

Correspondence.

Kind Words from an Inventor.

To the Editor of the SCIENTIFIC AMERICAN:  
I am pleased to acknowledge the receipt of the patent on typewriter attachment which you succeeded in obtaining for me. The next thing will be to make something out of it, if possible. The reference which you make in the SCIENTIFIC AMERICAN will be invaluable in making its existence known. I will add that I began taking the SCIENTIFIC AMERICAN when a boy long prior to the date when you published the articles on mechanical drawing by Prof. MacCord, and for years I considered the paper as almost necessary to my existence, and I will frankly state that much of the money which I have made in later years has been a result of information gained from the study of the paper in years past. I consider it to be one of the greatest educational factors, and well known though it be, it is not as well known as it should be. It ought to be in the possession of every boy in the land.  
Minneapolis, Minn. W. P. BUTLER.

Unique Magnetic Experiment.

Some time ago Folgheraiter began testing old Pompeian and Tuscan vases with the view to determining their polarity, his theory being that they would retain the same direction of magnetization as when baked, and that this would correspond with the magnetic dip at that time. He has now completed, for the present, this investigation. Speaking of this, the London Electrician says:

A unique interest attaches to this work. It will be remembered that he was trying to discover the magnetic dip, say, at the time of Romulus, by the present magnetization of Tuscan vases. He proved that the clay they are made of is magnetized in the direction of the earth's magnetic force during firing, and retains that magnetism indefinitely after cooling. Some of these vases, notably the wine jugs, oinochoai, could only stand upright in the furnace, and might, therefore, serve as self-registering indicators of the magnetic dip. Now, the most curious fact brought to light is that the north-seeking pole of these vases has a variety of dips from 25° above to 25° below the horizon, but never more than that. Hence, our author argues the dip cannot have been anything like its present value (60° at Florence) at the time of the Roman kings. He is inclined to think that the north-seeking pole pointed a few degrees above the horizon in the eighth century B. C., and that the needle was (or would have been, had it existed) horizontal a few centuries afterward.

Andree's Balloon Voyage.

The government of Sweden has notified the Canadian government that Herr Andree will start from Stockholm about the end of June for Spitzbergen to attempt his balloon voyage to the North Pole, and it requests that instructions be given to Canadian officials at different points in the Northwest Territories and Hudson Bay region to report the balloon if it is sighted. Herr Andree has the hearty support of the Swedish government, and he will go to Spitzbergen this year at the public expense in a government vessel. His balloon house and much of his equipment is at Dane's Island, on the northwest coast of Spitzbergen. It is to his advantage that most of the preliminary work required before he can start in his balloon is already done. The complaint was made last summer that the men who put up his balloon house, eighty feet high, were not the speediest of workmen, and that before he was ready to start the few days of favorable weather had passed, and then the unintermitting north wind, that would have carried his airship south, defeated his hopes entirely.

The balloon house, well built, well anchored, and sheltered on one side by a high hill, is believed to have passed the winter in good shape and to be now ready for his occupancy; so he has not before him this season the five weeks of work that were required to put up the house last year.

Herr Andree will carry about four months' supplies of food with him in addition to his boat, a folding affair that packs away neatly above his car, his sledges, and other equipment. If he has a good wind from the south, he thinks he will be in the neighborhood of the North Pole in a day and a half to two days after starting. His hope is that he will be carried across the polar area. What he wants is a south wind with a slowly falling barometer, for he believes that under such conditions the wind will persist in the right direction as long as he has need of it.

Even if Andree crosses the polar area and lives to get back, the difficulty will be to do any exploring that will amount to much. It is not likely that from a balloon he can make more than the slightest kind of a reconnaissance. Suppose he drifts across the unknown area north of America and discovers land masses. He will not be able to map them in any satisfactory way, and is not likely to tell much about them except to report their existence.

One of the most interesting questions to be solved

when Mr. Peary's plan for completing exploration between Greenland and the North Pole is carried out, is whether the deep sea discovered by Nansen, and traced to the north of Franz Josef Land, extends into American Arctic waters. That question and many others that still make polar research worth while cannot be settled from a balloon.

