

SAITTA *v.* THE BOSKENNA BAY. MIRTO *v.* SAME. FOTI *v.* SAME.

*Circuit Court, S. D. New York.*

October 14, 1889.

In Admiralty. On appeal from district court. 36 Fed. Rep. 697.

These cases were tried below with five others against the same steam-ship. Five of the libels were dismissed, and the libelants therein have not appealed. The claimants appealed in the three cases in which the vessel was held liable, and the appeals came on to be heard together. No new proofs were taken.

*Franklin & Clifford* and *A. H. Bartlett*, for libelants and appellees.

*E. B. Convers*, for claimants and appellants.

WALLACE, J. The decision in the case of *Rolfe v. The Boskenna Bay, ante, 91.* controls the decision of these cases. The decrees of the district court are reversed, and the libels dismissed, with the costs of that court and the costs of this court to be paid by the libelants.