

Scientific American.

MUNN & CO., Editors and Proprietors.

PUBLISHED WEEKLY AT NO. 37 PARK ROW (PARK BUILDING), NEW YORK.

O. D. MUNN. A. E. BEACH.

VOL. XXV., NO. 11. [NEW SERIES.] Twenty-sixth Year.

NEW YORK, SATURDAY, SEPTEMBER 9, 1871.

Contents:

(Illustrated articles are marked with an asterisk.)

Table listing various articles and their page numbers, including 'A Correction', 'American Association of Science', 'Ancient Dentistry', etc.

RIGHT OF PROPERTY IN INVENTIONS AN ABSTRACT RIGHT.

There once lived in England a famous writer upon civil law, whose wise teachings have, until quite recently, been accepted as almost the very foundation of legal lore, both in England and America.

Blackstone told us, so forcibly and with such solid argument, that the natural rights of individuals were only such as they had individually the power to maintain, that this principle has become almost a legal axiom.

The civil right of the weak, to have and to own property, has been obtained by their agreement to leave unmolested the possessions of those still weaker.

The recent vigorous discussion of the patent system in England has elicited many singular views, but none more absurd than the one that inventors have a natural and inherent right to exclusively use and enjoy the profits of their own inventions.

As a sample of this absurd doctrine, and because it expresses very briefly, yet fully, opinions that have occupied much space in our English exchanges, we quote the following from the Mechanics' Magazine:

It is surprising that a man's right of property in his own invention should be denied by men of reputed intelligence. Nothing seems to be more in harmony with the principles of equity than that this right should be conceded.

Now these "London Patent Agents" are many of them intelligent men who must, it would seem, be blinded by self-interest to give utterance to such an absurdity.

There is no natural and abstract right to any property whatever, except the power to grab it, and to keep out of the way of some stronger grabber, a right which a wild beast possesses just as much as a man.

Inventors have found that this limited protection is better than anything they can do to protect themselves; so they have hitherto been glad to agree that they would surrender their natural right to hide and conceal, as best they might, their discoveries and devices, for the privilege of selling to others part or all of the right accorded them by the government, or of using the same freely and unmolested for a term of years, more or less, in a free and public manner.

It is conceded that an inventor has the natural right to secrete his invention as long as he can; when, however, it is discovered, and others see fit to use it, he has no recourse unless he has taken measures to secure an exclusive right from the society in which he lives, for such time as society sees fit to grant it.

In short, the whole question of "Patents or no Patents," resolves itself into the simple question whether it is good policy to grant them or not. This is solid ground upon which to argue the question, and the only solid ground.

We believe the policy has been demonstrated to be a wise one in this country, and that it would, if properly carried out, have proved a wise one in every civilized land. That some European systems are defective, and have led to injustice and tedious litigation, cannot be denied, but it is the method, not the principle, that is at fault.

THE ORIGIN OF LIFE.

The present is the most active time, in the history of the world, for speculation of all kinds; and thinkers and theorists are straining their attention in all directions, to find some new fact or combination of facts which may help to elucidate the most important and greatest of all scientific questions: How did life begin on this planet?

But while this simple and truthful account of the continuance and propagation of life is recognized by all honest and candid students, the primeval origin of the vitality which is thus continued and diffused, remains an open question.

The temerity of the unwise is proverbial; and it is not encouraging to the many enthusiastic believers in the glorious nineteenth century, to find that a most prominent philosopher, a man well versed in most branches of science, an electrician of the most profound knowledge as well as ingenuity in invention, and chosen to preside over the session for 1871, of the British Association for the Advancement of Science, should have made a "flying shot" at the stupendous problem, and have succeeded only in eliciting expressions of regret from the friends of knowledge, and of derision from her foes.

"When a volcanic island springs up from the sea, and after a few years is found clothed with vegetation, we do not hesitate to assume that seed has been wafted to it through the air, or floated to it on rafts. Is it not possible, and if possible, is it not probable, that the beginning of vegetable life on the earth is to be similarly explained? Every year thousands, probably millions of fragments of solid matter fall on the earth—whence came these fragments? Hence, and because we all confidently believe that there are at present, and have been from time immemorial, many worlds of life besides our own, we must regard it as probable in the highest degree that there are countless seed-bearing meteoric stones moving about through space.

wild and visionary; all I maintain is, that it is not unscientific."

Language fails us when we try to describe this extraordinary farrago. The professor has nothing to say for his idea, but that it is an idea; he has no evidence, and he is not likely to find any, that any meteoric body ever had a single organic attribute; he disdains to explain away the fact that these bodies are, by friction with the atmosphere, heated, as they approach the earth, to such a degree that any vegetable germs in or upon them would certainly be destroyed; and he altogether forgets the trifling point that his theory brings us no nearer to the origin of life than we were before.

Before quitting the subject, we must enter a protest against Sir William's closing sentence. His hypothesis, unlike his germs of life, is a spontaneous emanation, and not a legitimately derived product; and he has for once forgotten his Bacon, and tried to discover new truth which does not grow organically out of old.

JAPAN A FIELD FOR INVENTIONS AND MACHINERY

This country, comprising in its empire the three islands of Japan (called, in Japanese, Nippon), Kiou-Siou, and Sikoke with many smaller ones, possessing a population which has been variously estimated up to 50,000,000, and a territory of over 163,000 square miles, has many characteristics which render it interesting to us. Of these the chief must be considered to be the accessibility of its people, and their willing recognition and encouragement of the introduction of modern improvements and inventions from our own and other shores.

The appointment of Mr. Capron, late Commissioner of Agriculture in the United States, to a similar office in Japan, has been already commented upon in our columns; and of many steps taken by the Government, that is perhaps the most important and the wisest. The country being thickly populated, the soil has been closely cultivated, without, however, encroaching on the lands set apart for maintaining the supply of timber, which latter named proceeding many of our Eastern States would do well to adopt.

Major Warfield, engineer, Dr. Austisell, geologist, and Dr. Eldridge, are also commissioned by the Japanese authorities in a similar manner. A school of medicine in all its branches has been established, and two eminent European professors have gone out to superintend it. And a postal communication has been formed between some of the most important places, and its extension to the country at large is a question of a very short time.

With a country of singular beauty and fruitfulness, inhabited by a race of people now beginning a second life in the history of the nations, we cannot doubt the Japanese empire has a golden future before it. The American citizens who are there, and who have so highly useful a career before them, will no doubt keep us informed of the progress they are making; and news on the subject will be regarded with great interest by the public in general.

A NEW RAILWAY, 26 miles in length, has just been opened between Lowell and Framingham, Mass. The completion of this link establishes a direct railway line between Portland Me., Lowell and New York. The road passes through several important places, and affords long needed facilities of communication to a large population.