

## QUANTITY OF IRON.

[2 Spr. 51;<sup>1</sup> 24 Law Rep. 546.]

District Court, D. Massachusetts.

June, 1862.

SALVAGE—UNNECESSARY INTERFERENCE BY  
THIRD PARTIES.

Persons who interfere unnecessarily with wrecked property, which is being saved under a contract between the owners thereof and a third party, cannot claim as salvors, although they bring the property into port.

The ship Mantua was wrecked, near the entrance of Boston harbor, in the fall of 1861. The libellant then made an agreement with the owners of the vessel and cargo, to save what he could, and to receive one-half of the proceeds as compensation. While performing this service, two schooners came to the place and began to pick up the cargo. The libellant notified them that he had the exclusive right to save the vessel and cargo, and forbade their interfering; but they refused to desist, and picked up and brought to Boston a quantity of bolt and bar iron. The libellant then filed his libel against it, alleging that under the agreement, he had the exclusive right to save 121 the property; that the masters of the schooners had no right to interfere, and having been warned off, must be considered as intruders and wrongdoers; that they had no claim for compensation or salvage on the property they picked up; that their services and labor inured to him; that he was entitled to the same salvage upon this iron as upon the cargo which he saved; and prayed for a decree accordingly. An answer was filed for the owners, admitting the facts as alleged by the libellant, and his rights as claimed. The masters of the schooners were notified of the pendency of the suit, but did not appear.

F. C. Loring, for libellant and owners.

BY ORDER OF THE COURT, a decree was entered for the libellant, allowing him fifty per cent, of the proceeds of the iron as salvage, according to the prayer of the libel, and the balance was ordered to be paid to the owners.

<sup>1</sup> [Reported by John Lathrop, Esq., and here reprinted by permission.]

This volume of American Law was transcribed for use  
on the Internet

through a contribution from [Google](#). 