

The Outlook

MARCH 21, 1914

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GEORGE WASHINGTON, IMMIGRANT

Will the United States forbid asylum to refugees from the oppression of the Russian autocracy? The text of the Burnett Bill, now before Congress, requires the exclusion of persons "who advocate the unlawful destruction of property, . . . or the propriety of the unlawful assaulting or killing of any officer or officers . . . of the Government of the United States or of any other organized Government." Such a provision, if adopted, would keep out many Russian revolutionists. As has been pointed out, it would have kept out any who took part in the Boston Tea-Party, and even George Washington himself, if they had applied to be admitted as immigrants.

Does Congress want to make this the law of the land?

THE PATENT ABSURDITIES OF PATENT LAW

Two recent patent decisions have called attention to the delays, intricacies, and exorbitant expense to which opposing claimants of rights in an invention are subject. One affirms the claim of Orville Wright to the exclusive right in the method of controlling aeroplanes by wing-warping invented by the Wright Brothers. The other sustains the patent granted in 1898 (and applied for about ten years earlier) to the Rev. Hannibal Goodwin as the first inventor of the flexible film which has so extensively supplanted the use of plates in photography. In both cases there will follow attempts to collect large sums in royalties—in the Goodwin case the present owners of the patent declare that the principal violators of their rights (as they claim) will have to account for from \$5,000,000 to \$25,000,000.

It is not necessary to express any opinion as to the merits of these long and costly contentions. The point is that the longer and

more involved the struggle, the more costly it has been to both sides and the more injurious to those who would use the invention. And where one case is fought out to a decision probably ten are abandoned because the claimant lacks money or courage. One result is secrecy in the use of inventions, which is exactly what our patent laws are meant to discourage. Thus, Mr. Wright now explains why, after he and his brother had made aeroplanes that would fly, there were five years in which the world heard little of aviation; it was, he says, "because we anticipated this very fight we have now brought to a successful conclusion. We decided we would be absolutely lost if our patent became known before we had \$200,000 to fight with. Our experience in the courts has indicated that we did not overestimate the money needed."

And Mr. Wright tells of one manufacturer who refused to pay for a license on the frank avowal that he expected to be an old man before a decision of the case was made and that perhaps his grandchildren could deal with the matter. Mr. Goodwin made films in 1887 (he wanted to use them in his Sunday-school picture work), and he died some fifteen years later with his case undecided and to continue undecided for twelve years. Whether his claim was sound or not, he surely had a right to a decision in less than twenty-five years.

• A revision of our patent laws after a thorough investigation by a commission of experts is needed. It should forbid the buying of patents for the purpose of suppressing them—prevented in England by granting compulsory licenses for an adequate fee. It should simplify the procedure and regulate the power of appeal, making it impossible for a patent to be good under the jurisdiction of one Circuit Court and bad under another, as is now said to be the case. It should, above all, do away with the harrowing

delay and ruinous cost that now discourage the poor inventor.

**GEORGE WESTINGHOUSE:
INVENTOR AND ENGINEER**

To no other American except Thomas Edison are so greatly due the advances of our time in invention and consequent industrial expansion as to George Westinghouse, who died in New York City last week at the age of sixty-eight. The application of air power to the railway brake was long resisted by the railway companies, but is now not only universal but by law compulsory. This invention alone, made when Westinghouse was but twenty-one years old, is enough to make one inventor famous, and it was followed by the adaptation of the alternating electric current for light and power purposes, by a valuable air-spring for motor vehicles, by numerous improvements in railway signaling, by the great turbine system for steamships, by a practical method for using natural gas at a distance from its source, and by literally scores of minor devices and discoveries. Out of these inventions grew the immense Westinghouse manufacturing industry, said to employ in all its branches 50,000 men and to represent \$200,000,000 in capital.

That Mr. Westinghouse was a man of wide human sympathy as well as a great organizer and developer of industry is shown by the statement in the current accounts of his life that he introduced into this country the now almost universal Saturday half-holiday.

Both physically and as a leader and commander of men Mr. Westinghouse was a man of remarkable strength and energy. Lord Kelvin declared truly that he was "in character and achievement one of the great men of our time."

BILLY SUNDAY

Billy Sunday is a human phenomenon—if he will pardon our applying to him a term of three syllables which, to use his own phraseology, "might make a Greek professor's jaw crack"—a phenomenon that cannot be treated either with indifference or contempt. Some persons, however, especially in our large cities, are inclined to be ultra-critical because Mr. Sunday as a preacher or religious orator violates many of the conventions of the pulpit.

Billy Sunday was, twenty years or more ago, a famous professional baseball player. He played center field on the well-known

Chicago team managed by Captain "Pop" Anson, and he was known from the Atlantic to the Pacific in his time as a remarkable thrower and runner. When he became an evangelist, he determined to "play" the game of religion exactly as he played baseball. Mr. Sunday recently appeared on the platform of Carnegie Hall in this city under the auspices of an Evangelistic Committee composed of some of the leading citizens of New York. A reporter of the New York "Sun" describes the event as follows:

At a wave of the hand from Dr. Wilson Mr. Sunday sprang to the footlights. He went at his job of preaching exactly as a skillful coacher works on the base lines. He made you think of Jennings, Clark Griffith, Germany Schaefer—any one of the ready-witted, nervous, energetic baseball strategists in the midst of a hot game.

Billy Sunday went at it with voice, hands, feet, eyes, his whole body. Of medium height, squarely built, with a strong-cut, smooth-shaven face, he looked fifteen years younger than his age. He talked so rapidly that often whole phrases seemed to explode as a Roman candle explodes and were lost in a crackling of sounds. He roamed up and down the stage, stamping his feet, pounding the desk, bending double, kicking out over the footlights, hurling defiance at the powers of evil with the same motion that an outfielder uses in throwing to the home plate.

He spoke of God, Jesus, and the Apostles as men speak of acquaintances they have just left around the corner. As Billy talked, these things didn't sound irreverent. Possibly they would look differently in print.

Mr. Sunday's theology is of the old-fashioned, and what is sometimes regarded as the orthodox, kind. He believes in a personal devil, a heaven of material blessedness, and a hell in which the obstinate and perverse sinner is condemned to eternal and poignant suffering. His exhortations are an appeal to men to live lives of decent conduct—to live up to the Ten Commandments and the Golden Rule. He appeals to men to "turn from the error of their ways" for two motives. One is to save themselves from eternal punishment, and one is to make themselves and their neighbors more fit than they often are to be members of a civilized society. Vice is intolerable to him, and he believes that every decent man should make open warfare upon it. In carrying on this warfare he does not hesitate to use humor, sarcasm, denunciation, pathos, or any other rhetorical weapon to conquer his audience. And he addresses enormous audiences everywhere. In New