NEW YORK, DECEMBER 16, 1848.

Patent Cases.

Woodworth's Planing Machine.

One of the most important and interesting suits for infringment of a patent, was recently tried in the U. S. Circuit Court at Baltimore, before Chief Justice Taney and Judge Heath. The complaint was for an infringement of the patent of William Woodworth, deceased, for a planing machine—a patent known now to almost every child in the land by the amount of litigation arising therefrom. The complainants were George Woodworth and Jas G. Wilson, and the defendants Thos. Earickson, John Wernaug and D. B. Banks; and Isaac Brown; and Henry Herring. There were three distinct parties as defendants and the issue involved was the same in each case, and the result of one disposed of the three.—The defence embraced the whole extentof the patents granted and published previous to the year 1828, when Mr. Woodworth secured his patent. This was the main point of defence, while the complainants, we are informed, rested on the strength of the patent granted in 1828—asbeing an originalinvention, unknown before that time, and that the defendant's employed in their machinery the principles embraced in that patent.

We have been informed that the defence was ably managed, and the complainants also had the most able counsel, viz. John H. Latrobe, Wm. H. Seward, of New York, and John Nelson, Esqrs. for the latter, and Wm. Schley, Esq. for the former. The burden of proof therefore was thrown upon the defendants, while the patents were considered *prima facie* evidence. The testimony consisted generally of a documentary character, with opinions of machinists and scientific men.—The merits of the case lay in this, "*that* if it could be shown that such a description of the machine as that patented in 1828 was in print as would enable any ingenious mind to have constructed it, then Woodworth had no right in the patents. But though the different means and instrumentalities were known in separate operation, and Woodworth combined them and formed an organized machine, adapted to the purpose in view, then Woodworth's first patent was invulnerable. Here we must mention, that a second patent, or rather a reissue, was granted to Woodworth, as explained last week in the Scientific American, and the validity of this amended patent was contested, so that it was referred to the question, whether new principles had been introduced which were not embraced in the specifications of the first patent, or a mere substitution of mechanical equivalents for powers already in use in the machine. If the former, the second patent would be invalidated; while the former would substantiate it.

This case occupied the Court for twenty days, during the whole time of its sitting, and the jury were equally divided in opinion during the whole time they were out, and had to be dismissed, which was done on the 6th inst. leaving the case undecided.

Infringement of a Patent for a Spark Arrester.

The Spark Catcher Case of Wilton vs. the Camden and Amboy and the Reading Railroad Companies, for using a double chimney to receive the sparks, that has been on trial before Judge Kane in Philadelphia, resulted in the Jury's giving a verdict in favor of the defendents in both cases, on the 8th inst. It appeared from the evidence that the double chimney to receive the sparks was originally invented by Robert L. Stevens Esq. of this city, and used on the Camden and Amboy Railroad as early as April 1833,—more than two yearsbefore the date of the Patent under which suit was brought. The charge of the learned Judge is spoken of by scientific men who were present, as having been replete with sound scientific principles expressed in the clearest and mostbeautiful language.

Astronomical Telegraph Clock.

The Cincinnati Gazette says that the distinguished astronomer, Sears C. Walker, has been for some time operating in that city for the purpose of determining longitude by telegraphic observation. At his request Prof. Locke undertook to connect his clock with the telegraphic line that its beats should be heard and registered at Pittsburg, and even at Philadelphia. On Wednesday week the machinery was made by Joseph M. Locke, and on the following Friday evening the clock sent its beats along the whole line to Pittsburg. At this last place the register was put in motion, and the fillet of paper came out marked with lines of equal length each, representing a second of time, and each being made in exact correspondence with the swings of the pendulum, and precisely at the same moment. By a slight imperfection in the adjustment of the breaches between, the lines were probably unequal; this, which was already known to Prof. L., was perceived on the register at Pittsburg, and announced from that city. Prof. Locke (the problem being clearly and particularly stated by Prof. Walker) has finally devised a plan by which a clock at Cincinnati shall not only be heard at Philadelphia, but shall register on the running fillet of paper the hours, minutes and seconds, and also the exact fraction of a second at which a star or other celestial body passes the meridian at either place. Say first, the observer at Philadelphia by a quick touch registers the transit of a star observed at that place, and afterwards the observer at Cincinnati registers the transit of the same star over the meridian at this place, both of these points of time and the intervening interval will be registered on the same fillet by means of the same clock. That interval will be the difference of time, and of course the longitude of Cincinnati west of Philadelphia, say 37 minutes and 20 seconds. Nor is it material where the regulating clock and the register are placed so they are both in the circuit. Mr. Bond, the astronomical observer at Cambridge, Mass. had proposed a plan by which a clock should communicate its beats to the telegraph. But Prof. L.'s plan differs from his, and from that of others proposing to solve the same mechanical problem, in having no electrical current through any part of the clock itself, and in having the pendulum left entirely free and unconnected with any unusual machinery."

