

U. S. COAST GUARD
Washington, D.C.

MVI
8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-12 B)

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

Subj: Marine Board of Investigation; collision involving MV FERNSTREAM
(Norwegian) and SS HAWAIIAN RANCHER, San Francisco Bay, California,
11 December 1952

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 forwarded herewith.

2. On 11 December 1952, the SS HAWAIIAN RANCHER, a cargo vessel of 8,353 g.t., was inbound in San Francisco Bay and proceeding to an anchorage, and the MV FERNSTREAM (Norwegian) was outbound proceeding to sea. The weather was foggy, with visibility from 1/4 to 7/10 mile, and the sea calm. Both vessels were sounding regulation fog signals and their respective radars were manned by competent personnel. While proceeding on various courses and speeds, errors in judgment of course and speed were made and both vessels collided at 0730, 11 December 1952, in position 121° True, 0.8 miles from Lime Point Lighthouse. The FERNSTREAM sank with no loss of life and the HAWAIIAN RANCHER suffered bow damage.

3. The Board made the following Findings of Fact:

"1. On 11 December 1952, about 0730 P.S.T., the SS HAWAIIAN RANCHER and the Norwegian motor vessel FERNSTREAM collided during foggy weather on San Francisco Bay, California, in a position about 121° T., 0.8 miles from Lime Point Lighthouse (U.S.C. & G.S. Chart No. 5535). The FERNSTREAM sank with no loss of life. The HAWAIIAN RANCHER suffered bow damage.

"2. The vessels involved were:

a. HAWAIIAN RANCHER—Official No. 246204, a "C-3" type ocean freight vessel built of steel in 1944 at San Francisco, California. It is of 8,353 gross tons, 468.5 feet registered length and powered with a steam turbine engine of 8,500 horsepower driving a single screw through geared reduction. The vessel

Chief, MWI Division to
Commandant

8 May 1952
(FRENCHMAN -
HAWAIIAN RANCHER-4-12 52)

was last inspected and certificated at San Francisco, California, on 10 April, 1952, as an ocean freight vessel authorized to carry 12 persons in addition to the crew. It is owned and operated by Matson Navigation Company, 215 Market Street, San Francisco, California.

b. FRENCHMAN--Norwegian nationality ocean freight vessel, built of steel in 1949 at Gothenburg, Sweden. It was of 4,980 gross tons, 416 feet registered length and powered with a Burmeister Wain, seven cylinder, two-cycle diesel engine of 7,00 shaft horsepower directly driving a single screw. This vessel's home port was Oslo, Norway, and was owned by Furnby and Ryer. The vessel was operated under authority of a valid Norwegian register, and load line and safety certificates required by International Conventions. In addition, it had a valid certificate issued by the U. S. Coast Guard permitting it to carry twelve persons in addition to the crew from U.S. ports. The vessel's local representative is Overseas Shipping Company, 310 Sanson Street, San Francisco, California.

*3. The weather at the time of casualty was wind and sea calm. It was daylight and a misty fog limited visibility from 1/4 mile to 7/10 mile in the area of Presidio Shoal between Fort Point Lifeboat Station and the degaussing range. The stage of the tide at the time of collision was about one-half hour past high water but the current was still flooding in an easterly direction at a velocity of about one knot.

*4. The HAWAIIAN RANCHER was on a voyage from Hilo, Hawaii, to San Francisco, California. It carried six persons in addition to the crew and about 9,000 tons of sugar, molasses, canned pineapples and miscellaneous cargo. The draft leaving Hilo was 26'06" forward and 28'03" aft (27'04 1/2" mean).

*5. Prior to arrival at the San Francisco Light Vessel, the second mate on watch checked the bridge clock against the chronometer and then synchronized the bridge clock with the engine room clock by reporting the correct time to the engineer on watch. Differences in time between the bridge bell book, engine bell book, FRENCHMAN'S log books and testimony of the FRENCHMAN'S crew members had to be resolved. The Board determined that the bridge time of the HAWAIIAN RANCHER checked closer to the times stated on Encl. 2 and the testimony of the pilot of the FRENCHMAN. The times employed in these findings of facts are Pacific Standard Times to which the bridge clock of the HAWAIIAN RANCHER was set.

Chief, NWI Division to
Commandant

8 May 1953
(PERMITHEAD -
HAWAIIAN RANCHER - 12 50)

The course recorder clock of the HAWAIIAN RANCHER checked within one minute of the bridge clock time. The gyro error, if any, was so slight it was not considered.

