

MEMORIAL SERVICE
FOR
THE CREW OF THE
PATRICIA MARIE

November 7, 1976
First Universalist Church
Provincetown, Massachusetts

ORDER OF SERVICE

Prelude:

Invocation and Prayer:

* Opening Hymn: Number 304 *A Mighty Fortress is our God*

Responsive Reading: Number 14, Page 82, *Trust in God*

Music:

Scripture Reading: Twenty-third Psalm

Pastoral Prayer: Followed by the Lord's Prayer

Music:

Announcements:

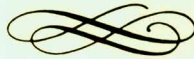
** Memorial Offering With Offertory Music:

* Dedication Hymn: *Eternal Father, Strong to Save*
(printed on the back page)

Memorial Message:

* Closing Hymn: Number 563 *Blest be The Tie That Binds*

* Benediction:



*Congregation, please stand

**The Offering received will be given to the Memorial Fund established by the community to provide help for the families of the crew of the Patricia Marie.

IN MEMORY
OF
THE CREW
OF
THE PATRICIA MARIE

William W. King, Captain
Ernest L. Cordeiro
Alton Joseph
Maurice E. Joseph
Walter Marshall
Richard Oldenquist
Robert R. Zawalick

*O Maker of the Mighty Deep,
Whereon our vessels fare,
Above our life's adventure keep
thy faithful watch and care.
In thee we trust, whate'er befall;
Thy sea is great, our boats are small.*

Henry van Dyke

ETERNAL FATHER, STRONG TO SAVE

William Whiting, 1825-1878, *alt.*

MELITA 8.8.8.8.8.8.
John B. Dykes, 1823-1876

1 E - ter - nal Fa - ther, strong to save, Whose arm doth bind the
 2 O Sav - ior, whose al - might - y word, The winds and waves sub -
 3 O Ho - ly Spir - it, who didst brood Up - on the cha - os
 4 O Trin - i - ty of love and power! Our breth - ren shield in

rest - less wave, Who bidd'st the might - y o - cean deep Its
 mis - sive heard, Who walk - edst on the foam - ing deep, And
 dark and rude, Who bad'st its an - gry tu - mult cease, And
 dan - ger's hour; From rock and tem - pest, fire and foe, Pro -

own ap - point - ed lim - its keep, O hear us when we
 calm a - mid its rage didst sleep, O hear us when we
 gav - est light, and life, and peace, O hear us when we
 tect them where - so - e'er they go; Thus ev - er - more shall

cry to thee, For those in per - il on the sea.
 cry to thee, For those in per - il on the sea.
 cry to thee, For those in per - il on the sea.
 rise to thee Glad hymns of praise from land and sea. A - men.

Provincetown sea fatalities over a thousand

By George D. Bryant

The Provincetown roll of those who were lost at sea or who died prematurely as a result of their work at sea over the past 350 years easily exceeds 1000 persons.

This figure includes hands on vessels registered or enrolled here as well as native men serving on craft hailing from other ports. The children and widows left by these mariners number more than 4000. Since younger men traditionally have been attracted to the sea, those lost were usually under the age of 40 and left correspondingly young families—those least able to help themselves.

Fishing accounts for the great part of our losses. The men were drowned or killed while whaling from shore or on cruises in the Atlantic, summer codfishing on the Grand Banks, Labrador coast, Gulf of St. Lawrence or other continental banks fishing with handlines or trawls, dragging at all times of the year for all varieties of fish, scalloping and clamming, lobstering, winter fresh fishing on Georges and Western Bank, porgy seining, spring and fall mackerel catching, swordfishing and trapping fish.

Our seamen were lost while engaged in the West Indies Trade (taking salt codfish and barrel shooks to the islands and bringing back molasses and other tropical products), the Newfoundland frozen herring trade, carrying coal north from Alexandria and Baltimore, coastwise trading in general by transporting bulk goods like lumber, fruit, lime, stone and bricks, carrying young oysters from the Chesapeake to Cape Cod for further cultivation, transporting fish and lobsters in boats with live wells to centers such as New York and Philadelphia, and pan-oceanic commerce with large vessels, which were mostly owned in the great cities, transporting merchandise such as jute, tin, guano, wine, rubber and hemp to America.

A number of whalers and bank fishermen sailed from here never to be heard from again with the loss of the entire crews and not a single identifiable remnant of the their vessels ever seen by human eyes. They foundered after striking rocks, shoal water or icebergs or were hit by other fishing vessels or steamers under adverse weather conditions. Some men became separated from mother vessels in their dories and froze or starved to death. There were vessel explosions and fires, falls from the rigging, accidents while handling sail, and there are records of Provincetown mariners being killed by pirates and aboriginals in remote areas of the globe, not to mention the losses of shore dory fishermen, which was almost an annual event not long ago.

