

Cases not Otherwise Reported.

CASES ADJUDGED IN THE SUPREME COURT OF  
THE UNITED STATES AT OCTOBER TERM, 1891,  
NOT OTHERWISE REPORTED, INCLUDING  
CASES DISMISSED IN VACATION PURSUANT  
TO RULE 28.

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No. 959. ADAMS *v.* FREEDMAN'S AID AND SOUTHERN EDUCATION SOCIETY. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee. July 24, 1891: Dismissed, pursuant to the 28th rule. *Mr. Xenophon Wheeler* for appellants. *Mr. William Henry De Witt* for appellees.

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No. 1201. ADAMS *v.* UNITED STATES. Error to the District Court of the United States for the District of Kansas. October 19, 1891: Judgment reversed, and cause remanded for a new trial, on motion of *Mr. Solicitor General* for defendant in error. *Mr. J. R. Shields* for plaintiff in error. *Mr. Attorney General* for defendant in error.

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No. 110. ALEXANDER *v.* GLENN, TRUSTEE. Error to the Circuit Court of the United States for the Western District of North Carolina. November 20, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Earle*, *Mr. W. D. Davidge* and *Mr. Reginald Fendall* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.

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No. 102. AMADOR QUEEN MINING COMPANY *v.* DEWITT. Error to the Supreme Court of the State of California. November 17, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. William M. Stewart* for plaintiff in error. No appearance for defendant in error.

## Cases not Otherwise Reported.

No. 290. AMERICAN ARTIFICIAL STONE PAVEMENT COMPANY v. VULCANITE PAVING COMPANY. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania. March 28, 1892: Decree reversed, with costs, per stipulation, and cause remanded to be proceeded in according to law. *Mr. Hector T. Fenton* for appellant. *Mr. George Harding* for appellees.

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No. 337. ATTORNEY GENERAL OF MASSACHUSETTS v. WESTERN UNION TELEGRAPH COMPANY. Appeal from the Circuit Court of the United States for the District of Massachusetts. January 28, 1892: Dismissed, per stipulation. *Mr. A. E. Pillsbury* for appellant. *Mr. Wager Swayne* for appellee.

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No. 1220. AYRES v. MANNING. Appeal from the Circuit Court of the United States for the Southern District of Illinois. April 1, 1892: Dismissed, with costs, on motion of *Mr. John M. Harlan* for appellants. *Mr. G. W. Smith* and *Mr. John M. Harlan* for appellants. *Mr. Samuel P. Wheeler* for appellees.

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No. 1512. BAILY v. SUNDBERG. March 7, 1892: Petition for a writ of certiorari to review the decision of the Circuit Court of Appeals for the Second Circuit denied. *Mr. F. C. Partridg* and *Mr. Willard R. Cray* for petitioners. *Mr. John Lind* for respondent.

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No. 199. BANQUE FRANCO-EGYPTIENNE v. BROWN. Appeal from the Circuit Court of the United States for the Southern District of New York. March 1, 1892: Dismissed, per stipulation. *Mr. Joseph H. Choate* for appellants. *Mr. Francis Lynde Stetson*, *Mr. Joseph Larocque*, *Mr. Frederic B. Jennings* and *Mr. Charles H. Russell, Jr.*, for appellees.

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No. 271. BARNEY v. WATERBURY. Error to the Circuit Court of the United States for the Southern District of New



## Cases not Otherwise Reported.

York. March 14, 1892: Dismissed, with costs, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. *Mr. Samuel F. Phillips* and *Mr. A. W. Griswold* for defendants in error.

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No. 247. *BEER v. MACKIN*. Error to the Circuit Court of the United States for the District of Nebraska. April 4, 1892: Judgment affirmed, with costs and interest, by a divided court. *Mr. Jefferson Chandler* and *Mr. John L. Webster* for plaintiff in error. *Mr. John F. Dillon* and *Mr. Harry Hubbard* for defendant in error.

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No. 293. *BELT v. CUMMING*. Appeal from the Circuit Court of the United States for the Southern District of Georgia. April 7, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Henry Wise Garnett* for appellant. No appearance for appellees.

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No. 218. *BENNETT v. BAKER*. Error to the Circuit Court of the United States for the Northern District of Illinois. March 10, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. A. McCoy*, *Mr. C. B. McCoy* and *Mr. C. E. Pope* for plaintiffs in error. No appearance for defendant in error.

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No. 351. *BERRY v. REILLY*. Error to the Supreme Court of the Territory of Arizona. April 27, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. A. T. Britton* and *Mr. A. B. Browne* for plaintiffs in error. *Mr. W. Hallett Phillips* and *Mr. Joseph K. McCammon* for defendant in error.

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No. 174. *BERRY v. WOOD*. Error to the Supreme Court of the Territory of Montana. January 21, 1892: Dismissed

## Cases not Otherwise Reported.

with costs, pursuant to the 10th rule, and remanded to the Supreme Court of the State of Montana. *Mr. T. L. Napton* for plaintiff in error. *Mr. J. N. Dolph* for defendant in error.

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No. 200. *BISCHOFFSHEIM v. BROWN*. Appeal from the Circuit Court of the United States for the Southern District of New York. March 1, 1892: Dismissed, per stipulation. *Mr. Joseph H. Choate* for appellant. *Mr. Francis Lynde Stetson* for appellees.

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No. 352. *BLACKMORE v. REILLY*. Error to the Supreme Court of the Territory of Arizona. April 27, 1892: Dismissed, with costs, pursuant to the tenth rule. *Mr. A. T. Britton* and *Mr. A. B. Browne* for plaintiff in error. *Mr. W. Hallett Phillips* and *Mr. Joseph K. McCammon* for defendant in error.

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No. 131. *BLOOMER v. TODD*. Appeal from the Supreme Court of the Territory of Washington. December 16, 1891: Dismissed, with costs, per stipulation of the parties. *Mr. A. S. Austin's* appearance entered for appellant. No appearance for appellees.

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No. 101. *BRADFORD GAS LIGHT AND HEATING COMPANY v. CITIZEN'S LIGHT AND HEAT COMPANY*. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania. November 16, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. R. B. Stone* for appellant. No appearance for appellee.

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No. 160. *BROOKE v. PENICK*. Appeal from the Circuit Court of the United States for the District of West Virginia. January 13, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Randolph Coyle* for appellant. No appearance for appellees.



## Cases not Otherwise Reported.

No. 274. *BRUCE v. VINTON*. Appeal from the Circuit Court of the United States for the District of Indiana. July 3, 1891: Dismissed, pursuant to the 28th rule. *Mr. Ferdinand Winter* and *Mr. Attorney General* for appellants. *Mr. Solomon Claypool* for appellee.

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No. 230. *BRUMBACK v. BROADBENT*. Appeal from the Supreme Court of the Territory of Idaho. July 28, 1891: Dismissed, pursuant to the 28th rule. *Mr. S. S. Burdett* for appellants. *Mr. George Ainslie* for appellee.

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No. 707. *CENTRAL TRUST COMPANY OF NEW YORK v. BACON*. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee. May 16, 1892: Dismissed, per stipulation. *Mr. Edgar M. Johnson* and *Mr. W. M. Baxter* for appellant. *Mr. H. H. Ingersoll* and *Mr. R. M. Edwards* for appellee.

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No. 1218. *CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY v. DEY*. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 10, 1892: Dismissed, with costs, on authority of counsel for appellant. *Mr. Joseph W. Blythe* for appellant. No appearance for appellees.