"6. The HAWAIIAN RANCHER took arrival off the San Francisco Light Vessel at 0628 hours on 11 December 1953. Its engine was turning 60 rpm. At 0657 speed was reduced to 30 rpm. At 0710 1/2 Mile Rock Light House was about 0.6 miles off on course 065° gyro. Average speed between these points was 12.7 knots. Fog signals were being sounded. The master was on the bridge piloting. Assisting him were the chief mate, second mate and helmsman. The carpenter and a lookout were on the fore'side head. The fathometer was on.

"7. Off Mile Rock Light House, course was changed to 079° gyro. At 0716 speed was reduced to slow (20rpm.) and at 0717 speed was increased to half ahead at 40 rpm.

"8. Approximately half way between Mile Rock and the Golden Gate Bridge, the second mate scanned the harbor ahead on the Raytheon radar scope, set on the four-mile scale. He saw numerous small targets and two larger targets fairly close together just under four miles distant. He reported the larger targets to the master as ships. They later were determined to be the MV FERRESTREAM and SS GEORGE LUCKENBACH.

"9. A minute or two prior to passing under the Golden Gate Bridge, the master started swinging his vessel to the right. It passed under the bridge at 0723 swinging on right rudder. The average course made good from off Mile Rock to the bridge was about 061°T. The average speed over the ground between these positions was 9.7 knots. The current was flowing in a direction with the vessel at a velocity of about one knot. Under the bridge, the south tower was visible; but, the north tower could not be seen by the lookout, carpenter or chief mate. It was determined the HAWAIIAN RANCHER passed under the bridge in a position about 500 yards north from the south tower.

"10. When the HAWAIIAN RANCHER was approximately under the bridge, and swinging right, the second mate again checked the radar scope and observed the two larger targets "slightly separated" at a mean distance of about two miles. The bearing of the targets indicated they would be "somewhat to starboard" when the HAWAIIAN RANCHER steadied on its course to Anchorage 7. He reported this

Chief, MVI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-1284)

picture to the master; and, upon the master's request, went to the chart room to determine a safe course to anchorage. Before the second mate reported the course to the master, the master ordered the vessel to steer 090° gyro, and at about 0724, the vessel was on this course.

"11. The FERNSTREAM departed from the north side of pier 22 at about 0642 on 11 December 1952, bound for Manila, P.I. It carried 42 crew, 11 persons in addition to the crew and was full loaded with 6,378 tons of cargo, consisting of 3,000 tons of soy beans in bulk, the balance general cargo and mail. Its draft on departure was 23'09" forward and 28'00" aft. (25'10 1/2" mean). The FERNSTREAM was loaded down to one inch above its allowable load line.

"12. San Francisco Bar Pilot, W. J. Olsen, acting under authority of his California State license, was on the bridge piloting. With him on the bridge were the master, third officer and helmsman. The chief mate and carpenter were on the fore 'sle head standing by the anchors and acting as lookout. Visibility was about 1.5 miles when the FERNSTREAM left the dock and it decreased as the vessel proceeded outbound. The vessel's Sperry radar, set on the two-mile scale, was on and operating satisfactorily. The radar had a plan-position-indicator (PPI) type scope and was located in the wheelhouse.

"13. The vessel's main engine had been running at the dock and was warmed up when the FERNSTREAM departed. As close as can be determined by the testimony, the FERNSTREAM'S maneuvering speeds were about 14 knots at full speed ahead, 10 knots at half speed ahead and 6 knots at slow speed ahead.

"14. After the FERNSTREAM left the dock, Pilot Olsen headed it in a general northerly direction. Because of other vessels on the bay, Olsen maneuvered on various speeds and headings. The FERNSTREAM passed Blossom Rock Buoy close by on its port side and after rounding the buoy, headed in a general direction toward Pier 45. Both Alcatraz Island and Pier 45 were visible. It was when these points were abeam or slightly abaft the beam that the FERNSTREAM overtook the GEORGE LUCKENBACH about 200 to 300 yards off the FERNSTREAM'S starboard side. The FERNSTREAM'S engine was on full ahead.

Chief, MVI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER - C-12 Bd)

"15. According to the testimony of the pilot and chief mate, the FERNSTREAM passed through the degaussing buoys about 100 yards south of Buoy "A" (the northernmost buoy). The master was guarding the radar scope and testified the FERNSTREAM "passed the degaussing buoys on the south side". The master later changed his testimony to agree with that of the pilot and this was supported by the chief mate.

