# DECISIONS RELATING TO PATENTS. Supreme Court of the United States.

THE SMITH & GRIGGS MANUFACTURING COMPANY v. SPRAGUE, Administratrix.

Appeal from the Circuit Court of the United States for the District of Connecticut.

Leonard A. Sprague's patent No. 228,136, dated May where the two plates are not quite even. After the ex- in a few words : The stem and leaves of the mint or 25, 1880, and the second, third, and fifth claims of posure the plate is laid in water in which a quantity of the leaves alone of the lavender are placed in a huge Leonard A. Sprague's patent No. 231,199, dated August 17, 1880, both for improvements in machines for making utes the water will have penetrated the film and is then lighted under the container, and when the buckle levers, declared invalid by reason of more than colored it. That part of the film not affected by the water in the latter commences to boil, the steam is two years' public use before the date of application for said patent.

When a machine was used by a manufacturer in the regular conduct of his business by his own workmen, and in the view of such part of the public as resorted to his establishment for the purpose of buying or selling, albumen still remains soluble. Before the develop- is condensed, the oil being at the same time liquefied. such use was a public use.

Where the machine in question consisted in the new combinations of old elements, each of which constituted a new invention, and the machine was practically useful, and its product was used commercially and looks exactly as before, it is dried carefully. The deprofitably in the ordinary course of business, such use was not experimental, although the inventor was engaged in the improvements by which it was hoped and means the insoluble parts are washed out. If the defrom the still, this being the cheapest variety; but expected that the machine would be made more valuable and useful.

Use by the inventor of a machine in order to devise by experiment improvements upon the same to perfect usual manner, mounted on suitable wooden blocks, improve the color. The oil which first runs out of it is permissible even where, as an incident, the pro- and are ready for the printing press. duct of the machine is sold; but where the use is mainly for trade and profit and the experiments for improvement are incidental, then the principal and not the incident gives character to the use, and the latter is a economy and has the ability to give fair management public use under the statute, and comes within its and the perseverance to hold on will, in a great maprohibition if it takes place more than two years before jority of cases, make a success; while, on the other the application for the patent.

court.

## PHOTOGRAPHIC NOTES.

account of photo-mechanical processes :

photography have played any important part in Eng- efforts he will make when he starts in to work again. land. The most useful process is, of course, the pro- But, at night, the man who works steady, but percess of producing printing blocks from photographs, severingly, will be found to have accomplished the that can be printed with the ordinary letter press, and most, while usually he will also be found in a much give to the eye the appearance of half tones. This is better condition to commence again the next day. done by breaking the image up into a series of dots or So it is in business One will seem to hustle around stipple equal in number on equal spaces, but differing, and make a considerable to-do over what he is doing, however, in size in proportion to the density required and after wasting his energies in accomplishing what, in the shadows of the photographic subject that is to by taking a little more time, could be done with very be reproduced, or by dots equal in size, but different little effort, and then, because, as he thinks, he fails to of the oil actually distilled at Mitcham. There are in number in the same proportion, or bylines differing meet the success he imagines he should, becomes disin thickness on the same ratio. A very large number couraged and is ready to make a change to something of different processes have been patented, but it is only else. This, in a majority of cases, proves a loss, and, in necessary to mention those now in practical use. Many consequence, he does not succeed as the energy he disof these, such as the Meisenbach, Winstanley, Moss- plays would seem to warrant. Another man, while he type, etc., are well known. I have recently been may not make a great display of his energies at the favored by a few phototype printing blocks, manufac- start, will go to work more systematic, and will have tured at the well-known photographic mechanical in- better opportunities to economize, and in many cases stitute of Messrs. Angerer and Goeschl, of Vienna. to manage better than when he attempts to rush crop this season has been the best for about ten years, They are undoubtedly the best of the kind. This firm matters. If he will but observe, he will be ready to work many different kinds of printing processes with take advantage of any favorable circumstances that distillery. The proprietors are endeavoring to exan excellence not known in England. Indeed, some of may arise. It always seems that the man who is conour photographic mechanical printers would do well stantly shifting about is always making a change at the to go over to Germany and take a lesson or two in wrong time, when a little perseverance would have the art.

are brought to such perfection. In France also great succeed we must persevere. It is when the odds seem steps are being made. The latest improvement in this against us that it seems the most important to perdirection is a combined albumen and asphalt process severe. of phototypy. A zinc plate is prepared in the ordinary manner, and after warming is coated with a solution of the sensitive asphalt prepared from-

Purified asphalt..... 4 grms.

place to cool, for, after drying, the albumen solution is extremely sensitive to dispersed light.

