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## ANNUAL REPORT OF THE COMMISSIONER OF PATENTS.

In our issue of January 28 we gave a brief account of the business of the Patent Office for the year 1898, which was based upon advance sheets of the annual report of the Commissioner. We now have before us the full report, a lengthy digest of which appears in the current issue of the SUPPLEMENT. From the opening summary we learn that the total number of patents, designs, reissues, etc., filed in 1898 was 39,603, a decrease of 12,456 on the previous year. The total expenditures were \$1,136,196.20 and the receipts over expenditures were \$1,538.28, while the total balance to the credit of the Patent Office in the Treasury of the United States on January 1, 1899, was \$4,972,976.34.

The Commissioner acknowledges the granting by Congress of the greatly needed increase in the force of the Patent Office, and states that as a result "for the first time for at least ten years it is unnecessary for a Commissioner of Patents in his annual report to plead for an additional force." Proof of this is afforded by the fact that while on March 15, 1898, there were 14,842 patents awaiting action, by December 27, 1898, only 5,467 applications were subject to delay. The significance of these figures, however, is modified by the fact that the business of the office was seriously affected by the war. A similar reduction, due to the civil war, in the number of applications occurred in the year 1861, when there was a reduction of 40 per cent as compared with the previous year.

Commissioner Duell urgently reiterates the request of his predecessors for additional room in which to transact the business of the office. At present only a portion of the Patent Office building is allotted to patent business, the legitimate tenants of the building having to share the space with other branches of the Department of the Interior, of which the Patent Office forms a division. The space so allotted is, and for some years has been, altogether inadequate for the growing necessities of the office. The crowding has affected the filing of the records and the printing of needed copies of the patents so seriously that it now takes days to obtain copies of the patents granted in any particular class which should be obtainable on demand. The obtaining of copies is of vital importance, both in defending suits or passing on supposed infringements, and as matters now stand inventors' interests are gravely jeopardized, simply for the want of a little more room in which to carry on the printing, classifying, and filing of the necessary documents. This is a matter for prompt and thorough remedy, and the case can best be met by giving up to the Patent Office the whole of the building which is known by its name.

The report contains several proposed amendments to the patent and trade-mark laws. One suggestion is to appoint the Commissioner and Assistant Commissioner for a stated term of not less than six years. Since the year 1870 the average term of service has been only two years. This quickly recurring change is certainly not conducive to "stability of office practice."

As we are just now seeking certain important concessions from some foreign countries, the amendment permitting aliens to file caveats should be passed with as little delay as possible.

But the next amendment, providing for the publication of three thousand additional copies of the Official Gazette, is decidedly objectionable. These additional copies are to be given to Senators and Representatives for free distribution among [the faithful] manufacturers and mechanics [of their constituencies]. We believe that this political almsgiving is thoroughly bad in principle, whether it takes the shape of "free seeds" or free Gazettes. The price of the Gazette is entirely within the means of all who have need of it, and why John Doe should have to pay for his copy and Richard Roe secure his for nothing is an ethical mystery which the movers of this amendment are requested to solve.

We are pleased to learn from the report that the commission appointed by the President on July 7 last, "to revise the statutes relating to patents, trade and other marks, and trade and other commercial names,"

will submit a proposed trade-mark law, which will provide for the registration of trade-marks used in interstate commerce. At present, before a trade-mark can be registered, it must be put into use in trade with one or more foreign countries or Indian tribes. It is hoped that the law will be modified so as to allow the use of a trade-mark in this country without any reference to foreign countries or tribal Indians. There is also room for improvement in the matter of fees, the present fee of \$25 being obviously excessive.

In concluding his report Commissioner Duell makes an eloquent plea for the full recognition by the government of the leading part played by the Patent Office and the inventor in the promotion of American industries. We fully agree with him in his conviction that, in view of the fact that we owe so much to our inventors, the government has hitherto done comparatively little to encourage them in their work. The Patent Office is more than self-sustaining, and all that the inventors and manufacturers ask is that the money paid into the Treasury shall be used in providing the needed facilities for carrying on the work of the office.

## THE GOVERNMENT AS AN ADVERTISING AGENCY.

The bill introduced by Senator Burrows prohibiting the insertion of business advertisements in any official publication of the government is aimed at such abuses as have been practiced in connection with the printed matter of the Bureau of American Republics. This organization, which was formed for the ostensible and very laudable purpose of promoting trade between the United States and the South American republics, has been in the habit of inserting paid advertisements in The Monthly Bulletin and what it calls The Commercial Directory. The former contains miscellaneous information of a kind which is useful to the wholesale, retail, and commission merchants. While it is perfectly unobjectionable in its reading matter, as soon as it solicits advertisements from the public it loses its original character and becomes at once a commercial enterprise and a direct competitor with the trade journal, whose field of usefulness it consciously or unconsciously usurps. The Commercial Directory, again, uses the august influence of the government to impel commercial houses to place their names upon its lists at the rate of so many dollars per insertion. With all the "drawing" power of the government behind them, it is not surprising that these ventures have proved to be lucrative, the annual report showing a balance in hand.

It is gratifying to realize that the impropriety of the government going into industrial enterprises and becoming a commercial rival of its own citizens is being realized by Congress, and it is hoped that a stop will now be put to a tendency which is, beyond measure, a menace to the commercial rights of the people. There is no more reason why the government should compete in the publication of books and business directories than that it should undertake the manufacture of corsets or engage in the sale of chewing gum. Such work should be left to the enterprise and industry of the people, who will be deprived of legitimate means of livelihood in case the United States government, with the financial support of the whole nation behind it, becomes their rival and competitor.

