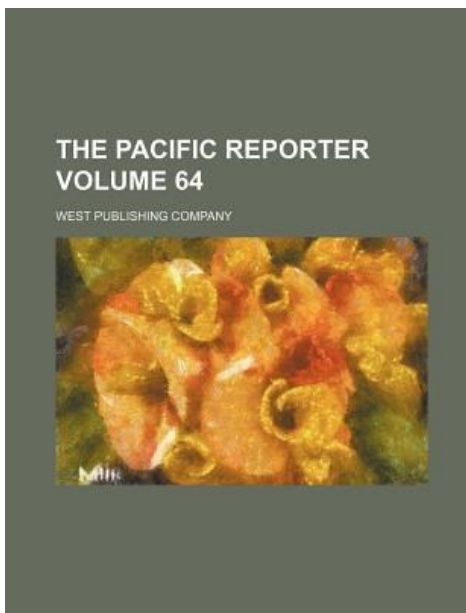


The Pacific Reporter Volume 64

West Publishing Company



This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1901 edition. Excerpt: ...allow the same relief upon the commencement of another action in different form. It is not assumed that there is any lack of jurisdiction in the court to determine the controversy in its present form, but the objection is solely upon the ground that the plaintiff may elect not to try it. We do not desire to extend the rule announced in *California Safe-Deposit & Trust Co. v. Cheney Electric Light, Telephone & Power Co.*, supra, to the foreclosure of pledges such as this. The exception to the demurrer to the reply, even if well taken, did not injure plaintiff, in view of the testimony subsequently adduced at the trial. Also, see *Thorp v. Smith*, 18 Wash. 277, 51 Pac. 381. We have examined the testimony, and find some substantial conflict, but are not inclined to disturb the findings of the superior court. The judgment is affirmed. DUNBAB, FULHEBTON, AN DEBS, and WHITE, JJ concur. (24 Wash. 340) STATE v. DOWNING. (Supreme Court of Washington. March 28, 1001.) HOMICIDE--CONVICTION--CIRCUMSTANTIAL EVIDENCE--SUFFICIENCY--BODY--IDENTIFICATION--FINDINGS OF JURY--CONCLUSIVENESS. 1. Defendant lived in a fishing shack five miles out of (he harbor, and the hist time deceased was seen alive was on June 2d, when he was going in a boat in the direction of defendants shack. On June 12th deceaseds boat was found overturned, and on the 14th his body was found Hi miles from defendants shade. The fl-sh had nearly all dropped from the exposed parts of his body, and had been eaten liy gulls. The coroner testified that the throat had the appearance of having been cut, the edtes of the gash being smooth as if made by a sharp instrument, and that the shirt had been stained with blood. Two other physi cians were unable to say whether the throat had...

- [* Pack Living Italian Cass AB](#)
- [P-adic L-functions and P-adic Representations](#)
- [Paganini Strikes Again](#)
- [Oxford Reading Tree: Stage 2: Wrens Storybooks: Push!](#)
- [Ozone in the Pacific Troposphere from Ozonesonde Observations](#)
- [Pack Mal De Altura-Viaje A Los Confines De La Tierra](#)
- [Padiatrische Gastroenterologie](#)
- [Pabluras](#)
- [Paganini Variations / 16 Waltzes / Chaconne](#)