

# The Independent.

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"EVEN AS WE HAVE BEEN APPROVED OF GOD TO BE INTRUSTED WITH THE GOSPEL, SO WE SPEAK; NOT AS PLEASING MEN, BUT GOD WHICH PROVETH OUR HEARTS."

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## The Independent.

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### THE MEADOW.

BY ARCHIBALD LAMPMAN.

HERE when the cloudless April days begin,  
And the quaint crows flock thicker day by day,  
Filling the forests with a pleasant din,  
And the soiled snow creeps secretly away,  
Comes the small busy sparrow, primed with glee,  
First preacher in the naked wilderness,  
Piping an end to all the long distress  
From every fence and every leafless tree.

Now with soft sleight and viewless artifice  
Winter's iron work is wondrously undone;  
In all the little hollows cored with ice  
The clear brown pools stand simmering in the sun,  
Frail lucid worlds, upon whose tremulous floors  
All day the wandering water-bugs at will,  
Shy mariners whose oars are never still,  
Voyage and dream about the lightening shores.

The bluebird peeping from the gnarled thorn  
Prattles upon his frolic lute, or flings,  
In bounding flight across the golden morn,  
An azure gleam from off his splendid wings.  
Here the slim-pinioned swallows sweep and pass  
Down to the far-off river; the black crow  
With wise and wary visage to and fro  
Settles and stalks about the withered grass.

Here when the murmurous May-day is half gone,  
The watchful lark before my feet takes flight,  
And wheeling to some lonelier field far on,  
Drops with obstreperous cry; and here at night,  
When the first star precedes the great red moon,  
The shore-lark tinkles from the darkening field,  
Somewhere we know not in the dusk concealed,  
His little creaking and continuous tune.

Here too the robins, lusty as of old,  
Hunt the waste grass for forage, or prolong  
From every quarter of these fields the bold,  
Blithe phrases of their never finished song.  
The white-throat's distant descent with slow stress,  
Note after note upon the noonday falls,  
Filling the leisured air at intervals  
With his own mood of piercing pensiveness.

Often, how often, from this upland perch,  
Mine eyes have seen the forest break in bloom.  
The rose-red maple and the golden birch,  
The dusty yellow of the elms, the gloom  
Of the tall poplar hung with tasseled black;  
Ah, I have watched, till eye and ear and brain  
Grew full of dreams as they, the moted plain,  
The sun-steeped wood, the marshland at its back,

The valley where the river wheels and fills,  
Yon city glimmering in its smoky shroud,  
And out at the last misty rim the hills  
Blue and far off and mounded like a cloud,  
And here the noisy rutted road that goes  
Down the slope yonder, flanked on either side  
With the smooth-furrowed fields flung black and wide,  
Patched with pale water sleeping in the rows.

So as I watched the crowded leaves expand,  
The bloom break sheath, the summer's strength uprear,  
In earth's great mother's heart already planned  
The heaped and burgeoned plenty of the year,  
Even as she from out her wintered hearse  
My spirit also sprang to life anew,  
And day by day as the spring's bounty grew,  
The fabric'd dream unlocked the fount of verse.

In reverie by day and midnight dream  
I sought these upland fields and walked apart,  
Musing on Nature, till my thought did seem  
To read the very secrets of her heart;  
In mooded moments earnest and sublime  
I stored the themes of many a future song,  
Whose substance should be Nature's clear and strong,  
Bound in a casket of majestic rhyme.

Brave bud-like plans that never reached the fruit,  
Like hers, our mother's, who with every hour,  
Easily replenished from the sleepless root,  
Covers her bosom with fresh bud and flower;  
Yet I was happy as young lovers be,  
Who in the season of their passion's birth  
Deem that they have their utmost worship's worth,  
If love be near them, just to hear and see.

OTTAWA, CANADA.

### PRESIDENT HARRISON.

BY T. C. CRAWFORD.

FEW Presidents have been so successful in disarming their critics as President Harrison. As his Administration progresses his reputation grows, so that to-day he is much stronger than he was when he was first nominated as the chief of his party. He has been tried by every test to demonstrate the qualities of his character, and in none of them has he been found wanting.

It is further an accepted fact in Republican circles that the President will be renominated, and that he will be as strong a candidate as any one, and that if he could not be elected no Republican could.

