

# THE EVENING NEWS.

Friday, December 20, 1872.

## AN IMPORTANT DECISION RELATING TO THE FUTURE OF THE FINE ARTS.

In the decision of the suit of the Gorman Manufacturing Company, vs. White, the Supreme Court of the United States has rendered signal and important service to the progress of the fine arts. By the statute of 1842, Congress authorized to those whose industry, genius, efforts, and expense should produce new designs for printing, statures, bas-reliefs, and other forms of ornamentation, the right of copyright in the mechanical arts; and in constructing this law in such manner as to give practical protection to the designer, the Court has, doubtless, lent a valuable impulse to the artistic culture of the country.

Although passed twenty years ago, this act has remained almost wholly a dead letter. Very few suits were brought under it at the Circuit, and, until the present, none have been carried to the Supreme Court.

The result has been that infringements of design patents have become almost universal. No sooner did a pattern, device, or ornament introduced at great expense, become popular in the market, then it was copied by other manufacturers, who thus, without risk, and almost without loss of business consideration, enjoyed the fruits of the genius and enterprise of others. This became at last a serious evil, which seemed to threaten the very existence of American design, for no one could afford to employ a corps of artists, and incur the cost of bringing new goods into the market, if his property in the result was open to be shared by all the world.

This was the state of the business which the Gorman Manufacturing Company undertook to remedy. They were as every one knows, foremost among American silver-smiths for the beauty and novelty of their goods. Undismayed by the growing practice of infringement which disgraced the trade, they kept a large corps of artists in their employ, whose business it was to devise new and beautiful forms and decorations. These were, as a general rule, copied by others, and the Gorman Company resolved to see whether the law which had promised them protection was adequate to furnish them relief against this great and serious mischief. They have carried on this good fight for art and their rights for six years, unaided save by the moral support of the trade, and the decision of the Supreme Court has at last crowned their courage and endurance with brilliant triumph.

They selected, as the ground on which to make their fight, the patent for the design of the well-known Cottage Pattern of spoons and forks. The infringers called their goods the Gothic Pattern, and had, also, a patent, but the Gorman Company charged that this was an evident copy of their design, varied only for the purpose of escaping the law. It was an additional grievance in this case that the cottage goods were in silver, while the imitation was in base metal.

None of these facts were denied by the defendants, who rested their case solely upon the fact, not controverted by the Gorman Company, that there were certain differences in the details of the two designs, which experts and persons accustomed to look at silverware would certainly observe. And the question was thus fairly raised whether a patent for a design was infringed if the infringer was clever enough to produce upon the eye the same artistic effect, and yet vary from the details shown and described in the patent. The plaintiffs claimed that if, to the eye of the purchaser, the resemblance was so close that the pattern were the same, then that, in law, they must be deemed the same, while the defendants urged that it was for experts and designers to determine the identity of the patterns.

The cause was heard in New York in the summer of 1870, and the views of the defendants were sustained by the opinion of the Court.

This doctrine went to the root of the matter. If it were sound, design patents were of no value, for it is always easy to vary the details of a work of art, and yet preserve the same artistic effect and the same results on the eye of the observer. To such a rule the Gorman Company, and, indeed, the fine arts of the country, could not submit. And they therefore appealed their cause to the Supreme Court, which has just decided it in their favor, and has reversed the doctrine of the Court below.

The value of the doctrine of this decision to the artistic progress of the country can scarcely be overated. Inventors of designs now stand on the same level with inventors of machines. The beautiful arts may now go into business and vie with their mechanical sisters in the successful pursuit of wealth. It will now become more the interest of the artist of the great silver-smiths to aim at the production of new and varied compositions, and to engage corps of trained artists to aid them in their completion. Fostered and sustained by the strong arm of the law, we may at length expect to see American manufactures as admirable for their beauty as for their ingenuity.

For this important result the country must thank the Gorman Manufacturing Company, whose courage and resolution have brought it about. — *New York Daily Times.*

## HORROR! HORROR!

THE RAGING PLAGUE IS ON THE MARCH!

## DR. E. L. PLANT,

THE GREAT ENGLISH REMEDY.

AFTER MANY YEARS' STUDY AND PRACTICE, I AM PREPARED TO TREAT THE FEARFUL SMALL-POX.

And as forwarding is forwarding the Doctor kindly inquires of each patient whether he fully prepared and guaranteed to cure the malignant evil in any of its stages. But as prevention is better than cure, advise at once and you shall never be crossed with the small-pox.

Price, \$1 per Bottle, which ought to be in the possession of every person.

Residence—E. L. PLANT, Phillips Buildings, 11th Ward, S. L. City.

## FOR SALE.

QUERRELL Double and Single Buggies, new and hand, at a low price, at 625 1/2 MARK STREET.

FOR SALE OF LEASE, THE BRICK BUILDING on First Street, in immediate east of First Street, formerly owned by P. A. Mitchell. For further particulars apply to H. T. WOODRUFF.

