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Broadcasting and Wireless Licences.

THE wireless licence problem has for some time been engaging the attention of the Post Office authorities, and acute differences appear now to have arisen between the Postmaster-General and the British Broadcasting Company as to the conditions under which licences may be issued to amateurs who either own home-made wireless sets or desire to build up such sets. Matters have been brought to a head by the present Postmaster-General refusing to impose upon amateurs restrictions which the British Broadcasting Company claims it has a right, under its agreement with the Post Office, to insist upon. The Postmaster-General made a statement in the House of Commons on April 19 on the situation that has, in consequence, come to pass: he then informed the House that negotiations had taken place on the licence question between himself and the Company, and that the latter had suggested that the Post Office issue to the home-constructor a licence, without any clog, at 20s., of which 15s. was to go to the Company. This proposal was promptly declined by the Postmaster-General. Then, in the course of further negotiations, the Company expressed its willingness to permit the Post Office to issue to amateurs a licence at 10s., of which one-half was to go to the Company, but such licence was to be subject to the clogging provision that it should alone be issued to those home-constructors who either own, or propose to build up, listening-in sets with parts of "B.B.C." manufacture. This proposal has also proved unacceptable to the Postmaster-General.

It was perhaps inevitable, in view of the terms and conditions contained in the agreement entered into between the Post Office and the British Broadcasting Company, and of the provisions in the articles of association of the Company, that the present trouble should have arisen. Neither the Post Office authorities nor those responsible for the promotion of the British Broadcasting Company appear to have appreciated correctly certain psychological aspects of the wireless situation from the point of view of a large and important section of those interested in that field. The subject, it may be remembered, was well ventilated at the time that the provisional committee representing the promoters of the British Broadcasting Company was carrying on its preliminary negotiations in the autumn of last year. It should, therefore, have been clear to the Postmaster-General of the day, his advisers, and the promoters of the Company, that many conflicting interests were involved and that the greatest caution was needed in handling what was undoubtedly a difficult problem (see NATURE for August 19 and

October 7, 1922—vol. 110 at p. 237 and p. 469). The situation actually created by the agreement between the Post Office and the British Broadcasting Company has been such that, almost from the very beginning, two important classes—the small manufacturer and salesman of wireless apparatus and the amateur experimenter—in the wireless field have felt themselves seriously aggrieved by the policy adopted by the parties to the agreement in relation to wireless licences, owing to the deliberate attempt made to fetter their freedom of action, each in his own particular field.

As regards the small manufacturer, it is argued that he has no real cause of complaint, since by subscribing but for a single one-pound share he can at once avail himself of all the benefits secured by the British Broadcasting Company from the Post Office under its concession. However, there is a not unnatural objection and disinclination on the part of small manufacturers to join a combine in which their most powerful competitors have a preponderating influence and voice. Further, an impression prevails, rightly or wrongly, that the inquisitorial powers which the British Broadcasting Company appears to have acquired under its articles of association may be, and are being, used to the detriment of the smaller shareholding companies: for example, a suspicion exists that the organisation of the Company is being made use of by the powerful shareholding companies, to some extent, as a sort of intelligence department for the purpose of obtaining information likely to be useful in connexion with the protection of their patent rights and interests. In all the circumstances, then, it would obviously be wrong for the Post Office to take any action with the view of compelling any British manufacturer to join the Broadcasting Company: in this view the present Postmaster-General has expressed his concurrence.

One of the chief arguments used in favour of broadcasting services being provided alone by a single company, and of the present rule that only apparatus bearing the "B.B.C." mark shall be used for broadcasting purposes, is that the British market is being flooded with wireless apparatus manufactured in countries with depreciated currencies; and, therefore, without safeguards of the nature indicated here, the broadcasting industry would be destroyed. It may, of course, be of vital importance, as the British Broadcasting Company alleges to be the case, to protect from unfair foreign competition, at the present time, the industry in question. Should any protective measures be desirable, the proper method of dealing with this aspect of the situation is surely by the direct and open one of imposing on foreign telephone apparatus and parts an import duty to be collected in the ordinary

way by the Customs authorities, and not by the indirect, clumsy, and, what must prove to be, ineffective method of attempting to prevent the use for a specific purpose, by means of ministerial regulations and articles of association of a trading company, of some particular material after its unrestricted importation.

As regards the other class the rights of which appear to be seriously infringed under the broadcasting agreement, that is to say, the amateurs, a misapprehension seems to exist in the minds of some of the promoters of the British Broadcasting Company as to the nature of the bargain made by them with the Post Office. Owing to the great and rapid increase in the so-called "experimental licences" issued since the advent of broadcasting—the actual increase is from about 10,000 in the summer of last year to 35,380 at the present date—the Company seems to have taken alarm at the construction placed by the Postmaster-General on the language of Section 2 (1) of the Wireless Telegraphy Act, 1904 (4 Edw. 7, c. 24), which authorises the issue on special terms of a licence to an applicant who "proves to the satisfaction of the Postmaster-General that the sole object of obtaining the licence is to enable him to conduct experiments in wireless telegraphy." Certain of the promoters of the Company appear to think that, in view of the terms and conditions of the agreement negotiated by them with the Post Office, they are to be the judges as to the meaning to be placed on the provisions of the Section of the Act referred to. They are inclined to put an exceedingly narrow construction on the language of the statute, and seem to claim that the issue of the "experimental licence"—the rights of the Postmaster-General in relation to the granting of which are in no way abrogated or restricted under the Company's broadcasting agreement—shall alone be to actual research students and those in a strictly analogous position: that is to say, they wish to see the ordinary amateur deprived of his right to an "experimental licence." Owing to the attitude taken up by the British Broadcasting Company, the issue of licences other than those in respect of the listening-in sets bearing the "B.B.C." mark has been suspended since January 1 last, and, in consequence, some 33,000 applications for "experimental licences" were waiting to be dealt with on April 19.

