Titanic battle

Rights to survivor's story are disputed

By Shelley Murphy, Globe Staff  |  May 8, 2007

Frank J. Goldsmith was nine years old when the Titanic went down in April 1912, with the loss of 1,500 lives. His British parents had booked passage in hope of starting a new life in America. As the ship listed, the boy stuffed his pockets with gumdrops before leaving his parents' third-class cabin. On a lifeboat with his mother as it was lowered into the sea, Goldsmith watched his father lean over a railing on deck, where he would remain to perish with the ship. "So long, Frankie," his father called. "I'll see you later."

Goldsmith survived another 70 years. He married, raised three sons, and ran a photography supply store in Mansfield, Ohio. His ashes were scattered over the site of the sinking.

In 1987, five years after Goldsmith's death, his widow found among his personal papers a manuscript in which he put down his memories of the fateful day.

Now, 20 years later, Goldsmith's family is battling the Springfield-based Titanic Historical Society over the rights to the manuscript. The historical society -- a nonprofit with about 5,000 members worldwide that publishes a quarterly newsletter and operates a museum where artifacts from the Titanic are exhibited -- filed a federal lawsuit against Goldsmith's three sons contending that the family lost the exclusive rights to the manuscript in 1988, when the widow allowed the society to sell copies at an annual convention.

The society's founder, Edward S. Kamuda, and his wife, Karen, want a judge to issue an order giving them the legal right to sell a book on Goldsmith's life titled "Titanic Eyewitness My Story," that they recently published and have been advertising on their website.

But family members say Goldsmith's widow gave the society permission for the one occasion only and that the rights to the
"He wrote it for his sons and his grandchildren," Goldsmith's youngest son, Frank Jr., 71, said in a telephone interview yesterday.

"It's kind of our legacy from him."

The son said the family believes that the Kamudas took advantage of their mother "after my Dad died when things were going really rough for her," convincing her to give them a copy of the manuscript and some of the artifacts his father had kept from the Titanic. He said his mother was suffering from dementia when she died in 1993.

Karen Kamuda said her husband developed a fascination for the Titanic as a high school student and began corresponding with survivors, ultimately developing friendships with many of them, including Goldsmith.

Kamuda founded the historical society in 1963 and in 1990 opened a museum in the back of the jewelry store he operates in the Indian Orchard section of Springfield, with Titanic artifacts, memorabilia, and survivor's accounts.


For the latest version, she said she made revisions to the earlier book, added more information and photographs, and renamed it. She said the Society has spent about $26,000 to publish 2,000 copies of the book and was planning to sell them for $39.95 apiece.

Sales halted after they received letters from the Goldsmiths' lawyers threatening legal action for copyright infringement.

"Our mission is to remember and preserve the history of the Titanic and the people who sailed on it," said Karen Kamuda, adding that any profits from the books would go to the historical society.

Since the 1991 version, the 1997 blockbuster movie Titanic won 11 Academy Awards and sparked renewed public fascination with the ship. The Kamudas were consultants and had cameo roles in the film, Karen Kamuda said.

Frank Goldsmith Jr. said that he and his brothers were concerned when they learned that the Kamudas were planning to publish a second copy of their father's story.


"I think the fact that they ignored us and assumed that they own it, in some sense has been very disturbing to myself, my children, my brothers, and their children," he said.

Goldsmith also said that artifacts his mother entrusted to the Kamudas, including buttons from the uniforms of the Titanic crewmen and a menu from the ship, were supposed to be displayed at the Philadelphia Maritime Museum.

Instead, he said his family discovered they were being kept at the Kamudas' museum.