Mr. Blaine's declaration in favor of Mr. Harrison is one of the open secrets of Washington. This declaration is thoroughly consistent with Mr. Blaine's position. His position is one about which there need never be any dispute. This position was presented with remarkable clearness by Mr. Blaine when he was in Europe, both at Paris and later at Florence. If he could have had then the nomination of his party without contest, practically by unanimous consent of all the leaders, he would have accepted a nomination without doubt. To consent to a contest for the honor after having been once chosen chief of the party was absolutely impossible to Mr. Blaine. It was a question with him of personal dignity and pride. To this position he most consistently adhered. It was announced at Paris, and again re-affirmed several months later at Florence. Those who believe that all questions of political policy are to be met with subterfuge and trickery, of course asserted then that this attitude of Mr. Blaine's was a deceptive one and that he was not actuated by motives of good faith. This accusation pursued Mr. Blaine up to the last moment before Mr. Harrison was nominated. I saw Mr. Blaine at all the principal points visited by him in Europe and can affirm that at no time did he change his attitude toward the nomination.

At Edinburgh, where he stopped over Sunday on his way north on a coaching trip upon the Sunday preceding the day Mr. Harrison was nominated, Mr. Blaine received numerous cablegrams. He was assured by men in whom he had implicit confidence that he would be nominated upon the opening ballot of the coming Monday session without opposition if he would only consent to have his name used. Mr. Blaine never wavered in his determination. Any change then would have given the lie to all his previous assertions, and would have proved the truth of the criticisms of his opponents. He cabled his refusal; and in answer to a request for him to indicate his preference he promptly cabled the name of Benjamin Harrison, plainly indicating that was where he wished his friends to throw their support. It was soon after the completion of this cable correspondence that I called upon Mr. Blaine in his rooms at the Royal McGregor Hotel. It was at the close of this conversation that I asked Mr. Blaine who he thought would be nominated upon the following day. He promptly replied: "Without any doubt General Benjamin Harrison." He did not then give any reasons for his belief.

It was at Linlithgow the next evening that I received a private message announcing Mr. Harrison's nomination. I went to Mr. Blaine, who was then engaged with the members of the coaching party in looking at the ruins of the ancient castle which overshadows the little town, and handed him the dispatch. It was the first news he had had of the nomination. His countenance expressed no surprise, rather satisfaction as he said: "A most excellent nomination." His going to the head of Mr. Harrison's Cabinet following the latter's election was most natural. There the Secretary of State had full power to carry out the cherished ambition of his life, the establishment of a reciprocity policy with Latin America, without being worn out and fretted with the demands of office-seekers. In this post he is serenely content. He sees before him a widely extended field for the greatest of ambitions, and the prayer of his life is to have time enough to finish these plans so brilliant and daring in their conception, and now so ably being carried out.

A glance at Mr. Blaine's former attitude is necessary fully to explain his present position in his relations to the President, and why he will be unflinching in his support of the President for a second term. Mr. Blaine is

in exactly the same attitude to-day that he was when in Europe during the year preceding the last presidential campaign. It would be untrue to say that Mr. Blaine would not like to be President of the United States. If he could be nominated unanimously, the President being the first to tender him the offer he would accept; but to suppose him a possible candidate one has to suppose the impossible condition of unanimity among all of the leaders of the Republican Party. If Mr. Blaine's honor and pride kept him from being a candidate in 1888, how much greater must be the restraint laid upon him by his honor and pride now, when he is in the Cabinet acting as the chief adviser of the President. Mr. Blaine has never permitted any doubt to rest in the minds of his friends, who have taken the trouble to ask him about this subject. Few have deemed it necessary to question when the logic of his position was so plain.

It is generally conceded throughout the country now that President Harrison will be renominated. A close study of his personality reveals a character worthy of attention and profound respect.

In the first place he has the knowledge of public affairs necessary to the proper comprehension of his duties. This knowledge is never possessed by any President who has not had previous experience in national life at Washington. Six years in Washington as Senator gave Mr. Harrison an intimacy of practical knowledge of public affairs enjoyed by few Presidents of modern times when first inducted into the office. Of the Presidents since the War General Garfield was the only one who had an equal knowledge of public affairs acquired by study and actual experience.

President Harrison is a man of strong character. This character has been developed by a career of toil and struggle where a weak man would have gone down. He has never had any one to help him, and throughout his whole life had to support others outside his own immediate family. This toil has been so incessant, that he has had but little time for social relaxation. Until he went to Washington he never had put on a dress suit. Altho his life has been one of poverty and struggling, his surroundings have been those of a man of refinement and education. He married when he was barely of age and before he really had any income. The little house occupied by him and his wife in the beginning of their struggle at Indianapolis was no larger than the ordinary workingman of to-day possesses. It had but three rooms. Mrs. Harrison had no servant. It was the common beginning of many young people of that day, when early marriages were the rule. But altho both were forced to work, they still found time to keep up their reading and study. Mr. Harrison was a graduate of Miami University of Ohio. His wife was the daughter of the president of an academy for young ladies in the same town. Throughout his life he has had the trials which have taught him self-denial, unselfishness and strength of character. For all his life he has had others dependent upon him.

