

In the Matter of Merchant Mariner's Document No. Z-147751  
Issued to: KEITH ST. LANS JAMIESON

DECISION AND FINAL ORDER OF THE COMMANDANT  
UNITED STATES COAST GUARD

705

KEITH ST. LANS JAMIESON

This appeal has been taken in accordance with Title 46 United States Code 239(g) and Title 46 Code of Federal Regulations Sec. 137.11-1.

On 9 June, 1953, an Examiner of the United States Coast Guard at New York, New York, revoked Merchant Mariner's Document No. Z-147751 issued to Keith St. Lans Jamieson upon finding him guilty of misconduct based upon a specification alleging in substance that while serving as an able seaman on board the American SS AFRICAN GROVE under authority of the document above described, on or about 22 April, 1953, while said vessel was at Fall River, Massachusetts, he wrongfully had in his possession a narcotic substance; to wit, marijuana.

At the hearing, Appellant was given a full explanation of the nature of the proceedings, the rights to which he was entitled and the possible results of the hearing. Although advised of his right to be represented by counsel of his own selection, Appellant voluntarily elected to waive that right and act as his own counsel. He entered a plea of "guilty" to the charge and specification proffered against him.

Thereupon, the Investigating Officer made his opening statement and Appellant elected to testify under oath in order to present circumstances in mitigation of the offense. He stated that the amount of marijuana found in his possession was only three-tenths of an ounce of half a match box full; he is forty years old and has been going to sea for twenty-five years; he smoked marijuana as a stimulant without any harmful effect; and he is not a frequent user although he first smoked marijuana in 1937 or 1938.

At the conclusion of the hearing, having given both parties an opportunity to submit proposed findings and conclusions, the Examiner announced his findings and concluded that the charge had been proved by plea. He then entered the order revoking Appellant's Merchant Mariner's Document No. Z-147751 and all other licenses, certificates and documents issued to this Appellant.

This appeal is a plea for clemency in which appellant states that he has five children to support; he is not an excessive indulger and his past record is good; he has been a seaman all his life; and he promises never to commit this offense again if his seaman's papers are returned to him.

Based upon my examination of the record submitted, I hereby make the following

#### *FINDINGS OF FACT*

On 22 April, 1953, Appellant was in the service of the American SS AFRICAN GROVE as an able seaman and acting under authority of his Merchant Mariner's Document No. Z-147751 while the ship was at Fall River, Massachusetts.

Just after Appellant had left the ship on this date, he was apprehended by a Customs Patrol Officer who searched Appellant and located about .3 of an ounce of marijuana wrapped in a piece of paper and stuck inside one of the socks which Appellant was wearing. Appellant was convicted in the Federal court of this offense, fined \$50, and placed on probation for two years.

There is no record of prior disciplinary action having been taken against Appellant's document.

*OPINION*

The seriousness of the offense justifies the order of revocation despite the personal hardship this may cause the Appellant and his dependents. It is the mandatory policy of the Commandant of the Coast Guard that the order of revocation shall be imposed in any case where a seaman has been found guilty of a narcotics offense. This is considered to be necessary because of the known disastrous effects of marijuana and other narcotics; and the consequent risk to lives and property at sea when there are seamen in the crew who are known to have been associated with narcotics in any manner.

*ORDER*

The Order of the Examiner dated at New York, New York, on 9 June, 1953, is AFFIRMED.

Merlin O'Neill  
Vice Admiral, United States Coast Guard  
Commandant

Dated at Washington, D. C., this 23rd day of October, 1953.

\*\*\*\*\* END OF DECISION NO. 705 \*\*\*\*\*

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