

(L)  
CG-MIN-300 (OMI)  
CG-MIN-300 VENEZUELA  
GULF OF VENEZUELA

17 July, 1944

7 July, 1945

FILE  
V. D.

To: DCGO, 8ND

Subj: Oil Pollution violation by S.S. GULF OF VENEZUELA

The attached file which was forwarded to HQ by your office, is returned herewith. No action by HQ has been taken in the matter. In the case of United States v. S/S GULF OF VENEZUELA, File No. 813-770, 45-20.

The files at Coast Guard Headquarters contain no information relative to the case. It is believed that any information in the possession of the District Office of the Coast Guard has been furnished directly to the United States Attorney.

NORMAN B. HALL  
By direction

By direction of the Commandant.

Incl  
File in subject case

U. S. COAST GUARD  
MAIL SECTION (1)  
MAILED JUL 10 1945

U. S. COAST GUARD  
MAIL SECTION (2)

MAILED JUL 19 1944

Return 8-2

JDD:MEE

PAO TEL



INCLOSURE

(L)  
CG-MIN-100.18  
M/V GULF OF VENEZUELA

19 July, 1944

FMS:JFS

DEPARTMENT OF JUSTICE

WASHINGTON 25, D. C.

FILE  
F. D.

June 28, 1944

Hon. Francis M. Shea  
Assistant Attorney General  
Department of Justice  
Washington 25, D. C.

Sir:

Reference is made to your letter of 28 June, 1944, relative to the case of United States v. M/V GULF OF VENEZUELA, file No. FJS:JFS, 62-240.

The Commandant,

The files at Coast Guard Headquarters contain no information relative to the case. It is believed that any information in the possession of the District Office of the Coast Guard has already been furnished directly to the United States Attorney.

U.S. COAST GUARD - December 3, 1942 -

Violation of the Oil Pollution Act -

By direction of the Commandant. Casualty No. 1812

United States v. M/V GULF OF VENEZUELA, owned  
and operated by Oil Corporation

K. S. HARRISON  
Chief Counsel

Sir:

Libel filed: June 9, 1944  
Judicial District: SD of Texas, Galveston Division  
Amount of damages claimed: \$2,500 maximum penalty  
Received: June 16, 1944 - by regular mail.

We enclose for your information a copy of a libel said to have been filed as indicated in the caption above.

Please let us have any information in your possession with respect to this case.

Respectfully,

For the Attorney General,  
U. S. COAST GUARD  
MAIL SECTION (8)  
Francis M. Shea  
MAILED JUL 19 1944  
Assistant Attorney General.

GEM:fdt  
Return to 8-7

Enclosure No. 32775

822



# INCLOSURE

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON 25, D. C.

FMS:JFS

62-240

June 28, 1944

Admiral R. R. Waesche,  
The Commandant,  
United States Coast Guard,  
Washington 25, D. C.

Re: M/V GULF OF VENEZUELA - December 3, 1942 -  
Violation of the Oil Pollution Act -  
Admiralty No. 1812  
United States v. M/V GULF OF VENEZUELA, owned  
and operated by the Gulf Oil Corporation

Libel filed: June 9, 1944  
Judicial District: SD of Texas, Galveston Division  
Amount of damages claimed: \$2,500 maximum penalty  
Received: June 16, 1944 - by regular mail.

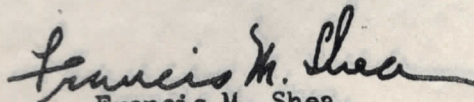
Sir:

We enclose for your information a copy of a libel said  
to have been filed as indicated in the caption above.

Please let us have any information in your possession  
with respect to this case.

Respectfully,

For the Attorney General,

  
Francis M. Shea,  
Assistant Attorney General.

Enclosure No. 32775



INCLOSURE

No 32775

FROM

Department of Justice

7-849

U. S. GOVERNMENT PRINTING OFFICE

File: 27-4

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE SOUTHERN DISTRICT OF TEXAS,  
GALVESTON DIVISION

a quantity of oil, commonly termed petroleum, the exact  
kind and character of which being unknown to libellant  
UNITED STATES OF AMERICA  
-vs- ADMIRALTY NO. 1812  
MOTOR VESSEL "GULF OF VENEZUELA", owned and operated by the Gulf Oil Corporation

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LIBEL

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TO THE HONORABLE JUDGE OF SAID COURT:

BRIAN S. ODEM  
Comes now ~~XXXXXXXXXXXXXXXXXXXX~~, United States Attorney  
for the Southern District of Texas, prosecuting for and on  
behalf of the United States of America in a suit for penalty  
under the navigation laws of the United States, and files this  
libel in rem against the MOTOR VESSEL "GULF OF VENEZUELA",  
owned and operated by the Gulf Oil Corporation, and alleges:

I.

