

4 January 1952  
(2.001.017 a-3 50)

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

Subj: Marine Board of Investigation; Capsizing of Motorboat MOONLIGHT  
with resultant loss of life on 8 September 1951 in Great Egg  
Inlet, New Jersey

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, Conclusions and Recommendations, has been reviewed and is forwarded herewith.

2. The motorboat MOONLIGHT of 10 gross tons, built in 1940, propelled by a 105 horsepower gasoline engine was engaged in service as a passenger-carrying vessel in the fishing and recreation business in the New Jersey area. The MOONLIGHT measuring less than 15 gross tons was not subject to statutory Coast Guard annual inspection and certification for seaworthy purposes. On the morning of 8 September 1951 the MOONLIGHT departed from Margate for the offshore fishing area with eight passengers and one crew member on board, while small craft warnings were displayed. At about 1500 the MOONLIGHT decided to return and headed for the bar at Ocean City, arriving at the entrance buoy shortly before 1700. Although the sea outside had moderated, the sea at the bar was considerably rougher. Poor seamanship was exercised by the operator of the MOONLIGHT in crossing the bar, which resulted in her capsizing by a stern sea. The weather was partly cloudy and clear, fresh northeast breeze and rough sea. Two passengers and the operator of the MOONLIGHT lost their lives as a result of this casualty.

3. The Board made the following Findings of Fact:

"1. The motorboat MOONLIGHT capsized near Channel Buoy "C" at the bar to Great Egg Inlet on 8 September 1951 at about 1645 EST. Nine persons were on board at the time and of these, three lost their lives by drowning. One of the deceased was the operator.

"2. The weather at the time of the accident was partly cloudy and clear, a fresh N.E. breeze was blowing and the sea rough. Small craft warnings had been displayed at Ocean City Lifeboat Station until noon of the 8th when they were lowered on orders from Atlantic City.

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"3. The MOONLIGHT, Official No. 239707, is an uninspected wooden-hulled motorboat of 10 gross tons, 34.9' length, 12.8' beam and 3.0' depth. She was powered by a 105 H.P. Chris-Craft motor, driving a single screw, built in Philadelphia in 1940 and registered in the name of William Benson, 2503 Zion Road, Northfield, N. J.

"4. A license to engage in the coastwise trade and the mackerel fisheries, had been issued at Philadelphia on 18 December 1950 and a change of master recorded at Atlantic City on 18 July 1951. Philip Gunson was the master of record from 18 July 1951 but he was not on board at the time of the casualty.

"5. The MOONLIGHT was chartered by a group of employees of the U. S. Mint, Philadelphia for a day's fishing, and the hiring arrangements were made by Messrs. Larry Kelly and Edward McGowan, representing the fishing party and Mr. William Stockman, representing the MOONLIGHT, on the evening of 7 September. According to McGowan and Kelly, Stockman was in charge of the MOONLIGHT as her master, and further he was highly recommended by local acquaintances.

"6. The following members of the fishing party were rescued:

Lawrence Kelley - 854 Corinthian Avenue, Philadelphia, Pa.  
Edward McGowan - 6319 N. Garnet Street, Philadelphia, Pa.  
Daniel N. Mullin, Jr. - 5623 Musgrave Street, Philadelphia, Pa.  
Frank J. Devine - 1607 S. Buelah Street, Philadelphia, Pa.  
Alvin A. Gilchrist - 670 N. 11th Street, Philadelphia, Pa.  
Jack Miller - 1927 N. 27th Street, Philadelphia, Pa.

The following members of the fishing party are dead:

Daniel A. Mullin, Sr. - 5623 Musgrave Street, Philadelphia, Pa.  
John Nelson - 3090 Aramingo Avenue, Philadelphia, Pa.

William Stockman - 138 Lecatur Avenue, Somers Point, N. J. (operator)

"7. On the morning of 8 September, the MOONLIGHT left Pata's wharf, Margate, with her fishing party aboard, and proceeded toward the fishing areas off-shore. Small craft warnings were displayed at the time, but the outward bound trip was uneventful.