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No. 1142. *CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY v. SMITH*. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 10, 1892: Dismissed, with costs, on authority of counsel for appellant. *Mr. Joseph W. Blythe* for appellant. No appearance for appellees.

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No. 1141. *CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY v. STATE OF IOWA*. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March

## Cases not Otherwise Reported.

10, 1892: Dismissed, with costs, on authority of counsel for appellant. *Mr. Joseph W. Blythe* for appellant. No appearance for appellee.

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No. 1147. CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY *v.* SMITH. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 30, 1892: Dismissed, with costs, on motion of counsel for appellant. *Mr. John W. Cary* for appellant. No appearance for appellees.

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No. 1146. CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY *v.* STATE OF IOWA. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 30, 1892: Dismissed, with costs, on motion of counsel for appellant. *Mr. John W. Cary* for appellant. No appearance for appellee.

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No. 1144. CHICAGO AND NORTHWESTERN RAILWAY COMPANY *v.* SMITH. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 10, 1892: Dismissed, with costs, on motion of *Mr. W. C. Goudy* for appellant. *Mr. W. C. Goudy* and *Mr. N. M. Hubbard* for appellant. No appearance for appellee.

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No. 1143. CHICAGO AND NORTHWESTERN RAILWAY COMPANY *v.* STATE OF IOWA. Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 10, 1892: Dismissed, with costs, on motion of *Mr. W. C. Goudy* for appellant. *Mr. W. C. Goudy* and *Mr. N. M. Hubbard* for appellant. No appearance for appellee.

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No. 1140. CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY *v.* SMITH. Appeal from the Circuit Court of the United States for the Southern District of Iowa. April 4, 1892: Dismissed, with costs, on motion of counsel for appellant. *Mr. Thomas F. Withrow* for appellant. No appearance for appellees.



## Cases not Otherwise Reported.

No. 1139. CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY *v.* STATE OF IOWA. Appeal from the Circuit Court of the United States for the Southern District of Iowa. April 4, 1892: Dismissed, with costs, on motion of counsel for appellant. *Mr. Thomas F. Withrow* for appellant. No appearance for appellee.

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No. 1455. CHICAGO WIRE AND SPRING COMPANY *v.* AMERICAN WIRE COMPANY. Error to the Circuit Court of the United States for the Northern District of Illinois. November 23, 1891: Dismissed, with costs, on motion of *Mr. C. W. Needham* for plaintiff in error. *Mr. M. R. Powers* for plaintiff in error. No appearance for defendant in error.

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No. 268. CHOTEAU *v.* KANSAS CITY STOCK YARDS COMPANY. Error to the Circuit Court of the United States for the Western District of Missouri. March 30, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. A. Comingo* for plaintiff in error. *Mr. Wallace Pratt* and *Mr. Frank Hagerman* for defendant in error.

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No. 258. CHURCH *v.* SWANN. Appeal from the Circuit Court of the United States for the Southern District of Alabama. March 28, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. T. A. Hamilton* for appellants. *Mr. Isaac P. Martin* for appellee.

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No. 359. CITIZENS' STREET RAILWAY COMPANY OF PINE BLUFF, ARKANSAS *v.* JONES. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas. March 9, 1892: Dismissed with costs, on motion of counsel for appellant. *Mr. Jefferson Chandler* and *Mr. J. M. Taylor* for appellant. No appearance for appellee.

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No. 340. CITY OF AUGUSTA *v.* BARD. Error to the Circuit Court of the United States for the District of Kansas. April

## Cases not Otherwise Reported.

21, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. S. O. Thacher* for plaintiff in error. *Mr. A. T. Britton*, *Mr. A. B. Browne* and *Mr. George R. Peck* for defendant in error.

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No. 127. *COLEMAN v. WALKER*. Appeal from the Circuit Court of the United States for the Northern District of California. December 14, 1891: Dismissed, with costs, per stipulation. *Mr. Hall McAllister* and *Mr. W. W. Cope* for appellant. *Mr. Sidney N. Smith, Jr.*, for appellee.

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No. 243. *COMMERCIAL NATIONAL BANK v. BROWN*. Appeal from the Circuit Court of the United States for the Northern District of Ohio. March 24, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. C. C. Baldwin* for appellants. No appearance for appellees.

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No. 18. *COOKE v. GLOBE FILES COMPANY*. Appeal from the Circuit Court of the United States for the Southern District of New York. October 13, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Gleeson* and *Mr. M. S. Hopkins* for appellant. *Mr. R. H. Parkinson*, *Mr. J. G. Parkinson* and *Mr. William A. McKenney* for appellees.

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No. 80. *COUNTY OF BAY v. DOUGLASS*. Error to the Circuit Court of the United States for the Eastern District of Michigan. November 4, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. Ashley Pond* for plaintiff in error. No appearance for defendant in error.

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No. 1493. *COUNTY OF CASS, IN THE STATE OF MISSOURI v. PARKER*. Appeal from the Circuit Court of the United States for the Western District of Missouri. January 18, 1892: Docketed and dismissed, with costs, on motion of *Mr. S. S. Burdett* for appellee.



## Cases not Otherwise Reported.

No. 195. *COVERT v. SARGENT*. Appeal from the Circuit Court of the United States for the Southern District of New York. March 4, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. William H. King* for appellant. No appearance for appellees.

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No. 180. *CRAMER v. UNITED STATES*. Appeal from the Court of Claims. January 29, 1892: Dismissed, pursuant to the 10th rule. *Mr. George A. King* for appellant. *Mr. Attorney General* for appellee.

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No. 1546. *CRIDER v. STEELE*. Appeal from the United States Court for the Indian Territory. April 18, 1892: Docketed and dismissed, with costs, on motion of *Mr. Charles Blood Smith* for appellees.

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No. 457. *DARST v. BOGGS*. Error to the Circuit Court of the United States for the District of Nebraska. May 16, 1892: Dismissed, per stipulation. *Mr. C. S. Montgomery* for plaintiff in error. *Mr. W. J. Connell* for defendants in error.

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No. 1446. *DENVER AND RIO GRANDE WESTERN RAILWAY COMPANY v. DODGE*. Error to the Supreme Court of the Territory of Utah. January 18, 1892: Judgment affirmed, with costs, by a divided court. *Mr. John A. Marshall* for plaintiff in error. *Mr. P. L. Williams* for defendant in error.

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No. 1244. *DUMONT v. FRY*. Appeal from the Circuit Court of the United States for the Southern District of New York. December 7, 1891: Dismissed, per stipulation, without costs to either party. *Mr. F. R. Coudert* for appellants. *Mr. John M. Bowers* for appellees.

## Cases not Otherwise Reported.

No. 234. EDELHOFF *v.* ROBERTSON. Error to the Circuit Court of the United States for the Southern District of New York. February 1, 1892: Judgment so far as complained against by Edelhoff *et al.*, reversed, with costs, upon confession of error by defendant in error, and cause remanded, with directions to grant a new trial, on motion of *Mr. Solicitor General* for defendant in error. *Mr. H. E. Tremain* and *Mr. M. W. Tyler* for plaintiffs in error. *Mr. Attorney General* for defendant in error.

