

## THE LORD CLIVE.\*

*Circuit Court, E. D. Pennsylvania.* April 29, 1882.

## PILOTAGE—STATUTES OF PENNSYLVANIA—DUTY TO ACCEPT THE FIRST PILOT OFFERING.

The decree of the district court that under the Pennsylvania statute of March 29, 1803, the master of a vessel of the draught mentioned in the act is bound to accept the first duly-qualified pilot who offers his services, affirmed on appeal.

Appeal from the decree of the district court in favor of libellant, who had filed a libel for a penalty imposed by statute in case of the refusal of an inward-bound ship to accept the first duly-qualified pilot offering his services. The district court held that the vessel was, under the Pennsylvania statute of March 29; 1803, bound to accept such pilot, and that this provision of the statute was not repealed by the subsequent statute of March 24, 1851. A full report of the case and the opinion of the district court will be found in 10 FED. REP. 135. Respondents appealed from the decree.

*H. G. Ward* and *Morton P. Henry*, for appellant.

*Albert E. Peterson* and *W. W. Wiltbank*, for appellee.

PER CURIAM. The decree of the district court is affirmed for the reasons given by the district judge, and it is therefore ordered that the same decree which was entered in the district court be entered in this court, with costs.

NOTE. See *The Lord Clive*, 10 FED. REP. 135; *The Clymene* 9 FED. REP. 164; under the laws of Oregon, *The Glaramara*, 10 FED. REP. 678.

\* Reported by Frank P. Priehard, Esq., of the Philadelphia bar.

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