

NIETO v. CLARK.

[Boston Courier, March 23, 1858.]

District Court, D. Massachusetts.

1858.¹CARRIERS—CONDUCT OF SERVANTS TOWARDS
LADY PASSENGERS.

This was a libel by Manuel Nieto, ex-steward, against William B. Clark, master of the bark *Evangeline*, to recover wages, as per shipping articles, at \$25, the libellant having shipped as steward for a voyage to Valparaiso and other ports in the Pacific, and back to Boston, but was discharged at Talcahuana. The libellant claimed wages for the whole voyage, about \$250. The respondent tendered to the libellant, when he discharged him, \$70, or the amount due to him at that time, and that sum was also tendered to him here, and then paid into court after the libel had been commenced. To the libel itself the respondent answered, that Nieto at Talcahuana entered the stateroom of a lady passenger in the night time, and conducted himself in a grossly indecent manner; that she reported his behavior to the respondent, and declared that she would not stay in the vessel if Nieto was not discharged; and that he therefore did discharge him.

In giving his decision, SPRAGUE, District Judge, said there were several disingenuous suppressions of facts on the part of the libellant, and he held that the respondent was fully justified in dismissing him. Libel dismissed.

F. W. Sanger, for libellant.

J. H. Prince, for respondent.

[Nowhere more fully reported; opinion not now accessible.]

[See *Orne v. Townsend*, Case No. 10,583; *Whitton v. The Commerce*, Id. 17,604; *Atkyns v. Burrows*, Id. 618; *The Nimrod*, Id. 10,267.]

¹ [Affirmed in Case No. 10,262.]

This volume of American Law was transcribed for use
on the Internet

through a contribution from [Google](#). 