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Contents.

(Illustrated articles are marked with an asterisk.)

Table listing various articles such as Aluminum how obtained, American shipbuilding, Ammonia from gas liquors, Antimerion, Blackboards, composition for (4), Bronze, gold, and silver, Burns and scalds, soda remedy, Carpet stretcher, improved, Cat, fly-wheel, Cement for kerosene lamps, Cements, hydraulic, action of, Collisions, railroad, to prevent, Cooked meats, Cows, six legged, Crocodile's jaw, force of, Lips for bronze and brass, Engineering inventions, Engineers' Club of Philadelphia, Firearms, revolving, imp, Fire extinguishing apparatus, Fire, Park Row, the, Glucose from cassava, Grapes, do bees injure?, Head rest, passenger, Houses, how poisoned, Ink, black, indelible, Inventions, engineering, Inventions, miscellaneous, Inventions, new, Inventions, recent, Jardine, George, Marble cutting, slate pencil in, Meat, cooked, patents, Metals, coloring, Water, Frager's, Mississippi river, impvt. of, Naphthaline, purification of, Notes and queries, Oysters, American and European, Oysters—why some are green, Park Row fire, the, Vaccination, protective effect of, Planets, the, aspects of, for March, Pole roads, Railroad collisions, to prevent, Revolving fire-arms, impvt. in, Secondary battery, improved, Shipbuilding, American, Slate pencil in marble cutting, Sleep-producing agent, new, Smoke escape, theater, Steamships, screw, speed of, etc, Telegraph table, revolving, Testing machines, Thermometers, better, wanted, Vaccination, protective effect of, Water meter, Frager's, Wringers, improvement in

TABLE OF CONTENTS OF

THE SCIENTIFIC AMERICAN SUPPLEMENT,

No. 321,

For the Week ending February 25, 1882.

Price 10 cents. For sale by all newsdealers.

Table listing contents of the supplement by page number, including sections like I. ENGINEERING AND MECHANICS, II. TECHNOLOGY AND CHEMISTRY, III. ELECTRICITY, MAGNETISM, ETC., IV. ART, ARCHITECTURE, ETC., V. MEDICINE, HYGIENE, ETC., VI. GEOGRAPHY, GEOLOGY, ETC., VII. AGRICULTURE, ETC., VIII. METEOROLOGY.

THE WILSON COOKED MEAT PATENTS.

The decision of the judges in the cases of the Wilson Packing Company, of St. Louis, against certain Chicago and St. Louis meat canning companies for alleged infringements of the patents of William J. Wilson and John A. Wilson, appears in full in the Official Gazette for February 7.

The cases were tried in the Circuit Court, Northern District of Illinois, before Judges Drummond and Blodgett, and were dismissed on the ground that the patents upon which they were based were void for want of novelty. The court also held that in all doubtful cases involving the validity of a patent the fact that the article made by the use of the process described in the patent has been extensively sold is a consideration of great weight, but not enough in itself to sustain the patent. "The rights of the public are to be protected as well as those of individuals, and a monopoly should not be allowed unless the right to it is clearly shown."

The most important questions in the case grew out of the patent of Wm. J. Wilson, reissued April 6, 1875, describing a process of preserving and packing cooked meats for transportation. The process as described consists in first cooking the meat by boiling in water, so that all the bone and gristle can be removed and the meat yet retain its natural grain and integrity. While yet warm with cooking the meat is pressed into a box or case with suitable apparatus, the pressure being sufficient to remove the air and all superfluous moisture, and make the meat form a solid cake. Then the box is sealed or closed air-tight upon the meat.

The court held that the cooking of meat in this way has always been known; that the sealing of the can is substantially the Appert process described in Durand's English patent in 1810; and that the process of pressing meat to remove moisture previous to packing is described in the Marshall patent of 1864. It was also employed by De Lignac in 1855; while cooked meats were canned by Lyman in 1869. The only possible novelty in the process described by Wilson in his original patent of 1874, was the packing of the meat while yet warm with cooking, and this specification (omitted from the reissued patent) cannot, the court held, fairly be considered patentable.

Another element of the case was the form of the can in which the meat was packed, the claims in controversy being the first and third of the John A. Wilson patent of 1877, which claims covered substantially a can of pyramidal form with rounded corners with the ends slightly flaring to form shoulders against which the head or end pieces rest. The can might have any number of sides, four being preferred. The advantage of the pyramidal form lay in its discharging the meat (when opened at the larger end) in a solid cake.

It was shown that this form of can was old. It was described in the French patent of Emile Peltier, recorded in 1859; also that this was a form in common domestic use before the Wilson patent was obtained. In the opinion of the court the well-known glasses and moulds used by housekeepers in domestic life for preserving jellies, boned turkey, head-cheese, etc., were all, from the very necessity of the uses to which they were applied, more or less flaring, conical, or pyramidal in shape, and made so, presumably, for the purpose of turning out or discharging the contents in a solid cake.

Touching the specific construction of the Wilson cans, it was shown that the distinctive features, rounded corners and offset ends, were employed by Gibbie and Perl as early as 1872. The claim as to the form and construction of the can was, therefore, pronounced invalid for lack of novelty. And the same was true of the other claim in dispute touching the method of packing the meat by pressure, with subsequent sealing. Marshall had done the same in 1864, and Lyman in 1870. It was further shown that while the complainants did not confine themselves to the form and construction of can described in the patent on which the claim for infringement was based, the defendant's cans were in all cases made differently. They were made by turning a rim of the head down over the outside of the body or shell of the can and fastening the head with solder—a form of construction practically adopted by the plaintiffs also, "probably because all packers find they can make a can just as tight and useful, and more cheaply, by turning the head over the outside of the shell than by following the exact description of the patent."

