

questions of the infringement and validity of patents, attend to appeals and suits for infringement in United States courts, and all other business in connection with patents and patent law.

A NEWSPAPER BEFOGGED—IGNORANCE CONCERNING PATENTS—McCORMICK'S REAPER EXTENSION.

We are often amused at the ignorance evinced by newspaper writers when they discuss subjects pertaining to patents and the administration of the Patent Office.

The *Daily Times*, of this city, has recently taken up for discussion the subject of the extension of McCormick's reaper; and from the space the editors occupy daily in their raid against the extension, the reader would suppose them to be the legal counsel employed by the opponents to defeat it.

The reader of the *Times* would apprehend, from the articles which one day appears in its columns, that the head of almost every department at Washington, from the Executive down, was contriving to get some gigantic scheme through Congress by a special act. Another morning, in taking up the *Times*, the reader finds, under the telegraphic news, a dispatch from Washington taking the Acting Commissioner of Patents to task for refusing to grant an extension of time set for the hearing of the case to allow opponents to the extension to take further testimony, file arguments, &c., adding:—"This proceeding is unusual and significant, and must have greatly astonished the other attachés of the *Census Bureau*." The reporter might, with equal propriety, have said that consternation prevailed among the clerks at the Boston Custom House, who have just as much to do with the Patent Office, and the petition of McCormick for an extension, as the clerks in the *Census Bureau*.

We do not write this article for the purpose of advocating Mr. McCormick's extension, but to state the facts in the case, so that such of our readers whose ideas may have become muddled by the indiscriminate use of language in the *Times'* articles may understand the nature of Mr. McCormick's application, and to what tribunal it is made.

There are two modes by which a patentee may seek an extension of his patent. The first and legitimate course is to apply to the Commissioner of Patents, any time before the expiration of the original grant, under the provision of the statute of 1836, relating to patents; Mr. McCormick's application comes under this class. The second class, and which we have always considered in a certain sense as illegitimate, is to apply to Congress for a special grant.

In applying to the Patent Office for an extension, the law requires the applicant to furnish the Commissioner of Patents with "a statement in writing, under oath, of the ascertained value of his invention and his receipts and expenditures in detail, to exhibit a true and faithful account of loss and profit accruing to him from and by the invention." The law also provides that due public notice of the application shall be published in two or more papers, for the purpose of notifying all those opposed to the extension to furnish testimony against it, and for inviting them to a fair hearing against it on a specified day. Nothing can be fairer than the provisions of this law to all parties; it provides for an impartial trial of the claims of the applicant, and the public and every patentee stands upon equal terms before it.

We have always opposed the extension of patents by special acts of Congress, because such legislation is one-sided; but the extension of patents by the Commissioner, as sought for by Mr. McCormick, comes under a general law, which, if justly dispensed, is equal and just to the whole public. The Commissioner of Patents is bound to hear all such cases and to judge impartially upon the testimony presented before him, whether the extension shall be refused or granted. No other person can judge intelligently in any of such cases, and he is the only person, therefore, recognized in the statute to decide such cases. We have always considered it an act of presumption and a censurable interference with a most excellent law for any public journal to attempt to prejudice the public or the tribunal before whom the application for an extension is made, by prejudging a case the merits of which it knows nothing, while the Commissioner, sitting as a judge, has the evidence of all parties interested, and is bound by his oath of office to adminis-

ter justice according to the law and evidence produced before him.

The patentees of all great inventions like the sewing machine, electric telegraph, Hoe's printing press, or reaping machine, should be liberally rewarded for the good the world has derived from their discoveries; and we think it the duty of the Patent Office to continue the policy which has governed the Commissioners in their decisions for a few years past.

It is not the amount which a patentee has received in money that should first be taken into consideration as the basis on which the Commissioner is to decide a case coming before him, but it should be first, what is the nature and novelty of the invention? second, to what extent has the public been benefited by the discovery or invention? and, thirdly, has the patentee's remuneration been commensurate to the benefit the public has derived from the invention.

Our position in the case of McCormick is the same as in all other cases of extension under the general law. We think he is as much entitled to a fair hearing, according to the law and facts of the case, as the editor of the *Times* would be if some one should prosecute him for libel; and we should equally reprobate every attempt made through the press to defeat the operations of justice in the one case as in the other, before the evidence was before the court. If McCormick is unable to sustain his case according to law and evidence, he ought to be defeated; and we have no reason to doubt that the Acting Commissioner will do his duty. His character as an impartial officer is undisputed, and all attempts to degrade him by inflammatory appeals ought and will fail. The *Times* is daily advocating the supremacy of the laws; then why does it depart from a plain, straightforward course in this instance? Simply, we believe, because it has confounded a case to be determined by law and evidence with a scheme to lobby something through by political skill.

PRODUCTIVE CONSUMPTION OF WEALTH.

Among our articles of export is oak, or quercitron bark. It is found regularly in the list of articles of which the price current is published, and, like other commodities, it forms a portion of the wealth of the country. A tanner buys \$100 worth of this and throws it into his vats, and, after it has lain there awhile, he takes it out in the utterly worthless form of spent tanbark. The \$100 of value it contained has departed from it; this amount has been consumed. But at the same time, and in the same process, more than \$100 of value has been imparted to certain hides which the bark has been used to tan; the consumption of the value in the bark has been attended by a corresponding production of value in the hides. It was reproductive consumption. This is the character of nearly all the consumption of value which takes place in industrial operations.

