

UNITED STATES COAST GUARD

COMMISSE  
3rd Coast Guard District  
80 Lafayette Street  
New York 13, N. Y.

11 December, 1953  
ATC (HMS - 021700)

From: Marine Board of Investigation  
To: Commandant

Subj: Marine Board of Investigation; capsizing of passenger motor  
vessel HEDA M., O.N. 24366, off Montauk Point, Long Island,  
11 October, 1953, with loss of life

Findings of Fact

1. The motor passenger boat HEDA M with six persons aboard capsized at about 12:45 P.M. EST on 11 October, 1953, while approximately 3/4 mile northwest of the Montauk Point Lighthouse at the extreme eastern point of Long Island, resulting in the loss of one life.
2. The motor passenger boat HEDA M, official number 24366, is a gasoline propelled vessel powered by a single Chris-Craft engine rated at 145 H.P. This engine was installed in October, 1951. The hull is wood, 38' 8" long, 12' 6" beam and 3' 6" in depth, measuring 14 gross and 11 net tons. The vessel had a well deck aft of about 9 feet in length on which were affixed four survival chairs. The pilot house was 8' long, while forward of and below the enclosed wheelhouse was a trunk cabin which could only be entered from the wheelhouse. This cabin, 11' long, contained two bunks. It was built in 1943 at Tuck Shipyard, Lindenhurst, Long Island, New York.
3. Steering control could be and was almost exclusively operated on this occasion, from a flying bridge. The instrument panel, however, was in the pilot house and was observed from the position above through a port hole. On either side of the wheelhouse were sections with large hinged cushions under which were stowed lifejackets; other provisions were kept below forward of the cabin trunk. There were 21 hinged vest-type life preservers, including three children's type, carried aboard. The boat had a radio telephone installation.
4. The boat was owned and operated by [REDACTED] who possessed a current motor-boat operator's license. This was his fourth year of operation at Montauk Point carrying passengers for hire.
5. The HEDA M was employed as a charter party fishing boat carrying passengers for hire as distinguished from an open party boat. It was moored at Tuck's Dock and had been operating from there for at least the season beginning May, 1953, until the casualty on 11 October, 1953.

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U. S. Coast Guard personnel from Moriches Lifebot Station and Ditch Plains Lifebot Station had boarded the vessel on separate occasions during the season to insure compliance with existing statutes and regulations.

6. No labels or signs on the two coxtees announced that they contained life preservers.

7. It was not a practice to volunteer to the passengers the location of life preservers.

8. According to Mr. [REDACTED] on the morning of 11 October, 1953, the wind was blowing from the east with a force of 15 to 20 knots with fairly clear visibility although cloudy; the sea was choppy with a flood tide. He stated that although the tide turned to ebb later in the morning the easterly wind apparently eased off because the seas seemed to flatten out a bit toward noon. The Montauk Point Lighthouse had the 0800 weather logged as wind N force 4 - cloudy - visibility less than 7 miles - sea direction SE at a height of 4 feet. The 12:00 noon readings were wind N force 4, scattered clouds, objects visible less than 7 miles, seas coming from easterly direction at a height of 5 feet.

9. Several other motorboat operators' testimony concerning the general weather conditions coincided with the consensus of the passengers that the condition of sea and wind worsened in the early afternoon as compared to the morning.

10. In August, 1953, [REDACTED], acting for a group composed of members of the Beach Haven Fishing Club, Inc., phoned [REDACTED] from Brooklyn, New York to arrange a charter party for 11 September, 1953. On the evening of 10 September, because inclement weather was indicated, a confirmation call was made and the charter cancelled for that reason. Subsequently, Mr. [REDACTED] wrote setting 11 October as the date. Some days prior thereto, a phone call was put through solely to verify the appointment. No inquiry was made as to weather conditions before the party started for Montauk, New York.

11. At about 0330 hours on 11 October, 1953, the party consisting of:

[REDACTED]  
[REDACTED] and Irving Komito, [REDACTED] departed by automobile for Tuna's Dock, Montauk Point, Long Island, New York.

