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UNITED STATES COAST GUARD

**CONFIDENTIAL**

Date 9 October, 1943

Memorandum for- ~~Admiral Chalker~~  
Admiral Waesche

*[Handwritten signature]*

September 15, 1943

PM 2 32 FILE  
I. P. B.

Subj: Misconduct of Lynn W. DUNLAP, Third Cook on  
the SS JONATHAN P. DOLLIVER

The inclosed report from the American Consular Officer  
in Charge, Colombo, Ceylon, furnished to the Intelli-  
gence Division by the State Department, is interesting  
as it describes the difficulties experienced in punish-  
ing recalcitrant merchant seamen calling at that port  
for offenses committed aboard ship.

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F. E. POLLIO

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Conf. rpt 9/15/43 fr Colombo,  
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Second Officer on the evening of September 13, 1943. De-  
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Dunlap would be any less dangerous if he were transferred  
to another American vessel and without exception they  
replied in the negative. It appears that Dunlap becomes  
exceedingly violent and pugnacious when intoxicated and

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To safeguard the security of the in-  
formation contained herein, please  
initial and return to Intelligence for



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 To safeguard the security of the information contained herein, please initial and return to Intelligence for filing when it has served its purpose

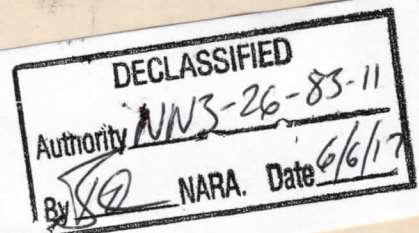
Colombo, Ceylon, <sup>LOF</sup> September 15, 1943

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STRICTLY CONFIDENTIAL

Misconduct of Lynn W. DUNLAP, Third Cook on the s.s. Jonathan P. Dolliver

The Honorable  
 The Secretary of State,  
 Washington, D.C. 25



I have the honor to refer to this Consulate's telegram no. 249 of September 14, 6 p.m. reporting that there had been two recent instances of American seamen with long records of misconduct striking officers aboard vessels in port.

One of these instances was of a seaman who struck the Chief Officer on the s.s. Furnifold M. Simmons, an American vessel now undergoing repairs in the port of Colombo. That instance, as well as a series of difficulties which have been encountered with the crew of the same vessel, is being reported in a separate despatch that has been prepared for transmission and is only awaiting the completion of certain enclosures.

The second instance was of Lynn W. Dunlap, the Third Cook on the s.s. Jonathan P. Dolliver, who struck the Second Officer on the evening of September 13, 1943. Details of the incident are set forth in four affidavits enclosed with this despatch.

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Because of the gross misconduct of Dunlap on this and previous occasions, the Master requested that he be discharged at Colombo, for he considers the man a very dangerous character and fears that if he remains on board the vessel he or some other member of the crew may be killed. I asked the Master and several of the officers on board this vessel whether they were of the opinion that Dunlap would be any less dangerous if he were transferred to another American vessel and without exception they replied in the negative. It appears that Dunlap becomes exceedingly violent and pugnacious when intoxicated and

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To safeguard the security of the information contained herein, please initial and return to Intelligence for



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in the opinion of the Master and other officers on board the vessel he would, in all probability, cause serious disturbances if he were at liberty in Colombo awaiting repatriation on another vessel.

Since the police authorities informed me that Dunlap could not be charged and convicted in the Magistrate's Court at Colombo for the offense which he committed on board the vessel, at their suggestion I made an appointment with Mr. R. H. DRAYTON, the Chief Secretary, who is also the Acting Legal Secretary, to see whether a way could not be found to keep Dunlap in custody if he were discharged at this port. When I called to see Mr. Drayton, there were also present two experts from the Legal Department who had spent some hours examining existing laws and regulations pertaining to British and alien seamen. All were of the opinion that, unfortunately, there was no way in which Dunlap could be kept in custody in Colombo unless he committed an offense while ashore or committed a serious crime while on board a vessel in port.

Mr. Drayton took a very serious view of this apparent gap in the law and gave me his assurance that he would see that the necessary legislation was drafted and enacted at the first available opportunity so that there would be authority to deal with cases of this character.

