

Attaching Patent Property.

MESSRS. EDITORS:—In consequence of my absence from town, your letter of the 20th inst., did not reach me till to-day. In reply to your question as to whether Letters Patent can be reached by process of law for the benefit of creditors, I answer, that the privilege or interest secured to the patentee by Letters Patent, for a new invention, is a species of incorporeal personal property, and is recognized and treated as such both by the laws of this and other countries. Such interest can, therefore, be reached by attachment and subjected to sale under the direction of a court for the benefit of creditors, in the same manner, and on the same principle as other attached personal property.

In this State there are three proceedings by which the property of a debtor may be taken in suits by creditors, and applied to the payment of his debts.

First, Attachments.—These are issued only on certain conditions, such as the debtor being a non-resident, or his secretly departing from the State, or keeping himself concealed therein, to avoid the service of process or to defraud his creditors, and they are usually issued at the commencement of suits. By an attachment, the sheriff is required to take into his custody all property of the debtor, not exempt from execution, and retain it, subject to the order of the court to secure the payment of any judgment the plaintiff shall obtain, and to be ultimately applied, by trustees, to such payment.

This proceeding reaches all property of the debtor, whether tangible or intangible, including rights to things as well as things in possession. It will, therefore, seize any interest of the debtor in a patented invention, and subjecting it to a sale, will apply the proceeds to the payment of his debts.

Second, Executions.—An execution is a process issued after judgment has been obtained, and for the purpose of levying upon and seizing property of the debtor sufficient to pay the judgment. But this proceeding takes only tangible property, and does not reach such rights, and things in action as cannot be seized and carried away by the officer, such as debts owing to the debtor, stocks owned by him, &c. This proceeding, therefore, will not reach any interest of the debtor in a patented invention.

Third, Certain Proceedings Supplementary to Execution.—These are proceedings taken by the creditor to reach the intangible property of the debtor after the sheriff has failed in his effort to collect the amount of the judgment on an execution, and out of his tangible property, and any interest of the debtor in any invention secured by Letters Patent, falls within the scope of, and will be reached and taken by this proceeding.

The statutes of the several States differ in the provision of means for taking a debtor's property and applying it to the payment of his debts; but all have some provision by which his things in action and intangible property, including patented inventions, can be taken, as well as tangible property.

The power of courts in taking a patented invention, and appropriating it to the payment of the debts of its owner, is based upon the assignable quality of such interest. Patents for inventions are made assignable both by the terms of the patent (the grant being to the patentee, "his heirs, administrators, or assigns,") and by the Act of Congress (Act of 1836, sec. 11.)

Both the proceeding by attachment and the proceedings supplementary to execution, ultimately compel the debtor to assign his property, including patented inventions, for the benefit of his creditors; this assignment is as valid and effectual as if it were voluntarily made, and thus the right and interest is transferred from the debtor to trustees, and by them to the purchaser. Respectfully yours,

GEO. GIFFORD, 17 Wall st.

New York, July 26, 1852.

[We have always entertained the opinion expressed by Mr. Gifford, and cheerfully give place to his letter, as a complete answer to many inquiries upon this point. He is an eminent counsellor, and has devoted much attention to Patent Law, and trials connected therewith; the information which he imparts is interesting to strangers.—E.D.]

African Cotton.

The Manchester Commercial Association has received intelligence of the successful result of some experiments in cotton cultivation at Cape Coast Castle, in Africa. A year and a half ago some of the members of this association subscribed upwards of £1,500, (\$7,500,) towards an experiment of this kind. The money was sent to agents (merchants generally,) at Cape Coast Castle. A site was selected, about five miles inland, on the banks of a small stream, and the process of planting the indigenous cotton shrub was commenced. The plant is perennial, and grows to a considerable size, the stalk being in many cases several inches in diameter. The seeds are kidney-shaped, and they lie matted together in the pod, very much like the Brazilian species.

From time to time, very flattering accounts were received of the success of the experiments, and a short time ago some bales of it were received in Manchester. It resembles the Egyptian, is of a good color, of fair, short staple, and was cleaned well with the saw gin, and was worth 6d sterling per pound.—The cost of its production and carriage to Manchester was 3d sterling. The native Africans accepted work with alacrity and evinced a pride in being employed by Europeans. The men worked diligently for two dollars per month, and the women for a dollar and a half. They worked eight hours per day. A number of new plantations have been started, and on one lot there are 20,000 cotton trees. The Liverpool Times considers the experiment a very successful one.

