

3-13-52

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

Subj: Marine Board of Investigation into disappearance of fishing vessel
ANNA C. PERRY with all persons on board, off Atlantic Coast in
March 1952

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 Motor Fishing Vessel ANNA C. PERRY of 43 gross tons, length 41.5 feet, built in 1925 of wood, departed New Bedford, Massachusetts, on 5 March 1952, to fish in the vicinity of Nantucket Lightship. On 11 March, 1952 the ANNA C. PERRY was heard from on several occasions by voice radio. At 0600 the master of the ANNA C. PERRY told the master of the EUGENE ROSE, another fishing vessel, that he was starting for home. Both vessels were, at this time, in the vicinity of Vetch Canyon, Lat. 40° 04' N., Long. 69° 48' W. At 1100 the ANNA C. PERRY reported she was making over ten knots and "running good". At 1500, the master of the EUGENE ROSE attempted to contact the ANNA C. PERRY but got no answer. The 1100 conversation was the last known contact with the ANNA C. PERRY. On 13 March, the ANNA C. PERRY was reported as overdue. A thorough search of the area by Coast Guard air and surface craft failed to disclose any trace of the vessel or her crew. On 2 May, a floating mast was reported but could not be recovered. On 6 May, an amateur diver found that the mast was held in position with her stays fouled in a winch. Made fast to the stays was a life raft stenciled ANNA C. PERRY. It is presumed that the ANNA C. PERRY foundered with the loss of all persons on board. Weather conditions in the area prevailing on 11 March were SE winds of 30 to 35 knots, rough seas and squalls. As a result of this casualty, it is presumed that the following crew members perished:

Alexander Mitchell, Captain
Lawrence Hayes
James E. Codner
George Koussouras
Edward Kearley
Herbert T. Barron

3.

The Board made the following Findings of Fact:

"1. The oil screw ANNA C. PERRY, official number 225023 of 43 Gross tons, length 44.5 feet, beam 16.6 feet and depth 7.7 feet, wooden hull, was built in 1925 at Thomaston, Me., and was licensed for mackerel fisheries.

"2. The ANNA C. PERRY was currently owned by [REDACTED] of [REDACTED], and the master was Alexander Mitchell of [REDACTED]

"3. The ANNA C. PERRY sailed from New Bedford, Mass., on 6 March, 1952, to fish in the vicinity of Nantucket Lightship, in a seaworthy condition and well found.

"4. The ANNA C. PERRY was heard by voice radio at 0600 on 11 March, 1952, at which time the master of the ANNA C. PERRY told the master of the EUGENE ROSE he was starting for home. Both vessels at this time were in the vicinity of Ventsen Canyon, latitude 40° 04' N., longitude 69° 43' W. The master of the EUGENE ROSE again talked with the master of the ANNA C. PERRY at 1100, at which time he stated he was turning 1400 revolutions and was making over ten knots. The master of the EUGENE ROSE again called the ANNA C. PERRY at 3:00 p.m. on the 11th, but this time received no answer.

"5. The 11:00 a.m. conversation was the last official known contact with the ANNA C. PERRY which established her to be afloat at that time.

"6. The Coast Guard was first notified at 11:00 a.m., 13 March, 1952 that the ANNA C. PERRY was overdue. This information was furnished by Mr. John Linahan of the Sea Food Producers Assn. of New Bedford, Mass.

"7. An extensive surface and air search was then placed in operation by the Coast Guard and continued until 6:00 p.m. on the 15th of March, 1952. Exhibits 1-1, 1-2, 1-3 indicate the extent of this effort and the units participating. No tangible evidence of the vessel was found at this time.

"8. On 2 May, 1952 the Coast Guard Cutter General Greene attempted to recover a floating mast in position 40° 09' N and 70° 01' W, which had previously been reported by a fisherman; but was unable to do so.

"9. On 6 May, 1952 an amateur diver, [REDACTED], found that the mast was held in position with her stays fouled in a winch, and made fast to the stays was a life raft stenciled ANNA C. PERRY which was recovered.

"10. The ANNA C. PERRY had recently had a new Westechaw 175 H.P. engine installed. This work was completed on 22 January, 1952. She had also been drydocked in February, 1952, for routine examination and found to be in good condition. There has been no major hull repairs since 1948.

"11. The ANNA C. PERRY encountered SE winds averaging 30 to 35 knots on the 11th of March together with rough seas and some snow.

"12. The ANNA C. PERRY foundered at sea in the vicinity of Nantucket Lightship sometime, subsequent to 11:00 on 11 March 1952. The exact time and date could not be determined.

"13. The following-named six persons made up the crew of the ANNA C. PERRY when she sailed on 6 March, 1952, and were lost with their vessel:

Captain Alexander Mitchell
Lawrence Hayes
James E. Codner
George Koussouras
Edward Kearley
Herbert T. Barron"

4. The Board expressed the following Opinions:

"1. It is believed that the foundering of the ANNA C. PERRY was caused by the heavy weather she encountered on her way home, causing probable opening up of the hull, or the shipping of heavy seas, flooding the engine room and other compartments.

"2. Ample and thorough search and rescue operations were conducted by the Coast Guard."

5. The Board made the following Recommendations:

"1. The Sea Food Producers Assn. is now providing receptacles on fish piers and crew list forms to masters to be placed in these receptacles before sailing. It is recommended that this procedure be publicized to the fishing industry. The board feels that there is ample authority to force masters of fishing vessels to leave a crew list behind under R. S. 4391 (46 USC 531), although it seems that the owners and masters now make their agreement with the union instead of the crew.

"2. The association has also recommended that fishing vessels be compelled to carry flares in the event of loss of radio contact, and the board concurs in this recommendation.

"3. It is recommended that upon approval by the convening authority no further action be taken and the case be closed."

REMARKS

6. The following bills to amend the inspection laws relating to fishing vessels are now before Congress for consideration:

- (a) H. R. 1761 - 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) 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.
- (c) H. R. 2316 - A bill to extend the requirements for fixing the minimum number of deck officers on steam vessels to certain additional vessels of the United States, and for other purposes.
- (d) S. 866 - A bill to extend the requirements for fixing the minimum number of deck officers and licensed engineers on steam vessels to certain additional vessels of the United States, and for other purposes.
- (e) S. 1286 - A bill to amend the Act of June 30, 1936, so as to broaden the application of laws governing the inspection of steam vessels to vessels propelled by internal-combustion engines.
- (f) S. 2617 - A bill to provide for the safety of life and property by establishing certain rules and regulations for certain vessels engaged in commercial fishing.

7. The first paragraph of Recommendations suggests that the procedure followed by the Sea Food Producers Association in placing receptacles on the fish piers in which are to be placed crew lists of fishing vessels prior to sailing be publicized to the fishing industry recommending adoption. Legislation requiring 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 is contained in Section 9 of H. R. 1762.

Commandant

8. The second paragraph of Recommendations suggests that fishing vessels be compelled to carry flares in the event of loss of radio contact.

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 fishing vessels to carry flares, 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.

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

FIRST ENDORSEMENT to NWI memorandum of 10 July 1952

M
17 July 1952

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

Forwarded, recommending approval.

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

APPROVED July 21 1952

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