Just 100 years ago Gloucester was the largest fin-fishing port in the U.S. Provincetown was number

two. New Bedford had the greatest fleet of whalers afloat. We were second. The vessels were preponderantly manned by foreign-born hands. Some of these men just boarded in America. Others signed on in foreign ports. Some became citizens and had families here. Others were single or planned to bring over their families when they were able to save enough money for their passage. A man listed as single may in fact have had a family in his native land he supported. As a result of this situation, which spanned a good 50 of the worst years for sea disasters, the impact of a vessel's loss was not necessarily felt in full force in one locality. The statistics on the number of dependants left behind will never be completely clear. The mourners could be scattered from the Cape Verde's to Portugal, the Azores, New England, Nova Scotia, Newfoundland and to Scandanavia. The losses of life were hidden to the community at large in Provincetown, Gloucester and New Bedford in this turbulent period as they hardly knew the fishermen.

Following is a pathetic letter, printed in full from a fisherman's widow to the owner of the vessel on which her husband was lost. If Mrs. Wabert was typical she had never met the owner, nor would she have seen Gloucester or even the schooner that her late husband sailed on. The letter is untypical in that it was written, in that it survives at all and that Mrs. Wabert was literate at a time when few country people were: This first-hand account of her burden is a good representation of the powerlessness and desperation felt by tens of thousands of widows and orphans of the New England fisheries, both here and abroad in a time of large families and in spite of some help from churches and mutual aid societies.

Dear Sir:

My husband, Charles Wabert, was lost in your vessel, and left me with seven small children, not one of them large enough to help me a bit. I have a little small babe in my arms, and don't know which way to turn myself for the best. He has left me in a suffering condition. I have not any money to buy my children a bit of bread, and what I am going to do I do not know. I shall have to trust in God. I have no one to help me for Mr. Wabert has no people in this province, and my parents are dead. I have not a friend to help me, only God. Some nights I have to put my little children to bed without anything to eat. It makes my breast ache to hear them cry for bread, and none to give them. If you could hear their cries for their father and for bread, your

breast would ache too. There is no one but God knows what we pass through this winter. My eyes and breast are wet with tears as I write this letter. If you can assist me for our good Savior's sake do it with a little money, and I will bless you in the days to come. I do not know as I have any more to write at present.

From your friend
Mrs Olive Wabert

In the aftermath of the recent Patricia Marie sinking, old timers related how stoical, in comparison, community reactions had been when large vessels like the Schooner Susan R. Stone and the three-masted Schooner Cora S. McKay, which they singled out, went down even though most of the crewmen had families here. The complete loss of the McKay, Capt. Roderick Matheson, with a 30-man crew at the Virgin Rocks, Grand Banks, N.F., about Sept. 13, 1900 (the "Galveston" Gale), left 15 widows and 54 fatherless children in Provincetown—and an unknown number in a similar condition in the Canadian Maritimes. The Stone, Capt. Veara, with an 18-man crew, sank sometime after Nov. 5, 1897, on its way to the Western Bank for haddock. It left in Provincetown 16 widows and 37 children without a father. The McKay, a salt banker, had a crew who were in the majority Portuguese natives and the Stone, a winter fresh fisherman, had its entire crew similarly composed of first-generation Americans of Portuguese descent. A number of the children left fatherless from these foundering still live here. It is not that people cared less three-quarters of a century ago. It is that the sense of community in the whole town is stronger now, and that men whose families have lived here for several generations are more likely to be known than those who were pioneers.

This year is the 250th anniversary of the incorporation of Provincetown. A fitting and overdue endeavor would be a formal memorial to mariners and fishermen. It is hoped that it will not just touch on the sad affairs. Provincetown is singular among all ports in this country for the length, breadth and diversity of her maritime interests. This should be expressed in the memorial. The data is all available to back it up in the form of colonial, provincial, federal and state records as well as town documents (that are especially detailed after the 1830's), church, private and institutional sources. There is much more around than most people realize.

Mr. Bryant, a Provincetown native, is an architect, storekeeper, selectman and amateur historian.

Seaman's body found

By Jim Gilbert

Despite mammoth search operations to find the bodies of the missing crewmen of the *Patricia Marie*, only one has been found since the discovery of the body of the captain, William King of Provincetown.

The body of the sunken scalloper's engineer, Walter Marshall, was found Saturday afternoon in the nets of the new Bedford dragger *Triumph*.

The *Triumph* found the body in her nets while fishing near the spot where the *Patricia Marie* sank last Sunday night in a storm with all hands on board.

Combined efforts of the Coast Guard's 180-foot buoy tender *Bittersweet* and divers from the National Marine Fisheries Center's deep-diving team resulted in finding the hull of the *Patricia Marie* in 130 feet of water off Nauset. No bodies, however, were found inside the boat.

Reports of bodies being sighted off the beach have not been confirmed by the Coast Guard. A power wagon was sent out to Marconi Beach by the Coast Guard Saturday afternoon after Bruce Brichall of Wellfleet reported seeing an object resembling a body 50 yards from shore.

Dr. Richard Cooper, head of the deep-diving team that went down to the *Patricia Marie* said the Coast Guard did an excellent job of locating the hull on the bottom. He described the search as a "pretty tricky operation." Besides finding the boat, divers had to contend with cold water and strong ocean currents.

