

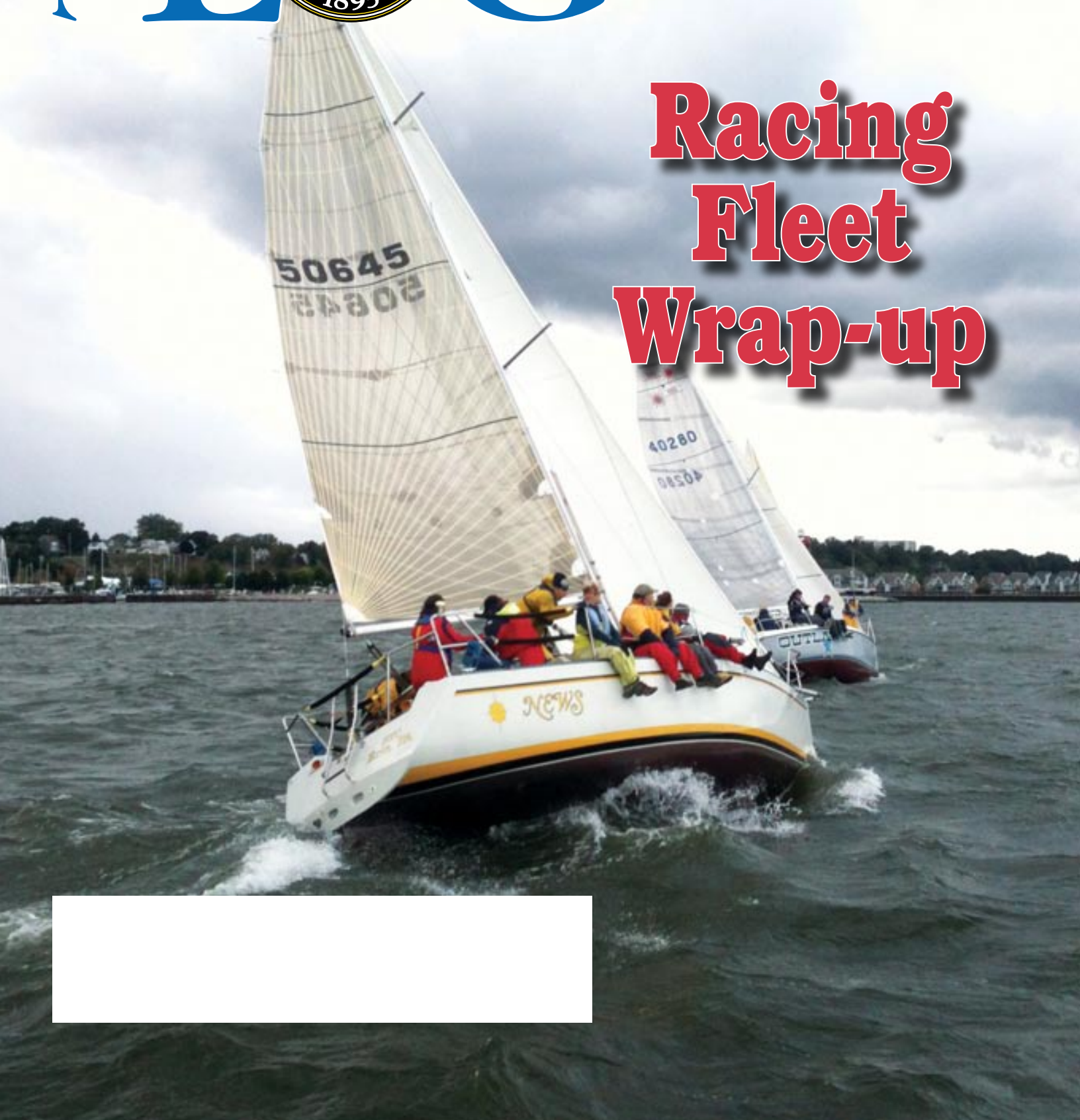
VOLUME XI / ISSUE I

January/February 2013

# The ELG



## Racing Fleet Wrap-up





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## From the Bridge

by Commodore Matthew Niemic



As we begin another year I would like to thank our many members, volunteers and dedicated Club management and staff. It is with your dedication and efforts that our club is still vibrant and moving forward after nearly 120 years.

While many social and country clubs, both locally and around the nation, have significantly lowered or eliminated initiation fees in an effort to keep membership at healthy levels, the Erie Yacht Club continues to provide its members with a jam-packed calendar of traditional, fun and innovative events. From Wednesday night racing to the Commodore's Ball, Thursday night happy hours

to trivia, there is always something going on.

Your Bridge and Board are committed to maintaining an excellent yacht basin and first rate dining and social facilities. So as you make plans for the coming year, remember to check the newsletters, monthly calendar and LOG for upcoming events. I urge everyone to experience your Club to the fullest, including booking your private events with our catering department. There is no place where you can have this much fun and camaraderie, other than the Erie Yacht Club.



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## On the Cover...

Mike Mashyna's "Outlaw" & Blake Ragghianti's "News" racing down to the weather mark in 18 knots of breeze during the Eckerd Cup Series.  
Photo by Aimee Gevirtz



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# Racing Fleet Wrap-Up

by Dave Heitzenrater

The party ended late that night as the few weary sailors suffering from a long night of much celebrating, dancing and partying closed down the EYC bar and the 2012 racing season appropriately. Yes, it was a long hot summer of racing with over fifty races scheduled. The November 3rd full house in the EYC ball room was unable to contain the annual awards banquet and dinner for the racers that overflowed into the lounge and both sides of the bar. Fleet Chair, Jon Tushak hosted the long but fun banquet

as well as chaired the entire 2012 year of racing.

The fleet remains very active with many races and activities planned for 2013. There were 60 boats on the 2012 roster that took advantage of the overloaded race schedule that also included free picnics, deck parties and other special races and events.

The Family Jib and Main Division remains very popular with its Wednesday night & Sunday morning family format.

The class champion presentations for the successes of 2012 are listed here.

The Raven crew on the Schock 35 took a three point edge over William "Wild Bill" Hertel's second place J-35, Magic. Chris Bloomstine's 36.7 Masego team followed in third in the very competitive A Class.

Ron Hamilton's drum beating troop took first on their one tonner Powerhound over Mike Mashyna's quick paced O'day 28, Outlaw in second. Mike & team squeaked by Alex Miller's J-29 Pagan by

continued on next page



Jon Tuschak - Chairman of the racing fleet & master of ceremonies.







Award Winners - Amanda Wright, Mary Beth Dunagan Horst, Meredith Gourley & Rebecca Seifert.

## Racing Fleet Wrap-up

continued from previous page

just half a point in the B Class.

The good old boys in Class C were topped by the women of Serendipity, Greg Gorny's C&C 30. P/C Tom Trost's infamous C&C 30 Keya in 2nd overtook EYC Rear Commodore and soloist Brad Entline piloting his vintage Tartan 34 Entson to the third spot.

In the exciting D Class, EYC rookie Fleet Captain John Orlando sailed Six B's to class victory again for the fourth year in a row. Class contender Skip Knoll drove his Ranger 26 Radiance to a solid second place over William "Biff" Maasz after his impressive end of the season surge on Zephy, the Bluenose 24 to claim the third.

The Family Jam Division encourages

easy, low cost, fun racing that offers the thrills of the start, tactical challenges of the race yet minimize the heavy crew work that spinnaker racing can sometimes require and is a great starting point for newcomers.

In the Spinnaker Division, the 2012 Koehler Cup weekend traveled to the Ashtabula Yacht Club this year. The race was a just a bit lumpy going west into the 25+ knot winds and waves. Not a pleasurable ride for those with a sensitive stomach but all survived to enjoy the post race festivities. The mid August return trip was a sleigh ride as Dreamer, the Alden 55' Ketch sailed the 36 mn mile trip in 4:31:33. A huge thank you goes to AYC Commodore Tami Turner and Sailing Chairman David Richards of the Ashtabu-

la Yacht Club for their wonderful hospitality and warm welcome. In addition to the hot food, they provided more free beer than we could drink. Awesome! and there were a few of the team Raven served daiquiris on hand too! Masego walked away with the impressive Koehler Cup after the fun weekend.

2012 Boat of the Year honors and the Spinnaker Class A Championship went to Bill Hertel's Magic crew who managed to win the prestigious Zurn Trophy as well. Second and third in Class A went to Masego and Raven respectively. Spinnaker Class B was topped by Outlaw, followed by N.E.W.S. in second then Powderhound third. Magic had another great year defending their Championship at the ILYA Regatta at Put-in-Bay, Ohio taking

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Bill and Aaron Hertel accept the boat of the year award for "Magic".



Gail Garren Award winner Dave Haller.



Groundhog and Captain Crunch Award Winners.





# THE END OF US

In the beginning, there were two...  
born 15 minutes apart,  
two halves of a whole.  
Now there is one.

**RICHARD B. STOLLEY** looks back on life  
with his twin brother and ponders what it  
means to go from inseparable to separate.

Byline: **RICHARD B. STOLLEY**

As seen in "Real Simple" Magazine October 2012

(opposite page) The bond  
begins early: The author (left)  
and Jim in a Peoria, Illinois,  
photo studio.

Richard and Jim at the Great Lakes  
Naval Training Station, in Illinois, in  
1946; (author on left)

ALL PHOTOS COURTESY  
OF RICHARD B. STOLLEY

**I**t was October 3, 1928, a crisp fall afternoon. We were born 15 minutes apart; I was first. Our birthplace was a hospital in Peoria, Illinois, 10 miles from our small hometown of Pekin. We were fraternal and full-term, about five pounds each. Our appetites were so voracious that our petite mother could not accommodate us; she had to call in a wet nurse, a woman whose baby had been weaned but who was still producing milk. And so the Stolley twins came into the world: James Sherman and Richard Brockway.

