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Opinion of the Court.

this case is like the *Biggs case*, and is disposed of by the opinion which we have just announced in that case.

Affirmed.

UNITED STATES *v.* FREEMAN.

ERROR TO THE DISTRICT COURT OF THE UNITED STATES FOR THE
DISTRICT OF COLORADO.

No. 288. Argued December 16, 17, 1908.—Decided January 4, 1909.

Decided on the authority of *United States v. Biggs*, *ante*, p. 507.

THE facts are stated in the opinion.

The Attorney General and *The Solicitor General*, with whom *Mr. Edwin W. Lawrence*, Special Assistant to the Attorney General, was on the brief for the United States.¹

Mr. Charles J. Hughes and *Mr. Clyde C. Dawson* for defendants in error.¹

MR. JUSTICE WHITE delivered the opinion of the court.

In this case the court below quashed an indictment, and a writ of error direct from this court is prosecuted on behalf of the United States, upon the theory by which it prosecuted the writ in the case of *United States v. Biggs et al.*, No. 289, just decided. The case presented by the record, omitting references to irrelevant distinctions in the form of the pleadings, is like that in the *Biggs case*, and is controlled and disposed of by the opinion just announced therein.

Affirmed.

¹ For abstracts of arguments see *ante*, p. 507.