

# The Scott Herald

Subscription, \$1.50 a Year

LENTS STATION, PORTLAND, OREGON, OCTOBER 3, 1918

VOL. XVI. No. 40

## MEMORIAL SERVICE DRAWS LARGE GATHERING SUNDAY

On the Nation's Roll of Honor:  
**William Porter,  
Milford DeWolfe,  
Dr. R. M. Denney.**

In an eloquent address last Sunday afternoon Dr. W. B. Hinson paid a tribute to three men from Lents who have died on the field of battle: William Porter, Dr. Denney and Milford DeWolfe. Dr. Hinson drew an inspiring picture of the work being done for the common people of the world, and the part America will have in making peace permanent.

Mayor Baker presided at the meeting, which was held at the Honor Board. The Multnomah Guard band rendered a patriotic program. Hundreds of citizens crowded the streets, and showed a deep interest in the memorial service.

## GRANGE TO CELEBRATE FORTY-FIFTH BIRTHDAY

Evening Star grange will celebrate its forty-fifth anniversary Saturday, October 6, at its hall, Section Line road and East Eighty-first street.

The program will be varied, including initiations in the third and fourth degrees and an open session in the afternoon with a patriotic and anniversary program.

Preparations are being made to accommodate all who come and a big crowd is expected. The hall will be appropriately decorated and every visitor will be treated to one of those famous grange dinners. All grangers are invited to be present.

J. J. Johnson has been master of Evening Star Grange for more than 12 years.

## LENTS BOY SIGNALLY HONORED BY PERSHING

A former Lents boy, Corporal H. C. Van Amburgh, has been awarded a distinguished service cross by General Pershing for heroism in action. He is the son of Mr. and Mrs. Z. D. Thurmond, who reside south of Lents, near the Estacada electric line. It is reported that Corporal Van Amburgh as a motorcycle dispatch rider, made trip after trip across the shell-swept roads in a gassed area, before and during the capture of Vierzy and during its occupation by the Germans, crawled into the town and brought back information of great value to his commander.

## Soldier Writes From England.

J. L. Johnson has received word from Cortes Valentine, who is stationed in England for the present. He lived in the Belrose-Gilbert neighborhood when he enlisted several months ago. The spirits of the boys "over there" are kept up. Private Valentine says, by the fact that the people of the United States are standing firmly for world democracy. Letters are what the boys need, more than anything else.

## Notice to Mothers of Babies.

The Lents Parent-Teacher Circle will hold a meeting Friday, October 11, between 10 A. M. and 4 P. M., for the purpose of weighing and measuring all the children in this district, between the ages of six months and six years. All mothers are requested to come and bring their children, as the government requires us to get this report as soon as possible.

A trained nurse will be in attendance to aid in the work.

MRS. O. A. HESS, President.

## Sunday School Convention.

A number of young people of the Lents neighborhood will attend the Sunday School rally to be held in Gresham Friday (tomorrow) evening under the auspices of the County Sunday School Association. The meeting will be addressed by interesting speakers from Portland.

## Baby Boy Announced.

Mrs. Charles F. McGill, 4545 Eighty-eighth street, has received news of the arrival of a baby boy at the home of her daughter, Mrs. D. C. Dye, of San Diego, Cal. Sergeant Dye is stationed at Camp Kearney, detailed to drill recruits. Mrs. Dye is well known in Lents.

## Woman Lawyer Honored.

Miss Lida O'Brien, a practicing attorney, has been appointed by District Attorney Evans to fill the vacancy left by Fred Dempsey, who will attend the officers training camp at Eugene.

## Hoffman Heir.

A daughter has been born to Mr. and Mrs. Floyd Hoffman, One hundred and fourth street and Forty-ninth avenue, Peterson's addition. The young lady weighed seven pounds.

## Labor Leaders to Meet.

The State Federation of Labor will convene at Bend, October 14. Usually annual meetings have been held in January.

## BIRTHS.

To Mr. and Mrs. Leslie H. Combs, 5727 Seventieth, September 21, a son.  
To Mr. and Mrs. Albert P. Mumm, 9742 Sixty-fifth, September 25, a daughter.  
To Mr. and Mrs. Lewis Von Klein, 666 East Fifty-fourth, September 24, a son.  
To Mr. and Mrs. Charles H. Tracy, Jr., 6028 Sixty-second avenue, September 21, a daughter.

