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Spain loans artifacts to Assateague Island National Seashore

On October 17, 2006, representatives of the Spanish Ministry of Education, Culture and Sports and the U.S. National Park Service (NPS) signed a loan agreement for artifacts from Spanish shipwreck sites to be displayed in a new visitor's center at Assateague Island National Seashore, Virginia. The NPS is honored to care for these objects on behalf of Spain, and to make the objects available for scientific study and public appreciation.

The loan agreement marks the end of a 7-year legal battle over objects believed to be from the Spanish Royal Naval ships *La Galga* and *Juno*. *La Galga* wrecked off the coast of Assateague Island in 1750. The *Juno* was lost in waters off Assateague Island in 1802.

The wrecks of *La Galga* and the *Juno*

La Galga left Havana, Cuba, on August 18, 1750, to escort a convoy of merchant ships to Spain. Six days later, a hurricane scattered the ships, forcing them toward the American coast. When *La Galga* wrecked near the Maryland-Virginia border, most of the crew and passengers made it safely to shore. Local residents began to loot the wrecked ship which, subsequently, was destroyed by a second storm.

The *Juno* left the port of Veracruz, Mexico, on January 15, 1802, enroute to Cadiz, Spain. Shortly after departure, the *Juno* and an escort ship, the *Anfitrite*, encountered bad weather and sailed to Puerto Rico for repairs. The two ships set sail again on October 1, after having taken the soldiers of the Spanish Third Battalion of the African Regiment, their families, and civilian officials on board. Near Bermuda, the ships were separated during a storm and the *Juno* began to leak. The *Juno* continued north, but was not able to contain the leak. The American schooner, *La Favorita*, came to *Juno's* aid, and began taking on *Juno's* passengers and crew. However, only seven people were able to transfer to *La Favorita* before the *Juno* and at least 413 people were lost in the fog and heavy seas.

History of the salvage

In 1996, working under an underwater exploration permit issued by the Commonwealth of Virginia, Sea Hunt, Inc., a commercial salvage company based in Manchester, New Hampshire, and working out of the Eastern Shore of Virginia, conducted archival research and remote sensing surveys of two tracts of submerged land off Assateague Island to locate shipwrecks. In 1997, the salvage company obtained a permit from the Virginia Marine Resources Commission (VMRC) to locate and recover underwater historic property. In addition, Sea Hunt, Inc. obtained a permit from the U.S. Army Corps of Engineers to dredge sand within the tracts to recover buried artifacts. The NPS managed the area within the tracts as part of the Assateague Island National Seashore, but did not have jurisdiction over the ocean floor, which meant neither the Antiquities Act nor the Archaeological Resources Protection Act applied. The park issued a Special Use Permit for the dredging operation, as the park had responsibility and jurisdiction over the water column above the wreck site.

Sea Hunt, Inc. found and recovered over 100 objects from *La Galga* and the *Juno* through their salvage activities. Under the stipulations of the permit from the VMRC, the Commonwealth of Virginia could retain title to 25 percent of the objects found and, at the discretion of the Virginia State Historic Preservation Office, buy the remaining objects from Sea Hunt, Inc.

Legal battle over the shipwrecks

Under the Abandoned Shipwreck Act of 1987, the Congress gave the states title to most abandoned shipwrecks embedded in or on state submerged lands. Under this law, the Commonwealth of Virginia claimed the wrecks of *La Galga* and the *Juno* but in 1998 the Kingdom of Spain asserted legal ownership over them, arguing that the ships had not been declared abandoned. After a lengthy jurisdictional and ownership dispute, the United States Court of Appeals for the Fourth Circuit upheld the Kingdom of Spain's status as the rightful owner of its sunken sovereign vessels and any artifacts and materials associated with such vessels as well as Spain's rights to prevent salvage activities conducted without consent on its vessels. Sea Hunt, Inc. was ordered to return to Spain's possession all artifacts and materials



Anchor from Spanish shipwreck, before restoration. (NPS photo)

it had removed from the sites. The United States Supreme Court rejected without any comment or dissent appeals by Virginia and Sea Hunt, Inc. and so the precedent-setting decision of the United States Court of Appeals remains intact.

Although Spain has a large number of underwater cultural sites around the world, this is the first site where the question of sovereignty has been settled in a court of law. The key question in the case was whether the shipwrecks and artifacts had been abandoned by Spain. Documents provided by lawyers representing Spain in the court case demonstrated that the *Juno* and *La Galga* were still sovereign vessels and had not been declared abandoned.

The ruling of the Court of Appeals in the *Juno-La Galga* case is precedent-setting on an international scale. It marks a watershed in the struggle not just of Spain but of all nations to protect sunken State craft from treasure hunters and looters. The ruling advances responsible study and commemoration of these important historic sites.

Signing of loan and display of objects

Spain took possession of the more than 100 objects removed from the sites by Sea Hunt, Inc. The Spanish Embassy requested the assistance of the NPS in conserving the objects and providing for their long-term storage. The Spanish Embassy agreed to exhibition at Assateague Island National Seashore, near where the vessels were lost. All of the objects except for two anchors and a ship's timber were sent to the NPS Harpers Ferry Conservation Center for conservation treatment done by now-retired NPS employee Dan Riss; the anchors and timber were sent to Texas A&M University. The objects are now in the park's museum collection as a loan and will part of a feature exhibit when the park's new Visitor Center is built.



Coins and other artifacts from Spanish shipwrecks on loan at Assateague Island NS. (NPS photo)

Working with Spain's representatives, Assateague Island National Seashore's Chief of Resource Management Division, Carl Zimmerman, developed a loan agreement for the Spanish artifacts at Assateague Island National Seashore. The loan agreement between Spain and the NPS may be the first of its kind between the NPS and another nation. Although several other foreign flagged shipwrecks are within other national park units, this is the first loan agreement covering objects recovered from such sites. The long-term loan agreement was signed by Randy Biallas, Assistant Director for Park Cultural Resources Programs, NPS, and Julian Martinez Garcia, Director General of Fine Arts and Cultural Heritage, Spain's Ministry of Education, Culture and Sports.

Learn more about [Assateague Island National Seashore](#).

For more about Spanish shipwrecks, see the "Teaching with Historic Places" lesson plan, [The Spanish Treasure Fleets of 1715 and 1733: Disasters Strike at Sea](#).

The Spanish Ministry of Education, Culture and Sports, the Spanish Embassy, and the Spain-USA Foundation generously supported the NPS financially to develop this lesson plan.

At least 43 of the 390 areas comprising the National Park System contain or commemorate some aspect of Spanish heritage. Spanish shipwrecks are in or near seven areas – places like Assateague Island National Seashore in Maryland and Virginia; Biscayne National Park, Canaveral National Seashore, and Dry Tortugas National Park, all in Florida; Gulf Islands National Seashore, in Florida and Mississippi; Padre Island National Seashore in Texas; and Point Reyes National Seashore in California.

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Last updated: 08/11/2020 23:37:39

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