

Case No. 3,844. DEVOE V. THE FASHION.  
[4 Am. Law J. (N. S.) 279 25 Hunt Mer. Mag. 718; 14 Law Rep. 450.]

District Court, S. D. New York.

Oct. 11, 1851.

CHARTER PARTY—CHARTERER—WHEN OWNER.

*Held*, that a charter of a ship for a voyage or term of time, the charterer to victual and man her, and have entire control of her, renders the charterer owner for the time, and the real owner is not responsible for the contracts of the master durante tempore, if the creditor have notice of such charter. *Held*, that a sloop and craft navigating the waters of the state, or its vicinity, and taken by the master on condition that he victual and man her, and divide the earnings of the vessel with the owner, if such arrangement is known to the hands or seamen, the vessel is exempt from liability to the seamen for their wages on such hiring. Libel dismissed, with costs.

Isaac Devoe against the sloop Fashion.

Before Betts, District Judge.