With the large increase in the United States Merchant Marine and the growing number of American vessels calling at Colombo and also because of the shortage of man-power which necessitates recruiting almost anyone who is available, I informed Mr. Drayton of my anxiety over the possibility of further disturbances at this port by American seamen of whom a very small percentage but, unfortunately, a considerable number, appear to be consistent trouble-makers. I also informed Mr. Drayton that I had the responsibility of settling disputes, but not the authority of a judge nor of a policeman to enforce decisions in many instances. Mr. Drayton was most sympathetic and assured me that everything possible would be done to help the Consulate in coping with this problem and in assisting the Ceylon Police in dealing with recalcitrant seamen.

Because of the admitted danger to Colombo of discharging Dunlap and leaving him here at liberty and because of the virtual impossibility of persuading the Master of another American vessel to repatriate Dunlap unless important information in regard to his character were withheld, which would be manifestly unfair, I informed the Master of the Jonathan P. Dolliver that I was unable to accede to his request to discharge Dunlap at this port.

I, therefore, arranged with the police, who had taken Dunlap into custody for an attempted assault ashore on the Chief Officer and on an American sailor, that he should be placed on board the vessel and not allowed ashore until the vessel's departure. I also suggested to the police that they notify the police at Trincomalee, the next port of call in

Ceylon



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6/ Ceylon, that Dunlap should not be allowed ashore at that port. I have given a letter to the Master, a copy of which is enclosed, to present to the Consulate General upon the vessel's arrival at Calcutta. Finally, I addressed a letter to Dunlap himself, a copy of which is also enclosed, warning him of serious consequences in the event of his causing any further disturbances on board the vessel or ashore.

The Master was not pleased with my decision, but fully understood my reasons and their justification.

Owing to the necessity of discharging the Chief Steward of this vessel, on account of illness, and the promotion of the Chief Cook as Acting Chief Steward, a man who has been at loggerheads with Dunlap throughout the voyage, the Master is fearful that one or the other will be seriously injured during the course of the voyage.

I explained to the Master that in the event of further serious misconduct by Dunlap he could, if necessary, be placed in irons at Calcutta and sent to Bombay or Karachi for repatriation on a United States Army or Navy transport, but that the opportunity of arranging for his repatriation in such a manner did not exist at Colombo as American army and navy transports are not at present calling at this port. Furthermore, it is virtually impossible for the Ceylon police to turn over a bad character to the Indian police which would be necessary in sending a man under custody to Bombay.

According to the Chief Steward and to other officers on board the vessel, it was discovered after their departure from the United States that Dunlap had been released from gaol in the United States only shortly before he signed on the Articles of this vessel. He was allegedly placed in gaol for hitting the Chief Cook on his previous vessel with a steel sharpener and was detained in gaol until it was known that the Chief Cook would survive.

I am further informed that Dunlap was dismissed from the Marine Cooks and Stewards Union at San Francisco because of previous offenses and that he only obtained a permit from the National Maritime Union of America shortly before signing the Articles of the s.s. Jonathan P. Dolliver. Finally, there is an unconfirmed report that Dunlap has served  $3\frac{1}{2}$  years in gaol for murder or manslaughter. It seems most unfortunate that there are apparently no means to prevent men of such a character from being signed on American vessels.

The Chief Officer, the Second Officer, and the Chief Steward of the s.s. Jonathan P. Dolliver have informed the Consulate that the Master is on his first voyage after many years of retirement. In their opinion he has been exceedingly lax in enforcing discipline during the voyage of the vessel and breaches of discipline or instances of misconduct have

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in consequence been steadily increasing.

Respectfully yours,

Robert L. Buell  
American Consul

Enclosures:

1. Affidavit of Captain James Miles Gardner,
2. Affidavit of Chief Officer Harold E. Richard,
3. Affidavit of Second Officer Miles William Hoff,
4. Affidavit of Seaman Claude F. Edwards,
5. Letter to Consulate General, Calcutta,
6. Letter to Lynn W. Dunlap.

