

THE PHONOSCOPE

A Monthly Journal Devoted to
SCIENTIFIC AND AMUSEMENT INVENTIONS
 APPERTAINING TO
SOVND & SIGHT.

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No. 1

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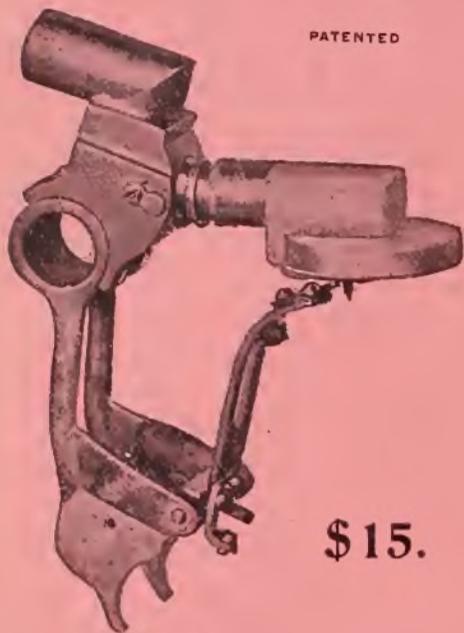
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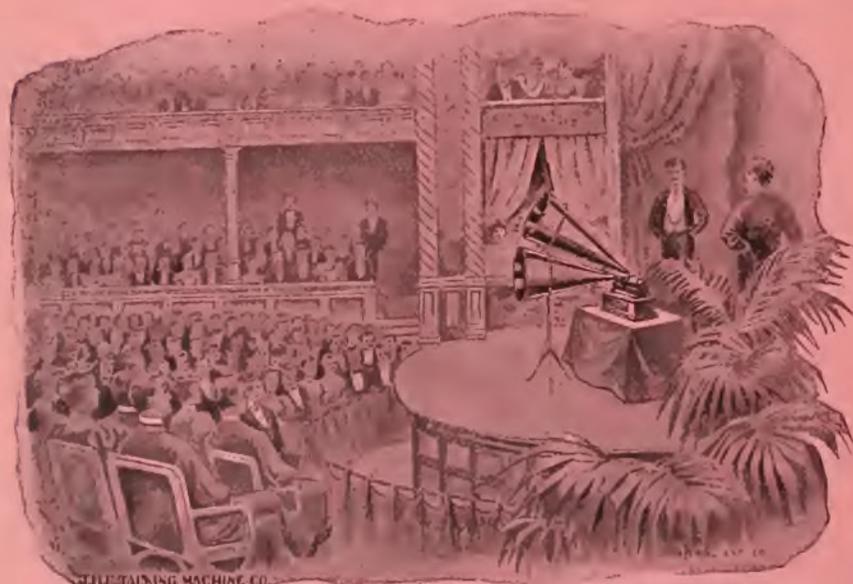
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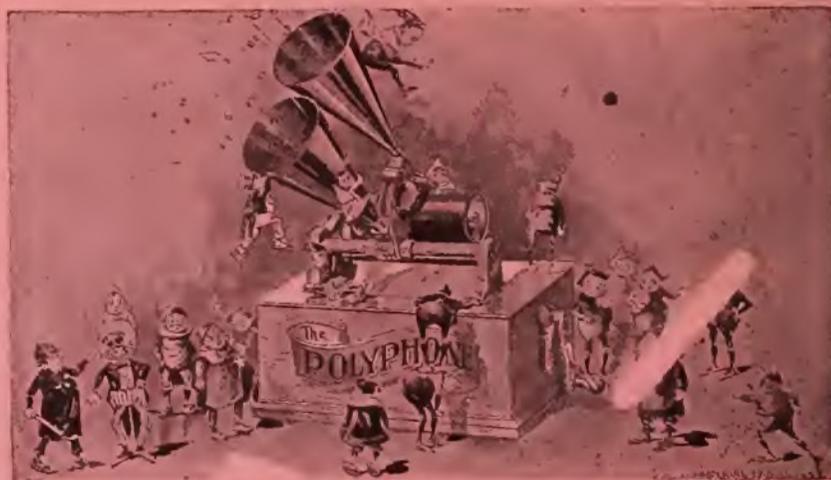
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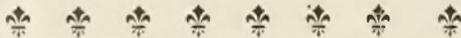
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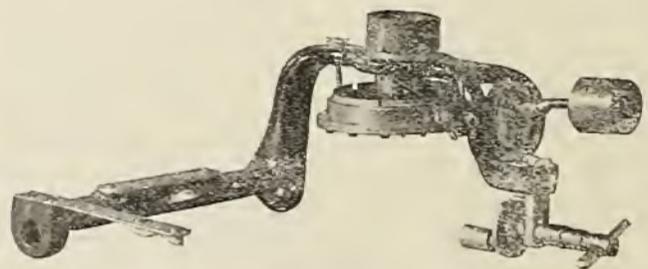
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* * * * * Lieutenant Bettini has a most interesting laboratory in this city, and he has been much favored by the great European artists that have been heard in public in this country, both on the dramatic and operatic stage. I spent a delightful afternoon in his laboratory yesterday, and was astounded to hear in turn a reproduction, perfect in every detail, of the voices of these great artists: Mmes. Calve, Melba and Nordica; MM. Tamagno, Tasalle, P. Plancon, Maurel and Signori Ancous, Nicolini and Campagnini, Tomaso Salvini, Coquelin, Sarah Bernhardt, Ellen Terry, Lillie Langtry, Mme. Rejane and her leading man, M. Maury, have each spoken into the Bettini Phonograph. Ex-President Benjamin Harrison and "Mark Twain" have each left a record of their voices behind them.

The Phonoscope

(Copyrighted, 1896)

A Monthly Journal Devoted to Scientific and Amusement Inventions Appertaining to Sound and Sight

Vol. III.

NEW YORK, JANUARY, 1899

No. 1

American Graphophone Company vs. National Gramophone Company

UNITED STATES CIRCUIT COURT,
FOR THE SOUTHERN DISTRICT OF NEW YORK.

AMERICAN GRAPHOPHONE COM-
PANY, Complainant,

vs.

THE NATIONAL GRAMOPHONE COM-
PANY and FRANK SEAMANN.

In
Equity

DEFENDANT'S BRIEF ON MOTION FOR
PRELIMINARY INJUNCTION.
BY MR. GUSTAV BISSING.
(Continued)

"The Court further finds that any device which combines the reproducer described in claims 19, 20, 21, 22 or 24 of said patent with the groove tablet or other body having a sound record as described in said patent and especially in claims 22 and 24 is an infringement of complainant's patent No. 341,214."

Manifestly, then, if these complainants had to rely upon Judge GROSCUP'S decision, there is nothing in the construction which he gave to their claims which would hold the defendant's device as an infringement. The only record which was before Judge GROSCUP, as we have said, was the wax record with a cut or engraved sound groove, and it was this wax record in combination with the reproducer mounted so as to press by gravity upon the undulations at the bottom which was held to be a patentable combination and invention.

We have then to examine Judge SHIPMAN'S decision (87 F. R., p. 873). After quoting a number of the claims from the Bell & Tainter Patent No. 341,214, the opinion goes on to refer to the prior art and more expressly to the work of Cros and of Edison, whereupon it dismisses the French device from consideration and describes more specifically the work of Edison. The opinion thereupon proceeds to give a history of the work of Bell & Tainter. From this part of the decision we quote the following sentences:

"The material of the record and the reproducer are each necessary parts of the invention. Either part without the other would be ineffectual, but in combination both tend to make an operative and successful instrument."

The opinion goes on to refer to Judge GROSCUP'S decision, and to emphasize the fact that Judge GROSCUP considers the combination of record and reproducer a patentable invention. Judge SHIPMAN then says:

"This peculiarity of the dual invention of the material for an engraved record and the reproducer and the fact that the latter was brought into being to make the former of practical value is of much importance in the proper construction of the quoted claims of the patent, if it should be held that the reproducer alone, though novel, is not patentable."

Thereupon the defenses to the claims of Bell & Tainter are discussed, and to this end the work of Edison, as shown for instance in his British Patent of 1878, is considered. Speaking of this work Judge SHIPMAN says:

"He (meaning Edison) did not use, unless experimentally, the blank made of wax or a waxy substance which was to become *by itself* a sound record to be used for reproduction."

The Judge then goes on to consider the work of Cros which he does in the following language:

"It is unnecessary to describe the theories of the French scientists in regard to the material for recording, because, while they used wax or stearine or paraffine upon the surface of the

recording cylinder made of metal or of glass, none of them attempted to reproduce the sound from the wax or paraffine or stearine record, but the reproduction was made from the metal surface.

"The declaration in the specification that 'no one has reproduced sounds from a wax record by rubbing a style or reproducer over it' is true, and it is furthermore true that this combination, as shown in the patent in suit, either in method or operation or in the character of its result converted the noteworthy but short-lived instrument of Edison into a machine of widespread use and permanent utility."

Manifestly the Court here had in mind simply a sound reproducer in which the wax-like blank which had been originally used for recording could, by itself, be used for reproduction. That is to say, it had in mind a device of the character of Edison, and threw out of consideration devices like those of Cros in which the same tablet which is used for recording is not used for reproducing. But if Judge SHIPMAN threw out devices of this character as having no bearing on the question of anticipation of the Bell & Tainter claims, manifestly his Honor at the same time held in effect that the Bell & Tainter claims, as he construed them, would not be infringed by such a device; for it is well-settled law that things, when subsequent, which are an infringement of claims would, if prior in point of time, be an anticipation thereof.

After Judge SHIPMAN has fully disposed of the prior art and the various defenses, he sets forth the importance of the Bell & Tainter Patent in the following language:

"The two improvements of importance, with respect to claims 19 to 24, inclusive, are the new material for a sound record upon which *vertical* undulating grooves with *sloping* walls were engraved by a *cutting* style; and the reproducer which rested upon these grooves *by gravity*, and moving along them, imparted to a second diaphragm the vibrations incident to the elevations and depressions of the bottoms of the groove."

The opinion again refers to the fact that Judge GROSCUP was not disposed to regard the adaptation of the universal joint to the reproducer as patentable, when considered by itself. Judge SHIPMAN may have been inclined to the opinion that this universal joint of complainant in the reproducer might be patentable in itself, because as he said:

"The style needed not only the lateral motion produced by the universal joint, but also an elastic and yielding pressure against the record."

We call attention to the fact that the purpose of the lateral movement in the Gramophone is entirely different from the purpose of the lateral movement in the Graphophone and, as is fully established by the affidavits, that there is no elastic and yielding pressure against the record in the Gramophone, because the record is on the side walls of the groove and the reproducing stylus loosely fits the said walls so that the pressure is all on the point of the stylus at the bottom of the groove, which is of even depth and is not the record. Even, therefore, if Judge SHIPMAN had made the holding that the universal mounting of the reproducer in the Graphophone is patentable *per se*, which he did not, such holding would not affect the question involved in the present motion, because the purposes and results which he attributed to the universal mounting are not found in defendant's machine. Judge SHIPMAN then goes on to say:

"But if the reproducer is not patentable by itself, I fully agree with Judge GROSCUP'S idea of the patentable character of the combination which appears in these claims, and concur with him that any device which contains the reproducer described in claims 19 to 24 with a grooved tablet, or other body having a sound record as described in the patent, and especially in claims 22 and 24, is an infringement on the patent in suit."

This is substantially the language of the decree in the *Amet* case (74 F. R., 1008). Claim 22, be it noted, describes a reproducer having a rubbing stylus, which means a style having a certain amount of initial pressure against the record surface over which it slides, which is not the case in the Gramophone. It furthermore specifies that the reproducer is free to move laterally to adjust itself to the groove and there is no such adjustment in the Gramophone. Claim 24, on the other hand, describes a record of wax or wax-like material, and there is no pretense that the defendants use such record. The motion papers herein expressly omit a reference to claim 24.

As conclusive proof of the fact that Judge SHIPMAN did not propose to give claims 19 to 24 of the patent in suit a construction as broad as the patentees may have hoped for, we quote the sentences immediately following those just quoted:

"This construction is not so broad as that which the solicitor for the patentees apparently 'hoped for, but it limits the claims to the improvement which, in combination, created the new machine, and which are abundantly described in the specification."

Considering the question of infringement, Judge SHIPMAN held that a record made of metallic soap, the material being wax-like and capable of being cut like wax, was within the Bell & Tainter claims. Judge SHIPMAN also held that since the defendant's reproducing machine was designed solely for reproducing the wax-like sound records of the patent, it was an infringement of the claims in question.

