

UNITED STATES COAST GUARD

Address reply to:
COMMANDANT
U. S. Coast Guard
Headquarters
Washington 25, D. C.

MVI
19 July, 1951
(PENGUIN a-1 Bd)

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

Subj: Marine Board of Investigation; F/V PENGUIN; reported disappearance off Atlantic Coast, February, 1951.

1. Pursuant to the provisions of Title 46 C.F.R. Part 136, the record of the Marine Board convened to investigate subject casualty, together with its Findings of Fact, Opinions, and Recommendations, has been reviewed and is forwarded herewith.

2. The M/V PENGUIN, a fishing vessel of 45 gross tons, departed from New Bedford, Mass., on 6 February, 1951, for the fishing grounds 50 to 60 miles south of Block Island. On 8 February, 1951, the Master of the PENGUIN indicated in a radio telephone conversation with the Master of the GROWLER that he would remain on the fishing grounds until he got a full load of fish. No further word has ever been heard from the PENGUIN and upon her failure to return to port which was reported to the Coast Guard, a thorough search was conducted but no trace of the PENGUIN or any of her crew has been found, and it is presumed that she foundered with the loss of all 6 crew members on board. The weather on 7 and 8 February, 1951, was bad with winds up to about 45 knots which, however, moderated on 9 February, 1951. The weather was not of sufficient severity to account for the loss of the PENGUIN.

3. The Board made the following Findings of Fact:

"1. That the fishing vessel PENGUIN, of New Bedford, Massachusetts, official number 241796, was owned by Mr. Carl Beckman of 35 Commercial Street, New Bedford, Massachusetts.

2. That the PENGUIN departed New Bedford on February 6, 1951 for fishing grounds fifty to sixty miles south of Block Island, Rhode Island.

3. That the PENGUIN was last seen just before dark on the evening of February 7, 1951 at which time she was hove to, due to a fresh gale, in company with the fishing vessels LOLLY AND JANE and GROWLER, in position approximately 40° 11' north, 71° 07' west.

4. That the master of the PENGUIN talked with the master of the GROWLER by radio telephone at 12:00 noon on February 8, 1951 and again at 8:00 p.m. the same day and indicated his intention to remain on the fishing grounds until the weather moderated and he could get a full load of fish.

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5. That the PENGUIN was not heard on the air after the evening of February 8, 1951 and is not known to have transmitted a distress message or report of difficulty of any kind although a number of other fishing vessels equipped with radio receivers were in her immediate vicinity and normally were able to hear her transmissions easily.
6. That the weather in the vicinity continued bad, with winds up to about forty-five knots from the northwest, with snow and water vapor causing poor visibility at times, until February 9, 1951 on which date the weather moderated.
7. That no bodies or wreckage identified as having come from the PENGUIN have been found.
8. That a liferaft of the same general type as those carried by the PENGUIN was sighted thirty to thirty-five miles southwest of No Man's Land, Massachusetts (about thirty miles north of the last reported position of the PENGUIN) on the morning of February 9, 1951 by the crew of the fishing vessel AUSTIN #., but attempts to recover it were unsuccessful.
9. That the Coast Guard was first notified that the PENGUIN was overdue by Mr. Rudolph B. Matland, brother of the master of the PENGUIN, who reported the circumstances to the Commanding Officer of the Coast Guard Cutter LORRAINE at New Bedford, Massachusetts, on February 17, 1951.
10. That Commander Eastern Area, U. S. Coast Guard, assumed operational control of the case and conducted an extensive surface and air search during the period 17-23 February, 1951, using a total of eight aircraft, the cutters AKUMBL and SASSAFRAS and various smaller Coast Guard craft, the extent of the search being as indicated on Exhibit 5.
11. That the results of the search were negative.
12. That visibility ranged from fair to good during most of the search period (See Exhibit 2).
13. That the PENGUIN was a wooden hulled vessel of forty-five gross tons and sixty-eight feet overall length, built in 1942 at Friendship, Maine, and powered by a Superior, 165 horsepower, eight-cylinder, diesel engine.
14. That the PENGUIN was enrolled and licensed for the fishing service and assigned official number 241796.
15. That the following named persons were on the PENGUIN as her crew when she sailed on February 6, 1951:

Sigurd K. Matland, of 14 Hedge Street, Fairhaven Mass. (Master)
Knut Matland, 33 Elm Avenue, Fairhaven, Mass.
Arne Knudsen, of 5 Burgess Avenue, Fairhaven, Mass.
Norman Hansen, of 109 Main Street, Fairhaven, Mass.
John Aamenson, of 89 Union Street, Fairhaven, Mass.
Joseph Alonzo, of 19 17th Street, New Bedford, Mass.