File no. 886.3  
RLB/ef

Distribution:

Copy to Consulate General, Calcutta,  
" Consulate, Bombay,  
" Legal Representative, War Shipping  
Administration, Bombay.



BRITISH EMPIRE )  
 COLONY OF CEYLON )  
 CITY OF COLOMBO ) SS:  
 CONSULATE OF THE UNITED )  
 STATES OF AMERICA )

Before me, Robert L. Buell, Consul of the United States of America, in and for the consular district of Colombo, Ceylon, duly commissioned and qualified, personally appeared James Miles Gardner, Master of the s.s. Jonathan P. Dolliver who, being duly sworn, deposes and says as follows:

1. That my name is James Miles Gardner and I am the Master of the s.s. Jonathan P. Dolliver;

2. At about 8.15 a.m. on the morning of September 14, 1943, I went aboard my vessel and was informed by my Chief Officer, Harold L. Richards, that Lynn W. Dunlap, Third Cook, had on the previous evening caused considerable disturbance aboard the vessel by wanting to fight practically anyone who would fight;

3. The Second Officer, Miles W. Hoff, ordered Dunlap to his room;

4. When Dunlap arrived in his room, the Second Officer demanded his landing permit;

5. The request was refused and Dunlap attempted to fight the Second Officer and scratched his face;

6. Dunlap has been a considerable source of worry throughout the voyage, having been previously convicted at Hobart for drunk and disorderly conduct and being absent from the ship for two days without leave;

7. I thereupon recorded the statement of my Chief Officer and ordered Dunlap ashore since I considered him a menace to the safety of the crew;

8. Having been informed that if there was a naval officer ashore I should turn over to him any member of the crew who were causing serious trouble, the Chief Officer, a member of the gun crew and I therefore brought Dunlap to the United States Naval Liaison Office;

9. While I was interviewing Lt.-Commander Goldsborough, the United States Naval Liaison Officer, Dunlap attempted to strike the Chief Officer as well as the member of the gun crew who brought him ashore.

And further deponent saith not.

James Miles Gardner

Subscribed and sworn to before me this 14th day of September, 1943.

Robert L. Buell  
 Consul of the United States of America



BRITISH EMPIRE )  
 COLONY OF CEYLON )  
 CITY OF COLOMBO ) SS:  
 CONSULATE OF THE UNITED )  
 STATES OF AMERICA )

Before me, Robert L. Buell, Consul of the United States of America, in and for the consular district of Colombo, Ceylon, duly commissioned and qualified, personally appeared Miles William Hoff, Second Officer of the s.s. Jonathan P. Dolliver who, being duly sworn, deposes and says as follows:

1. That my name is Miles William Hoff, and I am the Second Officer of the s.s. Jonathan P. Dolliver;
2. At 11 p.m. on September 13, 1943, I was sleeping in my cabin and awakened by a disturbance below decks;
3. I got up and went below and inquired as to what had happened;
4. I was informed that the Third Cook, Lynn Dunlap, had come on board in an intoxicated condition and began an argument with Mr. Robert W. Quick, whom he had threatened;
5. The seamen comprising the Deck Department intimated that I should take action at once to calm the Dunlap because he was threatening to attack various members of the crew with a broken glass;
6. I assured them that I would do what I could and went to Dunlap's cabin where he was apparently asleep;
7. Because he appeared to be asleep I returned to reassure the deck crew that he would apparently cause no trouble and I assigned a man to watch him in case he woke up;
8. About ten minutes later I started to return to my cabin and encountered Dunlap in the passageway;
9. I asked Dunlap where he was going and he replied that he was going ashore;
10. I advised him that he should return to his cabin which he refused to do;
11. I therefore led him by the arm to his cabin;
12. Upon arrival at his cabin Dunlap reaffirmed his determination to go ashore whereupon I demanded his landing permit;
13. I held out my right hand to accept the pass which he had refused to give and he grabbed my arm;
14. A struggle ensued during which Dunlap struck me in the face and tried to gorge out my eye and also kneed my crotch;

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15. The Third Officer who arrived on the scene at this time assisted me in subduing Dunlap and we handcuffed him to his bunk;

16. After he had been handcuffed Dunlap threatened to injure me the next time he saw me ashore as well as on board the ship.

