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SOME PATENTS THAT SECTION 11 WOULD HAVE KILLED.

The object of Section Eleven is to make void certain patents described as undeveloped and useless, yet involving principles or devices which subsequent experimenters may want to use. To accomplish this end a special tax is laid upon all patents, in a fee of \$50 at the end of four years and another fee of \$100 at the end of nine years; non-payment of either killing the patent.

It is argued that if an invention has any real merit its profitable development will speedily follow, as a matter of course; in which case the additional fees will be no serious burden. If, however, the invention is not at once profitable, or if the inventor does not believe in it sufficiently to be willing to pay \$150 for the confirmation of his right, it may be fairly presumed that the invention does not constitute a progress in the arts, and accordingly does not deserve the protection of the law. All such undeveloped inventions, it is claimed, are virtually abandoned by their owners; and, although the patentee has done nothing contrary to his agreement with the nation, nothing to warrant the forfeiture of his right, the nation may justifiably break its part of the contract and allow the inventor's right ("exclusive right," in the terms of the Constitution) to be freely invaded.

The fallacies which underlie this specious argument have been repeatedly exposed in these columns and elsewhere. We do not propose to discuss them here. Our purpose is rather to note briefly some of the inventions for which America is justly proud, inventions which have added enormously to the nation's wealth and power; and to ask how it would have fared with them had Section Eleven formed a part of the patent law of the past.

To no one man is this country more indebted for its industrial and commercial rank than to Eli Whitney. The world knows what a long and, for many years, profitless fight he had to wage with prejudice and injustice before his invention was so far established as to be beyond condemnation as "undeveloped and useless." What would have been the effect of adding to his already overwhelming burdens the additional fees prescribed by Section Eleven?

In 1833 Obed Hussey patented an invention which solved the problem of the harvesting machine. For many years he labored almost in vain to advance his invention to the stage of practical and profitable usefulness. Would the country have been equally benefited had his right and his efforts fallen under the encouraging (!) influence of Section Eleven? The early struggles of Elias Howe, Jr., the inventor of the sewing machine—struggles against poverty and injustice as well as the stolid prejudice of the community—are known to all. His first machine was finished in the spring of 1845. Four years after he was alone and poor in a foreign land. He was indebted to the kindness of a Scotch mechanic for a steerage passage home. He found his wife and children destitute, all their personal effects being still detained to secure the payment of their passage home. His wife was sick; ten days after his arrival she died. He was penniless; and just at that moment, had Section Eleven been in force, he would have had to pay \$50 or forfeit his right to his invention.

The real value of the Goodyear rubber patent will not be questioned at this late day. Taking up the struggle under which Heywood had succumbed, Goodyear toiled through years of terrible privation to perfect his invention. Success left him in the deepest poverty; and at no time during the entire period of the original patent was his invention a source of profit to him. Under provisions embodied in the proposed amendment to the law the spoilers of Goodyear could easily, and at any time, have dispossessed him of the last remnant of right.

The Sarven carriage wheel is known the world over. Section Eleven would have killed the patent on it most certainly and effectively. During the first eight or ten years of the life of the patent the inventor's efforts to induce carriage makers to adopt his improvement were almost fruitless. His efforts were persistent, his diligence remarkable; yet his invention was commercially "undeveloped and profitless," almost to the end of the term of the patent.

The struggles of Woodworth alone, and afterward with his partner Strong, to persuade men to adopt his method of finishing boards by machinery, up to the time of his death in poverty in the eleventh year of his patent, would make a volume. His invention was radical, valuable, era making in the art of carpentry; yet Section Eleven would have killed his patent without compunction.

Another radical and immensely valuable invention was Henry Voelter's process of making paper-pulp from wood. The best years of the inventor's life were given to the development and introduction of the improvement, and in combating the prejudice of the trade to the use of wood pulp in paper. He was able and willing to spend the greater part of the life of his patent, and \$70,000, in demonstrating the usefulness of his idea. He may have been able to pay the additional fees prescribed in Section Eleven; another inventor of the same or an equally valuable process might not. In either case would the payment or non-payment of the fees have been any evidence of the intrinsic worth or worthlessness of the invention?

Daniel Lamson invented a machine for notching hoops. It was not a great invention, yet it was novel and unquestionably valuable. He was a poor man; and before he had succeeded in introducing his invention he enlisted in a Massachusetts regiment and was killed at Fredericksburg. Just at that time, the first fee under Section Eleven would have been demanded of his widow by the Patent Office—a penalty for invention!