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No. 100. EDWARD BARR COMPANY *v.* NEW YORK AND NEW HAVEN AUTOMATIC SPRINKLER COMPANY. Appeal from the Circuit Court of the United States for the Southern District of New York. November 16, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. Randall Hagner* and *Mr. P. R. Voorhees* for appellants. No appearance for appellee.

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No. 1379. EICHEL *v.* WALLACE. Error to the Circuit Court of the United States for the District of Kentucky. April 29, 1892: Dismissed, with costs, on authority of counsel for plaintiffs in error. *Mr. T. F. Hargis* and *Mr. G. B. Eastin* for plaintiffs in error. *Mr. Michael H. Cardozo* for defendants in error.

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No. 1044. EICHORN *v.* HOOVER. Error to the Supreme Court of the District of Columbia. January 7, 1892: Dismissed, per stipulation, costs to be paid by defendants in error, on motion of *Mr. A. S. Worthington* for defendants in error. *Mr. M. F. Morris*, *Mr. George E. Hamilton* and *Mr. C. C. Cole* for plaintiff in error. *Mr. A. S. Worthington* and *Mr. A. A. Birney* for defendants in error.

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Nos. 14 and 15. ELDRIDGE *v.* UNITED STATES. Appeals from the Supreme Court of the Territory of Utah. March 31, 1892: Dismissed, on motion of counsel for appellants. *Mr.*



Cases not Otherwise Reported.

*Franklin S. Richards, Mr. Le Grand Young and Mr. R. A. Howard* for appellants. *Mr. Attorney General* for appellee.

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No. 1428. *ERHARDT v. COHN*. Error to the Circuit Court of the United States for the Southern District of New York. October 26, 1891: Dismissed, with costs, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. No appearance for defendants in error.

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No. 588. *EUREKA SPINDLE COMPANY v. SAWYER SPINDLE COMPANY*. Appeal from the Circuit Court of the United States for the District of Massachusetts. November 5, 1891: Dismissed, per stipulation. *Mr. John Lowell, Jr.*, for appellant. *Mr. T. L. Livermore and Mr. F. P. Fish* for appellee.

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No. 43. *FALL RIVER, WARREN AND PROVIDENCE RAILROAD COMPANY v. PAGE*. Error to the Circuit Court of the United States for the District of Rhode Island. November 30, 1891: Judgment reversed, per stipulation, and cause remanded for such action therein as may be consistent with law. *Mr. J. H. Benton, Jr.*, for plaintiff in error. *Mr. A. A. Ranney* for defendants in error.

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No. 419. *FARMERS' LOAN AND TRUST COMPANY v. MORGAN'S LOUISIANA AND TEXAS RAILROAD AND STEAMSHIP COMPANY*. Appeal from the Circuit Court of the United States for the Northern District of Texas. March 25, 1892: Dismissed, per stipulation. *Mr. Herbert B. Turner* for appellant. *Mr. Charles H. Tweed* for appellees.

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No. 1087. *FIDELITY AND CASUALTY COMPANY OF NEW YORK v. MORRIS*. Error to the Circuit Court of the United States for the District of Colorado. January 11, 1892: Judgment

## Cases not Otherwise Reported.

affirmed, with costs and interest, by a divided court. *Mr. C. S. Thomas* for plaintiff in error. *Mr. S. P. Rose* for defendant in error.

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No. 387. FIRST NATIONAL BANK OF PINE BLUFF, ARKANSAS, *v.* HANOVER NATIONAL BANK OF THE CITY OF NEW YORK. Error to the Circuit Court of the United States for the Eastern District of Arkansas. March 9, 1892: Dismissed, with costs, on motion of counsel for plaintiffs in error. *Mr. Jefferson Chandler* and *Mr. John M. Taylor* for plaintiffs in error. *Mr. John McClure* for appellee.

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No. 298. FLAHERTY *v.* UNITED STATES. Appeal from the Supreme Court of the Territory of Montana. April 11, 1892: Dismissed, with costs, pursuant to the 10th rule, and remanded to the Supreme Court of the State of Montana. *Mr. C. W. Holcomb* and *Mr. J. H. McGowan* for appellant. *Mr. Attorney General* for appellee.

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No. 353. FOOTE *v.* GLENN. Error to the Circuit Court of the United States for the District of New Jersey. April 27, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Alfred Mills* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.

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No. 192. FORBES *v.* THOMAS. Error to the Supreme Court of the State of Nebraska. March 3, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Randolph Coyle* and *Mr. F. J. Lavender* for plaintiff in error. *Mr. John L. Webster* for defendant in error.

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No. 1429. FORKED DEER MILLING COMPANY *v.* RICKERSON ROLLER MILL COMPANY. Appeal from the Circuit Court of



## Cases not Otherwise Reported.

the United States for the Western District of Tennessee. October 19, 1891: Docketed and dismissed, with costs, on motion of *Mr. Isham G. Harris* for appellee.

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No. 215. FOWLER MANUFACTURING COMPANY *v.* CAMERON. Appeal from the Circuit Court of the United States for the Southern District of New York. December 14, 1891: Dismissed, with costs, on authority of counsel for appellants. *Mr. Thomas H. Rodman*, *Mr. Charles D. Adams* and *Mr. W. C. Witter* for appellants. No appearance for appellee.

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No. 49. FRANCIS *v.* UNITED STATES. Appeal from the Court of Claims. October 16, 1891: Dismissed, pursuant to the 10th rule. *Mr. George A. King* for appellant. *Mr. Attorney General* for appellee.

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No. 1352. FRANCOEUR *v.* NEWHOUSE. Error to the Circuit Court of the United States for the Northern District of California. March 21, 1892: Dismissed, with costs, per stipulation, on motion of *Mr. S. S. Burdett* for defendant in error. *Mr. A. L. Hart* for plaintiff in error. *Mr. S. S. Burdett* for defendant in error.

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No. 53. GAGE *v.* KELLOGG. Appeal from the Circuit Court of the United States for the Northern District of New York. October 22, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. John Dane, Jr.*, for appellant. *Mr. John W. Munday* and *Mr. Edmund Adcock* for appellees.

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No. 209. GILMAN *v.* LAKE. Appeal from the Circuit Court of the United States for the Northern District of California. January 11, 1892: Dismissed, with costs, on authority of counsel for appellant. *Mr. M. A. Wheaton* for appellant. No appearance for appellees.

## Cases not Otherwise Reported.

No. 214. *GLOBE TELEPHONE COMPANY OF NEW YORK v. AMERICAN BELL TELEPHONE COMPANY*. Appeal from the Circuit Court of the United States for the Southern District of New York. March 10, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. D. Humphreys* for appellants. *Mr. George L. Roberts* and *Mr. James J. Storrow* for appellees.

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No. 1396. *HALL v. BRADFORD*. Appeal from the Circuit Court of the United States for the Southern District of Mississippi. February 1, 1892: Decree reversed, at the cost of the appellee, for errors confessed, per stipulation, and cause remanded for further proceedings in accordance with law. *Mr. Sidney C. Eastman* for appellant. *Mr. J. J. Bradford* for appellee.

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No. 1406. *EX PARTE HALLINGER*. Appeal from the Circuit Court of the United States for the District of New Jersey. November 23, 1891: Dismissed. No appearance for appellant. *Mr. C. H. Winfield* for the State of New Jersey.

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No. 1560. *HALLINGER v. BIRDSALL*. Appeal from the District Court of the United States for the District of New Jersey. May 2, 1892: Docketed and dismissed, with costs, on motion of *Mr. C. H. Winfield* for appellee.

