

Case No. 6,238.

HAWES V. THE JAMES SMITH.

District Court, D. Massachusetts.

1858.

MARITIME LIENS—REPAIRS—CONTRACTED FOR BY THOSE IN POSSESSION.

The owner of the vessel in this case made a contract of sale by which the vendees were to have possession of the vessel, and, if not paid for within a certain time, possession was to revert to the owner. While in the possession of the vendees, repairs were put upon the vessel, and it was held that these constituted a lien upon her, which could be enforced after the original owner had resumed possession in consequence of a breach of the condition.

{Cited in 2 Pars. Shipp. & Adm. 146, to the point as stated above. Nowhere more fully reported; opinion not now accessible.}