The divers used scuba tanks instead of hardhats and were limited to just a few minutes at a time at that great depth. Dr. Cooper said divers went into the boat and took a number of photographs.

Cooper said the boat lies upright with a 30° port list. He said he is preparing a detailed report for the Coast Guard.

Dr. Cooper said the hull "seems to be in good condition" without any structural damage that could be seen by divers. He said deck gear was smashed up and some equipment was missing. Cooper said such damage "might be expected with 10-foot seas coming over the deck as she wallowed."

All markers were removed from the vessel when the divers and Coast Guard left Saturday, but exact bearings have been taken to locate the spot in the future.

Provincetown mourns *10/96* lost fishermen *C. C. Orack*

The Town of Provincetown went into mourning Monday following what may be the worst tragedy ever to strike that town's fishing fleet.

Following the finding of the body of William W. King off Eastham's Nauset Beach, it is assumed the fishing vessel "Patricia Marie" went down in the waters of the Atlantic Sunday night with all aboard apparently lost.

King, the father of three sons and four daughters, was the owner captain of the missing vessel.

At about 9:30 p.m. Sunday, Michael McArdle, skipper of the fishing vessel "GKB", also from out of Provincetown, heard voices in the water off Eastham calling for help.

The voices were heard after the "Patricia Marie" disappeared from the "GKB's" radar screen.

The Coast Guard in Chatham and at Race Point were immediately notified and 44 footers from both stations responded along with a vehicle from Chatham which went out on the beach.

At the same time, helicopters from Coast Guard Air Station Cape Cod, located at Otis Air Force Base, were dispatched to the scene, equipped with search lights.

The 95 foot Coast Guard cutter Cape George out of Gloucester was dispatched to the scene later and directed the efforts of the smaller vessels in the search area from Provincetown to Chatham.

At 11:08 a.m. Monday, the body of King was located by the crew of the Cape George and was transferred to the Race Point utility vessel and taken to Provincetown.

To noon yesterday no trace had been found of the remaining six crew members, William Marshall, Richard Oldenquist, Ernest Cordeiro, Robert Zawalik, and Morris Joseph and his son, Alden Joseph.

Debris, assumed to be from the Patricia Marie, including plastic barrels of the type she used in her scalloping operations along the Cape's outer shore, was located by the search craft.

The Coast Guard called off the search for the vessel and the six missing men at dusk on Monday. Earlier an oil slick was sighted from the air by a Coast Guard helicopter at the location the "Patricia Marie" apparently went down.

It is expected the case will remain suspended pending further developments, according to Gary Greenwood, officer-in-charge of the Chatham Coast Guard Station.

Provincetown selectmen proclaimed a week of mourning Monday and ordered that flags on all town buildings be flown at half-staff for one week.

Provincetown Moderator John C. Snow postponed Monday night's session of the special town meeting, adjourning it for one week in honor of the local fishermen lost at sea.

Bishop here for service

Hundreds of townspeople overflowed St. Peter the Apostle Church Tuesday afternoon to honor the memory of the crew of the **Patricia Marie**.

Bishop Daniel J. Cronin and five priests, including Father John Martins, celebrated a Mass for the men of the 64-foot scalloper.

The town manager, town moderator, the selectmen, except Warren Alexander, police and fire chiefs, and U.S. Rep. Gerry Studds shared a front pew.

But no one paid much attention to rank or celebrity. Fishermen honored their lost friends solemnly, without undue pomp, and wore traditional plaid shirts.

Despite the near-freezing temperature, many preferred to stand in the open doors to be closer to the ceremony. A sound system allowed about a hundred others to celebrate Mass in the parish hall.

"I grieve for Provincetown. . . losing so many of its finest men," the bishop said. He called the crewmen "gallant, hard-working fishermen," and compared their plight with the biblical storm of the sea of Galilee.

The service lasted about an hour. People left quickly afterwards.

"Fishermen work hard," said the wife of one of the crewmembers after the accident. "It's not the kind of thing where you throw a hook over the side of a boat and pull the fish in. These guys go out every day, summer and winter. They pay dearly for every pound of fish."

Thurs. Nov. 4, 1976.

Seamen's survivors suffer the most

Thurs. Nov. 4, 1976

By Jim Gilbert

In 1850, 105 widows were living in Truro, many of whom lost their men in the horrible October gale of 1841.

Fifty-seven Truro men—all living within a two-mile radius of one another—lost their lives. Only eight were over 30 years old.

Tragedy at sea was a more commonplace occurrence in the 19th century than it has been in this century with the mechanization of the fishing fleet. But certainly the sense of loss is as great today as ever.

There is no way to measure the impact of the loss of a boat and crew on a community. Historians in the past have tried. Henry Kitteredge, for one, marks the start of the decline of the eminence of Truro as a fishing port with that brutal October storm.