Last May, 83 years and seven months later, Jim left this world. He seemed at peace. I was not. I was ill prepared for his departure. It was not possible to be ready, based on one indisputable fact: Losing a twin is more traumatic than losing a parent or an ordinary sibling, sometimes even a spouse.

It is like losing a part of yourself, a cleavage, an abrupt end to a unique intimacy. The bonding begins in the womb, surely, and builds for the rest of your lives.

THAT'S HOW IT HAPPENED with us. After a week in the hospital, we went home. Jim and I would live in the same room for the next 17 years. For the moment, we were put in the same crib. Collaboration began immediately. When my parents wrapped my thumb in gauze to discourage my sucking on it, Jim offered me his thumb.

We bathed together and dressed alike until we rebelled around age 10. We adored Mom's meat loaf, but when she served liver, we dropped bites to the family Irish setter under the table. At school, we sat side by side, unless teachers ob-

jected, which some did, fearing the proximity would encourage twin misbehavior. We joined the Boy Scouts at a local church (though I often snuck out of meetings to visit a girlfriend nearby). In a Depression-era medical experiment, we both had our tonsils removed by our family doctor, not in his office, but at home on the kitchen table.

As twins we were emboldened to try things a single kid might not. We loved our first-grade teacher, Miss Bolton, so one day we invited her to dinner at home. Trouble is, we forgot to tell Mom.

The doorbell rang one evening, and there was Miss Bolton. Our stupefied mother, Stella, rallied valiantly, and Teacher made a fifth at the dinner table. George, our dad, was charming. (Miss Bolton years later said she always suspected she was a surprise.)

There were three other sets of twins in Pekin - all identical. One pair of brothers ran the local dairy. The others were our age: A set of boys were skilled aerial gymnasts who trained on a rig in their backyard until one of them tragically fell and died the same week as our high school graduation. (Jim and I were stunned by our first experience with twin death.) The girls were the first and second clarinetists in the high school orchestra.

Jim and I tried the clarinet, without much success. The only time we were supposed to perform in public, I got sick, and he had to play the duet by himself. Later, he switched to oboe, which was worse.

Our claim to fame in Pekin was not

music but exhibition boxing. We were always roughhousing anyway, and Dad thought some rudimentary lessons might prevent either of us from getting hurt. From there, we segued into public entertainment, beginning with Dad's bridge nights at home.

When the cardplayers took a sandwich break, Jim and I would come out and pound each other for three minutes or so. The men applauded and threw their pocket change onto the rug. We slipped off the padded gloves, scooped up the coins, and retreated to our room to count the purse (usually a couple of dollars).

Our most prestigious venue was the Pekin High School gym, between halves of a basketball game, which in basketball-obsessed Illinois is the equivalent of prime time. The bigger the crowd, the harder we fought. Jim was then slightly smaller than me, but fiercer, and at least once I had to ask him to please stop hitting me so hard.

We later used those boxing skills to beat up two older boys who were bullying us. Together, we felt invincible. The first was a boy who had earlier hit me in the mouth and broken some teeth after I'd rolled a stone into his new bike. Our encounter with him took place, unfortunately, on the courthouse lawn in Pekin, and by dinnertime that day, a dozen spectators had telephoned our parents in dismay.

The other was on the beach at Lake Ontario, near Rochester, New York, where

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# 132 Days 'til Summer Party at the EYC

by Dan Dundon

**T**ime, again, to get ready for July in February at Erie Yacht Club! Our second annual 132 Days 'Til Summer Party is happening on February 9!

Actually, this party is our 12th (maybe 13th, I seem to have lost count!) annual mid-winter beach party. Since 2000, your Erie Yacht Club Entertainment Committee has hosted the annual "Hundred Days 'til Summer Party". Generally scheduled for the last Saturday before Ash Wednesday, the "number of Days-'til-Summer" changes each year! As luck would have it, this party will be the second time it's been 132 days 'til summer!

So far, our days have ranged from 113 to 143 days 'til summer. Do you think my job is easy... working out these dates? The earliest date Ash Wednesday can occur is February 4th which happened last in 1818 and will next occur in 2285, neither of which, I guess, we need to worry about?. The latest date is March 10 which happened last in 1943 and will next occur in 2038. Ash Wednesday has never occurred on Leap Year Day (February 29), and it will not until 2096. Good news! I am happy to report, your Erie Yacht Club Entertainment Committee is already hard at work planning that party!

Anyways, while we can expect the Erie temperatures to be cold for a while longer, the day-light hours are already increasing. What better way to "anticipate" summer than to "live summer" with your friends at the Erie Yacht Club?

Ah, summer! Imagine the wonderful beach party menu we have planned... juicy and tender barbecued ribs, terrific honey-barbecued chicken, and steamed clams and mussels! Oh, boy! Open that summer picnic basket in your imagination and find corn bread, vegetable medley, pasta salad with sun-dried tomatoes and mozzarella and to-

mato pesto! In the shade of that palm tree, you will find apple pie, carrot cake, brownies and cookies. Yum!

You will be able to rev-up your summer-time imagination as you enjoy the great summer sounds of Erie's own Key West Express! West Side Steve, skipper of the Lake Erie Booze Patrol, will be on-hand, as well. Steve comes directly from Put-in-Bay, the party capital of Lake Erie. Nothing sounds more like summer than West Side Steve's special blend of tropical summer songs, ballads of Lake Erie and his own make-you-feel-good interaction with the Erie Yacht Club crowd.

Oh, yes. You might find some cold beer, margaritas and daiquiris in the shade of that palm tree, as well! Woo-hoo!

So, don't let Old Man Winter get you down! Stay in practice for summer fun at Erie Yacht Club. Find your, favorite sun-dress! Wear your wildest, flowery tropical shirt! As always, we will have the heat cranked-up to summer-time high temperatures! Dig out those shorts, bathing suits and grass skirts! If you are too warm, you wore too much! Take something off and leave the thermostats alone!!! Ha ha ha!!!

Look forward to a limbo contest, great summer outfits, dancing, laughing, cool refreshing tropical drinks, and ice-cold brew!

Come LIVE SUMMER, with West Side Steve, Key West Express and all your Erie Yacht Club friends on February 09!

Make your reservations early! These parties generally sell-out! Don't miss 132 Days 'Til Summer!





# Coast Guard Boardings & Your 4th Amendment Rights

by Clark Beek  
Courtesy of Sailfeed.com



Sorry, but when it comes to Coast Guard boardings, you don't have any rights.

I'm surprised how many boaters don't know this. The US Coast Guard can board your boat any time they want, and look anywhere they want, without probable cause or a warrant. They can do this on the open sea, or while you're asleep aboard in your marina at midnight. They can look through your bedsheets, in your lockers, in your bilges, in your jewelry box, or in your pockets. They can do it carrying just their sidearms, or they can do it carrying assault rifles. They can be polite about it or they can be rude, but mostly they're polite.

If you're an avid boater you can expect to be boarded every year or two.

I explain this to my guests aboard *Condesa*, some of whom are lawyers, and I'm met with disbelief: "But that's a blatant violation of your constitutional rights! They need probable cause, or a warrant from a judge!" "Not on a boat, my friend, not on a boat."

## The U.S. Coast Guard Boarding Policy:

Title 14 section 89 of the United States Code authorizes the U.S. Coast Guard to board vessels subject to the jurisdiction of the United States, anytime, any place upon the high seas and upon any waterway over which the United States has jurisdiction, to make inquiries, examinations, inspections, searches, seizures, and arrests. The U.S. Coast Guard does not require a warrant to conduct search, seizures, arrests over any United States Waterway or high seas. The U.S. Coast Guard also have full legal law enforcement power on any land under the control of the United States, as needed to complete any mission.

Sweeping powers. In a paper in the *William and Mary Law Review*, law scholar Greg Shelton says, "In terms of enforcement power, Coast Guard boarding officers are

clearly America's "supercops." Another law scholar, Megan Jaye Kight, says, "As such, these provisions comprise what has been accurately characterized as 'one of the most sweeping grants of police authority ever to be written into U.S. law.'"

If you'd like to know a little more detail about the boarding policy, here's a longer document, meant for the public, in the Coast Guard's own words.

And here's an article by a retired Coast Guard captain and Coast Guard legal counsel. The pull quote kind of says it all: "There are two main ways to board a vessel - either with permission, or without."

I've been boarded by the Coast Guard five times. They've always been very polite, and I've never resisted, thus incurring the penalty of ten years in prison and a \$10,000 fine. They asked permission to board, but since they were going to board anyway no matter what I said, I said yes.

Once, offshore, the captain of a Coast Guard cutter told me by radio to prepare for a boarding, and ordered me to maintain my course and speed. It was pretty rough, and I was under full sail and solo, so I replied, "How about if I drop my sails and lie ahull? It's going to be pretty hard for your guys to get aboard right now."

"Skipper, maintain your course and speed."

When their inflatable came alongside, it was indeed bouncing all over the place, and they had a tough time just coming alongside, much less getting someone aboard. When the first boarding officer finally made it over the lifelines he slipped on my aft deck—one of those slips where his feet were actually higher than his head before he crashed down - and he landed right on his sidearm. (Did I mention that deck was wet?) I could see tears in his eyes as he suffered through the inspection protocol.

