

## INDUSTRIAL PROPERTY COMMISSION.

In our issue for November 19 we referred editorially to the "Commission to Revise the Patent and Trade Mark Laws of the United States." All of the three sessions were successful, and the forthcoming report will be looked for with interest. The first session was held in the Federal building, New York city, November 19. There were present the chairman of the commission, Mr. Francis Forbes, and Judge A. P. Greeley, Assistant Commissioner of Patents; the third member, Judge P. S. Grosscup, of Chicago, did not arrive from Chicago in time to attend the meeting. Mr. Forbes made a short opening address explaining the scope of the commission. Mr. Israel F. Fischer, Member of Congress, was the first speaker, and he dealt largely with regional marks, such as "Port," "Madeira," "Burgundy," etc., showing that the use of many so-called regional brands of wines or liquors is not intended to designate the places of origin or manufacture, but are simply terms which have grown up in the trade, and to prevent the use of such words by manufacturers would be to discriminate in favor of foreign manufacturers.

Mr. A. L. Pincoffs, an attorney of New York, replied to Mr. Fischer, claiming that there should be some restriction placed upon manufacturers to prevent them from using labels designed to copy those used by foreign makers. Among the other speakers were Thomas Drew Stetson, Herbert A. Banning, and Dr. F. E. Stewart also addressed the commission relative to caveat laws and trade marks used by manufacturers of proprietary articles. Dr. Stewart, who is Chairman of the Committee on Patents and Trade Marks of the American Pharmaceutical Association, spoke of the attempt to create a perpetual monopoly for secret medicines through registration of trade marks, registering the only name by which the article is known and obtaining protection in case of a term really generic, thus creating a patent in effect without giving the public the consideration demanded in case of a patent—publicity after a certain period had elapsed. Judge Greeley referred to the matter of oaths to applications and the proper officers abroad before whom they may be made. He also referred to the suggestion as to advisability of requiring applicant in this country to elect a domicile and appoint representatives on whom notice of legal proceedings can be served.

The second session was held at New York on November 21, Mr. Forbes and Judge Greeley being present. Mr. Frederick P. Fish, counsel for the General Electric Company and the Bell Telephone Company, thought that our patent system was the best in the world and that the caveat might be abolished without injury. Mr. Albert H. Walker also contended that the caveat should be abolished. Mr. W. L. Cliffe, of Philadelphia, Chairman of the Committee on Patents and Trade Marks of the Pennsylvania State Pharmacal Association, made a statement in regard to chemical patents to foreigners, which he opposed. Mr. E. N. Dickerson defended the taking of chemical patents in this country by foreigners, and especially by Germans, whose country gave patents for processes, but not for a chemical composition, although it would be protected by the patent for the process if no other process was discovered. Dr. F. E. Stewart again spoke and read resolutions passed by his Association condemning the laws which protected pharmaceutical preparations by patents and also which gave a monopoly to the owners of secret preparations by means of trade marks. Mr. Dickerson subsequently renewed his argument and claimed there was no difference between a patent for a medical truss and a patent for phenacetine, and that patents for medicinal substances should be protected as a benefit to humanity equal to patents for mechanical devices.

Mr. Dickerson agreed with Dr. Stewart that if a patented article had only one name by which it was known, that that name should become common property when the patent expires. Dr. R. J. Gatling made an interesting address on the advantages of patents as suggestions to inventors, even though the devices patented were inoperative. Mr. D. W. Brown advocated the retention of the caveat. Mr. Lemuel W. Serrell contended that the caveat should be extended to foreigners.

The third session was held in Washington, November 22, in the office of the Commissioner of Patents. Representatives of the patent bar gave their views. The sentiment was, on the whole, in favor of abolishing caveats. Another question discussed was in reference to interference proceedings by foreigners. It was contended by some that the foreign inventor should be given the date of his first foreign application as a date equivalent to the date of a United States application instead of the date of issue of his foreign patent as now. Another proposition involved the reduction of the fees required upon the filing of an application for the registration of a trade mark. Under the present law, in case registration is refused, because of conflict with prior existing registered works, the fee is lost, and as the expense connected with the registration is slight, it is contended by some practitioners that the fees should be reduced to somewhere between \$5 and \$10.

