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Review of the New Patent Law.

During the past ten years, a number of Conventions, composed of inventors belonging to different parts of the country, have been held in various places for the purpose of discussing the defects of our present Patent Laws, and instituting measures for reforming them. Committees of gentlemen, distinguished for their experience in patent matters, were appointed by those Conventions for the purpose of draughting such Bills, (and presenting them to Congress through the proper channels,) as in their judgment would effect the desired objects. Two Bills were adopted by separate Conventions, and these with slight amendments were brought before the Senate. With some alterations, either of these Bills might have answered a good purpose, but it is a singular fact, that both of them, although expressing the sentiments and opinions of a large number of inventors, have been suffered to fall to the ground, while a new Bill—which will be found on another page—has been introduced into the Senate, unsolicited by, and unknown to but few, if any, of our inventors. It always affords us pleasure to see our legislators consulting the interests of such a worthy class of men as our inventors, for we well know that whatever protection is afforded, and whatever privileges are granted them, the benefits ultimately redound to the whole people. The *New Bill* contains many very excellent provisions, and these we desire to see become the law of the land. On the other hand, it contains so much that is hostile to the interests of inventors; so anti-democratic in its nature,—so confused and so curious—so complex and so confutable, that we hope and believe Senators will strike the same out of the Bill upon further examination.

The first twelve sections are very good; the 10th, in relation to returning models of rejected applications, is one we have always advocated. The last clause of the 12th section, however, we think, is decidedly bad. Instead of increasing facilities for inventors in conducting business with the Patent Office, it takes away from them certain rights, which they have enjoyed since the first patent law was enacted, more than sixty years ago. The objectionable clause confers authority upon the Commissioner of Patents, to admit only such persons to become patent attornies, as *he may deem* qualified to act for inventors, and that none will be allowed so to act unless by license received from him.

The strict rendering of this clause would prevent competent inventors from acting as their own agents and would take away all power from inventors to select those persons whom they may deem most capable of acting for them, unless they have received a license from the Commissioner of Patents, to practice in his Court. We advocate the greatest liberty of the people consistent with intelligence and good morals, and we believe that every man who is competent, has the natural right to act as agent for another in any capacity whatever, without being dependent on the *ipse dixit* of a third party. Every inventor has the perfect right to select the person whom he deems most competent to present his case to the Patent Office; that right, we hope, will never be taken away; that liberty we hope will never be abridged. Such a power in the hands of some Commissioners of Patents might make the Patent Office a huge political machine, dangerous to the interests and subversive of the privileges now enjoyed by inventors. Such a *one-man* power is greater than that exercised by any court in the United States, and is totally at variance with democratic principles.

But if Senators desire to retain this clause, let it in all honesty be so amended so as to specify the qualifications necessary to practice as a Patent Agent, the mode of examination, &c.; for surely it would be despotism in the extreme, to deprive any man who can prove his competency, from practicing as a patent agent, thereby making such a profession an exclusive order, like that of the Knights of the Garter, or the Round Table.

We hope, however, that the clause will be stricken out entirely, it is enough for the Patent Office if an application for a patent is correctly drawn up and properly presented. No more has hitherto been required, and no more is necessary.

We also object to those parts of sections (12 and 14) which provide for the payment of a fee of $10 on an appeal from a lower to a higher officer of the *same* court—from the Assistant to the Commissioner of Patents. We also consider that the increase of inventors' fees, by the plan proposed in section 14, is a poor method of increasing the revenue of the Patent Office. Thus it is proposed that an applicant for a patent with two claims, shall pay $30 down, and $15 when the patent is issued, making the fee $45. The payment of an additional fee for each claim will create a great deal of trouble to inventors, and can be made a ready method of extracting their hard-won cash. For example, if an application were presented embracing five claims, as is oftentimes done, this would require a fee of $70 down, and then the Patent Office might reject them all but one, and pocket $40, without returning any equivalent; this would be rank injustice. We also object to the paltry sum of twenty-five cents being charged for every hundred words above 1000, in a specification. We also object to the increase of fees for copying from the present rate of 10 cents to 12½ for 100 words. This is a regular grocer's system for catching half cents.