Were further proof needed that the only questions heretofore in litigation have involved the peculiar wax record *per se*, or in combination, it will be furnished by the brief of these complainants in the Leeds case, extracts of which are found in the Brownell affidavit. We ask the attention of the Court to each of these extracts. In the extract taken from pages 4 and 5 we find the complainants to have contended that the chief merit of the self-adjusting reproducer of the Graphophone lies in the part it played in the development of the engraving method. But these defendants use no engraving method. In the extract taken from page 21 it is asserted that no records other than wax-like records were in use at the time the brief was written, being December 10, 1897. This with the full knowledge which Complainant's counsel had of the hard-rubber records of the Graphophone. In the extract taken from pages 22 and 23 we find it again insisted upon that the engraved record was the only one under consideration. In the extract from page 23, the complainants expressly urge that an issue involving a record other than an engraved record was not before the Court in the Leeds case, so far as claims 22, 23 and 24 are concerned. In the extract from pages 24 and 25 we have the express assertion of complainant's counsel that claims 22, 23 and 24 covered a combination of two elements, one of which was the specific sound record the product of a specific method of recording. Such sound record is not used by the defendants in the case at bar. In the extract from pages 48, 49 and 50 it again appears that the counsel for complainants in Leeds case asked for no broader construction of these claims, 22, 23 and 24, than that above referred to, including their specific wax record with its engraved groove. But the Court in deciding the Leeds case sustained claims 19, 20 and 21 which read for the reproducer, only in so far as they define a reproducer used in combination with the record of claims 22 and 24. This is clear from the language used by Judge GROSCUP in the decree in the *Amet* case, which was adopted by Judge SHIPMAN in writing his opinion in the Leeds case. This we have quoted above. On what theory then these complainants, having contended

for and obtained a decision on claim 22, for instance, on the supposition that it covered no more than an engraved record, can now come into this Court and urge that this claim 22 covers a hard plate with an *impressed or indented* record, and, what is also necessary, that Judge SHIPMAN so held, these defendants do not understand.

The extracts which we have made from the decisions and complainants brief in the Leeds case and the comments which we appended to the extracts fully and conclusively prove that so far as the Bell & Tainter Patent No. 341,214 has been in litigation up to the present time and so far as the claims thereof have received judicial construction, the greatest breadth which has been given to them has been to hold as tributary thereto, first, wax or wax-like tablets or cylinders, with record grooves cut or engraved thereon, which grooves have sloping walls and have the sound undulations at the bottoms of the grooves, and, second, the combination of such same wax or wax-like record with grooves of the character pointed out with the reproducing stylus having a flexible mounting of a character pointed out with the reproducing stylus having a flexible mounting of a character to enable the stylus to automatically adjust itself within the width of a single groove along the sloping walls of the groove to automatically find the bottom of the groove, and be held against the bottom by yielding pressure. It cannot be seriously argued that the claims of the Bell & Tainter Patent have ever been given a construction broader than that here indicated.

But such construction very clearly throws out the defendant's machine as an infringement of the complainant's claims; because the defendants use no wax-like record, but a hard-rubber record so hard that it can hardly be cut with a knife and can certainly not be cut with a recording style; because they use no engraved groove and no groove with sloping walls of the character required; and no record at the bottom of the groove. Furthermore, the defendants use no combination of such a record and a reproducer in which there is an adjustment of the style laterally within the width of a single groove, or in which there is an automatic falling into one of two adjacent grooves from the ridge between the grooves, or in which there is a yielding pressure against the record.

Now, it is a well-settled principle of law that, on a motion for a preliminary injunction, the claims of complainant's patent may receive a construction no broader than that of the decisions adjudicating the patent. A recognition of this principle is manifestly fatal to complainant's motion. We therefore dwell briefly upon it.

In the case of Carey vs. Miller (34 Fed. Rep., p. 392), a patent for the method of tempering furniture springs was involved. This patent had been repeatedly sustained and held to cover a process in which the springs, during tempering, were kept below red heat. Judge LACOMBE, in dismissing the motion for a preliminary injunction, in speaking of the patent, said:

"It may be sufficiently broad to cover any degree of heat whatever, but that has not as yet been held by the Courts which have had it under consideration. Therefore, upon application for a preliminary injunction, the patent will be presumed valid only to the extent expressly covered by the decisions referred to."

So, in the Consolidating Safety Valve Company vs. Ashton (26 Fed. Rep., 319, COLT, J.), the Court, had before it a patent which had been sustained by the Supreme Court, but as there was a doubt whether the alleged infringing device came within the scope of the patent, as construed by the Supreme Court, a preliminary injunction was refused.

So, too, we may extract from the case of the National Hat Pouncing Machine Co. vs. Hedden (29 Fed. Rep., 147), as follows:

"It has been held to be well settled that, even after the validity of a patent has been established in a suit, and notwithstanding the presumption thereby raised that the patent is valid, it may always be shown in another suit on the patent against another defendant, and even in answer to an application for a preliminary injunction in such suit, that the right claimed by the plaintiff in the new suit was not, either as to its nature or its extent, fairly in controversy in the former suit, or that material facts were not known or considered when the former suit was tried, or that there are relevant matters which were not adjudicated in the former suit." (Page vs. Holmes Burglar Alarm Tel. Co., 2 Fed. Rep., 336.)

In closing this section of the brief then, we beg to insist on the well-settled principle of law which declares that on a motion for a preliminary injunction the complainant must be satisfied with the

broadest construction of his claims which the Courts have previously given thereto, and that he may not go beyond such broadest construction. But the broadest construction which the Courts have given to the Bell and Tainter claims limit them to a sound record of wax-like material having a groove of peculiar shape, with the record at its bottom, either alone or in combination with a mounting for the reproducing stylus, which effects the peculiar function of permitting an automatic lateral adjustment of the stylus within a groove and of an automatic yielding pressure against the record in the bottom of the groove. The defendants' device, however, has no record of the character required. This, in itself, disposes of the matter. Besides the mounting for the reproducing stylus does not effect the functions required. For these reasons we submit the motion should be denied.

Continued in our next

Our Tattler

Mr. Esteve, of Savannah, Ga., sent his father, who owns an extensive plantation in Spain, a Phonograph and a threshing machine in one shipment. When he received the Phonograph he gave an exhibition to the neighbors, next day the gossip went all around that Mr. Esteve, Sr., had a devilish machine which done the threshing, sang, told stories and played music all in one.

Young George Augustus Harvey Smith
Here pauses with a laugh,
Before the window big, to view
"The pocket Phonograph."

The youth is very nervous as
He wishes to propose
This very eve to Miss De Hunt—
So in the shop he goes.

His confidential friend is told
His secret little plan,
Who, while he's out, conceives a thought,
Unworthy of a man.

The evening finds him radiant,
"I love you" (presses Phonograph)
"Where did you get that awful face?
You ugly turkey bone!"

The maid starts up—"pray leave me, sir!"
The Phonograph continues bright—
"The wedding bells were ringing wet—
Oh, you are out o' sight!"

"Go! leave the house!!" she shrieks aloud,
"Here we forever part!!!"
In fiendish tone the Phonograph replies—
"Another broken heart!"

The Boy and the Records

WHY YOUNG HOPEFUL WAS ABNORMALLY
QUIET FOR A TIME.

Mr. Jay B. McKnight, of the firm of McKnight & Son, Brookville, Pa., has cultivated a fancy for Talking-Machines, such as Phonographs, Gramophones, Graphophones, and several other contrivances of like nature. His latest acquisition is what is called a Polyphone. With the machine he got a number of records that contain everything from a side-show lecture to a selection by a brass band and orchestra. It is noticeable, however, that all these little jokers have a nickel-in-the-slot attachment, which is the secret of Mr. McKnight's success in that line. "You drop a nickel in the slot and you get your money's worth." Jay has a boy baby who is called 'Rastus, for short. The other day the boy was left alone for a short time, and to keep him quiet he was allowed to look at the records at a distance, which he enjoyed hugely. After a time it was noticed that for a boy of his kind he was unusually quiet. Upon investigation it was discovered that in some manner he had reached the records, and in addition to eating two of the records entirely, he had bitten pieces out of seventeen others.

Rastus suffered no ill results from the feast, but his indulgent father at once realized that records at fifty cents each are pretty expensive feeding for a first-born. It is safe to say that the nickel-in-the-slot arrangement will be worked for some time to come, more energetically than ever.

The Unveiling of the Organ

DEDICATED TO
MONTGOMERY STREET M. E. MISSION
NEWARK, N. J.

By Cal Stewart



It was down in Punkin Centre,
I believe in eighty-nine,
We had some doins at the meetin house
What we thought was purty fine;
It was a great occasion,
The choir, led by Sister Morgan,
Had called us there to witness
The unveilin of the organ.

In order for to git it
We had been saving here and there,
Lookin forward to the time
When we'd have music for to spare;
And as the time it had arrived
And the organ had come too
We had all of us assembled there
To hear what the thing could do.

Well, it was a gorgeous instrument,
In a handsome walnut case,
And there was expectation
Pictured on every face;
Then when Deacon Witherspoon
Had led us all in prayer,
The congregation all stood up
And Old Hundred rent the air.

Just then the doins took a turn
Though I'm ashamed to say it,
We found that old Jim Lawson
Was the only one could play it;
But Jim, the poor old feller,
Had one besettin sin,
A fondness for hard cider
Which he'd been indulging in.

But he sot down at that organ,
Planked his feet upon the pedals,
And he showed us he could play it
Though he hadn't any medals;
He dwelt upon the treble
And he flirted with the bass.
He almost made that organ
Jump right out of its case.

Well, the cider got in old Jim's head
And in his fingers, too,
So he played some dancin music
And old Yankee Doodle Doo;
He shocked old Deacon Witherspoon
And scared poor Sister Morgan,
And just busted up the meetin
At the unveilin of the organ.

New Corporations

The Columbia Phonograph Company (general,) of Washington, D. C., capitalized at \$10,000, is licensed in Illinois under a capitalization of \$5,000.

The Edison Company, of Newark, N. J., had its articles of incorporation recorded: capital stock, \$25,000, of which \$2,000 is paid up. Incorporators: Albert O. Petit, Ademor N. Petit and Arthur Petit.

American Novelties. The "Foreign Buyer"

Foreigners who are in the Market for 'Graphs, 'Phones, 'Scopes and novelties. Descriptive Circulars and Quotations, if sent to the following, may bring some customers

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Compania Nacional de Lux Electrica, Montealegre 3, Mexico.
Empresa de Fuerza Motriz por Electricidad, Capuchinas 13, Mexico.
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Mariano O. Perez, Tequesquite 28, Guadalajara.
David B. Russell, Av. Colon y Placeres, Guadalajara.
Jose Ma. Bermejillo y Cio, Merced 72, Guadalajara.
Rafael Sanchez, Maestranza 3, Guadalajara.
Compania de Luz Electrica, San Pedro 8, Puebla.
Alumbrado Elctrico, Calle de la Reforma, Veracruz.
Compania de la Luz Electrica, Monterrey.

DEALERS IN MICROSCOPES, SCIENTIFIC INSTRUMENTS, OPTICAL GOODS AND THERMOMETERS.

Bjorklund y Johansson, Sucs., 3 San Francisco 4, Mexico.
Calpini Sucs., 2 San Francisco 12, Mexico.
F. Gagna y Ca, 2 San Francisco 1, Mexico.
G. Lohse y Ca, Sucs., Palma 9, Mexico.
Carlos Felix y Ca, Profesa 4, Mexico.
J. Labadie, Sucs. y Cia, Profesa 5 Mexico.
Röhmer y Ca, Ave. 5 Mayo 7, Mexico.
Calpini, Sucs., 2 a San Francisco, Mexico.
F. Gagna y Ca, 2 a San Francisco 1, Mexico.
H. Wielogura, Profesa 6, Mexico.
Amberg & Vilad, Calle de San Francisco 3, Guadalajara.
Drogueria Alemana, San Francisco 9, Guadalajara.
Palomar Gonzalez, Port, Agustinos 8, Guadalajara.
Antouio Winterhaider, Port. Quemado 3, Guadalajara.
Carlos Baur, Guevara 6, Puebla.

DEALERS IN MUSICAL INSTRUMENTS, (ORGANS, PIANOS, Etc.)

E. Heuer y Ca, 1 a San Francisco 5, Mexico.
H. Nagel, Sucs., Palma 5, Mexico.
Otto y Arzoz, Veigara 12, Mexico.
A. Wagner y Levien, Sucs., Zuleta 13, Mexico.
R. Kühue, Zuleta 28, Mexico.
Jesus Arce, Merced 49, Guadalajara.
Behan & Ca, Ave. Colon 12, Guadalajara.
Silvestre Castro, Carmen, Guadalajara.
Eduardo Collignon y Cia, Palacio II, Guadalajara.
Altonso Heyman, Suc., Palacio 16½, Guadalajara.
Pablo Navarrete, Sta. Teresa 30, Guadalajara.
Guilebaldo F. Romero, Carmen 47, Guadalajara.
E. Wagner y Levien, Suc., Independencia 6, Puebla.
J. Dorenberg & Csa, Independencia, Puebla.
Sommer, Hermann & Cia, Independencia, Puebla.
Manvel Raso, Independencia, Puebla.
Sommer, Hermann & Cia, Veracruz.
José I. Izazola y Cia, Zamora 4, Veracruz.

DEALERS IN PHOTOGRAPHIC MATERIALS.

