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Decisions of the Patent Office.

Our patent laws recognize the principle that every new and useful improvement is patentable, and that the exclusive manufacture, use, and sale of the useful improvement, whatever it may be, belongs to the inventor or discoverer for fourteen years. They also provide for the granting of a patent to the inventor of the improvement, upon proof of his discovery, and in order to carry out these provisions, and to protect the rights of patentees, by scrutinizing the claims of applicants, our Patent Office Department was instituted. In relation to all correspondence and action in connection with examinations of applications, the Commissioner of Patents is alone recognized by law as responsible for the correct fulfillment of all duties in connection with his office, and the following is the law by which his conduct should be ruled. Sec. 7; Act 1836:—"On filing an application (for a patent), description, and specification, and the payment of duty provided (\$30), the Commissioner shall make or cause to be made an examination of the alleged new invention, or discovery, and if, on any such examination the same has not been invented or discovered by another person, in this country, before the applicant, or that it had not been patented nor described in any printed publication in this or any foreign country, nor had been in use or on sale with the applicant's consent (two years before application for a patent—Sec. 7, Act 1839), in the Commissioner shall deem it to be sufficiently useful and important, it shall be his duty to issue a patent therefor. But whenever, on such examination, it shall appear that the applicant was not the first inventor or discoverer thereof, or that any part claimed as new had before been invented, or discovered, or patented, or described, in any printed publication, or that the description is defective and insufficient, he shall notify the applicant thereof, giving him, briefly, such information and references as may be useful in judging of the propriety of renewing his application, or of altering his specification." This is the law, plain and clear; we intend only to speak of that part of it respecting "the references which may be useful to an applicant in judging of the propriety of renewing his application." It is plain that the law demands of the Commissioner of Patents, that when he rejects an application for a patent, he shall (briefly, to be sure) give his reasons for so doing; and his references must not be so brief as to unfit the applicant from judging of the propriety of renewing his application. This duty is not always performed according to law, as the following rejection and reference will show:—

U. S. PATENT OFFICE, Oct. 29, 1851.

SIR—Your claims to letters patent for alleged improvements in Endless Chain Horse-Powers have been examined, and are found to present nothing new or patentable. See rejected application filed by P. McKinley for Horse Power. Yours, respectfully,

THOS. EW BANK.

— — —, Esq.

We have not given the name of the rejected applicant in this case, but have merely presented the letter to show how unjustly he has been treated, and to show that the Commissioner of patents has not complied with the provisions of the law. How can this applicant by the above reference, form any opinion of what P. McKinley's invention is? Where is he to look for this P. McKinley: in the Highlands of Scotland, or on the plains of Ireland? And the reference is so cool—"see rejected application of P. McKinley." Now there is no way to see this rejected application, but by a journey to Washington, or else by paying five or six dollars to the Patent Office for a copy of it, and, after all, as it frequently happens, the claims of the two may be totally different; and perhaps P. McKinley was rejected because some other person was rejected, and he because of some other,—in which event he might be obliged to order \$20 worth of copies from the office before arriving at the real case on which he was rejected. This is a misty, unsatisfactory way of doing go-

vernment business. Inventors do not want such references—they are a mockery and an insult to American citizens, and they contravene the plain language of our Patent statutes. Any person can see, at once, how inefficiently the duties of the Patent Office are performed, for the above is not a solitary case; hundreds of such references are given, and no clue afforded to the applicants of judging respecting the correctness or incorrectness of decisions in their cases. Inventors are often compelled, at great expense, to go to Washington, in order to get that satisfaction which the law demands of the Commissioner to be given by letter. We speak for justice to our inventors, and for the fulfillment of our laws; poor inventors cannot afford to pay for expensive copies of applications, nor for journeys to the Patent Office. The principal design of the Patent Office, as now instituted, is to give correct information to applicants, and enough of it, to enable them to form a good judgment of the nature of the inventions to which they were referred. The above kind of references are not only illegal, but show a thick-headedness on the part of the Patent Office. No one is satisfied with them, hence a correspondence is commenced, and naturally, on the side of the applicant, with no good feelings, and this causes a great deal of extra labor to the office. The Examiners complain of being over-worked by their six hours of labor daily, while at the same time, they might, by including in the letter of rejection a short extract from the specification referred to, of the part which bears upon the question, in cases like the above, at once give not only satisfaction, but save themselves further trouble. A fair rejection by the Patent Office always gives satisfaction.