# WHOLESALE DRY GOODS DEPT.

Z. C. M. I.

To accommodate the rapidly increasing Business of this Department and to Exhibit to our Patrons the

**LARGEST AND MOST COMPLETE STOCK**

**EVER BROUGHT INTO THIS TERRITORY.**

We have been obliged to move to the

**New and Commodious BUILDING**

WEST OF THE

**"EAGLE EMPORIUM,"**

And we invite an early inspection of the same.

This stock, selected expressly for this Market, includes all lines of

**PRINTS, LAWNS, PERGALES!**

AND

**DRESS GOODS IN GREAT VARIETY.**

**"STAPLE GOODS,"**

AS USUAL, AND

**"NOTIONS,"** Full and Complete.

We are not to receive a lot

**LATE AND CHOICE STYLES**

**FALL & WINTER**

**SHAWLS,**

To which we invite special attention.

In fact our

**Numerous Patrons**

and those who are in and around this city can not have a more pleasant time than on

Looking through our Magnificent Stock and seeing our

increased facilities for doing business.

H. B. CLAWSON, Sup't.

**SINGER SEWING MACHINE.**



WE respectfully invite the Public to call and see our excellent variety of

**Sewing Machines,**

IN PLAIN, BEAUTIFUL AND ELABORATE STYLES OF WORKMANSHIP, AND

GREATLY IMPROVED, WITH THE

**FANTON CASTORS.**

The total sales of the Singer Machines are now

**THREE-QUARTERS OF A MILLION**

The sales of last year,

**181,260.**

An evidence that it is fast gaining supreme favor in the household.

The Singer Company sold over the other Companies,

**62,734.**

The Chicago Relief Committee furnished us letters by the Star to March 1, 1872, 2,304

of Singer Sewing Machines, all other makes, 793. Applicants may select their selections, with same discount on all.

Our Sales in Utah exceed any other House in the Sewing Machine line this side of Chicago.

We "courteously" invite the Ladies to see our

**EMBROIDERY ATTACHMENT,**

It attracts general attention and admiration.

We also desire you to see our

**Tuckers, Corders, Rufflers, Binders, Quilters, Hem-**

**mers, Trimmers, Pleaters, Self-Binders, Seam-**

**Rippers, Needle-Setters,**

**SUITABLE FOR ALL KINDS OF SEWING MACHINES.**

WE GUARANTEE EVERY MACHINE WE SELL TO GIVE ENTIRE SATISFACTION. No machine is thoroughly adjusted, tried and tested by experienced mechanics, and all warranted to sew with ease all kinds of goods from the coarsest to the finest.

**LAGER, BUCKING, DOMESTIC, DERRING, TIGER, DUCKING, HEAVY, BUCKING AND LEATHER.**

As illustration given Free of Charge by competent attendants, and terms of sale to suit all circumstances.

**OTHER SEWING MACHINES REPAIRED ON REASON-**

**ABLE TERMS.**

We extend a cordial invitation to all to

**COME AND SEE OUR MACHINES,**

Whether they wish to purchase or not.

**AT THE SINGER SEWING MACHINE DEPARTMENT,**

**Z. C. M. I. General Agents,**

11th Ward, South of Main Street, Salt Lake City.

# RAILROADS.

**UTAH**

**SOUTHERN RAILROAD!**

ON AND AFTER DEC. 20, 1872,

**DAILY TRAINS**

WILL LEAVE THE

**UTAH CENTRAL R.R. DEPOT.**

Salt Lake City at 7 a.m. and 2 1/2 p.m.

Arrive at Ogden at 9 a.m. and 4 30 p.m.

Leave Ogden at 9 30 a.m. and 5 p.m.

Arrive at Salt Lake City at 11 a.m. and 7 p.m.

In addition to the above,

**MIXED TRAINS**

Will run Daily, Sunday's Excepted.

Leaving the

**UTAH CENTRAL R. R. DEPOT,**

Salt Lake City at 1 p.m. and

Leaving at 6 a.m.

Passengers will please purchase tickets at the Office. Extra charges additional will be charged when the fare is collected on the Train.

For all information concerning Freight or Passage apply to

**JAMES SHARP,**

General Freight and Ticket Agent.

**JOHN SHARP,**

GEN. SUPERINTENDENT.

200 1/2

**UTAH CENTRAL RAILROAD**

Pioneer Line of Utah

ON AND AFTER

**DECEMBER 20, 1872,**

**DAILY TRAINS**

Leave Salt Lake City at 5 a.m. and 2 1/2 p.m.

Arrive at Ogden at 7 a.m. and 4 30 p.m.

Leave Ogden at 8 a.m. and 5 30 p.m.

Arrive at Salt Lake City at 11 a.m. and 7 30 p.m.