"16. Before continuing with the FERNSTREAM'S maneuvers, from this point to the point of collision, it should be stated that records maintained on the FERNSTREAM in regard to times of engine maneuvers, courses steered, and other information from which a definite fix of this vessel could be ascertained, were lost and not available to the Board. The rough and smooth bridge logs were written up in the morning and afternoon after the collision, respectively, from recollected times and maneuvers. Neither this information nor testimony of FERNSTREAM witnesses established satisfactorily to the Board the time the FERNSTREAM passed the degaussing buoys or the position of the FERNSTREAM in relation to the degaussing buoys.

"17. It was testified that the FERNSTREAM passed the degaussing buoys with its engine on half speed ahead and on course 275° gyro. The master was still guarding the radar. The vessel had been and was still sounding fog signals. The wheel had been relieved earlier at about 0715 with the helm hard left and the relieved helmsman was to join the chief mate and carpenter on the fore'sle head as lookout after he called the watch.

"18. Shortly after passing the degaussing range, the master reported to the pilot that he picked up a target (HAWAIIAN RANCHER) just coming through the bridge bearing slightly on the port bow and 1.7 miles off. This observation checked reasonably close with the observation the second mate of the HAWAIIAN RANCHER made of the mean distance and bearing of the FERNSTREAM and GEORGE LUCKENBACH when the HAWAIIAN RANCHER was about under the bridge (paragraph 10 of facts). A fairly accurate position of the FERNSTREAM was determined to bear about 095°T., 1.7 miles from the HAWAIIAN RANCHER'S position under (or slightly inside) the bridge. The time was determined to be 0723 or 0723.5

"19. The speed of the HAWAIIAN RANCHER at half ahead on 40 rpm., allowing one knot current and 5% positive slip, was determined to be about 9.0 knots.

Chief, MVI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-128d)

"20. After the second mate went to the chart room, the master of the HAWAIIAN RANCHER observed the radar scope. When the second mate returned the master asked him about two targets on the scope. The second mate observed the FERNSTREAM had closed rapidly to a distance of 0.7 to 0.8 miles and bore about 5° on the starboard bow. The time was between 0725 and 0726. The second mate reported the situation to the master who ordered slow speed; heard the fog signal of the FERNSTREAM and ordered stop engine. The time was 0726.

"21. Allowing 9 knots speed over the ground and the change of course to 090° gyro, the position of the HAWAIIAN RANCHER at 0726 was determined to bear 133° T., 0.6 miles from Line Point Light House.

"22. At 0727 the FERNSTREAM was sighted and reported by the lookout and chief mate of the HAWAIIAN RANCHER. The master simultaneously ordered the rudder hard right and the engine full astern and blew three short blasts, followed immediately by an emergency jingle to the engine room. The HAWAIIAN RANCHER then heard three short blasts from the FERNSTREAM and it repeated the emergency jingle and three short blasts. When the FERNSTREAM was first sighted it bore about 5° on the starboard bow of the HAWAIIAN RANCHER.

"23. When the helmsman on the HAWAIIAN RANCHER received the order "hard right" the heading of that vessel had fallen off to 085° gyro. At about 0729.5 the collision occurred with the HAWAIIAN RANCHER heading 090° gyro. Immediately following the impact the engine was stopped and placed slow ahead for half a minute and then stopped and the helm was put amidship. The vessel's heading fell off to 047° gyro after the collision.

"24. The FERNSTREAM'S position at about 0725 $\frac{1}{2}$ when it bore 095° T., and about 0.7 to 0.8 miles from the HAWAIIAN RANCHER, was determined to be within about 0.1 mile east or west of a point bearing 356° T., 1200 yards from Anita Rock Bell Buoy "1".

"25. When the master of the FERNSTREAM first reported the HAWAIIAN RANCHER as a target to the pilot, the pilot observed the radar scope. Either before or after the pilot observed the picture, he ordered slow speed and a change of course from 275° gyro to 280° gyro. Between this time and the collision, both the master and

Chief, MVI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-1284)

the pilot again observed the radar picture. The helmsman, who had been relieved at the wheel, reported on the fog's head as lookout shortly after the vessel passed the degaussing buoys.