This is a clock not exactly new. The electric telegraph clock is now eight years old, but as it regards its application to determine longitude, we are not aware of its having been so employed before, and its application for astronomical purposes is certainly new and ingenious. It is inexplicable to us, however, how the pendulum is entirely free from any *unusual* machinery, and yet the circuit broken and closed by the clock every second to mark the fillet of paper.

Patent Telegraph.

Our readers will perceive among our weekly list of Patents, one granted to Mr. Bain for his Electro Chemical Telegraph. It is an American patent for one granted in England in 1843. Mr. Bain applied for a patent on his improved telegraph, patented in 1846, which was contested by Professor Morse and decided against the former by the Commissioner. It was our opinion all along that Mr. Bain should have received a patent for his improved apparatus, as he undoubtedly had the best right to it, and paying $500 for it he wished to secure the one that extended to 1860. Instead however of being able to do this, he had to deposit a second $500 and accept a patent (to protect his rights) which will expire in 1857. We believe that the date of the patent in a foreign country should always coincide with its date in this country. We consider it a just rule in our Patent Office, and one that was adopted (we believe) only about six months ago, to examine no application of an English patent until it is enrolled—but the enrolment of an English patent is certainly *prima facie* evidence of priority of invention from the date of the patent—no one will dispute this

To those of our readers who do not know what the meaning of the *sealing* and *enrolling* of an English patent is, we offer an explanation of the same. A patent is granted in England upon petition with only the title, not the description of the invention given, but it is only granted with this provision, "*that the applicant does within* a certain number of months file a full description of the said invention," called the *enrolment*. We do not approve of this method of doing business. The application and specification should be filed before a patent is granted. Our Patent Law requires this. But the different manner of doing business in the English Patent Office and ours, simply lies in this: our Patent Office grants a patent about six or nine months after the application and sperification are filed—the English Patent Office grants one about six months before the specification is filed. Which is the best practice? We do not say that it is part of our patent law to keep an inventor in suspense for nearly a year before he knows whether his petition will be granted or not, but in practice, it has been so for the last three years, to the great injury of inventors' interests. Since the Examining corps was increased by the late act of Congress, the Patent Office has made up much of its *leeway*, but no application for a patent should lie longer than three months in the Patent Office, before a decision is made to reject or grant it.

Wonderful Announcement.

WORCESTER MASS, Nov. 29 1848

GENTLEMEN.—During the winter of '45, while prosecuting some experiments having for their object the rapid decomposition of Water, I made some discoveries that led me to believe that it was possible to separate its component parts by mechanical action. By the term, Mechanical Action, I mean that a machine could be constructed which when put in motion by the agency of springs, weights or other power, would produce a rapid and powerful current of electricity at all times, and in such volume or quantity as to convert water into its component gases, so effectually and speedily, that it could be used as a source of light for both public and private purposes.

Since the period above named I have continued the experiments at intervals, and I am now enabled to announce a successful result. I have produced a light equal in intensity to that of four thousand gas burners of the largest "bat's wing" pattern, with an apparatus occupying four square feet of room, at a cost of One Mill per hour, the current of electricity being evolved by the action of machinery wound up with a common lock key, and the only materials consumed are Water and Lime.

