

WEATHERBY v. ST. LOUIS & S. F. RY. CO. (Circuit Court of Appeals, Eighth Circuit. May 23, 1896.) No. 805. Error to the Circuit Court of the United States for the District of Kansas. L. F. Parker, for defendant in error. No opinion. Docketed and dismissed, pursuant to sixteenth rule, on motion of counsel for defendant in error.

WILLIAMS et al. v. AMERICAN NAT. BANK OF KANSAS CITY, MO. (Circuit Court of Appeals, Eighth Circuit. May 25, 1896.) No. 726. Error to the Circuit Court of the United States for the Western District of Missouri. John R. Walker, James R. Vaughan, and W. M. Williams, for plaintiffs in error. O. H. Dean, R. L. Goode, and J. C. Cravens, for defendant in error. Dismissed, without costs to either party in this court, per stipulation of counsel.

WILLIAMS v. GLENN. (Circuit Court of Appeals, Second Circuit.) No. 322. Appeal from the Circuit Court of the United States for the Southern District of New York. George Zabriskie, for appellant. B. N. Harrison, Charles Marshall, and A. H. Masten, for appellee. No opinion. Decree affirmed, with costs, on opinion in *Furnald v. Glenn*, 12 C. C. A. 27, 64 Fed. 49.

WOERISHOEFFER et al. v. SMITH et al. (Circuit Court of Appeals, Fifth Circuit. January 6, 1897.) No. 514. Appeal from the Circuit Court of the United States for the Eastern District of Texas. S. R. Jones, for appellants. J. V. Lea, for appellees. Dismissed on stipulation.

WOODFIN v. HAMPTON & O. P. RY. CO. et al. (Circuit Court of Appeals, Fourth Circuit. February 8, 1897.) No. 207. Appeal from the Circuit Court of the United States for the Eastern District of Virginia. Robert M. Hughes, for appellant. Arthur S. Segar and Thomas Tabb, for appellees. No opinion. Upon suggestion of the appellant that the case involves the question whether an act of the legislature of Virginia is in conflict with the constitution of the United States, and that this court has no jurisdiction, appeal is dismissed, without prejudice.

ZIMMERMAN v. UNITED STATES. (Circuit Court of Appeals, Second Circuit. November 11, 1896.) No. 679. Appeal from the Circuit Court of the United States for the Southern District of New York. Hess, Townsend & McClelland, for appellant. Wallace Macfarlane, U. S. Atty. Dismissed on consent.

CARTER-CRUME CO. v. JONAP et al.

(Circuit Court, S. D. New York. May 12, 1897.)

PATENTS—INFRINGEMENT—GOOD FAITH.

In Equity. Bill brought by Carter-Crume Company against Samuel R. Jonap and Arthur B. Levy for infringement of reissue letters patent No. 10,359, issued July 24, 1883, for improvement in manifold copying books. The defenses were (1) noninfringement; (2) good faith of the defendants. On motion for preliminary injunction. Granted.

Charles H. Duell, for complainant.

Greenhall & Levy, for defendants.

LACOMBE, Circuit Judge. The defendants seem to have been very careful in their inquiries as to the right to use the infringing books, and to have acted in entire good faith. It is unfortunate that they have been deceived by the representations of the person from whom they bought; but that is no reason for refusing to complainant the relief to which it is entitled. An order for preliminary injunction may be taken; injunction not to issue for 10 days, so as to give defendants opportunity to provide themselves with other books.

END OF CASES IN VOL. 79.