The economic loss alone of 57 able-bodied young men in a town that relied primarily on the sea for survival is awesome, particularly in a time before life insurance, Social Security, welfare and veteran's benefits.

The dominant image of the fisherman through the ages has been one of independence and individuality. Despite recent Internal Revenue Service rulings, fishermen have always worked the sea as independent contractors working together

on boats for a set share of the uncertain catch. As such, their families have suffered disproportionately in times of loss compared to their counterpart laborers on shore.

Lewis Silva, a retired Coast Guardsman in Provincetown, can understand the grief experienced by the families of the crew of the lost **Patricia Marie**.

He lost his dad, Captain Antone "Spucky" Silva, in 1911 when his 50-foot friendship sloop **Lewie Warren** went down off Georges Bank in a hurricane while on a swordfishing expedition. A crew of four, including Bert Mayo, Tommy O'Donnell, John Joseph and Nat Burch died with Capt. Silva. It was the last boat and crew to be lost from Provincetown.

Silva said most people in town think the **Cora McKay** was the last boat to go down with all hands before the **Patricia Marie**. He said the reason is that the loss of the **Lewie and Warren** was not known for sure for many weeks, after all hope had been given up that anyone would be found.

Silva said he understood why some families still pray a miracle will bring their men back. "You never give up hope," he said.

In his day, the tragedy was drawn out for a much longer time. Unless a boat was seen going down, all a family could do after

a bad storm was wait and pray.

Silva said a boat was usually given two days after a big storm to make up for lost time and repairs. Overdue boats were quite common in the days before wireless communication and motor power.

After two days the worrying began in earnest. Word was sent out for any information regarding the missing boat. In Capt. Silva's loss, the late Joe Costa was the last to see the **Lewie and Warren** running before the wind in mountainous seas. Two other boats, the **Nokomis** and the **Lafayette**, were also lost in that storm with all hands aboard.

Silva is sympathetic to the efforts being made by the community to help the families of the recent disaster. He said when his father died, the town was poor.

Although the community helped as much as it could, times were very hard for his family. He was 15 at the time and did odd jobs, such as other people's laundry, to help support the family. He said if there was any insurance, it was minimal. There was no Social Security or public assistance at the time. "We just made do the best we could," Silva said.

In the last century, families could count a little bit of help if their men had shipped out on a company-owned boat. Ship-owners might pay for the lost man's

expected wage, or help out with vouchers for food and clothing until the family could get back on its feet. But the company boats in Provincetown were few compared to the number of privately-owned vessels.

The last big companies in town were the cold storage plants, which processed fish caught in the traps along the coast. John Worthington of Truro, who owned and ran the plant in North Truro said his company had minimal life insurance policies for his men. He said the policies were for \$1000.

The people of Provincetown will long remember last week's tragedy. As some people help organize fund-raising for the families of lost crew members, others talk about a memorial to commemorate all the men of Provincetown who have lost their lives at sea.

When asked how long it took for him to accept his father's death at sea Silva said, "It's something you never get over."

He said he remembers, like all families who have lost their men, the good times. For him, it was Sunday sails around the harbor in the **Lewie and Warren**. His family would take a picnic and sail about, often racing others who sailed friendship sloops in the area.

But a sense of loss still lingers. "Even today it's sometimes hard to accept," he said.

Fund-raising to continue

By Jim Gilbert

The sentiment, if not the scene, at Reggie Cabral's Atlantic House Friday night will be duplicated over and over in the next few weeks as people rush to the aid of families stricken by the sinking of the *Patricia Marie* last Sunday.

At the Atlantic House over \$5400 was raised from bar, door and auction receipts.

The auction is scheduled to continue Sunday at 2 p.m. Henry Morgan will again emcee an auction including numerous antiques, works of art and craftwork donated by local people.

Committees have been established to raise funds for the stricken families. The Knights of Columbus has set up a committee headed by Frank Motta and Bud Doyle to raise money. Plans for fund-raising will be formalized Wednesday night.

The Holiday Inn has announced a benefit for Armistice Day, Nov. 11. That night, all money from the bar will be contributed to the benefit fund established at the Cape Cod Bank and Trust Company. A band will provide entertainment. Cost of liquor, band and help will be borne by the Holiday Inn.

A similar arrangement is being planned by the Surf Club Nov. 9. All bar proceeds

(Continued to Page 13)

Fund-raising to continue

(Continued from Page 3)

from the evening will be contributed to the *Patricia Marie* Fund at the Cape Cod Bank and Trust. The Jug Band will be contacted to perform.

John Leonard has been appointed chairman of a committee to organize a giant fund-raising effort with the A & P supermarket in town. Nov. 10 has been set for a shop-in benefit. Tickets will be handed out to town residents which will be stamped with the total amount purchased at the market by each ticket-holder.

The stubs will be collected at the A & P, Adam's Pharmacy and the Surf Club and sent to A & P's Boston headquarters. Five percent of the gross will be donated to the benefit fund.

Tickets will be handed out door-to-door by high school students or can be obtained at various posted locations in town.

