

*United States v. Steinmetz*, [973 F.2d 212 \(3d Cir. 1992\)](#), *aff'g* [763 F. Supp. 1293 \(D.N.J. 1991\)](#).

Location: The remains of the *CSS Alabama* lie in French territorial waters. However, the bell at issue in this case was later discovered to be a fake bell; the real bell has since been recovered from the wreck.

Applicable Law: [Sunken Military Craft Act](#) (SMCA) ([10 U.S.C. §§ 113 et seq.](#)). The SMCA was not enacted at the time this decision was made, but SMCA is a codification of cases like this involving sunken military craft.

Where Law Applies: *Sunken Military Craft Act*: Applies to sunken U.S. military ships and aircraft worldwide and sunken foreign craft in U.S. waters, including the internal waters, territorial sea, and contiguous zone (up to 24 nautical miles off the U.S. coast).

Holding: The U.S. government owned the confederate ship bell because there were no outstanding liabilities that could have been claimed against the ship and the U.S. did not abandon the bell by any explicit act.

*Overview:*

The U.S. Court of Appeals for the Third Circuit affirmed the district court's holding that the U.S. government owned the *CSS Alabama's* bell, which Richard Steinmetz (appellant) bought in England in 1979. The bell was recovered by an English diver from the confederate ship, which was sunk by the Union Navy off the coast of Cherbourg, France, in 1864. When Steinmetz put the bell up for auction in 1990, the U.S. Navy claimed ownership. The court held that the confederacy owned the ship and that the U.S. was the successor of the ship after the war ended because there were no outstanding liabilities that could have been claimed against the ship. In addition, the U.S. did not abandon the bell by any explicit act and was, therefore, the owner.

At the time this case was decided, the Sunken Military Craft Act had not yet been enacted. However, the SMCA preserves the sovereign status of sunken U.S. military vessels worldwide. As such, the same conclusion would have likely been reached if the SMCA had existed and been applied to this case.