Nobody could have many criticisms for the Coast Guard's Search and Rescue operations. Dedicated Coast Guard personnel rescue us when we're in trouble and yes, guard our coasts. As I'll explain in Part 3, the boarding policy isn't their doing. They might not like these boardings either. Entering some strange boat with strange people aboard is fraught with uncertainty and risk, and they'd probably rather be out doing real Coast Guard stuff instead of checking the bilges on a *Tayana 37*.

A Coast Guard boarding isn't the end of the world, but guests who don't know the routine think the boat is being raided, and it certainly shuts down the party. Again, boardings are usually routine and polite.

But sometimes they're not so polite, as in an episode in Moss Landing a few years ago. The Coast Guard boarded and searched boats in a marina at 10:30 p.m., with assault rifles in hand. Some of the marina tenants were asleep and awakened to boots on their decks. During boardings, many boaters feel threatened or harassed.

Often when the Coast Guard boards a vessel at night, they approach with their running lights extinguished, and they seldom answer radio calls. This is scary to most boaters, because who else might be approaching in the middle of the night with no lights? If the Coast Guard is operating in foreign waters where piracy is common, everyone aboard will be terrified for their lives by the time the coasties finally identify themselves. A friend of mine was tailed in this manner for eight hours off the Baja coast before, surprise!, it's us, the US Coast Guard! In legal terms this is called-seriously-the "fright factor."

In the post-9/11 world the Coast Guard has added duties, and added weaponry. Instead of a couple of sailors in a rubber boat with big Mae West life jackets and sidearms, a common sight is coasties with assault rifles

in high speed inflatables with M-240 machine guns mounted bow and stern. Just the presence of all this weaponry makes many nervous or afraid.

I'm not someone who sleeps with a copy of the US Constitution under his pillow, but as "the supreme law of the United States of America," I take it to be the governing document of my relationship with my government. The first ten amendments to the constitution are called the Bill of Rights, and many have died defending them. Here's what the Fourth Amendment says:

Amendment IV The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Over the years and many Supreme Court cases, the Fourth Amendment has been interpreted to mean that without a warrant or probable cause law enforcement can't search your car, your office, your mountain cabin, your pocket, or your wood shed. According to the Constitution, law enforcement personnel can't search anywhere in your private universe without probable cause or a warrant issued by a judge.

Except your boat: They can board your boat any time they please and look anywhere they want without warning, warrant, or cause, and they do so every day. This is called a "suspicionless search."

Why can the Coast Guard search our boats without a warrant or probable cause when law enforcement is prohibited by the Fourth Amendment from searching our homes, cars, offices, or motorhomes?

It's always been this way. The same congress that passed the Bill of Rights passed

the Revenue Service Act of 1790, which gave revenue cutters the right to search any vessel anywhere in US waters, and any US-flagged vessel anywhere in the world.

Our fledgling nation was strapped for cash, and tariffs were the way to solvency. This was controversial even back in 1790, since many of our gripes against the British, as stated in our Declaration of Independence, had to do with tariffs (see Boston Tea Party). The crews of revenue cutters were allowed to board vessels to make sure they'd paid the tariffs on their cargoes.

Since 1790 the Coast Guard has been shaken up, mishmashed, and passed around like a red-headed stepchild, but the Revenue Service Act of 1790 has only gone through minor changes.

The modern Coast Guard is an amalgamation of five federal agencies: the Revenue Cutter Service, the Lighthouse Service, the Steamboat Inspection Service, the Bureau of Navigation, and the Lifesaving Service. The Coast Guard, as a named entity, wasn't created until 1915 under Woodrow Wilson. For much of its history it was part of the Treasury Department. In times of war it sometimes falls under the Navy's command and sometimes acts on its own, but Coast Guardsmen and their predecessors have fought in every war in our nation's history.

Now the Coast Guard is part of the Department of Homeland Security, with added counter-terrorism and intelligence responsibilities.

The Coast Guard is not represented on the Joint Chiefs of Staff, yet carries out military and quasi-military operations. The top brass constantly complains that the Coast Guard is ignored and underfunded. "Support on Capitol Hill is about five miles wide and one inch deep," said a retired Coast Guard vice commandant. Ignored and underfunded, yet it has the most sweeping search and sei-

zure powers ever thrust on US citizens. Why do they board us and search us, and what are they looking for?

If you ever ask why you, in particular, got singled out from all the boats on the water that day, the boarding officer will say these exact words: "I'm not a liberty to say." Since there is no requirement for probable cause, it's impossible to know why you got boarded. It's just bad luck, or maybe they didn't like the cut of your jib.

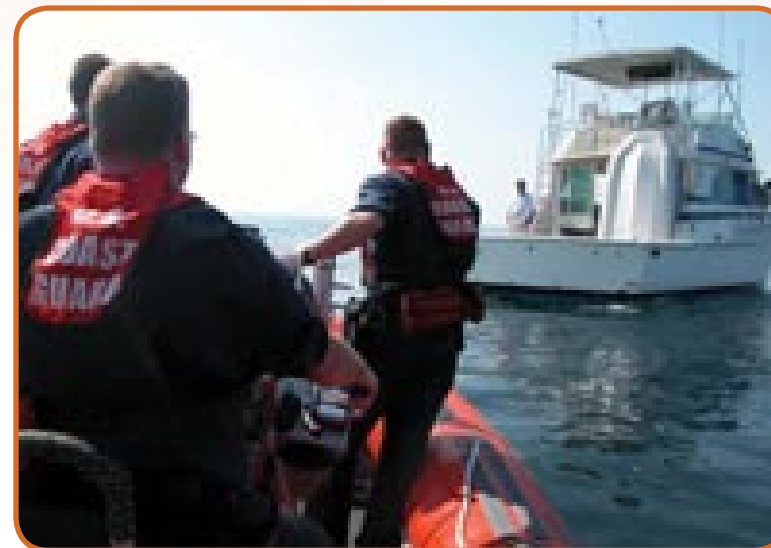
Most of what they're doing is training. Boarding strange vessels on the high seas is a big part of their job, and our boats are good practice. Many coasties don't come from a boating background - or certainly haven't been on a sailboat - and they've got learn the ropes.

They're checking our documentation, safety gear, seeing if we're drunk, and checking for environmental violations. Are we dumping oil/fuel/sewage into our precious waterways? It's common to check bilges for oily water, and if there's an automatic bilge pump in that oily water, we're so busted.

They're also checking for fisheries violations, people smuggling, arms smuggling, and drug smuggling. Twenty-six percent of Coast Guard activities are related to drug interdiction, and they are looking for illegal narcotics on every vessel during every boarding.

Considering what we've come to expect of our Fourth Amendment rights on land--No, officer, you can't come in my house and have a look around--suspicionless searches of our boats don't feel right to most of us. I lived aboard for ten years, and I consider my boat to be my private home. The salons, staterooms, and bunks on our boats are just like our living rooms, bedrooms, and beds at home: Ours, personal, private, and not open for random tours or training missions by strangers.

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# Lip Stylin'!

## Moustaches of the Erie Yacht Club

by Tom Madura

Consider this list of more or less famous historical figures:

Charlie Chaplin, Josef Stalin, Albert Einstein, Groucho Marx, Tom Selleck, Clark Gable, Hulk Hogan, Salvadore Dali.

An eclectic list, for sure. But what do they all have in common? All are instantly recognizable by one prominent feature: their moustaches.

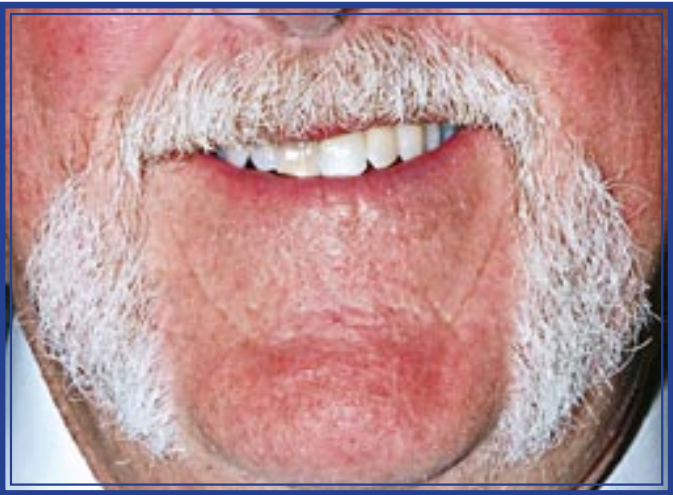
Ah - the moustache. For centuries men around the world have cultivated, trimmed, curled, and waxed the whiskers on their upper lips into elegant personal statements. Even the various moustache styles themselves have come to have very descriptive names: The Toothbrush, The Chevron, The Fu Manchu, The Handlebar. Jimmy Buffett famously sang about the appeal of the "Pencil Thin Moustache."

Overall hairstyles come and go, and facial hair falls in and out of favor as decades pass, but in every age the moustache seems to find a dedicated group of followers.

The Erie Yacht Club is no exception to this rule. Many devotees of the moustache may be found among our members, and it is not hard to find spectacular examples of hip, handsome, hirsute lip grooming within our ranks.

These photos represent only a few examples of these dapper individuals. You've all seen them around the Club, now see if you can identify these stylish gentlemen by their moustaches alone.

(Answers and full face photos appear on page 32)



- 1 -



- 2 -



- 3 -



- 4 -



- 5 -



- 6 -



- 7 -



- 8 -



- 9 -



- 10 -



Join the Fun!  
(Clip & Paste)



# Racing Fleet Wrap-up

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first place in the Level 72 Class. They also took third in the J-35 2012 North American Championship held here at the EYC.

Dr. Peter Lund's Taz scored a third in the hot 13 boat Beneteau 36.7 class at the 39th Annual Youngstown Level Regatta. Also Joker, AJ Ficcardi's J-24 took third in their class.

