

& Morton, for petitioners. Before PUTNAM, Circuit Judge, and WEBB and BROWN, District Judges.

PUTNAM, Circuit Judge. Our opinion on the merits of this appeal was passed down on June 1, 1898, and the judgment in accordance therewith was entered on the same day. A mandate, pursuant to the judgment, issued on June 9, 1898, with the knowledge of the appellants and without objection from them. On September 30, 1898, during the term at which the judgment was entered and the mandate issued, the appellants filed with the clerk, without leave, a petition that the mandate be recalled and that a rehearing be ordered. The proceeding must be governed by the practice as it existed before the adoption at this term of amended rule 29. We have carefully examined the petition and the petitioners' brief, but none of the judges who concurred in the judgment desires that the case be argued anew. The ordinary judgment would be that the petition be denied, but, under the circumstances, the proper and more prudent course is to dismiss it. The petition that our mandate be recalled and a rehearing be ordered is dismissed.

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BLUTHENTHAL et al. v. LONG et al. (Circuit Court of Appeals, Fourth Circuit. November 5, 1898.) No. 253. Appeal from the Circuit Court of the United States for the District of South Carolina. Mordecai & Gadsden, for appellants. William A. Barber, Atty. Gen., for appellees. No opinion. Affirmed, with costs.

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BOARD OF COM'RS OF DOUGLASS COUNTY v. SAGE et al. (Circuit Court of Appeals, Eighth Circuit. December 6, 1898.) No. 852. Appeal from the Circuit Court of the United States for the District of Kansas. M. Summerfield and George J. Barker, for appellant. W. H. Rossington, Charles Blood Smith, A. L. Williams, and N. H. Loomis, for appellees. Dismissed, pursuant to the twenty-fourth rule, for failure of appellant to file brief.

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BOWEN et ux. v. WATKINS. (Circuit Court of Appeals, Sixth Circuit. December 14, 1898.) No. 658. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee. Dismissed on motion of appellee.

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BROWN et ux. v. UNITED STATES CASUALTY CO. (Circuit Court of Appeals, Sixth Circuit. November 28, 1898.) No. 654. In Error to the Circuit Court of the United States for the Western District of Tennessee. Hill & Jones, J. P. Rhodes, and J. J. Hays, for plaintiffs in error. Natkins & Latimore, for defendant in error. Dismissed on motion of plaintiffs in error, at their costs. See 88 Fed. 38.

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CARNEGIE STEEL CO., Limited, v. UNITED STATES MITIS CO. (Circuit Court of Appeals, Third Circuit. October 21, 1898.) Thomas W. Bakewell, for appellant. Jos. C. Fraley, for appellee. No opinion. Affirmed, with costs. See 89 Fed. 206, 343.

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CENTRAL PAC. R. CO. v. JOHNSON et al. (Circuit Court of Appeals, Eighth Circuit. December 8, 1898.) No. 1,039. In Error to the Circuit Court of the United States for the District of Utah. C. W. Bunn, L. R. Rogers, David Evans, H. V. Reardon, and William Singer, Jr., for plaintiff in error. B. Howell Jones, for defendants in error. No opinion. Affirmed, with costs.

**CENTRAL RAILROAD & BANKING CO. OF GEORGIA et al. v. COLUMBUS IRON-WORKS CO.** (Circuit Court of Appeals, Fifth Circuit. November 8, 1898.) No. 642. Appeal from the Circuit Court of the United States for the Southern District of Georgia. A. R. Lawton, J. M. Cunningham, and Marion Erwin, for appellants. Isaac Hardeman, B. M. Davis, and C. M. Turner, for appellee. Dismissed, pursuant to the twentieth rule.

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**CENTRAL RAILROAD & BANKING CO. OF GEORGIA et al. v. McCANTS.** (Circuit Court of Appeals, Fifth Circuit. November 8, 1898.) No. 643. Appeal from the Circuit Court of the United States for the Southern District of Georgia. A. R. Lawton, J. M. Cunningham, and Marion Erwin, for appellants. Isaac Hardeman, B. M. Davis, and C. M. Turner, for appellee. Dismissed, pursuant to the twentieth rule.

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**CRANE v. EWING.** (Circuit Court of Appeals, First Circuit. October 18, 1898.) No. 253. In Error to the Circuit Court of the United States for the District of Massachusetts. Alfred Hemenway and Arthur H. Wellman, for plaintiff in error. Hollis R. Bailey and Lawrence Bond, for defendant in error. Before COLT, Circuit Judge, and WEBB and ALDRICH, District Judges. Dismissed, without costs, per stipulation.

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**Ex parte FRANKLIN MIN. CO.** (Circuit Court of Appeals, Sixth Circuit. January 3, 1899.) No. 679. Petition for writ of mandamus. Horace G. Stone and Morison R. Waite, for petitioner. Petition denied.

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**IRON SILVER MIN. CO. v. SEDAM et al.** (Circuit Court of Appeals, Eighth Circuit. December 6, 1898.) No. 778. Appeal from the Circuit Court of the United States for the District of Colorado. Edward O. Wolcott and Joel F. Vaile, for appellant. Dismissed for failure to print record, pursuant to the twenty-third rule.

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**THE JULIA S. BAILEY.** (Circuit Court of Appeals, First Circuit. September 2, 1898.) No. 257. Appeal from the District Court of the United States for the District of Maine. George E. Bird, for appellant. Benjamin Thompson, for appellee. Before COLT, Circuit Judge, and ALDRICH, District Judge. Dismissed, without costs.

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**MCDUGALL v. MOULTON. SAME v. CRAWFORD. SAME v. ABERDEEN BANK. SAME v. BLODGETT.** (Circuit Court of Appeals, Ninth Circuit. September 12, 1898.) Nos. 475-478. Appeals from the Circuit Court of the United States for the District of Washington. Ben Sheeks and John C. Hogan, for appellees. Dismissed, with costs, pursuant to the sixteenth rule.

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**MARBLE v. STEVENSON.** (Circuit Court of Appeals, Ninth Circuit. October 3, 1898.) No. 420. Appeal from the Circuit Court of the United States for the Southern District of California. John D. Works and Brander W.