



ALABAMA HISTORICAL COMMISSION

468 South Perry Street
Montgomery, Alabama 36130-0900

Lisa D. Jones
Executive Director
State Historic Preservation Officer

Tel: 334-242-3184
Fax: 334-242-1083

FOR IMMEDIATE RELEASE

Contact: Andi Martin, Marketing and Public Relations Manager
andi.martin@ahc.alabama.gov, 334-230-2680



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Alabama Historical Commission Files Admiralty Claim on the *Clotilda*

(Montgomery, AL) On Friday, July 26, the Alabama Historical Commission (AHC), the State Historic Preservation Office, filed an Admiralty Claim in the United States District Court for the Southern District of Alabama in Mobile as part of an ongoing and long-term protection and preservation plan for the *Clotilda*, the last-known slave ship in the United States.

AHC is charged with protecting, preserving and interpreting Alabama's historic places. This charge also includes abandoned shipwrecks, or the remains of those ships, and all underwater archeological artifacts embedded in or on lands belonging to the State of Alabama. This mandate is set forth in the **Abandoned Shipwrecks Act** and the **Alabama Underwater Cultural Resources Act**.

Pursing an Admiralty Claim is an appropriate course of action and protocol for abandoned wrecks embedded in state waters. AHC is following the lead of other states with similarly high-profile artifacts. For example, a Florida Federal Court adjudicated an Admiralty Claim involving the *Atocha* and other vessels in a fleet of Spanish galleons, which sank in the **Florida Keys** during a hurricane in 1622. Likewise, the *Titanic* – which is located in international waters – benefitted from the protections afforded by an Admiralty Claim.

In June, AHC contracted with **Burr and Foreman**, a Mobile-based law firm specializing in **maritime law**, for assistance in securing every available legal tool to aid in the protection and preservation of the *Clotilda*. The Attorney General of Alabama deputized Burr and Foreman partner, John Kavanaugh, to act on behalf of the AHC.

“When significant historical shipwrecks are located, it is common practice to seek the federal court’s assistance to preserve and protect the vessel,” said Kavanaugh, attorney for AHC. “The Federal Court has the authority to issue all necessary and appropriate orders so that work on the site and further preservation efforts can continue without delay.”

Through the Federal Court’s maritime jurisdiction, a key benefit of pursuing an Admiralty Claim involves the retrieval of any artifacts that have been taken from the *Clotilda*. This authority is a strategic effort to also prevent against future attempts of “salvagers” who may defame the ship, or its artifacts, by taking from it.

Once an Admiralty Claim is set forth, any invested parties who may claim ownership are asked to come forward immediately. A public notice will be published for three weeks. This then leads to an open forum through the court so that all vested entities have a voice and can be heard in an orderly fashion. The court’s proceedings are a matter of public record so, all interested parties have access and can see what’s being done. The result is to ensure that the *Clotilda* remains a publicly-owned resource of the State of Alabama.

“The careful considerations for the protection, preservation, and interpretation of the *Clotilda* have been entirely methodical and strategic,” said **Lisa D. Jones, Executive Director of the Alabama Historical Commission**. “We are charged with ensuring this tremendously important archaeological find is preserved and protected for Africatown and our nation. It carries a story and an obligation to meet every opportunity to plan for its safeguarding. AHC is laying the groundwork for ongoing efforts to not only ensure the *Clotilda*’s immediate assessment, but to also establish pathways for its longevity.”



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“Early in our efforts we realized the tremendous significance and potential of this find and began planning for how we would discharge our responsibilities as its public stewards, including this important legal action.” **Major General (Ret.) Walter Givhan, Chair of the Alabama Historical Commission.**

“It’s critical from the community perspective that the Alabama Historical Commission takes this action to help preserve and retain the momentous legacy to the Africatown community,” said **Anderson Flen, President of the Mobile County Training School Alumni Association.** “We are in full support of AHC working with Africatown in taking these legal actions.”

AHC is partnering very closely with federal, state, and local officials and agencies throughout these processes and phases.

“By preserving the *Clotilda*, Alabama has the opportunity to preserve a piece of history. It is a prime example of an artifact that deserves our respect and remembrance,” said **Governor Kay Ivey.** “The *Clotilda* is very much a part of the story of the descendants and residents of Africatown, making it a significant part of the rich history of our entire state. Protecting this resource is imperative, and I look forward to Alabama taking on this important responsibility.”