## ARLETA CHURCH WILL WELCOME NEW MEMBERS

Sunday, October 6, will be "Membership Day" at the Arleta Baptist Church. Quite a number of families have recently moved into the neighborhood and have sent to the old home church for letters of membership. Some have been waiting for friends, so the day has been set aside for a general rally of new members and a special effort to secure more.

At 11 A. M. the sermon will be followed by "The Lord's Supper" and the hand of fellowship will be given to those who have recently united with the church.

The evening service hour has been changed to 7:30 o'clock, when the pastor, Rev. W. Garnet Handley, will speak on a subject that is in the minds of many, viz., "Will the Baptist Church Be Put On the Scrap Heap When the Boys Come Home?" Special music by the large choir, led by Professor C. M. Godfrey, at all services.

## NAMES OF SOLDIERS FROM LENTS WANTED FOR ROLL

The Herald desires to obtain the name of every man serving under the colors whose home is in Lents and vicinity. Please inform us also of any who are wounded or die in the service that they may be properly designated in the Roll of Honor. Parents or other relatives, and friends, of our boys at the front, are urged to bring in their letters to be printed. Even extracts from these letters will be of great interest. Don't be selfish with your letters. Everybody wants to hear from "our" boys in France.

Many of the boys, themselves, get The Herald, and to each who reads these lines, we extend a special invitation to write to us direct.

## RURAL CARRIERS WANTED AT FOUR OREGON TOWNS

The United States Civil Service Commission has announced an examination to be held at Oregon City and Portland, October 26, 1918, to fill the position of rural carrier at Boring, Milwaukie, Molalla, Oswego and vacancies that may later occur on rural routes from other postoffices. The examination will be open to citizens who are actually domiciled in the territory of a postoffice in the county and who meet the other requirements. During the continuance of the present war the Commission will, in accordance with the request of the Postoffice Department, admit women to rural carrier examinations upon the same conditions as men.

## Powell Valley Honors "Boys."

A social and entertainment was given by the Parent-Teacher Association at the Powell Valley school-house Thursday evening in honor of the boys who will soon leave for training camps. They are Hjalmer Staffanson and Carl Keller. At the last meeting of the association the following officers were elected: President, Principal George Metzger; vice-president, William Peterson; treasurer, Andrew Ryberg; secretary, Miss Martha Hagberg; assistant secretary, Miss Caroline Tallmen, primary teacher.

## Rally Day Notice.

The members of the Lents Evangelical Church are rallying to the work which promises to make the Rally Day program a great success. Four hundred is the mark. Many are already curious to see that large number at Sunday school in this part of the town. A squad of soldiers from Vancouver, Wash., is expected to be present. The soldiers will have a part of the program. Remember the place, Lents Evangelical Church. Remember the date, October 6. Remember the time, 9:45 A. M. A cordial welcome extended to all.

## Fast Pacing Race Won.

Mr. and Mrs. O. J. Brown, of Gresham, accompanied by Mrs. M. K. Hedge, of Lents, and Mrs. Cole, of Portland, and Mrs. Parker, motored to Salem to visit the fair. Mr. Brown won first prize of \$1000 in the first pacing race, in 2:07 1/2, with his mare, "Lena Patch," with Harry Squires, of Canby, as driver.

## Subscribers, Please Note.

Subscribers to The Herald will please note that under the new ruling inaugurated by the government in order to conserve the supply of newspaper as much as possible, all subscriptions three months in arrears must be discontinued. While The Herald management would prefer to await the convenience of the subscriber, yet it cannot refuse to do the bidding of the new ruling. Therefore, all subscribers knowing themselves to be in arrears for subscription to this paper for a period of three months or longer are earnestly requested to call in and have their date advanced.

In order that all those in arrears may remember this fact, notices to this effect will be mailed to each individual the first of next week. The great majority of those now three months in arrears are good paying subscribers and have, as a rule, paid up when the year had expired, and these especially we dislike to notify that they must either settle up or have their names removed from the list. But there is no other way, and such being the case we earnestly trust that none will take offense at receiving such peremptory notice. Newspaper publishers are also prohibited from sending or giving out any free papers. Such is the government ruling, and to such we must obey.