American Photo Supply Co., La Profesa 1, Mexico.
Carlos Felix y Ca, Profesa 4, Mexico.
J. Labadie, Sucs., y Cia, Profesa 5, Mexico.
Drogueria Belga Pte Espirtu Santo 8, Mexico.

DEALERS IN TELEPHONE MATERIALS.

A. Combaluzier, 1 a Calle de Plateros 5 Mexico.
G. Lohse y Ca, Sucs., Palma 9, Mexico.
Compania Telefonica Mexicana, Santa Isabel 6½, Mexico.

DEALERS IN TYPEWRITING MACHINES.

Manuel Ortiz Gallardo, Pl. San Agustin Zacatccas, Mexico City.
Francisco Alarcon, Ave. 5 de Mayo 20, Mexico.
Roberto Boker y Ca, Angel 6.
G y O. Braniff, Cadena 19.
José Carlevasis de Cevasco, Callejon de Lopez 19.
Mosler, Bowen y Cook, Sucs., Alcarceria 27.
Francisco Hoeck, 1 a San Francisco 12.
Carlos H. Schaefer y Ca. Pte. de San Francisco 1.
Sommer, Hermann y Ca, Palma 4.
Trachsel y Ca, Pte. San Francisco 3.

Seeing Things Without Eyes

Metaphysics is tottering towards final collapse. Physics is at last coming into its universal kingdom. The telephone, the photophone, the cathode rays, the photography of thought, the cinematograph, and now the nearly patented apparatus for sending a photograph over a long distance wire! Has any one stopped for a moment to consider the real essential kernel of these scientific achievements?

The devices are wonderful enough in themselves, but they teach a far more wonderful and startling gospel.

All sensations from the outer world are rays—vibrations of the ether which fills all space. Touch, taste, smell, sight, hearing are all forms of vibratory movement. The retina of the eye, the organ of Corti in the inner ear, the taste buds of the tongue, the hair cells of the mucous membrane of the nose, the pacivian corpuscles in the finger-tips are those media in our bodies, which so modify these various sense vibrations that they can proceed along our nerve fibres to the brain cell centres.

A nerve is nothing but a telegraph wire of the brain. Nerve impulses travel slowly—only at express train speed—fifty to sixty miles an hour. Nerves are poor telegraph wires. Electricity travels 186,000 miles a second along a telegraph wire.

Perhaps the most remarkable instance of this metaphysical physics in late months is the apparatus which an ingenious inventor has devised. He claims that by means of this apparatus the blind can actually see.

This device consists first of a layer of non-conducting material, such as vulcanised rubber. In front of this is an oval of selenium, with a rim of metal. The selenium is covered by a glass. The whole apparatus is not more than an eighth of an inch in thickness.

A current of electricity is then generated by a small dry battery, which is carried in the waistcoat pocket. This current is carried to the head of the person using the instrument, and passing through the brain to the other side of the head by means of a metallic bow, or some other conducting medium, through the artificial eye before described and back to the dry battery, thus completing the circuit.

The object of this device is to furnish an artificial eye and to connect it electrically with the centre of sight in the brain. As is well-known, the human eye itself consists of various humours—vitreous, aqueous, etc.—through which the waves of light pass.

After being collected by a lens which focusses them they pass through the vitreous humour, and impinge upon the finely distributed mesh of the optic nerve fibres.

The action of these light waves upon the optic nerve distribution generates what we call electricity, or, in other words, a continuous wave of motion from cell to cell of the optic nerve throughout its entire length, until these original waves of light, or their effect, affect the very sight centre itself in the brain.

The apparatus furnishes a lens in the shape of the glass in front of the selenium, and between it and the object to be seen. This glass converges the rays upon the reacting surface of the metal. Their dissipation into posterior space is prevented by the vulcanised rubber, and a circuit being established by the dry pile, their light energy is converted into electric force, and carried along the wire to the sight centre in the brain.

It is just this way that the physician stimulates the sight centre with the battery for deficient action of that centre causing failure of sight.

If this selenium and this wire are capable of the same correlation of forces as are the retina and the optic nerve the substitution is perfect. The inventor claims that this device does afford an exact substitute.



Mr. Joseph Gannon

The subject of the above illustration, Mr. Joseph Gannon, is a young man who is one of our silent actors. By this we mean a fellow who can act with his voice. He stands before a Phonograph or Graphophone horn and sings or talks in a series of voices all abstractly different in dialect, in idiom and inflection of vocal register. For instance, he will sing or imitate the voices of two Irishmen in controversy, a Teuton struggling with a Chinaman, or an Englishman at word-war with a Yankee. Besides this, while he is impersonating his character he is also imitating their brogue, their euphonism of voice, their style of melody. He tells you a story in one line, denies it in the next, satirizes it in the third and glorifies it in the fourth. He is the originator of the Michael Murphy series of records, which are destined to become very popular and also makes the celebrated Casey records which have gained a world-wide reputation.

Mr. Gannon was born in New York City and is a Yankee to the back-bone. He was one of the sharpshooters of the Seventy-first Regiment in the recent Spanish-American war.

Our Correspondents

HOT SPRINGS, ARK.

EDITOR OF THE PHONOSCOPE.

DEAR SIR:—Having received your kind permission for the publication of an occasional letter from this part of the States in your valuable journal we will now avail ourselves of this opportunity.

After the close of a fairly good season at Mackinac Island, Mich., last summer we packed our clothes and shipped our talking-machine paraphanelia to this place with the expectation of locating permanently. We arrived here the latter part of October and were fortunate enough to secure a prominent location on Central Avenue. After fitting the place up in an appropriate manner we put in a representative line of talking-machines and kodak supplies and with a show window full of a conglomeration of Phono-photographic materials opened our doors to the public.

Now as to business, there is not much doing with us in the exhibition line, which is mostly our own fault as we have not given it proper attention, but we are of the opinion that if some party were to come here during the season and open a neat parlor with a new line of popular amusement machines he would do well. The sale of cheap records and low-priced machines has been good considering our short stay. Most people here seem to think that there is only one grade of records made, but when we take some of our originals made five or six years ago and let them hear these on our "old electric" they come to the conclusion that there is some difference after all. Mr. R. W. Maginnis, the genial representative of the Columbia Phonograph Company of St. Louis, Mo., paid us a visit recently and succeeded in getting our order for a new line of goods.

In our next letter to THE PHONOSCOPE we hope to give its readers a short description of the Hot Springs of Arkansas, which may be of some interest to those intending to come here for business, pleasure or health.

G. H. W.

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THE PHONOSCOPE is the only journal in the world published in the interest of Talking Machines, Picture Projecting and Animating Devices, and Scientific and Amusement Inventions appertaining to Sound and Sight.

Correspondents in London, Paris, Berlin, Amsterdam, Madrid, Alexandria and Constantinople, Australia, South America, Central America, Canada and 108 cities in the United States.

The Publishers solicit contributions from the readers of THE PHONOSCOPE, and suggest that any notes, news or items appertaining to sound and sight would be acceptable.

Last fall the air was blue with forebodings of ill for all connected with the talking-machine industry. Just because business happened to be light for a few weeks a lot of croakers predicted the failure of this or that company and to such an extent was the wail of a few discontents repeated that finally many, not really in touch with the business, began to believe that there was some truth in the gossip.

This faint-hearted talk is all bosh. The trade has had the finest run of business it ever had and all past records have been knocked to smithereens by the volume of business done the last two months.

Machines have been vitally improved and new ones offered to the public. Never before could a customer purchase so fine an instrument and never could he procure such an endless variety of exquisite records. The talking-machine business is going up, not down, and there are numerous sensible reasons for it.

The dream of the dancing master is about to be realized in the mammoth instrument just put upon the market. It is powerful enough to fill any theatre or church for a concert but its special use as a money-saver for dancing clubs is not as yet fully appreciated. Musicians are no longer necessary. Turn on the machine and the waltz may start—music of absolutely fine quality and perfection itself as regards time being furnished. Every dancing teacher in the world who can afford it will shortly possess this machine and if he doesn't get one he will be behind the times. Some one person or club in every city will have one and his services will be hired for all occasions where orchestras of men are now utilized. A man who will invest \$500 for a suitable outfit can make an easy professional living from this machine. But this is only one feature of the novel business. Live men who are hopeful and willing to work can do well in this business, which is still in its infancy, despite the despondent actions of a few weak-minded creatures.

* * *

The Phonograph Swindle

HOW THE ENGLISH DUPES WERE DELUDED

The Phonograph trade has its peculiar features. Every new business embodying the principles of some great invention seems peculiar to the great mass of people. Thomas Alva Edison is looked upon as a wizard by all who have ever heard his name and observed some of his marvelous results. The very name Edison conveys the idea of something wonderful. His inventions have enabled many men to make enormous sums of money honestly and when an opportunity was offered to several people in England to operate Edison machines and realize handsome profits they naturally jumped at the chance.

So with Edison's name, illegally used, as a cloak to cover bogus operations it is alleged that a man and a woman have during the last six or seven months carried on the most gigantic swindle ever perpetrated in this trade.

A great sensation was created in the fashionable winter resort of St. Augustine, Florida, by the

arrest of a stylish couple posing as Baron and Baroness Debara, who were recognized there as social leaders.

The postal authorities, who caused the arrest, say that the couple have been conducting a fraudulent business in Chicago under the names of the Edison Phonograph Company and the West Chicago Company. They advertised extensively for agents to handle the penny-in-the-slot machines on payment of £1 to £100 premium, huge profits being guaranteed.

The advertisements were chiefly inserted in English and Scotch newspapers, and over £10,000 was obtained from their victims in the United Kingdom. Fully 1,000 letters were received daily from England alone.

The alleged baron's real name is said to be Henschel. He is of German extraction and his wife is a half-breed Japanese. The couple first visited St. Augustine a year ago, purchased a valuable property, and fitted it as a handsome villa, employed liveried servants and entertained lavishly.

The baron, in September, started a society paper in Chicago, his wife acting as editress, and it made great headway socially.

One of the British victims has furnished the following narrative of "the baron's modus operandi."

Early last summer advertisements appeared in the London newspapers offering agencies for an American venture, i.e. the sale and hire of penny-in-the-slot automatic Phonographs. Upon answering same, a reply was received to the effect that the company (Mr. George B. Henschel, secretary, of 115 Dearborn Street, Chicago) were going to appoint only one agent for each county in the United Kingdom, but that their agent had power to appoint sub-agents to assist the working of the agency.

Intimation was at the same time made to the effect that upon receipt of a certain sum to the value of sample machines they would be forwarded together with a supply of stationery. Immediate acknowledgments came to hand, together with a "certificate of appointment for the county of —"; also, a few days later a postcard purporting to be sent by a firm of shipping agents in New York, stating that the package was being forwarded consigned to the agent.

At this time it came to the knowledge of some that the Edison Company, having offices at Charing-cross, had threatened actions for infringement of patent rights against any one who offered for sale or hire the machines in question. Thereupon one of the so-called agents wrote to the Chicago company asking to be protected against the English company's actions. The former cabled in return stating that the threat was ridiculous, and a guarantee to this effect was given.

It might be mentioned that the English company had not any machines fitted with the slot system, and remarked that the prices of the Chicago company were absurd in point of cheapness. Of course, the former news was welcomed, as it would thus give the appointed agents a monopoly.

Time went on until November, when, although cheques and cash had been sent no machines arrived nor any news, until a letter came from a firm calling themselves "Amstrees," giving the none too gladsome news that owing to financial misfortunes that the company had been wound up, and that Mr. Henschel had absconded, but as they believed him to be an honorable gentleman of good principles they had faith that as soon as he had recovered from his misfortune he would pay back every penny.

The only strange incident which occurred to one of the victims, who is a house agent, was that several persons inquired for shops for the sale of these machines, saying they were the appointed agents for that county; but as they had not received the certificate of appointment he (the victim) thought the application had been declined.

The victims of this huge fraud are chiefly clerks who had a few pounds to "turn over." Besides being cheated out of the money they sent for machines; they made certain agreements for the hire of show-rooms, thereby making themselves liable for rent for long periods.

Mr. F. W. Pratt, general manager of the Edison-Bell Consolidated Phonograph Company, Limited, writes from 39, Charing-cross-road:

"I have had many communications here concerning the advertisement which these Chicago people inserted in British newspapers, inviting applicants to apply for the agency for their Phonographs. On receipt of these applications circulars and prospectuses were sent forward, which should not have deceived the simplest.

"As soon as these facts came to the knowledge of my board they instructed me to communicate an

advertisement to the leading London and provincial newspapers warning the public against dealing with any one except ourselves in any 'talking-machines, and it is extremely regrettable that any one should have been inveigled into despatching their money no such an obvious long-firm swindle."

* * *

Correction

In the November number of THE PHONOSCOPE there appeared a note which gave a wrong impression in regard to the Compagnie Générale de Phonographes et Cinématographes in Paris, formerly known as Pathé Frères.

This firm, the most important of its kind in Europe, desire to correct the previous statement in regard to the prices quoted which were not exact.