A farmer buys 100 bushels of seed wheat and has it scattered abroad upon the ground, where it germinates, and the value that was in it disappears. He also feeds wheat, pork, &c., to his laborers, and pays them wages which they expend for clothing, shoes, &c., all the accumulated wealth or capital of the country. But while this capital is being consumed, the farmer is producing 1,000 bushels of new wheat.

A shipping merchant supplies his vessel with stores, and sends her from New York to Matanzas, in Cuba, with a cargo of flour, to bring back a cargo of sugar. During the voyage the stores are eaten up, and the vessel itself, with its sails and rigging, is slowly rotting away. All this, with the wages of the crew, is consumption of value, or of wealth. But the flour is worth more in Matanzas than it is in New York, and the sugar is worth more in New York than it is in Matanzas, and the change in the location of both of these articles gives them additional value. The consumption of wealth by the expenses of the voyage is attended by a corresponding reproduction.

The publishers of a newspaper buy ink which is used up, and type which are worn out; they pay wages to compositors, and reporters, and editors, and artists, and engravers; but all this expense is accompanied by the production of that most valuable of all things in an intelligent community, a newspaper. The consumption of wealth in the expense of making the paper is reproductive consumption.

The French mechanical papers are full of inventions for detecting the leakage of gas from the joints of gas pipes, fixtures, &c.

Rarey the Horse-Tamer—Exciting Exhibition.

Rarey the horse-tamer has closed his exhibitions in this city, and, in his last appearance but one, he had a severe and trying contest with a large, powerful iron gray horse, with flowing mane, sweeping tail, and proudly stepping foot—a subject exciting to a tamer's ambition, and worthy the exercise of his utmost skill and power. The owner stated that he was not particularly bad—that is, he had never killed anybody—but he was absolutely unmanageable, no one could do anything with him, and he was considered one of the worst broken animals in the country. He was very high, very broad and very long. His eye was quick and full of intelligence; his ears, indicating bad blood, were long and unwieldy; his legs were well shaped and his manner was superb. If, in the fabled horse country, there is a modern Athens, this horse surely should be one of the solid ones of Boston—outside.

The contest did not at once begin. Mr. Rarey, who "knows horse" considerably, saw that he had one to deal with who would stand to his guns for some time, and for whom it was necessary in every way to be prepared. At first Rarey patted him, smoothed him, cuddled him and stroked him. Then he slid his hand down to his hoof, and attempted to buckle the strap around the joint. For some time he was unsuccessful, but finally succeeded. The next attempt was to fasten the fore leg up; this Mr. Rarey usually accomplishes in half a minute, but on this occasion he was delayed at least an hour and a quarter. It was evident that the horse knew what he was about, and what his opponent was trying to do. Several times Rarey succeeded in getting the strap around the leg, and the end of it through the buckle, but before it could be fastened the foot would go with terrific force to the ground, destroying in a second the work of many minutes. At one time it was done, the buckle was fastened, and all seemed secure, when, with an immense effort, the horse by his muscular power snapped the strap as if it had been straw, and stood quietly free again! Gradually he became excited, then angry, and finally frantic, while Rarey, whose pluck and strength are apparently superhuman, worked patiently to the end. It seemed to the spectator as if Rarey must be in great danger, as whenever the horse made the effort to free his leg, he would start violently forward. On one occasion, while Rarey was bending over the knee, the horse rushed forward, throwing him far out toward the center of the ring, and then prancing proudly about the inclosure. Again, when his head was fastened by a leather halter to the fence, he snorted loudly, pulled quickly, and, breaking the strap, jerked the bridle from his head, sprang over the crouching form of his opponent, and ran round the ring as if attempting to jump over. At this time, which was nearly three-quarters of an hour after the struggle began, the contestants were a sight to behold. Rarey's hair was mussy, his face red, and his clothes completely covered with saw dust; while the horse was as wet with perspiration as though he had been thrown into a river. After further struggles of similar nature, and with similar results, Rarey succeeded in running the strap through the surcingle, and in that way fastened the leg. Subsequently, by drawing a second strap, he managed to secure the leg more firmly, but not until repeated efforts had proved unavailing. At last he securely adjusted the strap, and then the second one, and then, of course, the game was up. The horse was soon down, handled, subdued, quieted and caressed. His spirit was not tamed, his fire and strength remained, but he acquiesced cheerfully in whatever was required of him, and played circus with Rarey to the astonishment and delight of all.

PUBLIC DEBT OF THE UNITED STATES.—Statement showing the amount of the public debt of the United States on the 1st of January, 1861:—

Loan of 1842, per Act of April 15, 1842	\$2,853,364 11
Loan of 1846, per Act of July 22, 1846	1,000 00
Loan of 1847, per Act of January 28, 1847	9,415,250 00
Loan of 1848, per Act of March 15, 1848	8,908,341 80
Loan of 1858, per Act of June 14, 1858	20,000,000 00
Loan of 1860, per Act of June 22, 1860	*6,542,000 00
Texas indemnity, per Act of Sept. 9, 1850	3,461,000 00
Texas debt, per Act of Sept. 9, 1850	183,785 54
Old funded and unfunded debt	114,118 54
Treasury notes issued under Acts prior to 1857	10,561 64
Treasury notes issued under Act of Dec. 23, 1857	11,795,500 00
Total	\$63,709,321 63

F. BIGGER, Register.

TREASURY DEPARTMENT,
Register's Office, Jan. 5, 1861.

* This amount will be increased \$150,000 in a few days, making the total issue \$7,022,000.