

of Kansas. Edwin A. Austin and J. C. Ellis, for appellant. Fred W. Bentley, John S. Miller, Merritt Starr, A. A. Hurd, and Robert Dunlap, for appellees. No opinion. Affirmed, per stipulation of parties, with costs against the receiver, McEntire.

BOYLE v. CLARE. (Circuit Court of Appeals, Sixth Circuit. February 2, 1897.) No. 491. In Error to the Circuit Court of the United States for the Western District of Tennessee. Dismissed, with costs, on motion of Percy & Watkins, counsel for plaintiff in error.

BURT v. McGRATH. (Circuit Court of Appeals, Sixth Circuit. October 25, 1897.) No. 530. In Error to the Circuit Court of the United States for the Northern District of Ohio. Alexander L. Smith, for plaintiff in error. Scribner Waite, for defendant in error. No opinion. Judgment affirmed.

BUTLER v. ASHLAND COAL & IRON CO. (Circuit Court of Appeals, Sixth Circuit. February 24, 1897.) No. 465. Appeal from the Circuit Court of the United States for the District of Kentucky. W. A. Byrne, for appellant. John Hager, for appellee. No opinion. Affirmed.

CAMPBELL v. ROWLAND et al. (Circuit Court of Appeals, Fifth Circuit. June 7, 1897.) No. 569. Appeal from the Circuit Court of the United States for the Eastern District of Texas. Before PARDEE and McCORMICK, Circuit Judges, and NEWMAN, District Judge.

PER CURIAM. In the decree of the circuit court we find no reversible error prejudicial to the appellant. The same is therefore affirmed.

CHAPIN v. UNION CONSOL. RY. CO. et al. (Circuit Court of Appeals, Seventh Circuit. October 4, 1897.) No. 339. Appeal from the Circuit Court of the United States for the Northern District of Illinois. Levy Mayer, for Charles A. Chapin. Clarence A. Knight and John P. Wilson, for Union Consol. Ry. Co. and others. Dismissed, on motion of appellant.

CHICAGO & N. W. RY. CO. v. ANDREWS. (Circuit Court of Appeals, Eighth Circuit. September 15, 1897.) No. 885. In Error to the Circuit Court of the United States for the District of Minnesota. L. L. Brown and W. D. Abbott, for plaintiff in error. William N. Plymat and W. E. Young, for defendant in error. Dismissed, without costs to either party, pursuant to stipulation of parties.

THE CITY OF MACKINAC. (Circuit Court of Appeals, Sixth Circuit. November 10, 1896.) No. 315. Appeal from the District Court of the United States for the Eastern District of Michigan. John C. Shaw, for appellants Timothy Hurley and another. Wells, Angell, Boynton & McMillan, for appellee claimant of the City of Mackinac. Discontinued, by consent, after the reversal of the decree dismissing the libel, and before any rehearing was had under the order of October 5, 1896, granting a rehearing. See 73 Fed. 883.

COCKRILL v. UNITED STATES NAT. BANK. (Circuit Court of Appeals, Eighth Circuit. September 15, 1897.) No. 984. In Error to the Circuit Court of the United States for the Eastern District of Arkansas. S. R. Cockrill, for plaintiff in error. John Fletcher and W. C. Ratcliffe, for defendant in error. No opinion. Affirmed, with costs.

COOKE v. UNITED STATES.

(Circuit Court of Appeals, Fifth Circuit. June 7, 1897.)

No. 583.

CRIMINAL LAW—APPEAL—CONFESSION OF ERROR.

Error from the District Court of the United States for the Northern District of Texas.

Before PARDEE and McCORMICK, Circuit Judges, and NEWMAN, District Judge.

PER CURIAM. In this case, in which J. H. Cooke, the plaintiff in error, was indicted, tried, convicted, and sentenced for embezzlement of money order funds of the United States, the United States, through their counsel, confess error in the peremptory instruction given by the trial judge to find the plaintiff in error guilty; and being satisfied that, under the facts and circumstances of the case, such peremptory instruction was erroneous, the judgment of the district court must be reversed, and the cause remanded, with instructions to set aside the verdict heretofore rendered, and award a new trial. Other important questions arise upon the record, and are assigned as error, but upon them we make no ruling whatever, because they have not been fully argued, and need not necessarily arise on another trial of the case. Reversed and remanded.

ELROD v. ADAMS EXP. CO. (Circuit Court of Appeals, Sixth Circuit.) No. 525. In Error from the United States Circuit Court for the District of Kentucky. O'Neal & Pryor and George Weissinger Smith, for plaintiff in error. Lawrence Maxwell, Jr., and Stone & Sudduth, for defendant in error. Dismissed, on motion of defendant in error, pursuant to the twenty-third rule, for failure to print the record.

FARMERS' MIN. CO. et al. v. GOOSAW MIN. CO. (Circuit Court of Appeals, Fourth Circuit. May 11, 1897.) No. 220. Appeal from the Circuit Court of the United States for the District of South Carolina. Mitchell & Smith, for appellants. Smythe, Lee & Frost and Edward McCrady, for appellee. Dismissed, pursuant to the twenty-third rule, for failure to print record. See 75 Fed. 860.

FLORENCE MIN. & MANUF'G CO. v. MORRIS. (Circuit Court of Appeals, Sixth Circuit. February 2, 1897.) No. 490. Appeal from the Circuit Court of the United States for the Middle District of Tennessee. Dismissed, with costs, on motion of Champion, Head & Brown, counsel for appellant.

FLORIDA CENT. & P. R. CO. v. BELL et al. (Circuit Court of Appeals, Fifth Circuit. June 16, 1897.) No. 599. In Error to the Circuit Court of the United States for the Southern District of Florida. Before PARDEE and McCORMICK, Circuit Judges, and MAXEY, District Judge.