The plate is then exposed under a negative for about  $1 \ {\rm to} \ 1\frac{1}{2} \ {\rm minutes}$  in the sun, and from 10 to 20 minutes by diffused light. A long four-sided box is placed over

### ----Perseverance an Important Factor.

In any line of business, the man who uses reasonable hand, the one who rushes into whatever he has under Mr. Justice Matthews delivered the opinion of the taken with a spasmodic endeavor to win all at once, as a general rule wastes his energies and often fails for sheer want of perseverance. The editor of the Industrial Gazette has observed that the man who starts in Photo-Mechanical Processes, Combined Asphalt and to do a day's work, and attempts to do as much in one Albumen Process.-In the Amateur Photographer, Mr. hour as ought to be done in two, will usually find it Walter E. Woodbury gives the following interesting necessary in a short time to take a rest, and while he is resting will lose valuable time which he evidently feels It is only recently that these mechanical branches of that he ought to make up, judging from the spasmodic

brought him through all right. In all lines of business But it is not only in Germany that these processes there are fluctuations, ups and downs, and in order to

#### \*\*\*\* Distillation of Peppermint Oil.

It is now nearly ten weeks ago since the last bun-

dles of peppermint herb were distilled at Mitcham, Eng. The crop, which at the commencement of the

not, and after the plate is dry it must be laid in a dark pal French consumers of English peppermint readily promised him their support, and as a matter of fact the bulk of the peppermint oil manufactured at his distillery finds its way into France.

The distilling and rectifying process adopted at the Mitcham works, though in no material point differing The first, second, third, fourth, and sixth claims of the printing frame to prevent unsharpness in places from the methods usually followed, may be described aniline violet has been dissolved. After about 20 min- iron container or still and covered with water. A fire light may then be lightly washed off with a soft sponge. | forced through the only exit, viz., a worm-shaped pipe The plate is then dried and exposed to the light for 20 which has been fixed to the still before the heat is apminutes in sunlight, or from 3 to 5 hours by ordinary plied. This pipe runs into a cooling vat, where it is surdaylight. The lines of the drawing become thereby rounded by cold water, and then the vapor passing insoluble, while the asphalt film underneath the red from the still, which carries the essential oil with it. ment of the asphalt picture, the albumen film must Oil and water together are then drawn from the now be removed. This is done by laying the plate in a worm by a tap and left to separate, the oil being weak solution of acetic acid about 1-25. When the last subsequently drawn off. The steamed out part of the trace of the drawing has disappeared, and the plate plants is put aside, dried in the air, and burned, but, especially just after the distilling season, the accumuveloping is done by laying the plate for about 10 min- lation of this waste product causes much inconveutes in a mixture of benzol and olive oil. By this nience. The peppermint oil is usually sold as it comes veloper is too weak, a little turpentine is added. The in another part of the works there is a rectifying applate is then laid in warm water, and the grease en-|paratus in which the more expensive grades of oil are tirely removed. The plates are then etched in the treated, in order to remove the resinous matter and this apparatus is placed aside and sold as "triple rectified;" the bulk following forms the second quality, and the remainder is simply "rectified" oil. After each distillation, or if a different material has to be distilled, the container is cleaned and the odor of the preceding, which still adheres to it, destroyed by boiling water rendered alkali.