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No. 233. *HAMILTON v. CUTTS*. Appeal from the Supreme Court of the District of Columbia. March 9, 1892: Dismissed, per stipulation. *Mr. J. J. Darlington* for appellant. *Mr. Moorfield Storey* and *Mr. Blair Lee* for appellees.

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No. 82. *HAYWARD v. BOLTON*. Appeal from the Supreme Court of the Territory of Idaho. November 5, 1891: Dismissed, with costs, on authority of counsel for appellant, and



## Cases not Otherwise Reported.

cause remanded to the Supreme Court of the State of Idaho. *Mr. F. S. Richards* for appellant. No appearance for appellees.

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No. 98. *HEDDEN v. HORSMAN*. Error to the Circuit Court of the United States for the Southern District of New York. October 19, 1891: Dismissed, with costs, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. *Mr. Edward Hartley* and *Mr. W. H. Coleman* for defendant in error.

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No. 164. *HERSHEY v. BLAKESLEY*. Appeal from the Circuit Court of the United States for the District of Connecticut. January 15, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Joshua Pusey* for appellants. *Mr. J. J. Jennings* for appellee.

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No. 161. *HILTON v. JONES*. Appeal from the Circuit Court of the United States for the District of Nebraska. January 14, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Joseph R. Webster*, *Mr. S. S. Gregory*, *Mr. William N. Booth*, *Mr. James S. Harlan* and *Mr. W. Hallett Phillips* for appellants. *Mr. N. S. Harwood* and *Mr. John H. Ames* for appellees.

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No. 26. *HOUSTON v. SIMPSON*. Error to the Superior Court of Union County, North Carolina. October 14, 1891: Dismissed, with costs, on authority of counsel for plaintiffs in error. *Mr. John W. Hinsdale* for plaintiffs in error. *Mr. W. W. Flemming* for defendants in error.

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No. 875. *HOUSTON, EAST AND WEST TEXAS RAILWAY COMPANY v. BINZ*. Error to the Supreme Court of the State of Texas. February 29, 1892: Dismissed, without costs to either party, per stipulation, on motion of *Mr. William A. McKen-*

## Cases not Otherwise Reported.

ney, in behalf of counsel. *Mr. James Parker* for plaintiff in error. *Mr. A. W. Houston* and *Mr. W. C. Oliver* for defendants in error.

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No. 1114. *HUNTER v. COYLE*. Error to the Circuit Court of the United States for the Western District of Missouri. October 30, 1891: Dismissed, with costs, on authority of counsel for plaintiffs in error. *Mr. H. M. Pollard* for plaintiffs in error. No appearance for defendant in error.

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No. 81. *INNIS v. BOLTON*. Appeal from the Supreme Court of the Territory of Idaho. November 5, 1891: Dismissed, with costs, on authority of counsel for appellant, and cause remanded to the Supreme Court of the State of Idaho. *Mr. F. S. Richards* for appellant. No appearance for appellees.

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No. 167. *JACKSON v. CHANDLER*. Appeal from the Circuit Court of the United States for the District of Massachusetts. December 7, 1891: Dismissed, with costs, on motion of *Mr. Frank W. Hackett* for appellants. *Mr. Godfrey Morse* for appellants. *Mr. Alfred D. Chandler* for appellee.

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No. 1079. *JOHNSTON v. SHIELDS*. Appeal from the Circuit Court of the United States for the Eastern District of Missouri. July 18, 1891: Dismissed, pursuant to the 28th rule. *Mr. David P. Dyer* for appellants. *Mr. Given Campbell* for appellee.

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No. 851. *KAIN v. NIMICK*. Appeal from the Circuit Court of the United States for the District of West Virginia. May 16, 1892: Dismissed, with costs, on motion of counsel for appellant. *Mr. T. S. Riley* for appellant. No appearance for appellees.



## Cases not Otherwise Reported.

No. 807. KANSAS CITY, ST. JOSEPH AND COUNCIL BLUFFS RAILROAD COMPANY *v.* CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY. Appeal from the Circuit Court of the United States for the Western District of Missouri. November 9, 1891: Decree reversed, each party to pay one-half of the costs in this court, per stipulation, and cause remanded to be proceeded in according to law and justice. *Mr. J. M. Woolworth* and *Mr. C. A. Mosman* for appellant. *Mr. D. D. Burnes*, *Mr. Frank Hagerman* and *Mr. C. W. Bunn* for appellee.

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No. 168. KENNEDY *v.* McTAMMANY. Appeal from the Circuit Court of the United States for the District of Massachusetts. January 15, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. J. E. Maynadier* for appellants. *Mr. Charles Theodore Russell* for appellee.

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No. 354. KEPNER *v.* DUSTIN. Appeal from the Circuit Court of the United States for the Northern District of Ohio. April 28, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. R. W. Tayler* for appellant. No appearance for appellee.

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No. 264. KIDD *v.* HORRY. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania. March 29, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Francis Rawle* and *Mr. A. Q. Keasbey* for appellant. *Mr. F. Carroll Brewster* for appellees.

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No. 136. KIDD *v.* RANSOM. Appeal from the Circuit Court of the United States for the Northern District of Illinois. October 19, 1891: Decree reversed, and cause remanded with directions to dismiss the bill, per stipulation. *Mr. C. K. Offield* for appellant. *Mr. J. W. Merriam* for appellee.

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No. 281. KITTERINGHAM *v.* BLAIR TOWN LOT AND LAND COMPANY. Error to the Supreme Court of the State of Iowa.

## Cases not Otherwise Reported.

April 1, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. J. Lyman* for plaintiff in error. *Mr. E. S. Bailey* for defendant in error.

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No. 361. *KLEINSCHMIDT v. DAVENPORT*. Appeal from the Supreme Court of the Territory of Montana. April 28, 1892: Dismissed, with costs, and remanded to the Supreme Court of the State of Montana. *Mr. T. H. Carter* and *Mr. J. B. Clayberg* for appellants. No appearance for appellees.

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No. 331. *KULP v. SONDER*. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania. April 19, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Jerome Carty* for appellant. No appearance for appellee.

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No. 231. *LAMB v. McGUIRE*. Appeal from the Supreme Court of the Territory of Idaho. March 22, 1892: Dismissed, with costs, pursuant to the 10th rule, and remanded to the Supreme Court of the State of Idaho. *Mr. S. S. Burdett* for appellant. No appearance for appellee.

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No. 73. *LANG v. WOODS*. Error to the Circuit Court of the United States for the Northern District of Texas. November 16, 1891: Judgment affirmed, with costs and interest, by a divided court. *Mr. M. L. Crawford* and *Mr. John Johns* for plaintiffs in error. No appearance for defendant in error.

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No. 83. *LARSON v. COX*. Error to the Supreme Court of the State of Kansas. November 5, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. Oscar Foust* for plaintiff in error. No appearance for defendant in error.

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No. 1315. *LOGAN v. KNIGHT*. Appeal from the Circuit Court of the United States for the Northern District of Texas.



## Cases not Otherwise Reported.

April 11, 1892: Dismissed, with costs, on motion of *Mr. H. J. May* for appellants. *Mr. A. H. Garland* and *Mr. H. J. May* for appellants. *Mr. Attorney General* for appellee.

