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(Illustrated articles are marked with an asterisk.)

Advice, original, for drinkers 104	Locomotive, road and farm* 102
Air, cooked 106	Lubricene, manufacture of 95-97
Amateur mechanics* 100	Mechanics, amateur* 100
American industries* 97	Metals, how cast [2]
Antimony in galvanic batteries 106	Museum, Galileo's, Florence 101
Apparatus, automatic safety 102	atural history notes 103
Asphaltum, how prepared [12] 107	Nerves of the head, stimulation of 106
Barrelforshipping! quorm* 10	Octopus at Berlin Aquarium 103
Blacking, bronze 17 107	Oxide of zinc in diarrhea 106
Cement for brass collars [7] 107	Oxygen, liquefaction of 106
Cement for metal and glass 104	Patent bill, new, passed by the
Chest of ebony*	Senate 96
Colurs, poisonous	Petroleum springs, origin of 105
Corn planter and drill, new* 99	Poison, roach 106
Eels, reproduction of 101	Railway notes 104
Electric light, Edison's 102	Railway track, novel* 98
Electric light, floating 97	Raisins, California 99
Electric light, subdivision of 97	Science, proctical value of 106
Electrotype process, new 105	Seidlitz powders (28) 102
Gutta percha isolation by 101	Seidlitz powders [28] 107 Sewing and floss silk* 100
Hectograph, the 104	Sewing silk manufacture 106
Horse power, what it is [19] 107	Steel, to temper [4]
Houses for workingmen 99	Tea, American 96
Indicator, fire and water* 102	Telegraph wires, subterr nean 105
Industrial notes	Telegraphing without wires 104
Industries, American 97	1 elephone, progress of the 104
Injector, the, how it works [24]., 107	Torpedo boat, American 105
Inspirator, Hancock* 9)	Type writer, improved* 98
Inventions, new 98	Vapor densities, new method for 106
Inventions, new mechanical 102	Water colors, how mixed [1] 107
License fees 97	Will blood tell? 96

TABLE OF CONTENTS OF

THE SCIENTIFIC AMERICAN SUPPLEMENT

No. 168,

For the Week ending February 15, 1879. Price 10 cents. For sale by all newsdealers.

- I. ENGINEERING AND MECHANICS.—The Columbia Bicycle. The Bicycle in Australia. A medical opinion of Bicycling, with various suggestions. 2 engravings.—A Novel Boat Rig. By H. R. TAYLOR, Machias, Me. 8 figures.—Coal Cutting Machine for Manual Power. 8 figures.—The St. Gothard Tunnel.—Railway Notes.—Geodetic Surveys By L. M. HAUPT. 1 figure.
- II. ARCHITECTURE AND ORNAMENTAL ART.—Hints on Building Chimneys.—Mural Fountain in Majolica. 1 engraving.
- III. TECHNOLOGY.-Cerecin.-Bronze on Feathers.-Glycerine Cement. Artificial Coloring Matters.-Dyes for Wool to Stand Milling.-New Glue on Flannel.—Solid Shades of Wool.—Blasting Gelatine.—Oliver Evans' Model Mill of 1783. 1 figure. IV. CHEMISTRY AND METALLURGY.—Caustic Alcohol. By ALBERT B. PRESCOTT, M. D.—Alum in Baking Powders.
- V. ELECTRICITY, LIGHT, HEAT, ETC.-Edison's Recent Telephonic Inventions. Microphone with carbon disks. Microphone with slik disks. Voltaic pile telephone. Condenser telephone. Carbon tele-Arrangement of telephone for office use. Single and double crown telephones. 9 figures.—Lyons' Transmitting Telephone. 2 engravings.—The Watch Telephone. 1 figure.—Prece's Telephone. 2

 the witnesses are dead and gone.

Some Modifications of the Microphone and Telephone. By G. M. HOPKINS. Full instructions forms of microphone. Directions for making a new form of telephone and microphone combined. A new micro-telephone. 8 figures.

A simple microphone, 2 figures.-New Stethoscopic Microphone, 1 figure.-A Report on Underground Telegraph Wires. A description of six methods of insulating underground wires, with cost of each. Improved musical condenser, 1 figure

- VI. ASTRONOMY.—The Origin of Temporary and Variable Stars. A paper read before the Canterbury Philosophical Institute, New Zealand by Professor Bickerton. The distances, size, and luminosity of the temporary stars. Four hypotheses to account for temporary stars. A more probable theory of partial impact. The light from Venus and Mercury -The Chinese Almanac.
- VII. MEDICINE AND HYGENE.—The Conditions of Health in the In funt. A lecture delivered at Jefferson Medical College by Wm. B. Ar-KINSON, M. D. Usual length, weight, and appearance of the infant at birth. Cartilaginous character of the bones. Amount of growth each year. The respiration and the pulse. The digestive system. The

senses, and the nervous system. The first dentition.

