F.B.I. SEIZURES OF C.S.S. FLORIDA AND U.S.S. CUMBERLAND ARTIFACTS MAKE HEADLINES -- FEDERAL PROSECUTION IS POSSIBLE LATER THIS SUMMER FOR DEALER, WATERMEN

As we reported in our special bulletin in the spring, last November the CNHS learned that extensive looting had taken place on the wrecks of the C.S.S. Florida and the nearby U.S.S. Cumberland, both well-known Civil War vessels which never met in battle but found adjacent graves together in Hampton Roads.

The looting had been done by watermen using power clam dredges, which cut a wide, destructive swath across the bottom, destroying as much as they pick up. It is very likely that the remains of most of these vessels have been destroyed beyond archaeological recall as a result.

After notifying Virginia authorities and receiving no response, the CNHS Board of Directors notified the Federal Bureau of Investigation, which launched an investigation in December. Using CNHS-supplied photos of the stolen artifacts which were on display at Williamsburg's Cold Harbor Civil War Museum and a taped phone conversation from CNHS offices with Falmouth relic dealer Larry Stevens, the FBI obtained a federal search and seizure warrant for the museum and Stevens' premises. Stevens, in an ad in North-South Trader magazine, had advertised brass belt buckles made from spikes from the C.S.S. Florida and a wide variety of other artifacts from the Florida and the Cumberland, including a variety of buttons, buckles, and bullets, and other items "guaranteed to please any Civil War collector."

On Friday, March 16th, at approximately eleven in the morning FBI agents swooped down simultaneously on both locations and seized an enormous quantity of items labelled as coming from the two ships. The number at the museum was relatively small (under forty), but the seizure in Falmouth netted enough material to fill a motel room the FBI had to rent to hold the artifacts, which included everything from large metal-covered timbers, to bilge pump pipes, a cannon ball, pipes, inkwells, ammunition, and nearly forty boxes of assorted wooden, brass, and leather items. A third seizure at Governor's Antiques near Richmond netted another bilge pump pipe and assorted other wooden artifacts.

Identification and evaluation of the artifacts was carried out by Virginia Archaeological Associates' archaeologist Sam Margolin and Virginia War Memorial Museum Director John Quarstein, who estimated the value of the items to be in excess of $60,000. It is unknown just how many artifacts have been sold already, but at least one, a spoon taken from the Florida's largest prize, the clipper ship Jacob Bell, fetched $3000 from an unnamed collector.

As the investigation is still underway, no indictments have been handed down yet, pending a decision by Norfolk assistant federal prosecutor Oliver Norell. If and when they are filed, charges are expected to be theft of government property (the Navy claims both wrecks, and the Cumberland is a National Historic Landmark), a federal felony which carries with it a sentence of up to ten years in prison without parole and up to $250,000 in fines. (continued next page...
The case made the front pages in Virginia repeatedly, and was picked up by papers all around the country through AP coverage. In addition, much local coverage was obtained by CNHS Associates who helped distribute the story all over the country.

Much local publicity was highly sympathetic with the watermen involved, who claimed they just accidentally came across the artifacts while dredging for clams and didn't know there was anything valuable there, although the dealer involved told a very different story of intentional and repeated looting of the same spot.

Certainly the case highlights the minimal controls or protection Virginia is affording its historical underwater sites, to the detriment of historical preservation as well as the discomfort of watermen who may innocently destroy valuable sites as well as those who intentionally loot them.

It is impossible to say at this time if the case will lead to the level of prosecution, though prosecutor Norell says the decision will be made within the next month. But whether or not there are criminal prosecutions and convictions down the line, already much good has come of the operation. Continuing national publicity has put both potential looters and innocent divers and watermen on notice that our underwater national treasures will be defended by the federal government, even if the individual states responsible for the sites shirk their duty to protect them. Already Virginia state underwater archaeologists have been notified (through lawyers, yet) of other sites found by watermen and divers, at least one of which may turn out to be an invaluable find and which would otherwise have simply been torn up to sell for personal profit on the collectors' market.

