

Case No. 5,092a.

FRELIGH V. CARROLL ET AL.

Circuit Court, E. D. New York.

1871.

COPYRIGHT OF PLAY—MECHANICAL CONTRIVANCES USED IN ITS PRODUCTION.

[Cited in 2 Morgan, Lit. 222, to the point that a mechanical contrivance used upon the stage to represent the incident of a drawbridge surreptitiously opened to precipitate an approaching train into a stream below, etc., being patentable, cannot be protected by a copyright of the play in which the incident is contained.]

[NOTE. There is no opinion on file in this case. The motion for preliminary injunction was denied on default of the complainant. A demurrer was interposed by Carroll and McCloskey, and an answer put in by Thompson. The cause was discontinued by consent as to Carroll and McCloskey. The records do not show any hearing upon the answer.]