Daily Record

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JOB PRINTING

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CHAS C. WICK[illegible], Proprietor.

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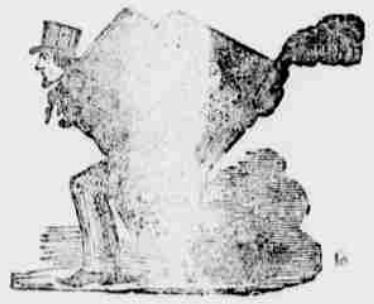

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With reservoir and warming closet, a first class Stove for hard coal or wood.

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The Diving Flue Light Heater of 1872—This is a beautiful self feeder Parlor stove, with self regulating [illegible] and patent clinker grate.

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Repairing of all kinds done with neatness and dispatch.

GILBERT GORDON.

THE

TORPEDO PATENT S

Roberts vs. Nicholas G

The following is the decision [illegible] McKennan, at May Term of this [illegible] above case:

In the Circuit Court of the United States, for the Western District of Pennsylvania.

Roberts vs. Nicholas Geyer—No. 1 [illegible] 1873.—In Equity

November 3, 1874. Bill filed and served.

Subpœna and notice of [illegible] any injunction issued.

December 15, 1874. Notice for preliminary injunction heard, and injunction granted as to the premises [illegible] and decree fixed.

January 14, 1875. Injunction issued, 20th day of January instant served and by copy.

May 22, 1875. Rule issued for defendant to show cause why attachment should not issue for [illegible] in violating injunction and duly served.

June 2d, 1875. Rule on defendant to show cause came on to be heard, and after argument of counsel pro and con, the Court being fully advised of the premises, the Rule is made absolute and it is the opinion of the Court is, that the said defendant Nicholas Geyer, be imprisoned in the common jail of Allegheny County for and during the term of sixty days, and that he pay the costs of the proceeding.

June 2d, 1875. Commitment issued.

The injunction in this case was for the infringement of the Roberts' patent of [illegible], and for an account of the profits [illegible] by the act of infringement. For which the defendant was committed for contempt, reported to Chief Justice Waite in [illegible] Alexandria Harbor in [illegible] wells being the same act of infringement for which Hamar was also committed in the case No. 1 of November Term, 1866, as before stated.

The Court McKennan, J., after delivering his opinion in the Hamar case, proceeded to sentence Nicholas Geyer for contempt, and delivered the following oral opinion:

"In the case of Nicholas Geyer charged with the same offense. I am entirely satisfied that the defendant, at present, in the Penn well at least [illegible] intimated to the counsel in the course of the argument, the presence of flint on the well [illegible] fired or not, is no infringement of the patent, for which reason each of the injunction of the Court.

Mr Roberts, by his patent uses as one of the principal elements of his invention fluid [illegible] wherever there is fluid sufficient in a well to make a column of the explosion of a torpedo, to effect pumping, whether it gets there naturally or [illegible] there artificially, his patent is infringed. This is clearly the case in regard to the Penn well.

But Mr Geyer seems to have been misled by Mr Hamar, who told him that he merely used [illegible] to make an experiment and I do not think [illegible] ing the first time, that he ought to be very severely punished.

Penalty is adjudged guilty of contempt and sentenced to pay the costs of this proceeding and to undergo an imprisonment in the county jail for sixty days. I hope this will be the last time I shall have occasion to [illegible] of the matter comes to our notice [illegible] will be compelled to [illegible] to make the decree of the Court effective."

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