

Case No. 8,142. LAWRENCE V. THE ROANOKE.
[N. Y. Times, Dec. 27, 1856.]

District Court, S. D. New York.

1856.

COLLISION—STEAM AND SAIL VESSELS—RIGHT OF SAIL VESSEL TO HOLD COURSE.

[A steamer is solely in fault for a collision with a sail vessel which she saw in good season, where the sail vessel holds her course.]

[This was a libel in rem by Sebastian D. Lawrence and others against the steamship Roanoke for collision.]

Beebe, Dean & Donohue, for libelants.

Mr. Van Winkle, for claimants.

Before INGERSOLL, District Judge.

The libel in this case was filed by the owners of the schooner Sidney Miner, to recover for the loss of the schooner and a full cargo of coal and marble, by a collision with the steamboat, which happened about 11 o'clock on the night of April 5, 1856, about 18 miles south of Barnegat. The night was clear with a good breeze from the northwest. The schooner was bound from Philadelphia to Boston, heading N. E. by N., closehauled, with her larboard tacks aboard, and did not change her course; but when she discovered the steamer approaching, one point on her larboard bow, her mate swung a light. The steamer was heading S. S. W., and first saw the schooner a point on her starboard bow, when her helm was starboarded, and then afterwards starboarded again, and the steamer struck the schooner stem on, amidships, on the larboard side, cutting her in to her main mast and sinking her in a few minutes.

HELD BY THE COURT: That the schooner, having kept her course, was guilty of no fault. That the collision was occasioned by the wrong manoeuvre of the steamboat in starboarding her helm, whereas she should have ported it. Decree for libelants, with a reference.