

**Case No. 17,419.** WESLEY ET AL. V. BIAYS.

{Brunner, Col. Cas. 254;<sup>1</sup> 4 Am. Law J. 275.}

Circuit Court, D. Maryland.

1812.

SEAMEN'S WAGES—CAPTURE.

Where a vessel is captured and finally acquitted, seamen are entitled to full wages, including the time of detention, even though the master offered to discharge them and send them home and they refused.

{Appeal from the district court of the United States for the district of Maryland.}

Libel for wages. The vessel was captured and sent in for adjudication. The master offered to discharge the seamen and find passages home for them, but they refused to quit the ship. She was condemned; but upon appeal the decree was reversed. The vessel then prosecuted her voyage and returned to Baltimore. The district judge decreed wages for the whole time, including the delay at the port, where the vessel was sent in for adjudication [ease unreported], which sentence was affirmed by this court.

WESLEY, The JOHN. See Case No. 7,433.

<sup>1</sup> [Reported by Albert Brunner, Esq., and here reprinted by permission.]