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# ARKANSAS REPORTS

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CASES DETERMINED

IN THE

## Supreme Court of Arkansas

FROM

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T. D. CRAWFORD  
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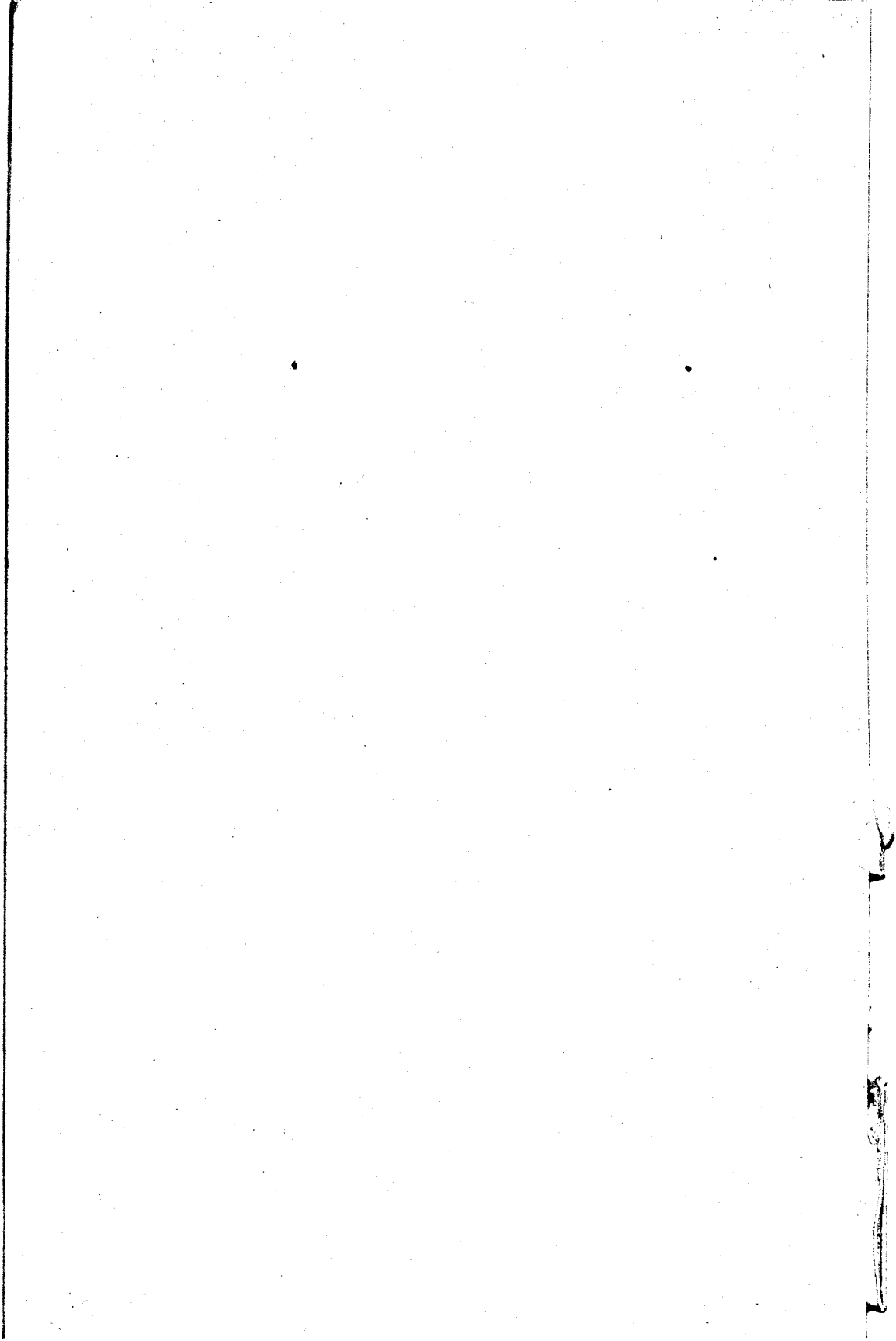
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JUDGES  
OF THE  
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DURING THE PERIOD OF THIS VOLUME

