

RICHARDS *v.* HAYS.

*Circuit Court, E. D. Pennsylvania.* April 28, 1885.

PATENTS FOR INVENTIONS—SQUIBS FOR  
BLASTING—NOVELTY—PRIOR USE.

The prior use of fuses embodying the essential features of the patents Nos. 8,361 and 134,128 being shown, *held*, that such patents are void for want of novelty.

In Equity.

*Chas. Howson and E. G. Butter*, for plaintiff.

*Guy E. Farguhar, F. T. Chambers, and George Harding*, *contra*.

PER CURIAM. This bill is founded upon two patents issued to Samuel H. Daddow, and to Esther H. Daddow, executrix of Samuel H. Daddow, Nos. 8,361 and 134,128, respectively. They are both for improvements in squibs for blasting, and it is alleged that the first claim of 8,361 and the second claim of 134,128 have been infringed <sup>278</sup> by the defendant. Numerous witnesses have been examined touching their prior knowledge and use of fuses embodying the essential features of those described in both patents. If this testimony is believed, it is decisive against the complainant. While it would serve no useful purpose to consider it in detail, it is sufficient to say that we are unable to discredit it, and hence the bill is dismissed, with costs.

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