

(intro Son of a Son of a Sailor):

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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.

Richard writes from Darien, Georgia, "Dear Mr. Cooper, I enjoyed your comments on a recent visit to Mt. Pleasant. I have a question for you. As I understand the terms, a ship is oceangoing and a boat is smaller, but what is a vessel? I have heard the term "vessel" applied to all kinds of boats and ships."

Good question, Richard. 1 U.S.C. § 3 provides the legal definition of the term in declaring, "The word 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water." Rowboats, sailing yachts, iceboat, merchant ships, dredges, scows, ex Navy bomb target boats, house boats, floating crane barges, boats used as restaurants, boats used as tourist attractions, pumpboats, rafts of cross-ties, and crashed seaplanes have all been held to be vessels within the admiralty jurisdiction of the U. S. District Courts.

However, at least one court has conclusively established that a tractor trailer transporting a house is not a vessel. . . even when the tractor trailer brakes through the frozen surface of a lake and sinks in navigable waters with its cargo. There are limits.

Joe from Charleston writes, "Dear Mr. Cooper, I listened with

interest a few weeks ago to Dr. Cody Mowit's comments on S. C. statutes regulating ferries. Are other statutes regulating ferries outdated?

Good question, Joe. Yes, a number of them are outdated. My favorite is S. C. Code Ann. § 58-15-720 which provides, "Carriers, including steam ferries, must provide toilet compartments at each end of all first class coaches and cabins, one labeled for men and one for women, and the compartment for women must be equipped with a 'hopper seat' and, in addition, either with seats for at least two persons or a lavatory, as the carrier may elect." Talk about blatant and unlawful sex discrimination, this is it . . . a group of Citadel cadets pays for first class steam ferry accommodations, and the only one allowed to use the hopper seat and the two chairs or the lavatory, is Sharon Faulkner.

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 Send Lawyers, Guns and Money):

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 at P. O. Box 1248, Charleston 29402.