The Fite-Dorman Suit

AN EXPLANATORY COMMUNICATION FROM MR. STREET SETTING FORTH THE STATE OF AFFAIRS.

Claude P. Street, at present manager of the Jesse French Piano & Organ Co., Nashville, Tenn., writes us as follows under date of Feb. 22:

"Dear Sir:—You will doubtless remember that sometime since P. G. Fite filed a bill in Chancery Court against R. Dorman & Co., of which incorporation I am secretary and treasurer, enjoining them from the use of that name, claiming that he owned it. The case was tried before the Chancellor here and decided in his favor, and was then carried by my company to the Chancery Court of Appeals who reversed the decision of the Chancellor. Therupon Mr. Fite appealed to the Supreme Court, who sustained the Chancery Court of Appeals, giving us a complete victory.

"Inasmuch as there was considerable publicity given to this lawsuit, much of which tended to convey the impression that Mr. Dorman and I had not acted in good faith by Mr. Fite, we wish to ask you to give the enclosed clipping, taken from the Nashville Banner of Feb. 21, an equally prominent place, as we wish to set ourselves right as business men of integrity. You will see that the claims set forth in the Nashville Banner of Feb. 21, an equally prominent place, as we wish to set ourselves right as business men of integrity.

The clipping to which Mr. Street refers is as follows:

The case of F. G. Fite vs. R. Dorman & Co. was also decided to-day. About a year ago Mr. Fite filed a bill to restrain Mr. Dorman, Mr. Street and their associates from doing business under the corporate style of R. Dorman & Co. on Summer street, in this city, claiming that the name R. Dorman & Co. belonged to him as an asset of the business at Church and High streets, of which he had become sole owner by successive purchases from his former partners, Messrs. Dorman and Street.

A cross-bill was filed by the defendants asking that Mr. Fite be enjoined from using the expression, "successor to R. Dorman & Co." in connection with his business. This cross-bill alleged that when Mr. Dorman sold out his interest in the old business on Church street an agreement was made recognizing Mr. Dorman's right to the firm name and that subse-

quentiy he was paid $120 per month by Messrs. Fite and Street for the privilege of continuing the use of the old name by them. This arrangement was terminated at pleasure and the connection was subsequently terminated by consent.

The court found from the proof that this allegation was true, and it was accordingly held by them that Mr. Fite's claim of being owner of the name could not be maintained. The bill was, therefore, dismissed in so far as it sought to enjoin the present corporation from using the name R. Dorman & Co.

It was also held that Mr. Fite does not have the right to advertise as "successor to R. Dorman & Co." The Court of Chancery Appeals was of the same opinion, but had suggested that Mr. Fite might advertise as "formerly" or "late R. Dorman & Co." On this point the Supreme Court said that the right in either of these latter expressions was not involved in this suit, but that either of them would be quite as objectionable as the use of the term "successor." The decree of the Court of Chancery Appeals was, therefore, modified to that extent. In other respects it was affirmed. The costs were divided.

French Manufacturers Act.

At a meeting of the piano and organ manufacturers of Paris, held on Feb. 13, it was decided by the Chambre Syndicale—the organization to which they belong—to increase the wholesale price of pianos and harmoniums four per cent., on account of the increase in the price of all materials entering into their manufacture. A committee was appointed at the same meeting for the purpose of developing export trade.

Against Department Stores.

Notwithstanding the recent decision of the Supreme Court of Missouri, declaring the anti-department store law unconstitutional, bills are now before the legislatures of Massachusetts and Maryland, proposing to tax heavily department stores in each state. The joint committee on judiciary of the Massachusetts legislature has just given a hearing to merchants and others who are opposed to the bill. The bill introduced in the Maryland legislature provides a separate license for every grade of goods carried, running as high as five hundred dollars each, and violators of the law are punishable by imprisonment or fine.

W. M. Bunch, piano dealer of East St. Louis, Ill., has removed to new quarters in that city at 319 Collinsville avenue.