The annually suspenseful Yachtswoman of the Year award went to Julie Arthurs. The Gail Garren Award presented by the Race Committee went to EYC Director David Haller. We should not forget the season finale on the water, the annual Chili Cup Race where entrants sail a 5 mile race and then have a taste testing competition for the best chili. The scores are combined to determine the cup winner. And the winner is: the good cooks and sailors of the ship Magic.

2013 planning began in December. The Fleet will sponsor separate seminars on the Weather for sailors on Lake Erie plus the North-U racing series. On the water racing begins May 15th.

Now is the time, come join the fun, use your boat more often and learn to sail better. It is all fun and games. Check us out at [erieyachtclub.org](http://erieyachtclub.org)

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- Thomas Carole Endowment
- Erie Beer Company
- Peter Lund-Urology Associates
- Erie Yacht Club



John Orlando EYC Fleet Capt. and Chris Grychowski Director of the Reyburn Sailing School.



A "Magical" crew.



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Cynthia Johnson and Hopbo Kuebler.



The "Raven" Crew



Mike Mashyna sitting in the past commodore's chair award for the Night Lighthouse Race..







Richard (left) and Jim with their parents, George and Stella Stolley, in Pekin, Illinois, in the mid-1960s.

## The End Of Us

continued from page 8

we spent part of the summer with our maternal grandmother. This boy was particularly mean, calling us “Illinois hicks,” and Jim had to pull me off when I held the boy’s head underwater.

IN HIGH SCHOOL, Jim and I drifted apart a little. We performed in a couple of plays together, and joined the frosh-soph football team. But I already knew I wanted to be a journalist, and as a 15-year-old junior, I was hired as sports editor of the Pekin Daily Times. My predecessor had been drafted.

Jim and I took the same classes but rarely sat together anymore. He was as unsure of what to do with his life as I was sure of mine. He was also not growing as fast as me; I was taller and heavier. His smaller size enabled him to join the wrestling team and compete in the 104-pound class.

One of his matches forced me to make the most wrenching decision I can recall from our years together. I was covering the meet for the Times. Suddenly I heard a pop and saw Jim fall back on the mat, twisting in pain. His opponent had ex-

ecuted a “switch” and fractured Jim’s shoulder blade. The coach raced out to comfort him. The crowd was shocked. What did his twin do? I sat there and took notes. It was the professional response. Jim would probably have been embarrassed if I’d gone to his side; at least that’s how I have comforted myself ever since. When the coach got him into the locker room for transportation to the hospital, I finally went to him. He was hurting but glad to see me. He recovered uneventfully and dismissed my apologies in later years. It tortures me still.

As we approached graduation in 1946, Jim and I talked about the future. Without a whisper of disagreement, we decided we wanted to join the navy rather than go right to college. Somehow we also convinced our anxious parents; that’s the power of twin voices.

We enlisted on July 5. We were bussed to Springfield for the pre-induction physical, and there I endured a moment of genuine panic. The navy doctors pulled Jim out of our line of underwear-clad teenagers and took him away. There was

some question about one of his legs. Was it slightly shorter, slightly deformed—possibly the result of mild undetected polio, the scourge attacking the Midwest? I was frightened. The thought of going forward without Jim was inconceivable. I was prepared to back out, too. In the end, Jim was approved, and we took the oath together.

But our days together were numbered. After three months of boot camp at the Great Lakes Naval Training Station, north of Chicago, we were separated. I was sent to a ship in the Mediterranean Sea; Jim was assigned to naval air bases in the South.

AWAY FROM ME and our parents, Jim grew up: He gained six inches and 30 pounds. He took an entrance exam for the most prestigious engineering school in America, the Massachusetts Institute of Technology, and was accepted. I was in awe when I heard the news. After the navy, that’s where Jim enrolled; I went to Northwestern University. On vacations, we tried to earn money beyond what our austere GI Bill benefits provided, and appealed to Dad for help obtaining a job. (While we were in the navy, he had been transferred by his company from Pekin to Peekskill, New York, where he was manager of a big Standard Brands plant that made yeast and bottled Scotch.)

Dad cooperated, to a point. Never one to pamper his sons, he assigned us to the “yard gang,” which did the hauling, lifting, cleaning, and scut work at the sprawling factory on the banks of the Hudson River. Our first job was to break down a huge room full of shipping boxes, flatten them out, and tie up the bundles with twine. It was mind-numbing work, but Jim and I plunged in. A few hours later, we were making progress when we saw an older worker standing in the door. He watched us flailing away at the cardboard, then gestured to us to stop (clearly not knowing who we were) and cautioned: “Boys, boys, slow down. You’ll kill the job.” He was telling us we were working too hard on a menial task, only to finish it and be assigned to another. When we told Dad the story that night, he couldn’t stop laughing.

Because Jim was moving along at MIT, he graduated to the engineering office at the plant and went to work in a shirt and tie. As a lowly journalism student, I stayed in the yard gang, and Jim would occasionally wave to me from the office window as we trudged by, dirty and tired. But at home we shared the same room as always and got along like the old days.

*“When I can’t recall something, I think, I’ve got to call Jim. Then there’s a stab of realization that my loving link to the past is gone”*

Jim was married shortly after graduation, and I was his best man (as he was for me at both my weddings). His wife was a lovely Irish girl named Margaret Moynahan, the daughter of the Peekskill mayor. I had dated her first, but on one vacation, when Jim came home before me, he had become totally smitten, and so was she. I never really had a chance.

Once we started having children (our first daughters were born only a few hours apart), we lived in different cities, but I was able to visit, our families skied together, and our kids became friends. Our bond remained strong, reinforced when we could be at each other’s side. On those occasions, we would start talking as if we’d never been apart, with no fumbling for words or subjects. We still finished each other’s sentences, just as we had as kids.

Jim did well in his career, rising to senior vice president of the Hammermill Paper company, in Erie, Pennsylvania. Meanwhile, I covered the world as a correspondent for Life magazine. One story plunged me into the world of twins dramatically: the 1961 disappearance of Michael Rockefeller, the son of New York governor Nelson Rockefeller. He’d vanished while collecting primitive art in New Guinea. I flew out there and met Michael’s grieving twin, Mary, who with her father had joined the (ultimately fruitless) search.

I hadn’t thought about that grim assignment until this summer, when I discovered that Mary had just written a book, *Beginning With the End: A Memoir of Twin Loss and Healing*, about her 50-year battle to come to terms with Michael’s mysterious death. The timing was astonishing, and I found comfort in her moving description of the universal understanding between twins.

For Jim, living on the shores of Lake Erie was transforming. He took to the water with enthusiasm and became a skilled sailor. One of his kindest gestures to me was to invite me to join him and a half-dozen or so male friends from Erie on their annual fall cruise to Canada. They have been doing it for more than 30 years, and I have been along for most of those voyages. I even steered the boat once in a while, under Jim’s watchful eye.

When Jim retired, I was there. Twice he persuaded the local Rotary Club to invite me to speak on my experiences in journalism, his way of expressing pride in his twin. He especially liked one particular speech title: “Presidents Who Have Known Me.” When we were babies, a doctor noticed something in Jim’s tiny heart that was then called a “murmur.” It did not bother Jim; he ignored it, until one afternoon in the late 1990s when he collapsed on the tennis court. Fortunately, he was playing against a doctor, who kept Jim alive until he reached the hospital, where a heart valve was replaced within hours.

He recovered well, but eventually congestive heart failure set in. He ignored it, too, as best he could and continued to travel, to play golf, and to quietly become one of Erie’s most prominent do-gooders (a term I would not dare use in front of him). He was president of the board of a local college and on the boards of a dozen other institutions, including the hospital that saved his life. A neonatal unit there is named after him and his wife, Maggie.

TO THE OUTSIDE WORLD, Jim and I were dissimilar in many ways. I was more profane. He was more conservative politically. He liked martinis; I preferred wine. His marriage was rock solid; I had to try twice. He enjoyed retirement; I am still working. His memory was better than mine, and when I was writing this story and trying to remember a detail from our past, my first impulse was to think, I’ve got to call Jim. That happened time after time, and always with a stab at the real-

ization that my loving link to those days was gone.

Last March, I visited him and Maggie at their winter condo in Florida. To my despair, I found him, in his words, “weak as water.” A few days later, Jim was flown back to Erie for more medical tests, which were not optimistic. But he had rallied marvelously in the past, so I went ahead with long-delayed surgery at home in New Mexico. This time Jim’s body failed him, and nine days after my operation, he went to sleep and never woke up. Maggie was with him; his three grown children were nearby.

Since I was forbidden to travel, the funeral went on without me. Two of my daughters were there in my place. At the service, to my somber joy, they sang what is known as “The Navy Hymn.” Jim and I had first heard it together at the age of 17 in the chapel at boot camp, and it is my favorite hymn. One verse was especially painful: “Our brethren shield in danger’s hour, / From rock and tempest, fire and foe, / Protect them where so e’er they go.” I could not protect Jim.

I finally bid my own good-bye in late August. His Erie buddies, his son, Jim Jr., and I sailed out into the lake, and as the horizon faded, we scattered my twin’s mortal ashes onto those blue waters he knew so well. The full realization of what I had lost then struck my heart. Jim and I had been inseparable physically as kids, together in spirit after that. As I watched, both sad and scared, a part of me sank beneath the waves.



Richard (left) and Jim a few years later at the Erie Yacht Club, in the 2000s.



