfaces in a certain manner, can be used for other purposes merely to evade the patent. The former could not be used to weave wool and the latter could not be used to turn out lasts. The principle of the invention cannot be violated.

An inventor cannot claim any more than is covered in his invention. One patent invention to perform a certain piece of work in a certain manner, cannot prevent another man from performing the same kind of work in another manner. This is a point which when contested can only be settled by competent witnesses. Patents are not granted to encourage speculation, but to encourage science and art, promote the welfare of our country, and advance her interests. We know that inventors have exclusive rights to inventions for fourteen years, but we also know that long after some inventors have slumbered in their graves, others have been granted by special law the inventor's privileges, and have abused the favors bestowed upon them by the representatives of the people, by scourging the people with the very favors granted by them. Patentees and agents should never be tyrannical nor usurious to an honest, industrious man that wishes to pay a fair price for the using of an invention. This we are sorry to say is not the mode pursued by the agents of some patents. Those, however, who are not willing to pay a fair price should not be at liberty to use the invention. Patentees and their executors may use their inventions to monopolise the whole benefit of them for fourteen years, but no longer. In some cases, however, from wanton infringements, the privileges should be extended by law, but in no case can we defend the conduct of a selfish and usurious monopoly that holds the dagger of the law subservient to the interest of the almighty dollar, so as to prevent, especially our middle class of mechanics and manufacturers, from using an invention at a fair price. That there are such monopolies in these United States, free and independent, the letter of Mr. Gaylord (see page 286,) is abundant evidence, and so also is testimony which we have from Messrs. Collins and Mr. Gorslin of Cohoes, in Albany county, in relation to the use of Blanchard's machine. Give, we say, a fair chance to our middling class of mechanics. Let not patentees be tyrannical with them for they are men who are seeking to rise. Those who are wealthy and have already enough and to spare, we say to our inventors, "get as much from them as you can, but do not with them or any man be unjustly usurious." The case of Mr. Gaylord is one that will excite sympathy for him but none for his prosecutor. Mr. G. was unconscious of infringement and had just gone to the expense of \$2000 in fitting up his steam mill, and now all at once, the madate comes, "pay me one fourth of all you earn or your machinery must lay idle and rust." We should like to see a generous spirit exhibited by the owners of valuable patent rights—such a spirit as that of Mr. Wesson, the rifle manufacturer at Hartford, Conn., who for a moderate compensation allows all to manufacture.

Scientific Papers.

The proprietors of the Scientific American have recently made arrangements for the publication of a series of very valuable articles giving accounts of the *Arts, Manufactures and Machinery of the United States*, at the present time. The series will embrace the elementary principles of Practical Mechanics and Engineering; utility of machinery and manufactures; advantages resulting from the use of machinery; principles of Mill work; form and construction of Mills with reference to the power; Steam power and its applications to Machinery, Navigation and Railroads; descriptions of all Mechanical processes and manufactures, chemical works, iron works, glass making, calico printing, works of public and domestic utility, mecha-

nical processes in metals, &c. &c. The first of these articles will be found on another page of the present number and will be continued regularly. They are from the pen of one of the first Engineers and have been secured by us at a heavy expense. We trust subscribers will appreciate our efforts to interest them, by commending the paper to the attention of their friends and advising all to subscribe. The Scientific American has the reputation already of being the most valuable mechanical paper in this country, and it is our constant aim to improve it still more.

For the Scientific American, The Patent Office.

Mr. Editor :—I observed in reply to a communication in your valuable paper signed "Inventor," you state that the Examiners in Patent Office have, during the past two months devoted twelve hours each day to the business of their desks. Designing to injure no one, but merely to subserve the cause of truth, I feel bound to correct the error into which you have fallen.

It is not true that the Examiners, during the last two months, have labored twelve hours each day. I suspect your error originated from the fact that the Commissioner tried the experiment of prolonged hours of labor, but failed even in getting so much work done, as was done in the usual hours.

