

COPY

Case No. 628-674

MERCHANT MARINE HEARING UNIT
FOURTEENTH NAVAL DISTRICT
Honolulu, T.H.
15 October, 1945

IN THE MATTER OF
Certificate No. E-455045, Z-394045
Issued to: Clarence B. Duarte,
Night Cook & Baker
SS DAVID GAILLARD

Report of Hearing

Hearing held on 13 October, 1945. Testimony not transcribed but notes on file in this office.

Sources: U. S. Coast Guard Intelligence, Honolulu, T.H.
1 October, 1945.

Charge: Misconduct - 1 specification alleging unlawful pilferage of ship's cargo.

Plea: Guilty.

Facts: On the evening of 16 September, 1945, while the vessel was loading cargo at Pier 58, San Francisco, the person charged entered the No. 1 hold and took, with intent to convert to his own use, six fountain pens, five or six bracelets and three or four gold watch chains, which was part of the cargo of the vessel and which was subsequently thrown overboard by the person charged after the ship was at sea, and after there was a rumor going around the ship to the effect that there was going to be an inspection in the near future. Other cargo of like quality in considerable amount was taken and concealed behind sweat boards.

Conclusions: The evidence...
Findings: Specification one, proved by plea. Charge, proved.

Conclusions: The facts were sufficient to support the guilty plea to the first specification.

Findings: Specification one, proved by plea. Charge, proved.

Order: Revocation.

Appeal: None indicated.

CERTIFICATE RETAINED IN THE CUSTODY OF THE HEARING OFFICER AT THE CONCLUSION OF THE HEARING.

LEWIS F. GERBER,
Lieut. (jg), USCGR
HEARING OFFICER