## PROPERTY OWNERS PAY EXCESSIVE PRICES FOR "PATENTED" PAVEMENTS

City of Portland Lays Hard Surface for About Half of Charge Made by Contractors--Seattle Shows Up "Patent" Claims as Poor Basis for Gouging--The Herald First to Publish Interesting Facts on Pavements Brought Out in United States Court.

Under private contract it cost Multnomah County about \$120 per square yard to place a two-inch wearing surface on the Columbia River Highway. Under municipal construction it cost the City of Portland \$0.693 per square yard to place a two-inch wearing surface on Terwilliger Boulevard. The highway work was done before the war when labor and materials were not nearly as expensive as they are today. The boulevard job has just been finished, with war prices paid on nearly every item of expense.

In a statement just issued by R. S. Dulin, chief of the Bureau of Standards of the city, these facts are set out:

"I have the honor to submit herewith a summarized statement of costs and operations of the Municipal Paving Plant and crews in preparing 14,458 square yards of base, consisting of an original macadam which we scarified and reshaped with new material. This also includes crushed rock and necessary labor to give proper super-elevation to curves.

"The 14,458 square yards were thus prepared at a cost of \$1,564.03, or \$0.108 per square yard. The 22,464 square yards of asphaltic concrete wearing surface, two inches thick, were laid at a cost of \$14,011.18, or \$0.622 per square yard.

"This shows a total cost, including wearing surface and base of \$15,515.21, or \$0.693 per square yard. Owing to difficulties such as labor shortage, delay in delivery of materials and securing trucks for transportation, this cost is considerably higher than it would have been under normal conditions."

In discussing the project of hard-surfacing Terwilliger Boulevard and the purchase of a municipal paving plant with which to do the work, Engineer Dulin said:

"A significant fact in connection with this work was that the cost of \$0.693 a square yard was attained at a time when the cost of both labor and material has soared skyward. For instance, the city laborers on the work received \$4 an eight-hour day instead of \$3, the rate which prevailed only a year ago, while the cost of asphaltic cement has doubled from \$9.25 a ton to \$18.50 a ton.

"The cost of \$0.622 a square yard for the two-inch asphaltic concrete wearing surface is a marked contrast to the price of \$1.43 for the two-inch asphaltic concrete wearing surface which the Warren Construction Company has just completed for the county on East Eighty-second street.

"The cost of the Terwilliger Boulevard work has brought into vivid relief the excessive prices which the bituminous paving monopoly has exacted during the last ten years from the public and is still exacting on county and state roadwork.

"It is certainly unusual and striking at a time when all other commodities and work are increasing in cost at a tremendous rate to have paving work performed at a total cost of half of what the same work cost under contract prices, even during peace times, and the obvious answer to this anomaly is that the taxpayers of Portland and Oregon have been gouged to the tune of several million dollars by the paving combination.

"Commissioner Barbur said in public, at a council meeting last December, when he asked for an appropriation of \$10,000 for a paving plant, that he could save the city the entire cost of the plant on the Terwilliger Boulevard work alone. His statement has been absolutely vindicated, as the difference between the contract price of \$1.40 a square yard prevailing last December and the cost of \$0.693, as actually attained, means a saving of \$15,874 to the taxpayers and justifies the expenditure of \$10,000 for the plant."

"Most of the opposition to both the bond issue of \$1,250,000 for the Columbia Highway paving in 1915 and the \$6,000,000 issue for state paving in 1917 came not from persons opposed to good roads, but to the paving monopoly which exacted double prices for paving work."

One of the explanations for high prices offered by the paving concern

in Portland, is that the paving mixture is patented and hence of unusual value. This theory of patent protection was called to the fore in Seattle soon after Seattle began to lay pavements without the intervention of contractors. Case No. 2067 in equity, in the United States Circuit Court for the Western District of Washington, was entitled "Warren Brothers Company, complainant, vs. the City of Seattle, a municipal corporation, defendant." The case never came to trial, a motion to dismiss being made by the complainant.