I understand the facts to be these: Mr. Burke, observing a great increase of new applications and a less number of examinations, during the months of December, January and February, determined to try the experiment of increasing the hours of labor in his office.—All the Clerks, therefore, were required during the month of March to be at the Office at 9 o'clock in the morning, labor until 3 o'clock P. M., then take a recess until 6 o'clock, when they were to return and remain until 9 o'clock in the evening. He was present with them to show that he was ready and willing to share all their labors and privations. He continued this arrangement during the entire month of March, and found at the end that with all the increased hours of labor no more, if so much, work was done as under the old arrangement. And he was even importuned by honorable Senators, (whether or not on the complaints of the Examiners and Clerks is not known,) to discontinue the practice.—Finding that no more business was accomplished he did discontinue it.

These, I understand, are the facts, and their weight should rest where it ought to rest.—The unwillingness of the Examiners and Clerks to second the praiseworthy efforts of the Commissioner to advance the business of the Patent Office, will not, I am confident, be forgotten by Mr. Burke. And when the bill increasing the force and the salaries of the Examiners, shall pass, and the Office shall be fully organized under it, Mr. Burke is not the man who will forget to reward appropriately those who have so nobly seconded his efforts to do the public business.

The hours of labor in the Public Offices in Washington are regulated by law. From October 1st to April 1st, the Clerks are required to labor not less than six hours a day. From April 1st to October 1st, they are required to labor not less than seven. Of course the heads of the Public Offices may require more labor of their Clerks if the public interests require it. And the Examiners and Clerks in the Patent Office have never labored more than the hours absolutely required by law, except during the month of March as above mentioned. You and your readers can, therefore, judge whether they are entitled to the praise of doing so much extra labor as you give them credit for doing, and whether they are the proper persons to receive the greatly increased salaries provided for in the new bill.

As I want no imposition upon the public in this matter, I have made the above exposition of facts, which, I am confident, will be found to be substantially correct.

FIAT JUSTITIA.

The information which we previously received was from a source which we thought entitled to credit. It was not an intentional mistake. The above is prima facie evidence and can be confidently relied on.

The Bill for creating additional Examiners in the Patent Office passed the House of Re-

presentatives on Wednesday the 17th inst.—Mr. J. W. Farrally of Penn., chairman of the committee of conference reported the Bill to the House in its original shape, creating two Examiners at \$2500 salary per annum, and two Assistants at \$1500. The bill has therefore passed in the form advocated in the Scientific American. "The sober second thought of the House of Representatives was right." Inventors will be glad to learn that the bill has at last passed. As the business of the Patent Office increases at the rate of thirty per cent, it would be well to have either regular additions to the staff every year, or else to increase the hours of labor to eight per day.

Every Man a Farm.

On motion of Mr. Wentworth, of Illinois, the following resolution was recently adopted by the U. S. House of Representatives:—Resolved, That the committee on Public Lands inquire into the expediency of providing by law, that any landless citizen of the United States, or any other adult, landless person who will legally testify that he has taken the necessary steps to become a citizen, and intends to be so as soon as possible, may possess, by actual residence and cultivation, so long as he shall continue landless and destitute of the means of purchasing land, a certain quantity of the public lands now remaining unsold and unclaimed under any pre-emption laws of the United States, and thus secure every person a farm who is willing to dwell upon and cultivate it.

Illinois Iron.

An inexhaustible amount of Iron Ore has recently been discovered in Schuyler county within a mile of Illinois River. Samples of this ore were sent to Pittsburgh, and on trial found to yield a rich percentage. A company from Pittsburgh has since visited the ground and in conjunction with citizens of the Schuyler, are making arrangements to erect a number of furnaces with a view of commencing operations at an early day. Schuyler is one of the heaviest timber counties in the State, abounding also in coal mines, and all other necessary facilities for manufacturing.

Wire Fence.

This mode of fence is becoming quite common in the northern part of Illinois. We hear of many pieces of it at various places near Rock River—one of them on the farm of John Shillaber, Esq., in Ogle county, being about two miles in length. The cost generally, as near as we can learn, is about 35 cts. to the rod. It is said to answer a most admirable purpose against all stock but swine. Cattle and horses particularly, after having their noses well sawed by it once, can scarcely be got near it again.

The Board of Education at Syracuse, in this State have refused to employ any man in that city who is in the habit of using tobacco in any form! Think of that ye chewers, smokers and snuffers.

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