And further deponent saith not.

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Miles William Hoff

Subscribed and sworn to before me this /4 day of  
September, 1943.

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Robert L. Buel  
Consul of the United States of  
America



BRITISH EMPIRE )  
 COLONY OF CEYLON )  
 CITY OF COLOMBO ) SS:  
 CONSULATE OF THE UNITED )  
 STATES OF AMERICA )

Before me, Richard E. Usher, Vice Consul of the United States of America, in and for the consular district of Colombo, Ceylon, duly commissioned and qualified, personally appeared Claude F. Edwards, Seaman, First Class, United States Navy, a member of the Armed Guard crew of the s.s. Jonathan P. Dolliver who, being duly sworn, deposes and says as follows:

1. That my name is Claude F. Edwards, a Seaman, First Class, of the United States Navy, and a member of the Armed Guard crew of the s.s. Jonathan P. Dolliver;

2. That on the morning of September 14, 1943, while the vessel was in the harbor at Colombo, I was assigned to accompany as an armed sentry Captain James Gardener, Master of the s.s. Jonathan P. Dolliver, and Harold Richard, Chief Officer of the s.s. Jonathan P. Dolliver who were taking Lynn W. Dunlap, Third Cook on the s.s. Jonathan P. Dolliver, to the United States Naval Liaison Office;

3. That while Captain Gardner was talking to Lt.-Commander Goldsborough, U.S.N.R., Mr. Dunlap began to move around in the Lt.-Commander's office and was told by Chief Officer Richard to come back to the spot where he had been standing;

4. That Dunlap refused to obey this order and when the Chief Officer went over to him to compel him to obey, Dunlap pushed the Chief Officer's hand away and said "Keep your hands off me", and made threatening gestures at the Chief Officer;

5. That when I approached Dunlap to maintain order, he threatened to hit me as well, but finally did as he was told.

And further deponent saith not.

\_\_\_\_\_  
 Claude F. Edwards

Subscribed and sworn to before me this 14th day of September, 1943.

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 Richard E. Usher  
 Vice Consul of the United  
 States of America



Enclosure no. 5 to Despatch no. 120 dated September 15, 1943, from Robert L. Buell, American Consul at Colombo, Ceylon, on the subject: Misconduct of Lynn W. Dunlap, Third Cook on the s.s. Jonathan P. Dolliver.

CONFIDENTIAL

Colombo, Ceylon, September 14, 1943

K. S. Patton, Esquire,  
American Consul General,  
Calcutta, India.

Sir:

I am giving this letter to Captain James Gardner, Master of the s.s. Jonathan P. Dolliver, to be delivered in person to the Consulate General upon that vessel's arrival at Calcutta.

As Captain Gardner will explain to you, he has on board his vessel a Third Cook, Lynn Dunlap, who was imprisoned for drunken and disorderly conduct at Hobart, Tasmania, and who assaulted and struck the Second Officer of the vessel and threatened the other members of the crew in a moment of intoxication while the vessel was in Colombo Harbor.

I have refused the Master's request to discharge this seaman for misconduct because I do not consider that there are sufficient grounds for doing so and because I believe that he would be a menace to the port of Colombo, if not taken into custody by the police which they are apparently unable to do under existing laws and regulations. Nevertheless, I am appreciative of the anxiety of the Master and officers of the s.s. Jonathan P. Dolliver for having on board a seaman whom experience has proven to be extremely dangerous when he is under the influence of alcohol. I have recommended to Captain Gardner that Dunlap be logged the maximum number of days pay plus bonus that is permissible and that he be given no landing permit to leave the vessel during its stay in Calcutta. I have also suggested to him that he request the Harbor Police at Calcutta to take such measures as they may deem appropriate to prevent Dunlap from leaving the harbor area as he will no doubt endeavor to do with or without a landing permit. Knowing from experience, however, that there have been many incidents in Calcutta in which seamen have left the harbor area without a permit, the Consulate General will no doubt wish to notify the Deputy Commissioner of Police, Security Control, (Kenneth S. Tolson), to assure that special precautions are taken in this instance.