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Some of the witnesses testified that the weather conditions became excellent as the day progressed. Fishing was not very good, however, and after trying several locations, estimated to be five to eight miles off shore, it was decided to return about 1500, and the MOONLIGHT headed for the bar at Ocean City. Several other boats were overtaken on the way in and the MOONLIGHT arrived off the entrance buoy shortly before 5:00 o'clock.

"8. According to the surviving witnesses, the sea was much rougher on the bar than it had been outside, but none paid any particular notice to the change in the sea conditions as the MOONLIGHT began her passage over the bar between buoys B & C at Great Egg Inlet entrance. Kelley, who was seated in the stern sheets and according to testimony was the only actual eye-witness to the capsizing, stated that a large sea made up astern of the MOONLIGHT and as it ran under her counter, threw her broadside and the MOONLIGHT went completely over. It happened so quickly that no attempt was made to obtain life preservers, although all on board knew they were readily available.

"9. McGowan found himself in the water under the boat and by their voices, he recognized Nelson's, Mullin Sr.'s and Stockman's, all similarly situated. As the MOONLIGHT settled, the air space under her hull became less and he noted that one voice after another, (they were all praying), lapsed into silence. As McGowan was about to give up hope, the MOONLIGHT was suddenly righted and he remembered little else until he found himself in the hospital.

"10. According to the Coast Guard personnel aboard the CG 36409, Charles K. Wood, NC (211-646) in charge, Richard Maroney, USCG (272-084), James K. Sandmark, SN (293-526); they were ordered to patrol the Great Egg Inlet about 1415 ST on 8 September by Harry L. Hudson, RMG (L), (105-125), Officer in Charge, Ocean City Lifeboat Station. They proceeded on patrol and passed over the bar about a half hour later, finding the sea very rough. Wood radioed the lookout tower at Ocean City for information regarding boats in his vicinity and was informed that there were about 10 headed in. He proceeded to the vicinity of "A" buoy and as the MOONLIGHT, the first boat of the group standing in, passed him, he too headed in astern of her. The entire crew of the CG 36409 saw the overturn and

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termed it "pitchpoling" describing the action as a lifting sea under the counter which throws a boat end over end or broadside. From an estimated 50 to 75 yards the CG 36409 closed rapidly and immediately began taking survivors on board. On being informed that more people were under the overturned MOONLIGHT, a line was made fast to her skeg and by pulling at an angle the craft was righted. Noticing one man floating face down, James Sandsmark, SN, jumped over the side and assisted getting the body alongside. He then returned to the MOONLIGHT and rescued McGowan, the only visible survivor on board. When Sandsmark satisfied himself that no others were on board, he swam back to the CG 36409 and Wood, noticing the condition of McGowan, decided to land the survivors in the quickest possible time.

"11. Wood had kept Hudson, who was at the Lifeboat Station, informed of developments, and after the rescue was effected, Hudson ordered Wood to proceed into smooth water where the survivors were transferred to the picket boat under the command of Hudson. Upon completion of the transfer Wood was ordered to return to the scene for possible survivors and to attempt saving the MOONLIGHT while Hudson in the picket boat brought all the survivors to the Lifeboat Station where a doctor and other assistance was at hand.

"12. Dr. Yingling, a local physician, pronounced Nelson dead and ordered McGowan hospitalized. The others were given first aid and when sufficiently recovered were allowed to proceed to their homes.

"13. The CG 36409 on returning to the MOONLIGHT saw no further signs of life and an attempt was made to tow her over the bar. However, the sea conditions prevented successful towing, and shortly thereafter Hudson and the crew of the picket boat relieved Wood and his crew. As darkness approached, it became more and more evident that the MOONLIGHT could not be handled in the sea then running and Hudson so informed the Group Commander at Atlantic City. He then secured the patrol and returned to the station.