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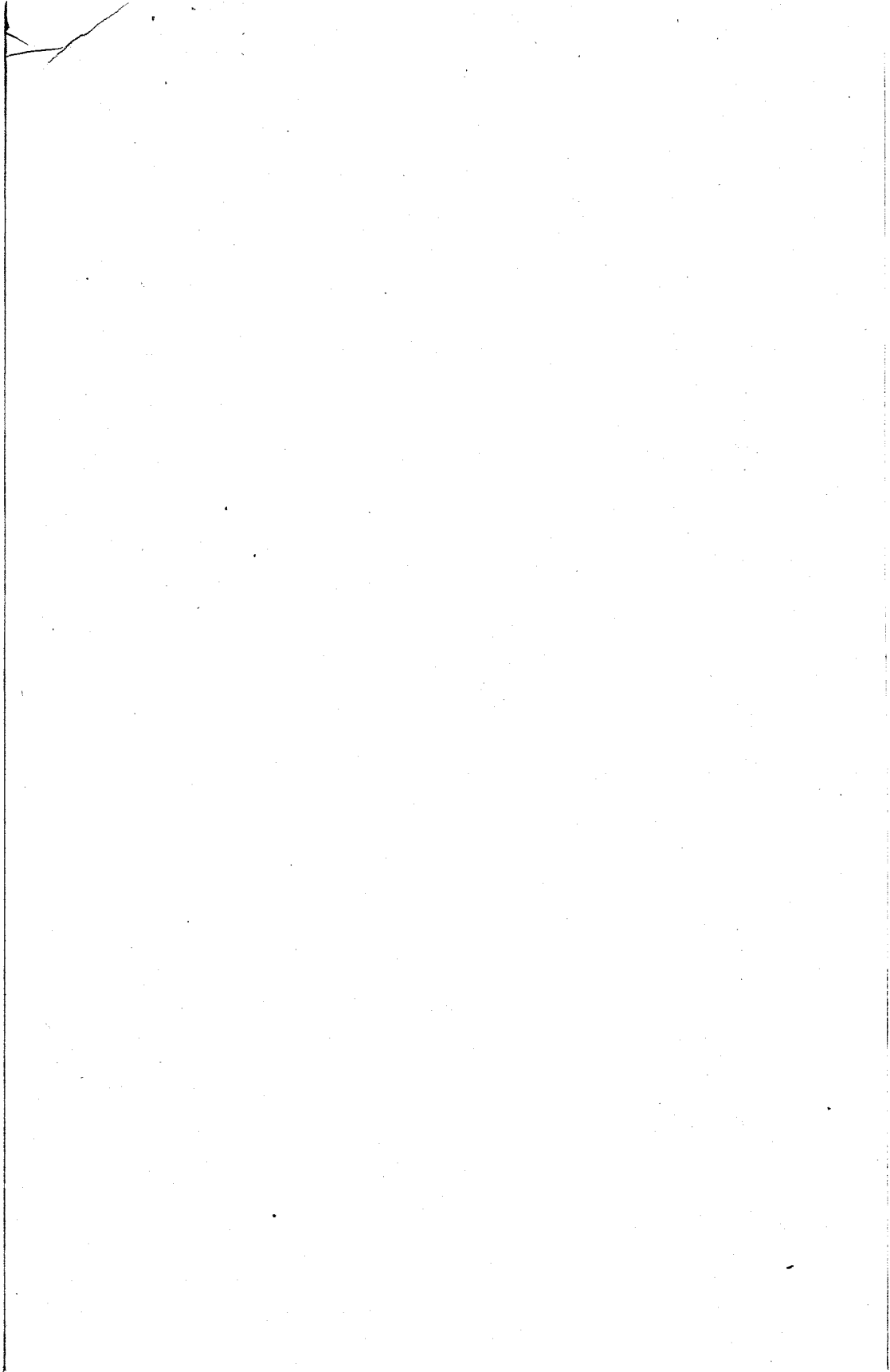
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