Malaria not of Vegetable Origin. By JOHN S. HITTELL. The condition of malarial disease, and how it may be prevented. Malarial disease merely a chill caused by sudden fall of temperature at sundown.-Dyspepsia from Impaired Movements of Stomach.-Relations of Syphilisto the Public Health.-Mortality of the Principal Cities of the World.—Poisonous Tin Plate.— Suicide

VIII. MISCELLANEOUS.-Gulf Weed.-"Loco" Poisons of the West.

THE NEW PATENT BILL AS PASSED BY THE SENATE.

the House of Representatives for its approval. As the ad- lifes the patent. journment of Congress is fixed for the 4th of March, the bill must soon be acted upon, or it will go over to the next other taxes or penalties are imposed. The proposed law in-Congress. The bill as it stands, while it contains some very excellent provisions, presents others that are very obnoxious; and unless the bad points can be eliminated we hope the subject will be postponed for the consideration of the new Legislature.

leading designs of the present bill, with a few words of running comment. In all there are 25 sections.

infringements that were alleged to have taken place more than four years prior to the commencement of the suit.

fringers at any time when he can find out that an infringement has taken place. But under the new provision, if the the stamping of date of patent on patented articles. 24 infringement is concealed or in any way escapes the know- regulates the issue of patents in interference cases. 25 reledge of the patentee for four years, he has no remedy, and peals all conflicting laws. the infringer goes free. This section is an encouragement to

gives away to others the right to use the patent, against the of a court.

The existing law vests the exclusive proprietorship of the patent in the inventor, during the brief period of 17 years provisions of the present statute, and should be carefully of its principal provisions appears to be designed to sweep preserved. If the new provision passes no man can hereafter say that he "owns" a patent. He will simply own a their ingenuity, and bestow them, free of charge, upon certificate showing that somebody else has the right to make infringers. use of the products of the inventor's ingenuity without so much as asking his leave.

Sec. 3 provides that if the inventor has the hardihood to prevent its passage. bring a suit against an infringer and clearly proves the infringement, should the infringer then wriggle around and debar the inventor from getting a judgment for a sum less than twenty dollars, then, in that case, the inventor shall pay his own costs of the suit and also the infringer's costs.

This section practically imposes a heavy fine upon an inventor for attempting to stop infringements.

Sec. 4 gives conditional privileges to infringers to continue their infringements after a verdict is rendered against them, during the pendency of their appeals.

Sec. 5 gives to infringers the privilege of procuring the removal of injunctions, so that they may continue to infringe. Sec. 6 provides that no re-issue shall be granted unless applied for within seven years from the date of the patent.

The present law permits the inventor to correct his patent by re-issue at any time during the life of the patent; this is an excellent provision, and tends to give value and vitality to property in patents. The provision of the new law assists and encourages the infringer.

Sec. 7 provides that if an inventor's specification happens at first to be so defective that an infringer can make and use the device without liability, the said infringer may always continue such use, without payment to the inventor, even after the latter procures a re-issue with properly corrected specification and claims.

Under the present law, if the original patent is found defective and the claims insufficient to prohibit infringements, the inventor may at any time obtain a re-issue, which shall be good for the remaining term of the patent, during which remaining term infringers must pay damages. The new provision aids and supports infringers throughout the entire term of the patent, and prohibits the inventor from recovering damages.

Sec. 8 provides a remedy where two persons have unwittingly taken a patent in their joint names, when only one of them was the real inventor.

Sec. 9 provides for the taking of testimony relating to patents, which may be stored away and used in new cases after

This appears to be another of the many provisions of the bill intended to assist infringers.

Sec. 10 provides that infringers may bring suits to have patents declared void.

This provision appears to be intended to help infringers in breaking down patents that stand in their way, but which patents granted to those who are absent or deceased.

Sec. 11 requires that patentees who have requested inpatent, without liability to the patentee.

mit, the bringing of suit.

Sec. 12 provides that patent fees shall hereafter be paid as

follows: \$35 on the issue of the patent, \$50 in four years An Act to Amend the Statutes in Relation to Patents (Sen- thereafter, and \$100 in nine years thereafter; total. \$185 for ate Bill 300) has been passed by the Senate, and is now before each patent. Failure to pay either of the two last fees nul-

Under the present law the fee for a patent is only \$35. No troduces the European system of multiple taxes, and imposes a heavy burden upon the inventor. This subject will be found more fully discussed in another part of our paper.