In addition to the above,

**MIXED TRAINS**

WILL RUN

**DAILY, SUNDAYS EXCEPTED,**

Leaving Salt Lake City at 8 a.m. and 5 30 p.m.

and Ogden at 5 a.m. and 5 30 p.m.

Passengers will please purchase their tickets at the Office. Extra charges additional will be charged when the fare is collected on the Train.

For all information concerning Freight or Passage apply to

**JAMES SHARP,**

Gen. Freight and Ticket Agent.

**JOHN SHARP,**

GEN. SUPERINTENDENT.

**C. P. R. R.**

ON AND AFTER SEPTEMBER 15th,

TRAINS WILL LEAVE OGDEN

DAILY AS FOLLOWS:

Ogden at 5 a.m. and 10 a.m. and 5 p.m.

Arrive at Salt Lake City at 7 a.m. and 4 30 p.m.

Leave Salt Lake City at 8 a.m. and 5 30 p.m.

Arrive at Ogden at 9 a.m. and 4 30 p.m.

Leave Ogden at 9 30 a.m. and 5 p.m.

Arrive at Salt Lake City at 11 a.m. and 7 30 p.m.

In addition to the above,

**MIXED TRAINS**

WILL RUN

**DAILY, SUNDAYS EXCEPTED,**

Leaving Salt Lake City at 8 a.m. and 5 30 p.m.

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DAILY AS FOLLOWS:

Ogden at 5 a.m. and 10 a.m. and 5 p.m.

# UTAH NORTHERN RAILROAD.

**TRAINS RUN**

**BRIGHAM JUNCTION WITH C. P. R. R.**

**TERMINUS,**

**6 Miles from Logan.**

Leave Brigham Station, (on arrival of C. P. R. R.) at 8 30 a.m.

Arrive at Terminus at 11 30 a.m.

Leave Terminus at 1 30 p.m.

Arrive at Brigham at 4 30 p.m.

Stages connect with Trains to and from L. and with Northern Settlements in Cache County THE WEEKLY.

**TRAINS RUN ON SALT LAKE TIME.**

**FARE—Between Salt Lake and Terminus.**

**REDUCED RATE—TO EXCURSION PARTIES.**

Passengers will please purchase their tickets at the Office.

For all information concerning Freight or Passage apply to

**JOHN W. YOUNG, Gen'l Supt.**

**Z. C. M. I.**

**Carpet Emporium!**

**House Furnishings.**

FOR

**SEE OUR**

**CARPETS,**

**AND PRICES.**

See our Elegant Chromos & Wall Adornments.

See our New Designs of Window Shades.

FOR COLD WEATHER

See our Weather Strips. They save one half in

Fuel and thus add to Comfort.

WE ARE UNSURPASSED IN

UPHOLSTERY TRIMMINGS, LACE CUR-

TAINS, CHURCH HASSOCKS, &C.

**H. B. CLAWSON, Sup't.**

**ARRIVAL**

**FALL & WINTER**

**GOODS.**

**Z. C. M. I. CLOTHING DEPARTMENT**

Large and Well-selected Stock of

**CLOTHING & MEN'S FURNISHING GOODS**

SUITABLE FOR THE SEASON, AND WHICH IS NOW OPEN

FOR INSPECTION.

French, English and American Suitings, Coatings

and Cassimeres in Great Variety and

Latest Styles.

Men's and Boys' Clothing of the Latest Fashions, from

the first Houses in New York, Boston, Chicago

and San Francisco.

A FULL STOCK OF HOME-MADE CASSIMERES AND

JEANS TO WHICH WE INVITE INSPECTION.

**MEN'S UNDERCLOTHING.**

**HOSIERY, GLOVES,**

**UMBRELLAS, COLLARS**

**GENERAL**

**FURNISHING GOODS.**

Trunks, Valises, Rugs, Blankets, Capes and

Overcoats.

**MEN'S AND BOYS' BOOTS AND SHOES,**

EASTERN AND HOME MADE!

Grant and Greeley and all the Newest Styles of

**HATS AND CAPS.**

Wall Paper and Decorations in Great Variety.

OUR MERCHANT TAILORING DEPARTMENT

Has induced us to make

Large Purchases for our Fall and Winter Trade.

So that gentlemen may choose from the most Varied and Extensive Stock we

have ever offered.

**TAILORS' NOTIONS AND TRIMMINGS**

Of the best quality always on hand.

**H. B. CLAWSON, Sup't.**

**STOVES**

**ATZCO. N. I.**

**GROCERY AND HARDWARE**

DEPARTMENT.

**MONITOR, NEW HOME,**

**CHARLES JOAN, COLE,**

**SEWING, SCOTIA,**

AND A GREAT VARIETY OF OTHER COOKING STOVES.

Also, a large stock of

**PARLOR STOVES, STOVE STOVES, SCHOOL-HOUSE STOVES, &c.**

**H. B. CLAWSON, Sup**