That libellant is a corporation sovereign and body  
politic; that the MOTOR VESSEL "GULF OF VENEZUELA" is a vessel  
which, at the time and place hereinafter set forth, used oil  
as fuel for the generation of propulsion power, and that said  
MOTOR VESSEL "GULF OF VENEZUELA" is now, or during the currency  
of process herein will be, in the Southern District of Texas,  
and within the jurisdiction of this Honorable Court.

II.

That on or about the 3rd day of December, A.D. 1942,  
in Galveston County, Texas, and within the jurisdiction of  
this Court, said MOTOR VESSEL "GULF OF VENEZUELA" was tied up

City, Texas, and that while so tied up at the aforesaid pier or in its vicinity the said MOTOR VESSEL "GULF OF VENEZUELA" did unlawfully discharge into and upon the waters of the said Texas City Harbor, Texas City, Texas, a quantity of oil, commonly termed petroleum, the exact

kind and character of which being unknown to libellant but peculiarly within the knowledge of the person in command or in charge of said vessel, and the person in

command or in charge of said vessel did unlawfully suffer and permit the discharge by said MOTOR VESSEL "GULF OF VENEZUELA" of a quantity of oil, commonly termed petroleum, the exact kind and character of which being unknown to libellant, but peculiarly within the knowledge of the person in command or in charge of said vessel, into and upon the coastal navigable waters of the United States as aforesaid, while tied up to the above described pier, contrary to the form of the statute in such case made and provided.

III.

That at the time the said MOTOR VESSEL "GULF OF VENEZUELA" discharged, and the person in command or in charge of said vessel permitted and suffered it to discharge, said oil into and upon the waters of the Texas City Harbor, Texas City, Texas, the MOTOR VESSEL "GULF OF VENEZUELA" was not involved in any emergency imperiling life or property, and was not in danger of unavoidable accident, collision or stranding; and that neither said vessel nor the person in command thereof, had any permit by the Secretary of War to discharge said oil upon the waters of said Texas City Harbor, Texas City, Texas.

IV.

That by so unlawfully discharging said oil into and upon the waters of the Texas City Harbor, and so unlawfully suffering and permitting said oil to be discharged upon said

waters MOTOR VESSEL "GULF OF VENEZUELA" became and is now liable and indebted to the libellant in the sum of Twenty-five Hundred Dollars (\$2500.00) for and as a penalty; and that said penalty in the sum of \$2500.00 constitutes a lien on said vessel in favor of libellant.

V.

That said penalty has not been paid to libellant, and is now due and owing.

Wherefore, libellant prays that this Honorable Court issue process of attachment, monition and warrant of seizure in due form of law, according to the course of this Honorable Court in causes of admiralty and maritime jurisdiction, against the MOTOR VESSEL "GULF OF VENEZUELA", its engine, furniture, tackle and apparel, and that upon hearing said MOTOR VESSEL "GULF OF VENEZUELA" be adjudged to be liable and indebted to libellant for the penalty herein sued for, and that said penalty be adjudged to be a lien on said vessel in favor of said libellant, and that said vessel be decreed to be sold to satisfy the judgment of this Court, and for such other and further relief as the Court deems just.

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United States Attorney

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Assistant United States Attorney  
Proctors for Libellant

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared J. K. SMITH, who, after being duly sworn deposes and says: That he is Assistant United States Attorney for the Southern District of Texas, and one of the proctors for libellant; that he has read the foregoing libel, and that the facts alleged therein are true to the best of his knowledge, information and belief, and that the source of his information and grounds of his belief are the statements of witnesses reduced to writing and now in his possession; and that the reason why this verification is made by deponent and not by libellant is that libellant is a sovereign power and body politic.

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Assistant United States Attorney

Subscribed and sworn to before me this \_\_\_\_\_ day of  
A.D. 194\_\_\_\_\_.