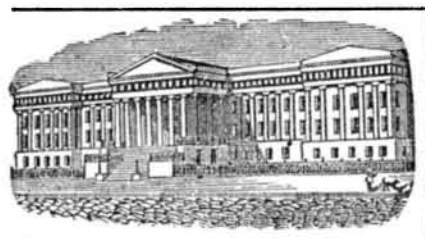

Reported Officially for the Scientific American

LIST OF PATENT CLAIMS

Issued from the United States Patent Office

FOR THE WEEK ENDING JANUARY, 20th, 1852.

SPLITTING RATTAN—By Joseph Sawyer, of Royalton, Mass.: I claim the employment, in combination with the cutters, for splitting off the strands, of feed rollers or their equivalents, having grooves of the form of an angle or certain of the sides of a polygon, of which the edge or edges of the knife or knives form another side, or other sides, substantially as described.

MASHING MAZE—By Frederick Seitz, of Easton, Pa.: I claim the specified preparation and boiling of the corn for brewing and distilling—boiling it to a jelly before the malt or rye is mashed into it, giving a much larger than the usual yield from cheaper material, by enabling me to use one-half to two-thirds corn for beer, ale, and porter, and to make 19 quarts of whiskey from 60 pounds of corn, (including the usual quantity of malt only, and no rye,) and 21 quarts with rye.

PLANING MACHINES—By G. W. Tolhuet, of Cleveland, Ohio: I am aware that the stocks and cutters of planing machines have been made to yield upon an axle, the centre of which is in line with the cutting edge of the knife. This I do not claim; but I claim hanging the stock at a line above the edge of the cutter, to a spring or weighted lever, in the manner described, in combination with the resting of the front part of the stock upon a fixed surface, so that when the back part of the stock is made to rise, the whole stock is thrown forward and upward, thus keeping the edge of the cutter at the same level, notwithstanding the change in its angle with the bed.

GRAIN HARVESTERS—By Thomas Van Fossen, of Lancaster, Ohio: I claim constructing the reel with hinged or jointed slats, having teeth projecting from them, whereby the grain is more effectually collected, raised, and drawn into the action of the cutters, as described.

I also claim the combination of the teeth with the sliding platform, which teeth rise and fall at the desired time, alternately arresting and releasing the cut grain, whereby the reciprocating motion of the platform will keep the cut grain straight and constantly moving on the platform towards the trough, substantially as described.

CANAL LOCKS—By W. W. Virdin, of Havre de Grace, Md.: I claim causing the weight of the descending boat to act as a supplying power to the higher levels, by the use of plunges or floats (any number) fitting in suitable chambers provided with appropriate passages, and communicating with the higher or lower levels for operation, in the manner essentially as described.

MATTRESSES—By John Waters, of Southwark, Pa.: I claim the method described, of securing the springs of spring mattresses to the frame and to each other, so as to leave the tops of the springs free to play or yield to any pressure—viz: by connecting them together by a rivetted leather hinge, and allowing the longitudinal and cross pieces of the frame to pass through a slot in said leather hinges, the whole being combined and arranged in the manner set forth.

MILL FOR GRINDING QUARTZ—By Horatio Blasdell, of New York, N. Y.: I claim the combination of the chilled hollow cylinder and nut, and the grooved chilled rings, and horizontal circular channeled chilled ring plates, with the grooved concave and runner, for breaking, pulverising and powdering gold quartz rock; the said chilled rings and plates being arranged and operating in the manner set forth.

CHURNS—By Edwin B. Clement, of Barnet, Vt.: I claim the application to dashers for churns, of floats that shall close together at their appointed place, when pressed downwards through the cream or milk, forcing the cream or milk through narrow spaces, and opening again when raised from the bottom; claiming the right of composing the dasher of any materials, and in any combination of the above described parts, so as substantially to produce the same effects.

DRILLING STONE—By Henry Goulding, of Boston, Mass.: I claim, first, driving the drills forward and back by adjustable wheels, between the edges of which the drill shaft is placed substantially as described.