In addition, the City of Newport News has shown a renewed interest in developing a Civil War naval museum in conjunction with the War Memorial Museum and has even offered a building to house it. If funding can be found, this might lead to the proper archaeological exploration of the C.S.S. Florida and the U.S.S. Cumberland and other Civil War ships that lie in the Hampton Roads vicinity.

In the meanwhile, the pieces of the two ships untimely torn from their graves are in quiet repose in the custody of the Navy at the Hampton Roads Naval Museum in Norfolk where belated conservation efforts are underway to preserve them for eventual display.

ON BEHALF OF THE WATERMAN AND THE SPORT DIVER

By Lynn Harris

Recent investigation of the looting of the Civil War wrecks U.S.S. Cumberland and the C.S.S. Florida in Virginia highlight to significant issues of concern to historians and maritime archaeologists in other states. Firstly, the distinction between commercial salvors who intentionally destroy archaeological sites to recover artifacts on a large scale basis for financial profit, as opposed to other watermen or sport divers who occasionally recover mantelpiece momentos. Secondly, the necessity to provide the public with guidance to state preservation laws.

Although archaeologists cannot condone collecting even on a small scale, realistically it is not possible to prevent it. Watermen cannot be restricted from accidentally pulling up relics with their clamping or oystering gear. Neither will it ever be possible to effectively monitor the activities of the thousands of recreational sport divers. A more practical solution to the problem is to educate the public about the historical and archaeological information that is lost when artifacts are recovered with no context. This might be achieved by involving sectors of the public who conduct water-related activities in a state's cultural resource program or to encourage them to learn how to identify, record and report their finds to the professional community. Most divers and watermen are keen to learn more about their maritime heritage and with the proper guidance could become a potential asset to the state as water watchdogs.

It should also be evident to watermen and sport divers that intensive commercial salvage not only destroys archaeological sites but also depletes recreational dive sites and disturbs natural environments. Could archaeologists, historians, watermen and sport divers work together to prevent this selfish destruction of our maritime heritage? This will obviously require some effort and coordination from all the parties concerned.

Another essential ingredient for developing a public appreciation of historic cultural resources and protecting important sites like the two Civil War shipwrecks is to make the legislation sufficiently comprehensible and as accessible as possible to the public. Graphic posters, educational texts and legislative guidelines written in "plain English" could be distributed at dive shops, state parks, local museums, fishing and boating supply stores, etc. Educating the public is the responsibility of the professional community. Surely, this is a small price to pay when priceless historic sites are at stake.

Lynn Harris is an underwater archaeologist with the Sport Diver Archaeology Management program at the University of South Carolina.
Where They Lie:

C.S.S. Sumter

By Michael P. Higgins

The Confederate Government purchased the 184-foot, 499-ton steam vessel Habana during April 1861 for use as a commerce raider. The Habana was launched on May 19, 1859 from Byerly and Lynn's Kensington, Pennsylvania yard. She was soon put into service on the New Orleans and Havana Steam Packet Line.

On June 3rd, Captain Raphael Semmes, C.S.N. commissioned the former merchant vessel as the C.S.S. Sumter.

The Sumter ran the Mississippi River blockade and reached the Gulf of Mexico on June 24, 1861. During the next six months she cruised the Caribbean Sea, where she captured eighteen and destroyed seven United States flag merchant vessels. After trying in vain to gain local permission to bring his prize vessels into the ports of the Caribbean, Semmes resolved to burn them on the spot in the future, establishing that policy for all future Southern raiders during the war.

On January 4, 1862, Sumter called at Cadiz, Spain in need of repairs. She then made for Gibraltar where she was blockaded by U.S. naval vessels and ultimately found it impossible to escape. As a result, she was found to be of no further use as a warship and it was decided that she would be sold. By April 9th, the crew was paid off and the vessel was sold to the firm of Fraser, Trenholm & Co. Many of the officers and crew would see service aboard the C.S.S. Alabama. Sumter was repaired and put into blockade running under the name Gibraltar.

