

ARKANSAS REPORTS
VOL. 78

CASES DETERMINED

IN THE

Supreme Court of Arkansas

FROM

FEBRUARY, 1906, TO APRIL, 1906

T. D. CRAWFORD
REPORTER

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JUDGES
OF THE
SUPREME COURT

DURING THE PERIOD OF THIS VOLUME

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|---------------------------|-----------------------|
| JOSEPH M. HILL, - - - | CHIEF JUSTICE. |
| BURRILL B. BATTLE, - - - | } ASSOCIATE JUSTICES. |
| CARROLL D. WOOD, - - - | |
| JAMES E. RIDDICK, - - - | |
| EDGAR A. McCULLOCH, - - - | |
| ROBERT L. ROGERS, - - - | ATTORNEY GENERAL |
| P. D. ENGLISH, - - - | CLERK. |

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MEMORANDUM

Owing to illness, Chief Justice HILL was absent from the sittings of the court after September 30, 1905, until April 2, 1906. He did not, therefore, participate in any opinions delivered between those dates. In other words, he did not take any part in the opinions reported in 76 Arkansas after page 500, in 77 Arkansas, or in any of the cases reported in the present volume preceding page 299.

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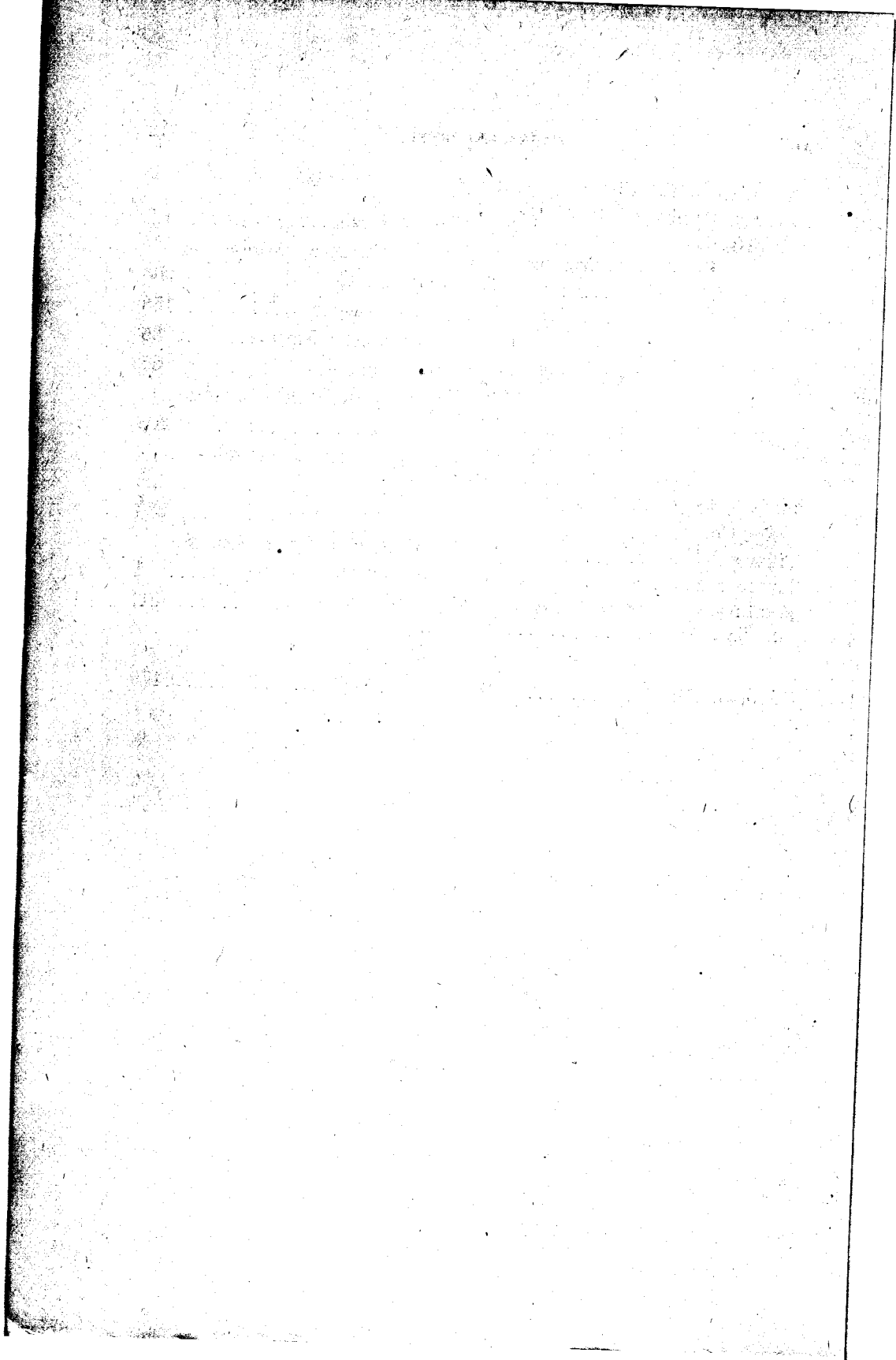


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ERRATA

On p. 432, 14th line from bottom, for "reversed" read *affirmed*.