It is needless to multiply cases. From the history of inventors and inventions in this country hundreds of similar instances might be drawn. In a very able paper lately read before the Cincinnati Board of Trade, Mr. George H. Knight has furnished a long list of them—instances of patient, persistent, and long protracted struggles against poverty and class prejudice, to bring valuable inventions up to the point of profitable and established usefulness; instances of inventors now ranked among the world's best benefactors, who would have been cheated of their rights, and the progress of the useful arts thereby delayed indefinitely, had there been any Section Eleven to thwart their efforts. From the very nature of things the most pregnant and novel inventions are the hardest to make commercially successful; and it is these rather than the trivial catchpenny inventions or the inherently worthless inventions, that would suffer most from the killing influence of the proposed amendment; and it is these that the country can least afford to discourage or to destroy.

GLUCOSE HONEY.

For a long time strained honey has been so largely adulterated with glucose, that intelligent buyers are very shy of honey in that state. Honey in the comb, however, especially if the comb is clean and white, disarms suspicion, though it is well known that respectable grocers are accustomed to surround comb honey in jars with clear honey mixed with a small percentage of glucose, to prevent the granulation which occurs in pure honey exposed to the light. One does not object to the use of a little glucose for such a purpose, though the preserving sweet is worth in market only one tenth as much as the sweets preserved. It is a very different matter, however, when the comb itself is filled with glucose, and the fraudulent substance is sold as genuine honey.

Mr. J. Hasbrouck writes to the Bee Keeper's Magazine that his attention was lately called to some fine looking comb honey sold by a grocer in Williamsburg. He bought some of it at twenty-five cents a pound. It was very white, put up in the neatest possible box, and was altogether the finest looking honey he had seen this season. It had a nice flavor of pennyroyal, and was so unlike glucose that he decided, without testing, that his friend's suspicions were wrong, and that it really was honey. It was placed on the tea table with some clover honey, and although the family all preferred the suspected comb on account of its fine appearance, the unanimous decision after eating was that the honey was not good. It was then thoroughly analyzed, and found to be "simply glucose diluted with water and flavored." Mr. Hasbrouck carried a sample to New York, and veterans in the honey trade almost invariably pronounced it splendid honey until they saw it tested.

This is carrying the matter altogether too far. It is well enough to manufacture honey comb for saving the labor of bees, so long as the bees are allowed to furnish the filling; and there may be no vital objection even to the selling of paraffin cells filled with glucose as a cheap substitute for the industrial product of bees, if any one wishes to eat it. But to sell such compounds for honey, at the price of honey, is the refinement of swindling, and ought to be punished as such.

A VEGETABLE GREEN FOR CONFECTIONERS.

It appears, according to one of our French exchanges, that from the grains of raw coffee there may be extracted a beautiful green coloring matter adapted to all the purposes of the cook and confectioner, and which will undoubtedly prove of great value as a commercial product, inasmuch as the number of green colors suitable for such uses, and which are not poisonous, is very limited. According to M. Zech, who describes the process of extraction, the coloring matter is obtained in the following way: The coffee grains are crushed and the oil is extracted by means of ether; they are then dried and agitated with the white of eggs, so as to form a sort of paste, and the latter is exposed for several days to the air. The presence of the white of eggs then determines the appearance of an emerald green. A simpler process is to merely moisten the crushed and desiccated coffee berries with water, expose them three or four days to the air, and extract the coloring matter by means of alcohol.

A NEW INDUSTRY.

For a number of years a Boston firm, emulous of the success which has attended the canning of baked beans, has been trying to discover a method for preserving the freshness and flavor of that other essentially Boston product, the codfish ball. They have at last succeeded, the Boston Advertiser reports, and the rapid demand for the article the world over seems to prove either a wide dispersion of New Englanders or else a widespread need of such an addition to the world's kitchen supplies.

The fish are killed by being stuck in the neck, and are hung up until every drop of blood is removed, and the napes are carefully scraped and cleaned. When salted and dried the fish are equal to the best Phillips' Beach fish. Nova Scotia potatoes are used, and instead of pork fat, the best Vermont and New York butter is contracted for at the dairy. The fish balls are packed solid in tin cans and hermetically sealed, after which they are put up in cases of ten dozen each, when they are ready for the market. The first sale was made in New York last May, and to such an extent has the business grown in nine months that the firm employ a force of 250 men and women in preparing and packing the fish balls, and 60 tanners in making the cans.