

7-9

RECEIVED

1943 OCT 12 PM 1 31

PORT SECURITY SECTION

Ind-1  
ODCGO, 8ND (1)  
661  
8 October, 1943

To: The Commandant

Subj: Violation of Oil Pollution Act by the S.S. JULESBURG

Basic communication, with inclosure, is forwarded herewith in accordance with Headquarters' directive of 18 August, 1943 (CG-100.18 MIN).

M. H. LESLIE  
Asst. DCGO

CC: COTP (Primary), Galveston, Texas



Galveston, Texas

CAPTAIN OF THE PORT (P)

6 October, 1943

United States Attorney  
Southern District of Texas,  
Houston, Texas

Texas Anti-Pollution Act, HB 439;  
Violation of by S. S. JULESBURG

Dear Sir:

Inclosed herewith is copy of letter from the Captain of the Port (Secondary), Texas City, Texas to the Captain of the Port, Galveston, Texas, together with statements of three witnesses in regard to pollution of the water of Texas City Harbor by the S. S. JULESBURG, all of which is self explanatory.

You will note that Mr. Antone Nelson, Second Mate of the S. S. JULESBURG, pleaded guilty before Justice of the Peace Court at Texas City, as charged and was fined \$100.00 and cost.

Very truly yours,

F. E. SIMMER  
Lieutenant, U. S. Coast Guard  
Captain of the Port, Galveston

Copy to:

The Commandant, Washington, D. C.  
District Coast Guard Officer, Eighth Naval District.  
U. S. District Engineer, Galveston, Texas.  
Merchant Marine Inspector in Charge, Galveston, Texas.

William C. Fowler  
Captain of the Port (S)

Incls:

Three statements of witnesses, and samples of gasoline.

Copy



Texas City, Texas  
October 6, 1943

COPT (3)

6 October, 1943

To: Captain of the Port, Galveston, Texas.

Subj: Oil Pollution; violation of.

1. 5 October, 1943 at 0405, Cloyd C. Wisdom, Sea 1/c called me informing me that a spill of aviation gasoline had occurred on board a ship docked at Republic pier, South slip, in Texas City harbor.

2. I arrived at 0415 and found gasoline running off the S.S. Julesburg, port and starboard forward, and collected on deck of same. The rate of loading was 7000 barrels per hour. The #3 port hatch ran over for a period of approximately 2 minutes, spilling about 200 barrels of gasoline, about 50 to 100 barrels of which ran over board. All traffic in the vicinity was halted and extra men called to insure that no smoking would be carried on in the vicinity.

3. Antone Nelson, 2nd Mate, said he left #3 hatch and went aft to check #9 hatch, while he was aft #3 ran over in such quantity that it went over the side even tho his scuppers were plugged.

4. Cloyd C. Wisdom Sea 1/c and Elbert L. Balsbaugh, Sea 2/c were on hand when the spill occurred and had the Republic dockman, Paul Luezkowski to shut off his shore pumps at once. Wisdom then took a sample of gasoline from #3 port hatch and a sample from the water alongside the port side of subject ship. Balsbaugh obtained the names of all people concerned with loading. They are; besides those already given : T. O. Mobley, Republic dock foreman, Walter Donovan, 3rd Mate of subject ship and Walter J. Glade, Coxswain. Glade arrived just as our investigation was completed. H. T. Mayne, State of Texas Game Warden was called and advised of the violation. Orders were issued to the port security men on duty at subject dock to see that the deck of the vessel were free of gasoline before loading was resumed.

5. Antone Nelson, 2nd Mate pleaded guilty before J. P. Court, Texas City, to violation of Texas Pollution Laws and was fined \$100.00 and cost.

William C. Fowler  
Captain of the Port (3)

Incls:

Three statements of witnesses, and samples of gasoline.

Copy



Texas City, Texas  
TEXAS CITY, TEXAS  
October 5, 1943  
October 5, 1943

On October 5, 1943, at 4:00 A.M., Cloyd Wisdom Sea. 1/c and I,  
My name is Cloyd C. Wisdom Sea 1/c, U. S. Coast Guard of Texas  
City, Texas. E. L. Balsbaugh Sea 2/c, and I were on dock patrol at  
Republic docks of the Texas City harbor at 0400 on October 5, 1943.  
We had just walked by the S. S. Julesburg which was docked at Republic  
docks when we noticed some excitement aboard the ship. We went back  
to investigate and found that a spill of gasoline had occurred aboard  
the S. S. Julesburg. The number three starboard and port tanks over-  
flowed and approximately fifty barrels flowed overboard into the water  
of the Texas City harbor. I secured two bottles from the dock house  
and obtained a sample of gasoline from the water along the port side  
of the S. S. Julesburg and also from the number three port tank.  
Antone Nelson, Second Mate was in charge of loading operations at the  
time of the spill. Third Mate Walter Donovan and dockman Paul Luezkowski  
were witnesses to the spill. I reported the spill to Chief Fowler and  
he came to the docks immediately and made the investigation.