Second, I claim turning the drill by placing said wheels at an angle to each other, substantially as described.

Third, I claim feeding the drill forward as the hole is deepened, by making the bearing surface of the wheels which drive the drill in, of greater length than that of the other wheels.

WASHING MACHINES—By John McLaughlin, of Goshner, Ohio: I claim, first, the method of hanging and operating the plunger by means of the shackles and the heavy counterpoise handle as described.

HAND PRINTING PRESSES—By Henry Moeser, of Pittsburgh, Pa.: I claim the tympan plate of a printing hand press, removable by hinges, and counterbalanced, together with the manner of holding the tympan plate in its position, (when lowered down) for the purpose of resisting effectually the pressure exercised from below, substantially as described.

SPINNING MACHINERY—By Oliver Pearl and Henry P. Chandler, of Lawrence, Mass.: We claim the arrangement of the whirl at the base of the flyer, in combination with making the said whirl, and the bearing on which the whirl is placed and rotates, with a passage through them, large enough to allow the bobbin to play within the same, and up and down between the flyer legs, substantially as specified.

SELF-SHARPENING GRINDSTONE—By Jesse Panabecker, of Elizabeth Township, Pa.: I claim the combination of a grindstone with self-acting picker, by which the grindstone is sharpened by its motion or power as described, or in any other manner substantially the same.

NAIL MACHINES—By Samuel G. Reynolds, of Worcester, Mass.: I wish it to be distinctly understood that my invention is susceptible of modifications; as, for instance, instead of making an active pressure on all four faces of the blank to give the required form, the same thing may be accomplished, although not so well, by making active pressure on two faces, and simply presenting resistance to the other two faces.

I claim in the making of wrought nails the employment of the cutter for cutting wedge-formed pieces from a previously rolled plate of equal, or nearly equal thickness, substantially as described, preparatory to, and in combination with, the moulding dies which receive the cut pieces, by suitable conveying apparatus from the cutters, and mould them to the required form by pressure, substantially as specified, so as to give the form by spreading the metal between the dies, instead of elongation, as heretofore practised when making nails from cut blanks.

I also claim the vibrating cutters and the faces or dies, for confining and compressing the nails arranged on both sides of the said cutter, substantially as described, when this is combined with the two stationary cutters, having a space between the two, through which the rod or plate of iron is fed, substantially as described.

BRICK KILNS—By William Linton, of Baltimore, Md.: I claim forming air arches or openings in the kiln, between the fire beds, with lateral openings therein, through which a sufficient amount of air can be supplied equally to all parts of the fire bed at the same time, substantially as described.

CAST AND WROUGHT IRON BLINDS—By Robert White, of Washington, D. C.: I do not claim the combining cast and wrought iron, nor do I claim to be the first to have cast metal round cold metal, and joining the same by that means; but producing a new product or article of manufacture for shutters, doors, &c., whereby I am enabled to use wrought iron slats, and prevent the contraction of the metal, in cooling, from warping the same, by casting the top, centre, and bottom plates separately and distinct from the side plates, and running the side plates to the slats and plates, substantially as set forth.

Great International Patent Cases.

On the first of last December, application was made at the Vice Chancellor's Court, London, Sir G. Turner, presiding, by a Mr. Caldwell, for an injunction to restrain a Dutch Company, named the "Amsterdam Screw Company," from using an improvement on a propeller on the Dutch screw steamship named "Fyenoord." The improvement was the invention of a Mr. Lowe, and was an English patent. The Dutch ship had the improvement; it was constructed in Holland; the owners knew nothing about Lowe's patent, and when it came into English waters, the application was made to restrain the company from using it, or to pay for the privilege. Sir G. Turner, the Vice Chancellor took twenty days to consider the case, and on the 20th of December, gave the following judgment:—