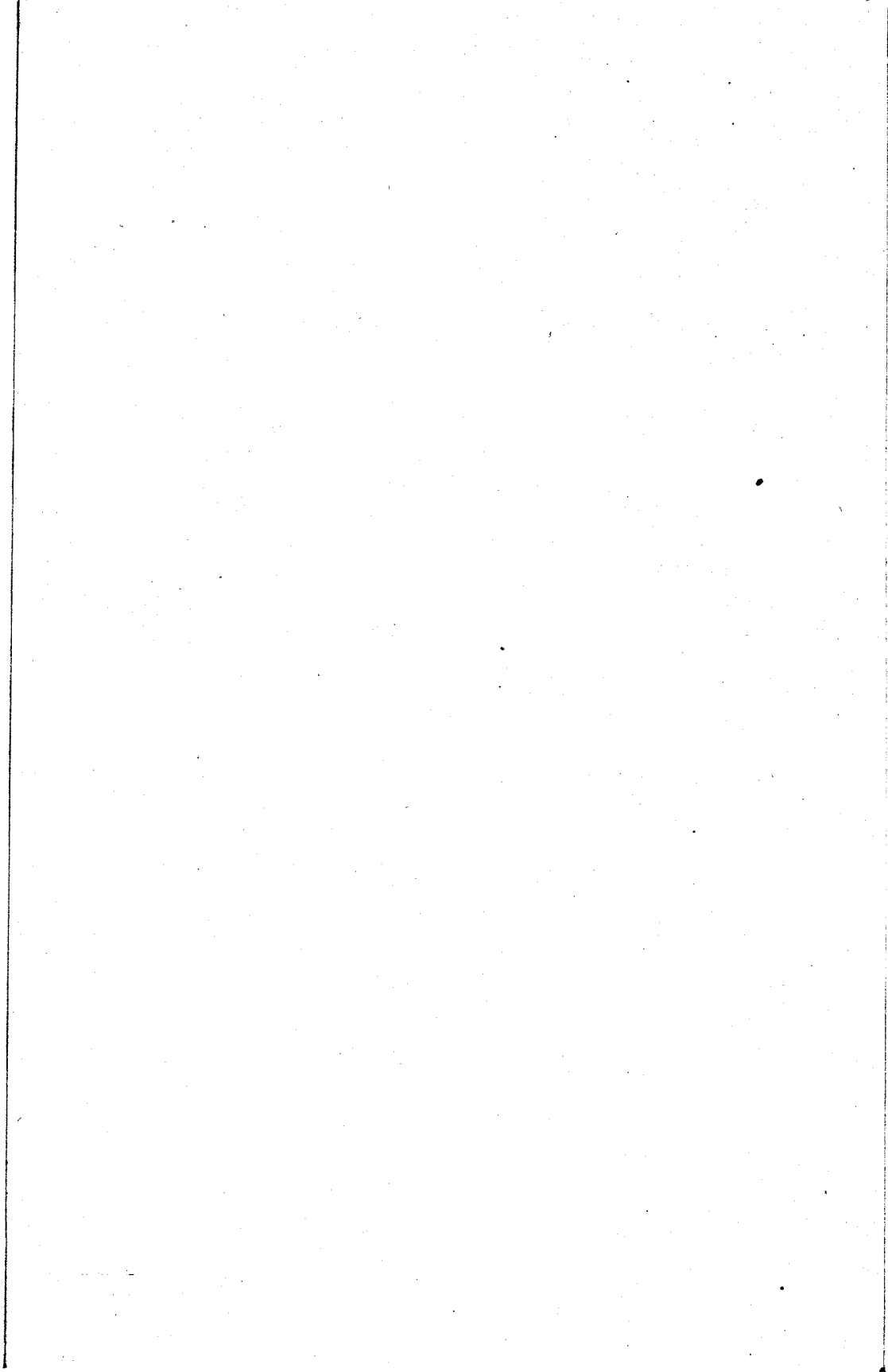
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## APPENDIX.