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They arrived at about 0700 at the boat mooring where they were greeted by [redacted] mate (unlicensed) of the M/B FREDA M.

12. At about 0720 the owner appeared and upon inquiry by Mr. [redacted] stated they were going to try for "stripers". The choice of fishing grounds to be used rested with the owner of the boat. Before departing, Messrs. [redacted], [redacted] and [redacted] took "sea sick pills" as a precaution. At no time did the persons operating the boat, either prior to the party boarding or subsequently, apprise the passengers as to the location of the life preservers, nor did any of the latter request this advice. The location of the kapok jackets was not indicated by a sign.

13. At about 0730 the M/B FREDA M sailed against a flood tide from its moorings at Tamm's Dock out of Montauk Harbor toward Montauk Point. When about 1/2 mile off the point and somewhat to the south and east of it, the engines were slowed to about 1-2 knots and courses were run in circles or figure eights while the fishermen trolled. One of the party soon became sea sick but buoyed up by his success continued to fish. He finally went below to the trunk cabin to lie down where he was soon joined by another passenger similarly indisposed.

14. South and west of the Montauk Point Lighthouse is a rocky shoal which causes a rip. The M/B CHARTER, carrying a charter party of four persons, was being navigated about 300 yards off shore in a manner similar to the FREDA M. While turning in the rip, water was taken aboard which wet the wires of the motor sufficiently to cause it to stall. [redacted] owner and operator, was attending to the situation and about to order his anchor dropped when he secured aid from the FREDA M. The latter passed a line and took the CHARTER in tow heading around Montauk Point toward the harbor. Meanwhile, Mr. [redacted] continued working on his engine ignition system with oil, in order to dry it off. When in the vicinity of Shagwong Buoy, he recovered his power and was cast loose. He did not, however, return to the area off Montauk Point.

15. The M/B FREDA M, prior to resuming its position, went to its mooring where Dr. [redacted] was put ashore suffering from motion sickness. The vessel then at about 11:00 A.M. headed for the fishing area with the earlier flood tide changing to ebb.

16. "Outer Jones" is a shoal spot about 1/2 mile east of Montauk Lighthouse, and was known to local motorboat operators as a haven for "stripers" at this time of the year. The FREDA M was operating here making circular maneuvers. While here [redacted] left the cockpit and went below

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to lie down on a bunk since he was feeling more acutely the effects of sea sickness. His three companions continued to troll as the boat was navigated at about 1 knot.

17. As the ebb tide increased the choppy condition of the water worsened. At about 1245 hours the three members of the party fishing were still seated in swivel chairs with [redacted] close by assisting. At about this time, the owner on the flying bridge directing the course northeasterly noted a large wave bearing directly behind one-half a boat's length away. The stern was lifted up by it so that the pulpit was below the water and the vessel was carried forward momentarily on the crest. The PHEDM N then broached and turned over on the starboard side and capsized.

18. [redacted], BMC (L), Officer in Charge of the Montauk Point Light Station, was standing on the cliff outside the station at 1245 on 11 October, 1953, with a clear view of Block Island Sound covering an area from 290° t through north to 085° t. He noted that the wind was slightly east of north with a force 4 (Beaufort Scale). While so standing he observed many small boats within a five-mile radius. A white hulled boat 3/8 of a mile off on a northeasterly course and about 100 yards off the breakers, was picked up on her stern by a wave which made up close to it, and caused her to run with the sea. The vessel turned toward the beach, rolled over on her starboard side and capsized. This boat rode the wave for less than a minute and broached as the wave broke. From his position 40 feet above sea level, Chief [redacted] estimated the wave to be 9 or 10 feet high.

19. The Officer in Charge immediately ran into the station and called Dutch Plains Lifeguard Station to report the incident and was advised that [redacted] SN, who was on lookout in the tower at the light station, had already called and a rescue boat had been dispatched. A telephonic check with the tower revealed that a blue-hulled vessel (later learned to be the N/B GSB) was at the scene almost immediately and the first survivors were taken aboard her.

