

PATENTEES CANNOT CONTROL SALE PRICE

Monopoly Smashed by Decision Handed Down in U. S. Supreme Court.

PLUMBER WINS WATER CASE

Irrigation Tax on Government Reclamation Lands Held to Be Valid.

WASHINGTON, May 26.—More than two hundred cases pending before the Supreme Court were disposed of to-day by the court's present read one or more opinions. Justice Hughes was not present.

The most important decision was that handed down by Associate Justice Day, constraining the laws which are supposed to give a monopoly in a patented article.

The opinion, which was rendered in the case of Bauer & Co. against O'Donnell, holds that a retailing drugist may sell a patented article which he has purchased from a jobber at less than the price fixed by the patentee without infringing the patent.

Another important decision handed down to-day affects the water users in government reclamation projects and involves hundreds of millions of dollars.

The court upheld the tax imposed by the Secretary of the Interior on lands irrigated which a Washington State settler opposed on the ground that such a tax is not mentioned in the reclamation act.

The right of the city of Denver to erect a water works plant was upheld by the court.

The court met at noon and immediately began rendering opinions. This continued until 2 o'clock, when a brief adjournment was taken for lunch.

At 4 o'clock when the rendition of opinions was concluded and the Chief Justice announced that the court would adjourn until Monday, June 3.

He also announced that when the court adjourned on that day it would be to meet on Saturday, June 14, and that on that day the court would adjourn for the summer unless it was determined at that time that another postponement was needed to dispose of the cases under advisement.

Patent Monopoly Smashed. The patent monopoly case arose in the District of Columbia. James O'Donnell, a local druggist, purchased from the selling agent of the Bauer Chemical Company original packages of the preparation known as Sanatogen.

He sold these below the regular retail price, \$1, fixed by the patentee in a notice of license attached to the packages, which provided among other things that any sale in violation of this condition of license should be deemed to be a sale of the drug.

The Washington druggist sold the packages below the fixed retail price and two years ago the selling agent of the company refused to have any further dealings with him.

O'Donnell then purchased from jobbers in Washington, who had purchased them from the selling agent of the patentee, original packages and continued to sell them at less than the retail price fixed in the notice pasted on the packages and insisted upon his right to continue to do so.

A suit for an injunction was brought against him by the Bauer Chemical Company and carried to the Court of Appeals of the District of Columbia, which certified the facts and pronounced the following question to the court:

"Did the acts of the appellee in retailing at less than the price fixed in said notice constitute an infringement of the patentee's right, as aforesaid, to constitute infringement of appellant's patent?"

GET A CONSENSUS ON CURRENCY BILL

Senate Committee Sends Out a List of 32 Questions to Bankers.

EMBRACES EVERY PHASE

Financial Legislation to Be Framed When Replies Have Been Collected.

WASHINGTON, May 26.—Senator Owen, chairman of the new Committee on Banking and Currency of the Senate, today reported to his committee a list of thirty-two questions which are to be mailed out to bankers and financial experts asking for information on proposed currency legislation.

At a meeting of the new committee last week the chairman was authorized to prepare the questions and he reported his list to-day.

The answers will be used in framing the new currency bill.

Some of the questions indicate the general scheme which the committee has in mind. Here is the list of questions:

1. What are the essential defects of our banking and currency system?

2. Enumerate concisely its advantages and disadvantages.

3. What are the chief purposes to be attained in an improved system?

4. Should national banks continue to have a bonded capital, or should they be required to have a bonded reserve?

5. Should the present requirements of reserves for national banks be reduced, increased or otherwise modified?

6. Should an elastic currency be authorized by law? If so, should it be limited, and to what amount?

7. Should such currency be the notes of individual banks, or a central reserve association, or a number of regional reserve associations, or of the United States Treasury?

8. Should these notes be procured from the Treasury on pledge of security, and if so, of what should this security consist? Should these notes be a first lien of the Government upon the assets of the association or bank to which they are issued?

9. Should all currency be based upon gold? If so, how ought it to be issued and what per cent of gold reserve should be required?

10. If notes are issued to or by an association, what should be the limit in amount of this currency for such association, and should this limit be based on its capital stock and surplus?

11. What device should be provided to force the retirement of this currency in whole or in part when the legitimate demands of trade subside?

12. If a tax on this currency payable to the Government is provided should it be graduated so as to increase with the volume of currency issued by the reserve association or graduated so as to increase with the length of time it is outstanding?

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LEGAL NOTICES IN THE DISTRICT COURT OF THE UNITED STATES FOR PORTO RICO