

Benton J. Hall

The twenty-first Commissioner of Patents was also an Iowan. Benton J. Hall was born in Mt. Vernon, Ohio, on January 5, 1835. Five years later his father, Jonathan C. Hall, brought the family to Iowa. Jonathan Hall became one of the first Justices of the Iowa Supreme Court, an influential member of the First Constitutional Convention, instrumental in the formation of the Iowa Civil Code of 1851, and a distinguished lawyer of the state.

Benton Hall received his first education at Howe's Academy at Mt. Pleasant. He was a student at Knox College for a while and graduated from Miami University at Oxford, Ohio, in 1853. Benton began studying law with his father in 1856 and was admitted to practice the next year.

Hall was elected to the Iowa Legislature in 1871 and took an active role in formulating the Iowa Code of 1873. He was elected to the State Senate in 1881 and to the United States Congress in 1884. As representative of the First Iowa Congressional District, he was the first Democrat to be elected from that area following the Civil War.

After Hall's defeat for re-election in 1886, President Grover Cleveland appointed him Com-

missioner of Patents on April 11, 1887. He served until March 31, 1889, when Benjamin Harrison appointed a Republican to the office.

Hall was Commissioner during an era of many inventions involving mechanical and scientific marvels. More than 35,000 applications for patents were being made each year. Upon taking office it was his responsibility to direct and regulate the examination of these applications. In many cases he had to make decisions himself on the perplexing and complicated questions involved.

The Commissioner was noted for being "careful, studious, painstaking, gentle, modest, good-natured as to nonessential red tapeism and routine, but stern, rigid, and unbending in all essentially vital things."

Hall declared that the "Rules of Practice" must be followed in granting patents. He said the Patent Office "should not overlook the fact that it must be shown that invention was exercised in producing the article or machine." A person making a new and useful machine had not necessarily invented anything original.

He further pointed out:

The patent system was not designed to protect the chimerical schemes of visionaries or closet theorists. Invention consists in more than the work of the imagination. To conceive a scheme of vast dimensions is the work of a dreamer; to make the mathematical computations requires the ordinary knowledge of the student; to face the diffi-

culties of construction and devise means to overcome them is the true work of the inventor.

His decisions were written clearly, in a polished and literary style. Their clarity, aptness of figurative speech, sound reasoning and logical deduction revealed the careful consideration and study that he gave each problem.

One important case, attracting national attention, that came before him for review involved the telephone. For nearly two weeks, he heard oral arguments from some of the best lawyers of the country. The record totaled some 17,000 pages. In spite of this he was able to grasp the many technical phases of the complicated case and render a decision that prevented a monopoly beyond the seventeen years normally granted to a patentee.

Commissioner Hall has been ranked as one of the greatest in a long line of able persons who have administered the affairs of the Patent Office. After leaving Washington in 1889, he went to Chicago where he opened an office and practiced patent law. When his health became impaired, he returned to his home in Burlington where he died on January 5, 1894.