The end of the war found her at Birkenhead where she was seized by U.S. Consul Thomas H. Dudley. His claim was tried in the English High Court of Admiralty and Dudley won possession of Gibraltar, Beatrice (ex-Rappahannock), and Chameleon (ex-Tallahassee, ex-Olustee, and others). On July 14, 1866, Gibraltar and Chameleon were sold at public auction, fetching £1,150 and £6,400 respectively.

Gibraltar was purchased by Thomas Lyons, a merchant and shipowner of Kingston-upon-Hull, England. Lyons effected a major overhaul, including new boilers. Lyons first put her into service between Iceland and Hull carrying cattle on the homeward leg. She then went into the Orange trade to Valencia, Spain.

Upon her return to Hull she went to call at Scandinavian ports.

In early February 1867 she departed Helsingborg, Sweden, bound for Hull with a cargo of oats, barley, and wheat. It was soon noticed she was taking on water through a leak in her hull, presumably the result of damage sustained when she ran aground at the mouth of the Humber River during the previous month. The grain soon clogged her pumps, and by 11:00 P.M., Thursday, February 14th, she was abandoned, her crew taken off by a fishing smack from Grimsby. The Warsaw, a Scottish steamer enroute from Hamburg to Leith, offered to take her in tow, but Gibraltar's master Thomas Gotts waved her off, deeming it a futile effort. Gibraltar sank later that evening on the Dogger Bank in 45 fathoms. Her position was reported as 55°N, 04°E (The Defense Mapping Agency chart 37010 INT 1043 "North Sea-Central Sheet [DECCA] shows a wreck at these coordinates).

However, Lloyd's List reported her position as 55°N, 03°E in approximately 24 fathoms (no wreck is charted at these coordinates).

It is worth mentioning that George H. Trenholm's son-in-law "long maintained Sumter finally went down in a gale near the spot where the Alabama was sunk."

Michael P. Higgins is a graduate of the State University of New York Maritime College and is a member of the Board Of Directors of the CNHS. He is currently working on a book about the career of the C.S.S. Shenandoah, some of which will appear in a future "Where They Lie" feature on that vessel.
Somewhere off the Atlantic coast, southward of the Delaware Capes, may be the resting place of the ex-Civil War ironclad Atlanta, that went missing one hundred and twenty-one years ago. On December 17, 1869, with one hundred and twenty people on board, she was anchored in the Delaware Bay above Lewes, Delaware, waiting for favorable weather to begin her passage to Port-au-Prince, Haiti.

Although sailing under the Haitian flag and commanded by Admiral Elmes, the Atlanta had as her sailing master and navigator Captain W.A. Follansbee, an American Shipmaster who was engaged to conduct the ship to her destination. December is not the ideal time of the year to voyage on the frequently stormy Atlantic Ocean. However, the Haitian government then in power under President Sylvain Salnave, who purchased the Atlanta to bolster his forces, was anxious that she arrive promptly.

The vessel, since her origin in Scotland, had sailed under four flags: British, Confederate, United States, and finally Haitian. She was built in 1861 at Glasow, Scotland, by James and George Thomas, as the steamer Fingal for Hutcheson's West Highland service. Meanwhile, on April 19, 1861, the blockade of Confederate ports was declared by President Lincoln.

About this time Stephen R. Mallory, Secretary of the Confederate Navy, dispatched Captain James D. Bulloch as Naval Agent to England, where he arrived on June 4, 1861. His assignment was to obtain vessels for the Confederacy. Although a shipping expert and former U.S. Navy officer, he was not so well known as other Confederate agents sent to Europe. It was Bulloch, though, who acquired the three most celebrated Confederate cruisers, the Florida, Alabama, and Shenandoah, at Liverpool, England. He arranged for the purchase of the Fingal, and in the fall of 1861 she cleared Greenock, Scotland, with a cargo of military supplies, as the Confederate States of America's first government-owned blockade runner.

She sailed under the British flag and a British master, although Captain Bulloch had a bill of sale and was ready to take command if necessary. Upon arrival at St. George's, Bermuda, which was one of the way stations for blockade runners, the change of command took place and the Fingal proceeded to Savannah, Georgia. Although she made a safe passage to her destination the possibility of a return voyage was eliminated because of the Federal blockading squadron off Savannah.

