

Case No. 4,603.

THE F. A. EVERETT.
GREENE V. THE F. A. EVERETT.

{4 Adm. Rec. 621.}

District Court, S. D. Florida.

Jan. 28, 1853.

SALVAGE—COMPENSATION.

- [1. Four vessels, carrying 49 men, with much difficulty and personal danger saved, from a vessel wrecked on the American reef, cargo and materials valued at \$31,220. *Held*, that one-third thereof, less one-third the costs and expenses, would be allowed as salvage.]
- [2. The sum of \$326.10 was allowed for saving additional property; of the value of \$632.79, by small boats picking up goods and materials afloat and ashore.]

{In admiralty. Libel by William C. Greene and others against the cargo and materials of the bark F. A. Everett for salvage services.}

Wm. R. Hackley, for libellants.

O. B. Hart, for respondent.

MARVIN, District Judge. This bark, laden with an assorted cargo, on the night of the 7th of January, ran ashore on that part of

the Florida reef known as the "American Shoal," situated about twenty miles from this port. The weather was tempestuous and the sea very high. Early in the morning of the 8th the captain cut away his masts to ease the vessel, and threw overboard a considerable quantity of cargo, hoping to save the bark. But notwithstanding this, she bilged and became a total loss. On the morning of the 8th the libellant Greene, master of the schooner Euphemia, arrived at the wreck, but was unable to board her because of the high sea and breakers. He lay to, off arid on, near the wreck, during the day. In the afternoon three other wrecking vessels, making four in all, carrying forty-nine men, arrived at the wreck, and Lowe, master of the Relampago, succeeded, with much difficulty and personal danger, in getting on board. None of the other wreckers were able to get on board. On the 9th, the weather having somewhat moderated, the wreckers boarded, and commenced saving cargo and materials. They saved, in cargo and materials, in value, \$31,852.77. Of this amount \$31,219.98 was saved by the four large wrecking vessels and crews, and the one-third thereof, less one-third of the costs and expenses of this suit, and the wharfage, storage and bills for labor, is deemed a reasonable salvage. The remainder of the first-mentioned sum was saved by small boats, which will be noticed in the decree.

It is ordered, adjudged and decreed, that the four large vessels and crews named in the libel recover, for their salvage, the one-third of the value of the property saved by them, after deducting Scorn the amount the costs and expenses of this suit, the wharfage, storage and bills for labor in storing the cargo, and that upon the payment thereof the marshal restore the cargo remaining unsold to the master, for and on account of whom it may concern. That there be allowed to the owners and crews of the boats. Waterwitch and Union \$103.98, being sixty per cent on the amount saved by them; and to the boat. Union alone \$13.80; to Wall \$22.87; to C. F. Thompson \$106.52; to Wm. Dennis \$41.12; Stevens \$24.56; to Baker \$3.25; to Geiger, for bringing down the boat and men, \$10,—being the salvage on materials and packages of goods picked up at sea and on shore.