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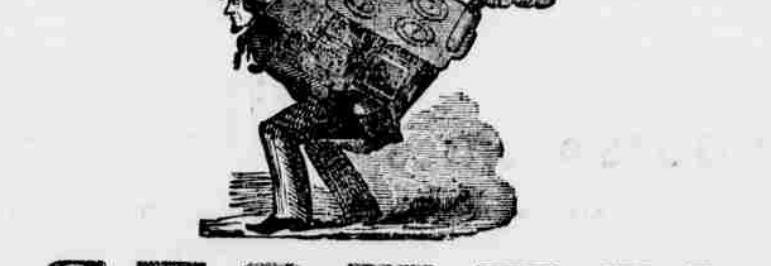
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**THE TORPEDO PATENT SUITS**  
**Roberts vs. Nicholas Geyer.**

The following is the decision rendered by Judge McKenham, at May Term of the Circuit Court for the above case:  
 In the Circuit Court of the United States, in and for the Western District of Pennsylvania.—E. A. L. Roberts vs. Nicholas Geyer—No. 1—May Term 1873.—In Equity.  
 November 21, 1872. Bill filed and subject to order.

Subpoena and notice of application for preliminary injunction served.  
 December 14, 1872. Motion for preliminary injunction denied, and the Court being duly advised, in the premises the injunction awarded as prayed for, and decreed as follows.  
 January 14, 1873. Injunction issued, and on the 20th day of January indictment served personally and by copy.  
 May 22, 1873. Indictment returned for defendant to show cause, why attachment should not issue for contempt in violating injunction and duty served.  
 June 20, 1873. Rule for attachment in this case came on to be heard, and after argument of counsel pro and con, the Court being fully advised in the premises, the rule is made absolute, and the writ of attachment of the Court is, that the said defendant, Nicholas Geyer, be imprisoned in the common jail of Allegany County for and during the term of ten days, and that he pay the costs of this proceeding.

June 26, 1873. Commitment issued.  
 The injunction in this case was for infringement of the Roberts' patent of No. — (called the Torpedo) only, for ever using the productiveness of oil wells. The act of infringement for which the defendant was committed for contempt, consisted in using Alexandria Hall, in exploring torpedoes in oil wells being the same act of infringement for which Hammar was also committed in the case No. 3, 2d semester Term, 1868, as before stated.  
 The Court McKenham, J., after delivering its opinion in the Hammar case, proceeded to sentence Nicholas Geyer for contempt, and delivered the following oral opinion:  
 In the case of Nicholas Geyer charged with a willful offense, I am of the high satisfaction that there was a full present, in the Roberts well at least. As I have intimated to the counsel in the course of the argument, the presence of fluid in the well, whether or not it is an infringement of the patent, will be decided in the case in regard to the Roberts well.  
 Mr. Roberts, by his patent uses as one of the principal elements of his invention fluid tamping, and when ever there is fluid sufficient in a well, at the time of the explosion of a torpedo, to operate as tamping, whether it gets there naturally or is put there artificially, his patent is infringed. This was clearly the case in regard to the Roberts well.  
 But Mr. Geyer seems to have been misled by Hammar, who told him that he merely wanted to make an experiment, and did not think that he was infringing for the first time that he ought to be very strictly punished.  
 He also is not guilty of contempt and order to pay the costs of this proceeding, and undergo an imprisonment in the common jail for ten days. I hope this will be the last of the case, because, if the matter comes to our notice again, we will be compelled to impose such punishment as will tend to make the decree of the Court effective.



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