Recent Patent and Trade Mark Decisions.

Griswold v. Seymour, Comr. (Ct. of Ap. D. C.), 78 Of. Gaz., 482.

Bale Ties.—It has been held that there is no novelty, in view of the prior art, in making a tie or band, one end of which is twisted into an oval loop formed of the wire itself, the lower end of the loop being narrowed into an angle no larger than the diameter of the wire, so that in use the free end of the wire, after being brought around the bale and introduced into the loop, is then pulled or jerked down into the angle and wrapped about the wire.

Aggregation.—Where a V-shaped loop has been used in bale ties so that the free end of the wire could be secured in the angle of the loop and where otherwise formed loops have been made integral with the wire or band, there is no invention in combining the two features in the same patent so that the V-shaped loop would be integral with the band.

Hien v. Pungs (Ct. of Ap. D. C.), 78 Of. Gaz., 484.

Rehearings.—Court endeavors to bring to a case in the first instance the best judgment it possesses, so that its decision should have the element of stability; therefore it is unjust to the court and parties that an argument should be held back by the counsel until after the decision for the purpose of using it only at a rehearing, and in such case a rehearing will be refused.

Snyder v. Fisher (Ct. of Ap. D. C.), 78 Of. Gaz., 485.

What Amounts to Invention.—Just where the line of invention lies in an accomplished result is difficult to determine, but it must extend beyond the mere novel and useful and into the domain of original thought, although the extent of the mental process is immaterial, as is also the question whether the result came out of long consideration or was the revelation of a flash of thought. Simplicity does not negative invention.

Briggs v. Seymour, Comr. (Ct. of Ap. D. C.), 78 Of. Gaz., 169.

Construction of Claims.—A claim relating to a new invention is entitled to considerable latitude of construction, but where the claims are for the same subject matter as prior patents, and especially where the same person is applying for the patent, the construction must be strict and narrow.

Foreign Art.—There is no invention in applying to an ice planing machine a construction of cutter head old in wood planing machines, as the uses are analogous, and the decision in Potts v. Creager does not apply.

Hill v. Parmalee (Ct. of Ap. D. C.), 78 Of. Gaz., 170.

Evidence in Interference Cases.—In this case Parmalee had a patent issued eight months before Hill applied for one, and the latter delayed the filing of any claim until more than seventeen months after having reduced the invention to practice. It, therefore, is incumbent upon Hill to make out his case beyond all reasonable doubt in order to succeed.

Admission by Contract.—In this case Hill and his assignee, for four months after their alleged discovery of Parmalee's patent, admitted the validity of the latter's invention, for Parmalee, during such time, was in the course of executing a contract with the assignee regarding the patent, and with the knowledge and concurrence of Hill, and neither Hill nor his assignee intimated that Parmalee was not the true inventor and had taken it from Hill. Hill's case was made worse because it seems that this interference proceeding was brought on after Parmalee's refusal to accept the proposition of Hill's assignee in order to compel him to do so.

Walter Baker & Company v. Baker (C. C., Va.), 77 Fed., 181.

The Use of One's Own Name in Trade.—Any man has a right to use his own name in connection with any business he honestly desires to carry on, but he will not be allowed to use it in such a way as to injure another having the same name; and equity will direct him how he shall use his name to denote his individuality. In this suit parties named Baker began in 1780 to make and sell preparations of chocolate at Dorchester, Mass., and the business has been carried on ever since at that place. The goods made have been put up in various forms and bearing the word "Baker" in connection with the name of the place and time of establishment. In 1894 a citizen of Winchester, Va., named Baker began making chocolate goods, putting them in packages with marks and labels much like the Massachusetts parties' and bearing also the words "W. H. Baker & Co., Winchester, Va., Established in Mercantile Business in 1785." The latter date was used because his ancestors or some of his kindred had been engaged in the wholesale business since about that time. It was held to be unfair competition. The court restrained the defendant from using in connection

with his name the words "Established in Mercantile Business in 1785," and also from using yellow labels and otherwise using his name so that it would be confused with plaintiff's name.