There is enclosed a copy of a self-explanatory telegram in connection with this and a similar instance which occurred a week ago, which I have addressed to the Department. A copy of the Department's reply will be forwarded to the Consulate General by R.A.F. plane, if possible.

Very truly yours,

Sgd: Robert L. Buell  
American Consul



TRUE READING OF CODE  
TELEGRAM CONTTo: State Department,  
Washington, D.C.Date: September 14, 1943.  
No.: 249STATE DEPARTMENT  
WASHINGTON

PRIORITY 249 SEPTEMBER 14, 8 P.M. THERE HAVE BEEN TWO RECENT INSTANCES OF AMERICAN SEAMEN WITH LONG RECORDS OF MISCONDUCT STRIKING OFFICERS ABOARD VESSELS IN PORT. MASTERS WISH SEAMEN DISCHARGED FOR ENDANGERING LIVES AND UNDERMINING DISCIPLINE AND MORALE, BUT IT WOULD SERVE NO USEFUL PURPOSE TO COMPEL MASTERS OF OTHER VESSELS TO REPATRIATE SUCH BAD CHARACTERS. CHIEF SECRETARY, WHO IS ALSO ACTING LEGAL SECRETARY, INFORMED ME THAT CEYLON GOVERNMENT HAS APPARENTLY NO AUTHORITY TO CHARGE AND IMPRISON ALIEN SEAMEN FOR DISURBANCES ON BOARD VESSELS IN PORT UNLESS THERE IS A MURDER OR VERY SERIOUS CRIME, BUT ASURES ME THAT HE WILL ENDEAVOR TO HAVE STEPS TAKEN TO FILL THIS GAP IN THE LAW AS SOON AS POSSIBLE. THERE IS NO BRIG ON BOARD MOST AMERICAN VESSELS IN WHICH DANGEROUS SEAMEN CAN BE CONFINED PARAGRAPH

PLEASE TELEGRAPH WHAT ACTION SHOULD BE TAKEN IN SUCH CASES AND WHETHER SEAMEN DISCHARGED FOR CONTINUED MISCONDUCT SHOULD BE MAINTAINED WHILE AWAITING REPATRIATION BY AGENTS OF CONSUL -

BUELL



Enclosure no. 6 to Despatch no. 180 dated September 15, 1943, from Robert L. Buell, American Consul at Colombo, Ceylon, on the subject: Misconduct of Lynn W. Dunlap, Third Cook on the s.s. Jonathan P. Dolliver.

Colombo, September 15, 1943

Mr. Lynn W. Dunlap,  
s.s. Jonathan P. Dolliver,  
Colombo.

Sir:

I have learned with much regret of the fight on board your vessel the night before last in the course of which you struck the Second Officer and used threatening language towards him and another member of the crew. I am sorry that in consequence of your misconduct and pugnacious attitude you have been detained by the Colombo police in custody for the past 24 hours. I have also learned with regret that you spent two days in gaol in Hobart, Tasmania, in consequence of drunken and disorderly conduct ashore.

The Misconduct of American seamen either ashore or on board ship cannot be tolerated and necessitates seamen being taken into police custody ashore or being subjected to disciplinary action aboard ship as well as upon the vessel's return to a United States port.

The Chief Steward on your vessel is being discharged and placed in hospital on account of illness and the Master is promoting the Chief Cook to be in charge of the Stewards' Department. I have been informed that you and he had differences in the past and are not the best of friends. I am sorry to learn this, but you must remember that he is now in charge of the Stewards' Department and that you are subject to his orders. Should he give any orders that you consider improper, you are at liberty to refer the matter to the Master or the Chief Officer. For your sake, for his, and for the welfare of the ship, I urge you very strongly to refrain from engaging in any more quarrels or fights on board or ashore.

Your



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Your past record is being communicated to the American Consulate General at the vessel's next port of call after leaving Ceylon and you may rest assured that if there are any more fights in which you are engaged you will be opening yourself to extremely severe disciplinary action. On the other hand, good conduct on your part throughout the rest of the voyage will be of great value in living down and tending to overcome your past record and is the only sensible and wise course for you to follow.

Very truly yours,

Robert L. Buell  
American Consul