In addition to the cups set out around town to solicit for the fund, donations can be sent directly to the *Patricia Marie* Fund, care of the Cape Cod Bank and Trust Company, Box 343, Provincetown.

Besides whatever private insurance policies each man carried, the Social Security Administration and state and national veteran's agencies have benefits for the families of the dead men. In addition, the *Patricia Marie* probably carried protection and indemnity insurance for her crew, excluding her captain, William King.

Besides monthly payments to widows and children, veteran's and Social Security benefits include interim assistance, paid for by the town and reimbursed 50 percent

by the state. Veteran's benefits include \$400 to help defray burial costs. Social Security provides \$255 for burial. Veteran's life insurance could have been continued by some of the men who were in the armed forces at the time of their discharge. At least two men, Morris Joseph and Ernest Cordeiro, were veterans.

In addition to public benefit sources, a small, privately run fund to aid families of lost fishermen can provide assistance.

Joel O'Brien, Provincetown's veteran's agent, said veteran's benefits are likely to be very small. He said a family would have to be destitute to receive even minimal assistance.

Neither Social Security nor veterans benefits will be held up by the fact the bodies of five crewmen have not been found.

The amount of insurance the boat might have carried on each of the crew is not known. Mary Silva at the Benson and Young Insurance Agency in Provincetown said that the usual minimum carried for protection and indemnity by most local boats is \$50,000. She said the captain of the vessel is rarely covered by that portion of the policy.

Concern that the boat had recently taken on new hands as a result of switching from fish dragging to scalloping is unwarranted, said Mrs. Silva. She said such changes are accounted for at the end of a policy term. Under most policies, she said, a change in the number of crewmen would still leave all hands protected.

Wednesday - Nov. 4, 1976.

Fishermen went to sea and Provincetown families waited

By MARY KLEIN

PROVINCETOWN — For as long as older residents of Provincetown can remember, fishermen have fought the treacheries of the sea. They recall the long, lonely hours spent waiting for loved ones who never returned, and the stark destitution the widows and their children faced when the main family provider was suddenly gone.

In the days of sail, the vagaries of the weather were far more hazardous to the fishing fleet than today. In 1908, the three-masted schooner Cora McKay sank on a fishing trip out of Provincetown, claiming the lives of her skipper and 16 crewmen.

One 81-year-old Provincetown woman recalls the days in the early 1900s when fishing vessels were small 32-foot gasoline powered boats which floated low in the water. In these nearly flat boats the fishermen would go out trawling into the Georges Bank area.

She described one accident which occurred in August of 1917 during a "terrible storm".

While on a fishing trip a 23-year old comrade of her fisherman husband was struck by lightning which entered his right side and traveled through his rubber boot. The boot with the hole in it was placed next to his coffin during the funeral, she recalled. The accident left the fisherman's wife a widow at the age of 15.

A multitude of disasters have occurred aboard the fishing boats of the

Lower Cape. In November of 1935, three Provincetown fisherman, Capt. John Santos and his son John Jr. and John Parooks narrowly escaped death by carbon monoxide poisoning on the fishing schooner Mary Madaline.

The trio had turned in for the night with the coal stove burning and the cabin door closed to keep the forecabin warm. A fellow fisherman found them unconscious the next morning and rushed them to shore.

Another near disaster occurred three miles off the shores of Brewster in the winter of 1938 when the 35-foot dragger Evelyn, with three Wellfleet fishermen aboard, became marooned on a 20-mile ice pack. The fishermen were helplessly swept along in the small vessel by moving ice floes. Finally a powerful Coast Guard boat rammed through the ice packed bay and rescued the stranded men.

Provincetown Harbor has been the site of many other disasters with fishing boats exploding and in one case several men falling one by one off their ice boat into the sea, she said.

There is no written record of most of these tragedies. In those days, people often died at sea and this harsh reality was accepted as a common part of life in the small fishing village of Provincetown, said Grace Collinson, director of the senior citizens programs in Provincetown.

There was nothing romantic about that way of life, she added. In fact, in sharp contrast to today's news media,

the local press in the early 1900s gave little notice to the fishermen who list their lives while struggling to eke out a living from the sea. It was not front page, or even second page news.