In regard to all talking-machines, the standard American prices are maintained by the Compagnie Générale de Phonographes et Cinématographes whose object is to increase profits and secure dividends for its stock-holders.

As to the blanks the retail price is thirty cents or 1 fr. 50. The wholesale price is regulated according to the size of the order.

The retail price on the Bettini Micro-attachment is the same as in America.

* * *

A Visit to the Bettini Phonograph Laboratory

The Phonograph Laboratory of Lieutenant Bettini is one of the most interesting places to visit and is the rendezvous of the most prominent artists who take pleasure in calling on him.

Lieutenant Bettini is a well-known feature in New York, and by his inventive gift he has acquired a world-famed reputation. His private room is a very artistic one and represents a unique and valuable collection of autographs and photo pictures of the most famous artists and composers.

Lieutenant Bettini took our representative through his various rooms and explained to him in his genial way everything pertaining to the Phonograph business.

It was most interesting to see the revolution of his Micro-Phonographs, as he calls his diaphragms, from the day he entered the Phonograph field up to date and I can say that after hearing the reproduction of one of his artistic records through his latest diaphragm that he has given a soul to the Phonograph.

His latest model of reproducing attachments for the Edison machine and the Columbia Graphophone are certainly striking. Every Edison machine or Columbia Graphophone can be fitted with one of the types of his micro-diaphragms, and the results are simply wonderful.

I specially noticed the new micro-diaphragm for the Columbia Graphophone which is so constructed that by a very simple and ingenious device it can be perfectly adjusted to any (old or new style) Graphophone, also the model of the new reproducing attachment for the Edison Standard Phonograph which will be on the market by the beginning of April. It improves his machine wonderfully, and I am sure there will be the same demand for these attachments that there is for the other Bettini diaphragms, which are certainly wonderful reproducers of sound. This is specially true of the female voice which Lieutenant Bettini has made a special study of and has succeeded where others have failed.

Lieutenant Bettini deserves a great deal of credit for his work and perseverance. He is young and full of energy and no doubt we will hear from him often in the field of novelties.

His new catalogue contains a number of new records of the same high standard which has stamped the "Bettini Record" all over the world as the most artistic.

When I left the Laboratory I was convinced that there was nothing in the market that could surpass his reproducers and his high-class records.

Len Spencer's Minstrels have met with great success during their recent trip. The company embraces many of the leading vocalists in the Phonograph profession. One of the most interesting features of the big bill was the introduction of the Graphophone Grand, which was personally conducted by Mr. Len Spencer. At the close of the entertainment a blank cylinder was placed on the machine and the band started to play a popular air, the audience being invited to join in. The whistling in the gallery was plainly audible.

Trade Notes

A new Talking Machine will be placed on the market by the National Phonograph Company which will retail for about \$7.50.

It is rumored that the Chicago Talking Machine Company, Chicago, certified to a dissolution of organization and made a surrender of charter.

Mr. Ernest Erdman is making some very fine violin records for the Lyric Phonograph Company. The demand for these records has been very large.

The American Mutoscope Company has declared a dividend of one per cent., payable March 1st. Transfer books close February 27th and re-open March 2d.

The Portland Phonograph Company has discontinued its branch store in the Y. M. C. A. building, Portland, Me., and consolidated its business at the Main office.

The Greater New York Phonograph Company are now prepared to fill all orders for Casey records, a list of which will be found in their advertisement on another page of this issue.

John Yorke AtLee, has undertaken the management of the Phonograph department of the Duston-Smith Piano Company, of Charleston, S. C., and is confident of doing a big business.

Mr. Norcross, Jr., is certainly a hustler for bringing out new talent. We understand he has a number of surprises in store for us, not only in the record department but in another line.

A Phonograph is being used seriously in an English melodrama, "The Dangers of London." It records a conversation in an impossible manner, but helps in the development of the plot.

We intend publishing in our coming issues a full account of the appeal from order granting a preliminary injunction in the case of The National Gramophone vs. American Graphophone Company.

Additions and improvements are to be made this spring to the works of the American Graphophone Company on account of the great increase of business. The concern has only recently enlarged its works.

The Universal Phonograph Company issues a very broad challenge on orchestra records made by George Rosey's celebrated orchestra as may be seen by their advertisement on another page of this issue.

The Norcross Phonograph Company have succeeded in getting some very fine records of Miss Anna Fields. Her repertoire embraces all the grand arias and most popular numbers from the grand and comic operas.

The Excelsior Phonograph Company have removed their record-making plant and offices to the Dewey Building, No. 5 East 14th Street, New York City, where they are now enabled to fill all orders entrusted to them with dispatch.

Mr. F. M. Prescott has just taken the exclusive export agency of the National Gramophone. We congratulate this Company in having placed the agency in such able hands and feel sure that ultimately Mr. Prescott will make as great a success of the Gramophone in foreign lands as he has of the Phonograph.

The Lyric Phonograph Company are constantly adding new selections to their already large repertoire. Miss Estella Mann, having recently recovered from a severe attack of la grippe, was unable to sing for several weeks and is now working like a trojor to fill the large orders that have been accumulating since her sickness.

Messrs. Harins, Kaiser and Hagen are preparing a supplementary list, which will be ready in a few days, containing a list of new records by the following artists: Al. Campbell, Atwood Twitchell, Ralph Raymond, Wm. F. Hooley, S. H. Dudley, Edw. M. Favor, The Imperial Quartette, Sam Diamond, The Imperial Band, N. Y. Symphony Orchestra and Fred W. Hager. Arrangements have been made to engage Mr. Leonard Spencer, Mr. Geo. J. Gaskin and Mr. Dan W. Quinn after April 1st when their present contract expires.

Signor G. Peluso, director of the Metropolitan Band, has an extensive repertoire of the finest standard and classical music as well as selected popular and latest compositions which are sure to please the public at large. His services have been engaged to conduct a military band for a series of concerts at Coney Island resorts. These concerts were so successful that his band was engaged for three or four successive seasons at Glen Island, which established his band in public favor, resulting in various engagements, one of the most notable being to furnish a band of forty-five musicians for six grand concerts in Atlantic City. Records made from this band are exceedingly good.

"Uncle Josh Weathersby" (Cal Stewart) is certainly to be congratulated for the manner in which he is introducing himself to the public. He has spared no expense in getting up his printed matter. His latest venture is a card 11x14 inches upon which is an elegant half-tone of himself in Yankee costume, as he appears before an audience, together with a half-tone bust picture, which is a very true likeness. This work is from the press of Inaudt Bros. Mr. Cal Stewart will be pleased to furnish these cards upon request. It may be said of his stories that they are strictly refined and full of the quaint humor peculiar to the New England character and are especially adapted to the family circle.

The Polyphone has been perfected. The only criticism on the Polyphone has been that it was difficult to adjust the two diaphragms to always work properly together. This has now been perfected so that it is the simplest talking-machine made. To say that it will work better than with the ordinary automatic diaphragm is a large claim, but this is what is guaranteed. You can wind the machine while running, you can set it up on end, shake it or you can carry it around in your hands while working and you will find it impossible to throw it out of adjustment. This improvement will be put on all Polyphones already sold without charge. No one has ever doubted the wonderful improvement found in the Polyphone and very few have said that it was difficult to adjust. This trouble is entirely obliterated.

A very pleasant feature of Mr. G. Bettini's Laboratory, which adds to its beauty is the presence of two charming young ladies, Miss Bertha Lorn and Miss Jessica Kenneth. These young ladies are both efficient operators of the Phonograph and his many appliances, and their cheerful manner adds splendor to the elaborate surroundings. Miss Lorn has been in the establishment for several years holding the position of stenographer and has witnessed the operation of Phonographing the voices of Melba, Sarah Bernhardt, DeReske, Plancon, Ancona and many other noted artists who have been engaged by Mr. Bettini, and when the steady increased business necessitated the enlargement of his laboratory and show rooms, Miss Kenneth was engaged to assist. Every visitor will surely be interested and pleased by the way business is transacted in this establishment, and a good many have expressed their gratification and commented upon the pleasing manner they assume in the performance of their duty.

Reed, Dawson & Company, of Newark, N. J., from all indications are doing a fine record business. Our representative called on them the other day and while there, saw in their establishment an immense cabinet, holding many hundred records, taking up the better part of a large room. They have this filled with choice stock from all their talent, band, orchestras, quartettes, both male and brass, cornet solos with clarionet obligatos, in fact, everything that their catalogue calls for, constantly on hand and ready to fill orders without delay. It has taken them some time to get down to this system, as they claim promptness in business is everything. There is no question but that their records

are fine in every respect. They spare no pains or expense in their laboratory, and pay the best prices for talent to gain this point. They showed our representative some very flattering correspondence that would make any record-maker feel quite proud. They are making very fine piano solos in addition to their other efforts. In fact, they are among the top notch record-makers to-day, keeping abreast with the times. They will in the near future open a New York office and send out salesmen to see to their trade.

A Grand Musical and Phonographic entertainment was held at the Association Hall, Newark, N. J., for the benefit of the Montgomery Street M. E. Mission, on Feb. 1st, under the auspices of THE PHONOSCOPE PUBLISHING COMPANY, which proved a great success. The affair was the first one ever given and those who participated so generously will certainly remember the occasion for many years to come. The following artists volunteered.

Mr. Fred. W. Hager, Violin Soloist, Miss Lillie Jeffreys, Pianoist, Mr. Wm. F. Hooley, Basso, Mr. Cal Stewart, America's Representative Yankee Comedian, Mr. John C. Havens, Tenor and Mr. Dan W. Quinn, Comic Vocalist. Miss Estelle Louise Mann made extensive preparations to appear, but was attacked with a severe cold which made it impossible to do so. This, unfortunately, also interfered with the appearance of the Lyric Trio, and Messrs. Havens and Hooley sang a duet to fill their place on the programme. Through the courtesy of Mr. F. M. Prescott, an exhibition of the Graphophone Grand was given. This wonderful instrument was operated by Mr. E. B. Tarbuck, who gave the audience an extraordinary description of the same and afforded a great deal of pleasure by making an elaborate address. The audience was an appreciative one and applauded each number. Mr. John Kaiser, of Harms, Kaiser and Hagen, acted as stage manager. Mr. Cal Stewart wrote a poem entitled "The Unveiling of the Organ" and dedicated it to the Mission. After the performance a representative of the Mission extended the hearty thanks of the same to THE PHONOSCOPE PUBLISHING COMPANY, also to those who took part, after which the committee and artists adjourned to Simon Davis, the Newark Caterer, where an elaborate dinner was served and everybody spent an enjoyable time. Music was furnished by the New York Symphony Orchestra under the direction of Prof. Fred. W. Hager. All the talent, with the exception of Miss Jeffreys were residents of New York and the journey homeward was full of interesting incidents and everybody will sustain the writer in saying it was an event which will never be forgotten.

MEMPHIS, TENN.

EDITOR OF THE PHONOSCOPE.

DEAR SIR:—There is an old saying, which is true, that the proof of the pudding is in the eating just so the proof of the Phonograph, Graphophone, Biograph, Mutoscope or any other instrument or machine is in the practical use. Now, I wish to call attention to a serious defect in some I have; it is this, I am "right-handed" so are a large majority of men. When I go to exhibit my Phonograph I want my table in front of me and to my left then I can insert the records and wind the machine without turning my back to the audience. For example, I use mostly the Edison spring-motor class M Phonograph. I will say I am in a Masonic Lodge room, the rostrum is in the east, I and my machine is facing the west; my audience is facing east, now to handle my winding crank and records to advantage I want to stand on the north side of my table with my face to the south or I want to stand in the rear of the table facing west and my instrument to my left or south of me, otherwise it all comes awkward or left-handed to me. Now, the way the machine is constructed the handle is on the opposite or back side to the south; I have to go around and to wind it with my right hand I am compelled to turn my back to the audience and steady the machine with my left hand. I have been a practical photographer for forty years and as a right-handed man I can't operate my camera only as above. My instrument must be to my left regardless of the direction of my subject or lens, therefore, I hold that our Graphophones and Phonographs are made left-handed or backwards, am I correct or am I wrong? Respectfully,

W. T. B.

P. S.—I never buy anything in our line except from firms that advertise in THE PHONOSCOPE. They are up-to-date.

Edison Takes Steps

For years Mr. Edison has been bothered by the actions of irresponsible persons who organized Edison "companies" or established themselves as "agents" of the inventor without authority. In many cases where people were duped by the alleged agents they would write to Mr. Edison for redress. A few months ago Mr. Edison decided to put a stop to the practice. It was about this time that word reached the inventor from the Edison Electric Light Company of Chicago, that a man in that city, calling himself George B. Henschel, was selling territorial rights for the sale of Phonographs. Later a letter was received from the British Consul in Chicago that Henschel had sold certain alleged rights to people in England.

Mr. Edison concluded to put his new policy into effect and the matter was placed in the hands of Judge Hayes of Newark, N. J., who worked on behalf of Mr. Edison, in conjunction with the postal authorities.

THE PHONOSCOPE is in position to print in full the entire correspondence which brought about this swindle.