# Yachtswoman of the Year

by Mary Beth Dunagan Horst

This year's Erie Yacht Club's Yachtswoman of the year is Julie Arthurs. According to the veteran skipper Dave Haller, "Julie is a fine person, a loyal crew member, and a superior sailor. When conditions are deteriorating with regard to nature, the elements or crew morale she is always there to initiate good advice, common sense and a calm voice. She has always been a pleasure to have on any boat on which I have crewed". These comments as well as her many wonderful accomplishments make this year's recipient a superb choice.

Julie started her sailing career in 1973 when her family purchased the C&C 35 Killary. She raced locally on Killary and sailed many Interclub Cruises as well as numerous Falcon Cups. She also participated in the Junior Sailing program at the EYC. In those years there were only a handful of female sailors and the other Killary crew were charged with watching out for their "little sister". The only race aboard Killary in which she did not participate was the Lake Erie Race. According to her loving father, Captain Jack Finn, skipper of Killary: "The Lake Erie race was no place for a female - not due to racing skill but rather the deteriorating conditions aboard ship during several days at sea!"

A lot has changed since those days of sailing! During the Interclub Cruise, in addition to being a valued crew member, Julie was responsible for delivering or receiving the savored prize, a bottle of fine single malt scotch, in the annual wager between the skipper's family yacht and John Wolford's Cal 33 Constance.

Her racing waned a bit during the early to mid '80s for college but resumed again shortly after in the local MORC fleet. She sailed on the custom built Lasher 22 Gargoyle as part of an all female crew and bravely raced her to Port Dover. Julie also sailed the LeFemme on Ondine, a Catlaina 27, Dr Zook, a Kirby 25 and the J-24 Blackwatch.

In 1993, Julie was honored to be part of an all women's team representing the EYC at the Rolex International Women's Keelboat Championship held in Newport, RI. She also served as a volunteer for several small boat regattas held at the EYC including 2006 Snipe Nationals, 2008 US Sailing Team Racing Championship and the 2009 Snipe North American Championship.

During this time in Julie's sailing career, her racing resumed on Killary for a few local races but mainly the Interclub Cruise. Recently, the family yacht has become more of a cruiser but Julie's racing continued on other boats within our local fleet. This year



she raced in the EYCRF on the yacht Lanada II serving as the spinnaker trimmer as well as back up helmsman. Sheep # 19 as she is affectionately referred to by Captain Haller also competed on Lanadall in the Lake Erie Interclub Cruise plus she skippered Joker in the annual LeFemme Regatta.

The Fleet's Yachtswoman Award is: Presented to an outstanding female racing sailor acknowledged for her past and current participation in the EYCRF as well as her racing skills and accomplishments as an excellent amateur representative of the EYCRF on and beyond Presque Isle Bay.

This 15 "crystal loving cup is awarded to Julie Arthurs who joins the group of very qualified and knowledgeable women sailors. We are proud to have her name join us on "our trophy", the EYC Yachtswoman of the Year !!



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- 2005 HOLLY WOLFORD O'HARE  
ANDICAPP
- 2006 CHARLOTT MASHYNA  
OUTLAW
- 2007 BETH DUBIK BLOOMSTINE  
MASEGO
- 2008 not awarded
- 2009 DEBBIE ROBERTSON  
KEYA
- 2010 CAITLAN NEIMIC  
RAKISH
- 2011 MELISSA TROST  
MAGIC

## Counting Our Blessings

Dan Dundon

My friend Mary races a Capri 22 in Oklahoma City and sent me a photo of her yacht club. The folks in Oklahoma have been coping with a severe drought for some time.

The good news is Mary just moved to a house closer to her club and can now bicycle to her boat.

The bad news is...



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# New Year "Resolutions" Resolved



The tradition of making New Year Resolutions appears to date back to first century B.C.. Janus, the Roman God of Beginnings, had two faces, and it was believed he could look back on past events and forward to the future. So as the ruler over the past and future, he was often visited by believers who wanted to entrust their future hopes to him. The name Janus is also the origin of the word January, which eventually became the traditional time for resolutions.

The custom of setting "New Year resolutions" began during this period in Rome, making resolutions with a moral flavor, mostly to be good to others. But when the Roman Empire took Christianity as its official state religion in the 4th century, these moral intentions were replaced by prayers and fasting. This replacement had varying degrees of success over the centuries, but eventually the religious aspect for the most part faded away.

Although we associate resolutions with January 1st, January 1st was not always the beginning of the New Year and in fact it doesn't begin on that date everywhere even today. It only begins on that date in cultures that use a 365-day solar calendar. January 1st became the beginning of the New Year in 46 B.C., when Julius Caesar developed a solar calendar that would more accurately reflect the seasons than previous calendars. But in order to synchronize the calendar with the sun, Caesar had to let the previous year drag on for 445 days!

The nature of New Year resolutions has changed over the decades, with many resolutions today being more superficial and appearance-oriented than in previous times. At the end of the 19th century, a typical teenage girl's New Year resolution was focused on become less self-centered, more helpful, a harder worker, and to improve her internal character. At the end of the 20th century, the typical teenage girl's resolution was focused on

wanting to improve her body, hairstyle, makeup, and clothing.

A 2007 study involving 3,000 people showed that 88% of those who set New Year resolutions fail, despite the fact that 52% of them were confident of success at the beginning. But research shows that resolutions are more achievable when shared - in terms of with whom you share the benefits of your resolution, and with whom you share the effort of sustaining your resolution. Peer-support makes a big difference in the success rate of New Year resolutions.

Experts also agree that resolutions are more effective when written down on paper and broken down into small steps rather than seen as generalizations.

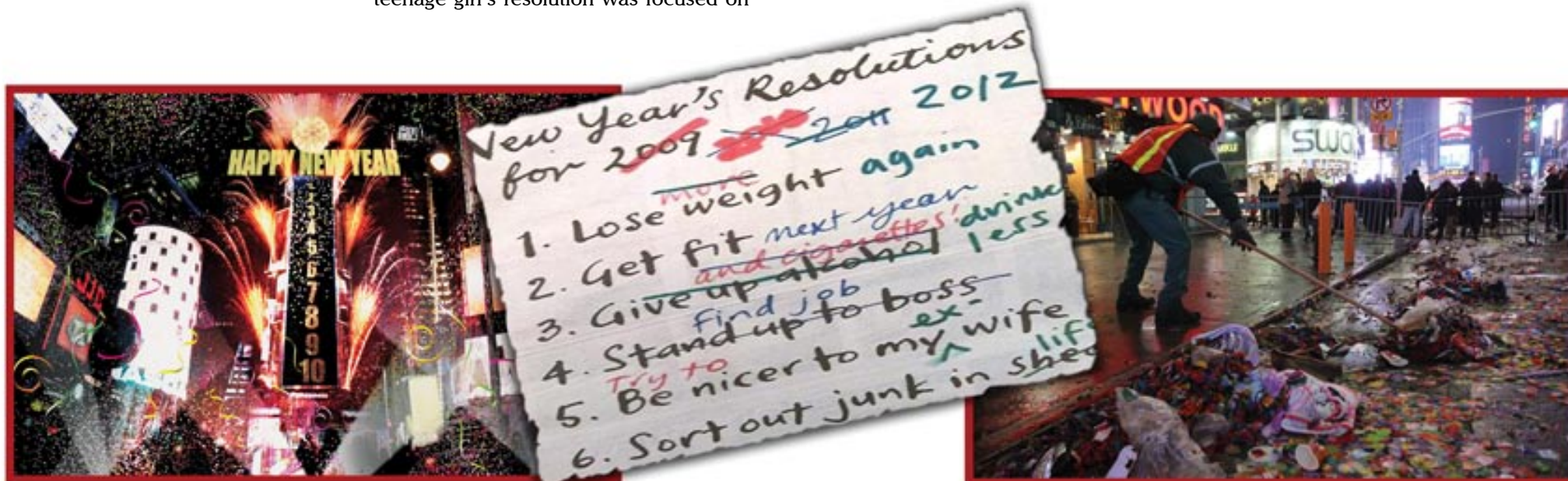
So, if you are a resolution maker, experts recommend the following three-step process to achieve your goal. 1.) Make your goals small and measurable, so you can work towards them step by step (for

example vow to lose a pound a week instead of just vowing to lose weight). 2.) Get started working on your resolutions right away (don't put it off until next week, next month or after the holidays). 3.) Don't get discouraged if you have a setback, but instead rethink your goals and keep going.

According to recent polls, the top 10 New Year Resolutions today are: lose weight, pay off debt, save money, get a better job, get in shape, eat better, get a college's degree (or go back to school), quit drinking or smoking, reduce stress, take a trip. What's yours??

Well whether or not you make a New Year's resolution, remember it has been said.....

"He who breaks a resolution is a weakling; He who makes one is a fool." - F.M. Knowles -



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# What's the Good Word?

## by Dan Dundon

So, I figure quotations which make us think, or maybe somehow inspire us might be the best kinds of quotations for us to include here?

On the other hand, sometimes folks we would never know about get propelled to notoriety by circumstances beyond their control.

