

(short intro of Theme Music):

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(voice of John Hughes Cooper):

Good morning to Captain and crew alike and welcome to the Admiralty Docket. This is John Hughes Cooper with a glimpse into your rights and responsibilities at sea and upon the navigable waters.

Today we address three common questions about salvage.

A weekend boater asks, "We found a half sunken fiberglass fishing boat floating out toward the Charleston Harbor jetties, and we bailed it out, brought it back to our dock, and cleaned it up. What are our rights?"

Good question. On land, the person who rushes in to save another's property from danger is considered a nosey intermeddler with no right of reward under the law and with liability for any damage to the property.

At sea, the person who voluntarily saves property from a maritime peril is, in the eyes of the admiralty courts, a salvor entitled to a liberal salvage award based, in large part, upon the value of the property saved.

If a vessel is threatened by a marine peril, any voluntary act which contributes to her safety may rank as an act of salvage. If the vessel you saved was in danger of sinking or being dashed upon the jetties by the ebb tide, your successful voluntary actions constitute salvage. Salvage awards have been based upon as little as giving information on the proper channel to follow, or carrying a message which summoned help.

The next question we expect to hear in a salvage case goes

something like, "If I salvage this boat in distress, will I own it?"

No, you will not own the boat. However, as a successful salvor of a vessel you will be entitled to a liberal salvage award.

The next question is, ^{quite} predictable, "Just exactly how much money will the court award me for saving this boat from the jetties?"

Good question. Today Courts of admiralty usually consider the following factors as the main ingredients in determining the amount of a salvage award: (1) The labor expended by the salvors (2) The promptitude, skill and energy displayed in saving the property (3) The value of and danger to the salvors' property (4) The risk incurred by the salvors (5) The value of the property saved, and (6) The degree of danger from which the property was rescued."

Of these six factors, the most important remains the value of the property saved.

More next week on The Admiralty Docket. Until then, remember your rights and responsibilities may change as you approach the shore and may God Almighty grant you pleasant sailing.

(second voice with muted theme music):

The Admiralty Docket is written and narrated by John Hughes Cooper who specializes in admiralty law litigation with the law firm of Cooper & Raley. The legal principles discussed are general in nature. Laws change and even similar circumstances may call for application of different laws. If you have a question for a future edition of The Admiralty Docket please write to John Hughes Cooper

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