

## IN EQUITY.

(Before the Chief Judge in Equity.)

### FLOESSELL v WALDER.

Mr. J. A. Ferguson, instructed by Messrs. Macgregor and Palmer, appeared for the plaintiff, William Frederick Floessel; and Mr. R. Clive Teece, instructed by Mr. W. D. M'Mahon, for the defendants, Samuel Robert Walder and Mary Ann Walder.

Plaintiff set out that he was an inventor, and he and the male defendant had agreed to jointly apply for a patent for a horse and cattle rug which the plaintiff had invented, and share the profits therefrom. Walder, however, without plaintiff's consent, secured letters patent in his own name, and the firm of S. Walder was now making rugs of the kind in question. He asked that the agreement and any ownership constituted thereby between him and the male defendant be declared void; that the defendants be declared trustees for him in the invention; that the defendants be restrained by injunction from selling or dealing with the invention; and that accounts be taken.

The defendant Samuel Robert Walder denied that, except as employee of Mary Ann Walder, he had any interest in the firm of S. Walder. He denied making any agreement with the plaintiff, and denied that the invention in regard to which he had applied for a patent had been communicated to him by the plaintiff. He further denied that letters patent had been granted to him, notice in opposition having been given, and the Commissioner of Patents had not yet given his decision.

His Honor granted an injunction against the defendant Mary Ann Walder restraining her, until the hearing of the suit, from assigning the license for making the rugs. He also ordered her to keep an account of all rugs sold.

### LONG v PARKER.

In this matter Evan Parker, butcher, of Crookwell, consented to an order—which had been made against him, at the instance of Joseph Francis Long, butcher, of Crookwell, until the hearing of the suit of Long v Parker—being turned into a motion for decree. The order restrained him from carrying on or being connected as master or servant with the business of butcher at Crookwell or within 10 miles thereof.

Mr. S. A. Thompson, instructed by Messrs.

well or within 10 miles thereof.

Mr. S. A. Thompson, instructed by Messrs. Vindin and Littlejohn (agents for Messrs. Johnson and Sendall, of Crookwell), appeared for the plaintiff.

Plaintiff alleged that the defendant sold, on August 17, 1908, his butchering business at Crookwell to John Kelly, and agreed not to carry on a similar business as master or servant in the town or within 10 miles of it for five years. On December 3, 1908, Kelly transferred to plaintiff the benefit of the agreement, but since then defendant had been working in a butcher's shop at Crookwell, either as servant or having an interest as partner.

His Honor made a decree restraining Parker in the terms of the order for five years from August 17, 1908.

#### A PARTNERSHIP DISPUTE.

Rankin v King and another.

The case stands part heard.