We really do not well know what is best to say of section 15: it is so new and so droll. This new system of "Confirmation," we think, should be left to those religious denominations that maintain such church policy. We are certainly adverse to any usurpation of religious ceremonies by our Patent Office, especially when the object is *filthy lucre*—no less than $100. The *confirming* doctrine means, that after a patent has been in existence five years, and extended (upon paying $100) for fifteen years, then, upon paying another $100, and the very same proceedings gone through with as when the patent was extended, it will be *confirmed*. Well, what does this Confirming doctrine amount to in favor of an inventor? Nothing but a ceremonial palaver, to get an extra $100 out of him. At the same time it would amount to this on the part of the Patent Office, that every patent issued under its seal, subscribed by the Secretary of the Interior and the Commissioner of Patents, would be considered an illegal document until it was Confirmed—that is, until it has grown up to be five years of age, and paid $200, exclusive of first fees, into the Treasury. We hope the Senate will strike out all the Confirming doctrine, or refer it to some Bishop for further amendment, to clear up the smoky doctrines embraced in the 16th and 17th sections, especially the last clause of the 16th, which provides for the *curing of a fraud after it becomes three years old*. We also object to the 2nd clause of section 17: it provides that when a person enters a suit to annul a patent, he must pay $50 into the Patent Office. What business has the Patent Office with any such fee, when it gives no services in return. We also object to that part of the 18th section which makes the owner or defender of a patent liable to costs. This should never be, except in the case of fraud, for if an inventor obtains a patent in all honesty, and another person sues to have it annulled, because, as he believes, he can show that the subject patented is not new, would it be just for the owner of the patent to be compelled to pay the plaintiff's costs?—all costs, as the Bill says? By such a law a wealthy plaintiff might run up a bill of costs high enough to swamp all the property owned by three-fourths of our inventors.

Sections 26 and 27, which provide for property in things (products of a patented machine) not patented, if made abroad, is opposed to all the laws of commerce, and would lead to endless troubles. We could advocate the measure so far as it relates to the British Provinces until they provide laws for Americans taking out patents in those countries; but to carry out the principle so blindly inserted in these sections, if a sewing machine were patented here, and the inventor took it to England, patented it there, and sold his right, he could stop the sale of coats, vests, and pants in this country, if made by the very machine for which he was paid in full. This section certainly requires amendment.

We object to section 28, so far as it confers power on Courts of Equity, to decree and award damages. We have no desire to see our Patent Laws placed above and made more stringent than "Common Law."

The 29th concluding section is excellent; it provides for the settlement of all disputes about musty testimony relating to priority of inventions, and places the question upon a proper basis.

The Bill, as a whole appears to be a powerful instrument for increasing the revenues and powers of the Patent Office; and the means proposed for these purposes are exceedingly complex and anti-republican. Instead of simplifying the Patent Laws, it makes them more obtuse and complicated. If the revenues of the Patent Office are insufficient for conducting its business promptly and properly, let the universal fee be raised to $40 or $45, this, for 2673 applications would increase the revenue to $56,780 or $40,095 more per annum. This would be a more simple and commendable plan than piling on the assessments for claims, and the "*clap-trap*" advances for *Confirmations*.

Objections to the parts specified of this bill, have so crowded upon us in examining them, that we have not been able to find room for presenting one tithe of the arguments that might be advanced. At some other time we may return to the subject; but at present we appeal to Senators to give this matter a calm and unhurried examination, and pass only such a Bill as will be a credit to themselves,—a wise and just measure to benefit inventors and the people at large.

New Use for Buckwheat Straw.