Sec. 14 regulates the issue of licenses by joint owners and patentees. 15 provides punishment for fraudulent or de-We will briefly recapitulate what to us appear to be the ceptive conveyances of patent rights. 16. Commissioner and assistant to give bonds. 17. Prices of printed copies of patents authorized to be increased. 18 relates to certified Sec. 1 provides that damages shall not be recovered for copies of patents. 19 relates to payment of final fee in allowed cases. 20 regulates issue of patents for inventions previously patented in foreign countries. 21 permits full As the law now stands the owner of a patent may sue in- owners of patents to obtain reissues in their own names. 22 regulates the renewal of lapsed allowed cases. 23 regulates

It will be seen from the brief comments here presented, infringers, is an injustice to patentees, and should not be that in our view the passage of the new law will make a very radical change in the existing system, and that its prac-Sec. 2 takes away from the inventor, substantially, the tical working would probably be disadvantageous to incontrol and exercise of the patent for his own invention, and ventors and patentees. At the same time it must not be forgotten that patents are monopolies, which, though on the consent of the patentee, for a price not agreed to by him, but whole of great benefit to the nation, are in some cases very fixed by people adverse to him, by means of the formalities anuoying to the public, and very burdensome and disastrous to many private interests. Perhaps the present laws can be modified so as to remove some of these difficulties. But the remedy proposed by this bill is worse than the disease. for which it is granted. This is one of the most satisfactory It seems unfair to enact a law like this, which in so many away from inventors all personal benefits from the fruits of

We hope that all who are opposed to the new law will promptly use their influence with members of Congress to

WILL BLOOD TELL?

Some five years ago, Dr. Heitzman announced, in the Medical Record of this city, an important discovery in respect to the anatomy of protoplasm. He claimed that protoplasm of every description invariably contains a network of threads and granules inclosing a fluid, and that the threads and granules constitute the living matter. This view he now asserts has been accepted by more than a dozen of the best microscopists abroad, although it has not yet been recognized in this country; and he makes it the basis of an announcement which, if satisfactorily demonstrated, cannot fail to have a marked and beneficial effect upon the practice of medicine—the announcement that a drop of a man's blood under the microscope will tell just what his condition and constitution may be.

A protracted study of the pus corpuscles in urine, in connection with clinical histories, led Dr. Heitzman to the conclusion that the constitution of a patient could be determined by such examinations, the pus corpuscles of a healthy and strong person containing a greater abundance of living matter than those of a person enfeebled by disease or otherwise. He next extended his investigations to the colorless blood corpuscles, suspecting that by their examination also he might be able to determine the constitution of the individual furnishing the blood. His expectation was verified, he says; an abundance of large granules going with a good constistitution; on the other hand, if the granules were few and fine, or the entire body of the corpuscle pale, it was evidence of a poor constitution. He frequently noticed that the number of white blood corpuscles was considerably increased after a single sleepless night, so much so that it might be determined whether a man had been kept from his rest or not, by examination of his blood. It could also be determined whether a man was to have acute diseases, or whether he was to suffer from the slow processes of disease incident to a strumous diathesis.

A committee of physicians has been appointed to investigate and report on this most promising subject. If it proves possible to determine a man's physical constitution by the examination of a drop of his blood a new field of investigation will be opened, and one having very important pract cal bearings.

AMERICAN TEA.

Over fifty thousand tea plants have been distributed lately belong to poor inventors who cannot defend such suits, or in the Middle and Southern States, by the Bureau of Agriculture. In three or four years these plants will be large enough to permit a full picking of the leaves. Experiments fringers to stop such infringement, shall commence suits for have been made with tea leaves grown in the grounds of the damages within a reasonable time; otherwise the infringer department and in the South, after Japan methods, the promay continue the infringement during the entire term of the duct being pronounced an excellent Oolong by dealers and experts. The only present obstacle to the profitable cultiva-The majority of patentees are poor people, who in many tion of tea in this country on a large scale is the amount of cases have not the means to bring suits against infringers, hand labor required in curing the leaves. The Commissioner and all they can do is to request the latter to desist or pay is confident that American ingenuity can produce machinery royalty; reserving until a future time, when their means ad- by means of which the preparation of the leaves may be ef. fected better and cheaper than is possible even with "Chinese The law, as it now is, permits a poor man to bring his cheap labor." There is no good reason why any family suit for infringement whenever he desires. The new pro- having a garden plat, in the southern and middle portions vision appears to be aimed against the inventor, and in favor of the United States, should not produce with little trouble all the tea needed for home consumption, without elaborate ' **m**achinery.