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No. 295. *LYNDE v. SPERLING*. Appeal from the Supreme Court of the Territory of Montana. April 8, 1892: Dismissed, with costs, pursuant to the 10th rule, and remanded to the Supreme Court of the State of Montana. *Mr. J. H. McGowan* and *Mr. C. W. Holcomb* for appellants. No appearance for appellee.

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No. 133. *MACKALL v. RICHARDS*. Appeal from the Supreme Court of the District of Columbia. December 17, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. Willoughby* for appellant. *Mr. Enoch Totten* for appellee.

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No. 816. *MAGONE v. BLYDENBURGH*. Error to the Circuit Court of the United States for the Southern District of New York. April 11, 1892: Dismissed, with costs, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. No appearance for defendant in error.

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No. 1516. *MARINE v. PACKHAM*. Appeal from the Circuit Court of the United States for the District of Maryland. March 15, 1892: Dismissed, with costs, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. No appearance for appellees.

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No. 1353. *MARINE v. ROBSON*. Appeal from the Circuit Court of the United States for the District of Maryland. March 18, 1892: Dismissed, with costs, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. No appearance for appellee.

## Cases not Otherwise Reported.

No. 469. *MARSH v. SCOTT*. Error to the Supreme Court of the State of Illinois. March 1, 1892: Dismissed, per stipulation. *Mr. R. A. Parker* for plaintiffs in error. *Mr. Lyman Trumbull* for defendant in error.

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No. 1236. *McCALLA v. BANE*. Appeal from the Circuit Court of the United States for the District of Oregon. February 29, 1892: Dismissed, with costs, on authority of counsel for appellant. *Mr. Zera Snow* for appellant. *Mr. J. N. Dolph* for appellees.

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No. 1299. *McCLOSKEY v. HURST*. Error to the Circuit Court of the United States for the Eastern District of Louisiana. May 16, 1892: Dismissed for the want of jurisdiction. *Mr. A. J. Murphy* for plaintiff in error. *Mr. J. D. Rouse* and *Mr. William Grant* for defendant in error.

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No. 1115. *McELVAINE v. BRUSH*. Appeal from the Circuit Court of the United States for the Southern District of New York. December 7, 1891: Dismissed, with costs, per stipulation. *Mr. A. C. Astarita* and *Mr. George M. Curtis* for appellant. *Mr. Charles F. Tabor* for appellee.

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No. 396. *McINTYRE v. ROESCHLAUB*. Appeal from the Circuit Court of the United States for the District of Colorado. November 2, 1891: Dismissed, with costs, on motion of *Mr. W. Hallett Phillips* in behalf of counsel for appellants. *Mr. E. T. Wells* for appellants. No appearance for appellee.

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No. 1452. *McNUTT v. BOSWORTH*. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee. January 26, 1892: Dismissed, with costs, on motion of *Mr. A. H. Garland* for appellant. *Mr. Tully R. Cornick, Jr.*, *Mr. A. H. Garland* and *Mr. H. J. May* for appellant. No appearance for appellees.



## Cases not Otherwise Reported.

No. 1453. *McNUTT v. CARDIFF COAL AND IRON COMPANY*. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee. January 16, 1892: Dismissed, with costs, on motion of *Mr. A. H. Garland* for appellant. *Mr. Tully R. Cornick, Jr.*, *Mr. A. H. Garland* and *Mr. H. J. May* for appellant. No appearance for appellee.

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No. 16. *MECARTNEY v. CRITTENDEN*. Error to the Circuit Court of the United States for the Northern District of California. October 13, 1891: Dismissed, with costs, pursuant to the 19th rule. *Mr. S. W. Halladay* for plaintiff in error. No appearance for defendants in error.

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No. 1226. *MELTON v. CAPITAL CITY BANK OF NASHVILLE*. Appeal from the Circuit Court of the United States for the Middle District of Tennessee. January 12, 1892: Dismissed, with costs, per stipulation. *Mr. John Ruhm* for appellant. *Mr. S. Watson*, *Mr. G. N. Tillman* and *Mr. S. A. Champion* for appellees.

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No. 108. *MOREHEAD v. GLENN*. Error to the Circuit Court of the United States for the Western District of North Carolina. November 19, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Earle*, *Mr. W. D. Davidge* and *Mr. Reginald Fendall* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.

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No. 46. *MOSES v. STATE OF MISSISSIPPI*. Error to the Supreme Court of the State of Mississippi. December 4, 1891: Dismissed, with costs, per stipulation. *Mr. E. H. Farrar*, *Mr. B. F. Jonas* and *Mr. E. B. Kruttschnitt* for plaintiff in error. *Mr. T. M. Miller* for defendant in error.

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No. 350. *MOUNTAIN MAID MINING COMPANY v. REILLY*. Error to the Supreme Court of the Territory of Arizona.

## Cases not Otherwise Reported.

April 27, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. A. T. Britton* and *Mr. A. B. Browne* for plaintiff in error. *Mr. W. Hallett Phillips* and *Mr. Joseph K. McCammon* for defendant in error.

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No. 1444. *MURRAY v. FIRST NATIONAL BANK OF MONTAGUE, TEXAS.* Error to the United States Court for the Indian Territory. October 30, 1891: Docketed and dismissed, with costs, on motion of *Mr. Halbert E. Paine* for defendant in error.

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No. 1000. *MUTUAL RESERVE FUND LIFE ASSOCIATION v. WOODSON.* Error to the Circuit Court of the United States for the Eastern District of Virginia. November 9, 1891: Judgment reversed, clerk's costs to be paid by plaintiff in error, per stipulation, and cause remanded, with directions to remand the cause to the state court. *Mr. William L. Royall* for plaintiff in error. *Mr. Legh R. Page* for defendants in error.

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No. 280. *MYERS v. HAWLEY.* Appeal from the Circuit Court of the United States for the Southern District of New York. March 1, 1892: Dismissed, per stipulation. *Mr. John A. Grow* for appellant. *Mr. B. E. Valentine* and *Mr. J. A. Burr, Jr.*, for appellee.

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No. 1159. *MYERS v. KINGSTON COAL COMPANY.* Error to the Supreme Court of the State of Pennsylvania. December 21, 1891: Dismissed for the want of jurisdiction. *Mr. A. Ricketts* for plaintiffs in error. *Mr. H. W. Palmer* and *Mr. H. B. Payne* for defendant in error.

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No. 1484. *NEW CHESTER WATER COMPANY v. HOLLY MANUFACTURING COMPANY.* Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania. March 15, 1892: Dismissed, with costs, per stipulation. *Mr.*



## Cases not Otherwise Reported.

*R. C. Dale* and *Mr. Samuel Dickson* for appellants. *Mr. R. L. Ashhurst* for appellee.

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No. 68. NEW ORLEANS WATER WORKS COMPANY *v.* MAGINIS OIL AND SOAP WORKS. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana. November 16, 1891: Decree affirmed, with costs, by a divided court. *Mr. J. R. Beckwith* for appellant. *Mr. T. L. Bayne, Mr. George Denegre, Mr. C. W. Hornor, Mr. W. S. Benedict* and *Mr. George A. King* for appellee.

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No. 67. NEW ORLEANS WATER WORKS COMPANY *v.* PEOPLE'S ICE MANUFACTURING COMPANY. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana. November 16, 1891: Decree affirmed, with costs, by a divided court. *Mr. J. R. Beckwith* for appellant. *Mr. Alfred Goldthwaite* for appellee.