I am now engaged in making an apparatus for public exhibition, which will be completed this winter, and all its parts submitted to public inspection, except the interior of the generator. This apparatus I shall exhibit one year, at the termination of which I will make public the mechanism of the Generator.

The object of this Circular is to announce the discovery to the different scientific bodies of America and Europe. I keep the secret of the mechanism for the period hereinbefore mentioned, to give any other individual an opportunity to establish a prior claim. If any other person or persons have succeeded in perfecting such an apparatus, or have in their minds mechanical arrangements that will produce the results my apparatus exhibits, there is an opportunity for them to prove the fact before I explain my method.

The history of the Magnetic Telegraph, Ether Discovery, Gun Cotton, and many other discoveries of the present day, has satisfied your writer that Friends and Patent offices are not infallible.

I know that my discovery is so important, that when it is made public, I cannot control it. A thousand different ways will be devised by the public to reap its benefits without respect to my patents, but I am determined that the honor of the discovery shall not be stolen from me, nor its force and value destroyed, by the assertions of any one that I owe my success to the genius of others.

Yours HENRY M. PAINE.

The above circular which Mr. Paine has sent to us is virtually a challenge to the whole world, something in the "Spirit of the Times" style. We must await in calm suspense the developement of this wonderful discovery. A part of the above statement which puzzles us to understand, is the *mechanical action*, which by *springs* and *weights* generates a current of electricity that decomposes water and yet lime is also used. There is something of a chemical, as well as mechanical combination here. A voltaic battery will decompose water rapidly, and the gases can be consumed on a piece of spongy platinum; but what of this, it is not so cheap as gas. It will indeed be something new to the Scientific World, when *mechanical* electricity will be exhibited decomposing water and sustaining for ten hours 4000 lights of the large bat's wing size, for one cent.

If there is no gammon about this announcement "there is no corn in Salem," nevertheless we shall see what we shall see.

Mr. Paine has made himself quite conspicuous by his genius, and announced discoveries. We feel bound to honor and respect true merit, but the only basis for such feelings towards any inventor, is the results which he has produced. What has become of his *Excelsior* steamboat, what are its practical merits, what has it accomplished in comparison with others? Will some of our Worcester friends, of which there are not a few, inform us?

Astronomical Intelligence.

Among the appropriations made by Congress during the last session, was one for a series of observations for determining the parallax of the Sun and Planets; or, in other words, their distances from the earth by a new process. One set of observations is to be made by Lieut. J. M. Gillis, of the United States navy, in Chili; while corresponding observations are to be made at the Northern Astronomical Observatories of this country and Europe. The difference of latitude between the observations made north and south of the equator will furnish a base line from which, with the required angles, may be calculated the distance of the sun and planets. The necessary instruments for prosecuting the labor assigned to Lieut. Gillis, (who is now in Washington city) are in course of preparation. They will probably cost not much less than five thousand dollars, and as soon as completed the Lieut. will start upon his scientific pilgrimage.

Extensive Coast Survey.

An expedition is now in course of preparation in this city under the direction of the Navy Department, to proceed to the coast of California and Oregon. The vessels, two in number, will be under command of Lieut. Mc Arthur, of the navy, and it is expected they will be ready to proceed in the early part of the coming spring. The cutter Ewing, recently in the revenue service, and a brig purchased for the purpose at Baltimore, will compose the expedition.

Six sets of Meteorological Instruments have been sent from the Smithsonian Institute to the coast of Oregon and California for the purpose of establishing a series of meteorological observations on the western side of the mountains. It is believed that interesting meteorological facts relative to atmospheric disturbance over the continent of North America will be obtained. At the last session of Congress, the sum of $2000 was appropriated for meteorological observations under the direction of the Secretary of the Navy, and as the Smithsonian Institute has also embarked in it, the Navy Department has directed Professor Espy, who acts for it, to conduct his labors in connection with those of the Institute.