First a leaflet was sent broadcast as follows:

"HOW TO BECOME THE OWNER
OF A
PENNY-IN-THE-SLOT PHONOGRAPH
MACHINE
ON THE HIRE-PURCHASE SYSTEM

Whoever has seen one of the Automatic weighing machines so frequent in every railway station throughout the entire world, knows what a fortune they must bring to their proprietors. Experience has proved that a Phonograph machine built on the same system brings a tree to five times higher income, for the very evident reason that weighing himself is not a very exciting and sensational amusement compared to that of hearing the wonderful performance of a Phonograph, how it sings, laughs, makes funny speeches, plays orchestral pieces and affords for the same amount of one penny the maximum of enjoyment. Besides this the weighing machine is now old and the Phonograph is perfectly new, and at the height of popularity.

Wherever located in public places or installed in shops, crowds form continually around them, particularly in small country places where there is no other amusement and where nearly the entire village population flocks every evening to the place where the machine is exhibited, and thus yields in pennies a very large percentage of its cost.

Our Automatic Penny-in-the-slot Phonographs are mounted on handsome cabinets and present a very attractive appearance. Their mechanism is of the most improved and perfect character and the construction of the machines thorough and substantial. For a full description of these machines see our catalogue. With every machine we furnish an illustrated book of instruction, showing in pictures and description each and even the most minute part of its machinery together with its function, etc., and complete instructions for every possible repair, so that even the most ignorant watchmaker or any other person of average intelligence can repair himself the machine without the slightest difficulty.

The machine does not occasion any running expenses whatever, nor does it need any supervision or expense of time.

ALL WHAT HAS TO BE DONE IS :

1. As soon as the machine has arrived, to carefully unpack same according to the printed instructions which you will get together with the invoice and bill of lading, and make the necessary arrangements with a shopkeeper, public house proprietor or other suitable place where to put up your machine.

As the machine draws crowds and brings custom you will have nothing to pay for the privilege, and every such person will be only too pleased to give you the necessary permission. Should it be impossible for you to obtain this permission free, you are authorized to make a small payment for this privilege and to deduct the amount first from the receipts before dividing same.

2. To wind the clock work once every two days.

3. To open at the same time with the key the steel drawer and take out the receipts, *without tampering with the automatic register indicating the number of pennies that have been thrown into the machine*, for this enables us in case of disagreement about the amount of the receipts to instruct somebody to verify your account. Of course when

once the machine belongs to you in full property, we have no further rights on the machine any more and you can do even with this control apparatus whatever you like.

3. To oil and clean the machine once a month.

4. To exchange from time to time the cylinders in order to offer continually new attractions and a varied programme of selections. If you are already one of our agents this can be done without any cost whatsoever because the cylinders never wear out, and you can therefore sell or exchange them with your customers and always keep the last ones received for yourself before handing them to your customers. Please bear in mind that our cylinders fit all machines from the cheapest to the most high-priced ones.

THE AVERAGE RECEIPTS

Of the Automatic Penny-in-the-slot Phonographs here in the United States are from 7 to 9 shillings per day. There is not a single machine located that has brought less than 6s daily, some on special occasions as holidays, even as high as 23s for the day.

In order to facilitate the acquisition of our Automatic Penny-in-the-slot Phonograph to everybody and its introduction into the most remote locality, we are willing to make the following favorable arrangements: We ship the machine, all charges and freight prepaid by us free to any Railway Station within the United Kingdom on the receipt of a first payment of £5. After this you have no further payment whatsoever to make out of your pocket, but have to forward us every month one-half of the profits which the machine has collected for you till you have paid off the remaining £10 when the machine will be your full property. Thus from the very moment you receive the machine, one-half of the profits already belong to you, and you have then an income at once of over £1 per week, which will double itself as soon as the machine is completely your own.

This £15 machine costs you therefore really only £5, as the balance is paid by the receipts of the machine itself. But as from these receipts you keep from the very beginning one-half for yourself, *even these £5 will thus have been paid back to you in five weeks*, so that practically after these five weeks the machine has cost you nothing, for the one-half profit which you have kept back for yourself has amounted in five weeks to over £5. This arrangement is therefore eminently satisfactory for both sides. After one month the machine has cost you nothing and after about three months becomes your full property and we too obtained a great advantage by selling the machine at its full price of £15 without deduction of discount or agents' commission. Those of our Agents who prefer to pay the full amount of cash with order and thus receive at once the entire profits are allowed to deduct their 25 per cent. commission which leaves the net amount to be paid for one machine £11.5.0, or for two machines (on which we allow the extra trade discount of 20 per cent.) for the net amount of £18.

The machine is so arranged that the penny-in-the-slot arrangement can be screwed off, and the machine can then be shown in schools, factories, church entertainments, fairs, etc. A school of 100 children at 1d each brings within half an hour 8sh. without any expense whatever. At fairs from 30 to 50 sh. a day can very easily be made. The earnings per week should run from £3 to £10. Taking the smallest of these amounts and at this very low estimate, a machine earns £150 a year or 1,000 per cent. on the investment. With ten machines so maintained by a wide awake local manager the result is a net profit of £1,500. The cost of the ten machines would thus be paid back ten times over.

We are certain there is no investment where a man can so surely make 100 per cent. on his money in from two to three months, having his capital all back in his pocket and his machines paid for in half that time.

PLEASE BEAR IN MIND.

1. That all our machines are guaranteed for three years, and that further they will be taken back and the money paid back without any deduction or the slightest difficulty, if after receipt they do not give the *fullest satisfaction*.

2. All machines are safely and securely packed so that they arrive at their point of destination without the possibility of any damage.

3. All our goods are delivered freight paid to any Railway Station within the United Kingdom.

4. All machines are complete and no extras whatever are necessary. With the Penny-in-the-slot machines we send twenty-five different cylinders which thus provide at once a full variety of programme.

5. All machines are thus constructed that with the help of our instruction book every watchmaker or ordinarily intelligent person can repair same.

6. That no machine will be shipped under any circumstances until after the receipt of the first payment of £5.

REMEMBER

That this is the best opportunity of your life to make money through an attractive and pleasant occupation which supplies a never failing source of income.

THE AUTOMATIC PENNY-IN-THE-SLOT PHONOGRAPH MACHINE

Will serve as the very best sample the Agent could show of our productions, and if the Agent is unwilling to order more machines at the same time, this with one of the 12sh. machines would be sufficient for the purpose. The name of the Agent together with his address as well as the price of the machine would be painted on a sign to be fixed on the top of the automatic machine which would thus serve as a permanent advertisement.

All you have to do in order to receive freight prepaid the above Automatic penny-in-the-slot machine, is to sign the agreement hereunder in the presence of one witness and to forward same to us with your first payment of £5. After receipt of same the machine is forwarded to you at once with complete instructions via New York-Liverpool.

AGREEMENT FOR HIRE-PURCHASE.

In consideration of the conditions and explanations contained in the above, the undersigned herewith makes application for one Automatic Penny-in-the-slot Phonograph Machine, as manufactured by the Edison Phonograph Company at the price of £15 and forwards herewith a first payment of £5.

It is agreed that I have no further payment to make out of my pocket, but that I will forward every fortnight one-half of the receipts of this machine (the other half to belong to me) until the one-half of the receipts forwarded, has amounted to the balance of £10 due. After this the machine will be my sole and full property of which I can dispose and with which I can act at my free will and on which the Edison Phonograph Company has no further right whatsoever.

It is agreed by me that until this balance of £10 has been paid that the machine is the property of the Edison Phonograph Company, and that I will not sell, hide or lend same to others without the written approval of the said company. I further agree not to tamper, remove or destroy the control apparatus contained inside the machine, indicating the number of pennies received by the machine. I further agree to allow at any reasonable hour to a representative of the company free admittance to the Automatic Penny-in-the-slot machine, so that he can verify the amount which the machine has gained. Of course the company has no such right as soon as the balance of £10 has been paid out of one-half of the profits.

In case of serious irregularities or dishonesty on the part of the undersigned it is agreed that the company has the right to remove the machine against the repayment to the undersigned or his legal representative of the £5 and the one-half profits already paid to the company.

Signed this... day of..... 1898.

In the presence of the following witness:

Signature..... Signature....."

Accompanying the above was a number of rules for agents as follows:

"CONDITIONS FOR AGENTS
OF THE
EDISON PHONOGRAPH COMPANY.
COMMISSION.

1. We allow to our agents 25 per cent. commission on all orders received through them either directly or indirectly. This commission can be deducted from the amount of order if sent directly by the agent, or will be credited to the agent if the order comes directly from any person within the county of which he has been nominated General Agent.

SUB-AGENTS.

2. The General Agent if he should so wish is authorized to engage sub-agents for our Phonographs, but must make all necessary arrangements himself for this purpose, and pay them out of his own commission. Sub-agents have not to correspond with us directly, as the General Agent is responsible for them.

DISCOUNT.

3. Our trade discount to dealers is the following: No discount on a single machine. From two to

three in one order (either of the same or different qualities) 20 per cent. From three to six in one order 22½ per cent. From six or more in one order 25 per cent.

STATIONERY.

4. We forward to the Agent as soon as appointed, free of charge all necessary stationery and printed matter, of which we have more than twenty different kinds, large illustrated catalogues, price lists, circulars, letter paper with our own heading and the agents address, cards, advertising puzzles, etc., etc.

EXPENSES.

5. All indispensable expenses and outlays such as cartage of sample machine, postage, telegrams, mailing circulars, repairs, etc., will be refunded to the Agent, and paid at the end of each month with the commission and salary due to him.

SALARY.

6. As a special inducement for Agents to devote their entire time to our business we shall compensate those willing to do so at the rate of 30s per week besides the commission. But this salary to run only from the second month of appointment as Agent, so as to enable us during the first month of appointment to judge of his capacities and business results. This arrangement is fair to both sides as it puts you in the position to judge first of the extent of the business you may be able to do in your county before giving up a good position which you may perhaps have at present.

ADVERTISING.

7. We do a large amount of advertising here in the United States but have not yet done so in Great Britain. We know of course that advertising on a large scale is indispensable to make very large sales of the Phonograph. We shall make arrangements with our New York Advertising agency to place through their London agents our advertisements in the English papers, containing the list of our agents for every county and their address so that orders and remittances can be sent to these agents directly from their neighborhood.

ENGAGEMENT.

8. The engagement of an agent will be binding on us for one year in case of good behavior and general satisfaction. We have the right to terminate the same immediately in case of any irregularity or dishonesty on the part of the agent.

DISTRICT.

9. The Company cannot give more than one county to an Agent and it is useless to ask us for a larger district. This is the maximum of what he is able personally to manage, and more than sufficient to occupy his activity and all his energy.

LOSSES.

10. The Company expects that the Agent will use all possible precautions in his transactions and not cause them losses through bad debts, though of course the Agent is not to guarantee the payment of his customers. Large and frequent losses to us would be a valid reason for the dismissal of the agent.

DUTY OF AGENT.

11. The Company expects the Agent to further their interests in every possible way and not to accept the agency of any firm of musical instruments, as this would interfere with our sales, and to devote himself seriously and actively to the business of the company.

SAMPLES.

12. Samples of our Phonographs being of course indispensable, in order to show same to intending customers, we are willing to forward for this purpose any one or any number of our machines after receipt of the amount less trade discounts and commission, *i. e.* suppose you desire one each of our 12s, £2 and £10 machines the total would be £12.12, less 20 per cent. trade discount—£2.10.5 and your 25 per cent. commission—£2.10.7, the net amount therefore to remit for the three machines would be £7.11.0. Of course it is to the great advantage of the Agent to order a sufficient stock at once so as to enable him to sell directly on the spot or to execute himself urgent orders for which customers cannot wait.

The agent does not incur through these orders any liability or risk whatsoever, as the money paid for any machine or any number of machines will be at once refunded on demand, if the Agent should desire to discontinue the agency and to hand the goods over to the successor which we appoint in his stead. As it would be useless for an Agent to offer goods of which he has not a sample to show and

we are most anxious to place an Automatic Penny-in-the-slot-machine in your neighborhood we do not entertain any application for agency unless you place one of these machines in any prominent and well frequented place, and the receipts of which are to be shared equally between the Agent and the Company. All further details you find in the accompanying leaflet "How to Become the Owner of the Penny-in-the-Slot-Machine on the Hire Purchase System."

The agreement to protect agents against threatened suits by English Phonograph Companies was as follows:

"REGARDING OTHER PHONOGRAPH COMPANIES.

In order to prevent some misunderstanding regarding other Phonograph Companies, we beg you to understand that the original Phonograph Patent of 1876, in favor of Thomas A. Edison has become public property long ago, and that there are a number of Companies, each one having some supplementary patents for improvements of the original Phonograph and manufacturing machines according to these supplementary patents.