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No. 66. NEW ORLEANS WATER WORKS COMPANY *v.* SOUTHERN BREWING COMPANY. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana. November 16, 1891: Decree affirmed, with costs, by a divided court. *Mr. J. R. Beckwith* for appellant. *Mr. Alfred Goldthwaite* for appellee.

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No. 8. NETHERCLIFT *v.* ROBERTSON. Error to the Circuit Court of the United States for the Southern District of New York. October 13, 1891: Dismissed, with costs, on authority of counsel for plaintiffs in error, on motion of *Mr. Solicitor General* for defendant in error. *Mr. Henry E. Tremain* and *Mr. A. J. Willard* for plaintiffs in error. *Mr. Attorney General* for defendant in error.

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No. 213. O'DONNELL *v.* TOWN OF SOUTHFIELD. Error to the Circuit Court of the United States for the Eastern District of

## Cases not Otherwise Reported.

New York. March 1, 1892: Dismissed, per stipulation. *Mr. Charles C. Bull* for plaintiff in error. *Mr. Henry Greenfield* for defendant in error.

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No. 79. *OLESON v. COX*. Error to the Supreme Court of the State of Kansas. November 3, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. Oscar Foust* for plaintiff in error. No appearance for defendant in error.

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No. 95. *PACIFIC EXPRESS COMPANY v. TAXING DISTRICT OF SHELBY COUNTY, TENNESSEE*. Error to the Supreme Court of the State of Tennessee. November 9, 1891: Judgment reversed, with costs, per stipulation, and cause remanded, to be proceeded with according to law and justice. *Mr. R. J. Morgan* for plaintiff in error. *Mr. S. P. Walker* for defendant in error.

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No. 333. *PERKINS v. HANEY MANUFACTURING COMPANY*. Appeal from the Circuit Court of the United States for the Western District of Michigan. April 20, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. C. J. Hunt* for appellant. *Mr. Edward Taggart* for appellees.

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No. 1066. *PITRAT v. HULL*. Appeal from the Circuit Court of the United States for the Southern District of Ohio. September 8, 1891: Dismissed, pursuant to the 28th rule. *Mr. O. M. Gottschall* for appellants. *Mr. Alfred Russell* for appellee.

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No. 1559. *POST v. COUNTY OF PULASKI*. May 16, 1892: Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied, with costs. *Mr. John F. Dillon* and *Mr. Harry Hubbard* for petitioner. *Mr. Lewis M. Bradley* for respondent.



## Cases not Otherwise Reported.

No. 219. PRICE *v.* DETROIT, GRAND HAVEN AND MILWAUKEE RAILWAY COMPANY. Error to the Circuit Court of the United States for the Eastern District of Michigan. March 28, 1892: Judgment affirmed, with costs, by a divided court. *Mr. Don M. Dickinson* and *Mr. Elliot G. Stevenson* for plaintiff in error. *Mr. Elijah W. Meddaugh* and *Mr. W. A. Day* for defendant in error.

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No. 273. QUONG LEE LUM *v.* RANKIN. Appeal from the Circuit Court of the United States for the Northern District of California. March 31, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Thomas D. Riordan* for appellant. No appearance for appellee.

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No. 942. RALSTON *v.* BRITISH AND AMERICAN MORTGAGE COMPANY. Appeal from the Circuit Court of the United States for the Western District of Louisiana. November 9, 1891: Dismissed, with costs, pursuant to the 15th rule. *Mr. Wade R. Young* for appellant. *Mr. James Lowndes* for appellees.

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No. 1245. REYNES *v.* FRY. Appeal from the Circuit Court of the United States for the Southern District of New York. December 7, 1891: Dismissed, per stipulation, without costs to either party. *Mr. John E. Parsons* for appellant. *Mr. John M. Bowers* for appellee.

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No. 1054. RICHARDSON *v.* BRYAN. Error to the Superior Court of the State of Massachusetts. January 26, 1892: Dismissed, with costs, on authority of counsel for plaintiff in error. *Mr. Lewis S. Dabney* and *Mr. Frederic Cunningham* for plaintiff in error. No appearance for defendant in error.

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No. 537. RICHMOND AND DANVILLE RAILROAD COMPANY *v.* DYKEMAN. Error to the Circuit Court of the United States

## Cases not Otherwise Reported.

for the Northern District of Georgia. December 14, 1891: Dismissed, per stipulation, on motion of *Mr. Linden Kent* for plaintiff in error. *Mr. Linden Kent* for plaintiff in error. *Mr. N. J. Hammond* for defendant in error.

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No. 203. RUMFORD CHEMICAL WORKS *v.* MUTH. Appeal from the Circuit Court of the United States for the District of Maryland. October 26, 1891: Dismissed, with costs, on authority of counsel for appellant. *Mr. Rowland Cox* for appellant. No appearance for appellees.

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No. 321. ST. JOHN *v.* CITY OF TOLEDO, OHIO. Error to the Circuit Court of the United States for the Northern District of Ohio. April 14, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. R. P. Ranney* for plaintiff in error. *Mr. W. H. H. Read* and *Mr. Clarence Brown* for defendants in error.

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No. 367. ST. LOUIS, IRON MOUNTAIN AND SOUTHERN RAILWAY COMPANY *v.* HUMPHREYS. Error to the Circuit Court of the United States for the Southern District of New York. March 7, 1892: Dismissed, per stipulation. *Mr. John F. Dillon* for plaintiff in error. *Mr. George De Forest Lord* for defendants in error.

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No. 438. ST. PAUL, MINNEAPOLIS AND MANITOBA RAILWAY COMPANY *v.* STATE OF MINNESOTA *ex rel.* CITY OF MINNEAPOLIS. Error to the District Court of Hennepin County, State of Minnesota. January 4, 1892: Dismissed, with costs, per stipulation. *Mr. M. D. Grover* for plaintiff in error. *Mr. Robert D. Russell* for defendant in error.

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No. 22. SCHILLINGER *v.* CRANFORD. Appeal from the Supreme Court of the District of Columbia. October 13, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. J. E.*



## Cases not Otherwise Reported.

*McDonald*, *Mr. R. J. Bright*, *Mr. J. C. Fay* and *Mr. U. M. Young* for appellants. *Mr. Enoch Totten* for appellees.

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No. 91. *SCHUYLER'S STEAM TOW BOAT LINE v. SALISBURY*. Error to the Supreme Court of the State of New York. November 6, 1891: Dismissed, with costs, for failure to comply with the order of this court of October 19, 1891, requiring new bond on writ of error. *Mr. W. Frothingham* for plaintiff in error. *Mr. J. Rider Cady* for defendant in error.

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No. 179. *SCRUGGS v. UNITED STATES*. Appeal from the Court of Claims. January 28, 1892: Dismissed, pursuant to the 10th rule. *Mr. George A. King* for appellant. *Mr. Attorney General* for appellee.

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No. 141. *SHORT v. SULLY*. Error to the Circuit Court of the United States for the Northern District of Texas. December 14, 1891: Dismissed, with costs, on authority of counsel for plaintiff in error. *Mr. A. S. Lathrop* for plaintiff in error. *Mr. Van H. Manning* for defendants in error.

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No. 1145. *SIoux CITY AND PACIFIC RAILWAY COMPANY v. SMITH, COMMISSIONERS, &c.* Appeal from the Circuit Court of the United States for the Southern District of Iowa. March 10, 1892: Dismissed, with costs, on motion of *Mr. W. C. Goudy* for appellant. *Mr. W. C. Goudy* and *Mr. N. M. Hubbard* for appellant. No appearance for appellees.