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#### OPINIONS NOT REPORTED.

White Sewing Machine Company *v.* Logan; Appeal from Craighead Circuit Court; Hance N. Hutton, judge on exchange of circuits; affirmed, April 8, 1905; *per* Battle, J.

St. Louis, I. M. & S. Ry. Co. *v.* Henry; appeal from Jefferson Circuit Court; Antonio B. Grace, judge; reversed April 15, 1905; *per* McCulloch, J.

Grant *v.* State; appeal from Lafayette Circuit Court; Charles W. Smith, judge; reversed April 22, 1905; *per* McCulloch, J.

Smith *v.* Goodrich; appeal from White Chancery Court; John V. Roberts, special chancellor; affirmed April 29, 1905; *per* Wood, J.

Stone *v.* Cassidy; appeal from Miller Circuit Court; Joel D. Conway, judge; reversed May 6, 1905; *per* Battle, J.

Wade *v.* Brown; appeal from Garland Chanbery Court; Leland Leatherman, chancellor; affirmed May 13, 1905; *per* Battle, J.

Brown *v.* Puller; appeal from Clay Chancery Court; Edward D. Robertson, chancellor; affirmed June 10, 1905; *per* Battle, J.

### II.

#### CASES DISPOSED OF ON MOTION.

Equitable Mfg. Co. *v.* Brawley; appeal from Sharp Circuit Court; John W. Meeks, judge; settled and appeal dismissed April 8, 1905; *per curiam*.

Little Rock Railway & Electric Company *v.* Hardeastle; appeal from Pulaski Circuit Court; E. W. Winfield, judge; advanced and affirmed, with 10 per cent. penalty, April 8, 1905; *per curiam*.

Lee *v.* Scott et al.; appeal from Miller Chancery Court; James D. Shaver, chancellor; appeal dismissed for non-compliance with rule nine, April 10, 1905; *per curiam*.

Hot Springs Street Railway Company *v.* Hildreth; appeal from Garland Circuit Court; Alexander M. Duffie, judge; settled and appeal dismissed by consent, April 15, 1905; *per curiam*.

St. Louis, Iron Mountain & Southern Railway Company *v.* Abernathy et al.; appeal from Drew Circuit Court; Zachariah T. Wood, judge; settled and appeal dismissed, April 15, 1905; *per curiam*.

St. Louis, Iron Mountain & Southern Railway Company *v.* Lewellen;

appeal from Cross Circuit Court; Allen Hughes, judge; settled and appeal dismissed, April 15, 1904; *per curiam*.

St. Louis, Iron Mountain & Southern Railway Company v. Jones; appeal from Clark Circuit Court; Joel D. Conway, judge; settled and appeal dismissed, April 15, 1905; *per curiam*.

Louis Werner Saw Mill Co. v. Westmoreland; appeal from Nevada Chancery Court; Joel D. Conway, judge; affirmed for non-compliance with rule nine, April 17, 1905; *per curiam*.

Lower v. Huff, in case of Baldwin v. Hudson; appeal from Garland Chancery Court; Leland Leatherman, chancellor; appeal dismissed for non-compliance with rule nine, April 17, 1905; *per curiam*.

Little Rock Traction & Electric Company v. Cordell; appeal from Pulaski Circuit Court; E. W. Winfield, judge; appeal dismissed for non-compliance with rule nine, April 24, 1905; *per curiam*.

Fussell v. Templeton; appeal from St. Francis Chancery Court; Edward D. Robertson, chancellor; settled and appeal dismissed, April 24, 1905; *per curiam*.

Piteock v. Piteock; appeal from Crawford Chancery Court; J. V. Bourland, chancellor; appeal dismissed for non-compliance with rule nine, April 24, 1905; *per curiam*.

Frizzell v. Kendrick; appeal from Sebastian Circuit Court; Styles T. Rowe, judge; appeal dismissed for non-compliance with rule nine, May 1, 1905; *per curiam*.

Minneapolis Fire & Marine Mutual Ins. Co. v. Nannie Simpson et al.; appeal from Pulaski Circuit Court; Edward W. Winfield, judge; appeal dismissed by consent, May 1, 1905; *per curiam*.

Stewart v. Goodbar Shoe Company; appeal from Chicot Chancery Court; Marcus L. Hawkins, chancellor; appeal dismissed for non-compliance with rule nine, May 1, 1905; *per curiam*.

Dunton v. Coleman et al.; appeal from Mississippi Chancery Court; Edward D. Robertson, chancellor; appeal dismissed for non-compliance with rule nine, May 1, 1905; *per curiam*.

United States Fidelity & Guaranty Company v. Brock & Co.; appeal from Howard Circuit Court; Will P. Feazel, judge; settled and appeal dismissed, May 1, 1905; *per curiam*.

United States Fidelity & Guaranty Company v. State use Myers; appeal from Pulaski Circuit Court; Joseph W. Martin, judge; settled and appeal dismissed, May 1, 1905; *per curiam*.