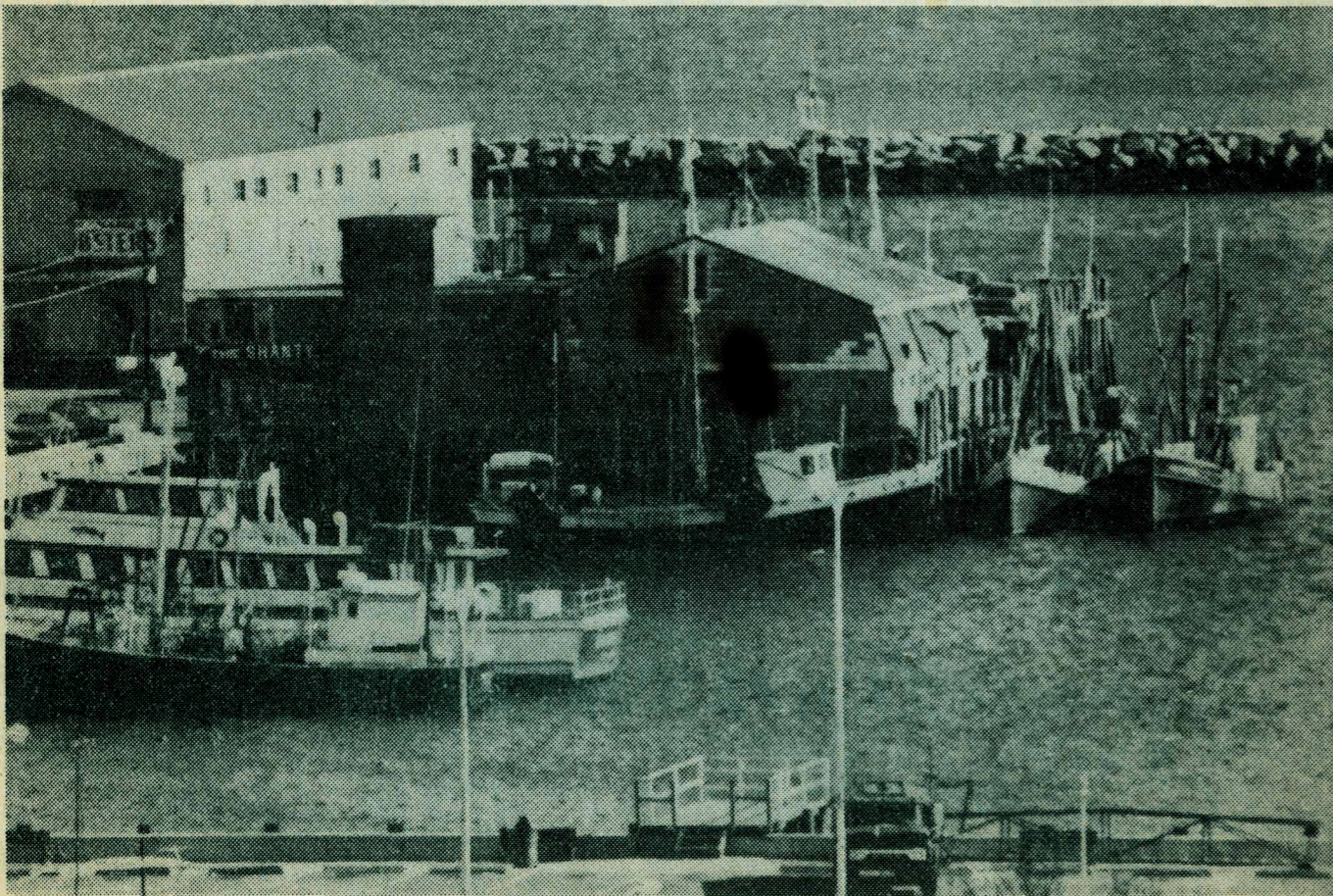
More importantly, the community also gave little attention to the matter. No benefits were paid, no donations were gathered for the survivors, Collinson said.

"No provisions were made at all, not even food," she said. "It was just part of life in a small fishing town." The only aid families received was a ration of beans and molasses which they could pick up at the town hall.

Families of lost fishermen were left destitute because besides the lack of town aid, insurance also did not exist, Collinson noted.

Another reality of the time was that the bodies of many unknown fishermen who died at sea were washed ashore. For many years they were unceremoniously buried out in Provincetown's woods, forgotten by everyone — except that in some other towns their families and friends mourned the disappearance of their loved ones.