By mid-1862, the Fingal was converted to an ironclad and renamed C.S.S. Atlanta. From the lines of a steamer to those of an ironclad, her appearance was similar to the converted Merrimack (C.S.S. Virginia), with her sloping armored sides. She measure 204 feet in length, with a 41-foot beam, drawing 15 feet 9 inches and a displacement of 1006 tons. Her armament consisted of two seven-inch Brooke rifles on bow and stern pivots and two 6.4-inch Brooke rifles in broadside, plus a spar torpedo at the bow. Lieutenant Charles H. McClair, C.S.N. was placed in command, but in the spring of 1863, he was replaced by Commander William A. Webb, C.S.N.

The press both North and South described the ironclad ram Atlanta as the most powerful war vessel in the world. Like most ironclads, she was uncomfortable and at times unbearable. But more than that, these ships were questionable as seagoing vessels considering their freeboard of only eight to ten inches. On June 17, 1863, in Wassaw Sound (Savannah, Ga.) the C.S.S. Atlanta was captured by the U.S. Navy monitor Weehawken, commanded by Captain John Rodgers, U.S.N. There was disappointment in the Confederacy and criticism of Commander Webb over the loss of the Atlanta. The crew of 180 were ultimately imprisoned at Fort Warren in Boston Harbor, and the Atlanta was repaired and placed in the U.S. Navy under the command of Acting Volunteer Lieutenant Thomas J. Woodward, U.S.N. He was in command from January 2, 1864 until May 14, 1865, as a unit of the North Atlantic Blockading Squad-
livery of the vessel was made to representatives of the Haitian government by Mr. Oaksmith, upon payment of $50,000 on account. The purchase price was $260,000, and it appeared that Mr. Oaksmith planned to collect the balance due by sailing on the ironclad to Haiti. There were indications that he was acting as agent for the actual owners, a shipping firm in New York, the Robert Murray, Jr. Company. This firm was active in shipping between the ports of New York and Haiti, and was owner of the half brig *B. Inginac*, commanded by Captain Follansbee prior to his appointment to conduct the Atlanta to Haiti.

While the Atlanta was being made ready for sea, the U.S. Customs on order of the Treasury Department seized her on November 8, 1869 because of a possible violation of the neutrality laws by taking on board four large guns. After release by the Philadelphia Collector, she departed Philadelphia on December 11, 1869 for Port-au-Prince, Haiti. She did not go far but broke down in Delaware Bay and was towed back to Chester for repairs. On December 17th, the Atlanta weighed anchor and left for the Delaware Breakwater to take her departure. Her final fate was delayed again as an approaching storm forced her to anchor some miles above the breakwater. On December 19th, 1869, the ironclad *Atlanta* now renamed *Triumph* or sometimes *Triumpho*, came into Lewes, Delaware, just above the breakwater, received several dispatches and went to sea at 4:15 P.M. She carried a total of 120 persons off the Delaware Capes to join the many others who sailed and were never seen again. A complete list of people on board has not been located, but a news account of the loss of the vessel reported that the wife of the commanding officer, Admial Elmes, two Haitian senators and several former officers of the U.S. Navy were among the missing. The remainder of the crew, the majority of whom were recruited at Philadelphia, were black men.

The New York Herald of January 23, 1870, reported the *Triumph ex-Atlanta* wrecked off Fortune Island in the Bahamas. However, this report was later proven false. The Boston Post of February 15, 1870 reported that General Alexander Tate, former Haitian minister to the United States, informed the Navy Department that he had no word of the ironclad since she sailed for Port-au-Prince. Various news accounts during March 1870 indicated the belief that the *Triumph* founded and described her disappearance as another mystery of the sea. There were disputes in Letters to the Editor of the New York Herald concerning the vessel’s seaworthiness for such a voyage.

Previous experiences of ironclads venturing outside of rivers or harbors showed that many of them were not seaworthy. Their low freeboard and the possibility of taking water through the hawse pipes and the smoke and blower pipes constituted a serious threat to their survival in a heavy sea. It is of interest that during the Civil War, before the famous engagement between the *Monitor* and *Virginia*, the *Monitor* was nearly lost enroute from New York to Hampton Roads, due to the deficiencies just mentioned. It became standard practice to require towing and/or escort of ironclads outside of protected waters.