"The circumstances brought before the Court, as a defence to the application, were stated in the affidavit of one of the defendants in the first cause. The affidavit stated that the ship referred to in that cause, the "Fyenoord," was the property of a company in Holland, called the "Amsterdam Steam Screw-Schooner Company;" that the company was composed of numerous partners, all of whom were subjects of the king of Holland, and none of whom were English subjects; that the company was entitled by the law of Holland to trade with steamships, built and fitted up with the propelling power which was the subject of the application; that the screw-propellers in their ships were manufactured and fitted by the defendants at Amsterdam; that the defendants were, and always had been, unacquainted with the invention of James Lowe, and that the deponent believed that all the said ships were built and fitted in ignorance of the existence of any such patent; that no patent had been granted to secure the alleged invention in Holland, and that according to the laws of Holland, it was open to any English subject to apply for and obtain a patent in the kingdom of Holland; that before the vessel in question had been built and fitted in the same manner, and had traded between Amsterdam and London, and made many voyages; that the defendants had not, until Septemper last, heard of any objection to their so trading on the ground of the alleged infringement of the patent; that various other vessels had been built and fitted in Holland with propellers on the same principle, and with the same propelling power; and that it would be a great loss to the company, and to both England and Holland, if the trade, which was profitable to both countries, should be restrained by the Court. This affidavit set forth, in clear and distinct language, the grounds on which the case of the defendants was founded. He was of opinion that he could not withhold the injunction on the ground stated. Upon the general principle, foreigners were subject to the laws of the country in which they happened to be. If there were any cases in which they were subject to their own laws in another country, it was not by force of those laws, but of the laws of the country in which they were, adopting their laws into their own. This was the doctrine laid down by Mr. Justice Story, in his "Conflict of Laws." The principle in this country did not depend upon the general law. It was the subject of special provision by statute. The statute 32nd Henry VIII. chap. 16, sec. 9, provided "that every alien and stranger born out of the King's obeisance, not being denizen, which now or hereafter shall come in or to this realm or elsewhere within the King's dominions, shall, after the 1st day of September next coming, be bounden by and unto the laws and statutes of this realm, and to all and singular the contents of the same." Natural justice, in fact, required that the defendants, when in this country, should be subject to its laws. The question then was, what were the rights of patentees? The crown had, in this kingdom, always exercised the right of interfering with the trade of the country, and had at a former period exercised that power very prejudicially. The abuse of this power had been restrained by the statute of James. In the case of the monopolies reported by Sir Edward Coke, it was held that the Crown had power to grant an exclusive right of trading for a reasonable period, and this was limited by the statute for the term of fourteen years. The statute did not, however, create, but control the power of the Crown to grant patents; but the patentees derived their rights, not from the statute, but from the grant of the Crown. What, then, were the words of the patent? "The Crown thereby gave the patentee, his executors, administrators, and assigns, special license, full power, sole privilege, and authority, that he, the said patentee, his executors, administrators, and assigns, and every one of them, by himself and themselves, or by his and their deputy or deputies, servants, agents, or such others as he the said patentee, his executors, administrators, or assigns, should at any time agree with, and no others, from time to time, and at all times thereafter during the term of years therein expressed, should and lawfully might make, use, exercise, and vend his said invention within that part of the United Kingdom of Great Britain and Ireland called England, the dominion of Wales, and town of Berwick-upon-Tweed, in such manner as to him, the said patentee, his executors, administrators, and assigns, or any of them, should in his or their discretion seem meet." Now, foreigners, as well as British subjects, were liable to actions for injuries to the civil rights of British subjects; and there was no reason why they should not be equally liable to action for the infringement of the right thus granted. If that were so, there was equally no reason why the jurisdiction of this Court, should not be appealed to against them. The right would, in former times, have been enforced, in aid of the King's grant, by proceedings in the Star Chamber. In the course of the argument he had inquired whether, if a locomotive engine on a railway, the subject of a patent in England, but for which no patent had been obtained in Scotland, were made in the latter country, it could be allowed to run into England without any objection on the ground of the infringement of the English patent; or, if the invention had been the subject of a patent in England, but not in Ireland, the vessel would be permitted to trade between Dublin and Liverpool without any such objection. The answer given to this was, that the prior use of a patent in Scotland would be fatal to a patent obtained in England, but that such would not be the case if the prior use were in a foreign country. This was not, however, an answer to the observation. In one case the result would depend on the previous knowledge of the invention—in the other case, on the effect of the patent. The remarks of Lord Eldon, in the case of the Bibles—"Richardson vs. the University of Oxford"—had been referred to on the cases of necessity which arise for allowing a user of the subject of a patent, and it was said that this was such a user as the Court would not restrain. There might, no doubt, be such cases of necessity, and perhaps the case suggested of a foreign ship stranded on the English coast might be such a case. It must be remembered that foreigners were at liberty to apply for and obtain patents in this country with the same privileges as British subjects. If foreign inventors did not take this step, they, to that extent at least, withheld the use of their invention from the subjects of this country; and, if they were restrained from using their own inventions in this country, such inventions being the subjects of patents granted to other persons, they had nothing taken from them by that restraint, for, if the patent were valid, the right of using their inventions in this country was one which they had never enjoyed. It had been argued that any interposition of this Court might be met by similar restraints on our ships abroad; but this question resolved itself into one of national policy. It was a proper subject for the consideration of the Legislature; but it was the duty of this Court to administer the law, and not to make it. He was of opinion that the facts stated did not afford a sufficient ground for refusing the injunction."

