

Case No. 3,714. DEARBORN V. THE UNION.
[1 Wkly. Notes Cas. 222: 21 Int. Rev. Rec. 79.]

District Court, S. D. Pennsylvania.

Feb. 12, 1875.

MARITIME LIENS—ADVANCES—VESSEL OF ANOTHER STATE.

[A vessel owned in Philadelphia is subject to a lien for advances made in New York, on her credit, for the payment of necessary port disbursements and for repairs.]

This was a libel filed on behalf of D. B. Dearborn, of New York, for funds advanced by the libellant for disbursements of the bark Union at the port of New York in the fall of 1874. The funds were advanced at the request of the master. The owner resided in Philadelphia. The libel alleged that the moneys advanced were for necessary port charges at New York, including wages, wharfage, repairs, etc., and were furnished on the credit of the vessel. A sight draft was drawn by the master in New York on the owner's agents in Philadelphia for the balance due libellant, shortly before sailing from New York for Philadelphia, payment of which was refused; and after arriving at Philadelphia the vessel was attached. An answer was filed by the owner denying all knowledge of the claim, and excepting to the jurisdiction.

M. P. Henry and A. J. D. Dixon for libellant.

F. E. Brewster, for respondent

THE COURT (CADWALADER, District Judge) entered a decree for libellant for \$364.81, being the full amount of claim, with costs.

DEAS, The ANNIE. See Cases Nos. 402, 419, and 14,212.