"German Sweet Chocolate" as a Trade Mark.—The words "German Sweet Chocolate," especially where the word "German" is the name of a man and is not intended to be geographical, is a valid trade name and is infringed by the words "Germania Sweet Chocolate."

Unfair Competition.—One who enters into competition with another and older firm with the same name and same business is under obligation to more widely differentiate his goods from that of the older firm than is required of third persons.

Tannage Patent Company v. Adams (U. S. C. C., Pa.), 77 Fed., 191.

Process for Tawing Leather.—The Schultz patents, Nos. 291,784 and 291,785, for process of tawing leather, on a hearing on motion for preliminary injunction, were held not to have been anticipated by the Francillon English patent of 1853, each relating to dyeing and printing silk, wool, and other animal fibers.

Preliminary Injunction.—When the patent has been sustained by the Circuit Court of Appeals, the only question to consider on motion for a preliminary injunction in another suit on the patent is that of infringement, unless there is new evidence of such conclusive character that, if it had been introduced in the former case, would have overthrown the patent, and the burden of establishing such new evidence is on the defendant, against whom, in such case, every reasonable doubt is to be resolved.

American Graphophone Company v. Leeds (U. S. C. C., N. Y.), 77 Fed., 193.

Preliminary Injunction.—A decision sustaining a patent is not conclusive on a motion for a preliminary injunction in a suit on the patent in another circuit, where a decisive question raised in the latter suit was not contested in the former or a motion for a reargument for the purpose of raising this point has been entertained but not yet decided.

Western Wheel Scraper Company v. Dinnin (U. S. C. C., Ill.), 78 Fed., 194.

Road Scrapers.—The Welch patents, Nos. 379,550 and 380,068, for improvements in wheeled road scrapers consisting of the combination of old elements to produce a machine in which vertical, horizontal, and angular adjustments may be made by the man who rides it without stopping the machine, have been held valid and infringed by a device containing all the substantial elements except that rods are substituted for chains for changing the position of the scraper blades.

Invention.—While all the elements of a road scraper may be old and the ultimate result old, if one has so organized these old elements, as a whole, that vertical, horizontal, and angular adjustment of the scraper blade was effected without stopping the scraper, and were used instead of clumsy manual manipulation, a distinct advance in the art is shown. The concatenation of old elements differs and clumsiness of adjustment is more than mere mechanical adaptation. It is the conception, the invention, the mental creation which manifests itself in properly organizing old means for a new purpose.

Novelty.—The fact that defendant copied the device shown in the patent almost complete is evidence tending to show novelty and usefulness.

Two Patents on the Same Thing.—Where two patents seem to be but separate expressions of the same conception, the latter enlarging the conception of the former, the validity of both will be sustained.

The Life Saving Service.

The United States Life Saving Service, in its annual report for 1895, states that there are 251 life saving stations on the Atlantic, Gulf, and Pacific coasts, and the Great Lakes; 184 of these being on the Atlantic coast line. There is but one river station, at the falls of the Ohio, at Louisville, Ky. During the year, 675 disasters to vessels on these coasts were reported, involving property valued at \$10,725,175. Of this property nine-tenths was saved by the life saving stations and salvage and wrecking companies working together. These disasters involved the lives of 5,823 persons, with only 26 lives actually lost. Of the 675 vessels in jeopardy, 73 were lost. On the New Jersey coast, with 49 stations, about 1,000 persons were on board ships in danger, and only one life was lost, and only \$83,535 worth of property was lost out of the \$2,000,000 worth in peril. The total net expenditure for the service in 1895 was \$1,285,577.

Trans-Mississippi Exhibition.

The Trans-Mississippi Exposition at Omaha will have nine main buildings. This was determined at a recent meeting of the executive committee. The buildings are to be as follows: Building No. 1, Agriculture, Horticulture, and Forestry; No. 2, Mines and Mining; No. 3, Manufactures and Liberal Arts; No. 4, Fine Arts; No. 5, Electricity and Machinery; No. 6, Auditorium (made after the model of the Salt Lake Temple); No. 7, the Nebraska building; No. 8, Grand Army of the Republic building; No. 9, the Silver Palace.