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No. 1015. *SLOAN v. STRICKLER*. Error to the Supreme Court of the State of Colorado. December 14, 1891: Dismissed, for the want of jurisdiction. *Mr. L. S. Dixon* and *Mr. W. T. Hughes* for plaintiffs in error. *Mr. V. D. Markham* for defendant in error.

## Cases not Otherwise Reported.

No. 388. SMITH *v.* NAVE-McCORD CATTLE COMPANY. Error to the Circuit Court of the United States for the Western District of Texas. August 19, 1891: Dismissed, pursuant to the 28th rule. *Mr. John B. Rector* for plaintiffs in error. *Mr. S. R. Fisher* for defendant in error.

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No. 4. SPALDING *v.* STODDER. Error to the Circuit Court of the United States for the Northern District of Illinois. October 13, 1891: Judgment affirmed, with costs and interest, on motion of *Mr. Solicitor General* for the plaintiff in error. *Mr. Attorney General* for plaintiff in error. *Mr. Percy L. Shuman* and *Mr. Henry E. Tremain* for defendants in error.

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No. 193. SPALDING LUMBER COMPANY *v.* UNITED STATES. Error to the Circuit Court of the United States for the Western District of Michigan. May 16, 1892: Dismissed, on motion of *Mr. Attorney General* for defendant in error, and consent of counsel for plaintiff in error. *Mr. F. O. Clark* for plaintiff in error. *Mr. Attorney General* for defendant in error.

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No. 111. SPRINGS *v.* GLENN. Error to the Circuit Court of the United States for the Western District of North Carolina. November 20, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Earle*, *Mr. W. D. Davidge* and *Mr. Reginald Fendall* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.

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No. 162. STANDARD LIFE AND ACCIDENT INSURANCE COMPANY OF DETROIT, MICHIGAN *v.* HUTCHCRAFT. Error to the Circuit Court of the United States for the Southern District of Ohio. January 14, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. John Atkinson* for plaintiff in error. No appearance for defendant in error.



## Cases not Otherwise Reported.

No. 105. *STEIN v. BORST*. Appeal from the Circuit Court of the United States for the Northern District of New York. November 18, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. George W. Hey* for appellants. No appearance for appellee.

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No. 239. *SYRACUSE CHILLED PLOW COMPANY v. ROBINSON*. Appeal from the Circuit Court of the United States for the Northern District of New York. March 24, 1892: Dismissed, with costs, for want of prosecution. *Mr. T. K. Fuller* for appellant. *Mr. Theodore Bacon* for appellees.

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No. 1336. *TAFT v. MARSILY*. Error to the Supreme Court of the State of New York. October 3, 1891: Dismissed, pursuant to the 28th rule. *Mr. Henry D. Hotchkiss* for plaintiff in error. *Mr. D. M. Porter* for defendants in error.

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No. 888. *TATEM v. CHADWICK*. Appeal from the Supreme Court of the State of Montana. December 21, 1891: Dismissed for the want of jurisdiction. *Mr. M. F. Morris* and *Mr. J. C. Robinson* for appellants. *Mr. Henry E. Davis* for appellee.

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No. 1304. *TOMS v. OWEN*. Appeal from the Circuit Court of the United States for the Eastern District of Michigan. October 28, 1891: Dismissed, with costs, on motion of *Mr. C. I. Walker* for appellant. *Mr. C. I. Walker* for appellant. No appearance for appellee.

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No. 363. *TOPLITZ v. MERRITT*. Error to the Circuit Court of the United States for the Southern District of New York. April 29, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. Stephen G. Clarke* for plaintiffs in error. *Mr. Attorney General* for defendant in error.

## Cases not Otherwise Reported.

No. 94. *TORRENT v. DULUTH LUMBER COMPANY*. Appeal from the Circuit Court of the United States for the District of Minnesota. November 6, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. R. A. Parker* for appellant. No appearance for appellee.

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No. 1198. *TOWNSHIP OF PLEASANT HILL, LANCASTER COUNTY, SOUTH CAROLINA v. MASSACHUSETTS AND SOUTHERN CONSTRUCTION COMPANY*. Appeal from the Circuit Court of the United States for the District of South Carolina. February 29, 1892: Dismissed, with costs, by consent of counsel for appellant, on motion of *Mr. James Lowndes* for appellee. *Mr. Charles Richardson Miles* for appellant. *Mr. Samuel Lord* for appellee.

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No. 788. *TRAVELLERS' INSURANCE COMPANY v. McCONKEY*. Error to the Circuit Court of the United States for the Northern District of Iowa. September 1, 1891: Dismissed, pursuant to the 28th rule. *Mr. Bradley D. Lee* and *Mr. John P. Ellis* for plaintiff in error. *Mr. William G. Thompson* and *Mr. H. B. Fouke* for defendant in error.

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No. 330. *TRESTER v. MISSOURI PACIFIC RAILWAY COMPANY*. Error to the Circuit Court of the United States for the District of Nebraska. January 26, 1892: Dismissed, per stipulation. *Mr. Walter J. Lamb* for plaintiff in error. *Mr. B. P. Waggener* for defendant in error.

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No. 284. *UNION PACIFIC RAILWAY COMPANY v. CENTRAL TRUST COMPANY OF NEW YORK*. Appeal from the Circuit Court of the United States for the District of Nevada. January 4, 1892: Dismissed, with costs, on motion of *Mr. John F. Dillon* for appellant. *Mr. John F. Dillon* for appellant. No appearance for appellees.



## Cases not Otherwise Reported.

No. 286. UNION PACIFIC RAILWAY COMPANY *v.* PIDCOCK. Error to the Supreme Court of the Territory of Utah. December 7, 1891: Dismissed, with costs, on motion of *Mr. John F. Dillon* for plaintiff in error. *Mr. John F. Dillon* for plaintiff in error. *Mr. J. G. Sutherland* for defendant in error.

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No. 45. UNION PACIFIC RAILWAY COMPANY *v.* REDDON. Error to the Supreme Court of the Territory of Utah. October 26, 1891: Judgment affirmed, with costs, by a divided court. *Mr. John F. Dillon*, *Mr. Harry Hubbard*, *Mr. Samuel Shellabarger* and *Mr. J. M. Wilson* for plaintiff in error. *Mr. Arthur Brown* for defendant in error.

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No. 74. UNION PACIFIC RAILWAY COMPANY *v.* THOMPSON. Appeal from the Circuit Court of the United States for the District of Colorado. October 30, 1891: Dismissed, with costs, on motion of *Mr. John F. Dillon* for appellant. *Mr. John F. Dillon* for appellant. *Mr. A. C. Thompson* for appellees.

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No. 813. UNION TRUST COMPANY OF NEW YORK *v.* BINZ. Error to the Supreme Court of the State of Texas. February 29, 1892: Dismissed, without costs to either party, per stipulation, on motion of *Mr. William A. McKenney* in behalf of counsel. *Mr. Wheeler H. Peckham* for plaintiff in error. *Mr. A. W. Houston* and *Mr. W. C. Oliver* for defendants in error.

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No. 1383. UNITED STATES *v.* BASHAW. Appeal from the Circuit Court of the United States for the Eastern District of Missouri. April 18, 1892: Dismissed, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. *Mr. Thomas C. Fletcher* for appellee.