The interests involved in these cases are very large; and if the decision of the Circuit Court is sustained by the Supreme Court, the result will be to throw open to public use a process that has been made, by the naturally increasing demand for preserved meats, the basis of a great industry which has been monopolized by a few large establishments.

RAILROAD COLLISIONS AND THEIR PREVENTIVES.—ROOM FOR INVENTION.

While every precaution which the block system or any other system can devise to prevent collision on our railroads should be encouraged or adopted, it nevertheless will be found impossible, if constant human vigilance is a necessary factor in the means of safety employed, to entirely avoid the recurrence of this class of accidents. The greater the increase of traffic, the greater the danger to which the traveling public is exposed from collisions, and year by year the travel on our railroads increases. Trains following one another in rapid succession, and running at high rates of speed on the same lines of rail, in the dark of night as well as in the light of day, and with the same disregard of fog as of

a blinding snowstorm, court danger, and collisions similar to the late Spuyten Duyvil disaster will continue to occur. Collisions in fact, like the assassin's stab, are now more to be dreaded from the rear than from the front, and as human vigilance cannot be depended upon to avoid them, automatic means of securing safety controlled by the engine of a train in motion, or operative only by the undue or improper stoppage of it, should be devised, and, if only as useful auxiliaries, be generally adopted.

If, however, collisions cannot be altogether prevented, there is one thing that can be done to make such accidents less destructive of human life than they usually are, and that is to construct our railroad cars so that they will not crush or telescope. We have no desire to travel in trains which shut up with all the ease of a well-constructed telescope whenever a little sudden resistance is brought to bear upon them. Railroad cars might be constructed so that they could not thus close up and pack one within the other, and from the frequency of these telescoping occurrences we have no hesitation in saying that either the style or construction of the cars now in use on our railroads is defective, so far as their liability and capacity to telescope is concerned, and that some radical change or improvement in the construction of them to avoid this danger is needed.

Furthermore, as the running of one train into the rear of another is now of such frequent occurrence, and as in such case it is generally only the last car or two of the advance or stalled train which are so badly damaged as to occasion any great sacrifice of life, why not make the last car of a train purely a safety one, a sort of buffer car to receive the shock, and from which all passengers should be excluded? Such car need not necessarily be of special construction, provided it and all the cars in the train are of superior rigidity, and so built or framed that they cannot telescope; consequently the delay and inconvenience which attaches to the use of a rear car of different construction from the rest when making up a train would be avoided. Possibly in an overcrowded train there would be a strong temptation to use such car for other than its safety purpose, but this could be strictly prohibited until it ceased to be a rear car by the adding of another. Possibly, also, railroad companies might object on the ground that it was merely hauling dead weight for an emergency which might not occur, forgetful of the fact that in a single accident such precaution would be the means of saving many lives and economical in a pecuniary point of view by reducing claims for damages sustained.

Again, in view of the many burning accidents which have occurred, why should our railroad cars be made of the combustible material they now are, or not be provided with self-operating extinguishing apparatus, or be otherwise heated than they are? But we do not care to pursue this subject further, excepting to remark that if native ingenuity is not sufficient to discover a block system in which the locomotive is the active agent, or to devise a car that will not telescope and when ignited furnish fuel for a fire to burn up human bodies, then we confess to having greatly over-estimated it, and shall be deceived if, in the near future, the means of safety we have suggested, or better ones, be not found, once the tide of invention sets in this humane direction.

THE PARK ROW FIRE.

The coroner's jury called together to discover the cause of the Park Row fire, find that the fire originated from an over-taxed flue near the front wall of the Nassau street entrance. Further, that the flue was improperly constructed and defective from age, and a recess or chase in the wall cut in close proximity to the flue after the completion of the building, had caused a fracture in the side wall of said flue; the elevator shaft which had recently been erected near the flue, or opposite to it, being a most efficient agent in distributing the flames through the whole building.

One important effect of the fire and the attending circumstances has been to draw public attention very forcibly to the crying need of more and better appliances for rescuing persons beset with flames and for enabling people to escape by their own efforts from burning buildings.

It was seen that an important building in the heart of a great city possessing what is supposed to be the most perfect and efficient fire and water service in the world—a building mainly devoted to business offices and occupied by adults, could be burned in the daytime, and so rapidly that the escape of all the tenants was impossible. It appeared also that the means at the command of the firemen for rescuing persons cut off by the flames were relatively less efficient than they were forty years ago. Their ladders were too short to reach above the third floor, and they had no appliances for getting ropes or other means of escape to the upper floors. A number of those who escaped the flames owed their salvation to the accidental occurrence of business signs nearly connecting with those on the front of an adjacent building, and to the skill and pluck of a passer-by (the black boy, Charles Wright), who climbed an icy telegraph pole and detached a wire stretching from it to the front of the burning building.

These startling discoveries have caused a general awakening—popular and official—to the neglect of life-saving appliances hitherto, and have opened the way to the ready and cordial acceptance of any new devices which may be calculated to prevent similar disasters in the future. Among the devices called for are extension ladders capable of reaching to the upper floors of lofty buildings; means of throwing life-lines to any place where men, women, or children may