

## Bibliography of 1912 Cases Decided at the Cuyahoga County Courthouse

### *Common Pleas Decisions:*

*John A. Graves, et al. v. Frank J. McNulty, et al.*, 22 Ohio Dec. 425, 13 Ohio N.P. (N.S.) 110, 1912 WL 861 (Ohio Com. Pl., Feb. 24, 1912)(controversy involving various labor unions that did not want to work where the plaintiffs were employed)

*Charles W. Stage v. Thomas Coughlin, et al.*, 22 Ohio Dec. 211, 12 Ohio N.P. (N.S.) 419, 1912 WL 852 (Ohio Com. Pl., Mar. 15, 1912)(taxpayer unsuccessfully sued Cleveland auditor and treasurer to enjoin them from paying raises to members of the Cleveland police and fire department)

*Meeks, Boren & Miller Co. v. Cleveland Humane Society*, 22 Ohio Dec. 517, 12 Ohio N.P. (N.S.) 625, 1912 WL 864 (Ohio Com. Pl., May 29, 1912)(Cleveland Humane Society's enforcement of Ohio statutes preventing cruelty to animals did not interfere with Federal 28 hour livestock resting and feeding act or restrain interstate commerce)

*Leroy Fowler v. C.T. Benner*, 23 Ohio Dec. 59, 13 Ohio N.P. (N.S.) 313, 1912 WL 879 (Ohio Com. Pl., Aug. 7, 1912)(court of appeals reversed defense verdict in a case where an African American man and his wife were refused chocolate sodas at defendant's establishment on Hough Avenue in violation of Ohio's civil rights statutes-Gen Code 12940 and 12941)

### *Circuit Court Decisions:*

*The State of Ohio v. A.M. Solomon and The State of Ohio v. The Bailey Company*, 14 Ohio C.C. (N.S.) 590, 1912 Ohio Misc. LEXIS 163 (Ohio Cir., Jan. 12, 1912)(white heron held not to be a native or migratory bird such that defendants could not be prosecuted for selling its plumage)

*In re Intoxicating Liquors*, 32 Ohio C.D. 509, 42 Ohio C.C. 509, 19 Ohio C.C. (N.S.) 414, 1912 WL 1541 (Ohio Cir., Feb. 5, 1912)(Cleveland Mayor could not allow the sale of alcohol in an area that had been declared "dry" 2 years earlier)

*Angela M. Harris v. The Cleveland Electric Railway Company*, 19 Ohio C.C. (N.S.) 410, 1912 Ohio Misc. LEXIS 253 (Ohio Cir., Feb. 5, 1912)(railway was responsible for injuries woman sustained when her runaway horse collided with a street car in Lakewood)

*J.A.C. Golner v. State of Ohio*, 26 Ohio C.D. 654, 35 Ohio C.C. 654, 19 Ohio C.C. (N.S.) 571, 1912 WL 739 (Ohio Cir., Feb. 13, 1912)(plaintiff properly convicted of obtaining property under false pretenses)

*The State of Ohio, ex rel The Cleveland Law Library Association v. Peter J. Henry, Clerk of the Municipal Court of Cleveland*, 23 Ohio C.C. (N.S.) 541, 1912 Ohio Misc. LEXIS 385 (Ohio Cir., May 10, 1912)(Cleveland Law Library unsuccessfully sought a writ of mandamus to compel the Cleveland Municipal Court Clerk to remit certain fines and penalties)

*L. Q. Rawson, Administrator v. The Olds Motor Works*, 20 Ohio C.C. (N.S.) 182, 1912 Ohio Misc. LEXIS 298 (Ohio Cir., May 27, 1912)(company was not liable for negligence of an employee who hit and killed someone with a company car)

*A.G. Stafford, Tax-Payer v. Cleveland Ry.*, 31 Ohio C.D. 162, 41 Ohio C.C. 162, 20 Ohio C.C. (N.S.) 129, 1912 WL 759 (Ohio Cir., May 22, 1912)(discusses operation and fares of city and suburban railway cars)

