

the trial judge's rulings, in the progress of the trial, on demurrers or exceptions to the pleadings or the admission or rejection of evidence. The finding of the judge was general, and to the effect that the court "is of opinion that plaintiff has proven no cause of action." The assignment of error is substantially that "the court erred in rendering judgment against plaintiff." It thus clearly appears that the record presents no matter which can be reviewed on writ of error. *City of Key West v. Baer*, 13 C. C. A. 572-577, 66 Fed. 440-445, and cases there cited. The judgment of the circuit court is therefore affirmed.

GRAVES v. STEWART et al. (Circuit Court of Appeals, Second Circuit. April 20, 1896.) No. 633. Error from the Circuit Court of the United States for the Northern District of New York. George L. Lewis, for plaintiff in error. John G. Milburn, for defendants in error. No opinion. Judgment of circuit court affirmed, with interest and costs.

HARVEY v. WINNEY. (Circuit Court of Appeals, Sixth Circuit. April 24, 1896.) No. 405. Appeal from the District Court of the United States for the Eastern District of Michigan. H. C. Wisner and Fred C. Harvey, for appellant. John C. Shaw, for appellee. No opinion. Judgment of district court affirmed.

HAYDEN v. BROWN. (Circuit Court of Appeals, Second Circuit. February 3, 1896.) No. 607. Appeal from the Circuit Court of the United States for the District of Vermont. W. L. Burnap and T. G. Strong, for appellant. George W. Ellis, for appellee. No opinion. Order entered on consent reversing judgment.

HOSTETTER CO. v. BECKER. (Circuit Court of Appeals, Second Circuit. January 13, 1897.) Appeal from the Circuit Court of the United States for the Southern District of New York. Charles Putzel, for appellant. Albert H. Clarke, for appellee. Before WALLACE, LACOMBE, and SHIPMAN, Circuit Judges. Decree affirmed, with costs, on opinion of circuit court. See 73 Fed. 297.

HUBBARD v. TOD et al. (Circuit Court of Appeals, Eighth Circuit. April 13, 1896.) No. 641. Appeal from the Circuit Court of the United States for the Northern District of Iowa. John C. Coombs and Henry J. Taylor, for appellant. Francis B. Daniels, D. B. Henderson, Louis G. Hurd, George W. Wickersham, and George W. Kiesel, for appellees. No opinion. Affirmed by a divided court, and costs equally divided.

JOHNSON v. UNITED STATES. (Circuit Court of Appeals, Second Circuit. December 19, 1895.) No. 532. Appeal from the Circuit Court of the United States for the Southern District of New York. Stanley, Clarke & Smith, for appellant. Wallace Macfarlane, U. S. Atty. No opinion. Affirmed on opinion of court below. See 66 Fed. 725.

JONES v. MEEHAN et al. (Circuit Court of Appeals, Eighth Circuit. May 28, 1896.) No. 771. Appeal from the Circuit Court of the United States for the District of Minnesota. James A. Kellogg, for appellant. Orville Rinehart, C. D. O'Brien, and Thomas D. O'Brien, for appellees. No opinion. Dismissed, with costs, for want of jurisdiction, on motion of appellees.

KELLEY-GOODFELLOW SHOE CO. et al. v. SCALES et al. (Circuit Court of Appeals, Eighth Circuit. December 8, 1896.) No. 640. Error to the United States Court for the Northern District of Indian Territory. Harrison O. Shepard and Joseph M. Hill, for plaintiffs in error. William T. Hutchings, for defendants in error. No opinion. Dismissed, with costs, pursuant to the twenty-second rule, for want of prosecution.

KING et al. v. LEWIS. (Circuit Court of Appeals, Sixth Circuit. October 26, 1896.) No. 444. Appeal from the Circuit Court of the United States for the Northern District of Ohio, Eastern Division. J. W. Jenner, for plaintiffs. Darius Dirlam, for defendant. No opinion. Judgment affirmed.

KINGMAN et al. v. WESTERN MANUF'G CO.1 (Circuit Court of Appeals, Eighth Circuit. May 21, 1896.) No. 763. Error to the Circuit Court of the United States for the District of Nebraska. James H. McIntosh, for plaintiffs in error. G. M. Lambertson and Walter J. Lamb, for defendant in error. No opinion. Dismissed, with costs, for want of jurisdiction, on motion of defendant in error.

KINNEY et al. v. CUNNINGHAM et al. (Circuit Court of Appeals, Eighth Circuit. December 18, 1896.) No. 798. Appeal from the Circuit Court of the United States for the District of Nebraska. Carroll S. Montgomery and Matthew A. Hall, for appellants. D. W. Merrow, for appellees. Dismissed, at costs of appellants, without attorney fee in the court of appeals or the circuit court, pursuant to stipulation of the parties.

LIVE STOCK CAR-EQUIPMENT CO. v. MAY et al. (Circuit Court of Appeals, Second Circuit. December 18, 1895.) No. 478. Appeal from the Circuit Court of the United States for the Eastern District of New York. W. E. Simmonds and Chas. M. Stafford, for appellant. Ira Leo Bamberger and Cowan, Dickerson & Brown, for appellees. No opinion. Decree affirmed, with costs, on opinion of court below.

MAGNA CHARTA SILVER MINING & TUNNEL CO. et al. v. HOLE. (Circuit Court of Appeals, Eighth Circuit. June 29, 1896.) No. 822. Appeal from the Circuit Court of the United States for the District of Colorado. E. Sowers, for appellee. No opinion. Docketed and dismissed, with costs, pursuant to the sixteenth rule, on motion of appellee.

* Rehearing denied September 21, 1896.