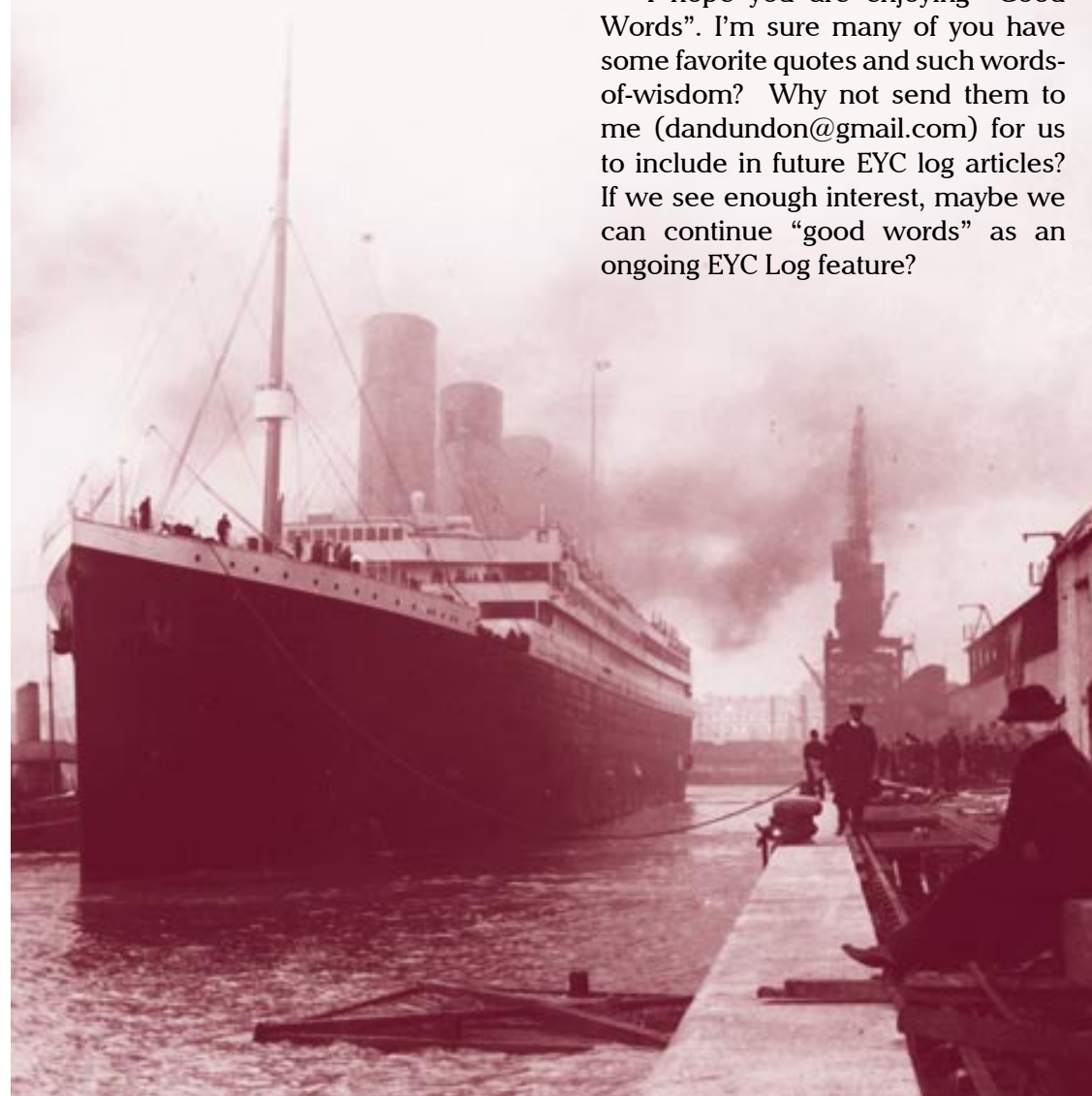
Also, since our Log is primarily focused on yachtsmen and yachtswomen and such nautical subjects of interest, this issue's quotation is from one of those seafaring folks thrust into history by unforeseen events.

When anyone asks me how I can best describe my experience in nearly forty years at sea, I merely say, uneventful. Of course there have been winter gales and storms and fog and the like.

But in all my experience, I have never been in any accident... or any sort worth speaking about. I have seen but one vessel in distress in all my years at sea. I never saw a wreck and never have been wrecked nor was I ever in any predicament that threatened to end in disaster of any sort.

- E. J. Smith 1907  
Captain RMS Titanic

I hope you are enjoying "Good Words". I'm sure many of you have some favorite quotes and such words-of-wisdom? Why not send them to me ([dandundon@gmail.com](mailto:dandundon@gmail.com)) for us to include in future EYC log articles? If we see enough interest, maybe we can continue "good words" as an ongoing EYC Log feature?



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# Thompson Memorial Trophy Award

by Dan Dundon

The Thompson Trophy is dedicated to the memory of two brothers, Joe and Mid Thompson from Port Dover, Ontario. For many years, Joe Thompson operated a store and boat livery at Port Dover. Joe was especially fond of Erie Yacht Club members whom he always made warmly welcome when they arrived at Port Dover.

The award was first presented on July 1, 1954 before a combined meeting of the Erie Yacht Club and the Port Dover Yacht Club. Over the years it has been given to members of both the Port Dover Yacht Club and the Erie Yacht Club, as well as to deserving individuals in the Lake Erie boating community. The Thompson Trophy is currently awarded at the annual November meeting of the Erie Yacht Club to an individual who has distinguished himself or herself with outstanding service or achievement in the world of yachts and yachtsmen.

On an ongoing basis, the award is administered by the four member Thompson Memorial Trophy Board specified in the Deed of Gift. This board activates an annual Award Committee of three Erie Yacht Club members, composed of one Past Commodore, one Club Officer and one member who is neither a past officer nor a current officer.



In 2012, I had the honor of chairing the award committee as well as the privilege of working with fellow committee members P/C Doc Bressler and Mitch Wells. During our meetings we discussed many deserving candidates for the award. As I imagine it has been for previous award committees, during our ongoing conversations, one candidate emerged as especially deserving.

For 40 years P/C Ron Busse has been a most dedicated Erie Yacht Club member serving on the EYC Board of Directors, New Member Interview Team and Thompson Memorial Trophy Committee. Ron has chaired the EYC Racing Fleet and the EYC Membership Committee. As Chairman of the 2012 Interclub Cruise, Ron's considerable yacht racing expertise contributed greatly to the success of this most prestigious sailing regatta. Ron enthusiastically participates in various yachting events, among them, EYC Fashion Show Master of Ceremonies, EYC Thursday Trivia Nights, Bayfront Maritime Center Cardboard Boat Regatta, EYC Race Fleet Auction and EYC Charity Regatta Skipper's Meeting. For these and myriad other dedicated services, the Erie Yacht Club proudly presented a parchment setting forth the 2012 award to Ron at the annual meeting.



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# Corvette Memories

by Paul Jenkins



The last day of classes at East High School had just ended as I made my way to the parking lot next to Atkins street where I usually parked my 49 Ford hot rod. On this day however my ride was something very special. It was a beautiful 1956 Chevy corvette sports car. When I got to the car a circle of my motor head friends stood admiring the sleek little muscle car.

"What a speed machine this is," one of the guys said as he ran his hand along the shapely fender.

"I'll bet this thing can hit a hundred in the quarter mile," someone said. "Actually 106 last Sunday at the drag strip," I said as I slid the key in the door.

"Hey Jenks, what are you doing? You better not mess with this car or you'll get in trouble," someone said.

After opening the door I pulled down the convertible top while my friends stood speechless. "It must be his brother's new Corvette," one guy said. It's quite a step up from his old 49 Ford ragtop."

Then I cranked up the powerful 283 Chevy V8 and punched the throttle a few times to show off the deep throated exhaust pipes. My hot rod friends smiled their approval as I pulled into the street.

"Hey Jenks, lets see what she can do!" I slowly rolled into the center of the wide avenue which was lined by sidewalks filled with students. With no cars in front or back and not a teacher in sight, the coast was clear. I revved up the Corvette mill and let the clutch fly. The back tires lit up and clouds of smoke billowed out from under the back fenders. The car shot forward and every kid on the block seemed to freeze and turn to see what was making the ear splitting roar.

This was the kind of scene that every 16 year old motor head dreams of and I was really enjoying the moment. I rocketed down Atkins Street and must have hit 65 to 70 miles per hour in the first hundred yards. Then I saw the stop sign at the end of the block and knew I must hit the brakes hard, while gripping the wheel with white knuckles. The car went into a chilling side ways slide but I was able to keep control. After stopping at the corner with my heart beating wildly, I pulled slowly around the corner, hoping that no teachers had seen the wild spectacle. Thank god it was the last day of school so at least I wouldn't be called to the principals office the next day to be reprimanded for reckless driving and endangering the lives of students.

That summer turned out to be filled with many corvette memories that have lasted over the years. It took a lot of kissing up to my brother John as well as much washing and waxing of the sporty little Chevy to get just a few hours of driving time in the hot little machine.

One warm summer night after driving the Vette for the evening I came home to find that big brother wasn't there so I took off for one last drive. It was a great night to just cruise along slowly with the top down under a beautiful star lit sky. All of a sudden a big black Chrysler 300 sedan flew by at high speed. Inside the car were several wild revelers who were waving beer bottles and making a ruckus. When they noticed my car they quickly slowed down and waited for me to catch up. If I got too close a beer bottles might crash off my fender and that could be the end of my Corvette privileges for a long time. I had to stay clear but there was no place to turn around.

"Hey you in the Corvette, wanna race?" came a call from the big sedan. This was getting scarier by the minute. I had little doubt I could smoke the big Chrysler but how would I get past and dodge the bot-

ties that were sure to fly my way. Then the 300 slowed down to almost a crawl and I did the same until we were only going about 15 miles per hour. Then it occurred to me, if I could ram the transmission into first gear I might have the acceleration needed to speed by quickly. That's what I did and my screaming V8 vaulted me by so quickly that it completely caught the 300 driver by surprise. As I watched the rearview mirror the big black car quickly faded in the distance.

It was truly amazing that even in the hands of a 16 year old kid brother the swift little Vette could blow the doors of a mighty Chrysler 300.

Should I tell my brother?

After thinking it over for a few seconds I decided it would be better left as just another of my special Corvette memories.