We have brought up this subject as a matter of duty, and our citizens will at once perceive that we have said nothing unreasonable, and that for us to be silent in such a case, is to be guilty of not doing our duty as advocates and protectors of inventors' rights, and the privileges of American citizens.

The New Motive Power—Centrifugal Force Stock.

About six months ago, an alleged wonderful invention of a New Motive Power, was brought before our citizens. It was nothing less than a machine which was to create a power without any cost, and which power was to increase at the astonishing ratio of the square of the velocity, all coming from nowhere, costing nothing, and confounding all the philosophers. Its advocates were none of your foolish modest great men, who upon the silly considerations of their own merits, rest satisfied to let their own works speak for themselves,—no such thing, they knew that pushing and puffing were virtues of no mean order, hence they displayed them under the full glare of a Paine's Double Reflector. Although no machines have yet been built to demonstrate the wonderful discovery claimed— it only being in existence as a machine of gas, one is to be constructed at some time, at least intentions to that effect have been set before the public, and certificates of stock issued.— Here is one of them:—

No. —.—The holder of this certificate is entitled, on the presentation thereof, to the privilege of purchasing, from time to time, for ten dollars each, and vending in any part of the United States for forty dollars each,— horse powers of Sawyer & Gwynne's Pressure Engine.

The above-named Sawyer and Gwynne are, without unnecessary delay, to demonstrate the principle of said engine, by constructing a specimen engine, at their own proper cost, in the city of New York, and to apply for letters patent; and when such letters patent are issued, are to convey by patent deed to the party presenting and duly owning, or authorized to hold this certificate, the interest herein above specified.

And they further agree not to sell otherwise in the United States, any of this power so long as any of these certificates are outstanding, and open to purchase, providing the holder keeps them duly informed that he has remaining any rights subject to be purchased by them and others.

NATHAN SAWYER,
J. STUART GWYNNE.

By John Lamb, Attorney.

We do not know how many shares in this

miserable invention have been sold, but the machine will never drive a pepper mill.

Prof. Loomis, we see, has been drawn into a controversy on the subject, he writes well, but being unacquainted with practical engineering, he has fallen into errors, and has not dared to question nor confound the data of his opponents. Avery Babbitt, who somewhat magnified his opponents, and detracted from the merits of those on his own side of the question, in order, we suppose to magnify his own arguments, has written a very beautiful article on the subject, but it does not touch the main point at issue, therefore, he has been replied to, and all about a vacuum, yes, a vacuum. The whole machine is a vacuum, the ideas of its advocates revolve in a vacuum, subscribed funds will revolve in a vacuum, and the patent will be obtained in a vacuum.

The Reason Why the Water of the Dead Sea is Unfitted to Support Life.

Mr. Robert J. Graves, M. D., has communicated to the Edinburgh Philosophical Journal, a very interesting article on the causes why the waters of the Dead Sea are destitute of fish and other marine animals. The Dead Sea contains no living thing within its fatal boundaries, yet this salt sea, so famous in story, is supplied with water from fresh water rivers which abound in fish and vegetables. The surface of the Dead Sea is 1,300 feet below the level of the Mediterranean, is 1,000 feet deep, 60 miles long and 9 broad. It receives all the waters of the Sea of Galilee. A correct chart of this old lake was never given to the world until the expedition under Lieut. Lynch surveyed it. The full credit of this important fact is given to our country by Mr. Graves. It had been stated by Dr. Robinson and Mr. Warburton, that the shores of the Dead Sea were non-volcanic, but the expedition brought home specimens of lava and scoria, thus refuting former accounts.

There is another sea in the world just like the Dead Sea of Sodom, this is the Great Salt Lake of the Mormon country, discovered and explored by Lieut. Fremont. This lake contains no living thing within its bosom, and it also receives the fresh waters of Lake Utah.

The waters of the Dead Sea of Jordan contain 24 per cent. of saline matter, consisting of chlorides of potassium, sodium, calcium, magnesium, iron, manganese, with bromide of magnesium. This saline impregnation accounts for the absence of all vegetable and animal life. The waters of the Great American Salt Lake, are nearly of the same composition, and present similar phenomena to that of the Sea of Sodom.

Honors Awarded.