## AN AMERICAN CANAL AT PANAMA?

The desire of the American people to have a canal at the isthmus built with their own money and operated under their own control is very natural and perfectly proper. In a recent editorial upon the canal question The London Times says: "We are quite ready to admit that while our interests in the canal scheme are large, those of America are vital," and what is openly and frequently acknowledged by England is tacitly admitted by every civilized people throughout the world.

The strength of the recent movement in favor of building a canal at Nicaragua has lain in the mistaken impression that the Panama Canal scheme was a government enterprise and must therefore be built with French capital, controlled by French influence, and guarded by the military forces of France. If the scheme, indeed, were so entirely under the control of a foreign government, the SCIENTIFIC AMERICAN would be among the first to advocate the building of an independent canal, even though, as at Nicaragua, it should be greatly inferior, judged from an engineering and commercial standpoint. As a matter of fact, however, the new Panama Company is a private corporation, and its operations at the isthmus are no more controlled by the French government than the English-owned mines and factories in this country are controlled by the British cabinet in Downing Street.

The Panama Company, through M. Maurice Hutin, its director-general, has made a proposition to the United States government which removes at a stroke the bugaboo of foreign control, and leaves the way open for this country to step in and push the Panama Canal to completion, securing for itself at the same time every rightful advantage which could be gained by the construction of the Nicaragua Canal.

The offer made by M. Hutin is as follows: "While the new Panama Canal Company does not seek any government aid, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific Oceans. Therefore the new Panama Canal Company declares that if, as the result of any investigation, the government of the United States adopt the Panama route, the company, if the government so desires, will incorporate under the laws of the State of New York (under the laws of which State the Panama Railroad Company has existed for nearly fifty years) or of some other State of the Union, subject to the provisions of its concession, and vest its concessions and property in such corporation. It will also in said event accord to the United States such representation in its board of directors and such opportunity to acquire an interest in its securities as may be permitted by its concessions, which, of course, must be scrupulously observed."

The most important stipulations of the concessions here mentioned are article 5, which assures the neutrality of the canal, and article 6, which states that the passage of the canal is strictly closed to war vessels of nations which may not have secured by treaty with the Colombian government the right to pass through the canal at all times. The United States is the only nation to which this right has been granted, and this was done in the treaty of 1848, in which we guaranteed the neutrality of the isthmus for all time.

Looking at all the circumstances, it will be seen that this offer of the Panama Canal Company invests the canal with every political advantage which could be afforded by a canal at Nicaragua: and this fact, coupled with the enormous engineering and operating superiority of the shorter route, points to the completion of the Panama Canal as being the course most consistent with not merely our own interests, but the interests of the world at large.

At the same time we should "make haste slowly" in a matter involving such vast interests, and we think the decision of Congress to investigate the comparative advantages of the two routes, indicates the next and most obvious step to be taken at the present juncture.

## THE SENATE AND THE NAVY APPROPRIATIONS.

We are glad to note that the Senate has failed in its attempt to cut down the appropriations for the navy to an extent that would have caused several of the ships now in commission to be laid up, while the number of new ships to be added to the navy would have been reduced from twelve to six.

While we have no wish to criticize the actions of the Senate, who have, no doubt, in this, as in all other legislation of the kind, acted for what they conceive to be the highest interests of the country, we greatly regret that a reduction of appropriations should have been attempted in this particular direction. The recommendations for the increase of the navy were based upon the fact that the Spanish war has greatly multiplied the responsibilities and duties which devolve upon the navy. With the acquisition of Puerto Rico and the Philippines our vulnerable coast line has been extended a thousand miles into the Atlantic and six thousand miles into the Pacific, and a navy that was scarcely adequate to the defense of our own mainland must be greatly augmented if it is to guard the scattered possessions, the thousand and one islands, which have come into our keeping as the result of the war.

It did not strike us that the requested authorization of a dozen ships was more than sufficient to meet the new conditions which we have now to face. The ships, moreover, were specially designed for work in tropical and southern seas, and at long distances from our coasts. To this end they were of great coal capacity and were in every case to be sheathed with copper. Perhaps the Senate thinks that our present ships will serve for foreign service just as well; but they would not. The battleships have not the desirable coal capacity, and, being unsheathed, they will have to make frequent visits to the dry-dock. It is a matter of history that when hostilities were pending, the voice of the Senate was strongly for war, and it is also a fact that our retention of the Philippines was strongly advocated by the same body; hence it came in the nature of a rude surprise that the Senate should have shown a disposition to so far repudiate its own policy as to refuse to vote the needful appropriation for carrying that policy into execution.

No one could be more opposed to an unnecessary increase of armaments than the SCIENTIFIC AMERICAN, and we consider that the size of our naval and military forces should be determined strictly by our actual necessities. A navy is large or small according as it exceeds or falls short of these necessities. A few years ago the United States navy was so inadequate as to be almost ridiculous. In the fifteen years previous to the late war we had brought it up to a fair standard of strength; but the war has so far added to our responsibilities that we need to make a considerable increase—at least as large as that now authorized by Congress—if we are to keep our navy up to its proper standard.