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## Coast Guard Boardings

(continued from page 13)

Some argue that because boats don't have license plates like cars, the Coast Guard has to board us to check our documentation, but boats either have numbers, a name and hailing port, or both, and these can be seen easily. Any confusion with a boat's identity can be sorted out by radio or by coming within hailing distance. By the way, the average Coast Guard vessel has advanced optical equipment and digital cameras: When you can barely make out individuals aboard their cutter, they're reading the numbers off your iPhone.

They're checking our safety gear (for our own safety, of course) but the police can't randomly inspect our cars for seat belts, air bags, good brakes, or child seats, nor can they enter our homes to check the gas shut-off, the backflow preventer, or the tags on our mattresses.

Most of us have the right safety gear to protect ourselves and our crew, and most sailors have more safety gear than required: The Coast Guard doesn't require EPIRBs, radios, LifeSlings, harnesses, jacklines, or any number of items that most sailors consider standard equipment.

They're protecting the environment, but the police can't perform random smog checks on cars, or enter our homes to make sure we're not pouring used motor oil down the bath tub drain.

In short, the justifications for suspicionless searches at sea would never stand up on land, where they would seem downright un-American.

The Coast Guard has terrorists to catch, drugs to interdict, people smugglers to stop, and environmental hazards to avert, but none of these aims are met by suspicionless boardings of recreational craft. They'd have the same odds going door to door in residential neighborhoods, or randomly pulling cars over on the road to search them for bombs, drugs, human traffic, or leaking plutonium. They might get lucky every once and a while, but the way almost all real busts take shape is through probable cause, tips, or old fashioned police work.

What are some alternatives to suspicionless searches of our boats, how could they come to pass, and why hasn't the Revenue Service Act of 1790 been overturned or revised?

Various parties have challenged Coast Guard boardings and suspicionless searches in the highest courts, but the courts have consistently upheld the Coast Guard's right to board vessels under the Revenue Cutter Act of 1790, and its subsequent variations.

Unfortunately, the highest profile cases have been for drug busts. Plaintiffs who really are drug smugglers are less sympathetic to the public.

The average boater who's a bit miffed about a Coast Guard search usually gets over it after a few weeks and takes it no further than kvetching to his friends. He doesn't spend hundreds of thousands of dollars and years of his life trying to overturn a 222-year-old law.

So Coast Guard boarding teams are doing their jobs within the confines of the law as it stands. The only time we should have gripes about the boarding parties themselves is if they are rude or threatening, or do something ridiculous or unprofessional.

But there is one detail that might give pause to an conscientious coastie. They all have to take an oath that goes like this:

"I \_\_\_\_ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign or domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office I am about to enter. So help me God."

Maybe they need to change it to:

"I \_\_\_\_ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, except the Fourth Amendment part. Except for the Fourth Amendment I will defend the Constitution against all enemies..."

With regard to the Revenue Cutter Act of 1790, things have changed a lot since 1790. For starters, back then there were essentially no recreational vessels. Almost all vessels were merchant vessels or warships, and revenue cutters had to be able to rein them in to collect taxes and control contraband. Today most vessels on most bodies of water in the US are recreational. These recreational boats aren't carrying taxable cargo-they're just carrying us.

Perhaps private, recreational vessels should just be exempt from suspicionless searches under 14 U.S.C. § 89. Sorry, merchant vessels, you're probably not too crazy about surprise boardings either, but you were the original target of the law.

Many constitutional law scholars have bristled at this issue. I've read several law review articles on the subject, and let me

tell you, if you're not a lawyer they make great bedtime reading. The footnotes!

The best I've read is Constitutional Barriers to Smooth Sailing: 14 U.S.C. § 89(a) and the Fourth Amendment, by Megan Jaye Kight. She suggests: "The government certainly has a vital interest in ensuring that vessels on the high seas are safe, seaworthy, and properly documented. However, this interest should not be advanced at the cost of sacrificing the constitutional freedoms of law-abiding seafarers."

Ms. Kight goes on to suggest that instead of suspicionless searches at the discretion of the boarding officer, our boats be subjected to annual, scheduled safety inspections. If, on average, our boats get boarded by the coasties every year or two anyway, a scheduled search wouldn't take up any more time or man hours. If they could knock a bunch of us off at one time, say by inspecting all the boats in the same marina, this would save time over random boardings.

At first blush this sounds like a costly administrative nightmare, but then again, most of our boats have to get surveyed every year or two for insurance or marina safety anyway. Perhaps a survey from an accredited marine surveyor could substitute for a Coast Guard inspection? Or a safety inspection, and award of sticker, from the Coast Guard Auxiliary? Any of these options would be preferable to a surprise boarding, but still, our homes and cars aren't subject to regular safety inspections, planned or unplanned.

If a vessel is entering the US from abroad, it should be open to search, just like a car crossing an international border. But a recreational vessel on a lake or river, where it can't even have contact with the greater ocean or the countries that border it?

I could even live with searches being allowed on any vessel that ventures offshore. After all, the vessel could have come from who-knows-where, or could have rendezvoused with people smugglers, a drug shipment, or terrorists.

In the Coast Guard's documentation, and on all charts, inland waters are delineated from offshore and near coastal waters. Inside of this line our Fourth Amendment rights could kick in. For voyages that originate and terminate in inland waters, vessels could not be boarded without a warrant or probable cause.

If you're waving a bottle of Jack Daniel's yelling, "Woohoo, I'm the King of England!", leaving an oil slick behind you, running at night with no lights, or towing a child in your wake, well, there's their probable cause.

For boaters who live near international borders, like San Diego, the Coast Guard would have reasonable suspicion they'd gone to a foreign country every time they left the harbor. Sorry, San Diegos.

So what does it take to have our constitutional rights extended to the water, an Act of Congress?

Actually yes, I think it would take an Act of Congress. I'm no lawyer, but court cases hinge on case law and precedence, and when we've got 222 years of precedence for suspicionless searches, not even the Supreme Court can just have a change of heart. The next time they try a Coast Guard boarding case under the Fourth Amendment, I'm guessing it will go the way it's gone ever since the Revenue Cutter Act of 1790. For the law to change, it would take a movement in Congress—with pressure from

a grass roots movement that starts right here!—to extend privacy rights to the water.

Boaters don't represent a powerful force in politics, but we should. The latest statistics show 16 million registered boats in this country, and 75 million citizens who have been boating in the last year, and are thus classified as boaters. This is nearly a quarter of the nation, all of whom could be searched, and thus deprived of their Fourth Amendment rights, just by stepping on a boat.

Coast Guard personnel are generally polite, and for the most part treat the public with respect, but they're human, have bad days, and turn very sour if you question their broad authority. While the average boarding lasts twenty minutes, they often order boats to return to the dock and delay voyages for an hour or two. This ruins an outing, and few boaters would welcome a surprise boarding. And someday the guys with the guns might not be so polite and professional, and then we'll want the law on our side.

I'll close with the words of Ms. Megan Jaye Kight, my favorite Constitutional law scholar:

"The inconsistencies and ambiguities in this area of the law require resolution. Until less intrusive alternatives are implemented through legislative action, the courts must ensure that the guarantees of the Fourth Amendment are not assaulted, for the 'shield against unreasonable searches does not rust on exposure to salt air.'"

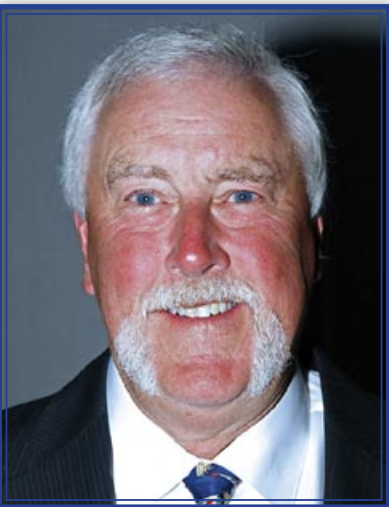




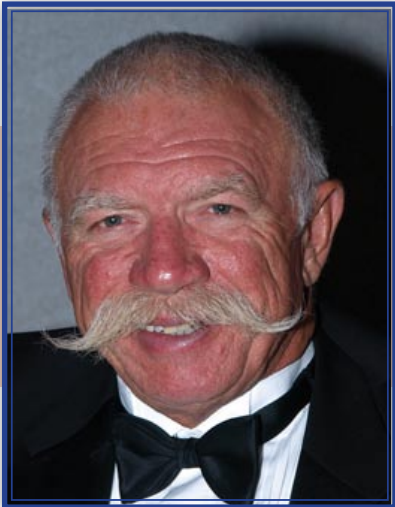
# Lip Stylin'!

