

Case No. 5,717.  
[13 O. G. 10.]

GRAY ET AL. V. HULSHIZER ET AL.

Circuit Court, E. D. Pennsylvania.

Jan. 17, 1878.

PATENTS—INFRINGEMENT—HORSE-POWERS.

[The Gray reissue, No. 1,322, for an improvement in horse-powers, *held* not infringed.]

Suit [by A. W. Gray, D. Gray, and A. Y. Gray against Daniel Hulshizer and Henry B.

Larzalere] for infringement of patent [No. 15,693] granted to A. W. Gray, September 9, 1856, for "improvement in horse-powers," reissued July 1, 1862 [No. 1,322], and extended seven years from September 9, 1870.

No written opinion delivered. The judge stated orally that, leaving other questions aside, he did not regard the proof of infringement as satisfactory.

M. D. Connolly, for complainants.

Charles Howson, for defendants.

McKENNAN, Circuit Judge. And now, to wit, January 17, 1878, this cause having been brought to final hearing upon the pleadings and proofs, and counsel for the parties respectively having been heard thereupon, and the same having been duly considered by this court, it is hereby ordered, adjudged, and decreed that complainants' bill of complaint herein be, and the same hereby is, dismissed, with costs to be taxed by the clerk of this court.