

Mr. R. Page

New York

Mr. M.A. Taylor

New York

Tank Cleaning Incident
Wilmington, North Carolina

August 11, 1948

Dear Dick:

We recently had occasion to discuss supplementary report in favor of Mr. L.W. Shank regarding the tank cleaning incident at Wilmington, North Carolina. You suggested that I might comment on this report.

We have since learned that Carolina Terminals have always been owned, and are still owned, by a Sam Brockwell of Wilmington, North Carolina. They had been leased to the Carolina Terminals for one year. The main points at issue apparently are:

1. Whether or not Mr. Mercer was actually present while men were in the tank without protective equipment.
2. Whether or not Mr. Mercer told Mr. Williams, the contractor, that it was not necessary for the men to wear protective equipment.

Mr. Mercer states very definitely that he was present Friday afternoon, June 18th, and definitely states that no one entered the tank. He said the work done on that day consisted solely of a pumping operation during which the liquid was pumped from the tank in question.

As to whether or not Mr. Williams was told by Mr. Mercer that it was not necessary to wear protective equipment, it comes down to a question of one man's word against the other. I am very strong in my belief that Mr. Mercer's story is correct and Mr. Baldwin agrees with me 100%. This belief is based on our knowledge of Mr. Mercer as an individual and on all other facts in the case. To back this up, we have the interview between Mr. George Smith and our Messrs. Mercer and Baldwin. Mr. Smith left Jacksonville on Tuesday evening, June 22nd, to replace Mr. L. H. Nichols as foreman on this job. Mr. Smith left Jacksonville before anyone knew of the poisoning incident. We quote from Mr. Baldwin's report, "Fritz (Mercer) asked George Smith, in my presence, if Mr. L. Williams had told him that Fritz had said it was okay to enter the tanks at the Carolina Terminals without protective equipment."

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George replied, 'absolutely not' and that he had been instructed by Mr. Williams to wear masks and all protective equipment." I certainly don't believe Mr. Williams would have thus instructed Mr. Smith if the former had been advised by our Representative that it was not necessary to follow our tank cleaning precautions.

For your information, I am writing a memorandum covering all the details of this incident. However, I thought you would want our comments as soon as possible.

Very truly yours,



M. A. TAYLOR

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CC: MR. E. O. JONES
DR. R. A. KEOHE

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