

BUEL V. PIDGEON AND SCOW No. 1.¹

Circuit Court, E. D. New York. July 18, 1883.

COMMON CARRIER—PERIL OF THE
SEAS—DAMAGE BY SWELL OF PASSING
BOATS—NEGLIGENCE.

The decree of the district court in the same case (5 FED. REP. 634) affirmed.

In Admiralty.

Sidney Chubb, for libelant and appellant.

Beebe, Wilcox & Hobbs, for claimant and appellee.

BLATCHFORD, JUSTICE. The deposition of James Murphy in this court was regularly taken. I concur in the conclusions arrived at by the district court. Those conclusions are not varied by the new evidence on appeal. The libel is dismissed, with costs to the respondent and claimant in the district court, taxed at \$105, and in this court to be taxed.

See the opinion of the district court in the same case, (reported under the name of *Bell v. Pidgeon*), 5 FED. REP. 634.

¹ Reported by B. d. & Wyllys Benedict, of the New York bar.