

## HOUSE...No. 165.

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### Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, April 14, 1848.

The Committee on Change of Names, to whom the petition of Jonas Chickering, pianoforte-maker, for a repeal of so much of the Act of the Legislature of 1847, Chapter 275, as authorized Joseph Bunnell Coy to take the name of Joseph Coy Chickering, was referred, having given notice, pursuant to the Order of the House, and having heard the petitioner, and having given the said Joseph Coy Chickering, who was present at one meeting of the Committee, ample opportunity to be heard upon the several matters contained in the petition, and having duly considered the proofs exhibited to them, respectfully beg leave to

### REPORT :

That the petitioner, by the exercise of his skill and industry, in the city of Boston, for a long series of years, has established a high and well-deserved reputation for the manufacture of pianofortes, and for just and honorable dealing in business. For several years, he has affixed to all pianofortes made by him, a name-plate, of peculiar style and appearance, containing only the words "Chickering, Boston;" and by this plate, his instru-

ments are, and were, distinguished and readily identified; so that a change in this particular could not be made, by the petitioner, without great injury to his business.

Joseph Coy Chickering, then Joseph Bunnell Coy, in the year 1846, manufactured certain pianofortes, externally resembling those of the petitioner, with a fac-simile of the petitioner's name-plate placed thereon, and these pianofortes were sold in the city of New York. This imposture was discovered by the petitioner; and Coy, in order to avoid public exposure, and escape the disgrace and penalty of the fraud, assured the petitioner that the offence should not be repeated. Upon that assurance, the petitioner forbore to take any legal measures for redress, and forgave the injury which had been caused to him. But, at the next session thereafter of this legislature, the said Coy, under representations which this committee have reason to believe false and fraudulent, procured the passage of that part of said act before mentioned, which authorized him to take the name of Joseph Coy Chickering.

The said Joseph Coy Chickering has since manufactured, or caused to be manufactured, and sold, pianofortes in imitation, externally, of the pianofortes made by the petitioner, and has placed thereon the words "Chickering, Boston," in perfect resemblance of the name-plate affixed by the petitioner to pianos of his own manufacture. And the said Joseph Coy Chickering asserts, that the act of the legislature referred to, has given him the legal authority and right to make and mark pianos, in the manner above mentioned. The pianos so made were, in fact, inferior in quality to those the petitioner himself manufactures, and were sold at lower prices; thus unjustly impairing the petitioner's reputation, and depriving him of the profits of his business to which he is rightfully entitled.]

This committee entertain no doubt, that the object of the said Coy, in thus procuring authority to adopt the name of Chickering, was to protect himself, and those manufacturers with whom he might associate, in imitating the pianofortes of the petitioner, Jonas Chickering, and imposing them upon the public as his; nor have they any doubt, that it has been used for that purpose. Regarding the means used for obtaining such

authority, and the purpose to which it has been applied, as a fraud upon the rights of the petitioner, and an injury and injustice to him, your committee unanimously recommend that the prayer of the petitioner be granted; and, for that purpose, the ask leave to report the accompanying bill.

For the Committee,

KIMBALL GIBSON.

**Commonwealth of Massachusetts.**

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In the Year One Thousand Eight Hundred and Forty-  
Eight.

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**AN ACT**

To repeal a portion of an "Act to change the Names of the persons therein mentioned," passed in the year one thousand eight hundred and forty-seven.

**BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

1 So much of the act, entitled "An Act to change  
2 the names of the persons therein mentioned," passed  
3 on the twenty-sixth day of April, in the year eighteen  
4 hundred and forty-seven, as provides that Joseph  
5 Bunnell Coy may take the name of Joseph Coy  
6 Chickering, and shall be known and called thereby,  
7 and that the same shall be considered as his only  
8 proper and legal name, is hereby repealed.