*John A. Arnold v. Wladyslaw Bukowski, et al.*, 20 Ohio C.C. (N.S.) 205, 1912 Ohio Misc. LEXIS 300 Ohio Cir., June 3, 1912)(purchaser of grocery store recovered damages for breach of a non-competition agreement)

*Charles Mallison v. Daniel Duerr and Elizabeth Mahoney*, 26 Ohio C.D. 651, 36 Ohio C.C. 651, 23 Ohio C.C. (N.S.) 504, 1912 WL 738 (Ohio Cir., Oct. 12, 1912)(sale of property rescinded in part because of dispute over boundary lines which left no room for a boat landing)

*Fares C. Bittner v. Northern Ohio Trac. & L. Co.*, 34 Ohio C.D. 429, 44 Ohio C.C. 429, 23 Ohio C.C. (N.S.) 604, 1912 WL 837 (Ohio Cir., Oct. 12, 1912)(suit over damages resulting from collision between a wagon drawn by a horse and a car)

*Nemis Metropolis v. City of Elyria*, 23 Ohio C.C. (N.S.) 544, 1912 Ohio Misc. LEXIS 386 (Ohio Cir., Oct. 14, 1912)(a city health order or regulation prohibiting the sale of ice cream unless in sealed and locked containers was a valid exercise of police power)

*Cleveland & P. Ry., et al. v. Frank B. Ward, et al.*, 30 C.D. 642, 40 Ohio C.C. 642, 23 Ohio C.C. (N.S.) 465, 1912 WL 1520 (Ohio Cir., Oct. 28, 1912)(railroad did not abandon its right of way)

*The Cleveland Transfer & Carriage Company v. M.R. Brailey, et al.*, 23 Ohio C.C. (N.S.) 486, 1912 Ohio Misc. LEXIS 377 (Ohio Cir., Oct. 28, 1912)(livery company prevailed in case alleging unfair use of its trade name)

*The Bigalow Fruit Company v. Frederick B. Husley*, 23 Ohio C.C. (N.S.) 479, 1912 Ohio Misc. LEXIS 375 (Ohio Cir., Nov. 11, 1912)(dispute over the quality of pears and apples sold to defendant)

*The Royal Furniture Company v. Frank S. Weist*, 23 Ohio C.C. (N.S.) 425, 1912 Ohio Misc. LEXIS 369 (Ohio Cir., Nov. 11, 1912)(plaintiff recovered damages in connection with the repossession of rugs from his home)

*The Smeed Box Company v. Elizabeth Lawson and the Cleveland Railway Company*, 23 Ohio C.C. (N.S.) 397, 1912 Ohio Misc. LEXIS 365 (Ohio Cir., Nov. 18, 1912)(plaintiff successfully sued for injuries she sustained when an employee of the Smeed Box Co. negligently ran into her car)

*The Maxwell-Rolf Stone Company v. John P. Whigam*, 23 Ohio C.C. (N.S.) 529, 1912 Ohio

Misc. LEXIS 383 (Ohio Cir., Nov. 18, 1912)(defendant could avoid contract where he was subject to threats to have his son arrested, amounting to duress)

*The Royal Furniture Company v. Frank S. Weist*, 23 Ohio C.C. (N.S.) 425, 1912 Ohio Misc. LEXIS 369 (Ohio Cir., Nov. 11, 1912)(

*Fenn v. Fenn*, 34 Ohio C.D. 215, 44 Ohio C.C. 215, 23 Ohio C.C. (N.S.) 205, 1912 WL 1553 (Ohio Cir., Dec. 3, 1912)(divorce with alimony of \$25 per month for 6 years)

*Pyle & Allen Co. v. Hippodrome Bldg. Co., et al.*, 34 Ohio C.D. 273, 44 Ohio C.C. 273, 23 Ohio C.C. (N.S.) 331, 1912 WL 818 (Ohio Cir., Dec. 23, 1912)(involving a lease for the Hippodrome on Euclid Ave.)