

NATIONAL ARCHIVES MICROFILM PUBLICATIONS
PAMPHLET DESCRIBING M1360

**Admiralty Final Record Books,
U.S. District Court,
Southern District of Florida,
Key West, 1829-1911**



NATIONAL ARCHIVES TRUST FUND BOARD
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
WASHINGTON: 1987

The records reproduced in the microfilm publication
are from

Records of District Courts of the United States

Record Group 21

ADMIRALTY FINAL RECORD BOOKS,
U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF FLORIDA,
KEY WEST, 1829-1911

On the 19 rolls of this microfilm publication are reproduced the 18 volumes of admiralty final record books, 1829-1911, created in Key West by the U.S. District Court for the Southern District of Florida and its predecessors. These records are part of Record Group 21, Records of District Courts of the United States, and are housed in the Regional Archives Branch of the Federal Archives and Records Center, Atlanta, Georgia.

History

The southern district originated in 1828 (4 State. 292) as part of the Territorial court system in Florida. The district included all of the State south of Charlotte Harbor (between present-day Fort Myers and Sarasota); Key West, almost the only center of non-Indian population in the area, was designated the seat of the court. After Florida entered the Union in 1845, the entire State constituted one Federal judicial district. Court was to be held in Tallahassee, St. Augustine, and Key West (9 Stat. 132). When Florida was officially divided into the northern and southern districts in 1847, court was continued at Key West, and there it has remained (20 Stat. 280).

Admiralty Jurisdiction

The U.S. Constitution (art. III, sec. 2) provides that the judicial power of the United States extends "to all cases of admiralty and maritime jurisdiction." This authority extends over all public, navigable waters, including lakes, rivers, and canals as well as the high seas.

U.S. admiralty law is concerned with the following: prize, ransom, and salvage cases; suits to establish title to a ship independent of possession of the ship; possessory actions to recover ships; and a great variety of maritime contracts and torts. Typical maritime contracts relate to the following: charter parties; transportation of passengers and their baggage or goods; marine insurance; pilotage; towage; transferring goods to ships by smaller vessels; loading, unloading, and packing goods; purchase of supplies and repairs; salvage; efforts to make good losses incurred under dangerous conditions; using ships or goods as security on loans; seamen's wages; and maintenance and care of ill and injured seamen. Typical maritime torts involve collisions, loss of or damage to cargo, and claims of personal injury or ill-usage arising between masters or officers on one hand and seamen or passengers on the other.

The Court in Key West

Because of the significant maritime commerce centering in the Caribbean and the Florida keys, the court in Key West developed special rules for admiralty matters. The court was open year-round for admiralty and maritime litigation, in contrast to the May and November sessions during which it handled other judicial processes. The judge, in addition to holding full Federal judicial powers similar to the courts in Kentucky, was also required to grant licenses to ships engaged in salvage operations in the area. He was ordered to make certain such vessels were seaworthy, properly equipped and fitted for salvage work, and innocent of any fraud concerning property that had been shipwrecked along the coast.

The Key West court was perhaps the major prize court during the Civil War, when it was the only Federal court in the South to remain in Union control throughout the war, and again during the Spanish-American War, where its proximity to Cuba and the Caribbean gave it prominence. The prize cases for the period 1861-65 appear in volumes 6, 7, 8 and 9, and those for the period 1899-1900 appear in volumes 16 and 17.

The Records

These admiralty final record books consist of copies of documents filed in each case, in chronological order from the beginning libel to the final judgment. The records include libels; answers; briefs; motions; declarations; transcripts of testimony and affidavits; bonds; orders; reports of special commissioners, juries, trustees, and others; and judgments. The cases are normally arranged chronologically by the date they were completed, that is, by the date the final record was entered. Each volume is indexed by the initial letter of the plaintiff and/or the name of the salvaged or captured vessel and/or the name of the defendant. The first three volumes cover the Territorial period, from the establishment of the Superior Court for the Southern District in Key West in 1828 to the early months of Statehood. Not until the first case in volume 4 do the records refer to the U.S. district court.

Volumes 1 and 2 carry the title "Cartas" (Spanish for "letters"), a tribute to Florida's Spanish period, though the records are in English. Volume 2 includes a few pages dated 1828-36 documenting Presidential appointments of U.S. attorneys and other minutes-type entries. The final record entries constitute the majority of the volume and continue those entries from volume 1. Volume 8 contains final record entries with dates that overlap those in volume 7, but the vessels and cases involved are different and separate. The court stopped creating final records in 1911.

Additional information about the Federal court system is available from the following sources: the multivolume Federal Cases, an annotated reprint of the decisions of the U.S. district and circuit courts from 1789 to 1880; Erwin C. Surrency, Federal District Court Judges and the History of Their Courts, History of Federal Courts Pamphlet No. 1 (privately printed, 1966); Surrency, "History of Federal Courts," Missouri Law Review 28 (1963):214; Charles Warren, The Supreme Court in United States History, 2 vols. (Boston, 1935); and John J. Parker, "The Federal Judiciary System," Federal Rules Decisions 14(1954):361.

Gayle P. Peters prepared these records for filming and wrote the introduction.

CONTENTS

<u>Roll</u>	<u>Description</u>	<u>Dates</u>
1	Volume 1 "Cartas"	May 1828-May 1837
2	Volume 2 "Cartas"	May 1828-Nov. 1841
3	Volume 3	Nov. 1841-Apr. 1846
4	Volume 4	Apr. 1847-Mar. 1853
5	Volume 5	Mar. 1853-June 1857
6	Volume 6	July 1857-Dec. 1860
7	Volume 6 (Continued)	Jan. 1861-Nov. 1862
8	Volume 7	Nov. 1862-May 1865
9	Volume 8	Nov. 1862-Nov. 1864
10	Volume 9	June 1865-Mar. 1870
11	Volume 10	Apr. 1870-Jan. 1875
12	Volume 11	Feb. 1875-Apr. 1880
13	Volume 12	May 1880-Sept. 1886
14	Volume 13	Mar. 1886-Feb. 1889
15	Volume 14	May 1889-June 1894
16	Volume 15	June 1894-May 1898
17	Volume 16	Apr. 1898-June 1902
18	Volume 17	Nov. 1900-Feb. 1905
19	Volume 18	Nov. 1904-May 1911