Moustaches of the Erie Yacht Club

Answers from Page 15:



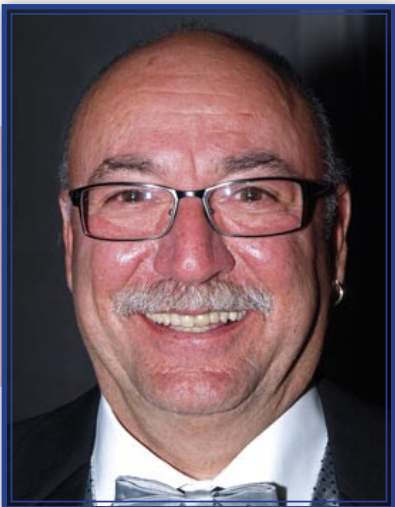
1. Dan Dundon



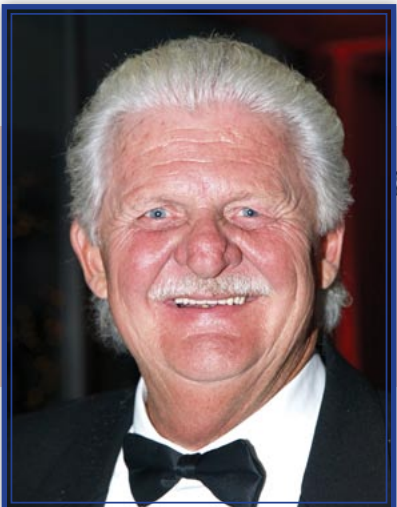
3. Dick Robertson



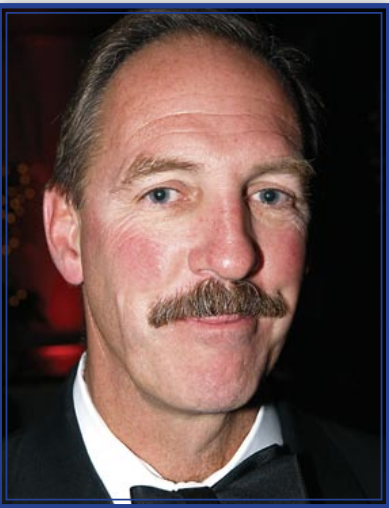
5. Gerry Urbaniak



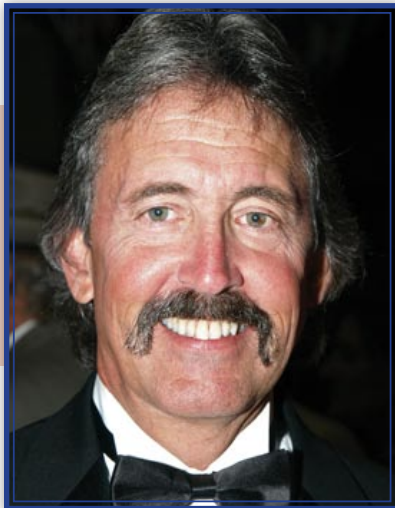
7. Dave Amatangelo



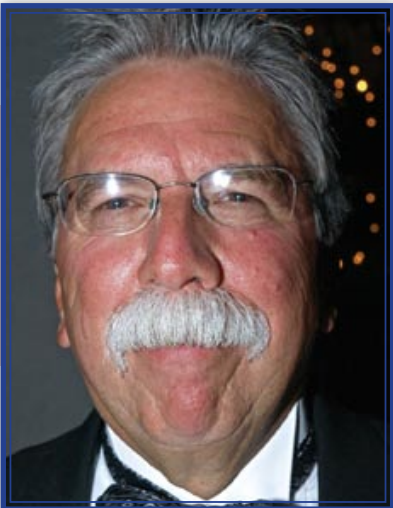
9. Steve Bartosik



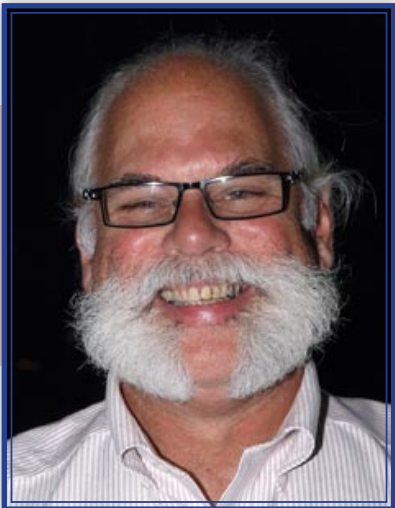
2. Matt Niemic



4. Fritz Curtze



6. Jerome Simon



8. Pat Gourley



10. Tom Madura



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## If These Docks Could Talk

by P/C Gib Loesel

The other day I was thinking about a fellow who many years ago (about 45 or 50) was our Night Watchman, his name, Harry Edler and he worked from 1600 to midnight... Harry was a retired railroad guy and a tough "old bird" who did not take any guff from the kids who hung around day and night, in fact if you did something wrong, it was up the hill you go and don't come back for a few days...

In those days all of our sailboats were kept on kegs and your passage was the good old tender (a EYC boat used the keg field)... when we sailed at night and wanted to get ashore we would whistle for the tender, Harry didn't like that and

he would let you "cool your heels" for awhile and when he arrived would say, "You whistle for dogs not for me"... he also had a kind side and would let those of us old enough to drive and date "watch the submarine races" from the end of the west dock... just to keep you on your toes (or out of trouble) he would tap on the side window with his 9 cell flash light and tease you about "swapping spit"... he was really a good guy and did a nice job for EYC...

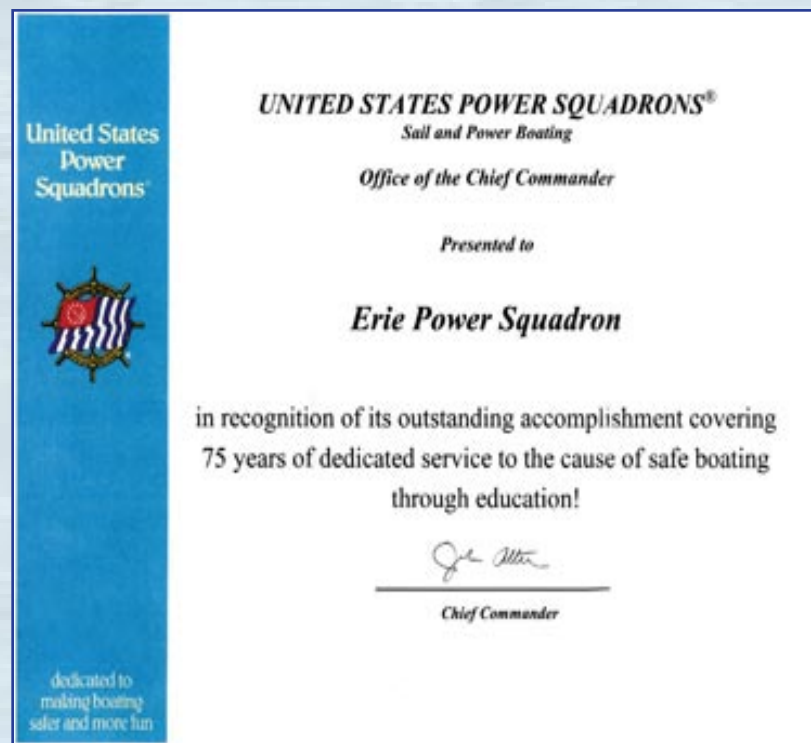


## Congratulations Erie Power Squadron!

In recognition of their 75th Anniversary, the Erie Power Squadron recently received a letter and certificate of congratulations from the United States Power Squadrons.

John Alter, Chief Commander of the US Power Squadrons wrote, "On behalf of United States Power Squadrons, it is my distinct pleasure to convey my warm congratulations as you celebrate your 75th anniversary. Your squadron is an important part of the world's largest private boating organization. Boating is an exciting and fulfilling family activity enjoyed by people everywhere and safety continues to be a primary concern. Your dedication to preserving safety in boating is highly commendable and deeply appreciated by all boating participants. On this special occasion, I am pleased to join with all United Power Squadrons' members in expressing our gratitude for your enduring efforts on behalf of boating safety and enjoyment. Please accept my best wishes for a most memorable celebration and every continued success".

The members of the EYC also wish to thank the Erie Power Squadron for their ongoing contributions to the activity so many of us love... boating. Congratulations on 75 years!



## January Calendar of Club Events

- 1st Tom & Jerry • 11am members only please
- 6th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 9th Fellowship Dinner Erie County Historical Society "From Erie to Pittsburgh in 36 Hours: The Erie Extension Canal" Cocktails 6pm • Dinner 6:45pm Reservation Required 453-4931
- 10th "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table or visit the Club website for more information
- 13th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 16th Cabin Fever Bawl • 5pm - 9pm Entertainment by the Acoustic Gypsies
- 17th "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table.
- 20th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 24th "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table.
- 27th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 31st "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table.

Visit our Web Site for all the latest in Club Activities

[www.erieyachtclub.org](http://www.erieyachtclub.org)

## EYC Trivia Nights

### How Does it Work?

- Form your team - maximum of 8 members per team, minimum of three (You don't have to make it every week!)
- Name your team. Go crazy & have fun with it!
- Call 453-4931 to reserve your table each week. We only have 20 open team spots!
- There are 6 rounds of 10 general knowledge questions per night.
- Prizes are awarded after each round. Prizes include hats, T-shirts, gift certificates for desserts, appetizers, drink tuits, & dinners.
- Food & beverage service at the tables beginning at 6pm.
- Auxiliary 50/50 nightly.
- P/C Ron Busse - the Monkey's Uncle & your announcer!
- NO COST to play!

11 Scheduled Nights of Trivia Thursdays from 7pm - 9:30pm

January 10th, 17th, 24th & 31st  
February 7th, 21st, 28th  
March 14th, 21st, 28th  
April 4th



## February Calendar of Club Events

- 3rd Champagne Sunday Brunch 11am - 2pm • \$12.95
- 7th "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table.
- 6th Fellowship Dinner II Erie county Historical Society The Settlement of Erie Town & County
- 9th 132 Days 'til Summer Party Entertainment by Key West Express West Side Steve
- 10th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 14th Valentines Night Dinner Reservations required • 453-4931
- 17th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 20th Jr. Sailing Raffle Happy Hour Entertainment to be determined
- 21st "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table.
- 24th Champagne Sunday Brunch 11am - 2pm • \$12.95
- 28th "Trivia Night" Fun & Prizes 7pm - 9pm • Form a Team of 3 - 8 Call 453-4931 to reserve a table.

Remember the Club will be shut down for 1 week beginning March 3rd

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