His early and happy marriage has given him the most elevated ideas concerning domestic purity. This was clearly illustrated last winter. Two Western senators recommended to the President a certain man for the post of United States Judge upon a Western circuit. The President was disposed to make the appointment; as he has always regarded the indorsement and advice of Senators where possible. In this particular case he learned that the candidate for this office had deserted and divorced his wife on account of his passion for another woman. The latter had lived with him as his mistress until the divorce proceedings could permit the legalizing of the irregular union. The President called these facts to the attention of the Senators. They admitted their correctness, but said in extenuation that it was a mistake in the man's life, but that the community had accepted the man and had forgiven him for his conduct. The President the moment the facts were conceded absolutely refused to appoint the man. He said that the post was one for life, and that the man did not possess the character to entitle him to a life post of honor on the bench. He would not enter into the question of his repentance or of the present correctness of his life. For such posts there were men to be found without stain upon their character. This was practically accepted by the Senators as an open defiance. It was during the period when the Election bill was pending, and the President was anxious to have every

a Commissioner, under the direction of the Secretary of State; the first Commissioner under the new law being Henry L. Ellsworth, of Connecticut; and the second, Edmund Burke, of New Hampshire, who was appointed May 5th, 1845. He was succeeded by Thomas Ewbank, of New York, May 9th, 1849, in which year the Patent Office was transferred from the Department of State to the Department of the Interior.

By the act of 1836 the novelty of patents was inquired into. The report of the Senate Committee, just referred to, makes use in this respect of the following language:

"Under the act referred to, the Department of State has been going on, for more than forty years, issuing patents on every application, without any examination into the merits or novelty of the invention. And the evils which necessarily result from the law as it now exists must continue to increase and multiply daily till Congress shall put a stop to them."

The report also summarized the various evils of existing practices. In brief, these evils were that a considerable portion of all the patents granted were worthless and void, as conflicting with and infringing upon one another; that the country was flooded with patent monopolies, embarrassing to *bona-fide* patentees, whose rights were invaded on all sides; that out of this state of affairs a great number of lawsuits arose, which were daily increasing in an alarming degree, onerous to the courts, ruinous to the parties and injurious to society, and that the then existing system opened the door to frauds, which had become extensive and serious. Acting on the exhaustive report made by Senator Ruggles, the Twenty-fourth Congress completely revolutionized the American system by the passage of the act of 1836, and certainly the experience of all who have had occasion to become familiar with the American Patent Office and the practice of the courts on questions growing out of the administration of the office, thoroughly demonstrates the value of the Congressional action of that year. A system of examination and methods for disposing of interfering applications was established, that practically remains in force at the present time. The statute of 1836 continued the discrimination in favor of American patentees, but modified it so as only to require a residence of one year, and it provided that a subject of Great Britain should pay \$500 on making application; while all other foreign applicants were to pay \$300. The law also created what is known as the caveat system, by which an inventor could file in the Patent Office a caveat setting forth the design and purpose of his invention, its principal and distinguishing characteristics, and praying for temporary protection until he could mature his invention. Under this he was granted the privilege of one year from the time of filing the caveat. The Commissioner was granted sole authority for continuing patents through extension of terms, the term being usually for fourteen years, and an extension being allowed when the conditions were such as to warrant it.

The next important act relating to our system was that of March 2d, 1861, under which the term of a patent was extended to seventeen years, and providing that no patent granted after that date for that term should be extended. No extension of a patent can now be granted except by an act of Congress authorizing it. By the act of 1861 the discrimination in favor of American inventors was abolished, and the privileges of the Patent Office were thrown open to citizens of all countries, unless a country discriminated against citizens of the United States.

In 1836 the Patent Office was completely destroyed by fire, nothing being preserved except one volume from the library, as already stated, and this was of little value to any one. The present building was erected in accordance with the act of July 4th, 1836, which provided that the President should cause to be erected on some appropriate site a fire-proof building, with suitable accommodations for the Patent Office. One of the wings of the main building was completed and occupied by the office in the spring of 1840. The entire structure, being that which now contains the Patent Office, was completed in 1867. In 1877 (September 24th), a fire broke out in the model-room of the Patent Office, destroying many models and archives, the roof and the model-rooms and contents on the west and north sides being completely destroyed. In these two halls alone there were 87,000 models. Many of them have been reinstated by inventors, but the loss can never be thoroughly repaired.