In consideration of the honors bestowed by the Great Exhibition, just closed in London, upon Messrs. Hecker & Brother, of the Croton Mills, this city, for the best flour, this concern opened their extensive establishment to a large number of invited guests on Thursday last. The mills were in full operation, and the excellent machinery employed gave much satisfaction to all who had the pleasure of an inspection. A beautiful collation was served to supply the appetite for the company's famous brands. It was a creditable, well managed affair. On Saturday the 8th a splendid collation was served up to the members of the New York press.

Another American Sculptor.

There is a young American artist now in Florence, named Randolph Rodgers, who has given promise of being one of our greatest artists. He has modeled a work called *Ruth the Gleaner*, which is considered to be the first work in sculpture recently brought before the world. The drapery is said to be faultless, and the whole design exhibits great genius.

American Growing Java Coffee.

A parcel of coffee of the Java bean, has been raised in Caswell, N. C.; it grew in the midst of the shrubbery that decorated Dr. John T. Garland's yard. It looked as natural as the imported article. The shrub that produced this coffee is but two years old, and bears prolifically. The tree sprouted from a grain of coffee, which was planted on the north side of the house.

Coffee can be grown in the South as well as cotton.

Ague and Fever on the Mississippi.

The St. Louis Republican says:—There has not, within the knowledge of the settlers on the Upper Missouri, been such a general prevalence of ague and fever as during this fall. We crossed the Missouri at old Fort Kearney into Iowa, and from thence down through Missouri to St. Joseph, (and the country is populous,) we scarcely found a house or family that was not afflicted with the disease, or typhoid fever in some shape or form. Whole families, who have for years enjoyed uninterrupted health, were prostrated with the disease. The mortality, however, was not great. Everywhere there were complaints of the lack of what is regarded as the main remedial agent of this disease—"Quinine." Any price would have been paid for it, but none was to be had. The prevalence of this disease is attributed to the long-continued high water in the Missouri and its tributaries.

Barnhill's Premium Apple-Paring Machines.

We have received one of J. Barnhill's Premium Apple Paring Machines, from Bright & Bierce, of the Pickaway Foundry and Agricultural Warehouse, Circleville, Ohio. We must pay a decided compliment to this production of the Buckeye State, it is the best and neatest constructed apple-paring machine that we have ever seen in this city, and we have seen not a few of them.

Foundry and Machine Shop.

We call the attention of our readers to the advertisement of Messrs. Hecker & Brother, in our last week's paper, offering for sale the large establishment lately occupied by H. Waterman. From the well-known character of the late occupant, we presume the tools must be of the best class, and the eligibility of the location must command the attention of those wishing to engage in the iron foundry and machine business.

Mr. McCormick's Reaper.

Mr. McCormick, the inventor, is reported to have contracted in England for the manufacture of a number of machines, to be in readiness before next harvest, at which time he intends visiting England to dispose of them. He has also a very extensive establishment engaged in manufacturing them in Chicago, Ill. During the fall of 1850, he manufactured one thousand six hundred, principally for the Western trade.

Patent Case.

U. S. Circuit Court, N. Y., Nov. 8th, 1851, Judge Nelson presiding, William Nevins, vs. Henry McCullum.—This was a jury trial for infringement of a machine for cutting crackers and biscuit. A verdict was given by the jury in favor of plaintiff amounting to \$2,800. On a former trial the jury disagreed and were discharged.

Machine for Pulling Flax.

We learn that Mr. S. B. Goss, of Newark, Rock Co., Wis., has invented a machine for pulling flax, by which it is asserted that, with 2 horses working it, no less than 20 acres can be pulled in one day. We hope this is as represented, but the day's work mentioned is a large statement, indeed.

Shingle Machines.

Do any of our correspondents know of any good machine in operation for making shingles, which both cleaves out the shingle and shaves it by reciprocating cut? A correspondent wishes to know if there is such a one in operation, and we presume he wishes to purchase it if he can.

Panama Railroad.

By the advices brought by the Cherokee, the Railroad was in operation to Navy Bay to Gataune, and hereafter the steamers of the U. S. Mail Steamship Company will proceed direct to Navy Bay, avoiding Chagres. Such, we understand, will be the instructions for the Cherokee and Ohio on their next outward voyages. It is expected that the Ohio will bring intelligence of the restoration of quiet at Chagres; but if not, the change of landing place will obviate all trouble or annoyance to passengers.

We hope that a railroad will soon be constructed through our own dominions to the Pacific. We must own the Peninsula some day.