United States Fidelity & Guaranty Company v. State use Collins; appeal from Pulaski Circuit Court; Joseph W. Martin, judge; settled and dismissed, May 1, 1905; *per curiam*.

United States Fidelity & Guaranty Company v. State use Kinman; appeal from Pulaski Chancery Court; Thomas B. Martin, chancellor; settled and appeal dismissed, May 1, 1905; *per curiam*.

Harrington v. Gilmore; appeal from Craighead Circuit Court; Felix D. Taylor, judge; reversed on confession of error, May 1, 1905; *per curiam*.

Owens v. Wilcox et al.; appeal from Polk Chancery Court; James D. Shaver, chancellor; affirmed as delay case, May 6, 1905; *per curiam*.

St. Louis, Iron Mountain & Southern Railway Company v. Shepherd; appeal from Boone Circuit Court; E. G. Mitchell, judge; settled and appeal dismissed, May 8, 1905; *per curiam*.

White River Railway Company v. Pierce; appeal from Baxter Circuit Court; settled and appeal dismissed May 8, 1905; *per curiam*.

Bearden v. Keys; appeal from Marion Circuit Court; Elbridge G. Mitchell, judge; appeal dismissed for non-compliance with rule nine, May 8, 1905; *per curiam*.

Mormon v. Day; appeal from Lincoln Chancery Court; Marcus L. Hawkins, chancellor; affirmed for non-compliance with rule nine, May 8, 1905; *per curiam*.

Jefferson Mutual Insurance Company v. Lake; appeal from Crawford Circuit Court; Jephtha H. Evans, judge; appeal dismissed, May 8, 1905; *per curiam*.

Phillips v. State; appeal from Pulaski Chancery Court; Jesse C. Hart, chancellor; affirmed for non-compliance with rule nine, May 8, 1905; *per curiam*.

St. Louis, Iron Mountain & Southern Railway Company v. A. P. Morgan; appeal from Greene Circuit Court; Allen Hughes, judge; settled and appeal dismissed, May 13, 1905; *per curiam*.

Oliver v. Rankin et al.; appeal from Perry Circuit Court; Robert J. Lea, judge; appeal dismissed for non-compliance with rule nine, May 15, 1905; *per curiam*.

Maloch v. St. Louis, Iron Mountain & Southern Railway Company; appeal from Saline Circuit Court; Alexander M. Duffie, judge; appeal dismissed for non-compliance with rule nine, May 15, 1905; *per curiam*.

Moore v. Frauenthal; appeal from Cleburne Circuit Court; E. G. Mitchell, judge; appeal dismissed for non-compliance with rule nine, May 15, 1905; *per curiam*.

Rozell v. Haggart; appeal from Craighead Chancery Court; Edward D. Robertson, chancellor; affirmed for non-compliance with rule nine, May 15, 1905; *per curiam*.

Bean v. State; appeal from Baxter Circuit Court; John W. Meeks, judge; affirmed for non-compliance with rule nine, May 22, 1905; *per curiam*.

Cherry v. Varnadore; appeal from Garland Chancery Court; Leland Leatherman, chancellor; appeal dismissed for non-compliance with rule nine, May 22, 1905; *per curiam*.

Bruce v. Frobach; appeal from Garland Circuit Court; Alexander M. Duffie, judge; settled and appeal dismissed, May 27, 1905; *per curiam*.

James v. Boyd; appeal from Chicot Chancery Court; Marcus L. Hawkins, judge; settled and appeal dismissed, May 27, 1905; *per curiam*.

St. Louis Southwestern Railway Company v. Markham & Rikard; appeal from Craighead Circuit Court; Felix G. Taylor, judge; settled and appeal dismissed, May 29, 1905; *per curiam*.

Stanley v. Greenberg; appeal from Chicot Chancery Court; Marcus L.

Hawkins, chancellor; settled and appeal dismissed, May 29, 1905; *per curiam*.

Reynolds *v.* Bank of Melbourne; appeal from IZARD Circuit Court; John W. Meeks, judge; settled and appeal dismissed, June 5, 1905; *per curiam*.

Avery *v.* Dalton; appeal from Garland Circuit Court; Alexander M. Duffie, judge; dismissed for non-compliance with rule nine, June 5, 1905; *per curiam*.