20. [redacted] with a charter party of five was maneuvering his Motorboat GSB about 1/2 mile east of Montauk Point in what he termed sloppy wind conditions—"wasn't comfortable and wasn't bad." While scanning for fish to the north he saw 3/8 mile away, the PHEDM N's stern rise on an angle out of the water. The vessel disappeared in a wave he estimated at 25 feet; when next seen it was bottom up. The observed position of the PHEDM N was one where the N/B GSB had been operating 1/2 hour previously without incident.

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21. Captain [redacted] opened his throttle and turned toward the scene at the same time ordering life jackets donned by all aboard his craft. A heaving line was secured to a life jacket for rescue purposes. The CMB was placed about 20' off the FHEDA N and Messrs. [redacted] and [redacted] were taken aboard after having been in the water about five minutes. All except [redacted] were drawn alongside by the line. No other persons were observed in the water although it was thought two were missing. The M/B SKIP II arrived in the area within minutes and was apprised that persons were thought to be missing. The survivors were then taken to Comm'n's Dock adjacent to Tuna's, where an ambulance and station wagon were waiting. The travel time from the scene to the dock was about 45 minutes at the best possible speed.

22. Aboard the M/B FHEDA N, [redacted] asleep in a bunk, below in the cabin, was awakened by the violent action of the vessel and arose to find himself immersed in water. Through the darkness of the cabin he saw a ray of light and followed it downward, finally emerging some feet from the stern of the overturned vessel. He was able to reach the hull but could not hold on. The operator shouted for him to cling to drift wood and then to a preserver. Soon the former was able to reach Mr. [redacted] with a kapok jacket and hold him while a line was passed from the M/B CMB to them. They were then assisted aboard the rescue craft. Mr. [redacted] was considerably spent.

23. Mr. [redacted] reported to be over 60 years of age, arose to the surface after the boat capsized, and was able to touch the hull with one hand and a drifting board with the other. A non-swimmer, he was unable to retain his grip on the boat and so concentrated on getting up on the board. He saw life preservers poking from under the hull and after several tugs, Mr. [redacted] managed to pop out and secured one for himself. With the preserver tied on in some fashion he managed to paddle toward the CMB where a line was thrown to him. He suffered a laceration to his left thumb and bruises to his left side.

24. When [redacted] was catapulted from the swivel chair in which he was fishing, he surfaced about 40 or 50 feet from the FHEDA N. Unable to swim, by reason of his very heavy clothing, he started to shout for help. [redacted] who was alone by, told him not to try to swim. A line was thrown to him which he was able to catch in a last desperate effort which he described "while going down for the last time."

25. The master of the FHEDA N noticed Irving Komito in the water farthest from his vessel and away from any debris. He described him as panicky and

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unable to help himself. The missing man was noted to be wearing a new red flannel shirt. The mate, [REDACTED], on reaching the surface saw two men off shore from him, one of whom he said went under after attempting violently to remain afloat. The man he recognized as Irving and described him as wearing a red shirt.

26. [REDACTED], BMC (L), the Officer in Charge of the Ditch Plains Lifeboat Station, received a call from the lookout at the Montauk Point Lifeboat Station at 1245 hours on 11 October, 1953, reporting that a boat had capsized off the Point. He immediately ordered the picket boat CG-36523, moored at Star Island, Montauk Harbor, to the scene. After handling further communications concerning the disaster, he called another crew and manning the motor lifeboat CG-36516, departed about five minutes behind the picket boat. However, the faster picket boat arrived first off Montauk Point at about 1:15 P.M. When he reached the area, Chief [REDACTED] observed heavy off-shore swells with waves in the ribs of about 8 feet. This height was determined by the fact that when in the trough he could not see the picket boat beyond the particular crest. When the first Coast Guard vessel approached the area, the hull of the FREDIA M was in the breakers being carried around the Point and so it was not possible to get a line on her. A search for the missing person was carried on by surface craft which were later augmented by Coast Guard aircraft.

27. Irving Kouito is presumed dead although his body has not been recovered.

28. The M/B FREDIA M was a well-appointed and cleanly kept boat. At all times with which this investigation was concerned its engines were in proper working order. Apparently the vessel was in compliance with requirements of existing statutes and regulations. The kapok life jackets salvaged from the vessel were found to be in good usable condition.

