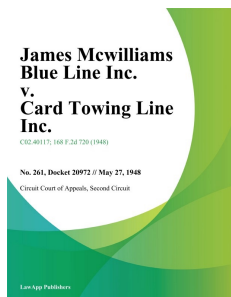


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JAMES MCWILLIAMS BLUE LINE INC V CARD TOWING LINE INC EBOOKS 2019



Author: Second Circuit Circuit Court Of Appeals

Realese Date: Expected @@expectedReleaseDate@@

The Card Towing Line, Inc., as claimant of the tug, "Edward Card," appeals from a decree in the admiralty, holding the tug solely liable for a collision in the Hudson River opposite Sixty-Eighth Street, Manhattan, on the night of January 18, 1943. The facts as found by the District Court - which we accept - were as follows: While the libellants tug, "Feeney," with a dump scow on her starboard side, was bound north, on a course about 800 feet off the Jersey pier ends, she made out the down-bound tug, "Card," about 1500 feet directly ahead of her, with a large coastwise barge, the "Armistead," alongside on her starboard hand. Anchored in the river about 1000 feet or more from the Jersey peir ends was an ocean-going vessel 400 feet long, which was still headed upstream as a result of the ebb tide which had just yielded to slack water. When abreast of her and about 1000 feet from the "Card," the "Feeney" blew one blast, calling for a port-to-port passing; the "Card" did not answer, and the "Feeney" went on for about 200 feet, which she blew a second single blast. Again she received no answer, except that the "Card" then blew a short toot apparently to rouse the lookout on the "Armistead;" and half a minute later the "Feeney" blew an alarm and put her rudder hard right, keeping her engines full speed ahead. Thereupon the "Card" blew an alarm and backed, throwing her own barge to port. The vessels collided 200 feet above the anchored steamer; the port bow of the "Armistead" striking the "Feeneys" port quarter about fifteen feet forward of her stern. On this appeal the claimant concedes that the "Card" was at fault, but among other faults it charges the "Feeney" with "continuing ahead at undiminished speed without change of course and without alarm signals in a head-on situation until about thirty seconds before collision."

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