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No. 1538. UNITED STATES *v.* BAXTER. Error to the Circuit Court of the United States for the District of Minnesota.

## Cases not Otherwise Reported.

April 18, 1892: Dismissed, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. No appearance for defendant in error.

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No. 19. UNITED STATES *v.* BOSTON AND ALBANY RAILROAD COMPANY. Error to the Circuit Court of the United States for the District of Massachusetts. April 11, 1892: Dismissed, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. *Mr. E. R. Hoar* and *Mr. Samuel Hoar* for defendant in error.

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No. 1502. UNITED STATES *v.* CLOUGH. Appeal from the Circuit Court of the United States for the Western District of Tennessee. April 18, 1892: Dismissed, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. No appearance for appellee.

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No. 1077. UNITED STATES *v.* FAULKNER. Appeal from the District Court of the United States for the Middle District of Tennessee. May 16, 1892: Decree reversed, per stipulation, and cause remanded to be proceeded in according to law, on motion of *Mr. Attorney General* for appellant. *Mr. Attorney General* for appellant. *Mr. George A. King* for appellee.

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No. 1358. UNITED STATES *v.* FINN. Appeal from the Court of Claims. January 11, 1892: Dismissed, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. No appearance for appellee.

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No. 1297. UNITED STATES *v.* FITCH. Appeal from the Circuit Court of the United States for the Western District of Michigan. April 18, 1892: Dismissed, on motion of *Mr. Solicitor General* for appellants. *Mr. Attorney General* for appellant. No appearance for appellee.



## Cases not Otherwise Reported.

No. 1431. UNITED STATES *v.* GOODRICH. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas. April 18, 1892: Dismissed, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. *Mr. U. M. Rose* and *Mr. G. B. Rose* for appellee.

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No. 1348. UNITED STATES *v.* HAZELTINE. Appeal from the Court of Claims. November 9, 1891: Dismissed, per stipulation, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. *Mr. C. C. Lancaster* for appellee.

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No. 1028. UNITED STATES *v.* JULIAN. Appeal from the District Court of the United States for the Middle District of Tennessee. May 2, 1892: Decree reversed, per stipulation, and cause remanded to be proceeded in according to law. *Mr. Attorney General* for appellant. *Mr. George A. King* for appellee.

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No. 1029. UNITED STATES *v.* JULIAN. Appeal from the District Court of the United States for the Middle District of Tennessee. May 2, 1892: Decree reversed, per stipulation, and cause remanded to be proceeded in according to law. *Mr. Attorney General* for appellant. *Mr. George A. King* for appellee.

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No. 1030. UNITED STATES *v.* JULIAN. Appeal from the Circuit Court of the United States for the Middle District of Tennessee. May 2, 1892: Decree reversed, per stipulation, and cause remanded to be proceeded in according to law. *Mr. Attorney General* for appellant. *Mr. George A. King* for

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No. 594. UNITED STATES *v.* McLEAN. Error to the Circuit Court of the United States for the District of Kansas. October 26, 1891: Dismissed, on motion of *Mr. Solicitor General*

## Cases not Otherwise Reported.

for plaintiff in error. *Mr. Attorney General* for plaintiff in error. No appearance for defendant in error.

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No. 704. UNITED STATES *v.* NORRELL. Appeal from the Third Judicial District Court of the Territory of Utah. February 1, 1892: Decree reversed as to the docket fees charged therein, and affirmed as to the residue of the fees therein, per stipulation, and cause remanded, with directions to enter a decree in accordance with the stipulation of counsel, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. *Mr. O. B. Hallam* for appellee.

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No. 1474. UNITED STATES *v.* PERRY. Appeal from the Circuit Court of the United States for the District of Kansas. April 18, 1892: Dismissed, on motion of *Mr. Solicitor General* for appellant. *Mr. Attorney General* for appellant. No appearance for appellee.

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No. 142. UNITED STATES *v.* RUGGLES. Error to the Circuit Court of the United States for the Southern District of New York. December 7, 1891: Dismissed, on motion of *Mr. Solicitor General* for plaintiff in error. *Mr. Attorney General* for plaintiff in error. *Mr. T. W. Osborn* for defendants in error.

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No. 76. UNITED STATES *v.* UNION COAL COMPANY. Appeal from the Circuit Court of the United States for the District of Colorado. November 23, 1891: Decree affirmed by a divided court. *Mr. Attorney General* and *Mr. Assistant Attorney General Maury* for appellant. *Mr. John F. Dillon* and *Mr. Harry Hubbard* for appellee.

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No. 238. WALL *v.* DISTRICT OF COLUMBIA. Appeal from the Supreme Court of the District of Columbia. March



## Cases not Otherwise Reported.

23, 1892: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. W. Upton* for appellant. No appearance for appellees.

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No. 1450. *WAUTON v. DEWOLF*. Appeal from the Circuit Court of the United States for the Northern District of California. November 3, 1891: Docketed and dismissed, with costs, on motion of *Mr. A. B. Browne* for appellees.

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No. 237. *WEDGE BLOCK PAVEMENT COMPANY v. CITY OF CLEVELAND*. Appeal from the Circuit Court of the United States for the Northern District of Ohio. October 26, 1891: Dismissed, with costs, on authority of counsel for appellant. *Mr. J. E. Ingersoll* for appellant. No appearance for appellees.

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No. 107. *WILLIAMS v. GLENN*. Error to the Circuit Court of the United States for the Western District of North Carolina. November 19, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Earle, Mr. W. D. Davidge* and *Mr. Reginald Fendall* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.

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No. 112. *WILLIAMS v. GLENN*. Error to the Circuit Court of the United States for the Western District of North Carolina. November 23, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Earle, Mr. W. D. Davidge* and *Mr. Reginald Fendall* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.

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No. 1422. *WILLIAMS v. WILLIAMS*. Appeal from the Circuit Court of the United States for the District of Kansas. October 13, 1891: Docketed and dismissed, with costs, on motion of *Mr. W. T. S. Curtis* for appellee.

## Cases not Otherwise Reported.

No. 251. *WILSON v. HAMMACHER*. Appeal from the Circuit Court of the United States for the District of Massachusetts. January 20, 1892: Dismissed, with costs, per stipulation. *Mr. M. F. Dickinson, Jr.*, for appellant. *Mr. D. S. Linscott* for appellee.

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No. 1558. *WISE v. BENNETT*. May 16, 1892: Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied, with costs. *Mr. James Thomson* for petitioner. *Mr. Robert H. Smith* for respondents.

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No. 85. *WOODRUFF v. CARR*. Appeal from the Circuit Court of the United States for the District of Minnesota. November 5, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. C. K. Offield* for appellant. No appearance for appellee.

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No. 320. *WORTHINGTON v. ESTES*. Appeal from the Circuit Court of the United States for the Southern District of New York. January 28, 1892: Dismissed, per stipulation, on motion of *Mr. G. G. Frelinghuysen* for appellees. *Mr. E. E. Anderson* for appellant. *Mr. J. L. S. Roberts* and *Mr. G. G. Frelinghuysen* for appellees.

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No. 109. *WRISTON v. GLENN*. Error to the Circuit Court of the United States for the Western District of North Carolina. November 20, 1891: Dismissed, with costs, pursuant to the 10th rule. *Mr. W. E. Earle*, *Mr. W. D. Davidge* and *Mr. Reginald Fendall* for plaintiff in error. *Mr. Charles Marshall* and *Mr. John Howard* for defendant in error.