There is absolutely no infringement and there never has been any lawsuit about such. Of course some of the Companies are bluffing in order to advertise themselves. We do not need to do this, relying on the quality and price of our machines, which have left all others far behind. We furthermore give our absolute guarantee to fully protect any of our agents, dealers, customers, against any litigation whatsoever, which, as we explained **never has arisen and never can arise.**"

Having received enquiries from the English correspondence as a result of the foregoing circulars the following letter was sent on a fine billhead which had an engraving purporting to be that of Edison but which in fact was that of Vice-President Thomas A. Hendricks.

"THE EDISON PHONOGRAPH COMPANY.

CHICAGO, ILL., October 31, 1898.

MR. JOHN COLLINS, 221 NORWOOD RD.,
HERNE HILL, LONDON.

DEAR SIR:

Your letter in reply to our advertisement for an agent and addressed to our advertising agency has been received and we send you herewith full particulars of the conditions under which we are willing to appoint you our General Agent for your county to take charge of our business and to obtain sub-agents. We are manufacturers of the Phonograph, and we do not doubt you have heard of this wonderful invention, if not actually seen some.

It is no exaggeration to say that there is absolutely no article at the present moment so well adapted to bring a substantial fortune to an intelligent and active person as the Phonograph is capable of doing for you. We need hardly point out to you the numerous advantages the Edison Phonograph offers over every other article. Like the bicycle at the beginning it is getting immensely popular with all classes, for it is everything to everybody. To the business man it is a faithful stenographer, to the child it is a never ending source of delight, to the sick it is the most cheerful companion, to the scientist the most marvelous instrument ever invented, and for the sitting-room, the public-house or place of amusement an untiring brilliant musician who plays, acts and sings without a penny of wages.

Everybody needs one and will buy one now as our prices have been so far reduced as to bring them within the reach of everybody; and this all the surer as Xmas is soon approaching when our 12s machine will be found an ideal present—inexpensive, novel, useful and universally entertaining.

Our most important object is to place at once one of our automatic penny-in-the-slot machines in your neighborhood. We will share the profit with you as explained in the accompanying instructions, and as such profit is from 7s to 9s per day and per machine, this alone would be a permanent source of income to you, without necessitating more of your attention than collecting every two or three days the receipts from the drawer of the machine.

Our conditions are very liberal and advantageous as it is proved by our agents here and in Canada who make on an average from 15 to 30 pounds monthly. This seems a large commission but give the Phonograph a trial and convince yourself. This Agency would not interfere with your present occupation or residence, as all the business can be done in spare time, as mailing price lists, showing samples to shopkeepers, etc.

As the Xmas season is approaching and desiring to reap the advantage of same for our goods, you

will kindly forward your definite application by return of post. We remain, dear sir,

Yours faithfully,
For the Edison Phonograph Company,
[rubber stamp signature] GEO. B. HENSCHEL,
Manager."

Later the following letter was sent out to the Englishmen from the Chicago office on the same swell letter head:

"THE EDISON PHONOGRAPH COMPANY.

CHICAGO, ILL., October 31, 1898.

MR. JAS. HEALEY, 30 CRETE ST.,
KIRKDALE, LIVERPOOL

DEAR SIR:

We are in receipt of your favor, and beg to say that the instructions from our Board of Directors are such as not to allow any modification whatever of our conditions. Besides if we would make an exception for one, we had to make same for everybody.

You will understand that it is impossible to take orders without at least one or more samples to show to intending customers. At the same time we cannot send samples to everybody for the mere asking, without being at least in some way secured against loss. This applies all the more, as you have not given us any reference on this side where we can make inquiries about your standing. You must not consider this as a personal mistrust, but disagreeable experiences with agents who never had any serious intention to carry out their promises have unfortunately taught us to be provident.

Till now we have not yet nominated an Agent for your county and should be pleased to appoint you as such according to our Agents conditions sent before. You would be the only and exclusive Agent for this district, but this should not be construed so as to prevent us to sell direct or through wholesale traders to persons living in your district before you have accepted our Agency. After you have definitely accepted and been appointed by us, we would of course accept no orders from your district except such as pass first through your hands and would instruct then such persons having applied for Agency there to address themselves to you as sub-agents if you desire to engage them.

We agree to your proposition of making first payment of £2 provided that you send us the entire profits of the machine for the first month instead of only one-half.

Awaiting your definite reply by return, we remain, dear Sir,
Yours most truly,
The Edison Phonograph Company,
[rubber stamp signature] GEO. B. HENSCHEL,
Manager."

At this point the numerous English correspondents who had sent to the Baron on an average of \$37.00 were advised of the bursting of the company as heretofore related. There are nearly 100 letters addressed to the Baron in Stamford, Conn. to which address he ordered mail forwarded when he left Chicago. It is believed the swindlers cleared \$50,000 on the scheme. They are sure to be given a generous dose of judicial medicine by an American Judge when arraigned for trial.

The Teaching of Birds

A school for the higher education of parrots and song birds has been founded recently in New York by Louis Ruhe of 248 Grand Street. Parrots whose education has been neglected will now be enabled to enlarge their vocabularies, while canaries may improve their range and technique in singing. The talking-machine plays an important part in the business. The feathered pupils are usually instructed in classes. As soon as they hear a line in which the vowels or "r's" abound they will prick up their ears. By using a Phonograph the phrase, or whatever the lesson may be, is repeated always with exactly the same inflection and this makes it easier for the parrot to memorize it.

A class of a dozen or more parrots with careful training can be made to recite a comparatively long selection in chorus and with the most perfect gravity. Some of the phrases, for example, which are easily learned and go to make up the education of a well-educated parrot are as follows: "Glad to see you," "Good morning. Have you used—soap," "Hope you're well," "Rubber neck," "Hurrah for McKinley," "Break the news to mother," "Get your money's worth," "The Lord loveth a cheerful giver," etc. The bird academy also offers a course of instruction to cockatoos, bullfinches, starlings and other songsters.

Legal Notices

A bill of complaint has been filed in the United States Circuit Court by Edwards & Bryan, attorneys for the John Church Company, to restrain the American Graphophone Company from producing on any of its Graphophones or Phonographs the musical composition entitled "El Capitan March," composed by John Philip Sousa. The complainant alleges that it is the proprietor of the opera "El Capitan," of which the march is a part. The court is asked to grant an injunction against the Graphophone Company.

A suit against the American Graphophone Company, of Kansas City, Mo., was filed in the circuit court recently. Walla Leviston, a contractor, is seeking to recover \$116.50, which he says is due him for supplies furnished and work done.

In the United States District Court, before Judge Brown, was heard the petition to have a rule absolute entered in the case of the American Graphophone Company of New York against Herbert Williams and William S. Rankin of Providence, R. I., doing business under the firm name of Williams & Rankin. The court had already granted a preliminary injunction against the defendants and the recent hearing was upon the desire of the plaintiffs to make it permanent.

Complaint is based on the Bell and Tainter patent No. 341,214, and the infringing acts charged are the making and selling counterfeits or duplicates as they are known in the trade of sound records, such as are covered by claims 7, 8, 10, 17 and 18 of the patent sued on, and also the making, using and selling of machines and apparatus and essential parts thereof for making the counterfeit sound records. The claim is made by the plaintiffs that these machines are adapted to make duplicates of sound-records and are capable absolutely of no other use.

The defendants ask that they may not be compelled to turn over to the United States marshal any records that have not been made by the machines, but have come into their possession by purchase.

After certain of the facts had been stated to the court a final decree for the complainant was entered by consent of all parties concerned, and the matter of damages was adjusted out of court.

The following notice appeared in the *Daily Mail*, London, Eng.:

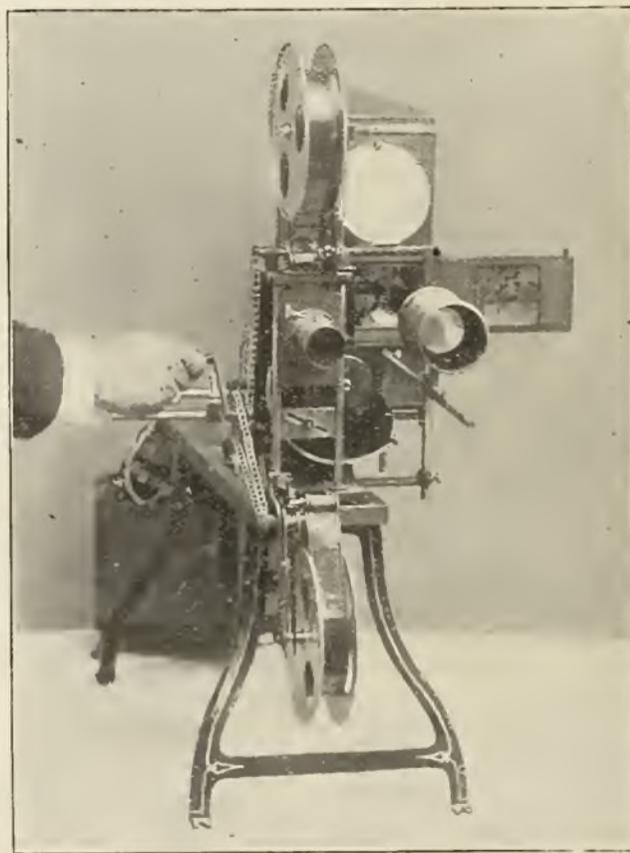
It having come to the knowledge of the Edison-Bell Consolidated Phonograph Company, Limited, that instruments known as Gramophones are being made in this country, and imported from the United States of America and elsewhere, and sold in this country in contravention of the patent rights owned by this Company, notice is hereby given that the Company has already commenced proceedings against persons who are making and importing and selling Gramophones, and will take immediate proceedings against all other persons who may be infringing its patent rights. All persons owning, selling or purchasing Gramophones are liable to be proceeded against for an injunction, damages, costs and an order for delivery up of the infringing articles. The Company has no desire to treat innocent infringers in any harsh manner, and is prepared in cases where it is proved to its satisfaction that the machines have been innocently acquired to license the owner of the same to continue to use the machine on payment of a royalty, and upon giving an undertaking to commit no further infringement.

In the United States Circuit Court Judge Kirkpatrick heard argument on a rule to show cause in the infringement suit of the American Graphophone Company against the United States Phonograph Company, of Newark, N. J. The Graphophone Company obtained an order for the defendants to show cause why they should not be commanded to deliver to the custody of the court apparatus for making duplicate sound records in their possession, or enjoined from selling or disposing of the property pending the suit. The complainant company, through Philip Mauro, of Washington, D. C., their counsel, submitted an affidavit from the president, E. D. Easton, alleging that the defendants were negotiating for the sale of the machine and records. It was claimed that the defendants intended to remove the property from the jurisdiction of the court to the injury of the complainants in the property litigation. The application was

opposed by Howard W. Hayes for the United States Phonograph Company. Judge Kirkpatrick refused to order the machines and records into court, stating that the affidavits had not established sufficient proof that the defendants intended to remove them from the jurisdiction of the court, and denied the injunction on the ground that it would be undue interference with the property rights of the defendants. The Phonograph Company had the right to dispose of its own property as it saw fit.

Ellsworth A. Hawthorne and Horace Sheble, trading as Hawthorne & Sheble, filed an answer in the United States Circuit Court to the bill in equity of the American Graphophone Company, of Washington, D. C., in which bill infringement was alleged on various patented apparatus for recording and reproducing sounds. The defendants say they have not sold any devices known as the Metaphone, and that the devices used by them are not similar in their substantial and material parts nor in their mode of operation. Also that they have never made Graphophones, and that they have used or sold only such Graphophones as they purchased from the complainants. Also that they are not making, using or selling any Phonographs containing any of the inventions covered in the patent in question.

We are pleased to illustrate a new animated picture machine which will be put upon the market this month. It will be known as the "Combined Cineograph and Stereopticon 1899 Model." This machine has entirely new principles which are not seen in any similar machine upon the American market. The absence of any spool bank is a marked departure. The reason of this is that the public is tired of seeing films repeated, and now require a large number of entirely different views. With the new Cineograph this is possible by joining the films together with a few feet of blank spacing film and rolling them upon one of the reels, which has a capacity of two thousand feet, enough for an entire entertainment or exhibition. Our illustration



is a front view showing the machine operated by hand. There is but one lamp house and one set of condensers, while there are two lens, one for the animated pictures and the other for the Stereopticon views. The change from animated pictures to Stereopticon views can be made instantly. By an ingenious arrangement it is impossible for the film to jump upon the framing plate. This is an annoyance which has heretofore never been fully overcome. The lens is also arranged so that its field upon the screen may be changed with a satisfactory latitude, instantly. By means of a graduated rheostat different degrees or intensities of light upon the screen may be obtained. With this rheostat greater intensity of light and degree

SPARTENBURG, S. C.
EDITOR OF THE PHONOSCOPE.

DEAR SIR:—I received your sample copy of THE PHONOSCOPE and was so well pleased with it that I read it through twice the same night. The editorials are as interesting to me as the morning paper of my own city, for I feel as though they are my most intimate friends, for all I have to do is to reach in my record case and get them and fortunately they are my money getters. I met with abundant success at the fairs this fall with my Phonograph, but it has been too cold for street work this month. I am going to buy a picture projecting machine and work halls with it in combination with the Phonograph. Mr. A. W. Biber, jeweler, has the agency here for Graphophones and is selling machines and records and giving delightful entertainments to his patrons. Success to THE PHONOSCOPE.
E. L. ABBOTT.

