

withstanding, the case is one for liberal salvage compensation. The services rendered by the Luckenbach were skillfully performed, and her owners are entitled to credit for the promptness with which they acted in sending relief to the steamship. They at once sent their tug a distance of 80 miles, on a slim chance of getting this steamer off by the power of a tug. The services rendered entailed some risk upon the tug. One of the owners of the tug, fortunately, went with her; and at one time the master was inclined to abandon his effort, but, by direction of the owner, went on.

The value of the Luckenbach is upward of \$50,000; the agreed value of the cargo of the North Erin is \$55,000; and the agreed value of the freight \$5,683.83. As to the value of the North Erin herself, there is a dispute. I doubt very much, however, whether it is over \$35,000 or \$40,000. No tender of any amount has been made. Under all the circumstances, \$10,000 will, in my opinion, be a liberal salvage award in this case, but not excessive, considering the value of the property in peril, the nature of the peril, and the promptness of the action of the tug. The libelant must also have the costs of this action.

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**BOWERS et al. v. NEW YORK LIFE INS. CO.**

(Circuit Court of Appeals, First Circuit. January 7, 1896.)

No. 134.

Appeal from the Circuit Court of the United States for the District of Maine. This was a bill in equity by Walter T. Bowers, administrator of the estate of Roscoe L. Bowers, and Sarah C. Bowers, against the New York Life Insurance Company, to reform a policy of insurance. The bill was dismissed (68 Fed. 785), and complainants appeal.

Joseph W. Symonds, David W. Snow, and Charles S. Cook, for appellants. Charles F. Libby, for appellee.

Dismissed, without costs, pursuant to stipulation of counsel.

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**FOLSOM v. UNITED STATES.**

(Circuit Court of Appeals, Eighth Circuit. 1895.)

Error to Supreme Court of New Mexico. Questions of law certified to supreme court. For decision of the supreme court thereon, see 16 Sup. Ct. 222.

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**THE HELEN STORY.**

**STORY v. TARR et al.**

(Circuit Court of Appeals, First Circuit. January, 1896.)

No. 150.

Appeal from the District Court of the United States for the District of Massachusetts.

This was a libel by James G. Tarr and others against the Helen Story (Arthur D. Story, claimant). From a decree of distribution, the claimant appeals.

William A. Pew, Jr., for appellant.

M. J. McNeirny, for appellees.

Before COLT and PUTNAM, Circuit Judges.

No opinion. Decree of district court reversed, with costs of this court against the appellant, and the case is remanded, with authority to that court to try the case anew.

PEOPLE'S PURE-ICE CO. et al. v. TRUMBULL et al.

TRUMBULL et al. v. FULLER et al.

(Circuit Court of Appeals, Seventh Circuit. January 16, 1896.)

Nos. 203 and 206.

Appeal from the Circuit Court of the United States for the Northern Division of the Northern District of Illinois.

For former report, see 70 Fed. 166.

William Burry, for People's Pure-Ice Co.

A. W. McDougald and W. T. Burgess, for Rollin H. Trumbull and Edwin G. Cheverton.

No opinion. Motion for modification of former opinion denied.

PHOENIX ASSUR. CO. OF LONDON v. SUMMERFIELD.

(Circuit Court of Appeals, Fourth Circuit. July 1, 1895.)

No. 126.

Error to Circuit Court of the United States for the Western District of Virginia.

Staples & Munford, for plaintiff in error.

Peatross & Harris, for defendant in error.

Settled by agreement of counsel.

PORT ROYAL & A. RY. CO. et al. v. AVERILL et al.

(Circuit Court of Appeals, Fourth Circuit. May 22, 1895.)

No. 132.

Appeal from Circuit Court of the United States for the District of South Carolina.

Mitchell & Smith, for appellants.

Appeal withdrawn without prejudice on order of court filed.

RICHMOND & D. R. CO. v. CHESTER & L. N. G. R. CO.

(Circuit Court of Appeals, Fourth Circuit. February 5, 1896.)

No. 146.

Appeal and cross appeal from Circuit Court of the United States for the District of South Carolina.

J. S. Cothran, for appellant.

A. G. Brice, for appellee.

Dismissed by consent, pursuant to the twenty-third rule (47 Fed. x.), the record not having been printed.