

14FED.CAS.—44

Case No. 7,852.

KISSAM v. THE ALBERT.

{21 Law Rep. 41.}

District Court, S. D. New York.

May, 1858.

COLLISION.

When the connection of a vessel with a collision is wholly passive, and she has in no way, by her voluntary action, contributed to it, no decided case or recognized principle of the sea laws is known which subjects her to responsibility for its consequences. As where the collision is caused by the swell raised by a passing steamer, and no fault or negligence of the libelled vessel is shown to have contributed to the damage.