

Evidence of leaking methyl chloride ignored in Grove fire by Curt Norris
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[The story so far: The terrible Cocoonut Grove fire on Nov. 28, 1942, leaves a city stunned as the death toll approaches the 500 mark. An investigator reports that the fire started when Stanley F. Tomaszewski, a 16-year-old busboy, accidentally ignited a palm tree in a dark corner when he struck a match to see while tightening a loose light bulb.]

During their investigation, authorities learned that Stanley Tomaszewski came from a poor family and was working hard to save for a college education. He worked for \$2.74 a night, and half of this was invested in war bonds.

The investigators were impressed by his mature bearing and his truthfulness, and they believed that he was not to blame.

They sought to learn how a 16-year-old boy was allowed to work at a nightclub in defiance of the work laws, which prohibited minors from working in places where liquor was sold. After years of hiding behind figureheads, Barnett Welansky, the owner of the Cocoonut Grove, was about to be called for an accounting.

One of the club's exits was found to be completely sealed with bricks. The panic latch on a revolving door in the foyer was discovered to be inoperative, and the door itself was secured by a bolt. As a result, scores of people were trapped, and their charred bodies were found later stacked behind the door.

Officials also wondered why such flimsy and flammable decorations were allowed, and why there were 1,000 people in the club, whose permit limited the number to just half that.

Someone was going to have to answer for the tragedy, and that "someone" was going to be Barney Welansky. He was the son of the late Kaplan and Bessie Welansky, who had operated a grocery store in Dorchester. He attended Boston University and then law school. He entered the practice of law in 1920 with Herbert F. Callahan at 43 Tremont Street.

His first association with the Grove was as counsel for the late King Solomon, an underworld figure who had owned the Grove until he was shot to death while visiting another club in January 1933.

It became apparent to investigators that Welansky, who had become owner in February 1933, had been involved behind the scenes since 1931 and was aware of the criminal neglect in running the nightclub. His brother, James Welansky, had been in charge of the Grove on the night of the fire. The club steward, Jacob Goldfine, had possession of the keys to the property. The three men were charged with manslaughter.

The trial began March 13, 1943, in Suffolk Superior Court before Judge Joseph L. Hurley. On the witness stand, Barney Welansky admitted that there were inaccuracies in the listing of the club's seating capacity filed with the Boston Licensing Board in 1942. At the same time, he

absolved his brother, James, and Goldfine, of any responsibility for the management of the Coconut Grove.

During the trial, which lasted more than a month, 130 witnesses were called, 94 of them by the government. About 155 exhibits were offered in evidence, and 3,000 pages of typewritten testimony were produced by two court stenographers, who relieved each other every 15 minutes.

On Nov. 20, 1942, Lt. Frank J. Linney, an inspector with the fire prevention division of the Boston Fire Department, had inspected the Grove. His report, mistakenly dated Nov. 30 because of a typing error, listed "Barnet" Welansky as the owner and manager. It stated that the main dining room seated 400 people, and a new cocktail lounge at street level on the Broadway side seated 100 more.

The report said: "Kitchen in basement, free from grease, hood over stove, underside clean. Sufficient number of exits. Sufficient number of extinguishers. Heat, using fuel oil, 2,275-gallon tanks and coal. Condition good." Linney testified that he had touched a match to the paper palm trees and found that they had been chemically treated and were not flammable. He insisted that conditions at the Grove were good on Nov. 20.

If more credence had been given to his testimony, and if someone had thought to explore the eyewitness accounts of a blue flash that signaled the fire, the true cause might have been discovered and busboy Tomaszewski would have been spared a lifetime of anguish.

Recent revelations implicate methyl chloride in the fire. The highly flammable gas was used instead of Freon as a refrigerant during World War II. It is practically odorless and burns with a bluish burst, giving off toxic smoke.

At the time of the fire, Walter Hixenbaugh, now of Clermont, Fla., worked for the National Sales Co. in Cambridge, next to the Miller Seddon Co. National Sales handled domestic refrigeration accounts, and Miller Seddon serviced the Coconut Grove's cooling system. Workers at both companies knew that the system used methyl chloride.

"It was dangerous stuff. You've got to remember there were almost no fire codes back then," Hixenbaugh recalls today. "It was the reported blue flash that has always nagged me. I was never content with the story about the coconut tree igniting.

He recalls thinking that it would all come out in the official report. Several days after the fire, the Coconut Grove cooling system's 5-foot-long condenser was taken to the loading dock the two companies shared. It was full of holes.

But when the report came out early the next year, without mentioning the presence of methyl chloride or the hole-filled cooling system condenser, Hixenbaugh and many of the men he worked with did not see it. They had gone to war.

The defense tried to prove that the Grove management had acted in good faith by treating interior decorations with flame-resistant chemicals. One of these exhibits was a piece of orange velour

material, said to have been used in parts of the Grove. Joseph Dobesch, who furnished the material, touched a match to it, producing only a feeble flame. But when Attorney General Robert T. Bushnell did the same, smoke and flames poured from the material and the resulting fumes almost caused an adjournment.

During the summation, Assistant District Attorney Frederick T. Doyle said that the high cost of lives in the disaster was motivated by a "lust for gold" and that the line "All hope abandon, ye who enter here," from Dante's "Inferno," should have been inscribed under the skull and crossbones over the entrance to the Melody Lounge.

He said that Barnett Welansky had set the trap that doomed 491 victims with his locked doors, obstructed doors, bricked-up doors and bolted doors. Among these victims, he noted, were 55 servicemen.

Barnett Welansky was found guilty of 19 counts of manslaughter and was sentenced to 12 to 15 years in prison. His brother, James, and Goldfine were acquitted.

The victims did not die entirely in vain. Massachusetts legislators and nightclub proprietors gave Boston an up-to-date building and safety code. And elsewhere throughout the nation, safety codes were tightened up.

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