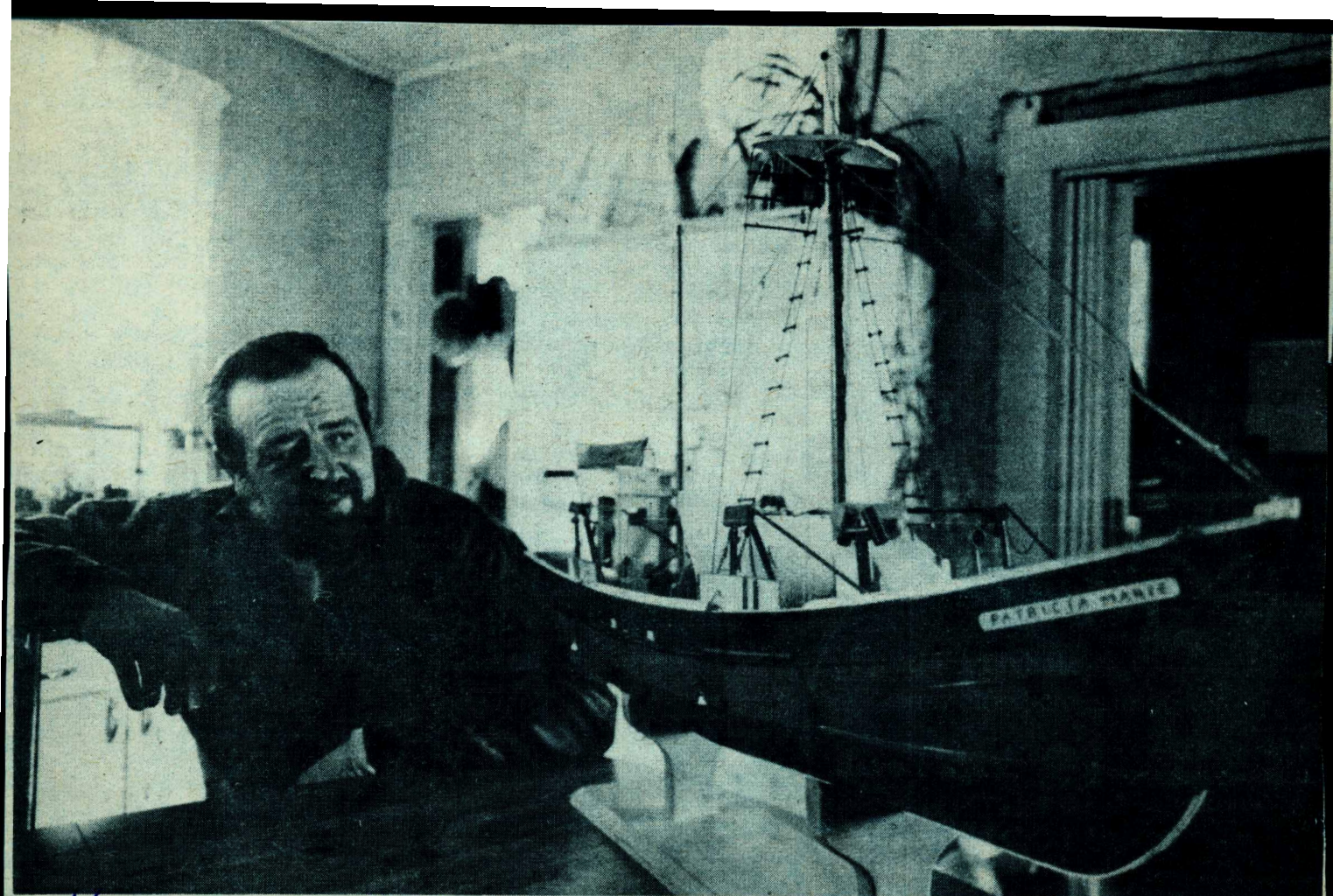
Later, such fishermen were buried in Provincetown's cemetery off Cornwell Street and their graves were marked by small wooden crosses which soon decayed, Collinson said. Years passed and these crosses were replaced by one large, rough stone which has the names, if known, or simply the sex and race of the ill-fated fishermen engraved upon it.



(Staff Photo by Milton Moore)

A number of fishing boats leaving Provincetown Inner Harbor have been involved in disasters at sea. The Patricia Marie tragedy is the latest episode. For as long as older