We have seen it stated in some of our foreign scientific exchanges, that the straw of buckwheat has been used in Russia for a number of years, as a substitute for quercitron or yellow oak bark. This will tell against the American importers of this bark, if it be found in Europe that buckwheat straw answers as well in dyeing. We do not know how much quercitron is now exported, but the quantity cannot be small; still we think it is not so large as it was thirty years ago owing to the extended use of the bi-chromate of potash since that time, for dyeing yellows on cotton fabrics. Quercitron, or yellow oak bark, is an American dyewood, discovered by Dr. Bancroft, of London, while in America before the Revolution. It was, and is now employed in dyeing yellow on woolen, silk and cotton goods, also for dyeing green on a blue ground. The latter color is produced on cotton by dyeing the fabric a blue color in an indigo vat, then preparing the cotton for the bark decoction with pyroligneous acid, or a preparation of alum and the acetate of lead. The bark is scalded or boiled and the goods handled carefully in the clear liquor for half an hour. To dye yellow with quercitron bark, it is only necessary to scald some of it in a clean vessel, and use the clear decoction, by placing it in a boiler, bringing it up to the boil, and using a small quantity of the sulpho-muriate of tin in the liquor. The goods receive two or three dips in the liquor—each dip requiring about 15 minutes handling—then an airing. Cotton and woolen goods are boiled in the bark liquor, but silk goods are not boiled, they are merely handled in scalding hot liquor. This bark makes a very beautiful color, but if buckwheat straw will answer as good a purpose, our farmers can use it for dyeing yellows and browns, in the same manner as bark, only it will be more convenient for them to use alum in place of the sulpho-muriate of tin, as the mordant. It is a well known fact, that quercitron bark was exported from Philadelphia for many years to England, and used there for dyeing yellow, before the secret of its use was known at home.

A New Technical Dictionary.

Although there have been quite a number of dictionaries of Science and Art issued by home and foreign presses, there is not one that we can think of as satisfactory in all respects. They are either too cumbrous in their materials, because devoting too large a space to some particular department of art or science, with whose details the author happened to be familiar, while deficient in other departments, perhaps omitting some words altogether; or, what is worse, they present the mere rehash of the crude, unassimilated, contents of previous works of the same class, without a single studious effort to add anything which the rapidly accumulating wants of the present era may have called forth—for, with the rapid improvements which inventive talent and industrious art are making at the present day, there must necessarily be many additions to the very terms of science and art, in order that the ideas of the inventors shall have fitting forms of expression.

It is in view of this state of things that we have always extended a friendly recognition to the various attempts to meet the wants of science and art in this respect. And it now gives us special pleasure to announce that M. Gardissal, our agent in Paris, has in hand a work to whose appearance we look forward with hope. It is to be a TECHNICAL DICTIONARY, in three volumes, the first of which has, as we learn, already been put to press. The first volume will range French, English, German, the second English, French, German, and so on. In getting it up M. Gardissal has the valuable co-operation of the brothers F. and A. Tolhausen, practical engineers, which fact is a guarantee of the accuracy of the more practical features of the work.

We think we can promise that the American price of M. Gardissal's work will not present any barrier to its general accessibility, as has been the case with most similar publications. The agency for this country will probably be in our hands, and in a great measure under our own control.

Life Preserver Seat.

We learn by our Washington cotemporaries, that some very successful experiments have been made at the Navy-yard in that city, in the presence of a number of naval officers, with the life-preserving seat of N. Thompson, of this city. This seat forms a ship stool of the usual size, convenient, neat, and substantial, and can be converted into a life-preserver in a moment, by moving two brass slides, which allow it to divide and open, and then by moving the slide a few inches more, they hold it firmly in that position. It then forms a strong frame, with a capacious air chamber at each end, and the person is supported in the water without effort, the sides coming up under the arm-pits, and leaving the arms and legs free. An experimenter, who had never before seen the apparatus, threw himself with it into eighteen feet water, and managed it in many ways with perfect ease.

Deaths.

Madame Sontag, the famous vocalist, died of cholera on the 16th ult, while in the city of Mexico.

Josiah Holbrook, who was for a long period a resident in this city, and was engaged in professional pursuits to simplify science—especially geology—to the capacity of youthful minds, was drowned a few weeks since in Virginia. his body having been found in Black Water Creek, as we learn from the Lynchburg "Virginian." It is supposed that he met his death by falling down a cliff while searching for geological specimens.

Massachusetts Boots and Shoes.

The Boston Atlas, in an article upon the vast extent of leather manufacturers of Massachusetts, says: "To give an idea of the magnitude of this branch of trade, it will be sufficient to state that Massachusetts makes every year, very nearly two pairs of shoes for every man, woman, and child in the United States."

That is 48,000,000 of pairs.