The City of Seattle, in its amended answer, set up a number of interesting facts, if they are facts, and they have not been disproved. Leaving out the formalities of the answer, the City of Seattle set out:

This defendant denies that heretofore, and prior to the 16th day of May, 1901, one Frederick J. Warren, a citizen of the United States, became and was the original, first and sole inventor of a new and useful improvement in street pavements that was not known or used before his alleged invention or alleged discovery thereof; denies that the same was not patented and described in printed publications in this and foreign countries before his alleged invention or alleged discovery, or more than two years prior to his application for Letters Patent of the United States therefor; denies that his alleged invention was not in public use and on sale in this country for more than two years prior to his said application for United States Letters Patent; and denies that the same was not abandoned.

This defendant further answering says that it has no knowledge, information or belief, save by the said bill of complaint as to whether the said Frederick J. Warren, made application to the Commissioner of Patents of the United States, in due form of law, for Letters Patent of the United States, whereupon such proceedings were had and taken; that upon the 5th day of May, 1903, Letters Patent of the United States No. 727,505, duly signed and sealed, were issued to the said Frederick J. Warren, whereby there was granted to him, his heirs and assigns, the exclusive right to make, use and vend said invention throughout the United States and territories therefor for the term of seventeen years from the date of said Letters Patent, and as to all such matters this complainant to make due proof thereof.

This defendant further answering avers that it has no knowledge, information or belief, save by said bill of complaint as to whether on the 4th day of December, 1903, or at any time, the said Frederick J. Warren did, by an instrument in writing, assign to complainant the entire right, title and interest in and to said Letters Patent, including any and all accrued rights of action for infringement thereof, and as to such matters leaves complainant to make due and complete proof thereof.

This defendant further answering avers that it has no knowledge, information or belief as to whether the complainant is, and was, at the time of the filing of this bill of complaint, the sole owner of said Letters Patent No. 727,505, including accrued rights of action thereunder, and to such matters leaves complainant to make due proof thereof.

This defendant further answering avers that it has no knowledge, information or belief, save by said bill of complaint, as to whether the validity of said Letters Patent No. 727,505 has been finally adjudicated by the Circuit Court of Appeals for the Sixth Circuit, and has been recognized in a decree of the Circuit Court of Appeals for the Second Circuit, and in numerous decrees entered by the United States Circuit Courts for Grand Rapids, Michigan, Topeka, Kansas, Montgomery, Alabama, and Fort Worth, Texas, as alleged in paragraph IV of said bill of complaint, and as to such matters leaves complainant to make due and strict proof thereof.

## WELL KNOWN LABOR MAN SEEKS COMMISSIONERSHIP

Oscar W. Horne, well-known organized labor leader, has formally announced his candidacy for City Commissioner. The Central Labor Council has already pledged its support.

"In making public my purpose to seek the office of City Commissioner," said Mr. Horne, "I do so feeling that my wide experience in general construction, sewer work and building of roads makes me exceptionally well qualified to occupy a seat on the City Commission."

Mr. Horne served as State Representative during the 1915 session of the Legislature, introduced many labor bills, and was chairman of the committee on labor and industry. He was renominated as Representative in the primaries last May.

He is a member of the Bricklayers' Union, Local No. 1, of Portland, and has served as district president for the Northwest for the International Bricklayers Union four years and was president of the Central Labor Council in 1892.

## LENTS BOY GIVES AID IN PATRIOTIC EFFORT

J. L. Johnson, who contributed to the success of the memorial service by correcting the list of names on the Honor Board, sends the following acknowledgment to The Herald:

"As I was late getting through with the names on the Honor Board, I left the names, as requested, with Mr. Peterson, but Saturday evening added two more names, Jesse Farnsworth and Fred Dozier, two Gilbert boys, to the list. I would like to pay a tribute to a boy who gave me his name as 'Lucky' Cook, who did everything he could to help me and did it in a clean loyalty to those names and their work. All honor to him as an American boy."