"26. The next order given by the pilot was to stop engine. The master observed the HAWAIIAN RANCHER on the radar scope a little over half a mile, bearing about 10° on the port bow. The pilot, lookout, and carpenter, prior to seeing the HAWAIIAN RANCHER, heard its fog signal. Neither the master, chief mate, nor the third mate, heard the fog signal. Shortly after hearing the fog whistle of the HAWAIIAN RANCHER, it was sighted and reported by telephone to the bridge by the chief mate. When the pilot first saw the HAWAIIAN RANCHER, he ordered course changed to 290° gyro. The pilot thought the vessels would pass clear. After the HAWAIIAN RANCHER was clearly visible through the fog, and was observed heading on a collision course, the pilot ordered full astern and sounded three short blasts. Just seconds before the collision, the pilot ordered the wheel "hard-a-port" and the engine full ahead. He stopped the engine before the order could be executed to protect the engine room crew.

"27. The vessels collided at an angle of about 20° . The port bow and stem of the HAWAIIAN RANCHER first came in contact with the port side of the FERNSTREAM just abaft the bridge, damaging the lifeboat and superstructure. It penetrated the hull at the after part of the engine room, damaging the watertight bulkhead to No. 4 hold. The bow of the HAWAIIAN RANCHER withdrew from the hole in the FERNSTREAM within a few seconds. The FERNSTREAM had one or two knots headway when the collision occurred.

"28. All witnesses testified in average agreement that visibility was a half mile when the vessels first sighted each other.

"29. The position of the collision as determined by the Board was about 121° T., 0.8 miles from Lime Point Light House.

"30. After the collision, the FERNSTREAM'S engine room crew had no time to close the watertight door to the shaft alley. Its power failed immediately and the HAWAIIAN RANCHER radioed a message which was intercepted by the Coast Guard Fort Point Lifeboat Station. The HAWAIIAN RANCHER immediately lowered a lifeboat to assist and stood close by. The master of the HAWAIIAN RANCHER offered to come ahead into the hole. He heard no reply other than to stand by close

Chief, MWI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-12 Bd)

to the FERNSTREAM. The FERNSTREAM'S master said "yes" to the offer of the HAWAIIAN RANCHER'S master to give a tow line but the crew had all abandoned the FERNSTREAM at this time. The crew and passengers abandoned the FERNSTREAM in three lifeboats less than fifteen minutes after the collision. The FERNSTREAM slowly listed to port and sank by the stern. At 0907 it went under and now rests on its side in 152 feet of water.

"31. Coast Guard vessels assisted at the scene—landing survivors, patrolling to warn shipping, picking up floating cargo, sounding over the wreck and establishing a buoy marking the wreck. The vessels were CG-38369, CG-36473, CG-83411, CGC CALUMET, CGC WILLOW. Passengers and crew were taken to the U. S. Public Health Service Hospital where they were examined and released. One passenger and one crew member were slightly cut. The loss of the FERNSTREAM and cargo was estimated to amount to \$3,500,000.

"32. The second mate of the HAWAIIAN RANCHER plotted some radar fixes when that vessel was standing by. After the FERNSTREAM sank, the HAWAIIAN RANCHER proceeded to Bethlehem Shipyard. It had taken water in the forepeak and damage was estimated to amount to \$40,000.

"33. During the afternoon of the day of casualty, the HAWAIIAN RANCHER, in the same load condition, departed Bethlehem for Crockett, California, to discharge cargo prior to drydocking for repairs. It was in command of a relief master, although its regular master as well as its owner's attorneys, were on board. On the way to Crockett the vessel was subjected to a test simulating closely the maneuvers it made to avoid collision earlier in the day. The result of this maneuvering test helped to confirm the Board's conclusions and the Board's determination of the position of the collision (Par. 21 of Facts.)."

4.

The Board made the following Conclusions:

"34. This is another major marine casualty, in which two vessels, each provided with radar in good operating condition and working at the time, collided. The primary cause of the collision was excessive speed, on the part of the FERNSTREAM, at a time when the circumstances and conditions required a moderate speed. In this regard, the FERNSTREAM'S master and pilot are considered negligent and in violation of Article 16 of the Inland Rules of the Road.