As news items concerning the *Triumph/Atlanta* declined toward the end of March 1870, she was presumed to be a casualty of the wintry North Atlantic. Years later, in 1894, the Navy Department in responding to an inquiry from a Captain B.J. Cromwell, U.S.N. stated that after she was sold in Philadelphia, they did not know what became of her. Again, in 1915, Mr. C.D. Stewart of the Naval Records and Library corresponded with Capt. Woodward, former commander of the *U.S.S. Atlanta*. The captain wrote in reply that the ironclad was lost at sea with all on board. He also offered his opinion concerning her loss, explaining that a bursting of the discharge outboard pipe going through the iron sponson was responsible. In an article that was published in the Civil War Times Illustrated, November 1971, author Maurice Melton reported that when the vessel was the *C.S.S. Atlanta*, she leaked constantly through her sponsons, the extensions made of wood-filled iron that helped support her sloping casemate.

As a reminder of her existence, three of the four guns the *C.S.S. Atlanta* carried as her main armament are on display at the Washington Navy Yard, Washington, D.C., as a part of the Navy Memorial Museum.

The loss of the *Triumph ex-Atlanta* appears to have resulted mainly from the vessel’s questionable seaworthiness combined with inadequate preparations for sea, along with an inexperienced crew. Further research may yield more details of the ironclad’s fate and a complete crew list, including the men recruited in Philadelphia.

The haste to deliver the ship to Haiti despite the odds against a safe winter passage proved once more that a mariner’s optimism has little influence on the unyielding sea.

Joseph H. Geden is a leader in the Civil War Roundtable in Boston, Massachusetts, a CNHS Captain, and the great-grandson of William A. Follansbee, captain of the *Triumph/Atlanta* on her final voyage. This article is the result of his personal research into his family’s history.
C.S.S. Atlanta Engineer Could Use Some Help...

Edward J. Johnston, First Assistant Engineer, C.S.N. aboard the C.S.S. Atlanta. Johnston was taken prisoner after the capture of the Atlanta and was held for a time at Fort Lafayette in New York Harbor. He was eventually transferred to Fort Warren on George's Island in Boston Harbor, where he died on October 14, 1863 at the age of 36 years, 9 mos. He was buried outside the Fort on George's Island, and in honoring his request, was buried with his head facing toward the South. Years later the body was removed to Governor's Island, also in Boston Harbor, where this request was again honored. In 1908 the body was moved to Deer Island and his wish was ignored. The grave is now at Ft. Devens in Ayer, Mass, and his request is still ignored.

Review:

C.S. NAVY MEMORIAL CUTLASS-BAYONET

Reenactors and arms enthusiasts will love this CSN memorial reproduction British cutlass-bayonet of the style which James D. Bulloch purchased 150 for use on board the C.S.S. Alabama. It locks neatly onto the barrel of a two-band Enfield rifle, and when the fighting gets too close, you just snap it off and continue to repel boarders. Graceful, accurate, a joy to hold and behold. With scabbard it's $179 plus $5 UPS or $9 parcel post from Military replica arms, Box 360006, Tampa, FL 33673-0902, (813) 933-0902. Call first to see if there are any left, as they're in short supply. They also have a standard CSN cutlass, a variety of CSA sabers, and tons of other period swords, sidearms and the like.
Editorial: High Winds and Watersheds

We are on the late side with this issue but we have a really good excuse: on May 10th our offices were hit dead on by a tornado which devastated much of the town of White Stone and reduced eighteen of our trees to matchsticks, took out a chimney, various parts of the roof, and more. Instant relandscape. Fortunately, no one was hurt, but the cleanup put a serious kink in everybody's schedule, as the storm wasn't kind enough to cut up and haul away what it had removed. Well, we have a lifetime of firewood stacked now and the insurance took care of the rest, so it's back to business.