The patent laws were again revised in 1870, but not in all respects was the revision for the best interest of inventors. This act was passed July 8th, 1870. It remodeled and re-stated much of the old law, providing, however, for an Examiner of Interferences and Assistant Commissioner, and other means of administering the affairs of the Office. The present law, which is consulted in all cases, is the revision of December 1st, 1889, and takes the place of all previous revisions.

The Patent Office issues an elaborate code of rules of practice, the latest revision being April 18th, 1888.

The magnitude of the patent business is simply enormous. Prior to the law of 1836, as stated, the total number of patents issued was 11,348. With the first issue under the law of July 4th, 1836, a new series was

instituted, and up to 1891 such new series had arisen to 448,987 patents for inventions, 20,439 patents for designs, 18,775 patents for trade-marks, and 6,403 patents for labels. The surplus to the credit of the Patent Office, January 1st, 1891, being the balance of all receipts of the Patent Office, as against the expenditures of the office, was \$3,872,745.24. The largest number of patents issued in any one year was for 1890, the total being 26,292. With such a business in the interest of the inventors and discoverers of the United States, it is not remarkable that the patent system of America should attract the attention of other countries. Our own system is the most elaborate and the most complete of any in the world. No other system so thoroughly provides for the examination of all alleged inventions, relative to novelty and utility. This is perhaps the distinguishing feature of the American system over others. In nearly all other systems the examination is only as to form of the papers filed, the officer passing upon them simply performing a ministerial act, and the patent really being a matter of registration.

WASHINGTON, D. C.

### DR. SPEAR AS A PREACHER.

BY THEODORE L. CUYLER, D.D.

ABOUT forty-seven years ago I came over from the Princeton Theological Seminary to visit some friends who were residing in Brooklyn near the site of the present City Hall—which was not yet erected. One of my friends said to me: "I am attending a new church lately organized in a new part of the city, south of Atlantic Avenue. They have just settled on their first pastor, a Mr. Spear, from Lansingburgh; he is still quite a young man, but a man of remarkable power." That was the first time I ever heard the name of a man who in after years was sometimes on the floor of the General Assembly playfully styled "the spear of Ithuriel." It was a happy designation of a mind that was keen, sharp, incisive, and of a fiber as solid and strong as steel.

The young pastor of the "South Presbyterian Church" had just come from a region whose theological "primate" was Dr. Beman, of Troy. Those were the days of controversy between the "Old" and the "New School" in the Presbyterian realm, and Beman was one of the champions of the "New" side—along with Dr. Lyman Beecher, Albert Barnes, and I. Thomas H. Skinner. Mr. Spear became ardently attached to Dr. Beman, and considered himself a theological pupil of the eminent Trojan. The opinions then formed were never changed. Theology was a favorite study with Samuel T. Spear throughout his long and untiringly active life. A splendid logician—he loved to exercise his brain on the great problems which have exercised the great intellects of Christendom since the days of the Apostles. The examination of candidates for admission into the "Presbytery of Brooklyn" thirty years ago was always assigned to him; and I well remember how keenly he questioned me when I was received as a "Princetonian" into the then "New School" Presbytery. So masterly a theologian was Dr. Spear that I have always regretted that he did not accept a chair in a theological seminary. He would have distinguished himself in that position.

For nearly thirty years he found his throne in a Brooklyn pulpit. His great contemporaries—Bethune, Storrs, Beecher, Cox, Jacobus, Spencer, and Cutler—had already made the pulpit of this city famous over the land. He measured up fairly alongside of the best of them. I never shall forget a discourse which I heard him deliver during the winter of 1860-'61. It was on the text "Son, remember!" (Luke xvi, 25). The discourse was carefully written and delivered with impassioned fervor. In pungency, logical power, and tremendous thrust of practical application to the conscience, it reminded me of Charles G. Finney. There was no blunting of the "sword of the Spirit" by attempted denials of the awful *literalness* of the retribution which a holy God inflicts upon the willful transgressors of his law, and rejecters of his grace. Dr. Spear never wrapped the saber of scriptural truth around with cotton batting; he held that the Word of God was intended to be quick and powerful, and sharper than any two-edged sword, piercing into the joints and marrow, and to be a discerner of the thoughts and intents of the heart. If a profound belief in the plenary inspiration of God's Word, and a profound reverence for every jot and tittle of it is to be regarded as "Bibliolatry," then he was a genuine Bibliolater. He believed and therefore he spake; and he loved the souls of impenitent sinners too well to conceal from them the infinite guiltiness of sin, and its just desert of all the punishment which a holy and yet loving God will inflict upon transgressors. To him the words "Heaven" and "Hell" were no mere metaphors or pious myths; they were tremendous realities. Like old John Bunyan he "carried that fire in his own conscience which he persuaded his people to beware of." With this fearless severity of denunciation of sin, there was coupled the richest and fullest exhibition of the grace of God in redemption and the tenderest and most beseeching appeals to flee unto Jesus Christ as the only covert of safety. It was not a mere hemisphere of the glorious Gospel which he presented; but the complete,