Chief, NMI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-12 Bd)

*35. The two vessels were separated by 1.7 miles at 0723; and by 0.7 or 0.8 miles at about 0725.5. This gives a speed of approach of from 21.6 to 24 knots, if the vessels were approaching head on. Since the vessels were approaching at an angle of 5° to 10°, the speed of approach would be slightly greater. Allowing a maximum speed of 9 knots over the ground for the HAWAIIAN RANCHER during this time, the FERNSTREAM'S speed would be from 12.6 to 15 knots over the ground, or from 13.6 to 16 knots through the water. Allowing the FERNSTREAM the benefit of any doubt or argument that this speed was computed over too short a period of time and distance, then the average speed of the FERNSTREAM from 0723 until 0729.5 can be established at 9.3 knots over the ground, with the FERNSTREAM having decelerated to about one or two knots at the time of collision. The testimony to the effect that the FERNSTREAM'S engine was only maneuvered slow ahead, stop and full astern during this period of time, must be discredited.

*36. Further evidence of headway on the FERNSTREAM, at the time of collision, is that its momentum swung the bow of the HAWAIIAN RANCHER to the left even after the HAWAIIAN RANCHER had come slow ahead on hard right rudder; and, after the collision, the FERNSTREAM continued to mak was in a westerly direction.

*37. The Board agreed that the HAWAIIAN RANCHER was dead in the water and may have had sternway at the time of collision. The Board was further satisfied that it had lost all headway within its allotted share of one-half of the visibility. In determining this, the Board considered the trial run data of a sister ship. In the trial test, the vessel had a mean draft of 19'03"; and, from full ahead at 85 rpm. (about 17 knots), it was stopped in the water in 3 minutes and 20 seconds with a head reach of 600 yards. It took 21 seconds to stop the shaft before it started to turn astern. Although the HAWAIIAN RANCHER was about 8 feet deeper in the water, it was going only 9 knots when its engine was stopped for one minute (and its shaft had stopped turning) and before the engine was placed emergency full astern.

*38. Contributing to the collision was the failure of both vessels to take advantage of the full information available to them on radar. The second mate of the HAWAIIAN RANCHER was a qualified radar operator; and, the master of the FERNSTREAM had 10 years' experience with radar. In the case of the AUSTRALIA STAR--HINDOO,

Chief, MWI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER-C-12 B)

1947 AND 1630, the U. S. District Court for the Southern District of New York said, in part: "Since the heading of a ship can be plotted from its bearing and distance at two or more points in time, the radar operator can with great accuracy plot the heading of a ship after taking a number of radar readings. ...By means of her radar the AUSTRALIA STAR could observe the HINDOO and determine her heading and speed with greater exactitude than if the HINDOO had shown her navigation lights." Because both vessels could have done this but failed to do so, the master of each vessel, as well as the pilot of the FERNSTREAM, was inattentive to his duties.

"39. The FERNSTREAM'S maneuvers of changing course to the right 10° when the HAWAIIAN RANCHER was first sighted, and her failure to go astern until after the outline of the HAWAIIAN RANCHER had emerged through the fog, made it apparent that the FERNSTREAM'S pilot, and possibly her master, did not believe danger of collision existed prior to this time. The collision might not have been avoided if the Pilot of the FERNSTREAM had immediately put its engine astern, when the HAWAIIAN RANCHER was first sighted; but, damage would have been less and the FERNSTREAM might not have been a total loss.

"40. In determining the position of the collision, the Board allowed 250 yards head reach from 0726, when the HAWAIIAN RANCHER'S engine was stopped, until 0727, when the engine was put full astern. Another 250 yards head reach was allowed from the time the engine was placed full astern until the collision. This position corresponded very closely to the position determined by the master of the HAWAIIAN RANCHER. The 0738 radar fix of the second mate of the HAWAIIAN RANCHER was considered accurate; and, it checked with the sounding he read from the fathometer. Working back from this radar fix, employing the course recorder, bell books, pitch of the wheel and a slight current, will further confirm the accuracy of the position of the collision.

"41. The Board cannot understand why the position of collision as determined by the FERNSTREAM'S pilot was so in conflict with established facts. The Board was unfavorably impressed with the rapidity, lack of hesitation and positive manner, in which he established positions. He showed the FERNSTREAM on course 290°T. for one-half mile prior to the collision, when the facts show that this course change was not ordered until after the HAWAIIAN RANCHER was sighted. Other facts, which discredit the FERNSTREAM'S alleged

Chief, MVI Division to
Commandant

8 May 1953
(FERNSTREAM -
HAWAIIAN RANCHER - C-12 Bd)

positions, are: That, after rounding Blossom Rock Buoy, the vessel headed in the direction of Pier 45; it then passed south of the GEORGE LOCKENBACH and in this area the helmsman was relieved. When the relieving helmsman reported on the bridge, the rudder was hard left and remained hard left for so long a period of time that both helmsmen broke tradition and custom by relieving the helm in that position. These maneuvers would place the FERNSTREAM close to shore. The Board did not consider that the "narrow channel" rule governed navigation in this area.