The most exciting business has been the Florida/Cumberland case, which we spent a lot of time and effort on and are very proud of the results — particularly the participation of CNHS Associates in getting the word out to the media around the country. It is yet to be seen if this winds up as the legal watershed we would like it to be, but if nothing further at all happened a very positive blow would have been struck in the interests of protecting the remains of Confederate vessels and important underwater sites in general.

A plug for our excellent CNHS patches for your blazer pocket, hat, windbreaker, you name it: the company that made them has left that trade, so our current supply is all there will ever be. They're only $10 ppd, and when they're gone, they're gone forever. And, not to forget, they're only for CNHS Associates...

We've had too many inquiries about back issues to give individual replies, so here's to let you know they're available for $3 each ppd but issue #1 is virtually gone and as soon as it is you'll get a xerox instead, as it's too expensive to reprint it at this point.

We had also thought of offering the excellent new Firmin deepwater CSN buttons, but it seems that Fort Brooke Quartermaster, Brandon Barsczc, 2813 76th St. S, Tampa, FL 33619 has them — write for prices. It's too much for us to get into, and FBQ's prices are hard to beat. That's the button with the crossed cannons and fouled anchor, of course -- the CSN seal buttons, our English sources have informed us, will not be forthcoming any time soon, thanks to military spending cutbacks in Britain affecting the redoubtable firm that has made buttons for various military establishments for over a century and a quarter.

Just a pat on the back for everybody: the CNHS has not been around for very long but already has profoundly affected the preservation of the CSN. Thanks to CNHS efforts the entire James River ironclad squadron has been spared wanton destruction, and the looting of other ships in the Hampton Roads area like the Florida and Cumberland has been halted. When no one else would come to the rescue of the Confederate Navy's remains and heritage, we did, and we have won the day. We thank you, gallant officers all, and trust that you will stand firm as we meet the challenges that are yet to come.

As new developments arise, we will keep you informed, including when necessary the kind of emergency bulletin that went out in March and brought such immediate, needed response from the media.

---John Townley

Franco-American Alabama Efforts Make Progress

William Dudley at the Naval Historical Center reports that it has been proposed to the Secretary of the Navy that the two U.S. representatives to the Franco-American bilateral commission on the C.S.S. Alabama be appointed, and following it a committee of advisors from the various naval and maritime historical divisions of the U.S. government in order to move forward with the joint nature of the project. Senator Heflin of Alabama has given enthusiastic support to the move, so it is hoped the commission will be in place by summer's end so that the next steps in the joint venture can be gotten underway.

Meanwhile, William Still, Jr. reports that diving has begun again on the vessel, with a series of probes during the favorable June weather, with more expected when the next window for diving opens up in October. Funding for the work has so far been provided by the French power and light corporation, but more will be needed in the future.

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Dear CNHS,

In the CNHS Newsletter #3 article "C.S.S. Stonewall," it is stated that the Azuma, formerly the Stonewall, may have survived until 1945. The Azuma sunk in 1945 was a second ship bearing that name. The Azuma-II was an armored cruiser built in 1899 for the Japanese navy at St. Nazaire, France. She was 452' long and carried 4-8" and 12-6" guns. She was instrumental in the Japanese victory over Russia in the 1904-05 war. Most of the books that I have found show the Azuma, ex-Stonewall, as being decommissioned in 1888.

Sincerely,

Lewis Taggart, OK

Thanks, Lewis. We never would have found out without your help, which is what this column is all about. It was a good rumor, though...

Several folks have written in recently and expressed the opinion that there ought to be a bibliography of books dealing with all aspects of the CSN, whether they're in or out of print, how to go about getting them, and so forth. We think it's an excellent idea and if one or more Associates (or anyone else) would like to compile some such lists, we would be delighted to edit and print it in an upcoming issue. The problem, of course, is finding what's available that's not in Books In Print -- there are lots of local productions that are excellent and never made it to a listing. And, of course, some of the books listed in Books in Print aren't really in print at all or are yet to be available. An excellent project for a valuable reference article -- we hope someone picks up on it...

And finally, we received several requests for extra CNHS applications right in the middle of the tornado cleanup and didn't get them off. It's a frequent request, so in the column to the right we reproduce one which can be xeroxed and distributed at your leisure. We hope you'll do so...