## Many Users of Patented Pavement.

- Clifford Richardson, of Long Island City, N. Y., at the city of New York and at the city of Philadelphia.
- Robert B. Stanton, of Coronado, California, at Coronado, Cal., and at Baldy Mountain, Cal.; also at San Antonio, Cal.
- R. D. Upham, of Long Island City, N. Y., at Long Island City, N. Y.
- George P. Griffith, of Philadelphia, Pa., at Willette Point, New York.
- Frederick A. Mallette, of Geneva, New York, at Geneva, New York.
- Arthur C. Grover, of Rutland, Vermont, at Rutland, Vermont.
- Luther H. Pike, of Manchester, N. H., at Manchester, N. H., and at Johnstown, N. Y.
- Samuel Whinery, of New York City, N. Y., at New York City and Milesburg, N. Y.
- P. Crawford, of Brooklyn, New York, at Brooklyn, N. Y.
- G. A. Beyer, of Bellefonte, Pa., at Bellefonte, Pa.
- A. Van Camp, of Washington, D. C., at Washington, D. C.
- W. E. Wilkins, of Pottsville, Pa., at Pottsville, Pa.
- George H. Bailey, of Washington, D. C., at Washington, D. C.
- D. W. Bailey, of Chelsea, Mass., at Chelsea, Mass.
- J. E. Parison, of Newark, N. J., at Newark, N. J.
- J. L. Fulton, George D. Carr, Frederick E. Mathews, James Walton, James Wallace, Rudolph Mass, of Chicago, Illinois, at Chicago, Ill.
- Barber Asphalt Paving Co. and its officers, of Philadelphia, Pa., at Long Island City, N. Y.
- Logan Waller Page, Wm. V. Judson and Amel L. Barber, of Washington, D. C., at Washington, D. C.
- Edward DeSmedt, of Newark, N. J., at Newark, N. J.
- A. B. Vandermark, of Jersey City, N. J., at Jersey City, N. J.
- W. H. Foye, of San Francisco, Cal., at San Francisco, Cal.
- James M. Hawes, of Covington, Ky., at Covington, Kentucky.
- Marcus H. Hodgman, of Denver, Colorado; F. C. Blake, of Denver, Colorado, and the Blake Asphalt Company and its officers, of Denver, Colorado, at Denver, Colorado.
- George D. Baker, Adolph Wulff, Frank J. Siefert, of Cincinnati, Ohio, at Cincinnati, Ohio.
- Arthur B. Dean, of Louisville, Kentucky, at Louisville, Ky.
- Walter Wilkinson, of Baltimore, Maryland, at Baltimore, Md.
- Charles H. Slicer, of Baltimore, Maryland, at Baltimore, Maryland.
- E. G. Schwendeman, of Oak Park, Illinois, at Oak Park, Ill., and at Chicago, Ill.
- and to others to this defendant at present unknown, but whose names and addresses and places of such prior use this defendant prays leave to insert by proper amendment when ascertained.

## Fame of Pavement Had Spread.

This defendant further answering avers, on information and belief, that the said Letters Patent No. 727,505 granted to Frederick J. Warren under date of May 5, 1903, are null and void, for that prior to the alleged invention or discovery of the invention there attempted to be claimed by the said Frederick J. Warren and more than two years prior to his application for Letters Patent of the United States therefor, the said alleged improvements had been patented and described in various letters patent of the United States, and of other countries, and in various printed publications, to-wit:

United States Letters Patent.  
5,043—Aug. 27, 1872—J. C. Tucker  
29,725—Aug. 21, 1860—Geo. Schrimshaw  
34,404—Feb. 18, 1862—Clark and French  
61,056—Jan. 8, 1867—Bernard Doud  
69,738—July 20, 1867—Russell Fisk  
78,455—June 2, 1868—A. Hoyt  
80,856—Aug. 11, 1868—Cadue and DeValin  
86,355—Feb. 2, 1869—J. Warren Brown  
87,007—Feb. 16, 1869—T. Smith  
88,139—March 23, 1869—J. P. Crawford  
95,878—Sept. 28, 1869—E. W. Hanney  
97,149—Nov. 23, 1869—D. W. Bailey  
103,168—May 17, 1870—Pulton and Braze  
103,169—May 17, 1870—Pulton and Braze  
103,582—May 31, 1870—E. J. De Smedt  
104,325—June 14, 1870—Leveich and Emory  
115,475—May 30, 1871—W. W. Hubbard  
115,887—June 13, 1871—William B. Parison  
122,497—Jan. 2, 1872—W. H. Smith  
122,591—Jan. 9, 1872—Samuel Filbert  
124,620—March 12, 1872—A. H. Perkins  
125,798—May 20, 1872—George L. Eagan  
139,848—June 17, 1872—N. B. Abbott  
163,394—April 30, 1875—Lee  
169,005—Oct. 19, 1875—Jones  
174,643—March 14, 1876—A. Van Camp

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J. L. Johnson, who contributed to the success of the memorial service by correcting the list of names on the Honor Board, sends the following acknowledgment to The Herald:

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## British Letters Patent.

