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Salvaging Our Sea History

What if you were snorkeling out on the bay this summer and as you stared through your mask down into the depths you saw a sunken shipwreck overflowing with silverware, fine china, and artifacts. Should you and your friend row out and salvage it? Would that be stealing? Would you be vandalizing? Is the sunken boat (and its cargo) yours just because you got to it first?

If you and your friend decide to salvage this vessel, you'll be bringing to the surface more than just a sunken ship. You'll bring up difficult and complex issues about the ownership of the all the world's wrecked and abandoned vessels.

Maritime lawyers have been struggling since the time of the ancient Greeks to agree upon a set of rules to determine the ownership of the one million lost and sunken vessels around the world. Most nations today agree to a general set of salvage rules, but the laws can vary from country to country, judge to judge and case to case.

But, who owns ANY sunken ship? The former captain? The shipping company that built the vessel? The families of the unfortunate people who were drowned when the ship sank? Or maybe the insurance company that paid out money to the victims and the owners of the vessel?

Or how about archaeologists and museum curators who want to preserve this sunken history for the benefit

of all of us? Just because someone SEES a sunken ship first, does that mean they OWN it?

And what if the sunken "ship" is a locomotive or a WWII bomber or a nuclear-tipped missile? Was this particular "underwater cultural resource" really abandoned or does the owner intend to return and salvage it someday? Oh, and what if that ship is not sunken, but buried in a farmer's field—as in the case of the steamship *Arabia* near Kansas City—or is covered by a skyscraper, like the *Ronson Ship* in lower Manhattan.

The debate over ownership of ancient wrecks has heated up. High-tech automated submarines (and kids with snorkels) are beginning to discover artifacts preserved underwater for maybe thousands of years, often at extraordinary

depths. Soon, many more "lost" sunken ships (as well as trains, planes and automobiles) will surely be uncovered. And much of our valuable heritage could be lost forever.

For many years now, an international committee of lawyers, archaeologists and others has been meeting to hammer out a worldwide treaty on shipwreck ownership, but theirs is a difficult task.

So, if you are chosen to participate on this committee to determine the rightful ownership of underwater cultural resources, to whom do you think you should award ownership of YOUR sunken ship, filled to the gunnels with artifacts?

Think about it before you answer.



China cups found near the wreck of the *Portland*. The Science Channel, SBNMS, NURC



Courtesy Plymouth Plantation

KIDS MAKING SeaHistory

On a cold December day, little Francis Billington surely didn't realize that he had in his hands the potential to alter America's (and maybe the world's) history. Two weeks before the *Mayflower* landed its passengers, Francis was playing in the gunpowder storage area below decks on the ship. He was making sparks with a piece of flint and lighting twisted-rope fuses. Francis found his father's loaded flintlock pistol and fired it off near a half-keg of powder. This ignited flames that might have sparked an enormous explosion. It would have destroyed the ship, her crew and the all the Pilgrims onboard. Fortunately, his shipmates became alarmed and the fire was extinguished. The boy was severely scolded, but it didn't take. For years afterward he and his older brother continued to create mischief for the struggling Pilgrim settlers.



Courtesy S.D. Schinder

The 5th day 5 Dec. 1620 Great danger by the foolishness of a boy who in his father's absence had got gunpowder, and had shot off a piece or two, and made squibs, and there being a firing piece charged in his father's cabin shot her off in the cabin...A fire being within four feet of the beds. God's mercy no harm done. -from *Chronicles of the Pilgrim Fathers* by Alexander Young