"14. On Sunday, 9 September, the hulk of the MOONLIGHT was visible from the beach and attempts were again made to salvage it, but sea conditions were as bad or worse than they had been on the 8th, hence these attempts were frustrated. On the 10th, the crews of the Ocean

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City and Corsons Inlet Lifeboat Stations were successful in reaching the hulk and it was towed into Corsons Inlet. When some of the water and debris had been removed the bodies of the two missing were found; that of Stockman, the operator, near the engine casing, jammed under the flooring and that of Mullin Sr. under the flooring in the after end of the cockpit. All personnel who had been on board were thus accounted for."

4. The Board made the following conclusions:

"1. It is considered that the principal cause of this casualty was the dangerous sea conditions pertaining on the bar at the time of the MOONLIGHT's attempted passage, and the failure of her operator to consider these conditions before taking the boat into them. It is an accepted practice among seamen accustomed to handling boats in surf, to stop momentarily or longer to consider the sea conditions before attempting passage inasmuch as it is a well known phenomenon that surf and breaking sea are never of equal size and intensity. Hence, a pause to gain opportunity for a lull is deemed a necessity and the failure to do so on the part of the MOONLIGHT's operator is considered to have resulted in the boat encountering a sea which might have been avoided with ordinary care.

"2. Stockman, the MOONLIGHT's operator, was locally known as a seaman of over 30 years experience, and the boat herself was also known to be staunch and seaworthy, an opinion that was borne out by her ability to emerge from a two day buffeting in the surf while attempts were made to salvage her. One or two of the survivors were experienced fishermen and their opinion of the boat and the way it was handled was without complaint. Wood, EAC in charge of the CG 36409, who has spent his entire life on the Jersey beaches and who was an eyewitness to the casualty was of the opinion that the MOONLIGHT attempted to cross the bar at too great a speed.

"3. In view of this opinion and lacking the direct testimony of the deceased operator, the conclusion that the MOONLIGHT attempted to cross the bar in a manner not considered good seamanship affords the most plausible reason for the casualty.

"4. It is also considered that the performance of duty on the part of the rescuing crew of the CG 36409 was over and above that standard which is commonly expected. The foresight of Wood, standing in with the first of the returning boats in order to be handy in case of

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trouble at the bar showed an exercise of fine judgment. Sandmark's jump into the rough seas probably saved the life of McGowan, his efforts only seconded by Maroney and Wood. All survivors were unanimous in their praise for their treatment at the hands of the Coast Guard personnel, and were equally laudatory of the seamanship displayed in their rescue."

5. The Board made the following recommendations:

"1. Since the operator of the MOONLIGHT is deceased, it is considered that no action under 46 USC #276 for failure to register as master is feasible. Since there was no probative evidence that the owner, who at the time of the casualty, was undergoing Port Security training in the Coast Guard detail at Camp Gordon, Ga. was a party to Stockman's use of the boat; it is likewise considered that he was without fault.

"2. It is recommended that due recognition be given the following three Coast Guard personnel for their outstanding performance of duty:

Charles K. Wood, MC (211-646)  
Richard Maroney, BM3 (272-084)  
James K. Sandmark, SN (293-526)."

REMARKS

6. In connection with Recommendation 2 of the Board that due recognition be given the following Coast Guard personnel:

Charles K. Wood, MC (211-646)  
Richard Maroney, BM3 (272-084)  
James K. Sandmark, SN (293-526)

for their outstanding performance of duty in effecting the rescue of the passengers of the MOONLIGHT, the record of investigation of subject casualty will be referred for the consideration of the "Coast Guard's Board of Awards" following approval of the report of subject casualty by the Commandant.

7. Subject to the foregoing remarks, it is recommended that the

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Findings of Fact, Conclusions and Recommendations of the Marine Board  
of Investigation be approved.

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

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10 January, 1952

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

Forwarded, recommending approval.

/s/ H. C. SHEPHERD  
H. C. SHEPHERD

APPROVAL:

JAN 15, 1952

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