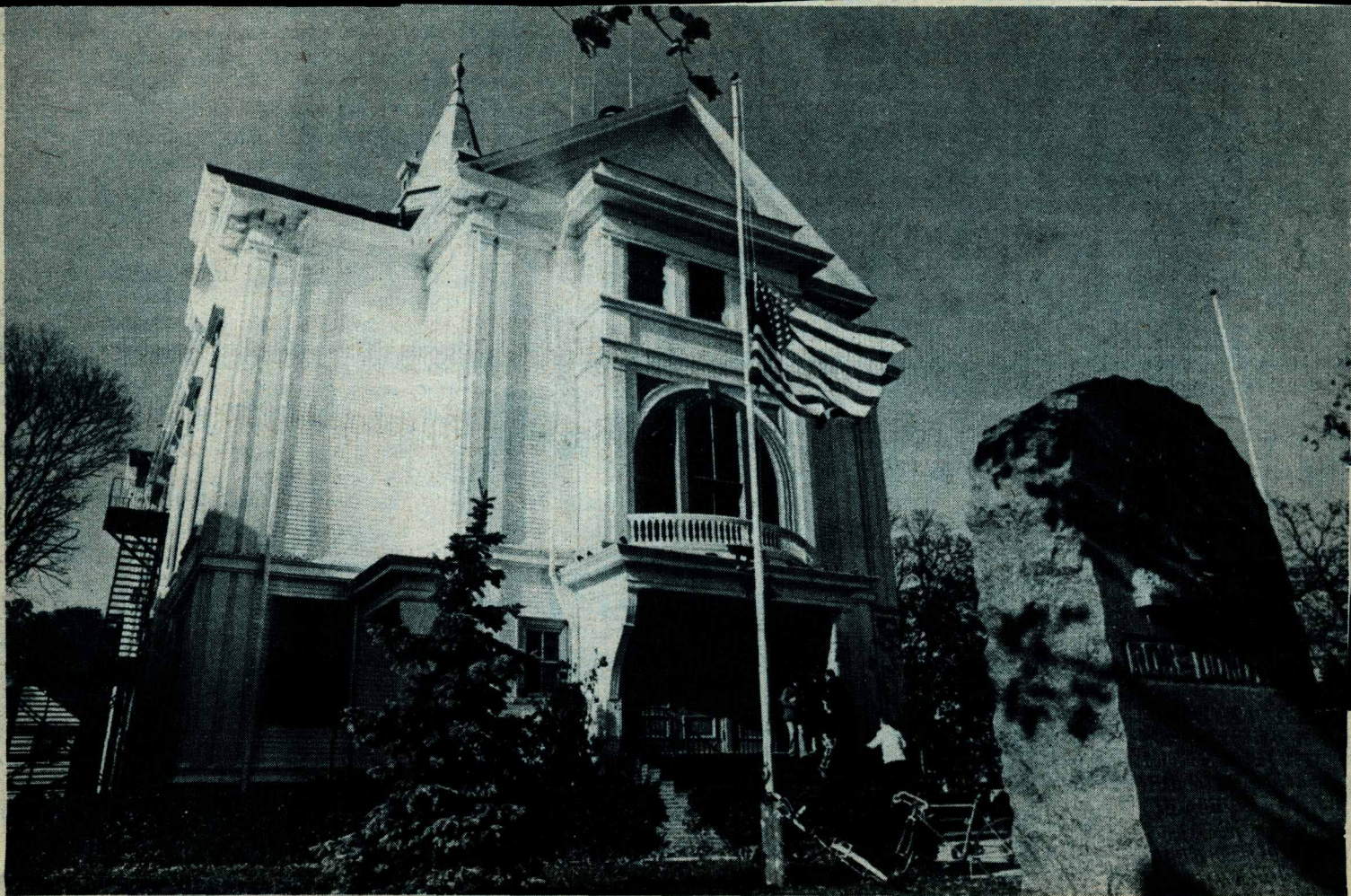
residents of Provincetown can remember, fishermen have fought the treacheries of the sea.



Thurs. Nov. 4, 1976

Advocate photo by Steven Schwadron

Tom Osowski, brother-in-law of Bill King, captain of the 'Patricia Marie,' has put the finishing touches on a model of the boat that he had intended to give to Capt. King. He said King planned to donate it to the Provincetown Heritage Museum.



Advocate photo by Steven Schwadron

Flag flies half-staff for crew of 'Patricia Marie' at Town Hall. 'Rose Dorothea,' Provincetown's most famous fishing schooner, tablet is in foreground.

News. Nov. 4, 1971

Families face hearings and inquest

By Jim Gilbert

In the aftermath of the sinking of the *Patricia Marie*, families of captain and crew lost in the tragedy will have to face a number of hearings and inquiries.

The first hearing will be an official Coast Guard investigation into the accident. Such investigations are mandatory after accidents in which death occurs. Following that hearing will come a series of procedures to certify deaths in the cases of crewmen whose bodies have not been found.

The Coast Guard inquiry will be held in about two weeks. The hearing officer, appointed by the Coast Guard district commandant, will be Lt. Russell Badger. He will be the only hearing officer.

Badger said the hearing will be conducted in Boston after he has made the necessary arrangements with Coast Guard officials and Mrs. William King, wife of the captain of the *Patricia Marie*.

Mrs. King will be the only "party of interest" at the hearing, Badger said. She and her lawyer will be the only people

other than the Coast Guard to be able to call and cross-examine witnesses.

The inquiry is held to attempt to find out what caused the accident. Badger said, "We're not trying to establish fault here." He said the idea of the hearing is to "try to stop the same thing from happening in the future." The hearing will be held in Boston and will last one day, Badger said.

The procedure for certifying death in cases where bodies are not recovered is more difficult. Hanging in the balance is the quickness with which insurance policies and estates can be settled.

Ordinarily there is a seven-year statute of limitations set in cases of disappearances. But, in the face of overwhelming evidence to indicate death, there are legal procedures that can be followed to eliminate the waiting period.

Herbert Risser, registrar of the Commonwealth, said that even if a death certificate cannot be issued by the state for seven years, a surrogate death decree can be filed by a court ruling.

Fred Claussen, registrar of probate for

Barnstable County, said precedent for this kind of procedure has been set. He said some legal research would have to be done to establish a case for a court-ruled declaration of death.

Claussen said that Coast Guard reports, search operation reports, newspaper articles and other background materials would have to be presented to a judge along with witnesses.

Claussen said that each estate would have to be taken separately. But, he said, it would be quicker and cheaper if all the families worked through one lawyer, since all the legal research would be identical for each case. He said probate proceedings should not be any costlier than normal estate settlements.

Claussen said he thought there would have to be several additional proceedings to normal probate procedure. He said each family would have to have an inquiry, the results of which would be taken to a judge for a ruling. The way would then be clear for prompt estate settlements.