

MR. HENRY S. WELLCOME.

Examined by Mr. Levett :

Mr. Wellcome said that he was now the sole proprietor of the firm of Burroughs and Wellcome, which was founded in 1878. He employed about 1,200 people. When he first joined the firm it was associated with Messrs. Wyeth, a Philadelphia firm. The special features of his products were the peculiar accuracy of dividing the doses and the care in regard to the composition of them, as well as the perfection of finish.

The products are made from the 600th of a grain up to very large sizes—60 grains and upwards. By an ingenious mechanism that has the accuracy of fine watch-work, they are able to secure the division of a given quantity into, say, a thousand parts, more accurately than they can be weighed. All the finer chemicals and alkaloids are prepared by themselves. So that not only the "tabloid" products, but also the contents, are of their own manufacture, and are of exceptional purity and exceptional quality. They are credited with having revolutionised the methods of administering medicines, and prescribing by medical men, within the last twenty years. In the year 1884 the firm thought of having some new name for their compressed medicines. At that time they were using the word "tablets." He passed through his mind all the letters and syllables he could think of; he wanted to coin some word that would be euphonious, that is, something that would be pleasing to the ear, and that would be easy to remember. The result was the word "tabloid." It was first registered, in two classes, 3 and 42. Since this action was brought, he had made a search to see whether "tabloid" was really a new word, and had not been able to find any previous use of the word, and had not found the word in any shape or form before the date of his invention or registration of it.

Mr. Wellcome stated that the sale of bottles of tabloids now amounts to many millions a year. He advertised very extensively, but only to the medical profession, nurses, and the trade.

He had on several occasions found the word "tabloid" used by people with reference to other goods of other firms, but had never allowed that to pass unchallenged. On three occasions he had actually gone to litigation. In the trade lists issued by all the important drug firms in the country, "tabloid" was always used to denote the products of Burroughs, Wellcome and Co. In the advertisements of other firms which made compressed goods, very many different invented names were given, but not one of them described their specialties as "tabloids."

Mr. Wellcome then handed in twelve parcels of goods purchased at the shops of Messrs. Thompson and Capper in Manchester. They were supplied to

purchasers who asked for "tabloids," or produced prescriptions or orders for "tabloids."

Cross-examined by Mr. Walter.

At first they sold products under the name of "compressed tablets." They registered "Tablets" as a trade mark, and warned the trade that any attempt to use the word "tablets" would be stopped. They afterwards allowed the trade mark "Tablets" to lapse, as they were advised that it was not a strong mark. Mr. Wellcome stated that he invented the word "tabloid" himself. It was never suggested to him.

The word "tabloid" means Burroughs, Wellcome and Co.'s products. The word "tabloid," as used now, means to the public the goods of Messrs. Burroughs, Wellcome and Co. The word "tabloid" has got into the dictionaries, in the first edition of the "Century Dictionary," for example. He went to the proprietor and editor of the "Century Dictionary," and they investigated the matter, and reported to him that they found the word only referred to the goods manufactured by Burroughs, Wellcome and Co., and, therefore, in the revised edition of the "Dictionary" they inserted that it was a registered trade mark.* From the first the word "tabloid" was used as a trade mark, and applied to the different compressed solids, however much the latter differ in size or shape. It was quite true that the word tabloid is a word of everyday use now, and they had tried to make it so.

Mr. Walter then called Mr. Wellcome's attention to references, in leading magazines, *Punch*, *Nature*, the *Tatler*, and so forth, to "Wisdom in tabloid," "Opera in tabloid," "Tabloid dietary," and so forth, which Mr. Wellcome ascribed to the word having been made an everyday word by means of their wide advertising. He pointed out that the firm were not responsible for *Punch's* jokes. "Soloids" was the term applied to compressed drugs, such as powerful antiseptics and disinfectants meant for external use. Mistakes about the term "tabloids" had undoubtedly been made, both by the public and by writers of fiction, but Messrs. Burroughs and Wellcome were not responsible for such mistakes.

SATURDAY, NOVEMBER 21st, 1903.

Mr. Henry S. Wellcome, cross-examination by Mr. Walter continued.

Mr. Wellcome's attention was called to the definitions of the word "Tabloid" in recent dictionaries, and he explained that in each case the publisher had undertaken to correct the definition in future editions, in the sense that the word was a trade mark, denoting a compressed drug. Counsel called attention specially to the "Century Dictionary," 1895

* The "Century Dictionary," 1899 edition, says TABLOID (table + oid) something resembling a table or tablet; a tablet; applied only (and as a trade mark) to certain small troches usually administered by the mouth, or, after solution, hypodermically.—Ed.

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