

MISCELLANEOUS INVENTIONS.

Mr. Henry Reny, of Lewiston, Me., has patented an improved valve for musical instruments, such as trumpets, cornets, etc., which has a smaller stroke than the similar valves in use heretofore, and is therefore much more convenient for the musician or performer.

Mr. Aaron S. R. Overholt, of West Overton, Pa., has patented a nut locking device for fish joints of railroad rails. It consists of a gib keeper formed to fit snugly into the recesses formed by the top of the rail flange and the lower side of the nut and to clasp firmly the two sides of the nut; and also in a metallic tinned washer, by which the gib keeper is secured and maintained firmly in place within the recess in such a manner as to effectually prevent the jarring out of the gib or the unscrewing and loosening of the nuts by the jar incident to the traffic upon the road, and to provide for the removal of the gib as occasion may require.

An improved washing machine, patented by Mr. Robert D. Bennett, is so made as to allow the introduction and removal of the articles operated upon without removing the rubber from the tub. This invention consists in hinging one end of the rubber to radial arms extending from the shaft, and providing the other end with hinged bolts engaging in slots in other radial arms, whereby the said rubber may be lifted from one end for the introduction and removal of articles and then secured in place. This machine is intended to imitate handwork. Any information in regard to it may be obtained by addressing Mr. Marcius Bibbero, New York city.

Mr. Charles Oliver Chaplin, of Ridgeway Corners, Orleans Co., N. Y., has patented a fruit drying apparatus, which comprises a drying chamber heated by a furnace arranged at one end of the latter, and an endless chain of pendent grooved carriers for the support of trays on which the fruit to be dried is placed, said endless chain engaging and disengaging with notched wheels within the drying chamber, and being supported by wheels which run upon suitable upper and lower tracks. The invention consists in various peculiarities of construction and combinations of parts, whereby increased facility is afforded for tempering the heat of the drying chamber, for giving an easy traveling action to the trays through said chamber, and the top of the furnace compartment not only supports the furnace but serves as a stand for the operator in introducing and removing the fruit trays; also provision is afforded for charging the furnace through its top.

An adjustable trace loop has been patented by Mr. William G. Riley, of Corydon, Iowa. The object of this invention is to provide a simple and inexpensive loop for attaching a back band of a harness to a trace in an adjustable manner, so that the back band can be easily moved forward or backward, as well as lengthened or shortened, to accommodate horses of different sizes. To these ends the trace loop, which is adjustable both vertically and laterally, has deep rectangular recesses cut crosswise at its center to provide for a snug hold of the trace, and is furnished with a narrow central pin plate, which affords every facility for adjustment of the back band.

An improved feathering propeller has been patented by Mr. Alexander Davidson, of Springfield, Ill. The invention consists in a paddlewheel provided with pivoted oscillating rectangular bucket frames having longitudinal supporting bars and cross bars to resist pressure, in connection with oscillating buckets. It also consists in a combination with the main frame of a paddlewheel of bucket frames controlled by eccentrics and supporting oscillating buckets which are hinged to the forward part of the frame and have their rear edges free to vibrate, whereby the buckets when propelling are held at right angles to the line of progression and assume the position of least resistance when feathering. This propeller is readily adaptable to both deep and shallow water, may be arranged to work either vertically or horizontally, and be only partially immersed or wholly submerged.

TRADE MARK DECISIONS BY THE COMMISSIONER OF PATENTS.

EX PARTE FRIEBERG & WORKUM.

Appeal from the Examiner of Trade Marks.

TRADE MARK.

Marble, Commissioner:

Appeal is taken from the decision of the Examiner of Trade Marks in refusing to register as a trade mark subject-matter described as follows:

The words "J. A. Bowen" and the arbitrary symbols of a shield on which is emblazoned the arms of the United States. These have generally been arranged as shown in the accompanying facsimile, the words "J. A. Bowen," in a curved line, forming the upper part of a circle, and the word "Bourbon," in an inverted curved line, forming the lower part of a circle. Between these words is the representation of a fancy shield, upon which appears the Stars and Stripes, that form the conventional armorial bearings of the United States of America; but the word "Bourbon" may be omitted without materially altering the character of our trade mark, the essential features of which are the words "J. A. Bowen" in connection with the shield having emblazoned thereon the Stars and Stripes, that form the conventional armorial bearings of the United States of America, the whole surrounded by a plain circular border.

