

C O P Y

Case No. 628-5063
SS JAMES DUNCAN

Merchant Marine Hearing Unit
United States Coast Guard
Third Naval District
New York, New York
21 September, 1943

IN THE MATTER OF THE SS JAMES DUNCAN

SOURCE OF COMPLAINT: Headquarters confidential communication of 31 August, 1943, with inclosures, file No. CG-628-JAMES DUNCAN Comp. 3.

FACTS: It is alleged that there was a lack of discipline aboard subject vessel on or about 2 January, 1943, when the vessel was in Port Said, Egypt. It appears that at that time the vessel was proceeding to a United States port after having been in the Far East for approximately four months. When the vessel arrived at Port Said, the crew was notified that the British Ministry of War Transport Service was taking over the vessel to be used in the Mediterranean. The alleged lack of discipline occurred when the entire crew made complaints about being forced to operate the vessel for the British. It was their contention that they were no longer bound by the articles, inasmuch as the British Ministry of War Transport Service was taking over the vessel to operate it, and therefore the articles had been broken and ceased to exist. However, when they learned they were still being paid by the W. R. Chamberlain Company of San Francisco, agents of the vessel, and that the articles were not broken, the entire crew ceased their objections and stated that they would sail the vessel. In investigating this matter, the Master, Chief Engineer, ship's delegates, and various members of the crew including the Ship's Clerk, were interviewed.

CONCLUSIONS AND RECOMMENDATIONS: From the investigation there does not appear to be a lack of discipline. This was merely a case of Americans fighting for their rights and what they believed to be their rights, and inasmuch as the matter had not been cleared up before these occurrences, it is the investigating Officer's belief that they were entirely justified in making these complaints. From the investigation there does not appear to be any basis for disciplinary action against the Master or members of the crew. It is therefore recommended that this matter be closed and that the inclosures which were forwarded with Headquarters letter be returned attached hereto.

R. D. PORTWOOD
Examining Officer

Incls.

1. Copy of U. S. Consul's letter No. 7, Port Said, Egypt, 12 January, 1943, with attachments.
2. Copy of U. S. Consul's report No. 38, Alexandria, Egypt, 10 April, 1943