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16. That the PENGUIN was docked at D. H. Kelley and Sons, Inc. of Fairhaven, Massachusetts, during the summer of 1950, and all necessary hull and engine repairs made; and docked again, at the same yard, on December 19, 1950, at which time the propeller was repaired, a new Lionel water tank installed, and other necessary repairs made.

17. That the PENGUIN had the reputation of being one of the best maintained and able fishing vessels of its size in the New Bedford fishing fleet.

18. That the PENGUIN carried two dories, one six-man and one five-man life rafts, eight life preservers, and one ring buoy.

19. That the PENGUIN was equipped with an Apelco Radio, 25-watt radio telephone set, which was installed, new, on 15 September, 1950."

4. The Board expressed the following Opinions:

- "1. That the fishing vessel PENGUIN was lost at sea off Block Island, Rhode Island, on or about February 9, 1961, and that all persons on board perished.
2. That the cause of her loss cannot be determined.
3. That weather conditions existing at the time were not severe enough to explain her loss.
4. That the existence of poor visibility at times during the 8th and 9th of February raises the possibility that the PENGUIN might have been accidentally run down and sunk by a large vessel but that no evidence to support this theory is available.
5. That no person in the Coast Guard or other Government Agency contributed to the casualty."

5. The Board made the following Recommendations:

- "1. That legislation be supported to subject all vessels of fifteen gross tons or over, licensed to engage in commercial fishing, to marine safety statutes and regulations thereunder.
2. That legislation be supported to require the master of every vessel of fifteen gross tons or over, licensed to engage in commercial fishing, to keep an accurate written list of persons on board on each trip to sea and to mail a copy of such list to an appropriate Coast Guard unit immediately prior to sailing.
3. That the desirability, from a search and rescue viewpoint, of painting lifeboats and life rafts International Orange be stressed to the fishing industry upon every appropriate occasion."

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REMARKS

6. Recommendation 1 of the Board to extend the marine safety statutes to require inspection and certification of all commercial fishing vessels of 15 gross tons or over is not sustained by the record. Nothing is contained in the record which establishes the cause for the foundering of the PENGUIN nor does it indicate that compliance with any marine safety statute or regulation thereunder would have in any way prevented her disappearance. In this connection, however, the following bills for the extension of the marine safety statutes and regulations to commercial fishing vessels are now before Congress for consideration:

(a) H.R. 1762 - A bill for the safety of life and property by making all commercial fishing vessels subject to the rules and regulations of the United States Coast Guard Marine Inspection.

(b) S. 1286 - A bill to amend the Act of June 20, 1936, so as to broaden the application of laws governing the inspection of steam vessels to vessels propelled by internal-combustion engines.

7. Recommendation 2 suggests legislation to require masters of fishing vessels to submit to the Coast Guard an accurate list of persons on board prior to each departure on a fishing voyage. This requirement is contained in Section 9 of H.R. 1762.

8. Recommendation 3 of the Board with respect to the desirability of painting lifeboats and life rafts International Orange would also be covered by the above cited proposed legislation.

9. Since there is no present legal authority to require the submission of written lists of persons on board fishing vessels before departure on a fishing voyage or to require the fishing industry to paint boats and rafts International Orange, desirable action in accordance with the Board's recommendations should be brought to the attention of the fishing industry by appropriate personnel under jurisdiction of the District Commander.

10. Subject to the foregoing remarks, it is recommended that the Findings of Fact, Opinions and Recommendations of the Marine Board of Investigation be approved.

F. A. JENSEN
Acting

Chief, MVI Division to
Commandant

19 July, 1951
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27 July, 1951

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

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off Atlantic Coast, February, 1951.

Forwarded, recommending approval.

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

APPROVED: 31 July, 1951

/s/ A. C. RICHMOND
A. C. RICHMOND
Rear Admiral, U. S. Coast Guard
Acting Commandant