A Great Chemist Gone.

Dr. Thomas Thompson, Regius Professor of Chemistry in the University of Glasgow, died on the 2nd of last month, at the advanced age of eighty years. He had occupied the chemical chair for nearly half a century. Dr. Thomas Thompson was the author of the "History of Chemistry," an extended work on chemistry, and the allied sciences, Heat and Electricity; and in connection with his nephew, Dr. R. D. Thompson, he published annual reports on the progress of Chemical Science, &c.

His works are to be found in all our public libraries, and in those of our chemists.—He saw the rise of chemistry from the state in which it was left by his predecessor, Dr. Black. Dr. Ure seems to have had a grudge against Dr. Thompson, as he takes every opportunity in his chemical Dictionary to disparage him. In Glasgow Dr. Ure was less esteemed for his chemical knowledge.

Georgia Agricultural Society.

TRIBUTE TO MEN OF MECHANICAL GENIUS.

—The following is an extract from the eloquent address of the Hon. Garnett Andrews delivered before the Central Agricultural Society of Georgia, at their last Fair, which was held at Macon:—

Much, yet none too much, money have been paid to schools, academies, and colleges; but we have greatly overlooked and neglected those who have gone in advance of all learning; those who learn new things for your colleges to retail out to the rest of mankind; those patient, and often neglected, pioneers of science, who work out, from the great mine of nature, hidden truths, not for their own, but for the benefit of the world. Those who learn only that which was known before, benefit themselves; but he, who learns something unknown, benefits his race. The latter gives to the world, the former distributes knowledge, taking ample commission for their labor. To these patient and often unrequited, sons of genius are we indebted for the abundance and luxuries of life, so much increased within the memory of us all. To such men as Arkwright and Whitney, our wives and daughters are indebted for their freedom from the slavery of the loom and spinning-wheel, in which our mothers and grandmothers served out their lives. To them are we indebted for the comfortable and decent clothing in which our families are, and have been, so long and cheaply clad, that we have forgotten to appreciate its value. To the discoveries and inventions of genius are you indebted for the comforts and conveniences which surround your homes, unknown to princes a few generations past. Thirty

years ago nearly all cotton goods were five times, and retail articles generally, averaged double their present value. For this reduction in the cost of living, we are, perhaps, more indebted to these men than any, nay, all other causes, together.

Frederick the Great had just terminated the seven years war, so triumphantly, and so much to his renown; Peter the Third of Russia had just been assassinated; the world was ringing with these events and speculating upon their future consequences, while Watt, the obscure Scotch mechanic, was patiently working out those truths concerning the Steam Engine, in the magnitude of whose consequences, Frederick, and Peter, and Catherine, and all their wars, sink into that insignificance from which the great inventor emerged.—During the noise of the battles of Jena, Friedland, and Corunna, Fulton, under the jibes of the ignorant and inconsiderate, silently consummated those improvements which have set the great "iron apostle of civilization" on his travels, and whose heavy tread is heard throughout the globe, carrying blessings to all men. Who can say the great Emperor, whose glory then filled the world, has blessed mankind? Who dare say his humble contemporary has not?

New Test for Mercury.

The following test for mercury was given by A. Morgan, and recently published in the Dublin (Irish) Press:—

If a strong solution of iodide of potassium be added to a minute portion of any of the salts of mercury placed on a clean, bright plate of copper, the mercury is immediately deposited in the metallic state, appearing as a silvery stain on the copper, which cannot be mistaken, as no other metal is deposited by the same means.

By this method, corrosive sublimate may be detected in a drop of solution, unaffected either by caustic potash or iodides of potassium. In a mixture of calomel and sugar, in the proportion of one grain to 200, a distinct metallic stain will be obtained with one grain, which, of course, contains 1-200ths of a grain of calomel; in like manner 1-400ths of a grain of peroxide of mercury may be detected, although the mixture with sugar is not in the least colored by it.

With the preparations of mercury in the undiluted state, this process acts with remarkable accuracy; the smallest possible quantity of calomel or peroxide of mercury, such as would almost require a magnifying lens to perceive, placed on copper, and treated with iodide of potassium, will give a distinct metallic stain.

