

THE MARACAIBO.

HEALEY v. THE MARACAIBO et al.

(Circuit Court of Appeals, Second Circuit.)

SEAMEN'S WAGES—SET-OFF—SETTLEMENT.

This is an appeal from a decree of the district court, Southern district of New York, in favor of libelant, for seaman's wages and penalty on discharge in a foreign port, with interest and costs. See 79 Fed. 809.

Joseph Kling, for appellants.

James Forester, for appellee.

Before LACOMBE and SHIPMAN, Circuit Judges.

PER CURIAM. Upon the record as it stands we are inclined to agree with the district judge as to what took place before the consul, whose deposition seems not to have been taken. The facts being thus found against the claimants, it is unnecessary to discuss any of the propositions of law advanced upon the argument. The decree of the district court is affirmed, with interest and costs.

THE MARY L. PETERS. HOWELL v. THE MARY L. PETERS et al. (Circuit Court of Appeals, Second Circuit. April 20, 1896.) No. 634. Appeal from the District Court of the United States for the Southern District of New York. Goodrich, Deady & Goodrich, for appellant. George A. Black, for appellees. No opinion. Decree of district court affirmed, with interest and costs. See 68 Fed. 919.

MAYER v. GLENN. (Circuit Court of Appeals, Second Circuit.) No. 321. Appeal from the Circuit Court of the United States for the Southern District of New York. George Zabriskie, for appellant. B. N. Harrison, Charles Marshall, and A. H. Masten, for appellee. No opinion. Decree affirmed, with costs, on opinion in Furnald v. Glenn, 12 C. C. A. 27, 64 Fed. 49.

MILLER v. CHOCTAW, O. & G. RY. CO. (Circuit Court of Appeals, Eighth Circuit. September 15, 1896.) No. 654. No opinion. Judgment of dismissal vacated and set aside, and cause restored to the docket.

MISSOURI PAC. RY. CO. v. SIDELL. (Circuit Court of Appeals, Second Circuit. February 20, 1896.) No. 636. Appeal from the Circuit Court of the United States for the Southern District of New York. W. S. Pierce, for appellant. C. D. Ingersoll, for appellee. No opinion. Affirmed in open court.

MOORE v. CLARK et al. (Circuit Court of Appeals, Second Circuit. January 23, 1896.) No. 564. Appeal from the Circuit Court of the United States for the Southern District of New York. Frank J. Mather, for appellants. W. P. Preble, Jr., for appellee. No opinion. Appeal dismissed.

MORRIS et al. v. UNITED STATES. (Circuit Court of Appeals, Second Circuit. January 23, 1896.) No. 536. Appeal from the Circuit Court of the United States for the Southern District of New York. Comstock & Brown, for appellants. Wallace Macfarlane, U. S. Atty. No opinion. Affirmed in open court.

MULCAHEY v. LAKE ERIE & W. RY. CO. (Circuit Court of Appeals, Sixth Circuit. December 9, 1896.) No. 384. Appeal from the Circuit Court of the United States for the Western Division of the Northern District of Ohio. Orville S. Brumback and Chas. A. Thatcher, for plaintiff in error. J. B. Cockrum, for defendant in error. No opinion. Case reversed and remanded, with directions to remand to state court. See 69 Fed. 172.

MUNROE et al. v. PHILADELPHIA WAREHOUSE CO.
(Circuit Court of Appeals, Third Circuit. January 15, 1897.)

No. 29.

ASSIGNABILITY OF BILL OF LADING.

Error to the Circuit Court of the United States for Eastern District of Pennsylvania.

For opinion, see 75 Fed. 545.

A. H. Wintersteen, for plaintiff in error.

Joseph de F. Junkin, for defendant in error.

It is hereby agreed that the writ of error in the above-entitled cause shall be dismissed, and the clerk of the court is directed to dismiss the same. The costs and fees of the clerk are to be paid by the plaintiff. All other costs and fees due to either of the parties are hereby waived and remitted.

Ex parte NATIONAL MASONIC ACC. ASS'N OF DES MOINES, IOWA. SPARKS v. NATIONAL MASONIC ACC. ASS'N OF DES MOINES, IOWA. (Circuit Court of Appeals, Eighth Circuit. December 8, 1896.) No. 6, original. Petition in the alternative for writ of mandamus to compel the allowance of a writ of error and supersedeas by the circuit court of the United States for the Southern district of Iowa, or for the allowance of a writ of error and supersedeas by the circuit court of appeals. Clark Varnum, for petitioner. No opinion. Denied.

NEWKIRK v. McCOOK et al. (Circuit Court of Appeals, Eighth Circuit. December 21, 1896.) No. 807. Error to the Circuit Court of the United States, for the District of Kansas. John W. Deford, for plaintiff in error. A. A. Hurd and W. Littlefield, for defendants in error. No opinion. Affirmed, with costs.

THE NORMA. SULLIVAN v. THE NORMA et al. (Circuit Court of Appeals, Second Circuit. April 22, 1896.) No. 652. Appeal from the District Court of the United States for the Southern District of New York. H. W. Bates, for appellant. Wing, Putnam & Burlingham, for appellees. No opinion. Affirmed in open court.