

UNITED STATES COAST GUARD

ADDRESS REPLY TO:
COMMANDANT
U. S. COAST GUARD
HEADQUARTERS
WASHINGTON 25, D. C.

22 November, 1949
FILE:
MVI(CG-MIN-CORINTHIAN-
MORMACFIR a-1)

From: Chief, Merchant Vessel Inspection Division
To: Commandant
Via: Chief, Office of Merchant Marine Safety

Subj: Collision between SS MORMACFIR and MV CORINTHIAN off Halifax,
on 19 September, 1949, with resultant loss of life

1. Pursuant to the provisions of Title 46 CFR, Part 136, the record of the Marine Board convened to investigate subject casualty, together with its findings of fact, conclusions and recommendations has been reviewed and is herewith forwarded.
2. The steam freighter MORMACFIR of 7606 gross tons, built in 1945, fully loaded, bound from Boston for Oslo, Norway, collided with and sank the motor fishing vessel CORINTHIAN of 161 gross tons at 1850 on 19 September, 1949 while such vessel was engaged in trawling operations in a position approximately 37 miles S $\frac{1}{2}$ E from Halifax Lightship. The weather was light SW winds, dense fog, heavy ground swell and zero visibility.
3. The CORINTHIAN, upon hearing the fog signals of the MORMACFIR, discontinued dragging, stopped her engines and hauled her drag from 250 to 25 fathoms. The CORINTHIAN heard the fog signal of the MORMACFIR for approximately five minutes before the collision. The MORMACFIR heard the fog signal of the CORINTHIAN while proceeding at a reduced speed of 15 knots; her engines were stopped and then put full astern. The MORMACFIR, approximately 1 $\frac{1}{2}$ minutes after first hearing the fog signal of the CORINTHIAN collided with that vessel. As the result of this accident the CORINTHIAN sank and the following 6 members of her crew lost their lives:

George Gordon
Theodore Decker
Harry Schulter
George Henson
Percy Noble
Oke Peterson

4. The Board made the following findings of fact:

FINDINGS OF FACTS

(1) The uninspected fishing vessel CORINTHIAN was struck by the SS MORMACFIR during a dense fog at 6:50 P.M., 19 September, 1949 in a position, latitude 43° 52' North, longitude 62° 59' West. The CORINTHIAN subsequently sank and six of her crew members were lost.

(2) The CORINTHIAN of Gloucester, Mass. was an uninspected, wooden hull, fishing vessel built in 1917, official number 215589, 161 gross tons, owned and operated by Gorton-Pew Fisheries Company, Ltd., Gloucester, Mass., of which Jerome Nobel was master.

(3) The MORMACFIR of New York, N. Y. is an ocean freight vessel of 7506 gross tons, official number 248650, built in 1945, owned and operated by the Moore-McCormack Lines, Inc., 11 Broadway, New York, N.Y., William A. Holman was master.

(4) Weather conditions at the time of the casualty: light SW winds; dense fog; heavy ground swell; zero visibility.

(5) On 15 September, 1949 the fishing vessel CORINTHIAN departed the port of Gloucester, Mass., bound for the fishing grounds off Nova Scotia. At about 6:35 P.M. on 19 September, 1949, while dragging in a position approximately thirty-seven miles S $\frac{1}{2}$ E from Halifax Lightship in a dense fog, sounding a fog signal of one long blast followed by two short blasts, with about 250 fathoms of cable out, the master signaled the crew to haul back on the trawl. He then stopped the engines, placed the clutch in neutral and started sounding a fog signal of two blasts every minute. After the drag had been hauled back to approximately the 25 fathom mark, the master testified, he heard a ship's whistle blowing one blast approximately every two minutes. He placed this time at about 6:43 P.M. The CORINTHIAN's running, mast head, tri-colored fishing and deck lights were burning. As the trawl was still over the side with twenty-five fathoms of wire out, the vessel was unable to use her engine to maneuver, so the master continued to blow two blasts on his whistle. Shortly thereafter a vessel loomed out of the fog and struck the CORINTHIAN on her port quarter, cutting a section of the stern completely off. This vessel proved to be the MORMACFIR which had departed Boston Lightship, Boston, Mass. at approximately 10:00 P.M., 18 September, 1949 bound for Oslo, Norway.

(6) At 6:48 $\frac{1}{2}$ P.M. on the 19th the MORMACFIR was proceeding in a dense fog at a reduced speed of fifteen knots. The master heard one blast on a fog signal forward of his beam on the starboard side and immediately stopped the engines. A lookout was posted forward in the eyes of the ship, and the master and second mate were on the bridge, and the proper running lights were burning. At 6:49 another fog signal was heard dead ahead, and the engines were put on full astern. In a matter of seconds, however, a vessel loomed out of the fog dead ahead. The master immediately rang for emergency full astern and ordered the helm amidships. At 6:50 the MORMACFIR struck the CORINTHIAN on the port quarter. The engines of the MORMACFIR were immediately stopped and the

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CORINTHIAN slid on down the port side of the MORMACFIR and disappeared astern in the fog. The engines of the MORMACFIR were again put astern to keep position. However, as all traces of the CORINTHIAN had disappeared, the engines were put on slow ahead, the course reversed and a search made for the CORINTHIAN. About an hour later the MORMACFIR found herself in considerable wreckage, and, realizing that the CORINTHIAN had sunk, the master had the engines stopped and No. 2 motor lifeboat lowered in charge of the chief officer to search for survivors.

