

## Statement of the Case.

LIST *v.* PENNSYLVANIA.

ERROR TO THE SUPREME COURT OF THE STATE OF PENNSYLVANIA.

No. 984. Decided December 10, 1888.

The death of the accused in a criminal case brought here by writ of error abates the suit.

THE case is stated in the opinion.

*Mr. W. P. Potter* for plaintiff in error.

*Mr. W. D. Porter* for defendant in error.

PER CURIAM: The death of George B. List, the plaintiff in error in this cause, having been suggested in a communication from counsel for defendant in error to the clerk, and it appearing to the court that this is a criminal case, it is considered by the court that this cause has abated. Therefore, it is ordered and adjudged by the court that the writ of error in this cause be, and the same is hereby,

*Dismissed.*

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CHICAGO, BURLINGTON AND QUINCY RAILWAY  
COMPANY *v.* GRAY.

ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE  
SOUTHERN DISTRICT OF IOWA.

No. 876. Submitted March 11, 1889. — Decided March 18, 1889.

Since the act of March 3, 1887, 24 Stat. 552, c. 373, took effect, no appeal or writ of error lies to this court from a decision of a Circuit Court remanding a cause to a state court which had been removed from it, although the order remanding it was made before that act took effect.

MOTION TO DISMISS for want of jurisdiction.