

MEMORANDUM DECISIONS.

BASS et al. v. HENRY ZELTNER BREWING CO. (Circuit Court of Appeals, Second Circuit. March 17, 1899.) No. 99. Appeal from the Circuit Court of the United States for the Southern District of New York. Rowland Cox, for appellants. Lains C. Raegerer, for appellee. Before WALLACE, LACOMBE, and SHIPMAN, Circuit Judges.

PER CURIAM. Decree affirmed, with costs, upon opinion of court below. 87 Fed. 468.

COOPER v. NEWELL. (Circuit Court of Appeals, Fifth Circuit.) Questions certified to the supreme court of the United States. See 19 Sup. Ct. 506, 173 U. S. 555; 94 Fed. 792.

FLOMERFELT v. NEWITTER et al. (Circuit Court of Appeals, Second Circuit. March 15, 1899.) No. 100. Appeal from the Circuit Court of the United States for the Southern District of New York. Edwin H. Brown, for appellant. R. B. McMaster, for appellee. Before WALLACE and SHIPMAN, Circuit Judges.

PER CURIAM. Decree affirmed, with costs, on opinion of the court below. 88 Fed. 696.

GEO. M. WEST CO. v. LEA BROS. & CO. et al. (Circuit Court of Appeals, Fourth Circuit. Feb. 24, 1899.) No. 305. Appeal from the District Court of the United States for the Eastern District of Virginia. Henry & Williams, for appellant. Dawson & Seaton, for appellees. Questions certified to the supreme court of the United States. See 19 Sup. Ct. 836; 91 Fed. 237.

HOOK v. MERCANTILE TRUST CO. OF NEW YORK et al. (Circuit Court of Appeals, Seventh Circuit. June 6, 1899.) No. 547. Appeal from the Circuit Court of the United States for the Southern District of Illinois. Thomas Worthington, for appellant. Bluford Wilson and P. B. Warren, for appellee. Before WOODS, JENKINS, and GROSSCUP, Circuit Judges.

PER CURIAM. This appeal is from the same decree and upon the same record, except the assignments of error, as the appeal of Mary B. Hook in case No. 495 (95 Fed. 41), in which a motion to dismiss has just been sustained. A like motion in this case for the same reasons must be allowed. The appeal is therefore dismissed.

GROSSCUP, Circuit Judge, by reason of sickness, did not share in the final consideration of this case.

KING v. RITTER et al. (Circuit Court of Appeals, Fourth Circuit. May 3, 1899.) No. 307. Appeal from the Circuit Court of the United States for the District of West Virginia. M. F. Stiles, for appellant. Brown, Jackson & Knight and Mr. Rucker, for appellees. Dismissed for failure to print record, pursuant to the twenty-third rule.

McDONALD v. WILLIAMS. (Circuit Court of Appeals, Second Circuit.) Questions of law certified to the supreme court of the United States. See 19 Sup. Ct. 743, 174 U. S. 397.

UNITED STATES v. ISELIN et al. (Circuit Court of Appeals, Second Circuit. January 24, 1899.) No. 56. Appeal from the Circuit Court of the United States for the Southern District of New York. Henry C. Platt, for appellant. Before WALLACE, LACOMBE, and SHIPMAN, Circuit Judges.

PER CURIAM. Affirmed, in open court, on authority of U. S. v. Stoddard, Haserick, Richards & Co. (decided in First circuit) 91 Fed. 1005. See 87 Fed. 194.

UNITED STATES v. HARSHA. (Circuit Court of Appeals, Sixth Circuit.) Questions of law certified to the supreme court of the United States. See 19 Sup. Ct. 294, 172 U. S. 567; 6 C. C. A. 178, 56 Fed. 953; 92 Fed. 1023.

UNITED STATES v. HIRSCH et al. (Circuit Court of Appeals, Second Circuit. January 24, 1899.) No. 48. Appeal from the Circuit Court of the United States for the Southern District of New York. Henry C. Platt, for appellant. Before WALLACE, LACOMBE, and SHIPMAN, Circuit Judges.

PER CURIAM. Affirmed, in open court, on authority of U. S. v. Stoddard (decided in First circuit) 91 Fed. 1005. See 87 Fed. 194.

WM. ROGERS MFG. CO. v. ROGERS. (Circuit Court of Appeals, Second Circuit. January 30, 1899.) No. 31. Appeal from the Circuit Court of the United States for the Eastern District of New York. Charles E. Mitchell, for appellant. Wm. C. Beecher, for appellee. Before WALLACE and SHIPMAN, Circuit Judges.

PER CURIAM. Order denying preliminary injunction is affirmed, with costs. 84 Fed. 639. WALLACE, Circuit Judge, concurring in the opinion of the court below, and SHIPMAN, Circuit Judge, dissenting.

WELSBACH LIGHT CO. v. NEW YORK CHEMICAL REFINING CO. (Circuit Court, S. D. New York. July 19, 1899.) Motion for preliminary injunction. John R. Bennett, for plaintiff. J. Aspinwall Hodge, Jr., for defendant.

LACOMBE, Circuit Judge. The Helouis process for treatment of lime crayons, which is relied upon as an anticipation in this case, seems quite different in object and result from that of the patent. Within the range of equivalents indicated by Judge Townsend in the Sunlight Incandescent Gas Lamp Case, 87 Fed. 221, the process of defendant is an infringement. Preliminary injunction accordingly.

END OF CASES IN VOL. 95.