29. The M/B FREDIA M was washed ashore about 250 feet northwest of the light station (Exhibit 4) where it was examined by the Board on 13 October, 1953. There was nothing revealed on examination nor was any evidence adduced which leads to the conclusion that there was any structural damage to the vessel before she capsized. It was noted, however, that there were no water tight bulkheads in the hull.

30. Witnesses have variously estimated the height of the wave to have been as small as 9' and as high as 50'.

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### Opinion

1. The opinion of the Board is that the M/B FREDIA M capsized off Montauk Point with the resulting loss of one life because it was operated too close to the surf over a shoal area where the sea was liable to break unexpectedly. A wave believed by the Board not to have exceeded 20 feet in height raised the stern of the boat out of the water so that its rudder became ineffectual. The result was that steering could not be controlled as the wave swept the vessel ahead. It soon broached, once broadside to the sea, rolled and took water aboard. Without water tight compartmentation below, the weight of the free flowing water overcame the vessel's inherent stability and she continued to roll completely over.
2. The proximity of the M/B GMB to the scene coupled with the alertness and skillful seamanship of its operator, [REDACTED], was the principle reason the death toll was limited to one. In view of the extreme exhaustion of some of the survivors, it is a fair conclusion that had the passengers not been so few in numbers a greater proportion would have been drowned. The Board feels that [REDACTED] merits a commendation for his alertness and skillfulness in safely maneuvering his vessel in a choppy sea which action resulted in the rescue of four persons from the water of Block Island Sound.
3. The wind blowing at about 18 to 20 knots from the direction of Block Island against an ebb tide resulted in a confused sea with waves averaging 4 to 5 feet from base to crest. This condition was aggravated in the shoal areas of the rip tides.
4. The conclusion is therefore reached that [REDACTED], owner and operator, was negligent in continuously maneuvering his vessel in the area of the rip. It is noted that the operator of the M/B CIGARETTE whose engine was flooded by water taken over her stern earlier that day, at about the same position, did not return to fish off Montauk Point but preferred a place away from the rip tides.
5. There was no apprehension of peril to any of the passengers during the entire day until immediately prior to the capsizing.
6. The Coast Guard had twice boarded the M/B FREDIA M earlier in the season and found it in compliance with existing law. The board is of the opinion that all required equipment for her class was on the boat and that it was structurally sound. The life preservers were of the approved type in serviceable condition and in sufficient number.

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7. The stowage of the life jackets under the seats in the wheelhouse which were without identifying signs, leaves something to be desired as to their accessibility. This fact was pointed up by Mr. [REDACTED] who testified that he had to pull to free some from under the hull while he was in the water. However, in the absence of more definite authority it must be concluded that the stowage was proper although not the best choice.

8. Once overboard, the heavy clothing worn by the men became a serious threat to them and is believed by the Board to have been an important factor leading to the loss of Irving Kouito and the near drowning of [REDACTED] and [REDACTED].

9. The Board feels that [REDACTED], owner and operator of the M/B FENNA M, was guilty of violation of 18 USC 2196 and 46 USC 526 (1) in willfully maneuvering his vessel, under the prevailing conditions of wind and sea, in the shoal waters off Montauk Point, Long Island, and rejects his explanation that the sea had abated since his departure from Montauk Harbor earlier in the morning as not borne out by the evidence adduced. Unquestionably the boat was permitted close to the surf because the fish were believed to be more plentiful there.



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**Recommendations**

1. That this matter be brought to the attention of the Department of Justice for possible prosecution under 18 USC 2385 and 48 USC 925 (1).
2. That proceedings under H. R. 4430, as amended, against the operator's license of George S. McFurt for negligence be deferred pending the action recommended above.

(signed) [REDACTED]

L. H. SMITH, CAPT., USCG, Chairman

(signed) [REDACTED]

F. A. BRIDGES, CAPT., USCG, Member

(signed) [REDACTED]

[REDACTED] LT., USCG, Member and Secretary