

TORRENT *v.* DULUTH LUMBER CO.

*Circuit Court, D. Minnesota.*

October 15, 1887.

APPEAL—REHEARING—MISQUOTATION OF TESTIMONY.

A rehearing will not be granted because the court in its opinion misquoted the testimony, where such misquotation does not change the opinion.

*Parker & Burton* and *P. H. Gunckel*, for complainant.

*West & Bond*, for defendant.

NELSON, J. This is a petition for a rehearing and reargument of the case. In the opinion of the court heretofore delivered in this case (30 Fed. Rep. 830) the court (page 835) misquotes the testimony, viz.: "It has to have it on," quoted from Robert Orm's testimony, should read: "They all have to have something to hold the tooth-bar up to the log;" but such misquotation does not change the opinion of the court.

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The petition for rehearing and reargument is denied; final decree ordered; accounting waived; appeal taken and allowed; bond on appeal fixed at \$500.