

Case No. 8,738.
[Bee, 423.]¹

M'CULLOCH v. THE LETHE.

Admiralty Court, Pennsylvania.

1781.

SEAMAN'S WAGES—RISK OF WAR—WAR TERMINATED—LESION OF WAGES.

A mariner ships at Philadelphia, in time of war, for Bordeaux and back again. While the ship is at Bordeaux, peace takes place. The ship returns to Philadelphia, which terminates the voyage. The mariner's wages shall not be lessened on account of the decrease of the risk on the homeward voyage.

[Cited in *Shaw v. The Lethe*, Case No. 12,721.]

M'Culloch had shipped on board the *Lethe* in time of war, for a certain voyage from Philadelphia to Bourdeaux, and back again, at the wages of £18 per month. The ship was detained long at Bourdeaux, and whilst she, was there, peace took place. The libellant performed the voyage, but was refused the wages on account of the peace, on a suggestion

M'CULLOCH v. The LETHE.

that the risk, which was the occasion of the high wages being removed, the libellant ought to have only customary peace wages from Bourdeaux to Philadelphia.

Judgment in favour of the libellant for wages agreeable to contract.

¹ [Reported by Hon. Thomas Bee, District Judge.]