"42. Witnesses from each vessel testified that it was their respective vessel which blew the three-blast signal first; although some of the FERNSTREAM'S witnesses testified they heard one blast from the HAWAIIAN RANCHER after that vessel was sighted. The Board determined that the HAWAIIAN RANCHER gave the three-blast signal first primarily because of the immediate full astern action taken when the FERNSTREAM was first sighted. The Board concluded that two blasts of the HAWAIIAN RANCHER'S first three-blast signal were given at the same time as one of the numerous fog horn aids to navigation in the near vicinity, and therefore were not heard on the FERNSTREAM.

"43. The testimony of the FERNSTREAM'S helmsman was accepted although it appeared unusual that he could not recall any events other than orders to the helm. Testimony of the FERNSTREAM'S master, chief mate (who later wrote up the log books from various rough notes which were not produced), third mate, assistant engineer, oiler Kongelbak and seaman Walla, was discredited to a large degree. After the testimony of the assistant engineer a member of the Board talked with the interpreter. The interpreter felt certain that this witness had understood questions in regard to persons the witness had talked with prior to testifying before the Board.

"44. It was fortunate that the FERNSTREAM was abandoned without loss of life or serious injury. The Board felt, however, that the master should have ordered an emergency crew to remain on board longer. As it was, the vessel remained afloat for thirty-seven to thirty-eight minutes, thus allowing sufficient time to take a line on board and tow the FERNSTREAM the short distance to shallow water.

"45. As far as was determined during the investigation, the FERNSTREAM appeared to be in compliance with the provisions of the International Convention for the Safety of Life at Sea of 1948, as well as the provisions of the International Load Line Convention, of which the Government of Norway is a party. The master of the

Chief, MVI Division to
Commandant

8 May 1953
(FERNSTREAM
HAWAIIAN RANCHER C-12 Bd)

FERNSTREAM did fail, however, to comply with Recommendation 19 of the Safety Conference of 1948, in regard to navigation of ships equipped with radar.

"46. There was no failure of material on either vessel and all orders given were understood and executed promptly and efficiently. The master of the HAWAIIAN RANCHER will be charged with inattention to duty for failure to require a closer guard on the radar and failure to obtain the maximum information the radar was capable of giving him. A hearing will be held at the earliest opportunity.

"47. A Coast Guard Investigating Officer cannot, at this time, institute disciplinary action against the Federal license of the pilot of the FERNSTREAM since he was serving under authority of a State license."

5. The Board made the following Recommendations:

"48. It is recommended that the pilot of the FERNSTREAM be cited for violation of 33 USC 192 (Art. 16) for excessive speed, and a suitable penalty assessed, as provided therein. A report of this violation will be submitted to the Commander, Twelfth Coast Guard District, in proper form.

"49. It is recommended that this case be referred to the American Pilots' Association for appropriate action. An extra copy of the investigation is forwarded for this purpose.

"50. There being no further action possible by the Board, it is recommended that this case be closed."

REMARKS

6. The recommendation of the Board, paragraph 48, that the pilot of the FERNSTREAM be cited for violation of 33 USC 192 (Art. 16) for excessive speed, will be held in abeyance until the Coast Guard is informed of the results of the action recommended in paragraph 49.

7. The references throughout the Board's report indicating the evidence in the record on which the findings of fact and conclusions are based have been omitted as unnecessary for this report.

Chief, MVI Division to
Commandant

8 May 1953
(FLEETSTREAM
H/MAILLAN RANCH: B C-12 Bd)

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

/s/P. A. OVENDEN
P. A. OVENDEN

FIRST ENDORSEMENT TO MVI memorandum of 8 May 1953

M
14 May 1953

From: Chief, Office of Merchant Marine Safety
To: Commandant

Forwarded, recommending approval.

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

APPROVED: MAY 18 1953

/s/ MERLIN O'NEILL
MERLIN O'NEILL
Vice Admiral, U.S. Coast Guard
Commandant