Cloyd C. Wisdom, Sea. 1/c

E. L. Balsbaugh, Sea. 2/c

COPY

COPY



Texas City, Texas

October 5, 1943

On October 5, 1943, at 4:00 A.M., Cloyd Wisdom Sea. 1/c and I, Elbert Balsbaugh Sea. 2/c, saw the gasoline spill on ship Julesburg, tied to the Republic dock at Texas City Harbor.

The gasoline spill on said ship was caused by overflowing #3 hatches on port and starboard side of ship. The gasoline ran out of #3 hatches onto the deck of the ship and overboard on both the starboard and port sides of ship into the water of the south slip Texas City Harbor.

Second Mate, Antone Nelson, was in charge of the loading at the time the spill occurred. Third Mate, Walter Donovan, and dockman, Paul Luezkowski, were witnesses of the gasoline spill on the ship but made no statements.

Cloyd Wisdom took samples of the gasoline from #3 hatch port side of ship Julesburg and from the water along the port side of same. The gasoline spill was reported to the section leader, Walter Glade, and to the Captain of the Port, Chief Fowler, who came down immediately. Approximately 50 barrels of gasoline ran into the water of Texas City Harbor.

It could be thoroughly cleaned and all fire hazards eliminated. I placed Elbert L. Balsbaugh at the scene and instructed him to see that Chief Fowler's orders were carried out in full. I left the scene of the spill at 0450.

Elbert L. Balsbaugh, Sea. 2/c

Walter J. Glade, Cox.

COPY

COPY



Texas City, Texas

October 5, 1943

On 5 October, 1943, at 0420 I, Walter J. Clade, Cox., section leader, while on duty at the Texas City harbor, saw evidence of the spill which occurred on the S. S. Julesburg, docked at Republic dock, south slip, Texas City harbor.

Upon arrival at the scene of the spill, I found Chief Fowler, Cloyd C. Wisdom Sea. 1/c and Elbert L. Balsbaugh, Sea. 2/c of the U. S. Coast Guard stationed in Texas City were investigating same. I found that #3 hatch, forward, had run over and gasoline was running into the water of Texas City harbor from both, the starboard and port side of subject ship. Approximately 50 barrels of gasoline ran into the water of Texas City harbor. Antone Nelson, Second Mate was in charge of the loading where the spill occurred.

Witnesses to the spill were Third Mate Walter Donovan of the S. S. Julesburg and Paul Luezkowski, employee of the Republic Refining Corp. who made no statement.

Chief Fowler instructed me not to permit loading operations to begin until it could be thoroughly cleaned and all fire hazards eliminated. I placed Elbert L. Balsbaugh at the scene and instructed him to see that Chief Fowler's orders were carried out in full. I left the scene of the spill at 0450.

Walter J. Clade, Cox.



C-O-P-Y

DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY

27-A-3069

Southern District of Texas

Houston, Texas  
October 12, 1943

Lieutenant F. E. Simmen  
Captain of the Port  
United States Coast Guard  
Galveston, Texas

Dear Sir:

In Re: Texas Anti-Pollution Act, HB 439  
S/S JULESBURG..(Your File: 6614)

Reference is here made to your letter of October 6, 1943, in which you advised that Mr. Antone Nelson, Second Mate of the S/S JULESBURG, was fined \$100.00 and cost before the Justice of the Peace at Texas City, Texas, for violation of the Texas Anti-Pollution Act, said violation occurring on October 5, 1943.

Please be advised that inasmuch as action has been taken against the party responsible for the violation in State Court, this office will take no action under the Oil Pollution Act. We are considering the matter closed.

Yours very truly,

DOUGLAS W. McGREGOR  
United States Attorney

By (Sgd.) W. F. Leigh  
Assistant

WFL\*mk

DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY

27-A-3069

Southern District of Texas

Houston, Texas  
October 12, 1943

Lieutenant F. E. Simmen  
Captain of the Port  
United States Coast Guard  
Galveston, Texas

Dear Sir:

In Re: Texas Anti-Pollution Act, HB 439  
S/S JULESBURG..(Your File: 6614)

Reference is here made to your letter of October 6, 1943, in which you advised that Mr. Antone Nelson, Second Mate of the S/S JULESBURG, was fined \$100.00 and cost before the Justice of the Peace at Texas City, Texas, for violation of the Texas Anti-Pollution Act, said violation occurring on October 5, 1943.

Please be advised that inasmuch as action has been taken against the party responsible for the violation in State Court, this office will take no action under the Oil Pollution Act. We are considering the matter closed.

Yours very truly,

DOUGLAS W. MCGREGOR  
United States Attorney

By (Sgd.) W. F. Leigh  
Assistant

WFL-mk