On p. 505, 6th line of 3d headnote, for "insufficient" read *sufficient*.

ERRATA

Page 110. Line 10. "The" should be "The".
Page 110. Line 11. "The" should be "The".
Page 110. Line 12. "The" should be "The".
Page 110. Line 13. "The" should be "The".

APPENDIX

I

OPINIONS NOT REPORTED.

Macrae *v.* Johnson; appeal from Lee Chancery Court; Edward D. Robertson, chancellor; reversed February 24, 1906; *per* Riddick, J.

Reeder *v.* Ford, Same *v.* Sissell, Same *v.* Click; appeals from Howard Chancery Court; James D. Shaver, chancellor; affirmed March 3, 1906; *per* WOOD, J.

Waldrop *v.* Vaught; appeal from Montgomery Chancery Court; Leland Leatherman, chancellor; affirmed April 16, 1906; *per* Hill, C. J.

Russell *v.* Stewart; appeal from Lafayette Circuit Court; Charles W. Smith, Judge; affirmed April 16, 1906; *per* Wood, J.

Husted *v.* Insley; appeal from Drew Chancery Court; Marcus L. Hawkins, chancellor; reversed April 30, 1906; *per* Hill, C. J.

Mobb *v.* Stotts; appeal from Garland Circuit Court; Alexander M. Duffie, judge; affirmed May 7, 1906; *per* Hill, C. J.

II

CASES DISPOSED OF ON MOTION.

Mollie S. Battle *v.* Glennie S. Atkinson by next friend W. F. Coleman, et al.; Lincoln Chancery Court, Star City District; Henry M. Armistead, special chancellor; consent decree, February 19, 1906; *per curiam*.

Scott County *v.* H. J. Hall; Scott Circuit Court; Styles T. Rowe, judge; appeal dismissed for non-compliance with rule nine, February 26, 1906; *per curiam*.

Scott County *v.* G. M. Grandstaff; Scott Circuit Court; Styles T. Rowe, judge; appeal dismissed for non-compliance with rule nine, February 26, 1906; *per curiam*.

B. M. Barmington *v.* F. D. Barmington; Cleburne Chancery Court; George T. Humphries, chancellor; appeal dismissed for non-compliance with rule nine, February 26, 1906; *per curiam*.

I. N. Newell, J. M. Gates and J. A. Foreland *v.* Jennie Kidney and Ada Fearing; Green Chancery Court; Edward D. Robertson, chancellor; reversed and remanded by agreement, March 10, 1906; *per curiam*.

W. N. Trulock, Ex parte, *v.* Jno. M. Elliott, chancellor; mandamus to Jefferson Chancery Court; John M. Elliott, chancellor; dismissed by consent, March 10, 1906; *per curiam*.

W. D. Raynor by next friend L. D. Raynor *v.* Kenefick-Hammond Company; Boone Circuit Court; E. G. Mitchell, judge; settled and dismissed March 10, 1906; *per curiam*.

D. G. McBride *v.* J. W. Shephard; Lawrence Circuit Court; Allen Hughes, judge; appeal dismissed for non-compliance with rule nine, April 2, 1906; *per curiam*.

J. J. Haynes *v.* Western Union Telegraph Company; Clark Circuit Court; J. D. Conway, judge, appeal dismissed for non-compliance with rule nine, April 2, 1906; *per curiam*.

Jonesboro, Lake City & Eastern Railroad Company *v.* I. A. Eddings; Craighead Circuit Court, Lake City District; Allen Hughes, judge; appeal dismissed for non-compliance with rule nine, April 16, 1906; *per curiam*.

J. W. Burton and Carrie Gray *v.* Zula Mantle; Phillips Circuit Court; Hance N. Hutton, judge; affirmed for non-compliance with rule nine, April 28, 1906; *per curiam*.

St. Louis, Iron Mountain & Southern Railroad Company *v.* O. O. Ellis; Bradley Circuit Court; Zachariah T. Wood, judge; settled and appeal dismissed April 23, 1906; *per curiam*.

Lewis Sachs *v.* I. Lang; Craighead Circuit Court, Jonesboro District; Allen Hughes, judge; affirmed April 30, 1906, for non-compliance with rule nine; *per curiam*.

James Liston *v.* Godfrey Frank & Company; Mississippi Chancery Court, Osceola District; E. D. Robertson, chancellor; affirmed for non-compliance with rule nine, April 30, 1906; *per curiam*.

Mrs. J. F. Ward and J. F. Ward *v.* Mrs. C. W. Smith and Mrs. C. E. Simpson; Woodruff Chancery Court; Edward D. Robertson, chancellor; appeal dismissed for non-compliance with rule nine, February 19, 1906; *per curiam*.