It is stated in the application that this alleged trade mark has been continuously used in the business of the applicants as a trade mark on whisky since the year 1857. The application was rejected by the Examiner because applicants

refused to erase therefrom the words "J. A. Bowen," the attorneys of applicants having admitted that he was the person whom the applicants succeeded in business. The Examiner's objection to the registration of said trade mark is stated as follows:

Their use of this name is evidently intended to inform the public of the fact that they are the successors in business of J. A. Bowen, and are now engaged in the distillation of liquors formerly sold under his name. It would seem to the Examiner that this is simply a transfer of "good will," and nothing more.

A trade mark is an arbitrary character or characters without special meaning, adopted by persons, firms, or corporations for the purpose of identifying the goods manufactured by them or of which they have the sale. Persons have the right to adopt any device or form of words possessing these characteristics as their trade marks so long as public propriety is not violated. It may be true in this case, as it is in many cases, that the name of a person associated with a particular trade or business carries with it the good will of the establishment with which he was connected. If it is the good will simply that is sought, then it should not be registered as a trade mark; but if the name of a person possessing the characteristics of a trademark in itself, not an applicant, is adopted by any person, firm, or corporation to identify their particular goods, I see no good reason why it may not be used as a trade mark and be registered as such. On the contrary, there are many reasons why it may be so used. The long use of the name of a particular person with a particular class of goods manufactured by that person or in his name, serves to identify those goods as particularly as any other character, device, or collection of words. This is all that is required to make it a legal trade mark. Whether persons other than the person whose name is used have the right to use such name is another question. In this case it is claimed that the applicants have used this name with the device mentioned as their trade mark upon their goods since the year 1857. This is sufficient *prima facie* evidence of their legal right to use it.

The decision of the Examiner is overruled, and the certificate of registration will issue in due course.

Frederic Sauvage.

The London *Times* gives a sketch of the life of Frederic Sauvage, to whom the people of Bologne have just erected a statue, as the inventor of the screw propeller. His claim to this honor rests on the fact that in 1832, hearing that the French Government proposed to build a number of paddle steamers, he was led to devise a better means of propulsion, and eventually he constructed a screw.

Early in that year Sauvage exhibited to the Boulogne authorities his new invention, which was highly approved. As he was anxious to bring it under the notice of government, he gave up his Boulogne residence and left for Paris, where he took out a patent for fifteen years. The screw was acknowledged to have its advantages with small boats, but the commissioners, who sat by order of the Minister of Marine to report on it, concluded that it would be of no use for large vessels.

The English Government, in 1835, it is stated by the *Times*, offered him a sum for the invention, on the condition that it was to become the exclusive property of England, but the inventor, who was at that time stricken down by poverty, would not consent. It is further said that Sir Francis Pettit Smith derived his first idea of a screw from a visit to Sauvage's workshop.

In 1841 Sauvage made an agreement with a shipbuilder and an engineer for the construction of a steamboat, to which the screw was to be fitted, he giving the plans, while they carried them out, and at their own expense, but the agreement, owing to a technical misunderstanding, was badly worded. The boat was built and fitted, but not as Sauvage wished, and the two others took all the credit. The unlucky inventor, forsaken by all, after many years of toil, was, in the year 1843, shut up in the debtors' prison at Havre, where he remained some time, but was eventually released through the instrumentality of Alphonse Karr, who had taken a deep interest in him. From the time he had set on foot his experiments with the screw, he had spent in the course of ten years about 80,000 francs (£3,200), in exchange for which he afterward received from the State a yearly grant of 2,500 francs (£100). Driven to despair, and in deep misery, Sauvage, who was advanced in years, was conveyed in April, 1854, to the Picpus Asylum, where he passed the remainder of his life, dying at the age of 71.

The townspeople of Boulogne, in 1872, through the mayor, M. Auguste Huguet, had his remains removed from Paris and interred in the cemetery, where a monument surmounted by a bust was erected to his honor.

It is probable that Sauvage's claims will receive but little attention outside his own country. In England, it will be remembered, in 1770, James Watt, writing to Dr. Small, proposed to use one of his steam engines to drive a screw for the propulsion of a ship. In 1776 the American, Bushnell, described a submarine boat propelled by a screw. Trevithick patented a screw propeller in 1816; and before him, in 1800, Edward Shorter patented a propeller, which was afterward, in 1802, tried on H. M.'s ships *Dragon* and *Superb*. In America, Stevens, in 1804, tried to propel a boat by a screw. In 1816, Millington described a screw with a very ingenious steering arrangement connected to it, and this was apparently the first of a great number of attempts which have been made in that direction—all, as

yet, unsuccessful. From this date till the date of F. Pettit Smith's invention (1836), the records of the Patent Office show that many minds were working in the same direction. The point of Smith's invention was the placing of the screw propeller in the dead wood of the vessel, nor has it ever been claimed for Smith that he was the inventor of the screw propeller, though he was, there seems little doubt, the one to bring it into actual use. There seems little question that Sauvage did nothing more than was done by very many others—by Watt, Trevithick, and the rest—conceived a most valuable idea, but never carried it beyond the stage of a model.

