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Photo # NH 93234 New York Navy Yard, Brooklyn, NY, 9 March 1944

Image Source: Naval Historical Center

## Take-Aways from U.S. v Spearin

*"But if the contractor is bound to build according to plans and specifications prepared by the owner, the contractor will not be responsible for the consequences of defects in the plans and specifications. This responsibility of the owner is not overcome by the usual clauses requiring builders to visit the site, to check the plans, and to inform themselves of the requirements of the work, . . ."*

*"The obligation to examine the site did not impose upon him the duty of making a diligent inquiry into the history of the locality with a view to determining, at his peril, whether the sewer specifically prescribed by the government would prove adequate."*

*"The duty to check plans did not impose the obligation to pass upon their adequacy to accomplish the purpose in view."*

**U S v. SPEARIN , 248 U.S. 132 (1918) , 248 U.S. 132 , Argued Nov. 14 and 15, 1918.  
Decided Dec. 9, 1918.**  
<http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=248&invol=132>