

THE HENRY P. DEWEY.

District Court, E. D. New York. December 10, 1880.

NEGLIGENCE—INJURIES TO THE
PERSON—ACCIDENT.

Where it is shown that an injury to the person was caused by an accident, and was in no way attributable to a neglect on the part of those in charge of the ship, the libel will be dismissed.

Schwarin & Crowell, for libellant.

Beebe, Wilcox & Hobbs, for respondent.

BENEDICT, D. J. The weight of the evidence is that the libellant's fall from the foretop-mast yard was not caused by the breaking of a becket, as alleged, but was an accident in no way attributable to any neglect or failure of duty on the part of those in charge of the ship.

The libel is accordingly dismissed, with costs.

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