A large proportion of the mint is raised on land belonging to the works, but part of the material is bought from farmers in the neighborhood, and it is said that the acreage devoted to the crop by growers in Mitcham and the surrounding villages is increasing every year. This year nearly 3,000 pounds essential oil of peppermint were distilled at the Mitcham works, about 360 pounds being obtained from the white mint, the most prized variety, which of course is always distilled separately. This oil of white mint sells at 45s. to 50s. per pound, but the cultivation of the white mint is not likely to extend in the same proportion as that of the black-the former only containing about one-half the percentage of essential oil of the latter. Besides, white pepermint is a crop which is particularly sensitive to climatic influences, and suffers more severely from drought or frost than does the black mint. Of course, the quantity of 3,000 lb., large as it is, only represents a fraction of the whole several works in that district, and many farmers are in the habit of getting their crops distilled at some of these, paying a royalty for the use of the stills. Lavender is also an important crop in Mitcham. At the distillery which we have described, only the leaves of the plant are placed in the still, the stems being thrown away, as they are thought to render less fragrant the aroma of the oil of the leaf. The lavender and nearly 500 pounds of oil were obtained at the tend the growing of this crop and to induce farmers to try the cultivation of new products.

Chamomiles were a total failure this year. and only 30 or 40 pounds of oil were obtained from Mitcham flowers. This had all been sold as soon as it was distilled. We were shown a fine sample of beautiful deep green color and penetrating odor. Their oil averages from 30s. to 40s. per pound in price; but this year the firm were able to make 80s. per pound for the small quantity which they distilled.-Chem. and Drug.

### ----Books for the Insane in Asylums.

Some weeks ago we published a short appeal suggest-If the solution is well filtered, it flows over similar to season gave every indication of falling much below the collodion. Coating is done by pouring the solution average, began to show signs of improvement just ing that books should be contributed to the insane asylums of the country, in order to form libraries for over the zinc plate, and, allowing it to run off at one before the plants were ready for cutting. A few corner, a very thin film is obtained. The plate is laid days' rain at that period had an excellent effect upon the unfortunate inmates. Already one result of the sugin a dark place to dry. In this manner a large num- the growing plants, and after all the quantity of oil gestion has been heard from as far off as Texas. The North Texas Asylum at Terrel is now forming a library, ber of plates can be kept in the dark, and if protected obtained was not very much less than last season's, and has sent our editorial with comments to the local from dust and damp, they will keep for months. The and of exceptionally good quality. Just when the disjournal, which published it as an appeal to the public plate, which should be from 3 to 4 centimeters larger | tilling period was drawing to a close we had occasion of Texas for this most deserving charity. The asylum than the negative, is next coated with the chromated to inspect one of the principal works in Mitcham, conducted by a French pharmacist, who undertook, has now nearly 300 books as a nucleus of a library, and albumen solution, prepared as follows: The whites of two eggs are beaten up into froth with in his own words, to retrieve the fame of the Mitcham receives regularly over 78 newspapers. Besides these, half pint of pure water, allowed to set, and 2 grammes essential oils in the eyes of his countrymen, at the hundreds of copies of periodicals have been donated to of bichromate of ammonia is added, also sufficient instance of a syndicate of French peppermint con-it. This we cite as an instance of what can and should liquid ammonia, until the solution is of a yellow straw sumers, pharmacists and confectioners. According to be done in this direction. Almost every house has color, and smells strongly of ammonia. With this mix- this gentleman, English peppermint, always much es- some books to spare, which are of no value to any one. ture, previously filtered, the plate is entirely covered at teemed in France, had of late years acquired an un- Many would be glad to directly foster such work were one movement, and if it does not run easily over the enviable distinction by reason of the sophisticating their attention called to it. Unfortunately, every State asphalt film, it must be spread with a clean finger. processes to which it was so frequently subjected, can find plenty of field within its own borders for the The plate is coated a second time with this solution, When, therefore, a practical pharmacist, who, more-exercise of this labor of love. We hope that the work and then warmed gradually over a spirit lamp, without over, had acquired considerable experience of the now inaugurated may be continued, and that an insane becoming too hot. The operation of coating can be essential oil industry at Grasse, announced his deter-asylum without books may soon be unknown in

done in daylight, but the warming of the plate must mination to start a distillery at Mitcham, the princi- America.