- 176,360—April 18, 1876—S. R. Scharf  
296,426—July 20, 1878—Andrew B. Dean  
298,329—Aug. 14, 1883—W. T. Cutler  
302,679—July 23, 1884—J. E. Wynkoop  
320,196—Nov. 10, 1885—Amel L. Barber  
325,718—Sept. 8, 1885—J. E. Wynkoop  
330,197—Nov. 10, 1885—Amel L. Barber  
375,273—Dec. 20, 1887—E. J. De Smedt  
381,667—April 24, 1888—G. A. Bayard  
394,126—Dec. 4, 1888—Wm. C. Murdock  
408,250—Aug. 6, 1889—Wm. C. Murdock  
429,117—June 2, 1890—D. C. Creiger  
465,650—Dec. 22, 1891—W. S. Wilkinson  
514,045—Feb. 6, 1894—Charles H. Slicer  
607,884—July 26, 1898—Clifford Richardson  
675,430—June 4, 1901—Ergd. J. Warren  
675,694—June 4, 1901—S. Whinery  
683,056—Sept. 24, 1901—Mallette & Seybolt  
812,784—March 21, 1901—S. B. Abbott
- 379—1879—King  
610—1872  
771—1872  
869—1872  
896—1874  
2,909—1882—Thompson  
1,315—1871  
1,568—1873  
1,743—1871  
1,940—1873  
5,652—1828  
13,168—1900—Ward

## Printed Publications.

- A treatise on Highway Construction, by Austin T. Byrne, published by John Wiley & Sons, New York, 1893.
- Street Pavements and Paving Materials, by George W. Tibbon, published by John Wiley & Sons, New York, 1900.
- Transactions of the American Society of Civil Engineers, Vol. 35, page 70 et seq. Article No. 772.
- A treatise on Roads, by Q. A. Gillmore, published by Van Nostrand Company, New York, 1896.
- Road Making and Maintenance, by Thomas A. Atkes.
- Specification No. 62, for Street Paving, etc., published by the City of Los Angeles, 1898.
- L'Asphalte, by Leon Malo, published by Baudry & Co., Paris, 1858.
- Report taken from the Royal Technical Experimental Institute, 15th year, 1897, Vol. II, pages 88-92 to 96, published by Julius Springer, to be found at Crerar Library, Chicago, Illinois.
- Knight's Mechanical Dictionary, Edition 1880, definition of Asphalt Pavement.
- Definition of Asphalt Pavement in Ward's British Patent of 1900, No. 13,168.
- Work of Thomas Potter on "Concrete," published in 1891, Vol. I, pages 35 and 36.
- Work of G. L. Sutfill, entitled "Concrete, Its Nature and Uses," published in 1893, page 135.
- Work of Dobson, entitled "Foundations and Concrete Works," published in 1891, in Weales Rudimentary Series, page 40.
- Scientific American Supplement No. 993, January 12, 1895, page 15807, article by Ernest L. Hanson, a leading expert authority on the subject of concrete.
- Scientific American Supplement No. 997, February 9, 1895, page 15933, article by Spencer B. Newberry, authority on concrete.
- French Work, entitled "Etude des differents Genres de Pavages," by H. Bernard, published in Paris in 1898, pages 130 and 131 and illustrative cuts.
- Encyclopedia Britannica, Vol. 22, 9th edition, page 597, et seq., published in Philadelphia by J. N. Stoddard Co., Ltd., 1896, article entitled "Roads and Streets."

## Excessive Prices Charged.

This defendant further answering avers that it has no knowledge, information or belief, save by said bill of complaint, that said complainant has been and is willing and able to make, construct and lay, for and to the use of this defendant, the City of Seattle, all such pavements and roadways as this defendant may require, in accordance with the alleged improvements of said letters patent, and as to such matters leaves complainant to make due proof thereof, defendant averring, however, in this connection upon information and belief, that if said complainant is either able or willing to construct and lay such pavements for this defendant, it would only be at prohibited and unconscionable prices and without any right or justification upon the said City of Seattle or its officers to authorize or accept as to payment.

## Double Patenting Alleged.

This defendant further answering

(Continued on page four)