The question of the reduction of fees on patents was

also considered. It is thought by many attorneys that a reduction would stimulate business and result in a large increase in the number of applications filed.

In the afternoon the Commission as a body paid an official visit to President McKinley, and in the long interview granted them the President showed that he was keenly alive to the questions before the commission as related to foreign commerce.

The next day was spent in discussion of the letters received and in drafting the formal report. The report is expected to be ready before the meeting of Congress, and we shall duly notice it when it becomes public. The chairman, Mr. Forbes, will still be glad to receive letters bearing upon the subject as outlined in the circular letter.

## THE HEAVENS IN DECEMBER.

BY GARRETT P. SERVISS.

The advance of the winter constellations up the eastward slope of the sky during December is one of the most sublime spectacles that the heavens afford to the contemplation of the earth's inhabitants. Taurus, as forerunner of the great company, appears early in the evening, rising with a backward motion, like a leader turning to face his marching orchestra, with the swarming Pleiades a-glitter on his shoulder and Aldebaran glaring red beneath the upraised club of Orion. Behind his back, and high overhead, are Pegasus and Andromeda, while Auriga, with the brilliant Capella, outrivalling Aldebaran in splendor, keep abreast of him in the northeast. Between Auriga and Andromeda soars Perseus, hero of the diamond sword and winged sandals, with Cassiopeia close by, toward the pole. In the meantime, Cygnus, Lyra, and Aquila are retiring adown the western sky, the Northern Crown is poised on the horizon, and Ursa Major shines under the pole. An hour later, Orion and Gemini, advancing with even stride, having the Galaxy stretched between them, appear in the east and northeast, and with their coming a shimmering light seems to break over the sky. Orion, on a clear night, flashes with extraordinary brilliancy. His two great first magnitude stars, Rigel and Betelgeuse, with their contrasted colors; his glowing Belt, which was once the constellation of Napoleon, and the glittering surroundings of his wonderful nebula all uniting to accentuate his magnificence. Still later, following Orion and Gemini, appear Cancer, with its beehive cluster of stars (now honored with the presence of the planet Mars), Canis Minor, with the great star Procyon, and, chief over all the starry host, imperial Sirius, a star so great and splendid that it alone stands for a whole constellation, and outranks even Orion with all his celestial jewels.

These constellations afford a feast of beauty and many dazzling surprises for the observer with an opera glass. Let the glass be of the first quality and not too small, and look especially at the Pleiades, the Hyades (of which Aldebaran is chief), the Belt of Orion, and the neighborhood of the Great Nebula.

## THE PLANETS.

Mercury is an evening star and can be best seen about the 3d, when it attains its greatest eastern elongation. It would be more conspicuous in the sunset but for its great southern declination. It moves from Sagittarius into Ophiuchus and passes between the earth and the sun on the 21st, after which it will be a morning star, but not visible until January.

Venus, which was so brilliant in October and the first part of November, passes between the earth and the sun on the 1st, and becomes a morning star. She remains in Scorpio throughout the month.

Mars is attracting attention once more, glowing with his characteristic reddish hue, and rising, at the opening of the month, between 8 and 9 o'clock in the evening. He is in the constellation Cancer, and was conspicuous to the eyes of all who watched for the Leonid meteors in November. The earth is rapidly approaching him and he doubles his brightness between the 1st and the 31st. The planet's north pole is inclined toward the earth.

Jupiter, in the constellation Virgo, is a morning star, rising at the beginning of the month about 4 A. M., and at the end about 2 A. M.

Saturn, in the constellation Ophiuchus, is in conjunction with the sun on the 6th, after which date it becomes a morning star.

Uranus, in Scorpio, is a morning star, but too close to the sun to be visible.

Neptune, in Taurus, just above Orion, is well placed for observation with telescopes, being in opposition to the sun on the 15th.

## THE MOON.

December opens with a waning moon, which reaches third quarter on the morning of the 6th. The new moon of the month occurs on the morning of the 13th, the first quarter on the evening of the 19th, and the full on the evening of the 27th.

The moon is in perigee on the 14th and in apogee on the 2d and the 29th.