The injunction was granted restraining the said company, from using the propeller in Great Britain and Ireland, until licensed by Lowe, the patentee. We have published all the charge, because it is perhaps the most important case of international patent law that has ever been presented. It will afford some study for our patent lawyers, and to many of them, it will be new light. It demands the attention of all our citizens, not merely patentees. The first Mr. Collins, or some other of our steamship owners, knows, will perhaps be an injunction laid upon some of his steamships, for some little bit of an improvement for which some has secured a patent in England some years ago, and about which he knows nothing. It may also be the case with some English ship coming here. It is hard to tell what will come out of this decision.

This question is about becoming national between the United States and England; a review of this decision, with other important matter relating to it, will be presented next week.

Commercial Statistics of England.

A recent work by Mr. Braithwaite Poole, shows that the railways of Britain have cost £240,000,000, the canals £260,000,000, and the docks £30,000,000. The mercantile marine consists of 35,000 vessels, 4,200,000 tons, with 240,000 men; and one vessel is lost on an average every tide! The navy consists of 585 vessels, 570,000 tons, and 48,000 men. Yachts 520, and 23,000 tons. The ancient Britons knew only six primitive ores from which metals were produced; whereas the present scientific generations use 50. The aggregate yield of minerals in the country is equivalent in value to about £25,000,000 annually. The agricultural produce of milk, meat, eggs, butter, and cheese, is 3,000,000 tons, and £50,000,000. The ale, wine and spirits, consumed annually exceed 3,300,000 tons and £54,000,000; whilst sugar tea, and coffee scarcely reach 450,000 tons, and £27,000,000. The fisheries net £7,000,000 annually. In manufactures the cotton, woollen, and silk, altogether, amount to 420,000 tons, and £95,000,000. whilst hardware exhibit 350,000 tons, and £20,000,000; in addition to which 1,250 tons of pins and needles are made yearly, worth £1,000,000. Earthenware, 160,000 tons, £,3-500,000; glass, 58,000 tons, £1,680,000.

The Opium Trade.

A correspondent of the National Intelligencer, writing from China, says there are scarcely any foreign manufactures and products consumed in China. The Opium trade, and some importations of raw cotton are the only counterbalancing sources of reimbursement for all the money left there for teas, silks, &c.—There are American and other merchants who speculate in Opium; but as they have to buy it from India their profits are contingent on the luck of the venture. If this Opium trade could be suspended, the money which is now paid for Opium might find a more legitimate distribution in exchange for cheap cottons, and perhaps breadstuffs; and when it is considered that $30,000,000 are paid by the Chinese annually for Opium, the world at large, and the United States in particular, do lose something by the trade.

The Great Forrest Case.

This celebrated divorce case, so well known throughout our country, was terminated in this city last Monday. The verdict of the Jury was in favor of Mrs. Forrest. She gets $3000 alimony per annum.