We wish to announce to our subscribers and advertisers that owing to unavoidable circumstances the issuing of this journal has been somewhat delayed; however, the news is the latest and best obtainable. As it is entered in the New York Post Office as second-class matter, "It must regularly be issued at stated intervals and bear a date of issue, and be numbered consecutively."

of whiteness or brilliancy can be obtained than with any other. The new Cineograph is the lightest and most compact animated picture machine which we have yet seen. Mr. Prescott's advertisement on another page of this issue shows a side elevation of the machine and a good view of the new rheostat.

We call attention to the advertisement of the National Gramophone in this issue. Although a comparatively new instrument, having been upon the market only about two years, it has been rapidly making for itself a large place in the talking-machine field. The records are made of vulcanite or hard rubber and are indestructible. They are not affected by the climate or various

temperatures of foreign countries. They are also small and compact, so that a dozen records can be packed in the space that would be required to pack two regular Phonograph wax cylinders. Owing to recent improvements the Gramophone records are becoming very clear and distinct in reproduction, there being an absence of any harshness which may have been noticed on the earlier records. An indestructible needle or stylet is also promised for the very near future. Mr. F. M. Prescott, the export agent, is desirous of establishing agencies all over the world, and we recommend all those who are interested in the latest things in the talking-machine line to write to him for further particulars.

New Films for "Screen" Machines

The following list of new films has been compiled from lists sent us by the leading foreign and domestic manufacturers

U. S. TROOPS AT EVACUATION OF HAVANA. The picture is taken at the end of the Prado, Havana's famous boulevard. The troops are turning in from a side street, where stands a triumphal arch erected by the Cubans, but which Gen. Brooks, the Military Governor of Cuba, would not permit to be finished, as he allowed no demonstrations of any kind. The soldiers are the First Texas troops. The streets are crowded with people. Many typical Cubans are seen lounging in the foreground, with here and there a Spaniard, if one may judge by sonar looks and solemn demeanor. The buildings are all low stone structures, with heavy barred windows, from which are displayed small Cuban flags. An excellent picture of life in Havana, New Year Day, 1899.

GENERAL LEE'S PROCESSION, HAVANA. A magnificent view of the Prado, from the balcony of the United States Club. The procession is headed by a troop of horsemen. Prominent among them is General Lee. Then come the soldiers, file after file and company after company; filling the broad avenue from curb to curb and as far as the eye can reach with marching men. It is the Seventh Army Corps. Great crowds of people fill the sidewalks; and through the trees that line the promenade in the middle of the Prado, are seen carriages and vehicles following the parade. The crowning event of the Spanish-American war! The great procession on Evacuation Day.

RAISING OLD GLORY OVER MORRO CASTLE. Down goes the Spanish flag, and up floats the Stars and Stripes. Down falls the symbol of tyranny and oppression that has ruled in the new world for four hundred years, and up goes the Banner of Freedom. In the distance are the turrets and battlements of Morro, the last foothold of Spain in America.

SPANIARDS EVACUATING. In the background of this picture are the grim walls of Morro. Down the steep hill come the Spaniards, horsemen, soldiers and mules. As the procession zig-zags in and out on the narrow trail, it presents a very picturesque scene. The men look dogged and dejected. The mules carry all kinds of supplies; personal baggage, camp utensils, cannon, ammunition, cannon wheels, and all the paraphernalia of an army.

DEFENDING THE COLORS. The enemy have taken the fort. In one corner, with their last cannon, stand a handful of soldiers, guarding the flag to the last. They fire their cannon. An answering volley kills several; the rest are overcome in a hand to hand conflict.

SAILORS LANDING UNDER FIRE. A long boat dashes up to the shore, oars up. Out jump the men, a score or more, knee deep into the water. They line up and fire volley after volley advancing meanwhile up the beach.

ASTOR BATTERY ON PARADE. As they appeared in New York on Saturday, January 21, 1899, on their return from active service in the Philippines. The picture is taken as they cross Broadway, Union Square, north. First come the mounted police, proud and prancing, then the band, then the famous Astor Battery, marching twenty-four abreast. As the second file approaches, the order is given to "change arms" and the rifles shift from right to left shoulder. The men march well, with rapid gait, and present a fine spectacle, dressed in their long dark overcoats. A group of ladies on a balcony wave their handkerchiefs, and the crowds that line the sidewalks show their enthusiasm. As the Battery passes out of sight, men and boys run across the street, and a hansom cab brings up the rear. The picture was taken late in the afternoon, and the exposures were slow; consequently the film must be reproduced slowly to give the best results.

DANCING ON THE BOWERY. A familiar scene on the East Side. An Italian is grinding away on a piano organ and the dance music is greatly appreciated by the children who have gathered around. Two little girls, (one a coon-let), go through a series of fancy steps that would make a vaudeville performer envious. A crowd of men and boys stand around watching. A very clever picture.

A DARKTOWN DANCE. A genuine New Orleans breakdown. Full of fun and grotesque action. A dozen coons are participating; and if an audience can get only half the enjoyment out of it that the dancers do, this picture will be a winner.

THE DOLORITA PASSION DANCE. Musicians are seated, playing, while the graceful Dolorita dances. It is the Danse-du-Ventre, the famous Oriental muscle dance.

LITTLE EGYPT IN COOCHEE COOCHEE DANCE. A vision of gauze, lace and spangles, performing the famous danse-du-ventre, in a manner which must be seen to be fully appreciated.

ORIENTAL DANCE. This performer executes a modified couchee-couchee dance that has been spoken of by the press as "refined, chaste and elegant." It is a fitting description.

FATIMA'S COUCHEE-COUCHEE DANCE. This is the lady whose graceful interpretation of the poetry of motion has made this dance so popular of recent years.

AFTER THE STORM. In the foreground is the wreck of a pier, with the spiles broken and jagged. Far out toward the horizon is the angry sea, an unbroken expanse of surging billows. The surf runs high. Wave after wave rolls in grandly, flecked with floating foam. As each wave crest breaks over the pier it dashes high into the air, spouting through the spiles in a confusating cascade of shining silvery spray. It is a marvelous display of sunshine and wave effects.

New Records for Talking Machines

The following list of new records has been compiled from lists sent us by the leading talking machine companies of the United States

A Dream Miss Mann
 All I Want's Ma Chickens Frank C. Stanley
 Ammonia (Charlatan) Original Lyric Trio
 At One Look of Love from Thee Atwood Twitchell
 At a Georgia Camp Meeting (Banjo) Ossman
 Baby's Kiss Edw. M. Favor
 Because Miss Mann
 Because from "The French Maid" Albert Campbell
 Bold Dragoon (Fortune Teller) Miss Mann and Mr. Havens
 Brave Old Oak, The W. F. Hooley
 Canzouetta (Violin Solo) Frederic W. Hager
 Carmen Duet Miss Mann and Mr. Madeira
 Casey as a Rough Rider Joe. Gannon
 Casey at the Wake Joe. Gannon
 Casey at the Dentist Joe. Gannon
 Casey as a Judge Joe. Gannon
 Casey as a Fortune Teller Joe. Gannon
 Casey as a Commercial Traveler Joe. Gannon
 Casey as an Insurance Agent Joe. Gannon
 Casey's Description of Columbus Joe. Gannon
 Casey's Description of his Fight Joe. Gannon
 Casey in a Restaurant Joe. Gannon
 Casey at the Phoue Joe. Gannon
 Casey as a Hotel Clerk Joe. Gannon
 Cavatina (Roberto Diabie) Miss Mann
 Dear College Chums Steve Porter
 Down Ole Taupa Bay (Banjo) Ossman
 Dreams Mr. Havens
 Eli Green's Cake Walk (Banjo) Ossman
 Emmet's Lullaby Excelsior Quartette
 Fear Not, O Israel Madeira
 First Violin Waltz Rosey's Orchestra
 Girl I Loved in Tennessee (Cornet Solo) Rosey's Orchestra
 Good-bye Sweet Day Albert Campbell
 He Certainly Was Good to Me Miss Mann
 He Took It in a Pleasant Way Edw. M. Favor
 Heart Bowed Down (Bohemian Girl) Madeira
 Ho benezzer Mr. Havens
 Hot Time in Mobile March Rosey's Orchestra
 I Couldn't Do a Tang to You Mr. Havens
 I'll Wait for You Jamie Steve Porter
 In Sight of the Harbor W. F. Hooley
 In the Barracks March (Banjo) Ossman
 I Guess I'll Have to Telegraph My Baby Frank C. Stanley
 I Euvy the Bird (The Serenade) Mr. Havens
 If You Ain't Got No Money You Needn't Come Around Frank C. Stanley
 If They Had only Fought with Razors in the War In Sacramento Valley Frank C. Stanley
 In the Sacramento Valley Albert Campbell
 Irish Medley Excelsior Quartette
 It Was Not to Be Albert Campbell
 Jerusalem Mr. Havens
 Just As the Sun Went Down Steve Porter
 Just One Girl Steve Porter
 Kelly Takes His Wife Abroad Harry B. Norman
 Kelly's Trip to Paris Harry B. Norman
 Kelly's Philosophy Harry B. Norman
 Kelly on the Dutch and Irish Harry B. Norman
 Kelly's Wife Harry B. Norman
 Kelly's Dream Harry B. Norman
 Kelly's Tip on the Irish Harry B. Norman
 Kiss Duet (Mikado) Miss Mann and Mr. Havens
 Let Me Dream Again Rosey's Orchestra
 Little Old New York "Hurly Burly" Dan Quinn
 Lucia Original Lyric Trio
 Matrimonial Guards Miss Mann and Mr. Havens
 Medley of Popular Songs Imperial Quartette
 Mendelsohn's Wedding March Rosey's Orchestra
 Mikado (Selection) Rosey's Orchestra
 Merry Maiden and the Tar (Piafore) Messrs. Havens and Hooley
 Miss Helen Aunt Dan Quinn
 Missing from the Ranks George J. Gaskin
 Mother Goose Rhymes Miss Mann
 My Lady Love Waltz Rosey's Orchestra
 My Old New Hampshire Home Albert Campbell
 My Old New Hampshire Home Frank C. Stanley
 Negro Wedding In Southern Georgia Excelsior Quartette
 No Coon Can Come Too Black For Me Leu Spencer
 Old Uncle Ned Billy Arlington
 Poor O'Hoolahan "Yankee Doodle Dandy" Quinn
 Pretty Queen Song and Dance (Banjo) Ossman
 Rastus Thompson Rag Time Cake Walk Rosey's Orchestra
 Riding Through the Glen (Schottische) ATLee
 Salute to France Miss Mann
 Salve Maria Miss Mann
 Shadow Song "Dinorah" Miss Lisle
 She Was Happy Till She Met You Albert Campbell
 She Was Bred in Old Kentucky Excelsior Quartette
 She Was Happy Till She Met You Dan Quinn
 Since I've Got Money in the Bank Mr. Stanley
 Slumber, O Sentinel (Falka) Miss Mann and Mr. Havens
 Sly Cigarette "A Runaway Girl" Dan Quinn
 Society Minstrels Original Lyric Trio
 Soldiers in the Park "A Runaway Girl" Dau Quinn
 Spring Song (Gounod's) Albert Campbell
 Sunshine Will Come Again Excelsior Quartette
 Tattooed Man (Idols Eye) Mr. Havens
 Telephone Song "Hello My Baby" Frank C. Stanley
 Tempest of the Heart Madeira
 Tennessee Jubilee March Rosey's Orchestra
 The Fog Bell Madeira
 The Ginger Bread Doll [Hotel Topsy Turvy] Miss Mann
 The Girl I Loved in Sunny Tennessee Albert Campbell
 The Green Hills of Old Virginia Frank C. Stanley
 Tickle the Ear Schottische Rosey's Orchestra
 Twickenham Ferry W. F. Hooley
 Uncle Josh on a Bicycle Cal Stewart
 Uncle Josh at the Circus Cal Stewart
 Uncle Josh at Delmoico's Cal Stewart
 Uncle Josh at a Camp Meeting Cal Stewart
 Uncle Josh in a Police Court, N. Y. City Cal Stewart
 Verdi's Atilla Original Lyric Trio
 Waltz Songs "Pirates Penzance" Miss Lisle
 What Happened to Jones Waltz Rosey's Orchestra
 When the Winter Moon is Bright Miss Mann
 You'll Get all That's Coming to You Frank C. Stanley

The Latest Popular Songs

The following is a list of the very latest popular songs published by the leading music publishers of the United States

