maturely considered by the court; and, for the reason assigned in the opinion of the court in that case, the judgment of the court below in this case is without error, the demurrer to the complaint was properly overruled, and we concur fully with the trial judge in his action on the points raised during the trial to the jury. Affirmed.

HAWKHURST S. S. CO., Limited, v. KEYSER et al. KEYSER et al. v. HAWKHURST S. S. CO., Limited. (Circuit Court of Appeals, Fifth Circuit. May 24, 1898.) No. 653. Appeal and Cross Appeal from the District Court of the United States for the Northern District of Florida. J. P. Kirlin and John Eagan, for Hawkhurst S. S. Co. John C. Avery, for W. S. Keyser & Co. Before PARDEE and McCORMICK, Circuit Judges, and PARLANGE, District Judge.

PER CURIAM. The questions raised on this appeal and cross appeal were elaborately considered by the district judge. His written opinion is found in the transcript, as well as reported in 84 Fed. 693; and, as we concur in the conclusions reached by him, the decree appealed from is affirmed.

In re HIRSCH.

(Circuit Court of Appeals, Second Circuit. March 2, 1898.)

No. 68.

HABEAS CORPUS—WHEN GRANTED.

Appeal from the Circuit Court of the United States for the District of Connecticut.

This was a petition for a writ of habeas corpus by Heyman J. Hirsch, deputy internal revenue collector, who was committed by a state court of Connecticut for a refusal to produce to such court, in obedience to a subpœna duces tecum, an original application or return of a special taxpayer, to be used as evidence on the prosecution of such taxpayer for selling liquor in violation of the state laws. The writ was discharged by the circuit court on the hearing (74 Fed. 928), and the petitioner appeals.

Charles W. Comstock, U. S. Atty., for appellant. John L. Hunter, for appellee.

Before WALLACE and LACOMBE, Circuit Judges.

PER CURIAM. We concur in the opinion of the circuit judge dismissing the writ of habeas corpus, and therefore affirm the order appealed from. We do not, however, intend to decide that the writ of habeas corpus is the proper remedy to secure a review of the judgment of the state court in punishing a witness for disobedience of its process of subpœna ad testificandum. See Ex parte Parks, 93 U. S. 18; In re Wood, 140 U. S. 278, 11 Sup. Ct. 738; In re Frederich, 149 U. S. 70, 13 Sup. Ct. 793; In re Tyler, 149 U. S. 180, 13 Sup. Ct. 785; Ex parte Crouch, 112 U. S. 178, 5 Sup. Ct. 96.

HOEFFNER v. UNITED STATES. (Circuit Court of Appeals, Eighth Circuit. May 9, 1898.) No. 986. In Error to the District Court of the United States for the Eastern District of Missouri. Thomas B. Harvey, for plaintiff in error. Edward A. Rozier, U. S. Atty., and Walter D. Coles, Asst. U. S. Atty., for defendant in error. Before SANBORN and THAYER, Circuit Judges, and SHIRAS, District Judge.

SHIRAS, District Judge. This case presents the same questions that have been passed upon in case No. 985, just decided (Hoeffner v. U. S., 87 Fed. 185); and, following the conclusions therein reached, the judgment in the trial court is affirmed.

THE ST. PAUL. VANELIUS v. UNITED STATES. (Circuit Court of Appeals, Ninth Circuit. February 7, 1898.) No. 181. Appeal from the District Court of the United States for the District of Alaska. Warren Gregory, for appellant. Charles A. Garter, for the United States. Before GILBERT, ROSS, and MORROW, Circuit Judges.

PER CURIAM. This case is precisely similar to the case entitled "La Ninfa," heretofore decided by this court, and reported in 44 U. S. App. 648, 21 C. C. A. 434, and 75 Fed. 513. On the authority of that case, the decree appealed from is reversed, and the cause remanded, with instructions to the district court to dismiss the libel.

STANDARD OIL CO. v. BELL et al. (Circuit Court of Appeals, Fifth Circuit. May 24, 1898.) No. 598. In Error to the Circuit Court of the United States for the Southern District of Florida. This is an action brought by William J. Bell and others against the Standard Oil Company to recover possession of land and damages for the occupation and use thereof. Judgment for plaintiffs, and defendant brings error. Affirmed. J. C. Cooper, W. W. Howe, W. B. Spencer, and G. B. Cocke, for plaintiff in error. H. Bisbee, for defendants in error. Before PARDEE and McCORMICK, Circuit Judges, and SWAYNE, District Judge.

McCORMICK, Circuit Judge. This case is identical in its substantial issues with the case of Railroad Co. v. Bell (just decided) 87 Fed. 369, the plaintiff in error in this case claiming under the Florida Central & Peninsular Railroad Company; and, on the ground and for the reasons given and suggested in the opinion in that case, the judgment of the circuit court in this case is affirmed.

TRUMAN v. DEERE IMPLEMENT CO. (Circuit Court of Appeals, Ninth Circuit. February 21, 1898.) No. 377. Appeal from the Circuit Court of the United States for the Northern District of California. John L. Boone, for appellant. M. A. Dorn, D. S. Dorn, and Chas. E. Nouges, for appellee. Before GILBERT and ROSS, Circuit Judges, and HAWLEY, District Judge.

HAWLEY, District Judge. This case involves the same questions as were presented and decided in Truman v. Holmes, 87 Fed. 742; and, upon the authority of that case, the judgment of the circuit court is affirmed, with costs.

WESTENFELDER v. GREEN et al.

(Circuit Court of Appeals, Ninth Circuit. May 17, 1898.)

No. 423.

APPEAL—RECORD.

Appeal from the Circuit Court of the United States for the District of Oregon.

Before ROSS and MORROW, Circuit Judges, and HAWLEY, District Judge.

ROSS, Circuit Judge. This was, apparently, a suit in equity to quiet complainant's alleged title to a lot of land in the city of Portland, Or. See 76 Fed. 925, 78 Fed. 892. It was argued, both orally and by brief, on behalf of the respective parties, as if there was an appeal here from the decree of the court below. An examination of the record, however, fails to disclose any such appeal; and, if it did, there is nothing in the transcript showing the case upon which the decree printed therein was based. Indeed, there is nothing in it properly certified or identified. The pretended appeal, together with all of the proceedings herein, is accordingly dismissed.