

## PATLEN V. THE ILLINOIS.

[N. Y. Times, Sept 19, 1857.]

Circuit Court, S. D. New York.

Sept, 1857.

TUG AND TOW—INJURIES TO TOW INCIDENT TO  
NAVIGATION OF TOW BY A HAWSER.

[Appeal from the district court of the United States for the Southern district of New York.]

The libel in this case was filed by [George W. Patlen] the owner of the canal boat John W. Williams, to recover damages occasioned to her by a collision, which occurred while she was being towed from Albany to New York, by the steamboat. The court below held that the steamboat had been guilty of no negligence, and dismissed the libel [case unreported], from which decree the libelant appealed.

Mr. Dimmick, for appellant.

Mr. Van Santvoord, for appellees.

NELSON, Circuit Justice. The question whether the injury to the tow was occasioned by the improper navigation of the tug was one of fact upon the proofs, and we cannot say that the conclusion arrived at by the court below is not fairly sustained, or that the tug was in fault. The injury seems to have happened from dangers incident to the navigation of a tow by a hawser.

Decree affirmed.

PATON, Ex parte. See Case No. 6,322.

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