well-rounded exhibition of Jehovah as infinitely just and yet the "justifier of them who believe on Jesus Christ."

Such faithful and affectionate preaching could not fail to produce rich results. Conversions were frequent. With one hand he scattered the precious seed; with the other he reaped the joyful harvest. Powerful revivals attended his ministry. During one of these seasons of spiritual refreshing I gladly went down and spent one evening with him, preaching for him and then going in with him into the inquiry-room afterward. He conducted his special services of that kind very much after the methods of Lyman Beecher, Finney and Beman. The awakened were carefully instructed as to their immediate duty to yield themselves to Christ. Like his neighbor, Dr. Spencer, the single aim of Dr. Spear was to co-operate with the Holy Spirit in the process of conversion. The converts were early trained into Christian work, and the South Church was, in its best days, a hive of zealous activity. It was from that church that most of the men and women went who organized the present powerful church on Lafayette Avenue.

When the old flag was struck down on Fort Sumter, Dr. Spear came to the front as one of the most eloquent and vehement champions of the Union cause. His pulpit became one of the loyal batteries, and he immediately delivered and printed a discourse that smote like chain-lightning. As a superb combination of polemics and patriotism it was not surpassed by any of the "blood and fire" productions of that stormy era. I have always felt a deep regret that such a masterly and truly orthodox preacher as Doctor Spear retired from the pulpit when he did. But the reasons which impelled him, satisfied his own conscience; and when he no longer preached with the tongue, he reached a vast congregation with his fertile and vigorous pen. I feel an honest pride in my beloved and now departed brother as a sort of colleague in the evangelical pulpit of THE INDEPENDENT. But how many of my associates in these columns are falling by my side! The valiant and the veteran Cheever gone to join his favorite Bunyan and to talk together of their pilgrimage to the Celestial City. This last eventful week has seen the heroic lion-hearted Howard Crosby struck down on the ramparts with the trumpet to his lips, and the banner of King Jesus in his grasp! And now the summons from the King has suddenly reached another who has been for some time in a land of Beulah, catching sweet glimpses of the heavenly home and his own household there awaiting him. His "marks and his scars he has carried with him as a witness that he fought the battles of Him who is now his rewarder; and the trumpets have sounded for him on the other side." For a fearless and a faithful warrior of the Cross was Samuel Thayer Spear.

BROOKLYN, N. Y.

### A CENTURY OF COPYRIGHT PROGRESS IN AMERICA.

BY AINSWORTH R. SPOFFORD,  
LIBRARIAN OF CONGRESS.

THE history and present condition of the law of literary property in the United States possesses for all writers for the press a commanding interest. Amid all uncertainties which have beset the proper protection of the rights of authors, and the sometimes conflicting decisions of the courts thereupon, the fact that this protection has always been recognized as due stands prominently out. And its foundation appears to be broader and deeper in this country than in any other, since it is distinctly laid in the Constitution of the Government itself. That instrument declares that "the Congress shall have power to promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries."

To James Madison belongs the honor of having first offered, in the Federal Convention which framed the Constitution (on the 18th of August, 1787), a provision for this, among other framers, as "proper to be added to those of the general legislature," namely: "to secure to literary authors their copyrights for a limited time." Mr. Pinckney, of South Carolina, submitted other proposed grants of power to Congress, among which was this: "To secure to authors exclusive rights for a certain time." These were coupled, in each case, with an independent proposition, empowering Congress to grant patents for useful inventions. All the propositions were referred to the "committee of detail," who formulated the desired provisions into the clause ultimately adopted in the Constitution, and previously cited. This ultimate provision amalgamated what were two independent propositions, as drawn by their authors, into one, doubtless for the sake of greater economy of words, in an instrument remarkable for its condensed style, and plain, perspicuous language.

It is a very notable fact, that the United States of America was the first nation that ever embodied the principle of protection to the rights of authors in its fundamental law. Thus anchored in the Constitution itself, this principle has been further recognized by repeated acts of Congress, aimed in all cases at giving it