United States Congressman Bradley Byrne, originally from Mobile, has supported the Alabama Historical Commission and the search over the last two years. “Preserving the *Clotilda* wreckage is of critical cultural importance to the people of Africatown and indeed our entire nation,” said Byrne. “I encourage the federal government to take the appropriate and necessary steps to protect this item of such concrete significance to the American story.”

“The discovery of the *Clotilda* was a significant moment not just for Alabama and our nation, but more importantly for the descendants of the 110 enslaved people who were smuggled in it to our shores. Many of their descendants live in Africatown today and have been leaders in the effort to protect this important piece of history,” said **United States Senator Doug Jones.** “It is vital that we take every possible step to preserve the *Clotilda*, so that future generations can fully appreciate its role in our nation’s past and present.”

State Senator Figures has been a faithful partner and advocate for Africatown and the search for the *Clotilda* for many years. “I applaud the AHC under the leadership of Lisa Jones and Clara Nobles, for ensuring that all legal bases are covered in connection with the *Clotilda*,” said **Alabama State Senator Vivian Davis Figures.** “I’m excited to continue working with them and all of the descendants and residents of Africatown as we move forward in this project.”

In the next phases of work and excavation, the Alabama Historical Commission, will again act in concert with the **Africatown** community, **National Geographic Society**, **Black Heritage Council**, **Smithsonian National Museum of African American History & Culture (NMAAHC)**, the **Slave Wrecks Project (SWP)**, **SEARCH, Inc.**, **Diving with a Purpose (DWP)**, **Alabama Department of Conservation and Natural Resources**, the **National Park Service (NPS)**, and **Mobile County.**

These collaborations and efforts are in place for continued further phases of exploration, excavation, and documentation as a blanket of protection for the *Clotilda* - all in accordance with appropriate maritime archeological protocols, carried out by licensed contractors specializing in such endeavors. Most immediately, AHC and partners will assess the condition and integrity of the ship, which will enable further excavation.

It is said that the *Clotilda* was dynamited in the 1940s, which added additional complexities for assessing the ship’s integrity. Archaeological evidence supports these claims. In all, the ship is in a very fragile state, which has heightened precautions and the meticulous care for proceeding with all archaeological endeavors.

“The Alabama Historical Commission and SEARCH, Inc. did stellar work and rigorous research in challenging and



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dangerous conditions,” said **Dave Conlin**, a founding member of SWP and head of the National Park Service’s Submerged Resources Center. “This kind of archaeological work is painstaking and difficult under any circumstances, but the physical conditions of this particular site – zero visibility, high currents and potential entanglements – made this an especially difficult shipwreck to work on.” Conlin was also part of the 2018 *Clotilda* search team and most recently served as a member of the peer review team that confirmed the identity of the *Clotilda*.

In May 2019, after a comprehensive assessment and months of research, the Alabama Historical Commission announced experts and archaeological evidence determined the identity of the *Clotilda*. The storied ship illegally transported 110 people from **Benin, Africa** to **Mobile, Alabama** in 1860, more than 50 years after the United States banned the importation of enslaved people to the country. Co-conspirators, **Timothy Meaher** and **Captain William Foster** made an effort to evade authorities and destroy evidence of their criminal voyage by sinking, burning, and abandoning the vessel and then dividing the Africans among their captors, where they remained in slavery until the end of the **Civil War**. A small band of the *Clotilda* passengers reunited post-war with the hopes of returning to Africa. When that dream was not realized, the survivors and their descendants established a new home for themselves in the **Plateau** area of Mobile – a community which is now known today as Africatown.

For more information about the Alabama Historical Commission, please visit www.ahc.alabama.gov.

About the Alabama Historical Commission

Located in historic downtown Montgomery at 468 S. Perry Street, the Alabama Historical Commission is the state historic preservation agency for Alabama. The agency was created by an act of the state legislature in 1966 with a mission to protect, preserve and interpret Alabama’s historic places. AHC works to accomplish its mission through two fields of endeavor: Preservation and promotion of state-owned historic sites as public attractions; and, statewide programs to assist people, groups, towns, and cities with local preservation activities. For a complete list of programs and properties owned and operated by the AHC, hours of operation, and admission fees please visit ahc.alabama.gov.

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