

ANDERSON v. BENJAMIN, ex use, etc.

APPEAL FROM CLARK CIRCUIT COURT.

Hon. E. J. SEARLE, *Circuit Judge*.

*James L. Witherspoon*, for Appellant.

BENNETT, J.—No motion for a new trial having been filed in the court below, this case stands the same as *Merriweather vs. Erwin*; *Steck vs. Mahar*, etc., and others.

GREGG, J., dissenting, says: For the same reasons stated in the case of *James H. Merriweather vs. Elim Erwin*, I dissent from the opinion of a majority of the court in this case.

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