As the Clock Strikes Two W. A. Stanley 8
 At a Georgia Camp Meeting Kerry Mills 3
 Blackville Derby Ball, The Irving Jones 4
 Boy Without a Sweetheart, A Geo. Cohan 9
 Bowery's Not the Same, The Armstrong Brothers 9
 Cluck, Cluck, Cluck John Stromberg 10
 College Chums Forever Andrew Le Roc 5
 Coontown Carnival Louis Myll 5
 Daisy Dixey's Dan Harold M. Vernon 2
 De Pickaniiny's Dream Hattie Starr 1
 De Sweetest Little Chocolate Drop in Town M. May 3
 Do You Love Me? Hattie Starr 1
 Don't Send the Organ Man Away E. Nattes 1
 Golden Maxims Taught by Mother Arthur Gillespie 1
 Good Mister Mailman J. E. Howard 2
 Have a Kiss With Me Ford & Bratton 1
 He Don't Know Where He's At Walter P. Keen 9
 He Certainly is a Sweet Black Man Irving Jones 3
 Her Front Name Was Sally J. Herbert and Max Gabriel 1
 His Wife and Baby Boy Charles Graham 9
 Hottest Ever, The Chas. B. Brown 4
 I Don't Play No Favorites Al Johns 3
 I Couldn't Do a Thing to You Sterling and Von Tilzer 3
 I Say, Flossie Lyn Udall 1
 I'm Nothing to You Now Ford & Bratton 1
 I'll Shake Up Dis Mean Old Town Lyn Udall 1
 I've Gwine to Save Yo' Soul Nat. D. Mann 1
 I Love My Dolly Best Malcolm Williams 5
 I Love Dat Man E. J. Simmes 5
 I Love None but Baby and You Nate Jackson 5
 I Love You in the Same Old Way Ford & Bratton 1
 I Love You That Is All Jos. Kelly 1
 I Thought I Heard Some body Calling Me Al Johns 3
 I'll Break Up This Jamboree Sidney Perrin 1
 I'll Kiss You Good Bye, Soldier Malcolm Douglas 8
 I'll Use My Gattling Gun on Him Plunk Henry 3
 I'd Hate to Trust My Future Life With You M. Belle 9
 I'm Done Dealing in Coal Eddie James 3
 I'm Not Particular Murray and Leigh 9
 I'm a Mean Coon When you Rile Me Emma Weston 3
 I've Got Him Dead Arthur Dunn 1
 If They'd only Fought with Razors in the War I. Jones 3
 If I'd Only had my Razor in de War Louis A. Lesure 9
 If Pictures Could Only Speak H. Von Tilzer 8
 Just the Same as Long Ago Will R. Anderson 1
 Just as the Tide Went Out Barney Fagan 1
 Kill It Kid Nat Lucus 3
 Kiss Your Goozie Woosie Bennett Scott 9
 Kitty Glenn, Tell Me When Barney Fagan 1
 Lazy Bill A. B. Sloane 1
 Little Huckleberry Fay Templeton 2
 Lookin' For a Little Recreation J. A. Silver 1
 Ma Genuine African Blonde Geo. R. Wilson 4
 Mummy's Little Pumpkin Colored Coons Hillman & Perrin 1
 Make Room for Me Barney Fagan 3
 Make No Mistake Duffe and Belli 1
 Mary Ellen Simpkins Bike Frank Abbott 2
 Melindy Henry S. Haskins 3
 Miss Hazel Brown The Larkins 3
 Mister Moore from Arkansas A. B. Sterling and W. A. Heelan 1
 Mister Your Room Rent's Due Elmer Bowman 3
 Molly Mine John A. O'Keefe 1
 My Dear Old Daddy Minnie Belle 1
 My Owe Sweet Nell O'Neil A. J. Frankland 4
 My Pretty Coontown Belle Hillman & Perrin 1
 My Sunday Dolly Ford & Bratton 1
 My Sweetest Girl Leander Richardson 2
 Perhaps She Is Somebody's Mother Al Trahern 5
 Patriotic Maid, The Minnie Belle 9
 Place a Light to Guide Me Home Jack Fay 1
 Ragtime Liz Alfred Aarons 1
 Razzar Dance E. L. Bailey 1
 Rough Rider's Patrol, The Elmer de Lacy Bennett 8
 She Is More To Be Pitied Than Censured W. B. Gray 9
 That Gal Belongs to Me Al Johns 3
 Tell Me Who You Love? Howard & Emerson 2
 The Answer Anthony Gray 1
 The Lady With the Rag-Time Walk Armstrong Bros 9
 The Lassie Who Loved a Soldier, Chas. Graham 1
 The Stuttering Coon H. F. Leavitt 1
 They're Always Taking Me for Someone Else Frank Leo 1
 This Wedding Cannot Be Harry S. Miller 1
 Tim Reilly Henry F. Blaise 4
 Vigna Ma Baby Harry Jones 2
 Watch His Partner Louis W. Pritzkow 1
 When I Come Back Walter Hawley 4
 When You Ain't Got No Money, Well You Needn't Come When You Were Sweet Sixteen James Thornton 1
 "Round A. B. Sloane 1
 Won't Somebody Give Me a Kiss? 5
 Words Cannot Tell Richard Stahl 2
 You Aint One, Two, Three Eddie James 5
 You Don't Handle Nuff Money for Me Irving Jones
 You Missed Yo' Man Irving Jones 1
 Your Meal Ticket's Done Punched Out E. J. Simmes

LATE INSTRUMENTAL PUBLICATIONS

Around the Circle (March and Two-step) L. Berliner 5
 Ballet Girl, The Theo. Bendix 1
 Cupid's Dream (Waltzes) Warner Crosby 5
 Cyrano Waltzes Frank M. Witmark 1
 Dancing Girl, The (Waltzes) Robert Cone 5
 Day Dream Waltzes Samuel E. Weiler 1
 Hawaiian Annexation March Fred Gage 1
 Jolly Musketeer, March Julian Edwards 1
 Just One Girl, Waltz F. W. Meacham 1
 Lakewood Society, Waltzes Walter V. Ullner 8
 March of the Royal Guards Julius Rosenberg 1
 Princess Charming, (Waltzes) Elmer de Lacy Bennett 8
 Second Polonaise in E Minor J. A. Silberberg 1
 To Arms, Military March Fred. Gage 1
 Van Courtlandt (March) R. E. Sauce 5
 Vampire, The (Two-step March) Warner Crosby 5

Note.—The publishers are designated as follows: 1 M. Witmark & Sons; 2 T. B. Harms & Co.; 3 F. A. Mills; 4 Chas. K. Harris; 5 Myll Bros.; 6 O. Diston Company; 8 Gage Bros.; 9 W. B. Gray.

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- Casey at the Wake
- Casey at the Dentist
- Casey at Home
- Casey at the 'Phone
- Casey in Bathing
- Casey in a Restaurant
- Casey Taking the Census
- Casey's Address to the G. A. R.
- Casey and the Dude
- Casey's Visit to the Hospital
- Casey's Description of His Fight
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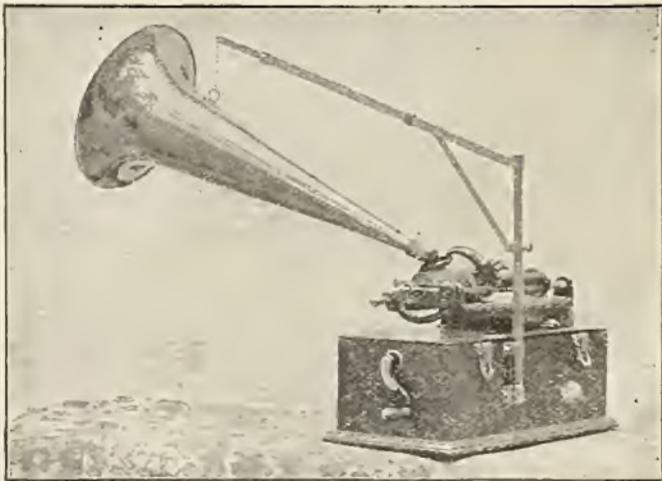
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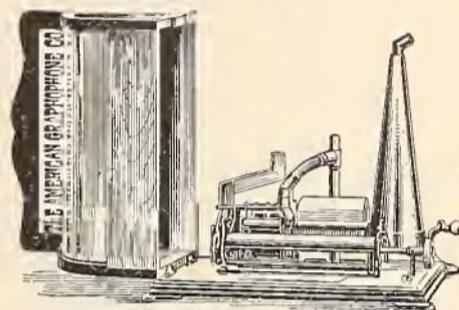
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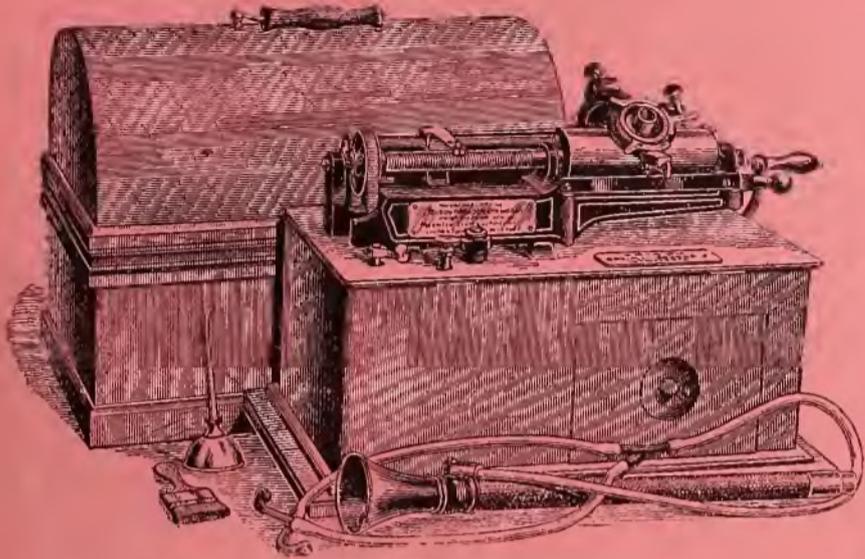
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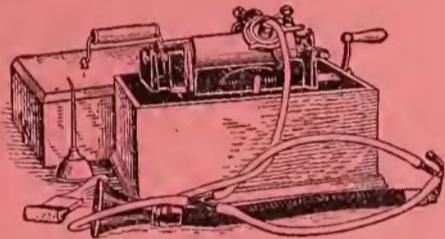
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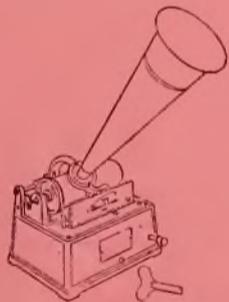


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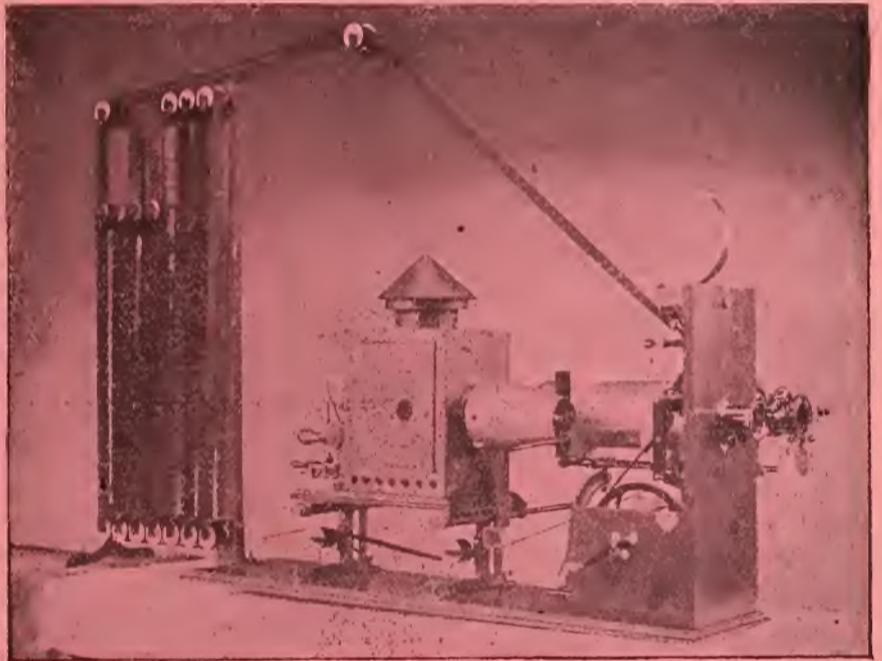
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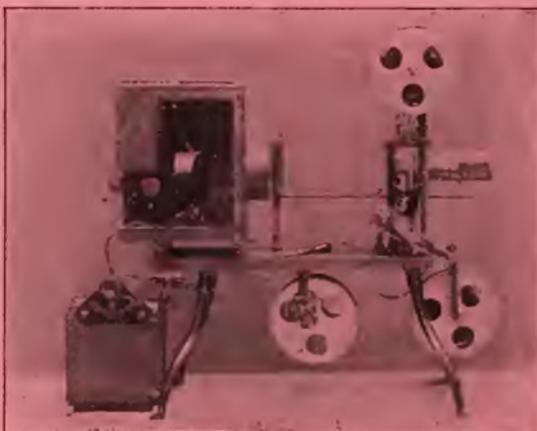


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