The advantages of this test may be briefly stated as follows:—1st, it is a delicate test, inferior only to chloride of zinc and the galvanic test of zinc and gold; 2d, it is easy of application; 3d, it requires a very small portion of this substance to be examined, a matter of no small import; 4th, acting on the insoluble as well as the soluble salts, it obviates the intermediate process of solution; 5th, when it acts, its indications are decisive.

As to the disadvantages, the only one which seems tenable is, that although it acts on minute portions, still, that must be in a concentrated condition. For instance, though we may detect the 1-1000th of a grain of corrosive sublimate in a drop of water, we cannot detect it in a drachm; but this may of course be remedied by evaporation.

Now, with regard to the theory of this process, the following seems most satisfactory; that the iodide of potassium forms a soluble and easily decomposed salt with the various salts of mercury, that is, an iodide solution in excess of the iodide of potassium.

Bathing.

Nature indicates the season just arrived as the one when frequent ablutions are conducive to health, by frequently removing from the surface of the skin the accumulations that result from its functions. We do not approve of living in the water, because it is agreeable in hot weather; and it is quite certain that the practice, in extremely cold weather, of leaping from a warm bed and suddenly extracting all the caloric by cold water, has been ruinous to multitudes of delicately organized ladies. They speak with delight of the

re-action of the blood, the after glow; but the demand upon the vital apparatus to bring that about, vitiates the complex machinery of life, after a while, and a debility follows which can only be overcome by abandoning the luxury that produces it.

Evening is a better season for bathing than morning, for the water relaxes the system and sleep brings it up again for the next day's toil.

A Passing Thought.

Rothschild is forced to content himself with the same sky as the poor newspaper-writer, and the great banker cannot order a private sunset, or add one ray to the magnificence of night. The same air swells all lungs. Each one possesses, really, only his own thoughts and his own senses, soul and body—these are the property which a man owns. All that is valuable is to be had for nothing in this world. Genius, beauty, and love are not bought and sold. You may buy a rich bracelet, but not a well turned arm to wear it—a pearl necklace, but not a pretty throat with which it shall vie. The richest banker on earth would vainly offer a fortune to be able to write a verse like Byron. One comes into the world naked and goes out naked; the difference in the fineness of a bit of linen for a shroud is not much. Man is a handful of clay which turns quickly back again into dust.

Model of Europe.

A grand project has been proposed at Paris by the Abbe Moigno, a scientific writer of some note, and author of a work on telegraphing. It is to establish in the Bois de Boulogne, at the gates of the capital, a model, in relief, of Europe, with all its towns cities, rivers lakes, railways, mountains, and forests. Each country and each town would occupy space exactly proportioned to their real extent; every mountain would resemble, in geological construction and form, that which it would represent; and every river and railway would be of real water and real iron, and in length so many yards to the mile. This singular model would occupy several acres. The expense of forming it would, it is admitted, be enormous; but that, the Abbe contends, would be an unimportant consideration, compared to the instruction it would afford, not only to youth, but to people of all ages and professions, and the striking addition it would prove to the curiosities of the grand ville.

Application of Lime to thin Sandy Land.

Slake the lime with salt brine; when it falls into powder, mix with every 25 bushels of it, 10 loads of clay, layer and layer about; throw it into bulk, and let it remain two or three weeks. In the mean time, manure, plow and harrow the land, then shovel over the compost, so as to intimately mix the lime with the clay, and broadcast eleven loads of the mixture evenly over the surface of each acre, and harrow and cross harrow, and then roll, when the land will be fit to receive the crop which you may intend it for. If lime be thus applied to thin sandy land, ten loads of putrescent manure will actually perform more positive good, than would twenty loads applied without the addition of the clay, provided a bushel of plaster per acre be sowed over the land.—(Farmers' Journal (Bath, N. C.)

A Lofty Seat.

A singular wager came off at Antwerp, recently. The master of a merchantman bet another 400l. that one of his sailors would climb to the top of the steeple of Notre Dame, and remain seated on the weathercock for six hours. A sailor executed this dangerous feat. He climbed on to the cock at three o'clock, and remained seated till nine. A large crowd assembled, and remained until the man came down, cheering him heartily on reaching terra-firma.

Going to Europe in a Balloon.

M. Petin has written a letter to the Hartford (Conn.) Times about the construction of a large balloon to cross the Atlantic. This is a favorite idea of M. Petin, we hope he will live to accomplish his object.

The Central Railroad, from Rochester to Lockport and Niagara Falls, has opened auspiciously, and is doing a good business.