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## THE HARLEM RIVER SPEEDWAY.

The Harlem River Speedway, which is now within measurable distance of completion, will show what good engineering, coupled with a discriminating treatment of the natural features of the site, can do in giving at once grace and dignity to a public work of this magnitude; and in this respect it should give genuine satisfaction to the critics who have lately been calling for a closer collaboration between the engineer and the architect.

It is not necessary to recount the history of this undertaking, nor call up the untoward circumstances attending the first abortive attempt to carry it out. Suffice it to say that the present Board found themselves confronted with a difficult problem in the shape of a costly, incomplete, and in many respects poorly planned and worse constructed engineering work, which they were expected to revise and largely reconstruct and carry to a satisfactory completion.

Elsewhere in this issue will be found a detailed description of the undertaking, in the preparation of which we have been offered every facility by the engineers in charge of the work. Our readers will be able to judge for themselves of the value of the modifications in the original plans which have been made by the new Park Board. The improvements are well conceived and, with one exception, well carried out; they will give to this handsome public work both permanence and beauty, essential qualities which it would never have possessed if carried out on the lines of the original plan.

It is greatly to be regretted, however, that where the general design for the improvement of the Speedway was so well conceived, especially in the matter of giving it landscape treatment, the methods adopted in carrying out one of its most important features should have been marked by such blundering and costly extravagance. Reference is made to the construction of some miles of masonry and concrete trenches, whose sole purpose was to hold together the necessary soil for the planting of shade trees and shrubbery.

We are informed that this altogether unique and original device was rendered necessary by the loose character of the cinder filling of which the roadbed is largely composed; that the tide water, percolating through the cribwork and bank, would have been liable to wash away the planting soil, and that on the river side of the Speedway some form of box was necessary to hold this soil in place, and incidentally to keep the salt water from the roots of the trees.

But the parties responsible for this work should have known, as they readily might on inquiry, that where the surface of the ground is from eight to ten feet above mean high water, the majority of hardy trees and shrubs will thrive perfectly well without any precautions having been taken to protect the roots from salt water. A notable instance of this is to be found in the trees and shrubbery of the park which was laid out in the Fens of Boston, whose plantations are carried down to water level. The result in this case speaks for itself and shows that the alleged peril to the shade trees of the Harlem Speedway is purely imaginary.

With regard to the possible washing away of the loam from below, if it were laid in an open trench, it is certain that the crevices of the underlying material would soon have been filled up, and any resulting settlement could have been remedied by laying fresh mould on the surface. But admitting for the mere sake of argument that the looseness of the surrounding fill made it necessary to insert some form of box to hold the loam temporarily in place, why was this temporary expedient built of solid masonry and concrete at an enormous cost to the city. The roughest kind of planking, loosely laid and held in place by light scantling, would have served the purpose equally well, and, indeed, for the future accommodation of the spreading roots of the trees, infinitely better. Moreover, if the masonry was necessary to prevent the washing of the mould by the tidalwater, why was it put in at such points as that shown in the views on another page, where there are ten feet of bank and ten feet of first-class cement masonry between the planting space and the river? The question becomes yet more pertinent when applied to the planting space adjoining the bluffs on the inner side of the Speedway and from seventy-five to a hundred feet distant from the river. Surely, one would think, the soil was safe from its enemy when sheltered behind earthworks one hundred feet thick. But it seems not. So remorseless are the waters of the Harlem that even where the sidewalk has been blasted out of the solid side hill, as will be seen from the photograph, the impregnable masonry fort is built upon this rocky bed.

But perhaps it is the rock that is at fault, and there is a danger lest the precious soil should percolate through the gneiss formation of Manhattan Island!

That this amazing device should ever have been adopted is rendered more puzzling when we reflect—and it is evident to the veriest novice in plant culture—that this waterproof box will defeat the very end at which it is supposed to aim; for in winter the impervious concrete floor will hold whatever surface moisture passes down, producing decay at the roots

such as would occur in an ordinary flower pot that had no hole in the bottom; and in the hot summer months the heated stone work will merely hasten the drying up of the soil, and the concrete floor will prevent that attraction of moisture from below which is the chief object of surface cultivation.

If the material of the roadbed was altogether unsuitable for the purpose, the simplest and most reasonable course would have been to dig a trench of the same cross section as the present box and place the mould within it. Every benefit and none of the pernicious features of the present suicidal device would have been secured; and as the trees increased in size, their roots would have been free to reach out and take hold of the surrounding material of the roadbed.

That the trees would grow under such circumstances and flourish in spite of rocky surroundings and salt water at their roots (if it ever reached them) is proved by the size and vigor of the trees which are now growing down to the very water's edge on the rocks of the adjoining bluffs.

At a moderate estimate this superfluous masonry has cost the city from \$30,000 to \$40,000, and it stands there as a menace to the growth and life of the very trees which, forsooth, it was designed to protect. We are informed by prominent landscape architects that a masonry box of the size provided will dwarf the growth of the trees and limit their life to twenty-five or thirty years at the most—from which it is evident that the Harlem Speedway will never be graced with the avenue of stately timber which, presumably, it was in the minds of the Board to provide.

## PROPOSED PATENT LEGISLATION.

A bill (H. R. No. 3,014) for amending the patent laws in certain particulars is pending in Congress and is now in the hands of the House Committee on Patents, having passed the second reading. We simply review the nature of the proposed amendments, reserving any comment for a future issue.

The first amendment relates to section 4,886 of the revised statutes, and provides that any person may obtain a patent for an invention not known or used by others in this country before his invention or discovery and not patented or described in this or any foreign country before his invention or discovery thereof, or *more than two years prior to his application*. The second amendment relates to section 4,920, and provides that in an action for infringement it is a good defense if it can be proved that the invention had been patented or described *more than two years prior to his application for a patent*.

The next amendment provides that, if the inventor or his legal representatives or assigns shall have patented an invention in a foreign country, this shall not be a bar to patenting in the United States, *unless the application for said foreign patent was filed more than seven months prior to the filing of the application in this country*. This amendment fixes a term of seven months, similar to the clause touching countries beyond the sea, which is embodied in the International Convention for the Protection of Industrial Property.

The next amendment puts into statute form the present Patent Office rule of practice requiring action upon an invention on the part of the applicant to take place within six months of his last action. If the period of six months is exceeded, the application is to be treated as abandoned. It also provides for putting the case in condition for final action within eighteen months, at the end of which time the Commissioner may require the applicant to show cause why the case has not been more diligently prosecuted, after which hearing he may issue an order requiring applicant to complete his case within six months.

The bill next provides that the assignment, grant, or conveyance of a patent shall be open to acknowledgment before notaries public, United States commissioners, secretaries of legation and consular officers authorized to perform notarial acts. This species of acknowledgment is to constitute a prima facie evidence of the transfer.

The last section limits the periods of accountings to six years before the filing of the bill of complaint. There is to be no recovery of profits or damages for any infringement committed before such period. This it will be seen is in the direction of enforcing diligence in the protection of patent rights. The inventor has long been held to a measure of diligence in prosecution of his claims. The proposed amendment *obliges* him to be vigilant in maintaining the rights awarded him. We feel sure that the amendments will receive careful consideration by the committee.

## THE GAS EXHIBITION IN NEW YORK CITY.

On the evening of January 27 there was opened what is said to be the first exhibition exclusively devoted to gas products and appliances to be held in this country. The exhibition is being given in Madison Square Garden, New York, by the Gas Industries Company, which was organized by parties who are interested in many gas companies of this country and the representatives of five State gas associations.

Of course in an exhibition of this kind every source