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Montevideo, Uruguay
October 25, 1943

No. 3416

Subject: United States Merchant Marine Seaman
Herbert Lander Fairbanks, A.B., apprehended by Naval Intelligence for using narcotics while on board the SS Cape Henlopen.

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The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor to report that United States Merchant Marine Seaman Herbert Lander Fairbanks was apprehended by the Naval Attaché for using excessive quantities of narcotics while on board the SS Cape Henlopen.

1/ There is enclosed for the Department's information, a report prepared by the United States Assistant Naval Attaché, Lieutenant Richard H. McPeake, USNR which was forwarded to the Office of Naval Intelligence. The entire interrogations referred to in this report took place in the presence of Vice Consul D. Harrison Smith of this Embassy and are the joint findings of both of the above mentioned officers.

Despite the decision in this case, it is felt that Fairbanks is a pathetic individual who desires to make good, but who is apparently unable to resist his addiction. When Smith asked him if he would submit to a treatment for the cure of this vice, he willingly replied that he would "happily undergo any treatments, as directed". It was deemed advisable to repatriate him to the United States on the original vessel under the guidance of the Master, Captain Conrad Nilsen. This vessel is scheduled to arrive at New York, N.Y. in about five weeks, and it may be that the Department will wish to direct the appropriate maritime authorities or the steamship company to arrange for the entrance of this seaman in one of the United States Merchant Marine Hospitals. The Naval Attaché has recommended that Seaman Fairbanks be suspended from the Merchant Marine Service, and the Consular Section of the Embassy concurs in this recommendation for the same reasons.

Respectfully yours,

Dudley G. Dwyre
American Consul General

Enclosure: Report prepared by Naval Attaché's Office

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NA Montevideo Dispatch 201801 Oct. to Port Dir. N.Y., Info. OPNAV, Com4Flt, NOB Trinidad.

Personal Observation and Interviews B-2 United States Merchant Marine

Opium and pipe for smoking same confiscated by this office from Herbert Lauder Fairbanks, Acting A.B. on SS CAPE HENLOPEN (U.S.), after complaints made to this office by members of the crew and the Armed Guard Officer.

1. On October 20 Lt. (jg) L. H. Evans, USNR, Armed Guard Officer of the SS CAPE HENLOPEN (U.S.), called this office and requested the presence of the Security Officer aboard the vessel. The Security Officer went to the vessel where he was informed by Evans that H. L. Fairbanks, Acting A.B., had been reported to have brought a German aboard the Ship. Evans further reported that Fairbanks was smoking marijuana aboard the vessel particularly since departure from Persia, the previous country of call. In tracing this report the following men were interviewed: Captain C. G. Nilsen, Second Mate John Godsey, Third Mate Walter B. Harrison, Engine Room Cadet Luther Lee Trower, Acting A.B. Elma H. Hine, and John Joseph Decker, Coxswain, U.S.N. It was learned that Fairbanks had, on Monday the 18th of October, come aboard both in the morning and in the late afternoon with an individual who appeared to be German and further that Fairbanks had been accustomed to the use of marijuana Cigarettes to some extent over a period of years.

2. With the knowledge and consent of the Master, Fairbanks was brought to this Office to be interviewed and while at this office his personal effects were ordered to be examined in the presence of the Master, the Purser, and Armed Guard Officer, and anything appearing to be a possible drug be seized.

3. At the request of this office the American Vice Consul, D. H. Smith, was present when Fairbanks was interviewed by the Security Officer. Fairbanks stated that he was born in Watertown, Mass. on 21 May 1915, that he had first smoked marijuana cigarettes in 1938, and that in 1939 he spent two months at the Deer Island House of Correction in Boston, Mass. on a narcotic charge. Fairbanks has continuous discharge book and certificate of identity number Z-261471 and License Serial number E-359113. Fairbanks advised that his only previous sea experience was service aboard the SS SANTA MARGARITA (U.S.) for a period of five months just prior to his signing on the SS CAPE HENLOPEN.

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Port Dir. N.Y. NOB Trinidad, Com4Flt, Am. Embassy Monte., Legal Attache Monte.

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to others, it is recommended that Fairbanks be barred from United States Merchant Vessels.

4. Fairbanks stated that the individual whom he had brought on the ship was Leopold Weihs, a barber in the Cambio de Oro barber shop. Fairbanks stated that he had met Weihs casually while ashore, believed him to be an Austrian who spoke fairly good English and that he had taken him aboard for a meal and to visit the ship. A separate investigation will be made of Weihs and a report given at a later date if indicated.

5. Fairbanks stated that due to the fact that he had grown a full board during the trip certain members of the crew had jokingly accused him of looking like a Chinaman and smoking opium. He stated that during the stop of the vessel at Khorramshahr, Persia, he went to a house and smoked opium, but stated that he had not brought any narcotics aboard the ship nor had he smoked any opium or any other narcotics since leaving Persia. Upon further questioning he admitted that he had purchased an opium pipe and brought it aboard the ship as a souvenir but had not smoked the pipe aboard the vessel and that he had requested several weeks previously that another seaman throw the pipe overboard for him as he did not wish to arouse any possible suspicion that he might be using an opium pipe. On further questioning he admitted that the pipe had contained a small charge of opium when he brought it aboard and that he had smoked it once when aboard as a "stunt", but repeated that the pipe had been thrown overboard several weeks back.

6. At this point in the interview the Master of the vessel, accompanied by the Purser and the Armed Guard Officer, came to this office with an opium pipe, a small amount of cylindrical charcoal for charging the pipe, a tobacco pouch filled with what Fairbanks admitted was opium smoking material, and a small number of other articles such as headache pills, tooth powder, and etc. At this point he admitted that he had been smoking opium and that he had asked one of the members of the crew to throw the pipe and opium over-board just prior to leaving the vessel to come to this office. This act on the part of any member of the crew was probably stopped due to an armed member of the Armed Guard conducting Fairbanks from the vessel.

7. Although Fairbanks was well known for smoking surreptitiously what was considered to be marijuana, his loyalty as an American citizen was not questioned by any officer or member of the crew. His conduct aboard the vessel was marked by several instances of being logged, one of which was for falling asleep while standing a one-hour watch at the wheel.

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8. In the interest of security and in order to prevent the possible spread of the use of narcotics to others, it is recommended that Fairbanks be barred from service aboard United States Merchant Vessels.

R. H. McPEAKE,
Lieutenant, USNR.

Forwarded:

C O N F I D E N T I A L

ALBERT BENJAMIN,
Commander, USNR,
U.S. Naval Attache

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