Sylvester Doolittle.

One of the pioneers of American internal commerce, Sylvester Doolittle, died recently in Oswego, N. Y., in his 82d year. Mr. Doolittle built and owned the first canal boat that made the trip from Rochester to Albany. It was called the *Genessee* of Wheatland, and carried a cargo of flour. This in 1822. For several years Mr. Doolittle built packets and freight boats, and in 1826 removed to Utica, where he built, owned, and commanded the first canal boat that passed down the Hudson River to New York. She was called the *City* of Utica, and carried oats and lumber. In those days all the Hudson River lines carried freight, and none of them would tow his boat to New York. At length he induced a Mr. Hitchcock, who owned a small steamer running independently of any line, to tow him. He moored at Coenties Slip, and his queer craft was visited by many curious New York merchants. He reloaded with merchandise, which he delivered at Utica, and soon towage of canal boats to New York became a large business, which it still continues to be. When the railroads destroyed the packet business Mr. Doolittle removed to Oswego and built vessels for the lakes.

In 1841 Ericsson's screw propeller engaged his attention. Ericsson met with little success in introducing it, and in consideration of Mr. Doolittle's putting it in one of his boats, agreed to give him the right to use it in all the vessels he might build in three years. Mr. Doolittle immediately built the propeller *Vandalia*, the first screw wheel steamer that sailed the lakes. She made her first trip through the Welland Canal to St. Catharines at a speed of six miles an hour. Crowds of people turned out to see her, and a public dinner was given Mr. Doolittle at St. Catharines. The next year he had a line of five propellers on Lake Ontario, and soon they were on all the lakes.

The Land Slip at Elm, Switzerland.

In the recent disaster at Elm—otherwise known as Unterthal—a great mass of earth and rock from the Plattenberg or Tschingler Alp, 1,500 feet wide, at least 2,000 feet high above the valley, and, according to the engineers, from 60 to 100 feet deep, fell over upon the village, its farms, gardens, and meadows, covering several thousand acres. Tons of rock were dashed entirely across the valley, and now rest quietly 300 and 400 feet high upon the hillside. The air pressure was so great that houses were lifted up from their foundations and carried a distance of 1,000 feet. A barn built of heavy logs, and filled with hay, was carried entirely across the valley and overturned 200 feet high on the mountain opposite the Plattenberg. An iron bridge which crossed the Sernf was torn up, carried scores of feet away from its abutments, and now rests on end more than half buried in mud and loose stone. The whole valley, as far as it can be seen from the village inn, which is still standing, very closely resembles the bed of a glacier which has receded.

The river Sernf has made for itself a new channel through the *débris*, and has flooded and ruined much of the land below, land which was not directly harmed by the avalanche of stone. So in one way or another the whole valley has been injured beyond all hope of repair. The loss in property will reach not less than 2,000,000f.; at the lowest estimate 123 people have lost their lives; other estimates make the number 150 or more. The state engineers, fearing further land slides, have forbidden those who have escaped to return to the houses which remain standing, and in consequence more than 800 men, women, and children, who but a few days before were prosperous and well-to-do, are now almost without a roof to cover them.

The chief cause of the disaster, after the heavy rains of the past summer, is said to have been injudicious quarrying for slate, whereby the mountain was in part undermined and so rendered unsafe. Some three years ago ominous signs of danger were observed, and the cantonal forest master, Herr Seeli, warned the proprietors of the quarries that they were carrying on their excavations beyond the bounds of safety. The work went on without interruption until Thursday, Sept. 8, when the premonitions of disaster became so alarming that all the men were withdrawn from the quarries; yet no one seems to have thought the village was in danger until Sunday afternoon, when, as the people were coming from church, a quantity of stones, rolling from the Tschingler, crushed several houses in Unterthal nearest the foot of the Alp. Ten minutes later came the great catastrophe; a thunderous noise rent the air, a black dust-cloud overspread the valley, and all was still. In those two or three seconds Unterthal had disappeared, and with it were buried nearly every one of the unfortunates, who a few minutes previously were worshipping in the village church. Scarcely any, in fact, who on the first alarm crossed the Sernf, either out of curiosity or fear, to lend a helping hand to those whose houses had been struck, escaped, and they include nearly all the manhood of the village. Forty dwellings, the best in the village, were buried.