The lunar conjunctions with the planets occur as follows: Mercury, the 3d; Jupiter, the 10th; Venus, the 12th; Uranus, the 12th; Saturn, the 12th; Mercury, the 14th; Neptune, the 26th; Mars, the 30th.

## MISCELLANEOUS.

There will be a partial eclipse of the sun, invisible, on the 12th, and a total eclipse of the moon, visible, on the 27th, the moon rising in eclipse.

The sun enters Capricorn, and astronomical winter begins, on the 21st, about 2 P. M.

A small meteor shower, radiating from Gemini, occurs on the night of the 10th.

Minima of the variable Algol occur on the 7th at 6:54 P. M., and on the 24th, at 11:47 P. M.

## RECENT DEVELOPMENTS IN SCHOOL SANITATION.

The drinking cups of schoolhouses have, for a long time, been recognized as a means of spreading diphtheria and other contagious diseases. For the last quarter of the school year of 1897 the New York city schools excluded 4,183 children, and of this number 265 cases were for ailments which were liable to be communicated by the use of a common drinking cup, for diseases such as diphtheria, scarlet fever, whooping cough, and the mumps. Of other diseases more or less liable to be spread by the same means were measles, chicken pox, and 702 contagious diseases of the eyes. In the same relation to the adults are the drinking cups and tumblers used in public places where persons afflicted with consumption and all kinds of contagious diseases use the cup or glass indiscriminately. The Sanitarian recently described an ingenious drinking fountain invented by a citizen of Rochester, N. Y., which, if it came into general use, would soon supplant the use of cups and other drinking vessels in public places. It consists of a marble pedestal about 3½ feet high, capped with a funnel-shaped basin 12 inches in diameter. Upon applying pressure to a lever at the base of the basin a jet of water shoots up from the center of the basin and into the mouth when held over it. With a little practice one's thirst may be abundantly satisfied without the intervention of a drinking vessel of any kind. The jet is arranged so as not to spatter. This device admits of no contact of the lips with the jet pipe or any other portion of the apparatus, the water flowing through the supply pipe, through the jet directly into the mouth, and all the waste into the bowl, where it immediately flows off by an escape pipe. None is allowed to accumulate. If it is to be used by small children, wooden steps at one side enable even the smallest child to obtain an adequate supply of water to slake his thirst.

## PHILIPPINE TOPONYMY.

According to Mallet, the island of Luzon was so called because its Spanish conquerors observed that in front of the cabin of every inhabitant there stood a large cylindrical wooden mortar, which, in the language of the Tagalas, was called a losong, and in which was pounded the rice that formed, and still forms, the staff of life of these people.

The name Manila (or Mainila as it has been spelled) is supposed to be compounded of the two Tagala words, ma, an apocopated form of mairon, "(where) there is," and nila, the name of a shrub (Ixora manila) of the order Cinchonaceæ, which grows in great abundance on the shores of the Bay of Manila.

The name Cavite is a very slight alteration of that of a native village, which was so called from the shape of the bay upon which it stood, the Tagala word cavit meaning a "hook" or "bend."

The Visaya or Central Philippine Islands derive their name from their inhabitants, who, at the time of the arrival of the Spaniards, had the custom of painting their entire body in different colors. The Spanish name is from the native word "bisaya," meaning "painted man."

## SIR JOHN FOWLER.

Sir John Fowler, who was engineer-in-chief of the Forth Bridge, and, for his services in this connection, was created a baronet in 1890, is dead. Sir John Fowler was born in Sheffield in 1817; he began his career as a hydraulic engineer, working in the construction of the Sheffield water works. He then became assistant engineer in the construction of several lines of railway, among others the London and Brighton Railway. At the age of twenty-seven he was appointed constructing engineer of the Manchester, Sheffield, and Lincolnshire lines, the building of which presented peculiar difficulties in the way of tunnels, viaducts, bridges, hydraulic works, ferries, etc. His successful work soon brought him to the front rank of practical engineers. His services were widely sought both in England and on the Continent in the construction of railways and docks, and other large work requiring a large degree of engineering skill. The engineering feat by which Sir John Fowler is best known, both to the general public and engineering experts, is the construction of the great bridge across the Firth of Forth.

GERMAN university students have increased in number from about 10,000 twenty-five years ago to 32,241 last year. The increase is out of proportion to the population.