

## Opinion of the Court.

For the reasons stated in the opinion in the *Hunting Elevator Company* case

*The decree of the Circuit Court of Appeals must be reversed and the decree of the Circuit Court of the United States for the Southern District of Illinois affirmed.*

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RAU v. BOSWORTH, RECEIVER.

CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE SEVENTH CIRCUIT.

No. 13. Argued October 24, 25, 1899.—Decided December 17, 1900.

This case having been argued with No. 12, *ante*, 415, at the same time, and by the same counsel, the decision of the court in that case is followed in this.

THE case is stated in the opinion of the court.

*Mr. Burton Hanson* for Rau.

*Mr. Bluford Wilson* for Bosworth.

MR. JUSTICE WHITE delivered the opinion of the court.

This is another of the claims in intervention which originated from the fire in a railroad yard at East St. Louis on the night of October 28, 1894, referred to in the opinion just delivered in *Hunting Elevator Company v. Bosworth*, No. 12 of this term. The claim of Rau was for the value of two cars of barley shipped from Wykoff, Minnesota, consigned to the Orthwein Grain Company, St. Louis, to be sold for the account of the consignor. The cars were delivered by a connecting carrier to the Peoria Company and were deposited on its tracks in a portion of the Terminal Association yards at East St. Louis on the

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afternoon of October 25, 1894. While so held, awaiting orders for further movement, the cars and contents were destroyed by the fire in question.

The Circuit Court of Appeals reversed a decree which had been entered by the Circuit Court in favor of the claimant. Applying the principles declared in the opinion delivered in the *Hunting Elevator Company* case,

*The decree of the Circuit Court of Appeals must be reversed and the decree of the Circuit Court of the United States for the Southern District of Illinois affirmed.*

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## BOSWORTH v. CARR, RYDER &amp; ENGLER COMPANY.

CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE SEVENTH CIRCUIT.

No. 14. Argued October 24, 25, 1899.—Decided December 17, 1900.

This case having been argued with No. 12, *ante*, 415, at the same time, and by the same counsel, the decision of the court in that case is followed in this.

THE case is stated in the opinion of the court.

*Mr. Bluford Wilson* for Bosworth.

*Mr. Burton Hanson* for the Carr, Ryder & Engler Company.

MR. JUSTICE WHITE delivered the opinion of the court.

The claim presented on this record was for the value of a quantity of manufactured doors, sash, blinds and moldings, shipped from Dubuque, Iowa, on October 20, 1894, and consigned to the May & Thomas Hardware Company, Birmingham, Alabama, by way of East St. Louis. The car containing