(7). The crew of the CORINTHIAN complained that the motor of the lifeboat was not used and that considerable time was wasted in picking up survivors. However, the chief mate testified that the motor was used until a voice was heard, when he ordered the engine shut down and the lifeboat manned by oars because he felt the heavy ground swell and the noise of the motor would prevent his hearing any other survivors should they shout or call out. The chief officer and his boat crew succeeded in rescuing five men from the water, and as they were thoroughly wet and some were without clothing, they returned to the MORMACFIR. No. 2 boat was taken aboard, the survivors brought below to the sick bay and No. 4 lifeboat, a pulling boat, immediately lowered and the search continued amongst the wreckage for additional survivors, but with no success.

(8) The MORMACFIR continued to search the vicinity during the following day, but the results were negative. The USCGC COOS BAY also participated in the operation and on 21 September, 1949 the survivors were transferred from the MORMACFIR to the COOS BAY, which, after receiving permission from COMEASTAREA to proceed to Portland, Maine, where the survivors were landed.

(9). The following-named men lost their lives as a result of this casualty:
George Gordon, Oak Street, Gloucester, Mass., chief engineer
Theodore Decker, 11 Franklin Square, Gloucester, Mass., second engineer
Harry Schalter, 55 Tonnawanda Street, Dorchester, Mass., cook
George Henson, 50 Warner St., Gloucester, Mass., deck hand
Percy Noble, 30 Longwood Rd., Lynn, Mass., Deck hand
Oke Peterson, 1 Hopper Court, Rockport, Mass., deck hand.

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5. The Board submitted the following opinions:

(1) It is the opinion of the Board that the casualty between the MORMACFIR and the CORINTHIAN was caused by excessive speed in fog and failure to take evasive action on the part of the MORMACFIR. The master of the MORMACFIR was subsequently charged with negligence with three specifications. (See inclosure B)

(2) The CORINTHIAN was sounding an improper signal for a fishing vessel while trawling in foggy weather. However, it is the opinion of the Board that the sounding of this improper fog signal was not a contributory factor to the collision. No action could be taken against the master of the CORINTHIAN for using improper fog signals as the casualty occurred on the high seas, and the master of the CORINTHIAN does not hold a license or certificate issued by the United States Coast Guard.

(3) It was found from the evidence that the master of the MORMACFIR failed to conduct fire and boat drills from 6 October to 24 October, 1949 and a third specification charging him with violation of Regulation XLV, Convention for the Safety of Life at Sea, was included in the charge of negligence.

6. The Board made the following recommendation:

RECOMMENDATION

It is recommended that no further action be taken and the case be closed.

REMARKS

7. Opinion 10 of the Board that the collision between the MORMACFIR and the CORINTHIAN was caused by excessive speed in fog and failure to take evasive action on the part of the MORMACFIR is concurred with. However, the failure to take evasive action on the part of the MORMACFIR after hearing the fog signal of the CORINTHIAN is not considered a fault in the collision.

8. Opinion 12 of the Board that the master of the MORMACFIR violated Regulation XLV of the International Convention for Safety of Life at Sea, 1949, requiring weekly emergency drills by the crew, is disapproved, since this requirement of the Convention is applicable only to passenger vessels carrying more than 12 passengers on an international voyage. This requirement is not applicable to freighters. Since the subject casualty occurred on 19 September, 1949, the failure to conduct fire and boat drills from 6 October to 24 October, 1949 was not relevant to the investigation of subject casualty.

9. Recommendation 13 of the Board is disapproved. The record of subject casualty contains evidence of criminal liability on the part of the master of the MORMACFIR and in accordance with the requirements of R.S. 4450 as amended all of the evidence and the findings of subject casualty are required to be referred

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to the Attorney General for investigation by and prosecution through the Federal District Attorney of the District having jurisdiction under the provisions of the criminal code. In order to comply with this requirement additional copies of the record of subject casualty must be submitted to HQ by the Board in conformance with 46 CFR 136.23-1 and instructions thereunder.

10. Subject to the foregoing remarks, it is recommended that the findings of fact and conclusions of the Marine Board of Investigation be approved.

/s/ Edw. C. Gleave
EDW. C. GLEAVE

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30 November, 1949
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From: Chief, Office of Merchant Marine Safety
To: Commandant.

Forwarded, recommending approval.

/s/ H. C. Shephard
H. C. SHEPHEARD

APPROVED.

/s/ J. F. FARLEY

J. F. FARLEY
Admiral, U. S. Coast Guard
Commandant

▶ 1 DEC 1949