When addressing the House of Commons on April 19, the Postmaster-General announced that, in the opinion of the Law Officers of the Crown, if he is satisfied that the object of an applicant for a licence is to experiment in wireless telegraphy, not only may he issue an "experimental licence" to him, but also he is bound to do so. Accordingly, he has referred the outstanding applications in question to some expert

members of his staff in order that they may advise him as to the cases in which the licences are being honestly sought for the purpose of conducting experiments in wireless telegraphy, and on this advice he intends forthwith to act. It would, indeed, be exceedingly mischievous if the narrow construction sought to be placed on the language of the statute as it affects "experimental licences" were to be accepted by the Postmaster-General. It is to be hoped that his expert advisers will deal with the question submitted to them in the light of the plain language of the Act of 1904 and in accordance with the well-known principles relating to the interpretation of the provisions of statutes which affect private rights. The expert advisers will, no doubt, bear in mind that in the case of any particular amateur the dominant reason prompting him to apply for a licence may well be, and often is, that he desires to conduct experiments, and, therefore, in his case as in that of the research student, the listening-in to broadcasting services is altogether a secondary consideration, although the existence of such services is possibly of some assistance to him in connexion with his experiments, and for this use he will, under the Postmaster-General's proposal, be contributing his 5s. a year.

The Postmaster-General made the further important announcement on April 19 that he proposed immediately to set up a committee consisting of members of Parliament, expert members of his staff, a member of the British Radio Society, and a director or other official of the British Broadcasting Company, if possible, to consider the whole future of broadcasting. The members of this committee have now been appointed and their names appear in another part of this issue. It is eminently desirable that a thorough inquiry should take place; in this way the various issues which have been raised can most satisfactorily be separated out, in order that each may be dealt with on a practical basis on its own merits. One of the most important of the questions upon which a sound decision is required is that relating to the position of the amateur worker in the wireless field: there are to-day thousands of young fellows who are induced to take up as a hobby some technical or scientific subject, owing almost entirely to the pleasure they derive in carrying out practical work with a view of obtaining a clear understanding of some of the mysteries of Nature. It is desirable that the committee which the Postmaster-General has now appointed should make a definite pronouncement on this particular point: it cannot fail fully to recognise the importance of seeing that nothing is done unreasonably to hamper the activities of this particular class of workers in the wireless field; indeed, it is likely to appreciate the

value of encouraging them, both with the view of benefiting science by their work and by their inventive faculty, should they possess any, as well as of assisting the industries of the country by the trade in the sale of the materials they may require for the purposes of their experiments.

History teaches that there are certain directions in which an attempt to impose statutory restrictions prompts people alone to measures of evasion, and on so wholesale a scale as practically to paralyse the arm of the law: to mention but a single example, the legislature, with doubtful wisdom, endeavoured at the beginning of the eighteenth century to suppress the so-called "Common-law Companies," and passed the famous Bubble Act, 1718 (6 Geo. I. c. 18), with this object in view. The Act, as is well known, proved a dead letter and was, a century later, repealed; the legislature, finding that it must tolerate the joint-stock company, set accordingly to work to regulate what it could not suppress, and to-day the whole country is reaping benefit from the facilities which were created to permit the incorporation of commercial and industrial undertakings. The present situation in relation to the amateur worker in the wireless field is almost identical with that which existed a couple of centuries ago in relation to the joint-stock company. It behoves those, then, who may be called upon to deal with the wireless licence problem to bear steadily in mind the teachings of history of the kind to which this allusion refers.

Biology in Utopia.

Men Like Gods. By H. G. Wells. Pp. viii + 304. (London, New York, Toronto and Melbourne: Cassell and Co., Ltd., 1923.) 7s. 6d. net.

THE columns of NATURE are not the place to discuss the literary merits of Mr. Wells's new book—although, for the matter of that, good style or artistic capacity and appreciation are qualities as natural as any others. Suffice it to say that he has achieved a Utopian tale which is not only interesting but also extremely readable. Most readable Utopias are in reality satires, such as "Gulliver's Travels," and the no less immortal "Erewhon." Mr. Wells has attempted the genuine or idealistic Utopia, after the example of Plato, Sir Thomas More, and William Morris; and, by the ingenious idea of introducing not a solitary visitor from the present, but a whole party of visitors (including some entertaining and not-at-all-disguised portraits of various living personages) has provided a good story to vivify his reflections.

However, since Mr. Wells is giving us not only a story, but his idea of what a properly-used human