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Le Griffon hunters clear another hurdle

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By Benjamin Gohs Editor

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A U.S. appeals court recently struck down a lower court ruling which would have forced shipwreck hunter Steve Libert and his Great Lakes Exploration Group to reveal the exact location of what Libert believes to be the famed 15th century ship LeGriffon. Here Libert prepares to dive in search of the mysteries kept by Lake Michigan's cold, dark depths.

After decades of work and spending more money than he is willing to disclose searching for a 17th century ship, Steve Libert is one step closer to Le Griffon.

Despite attempts by the State of Michigan to pull the proverbial rug from under Libert and his Great Lakes Exploration Group's (GLEG) effort to identify what Libert believes is the famed French vessel, the U.S. Sixth District Court of Appeals of Cincinnati, Ohio found a lower court erred when it failed to offer protection to GLEG before demanding the explorers disclose the ship's location.

"I feel elated. The whole time I kept thinking, 'Why are we here?'" said Libert of the case argued March 12. "If you invented a new type of engine that would revolutionize the whole auto industry, would you turn it over so people could look at it before you filed the patent? No, because they would steal it from you."

The Virginia resident added, "It's the same with the discovery of a shipwreck. You go ahead and file for admiralty arrest and then the location is given."

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Sixth circuit justices, which have purview over Kentucky, Ohio, Tennessee and Michigan, found in their April 22 opinion that the lower court should have administered an admiralty arrest, which would prevent the state from taking possession of the ship before salvage rights and jurisdiction have been determined.

"The federal courts have historically recognized that admiralty law is designed to 'encourage ... salvors to undertake risks to rescue imperiled maritime property,'" appeals court justices wrote. "As GLEG has pointed out, requiring a salvor to disclose the precise location of a shipwreck before federal jurisdiction has been secured creates a risk that the state may take actual possession of the vessel in an attempt to divest the federal courts of jurisdiction over the salvor's claim."

The lower court doubted Michigan's desire to claim jurisdiction and the vessel for their own, but the appeals court justices disagreed stating, "A review of the record ... suggests that GLEG's concern that Michigan might attempt to divest the district court of jurisdiction is not unfounded. GLEG reasonably sought assurances from the district court that disclosure of the precise location of the vessel would not lead to divestment of federal jurisdiction over its claim."



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For nearly 30 years Libert has been searching for the ship built by Rene-Robert Sieur de La Salle, a man instrumental in securing the territory which would later become part of the Louisiana Purchase. Called the Holy Grail of the Great Lakes, the Griffon is thought to be the first European ship on said waters.

Libert is sure he found the wreck while diving in Lake Michigan in 2001, but his quarrel with the state did not begin until 2004 and have included disruptions like an apparent attempt to sabotage a Le Griffon expedition fundraising event, for which the state later apologized.

Libert's main concerns include the state's expenditure of public funds during bad financial times and their "lack of expertise" on the matter.

"Excavating a ship is almost like brain surgery: you can't have everybody putting their hands in there, they've got to be qualified professionals," he said. "I'm willing to work with the state, but some people just don't want us to have it," he said. "This would be no cost to the state, and they don't have the money to do this."

According to historical records, the Griffon, crew of 35, was last seen in September 1679 while sailing from Niagara River to Wisconsin.

While the state may assert that the wreck in question was abandoned and embedded, two requirements for automatic state ownership under the Abandon Shipwreck Act of 1987, Libert said he has documentation which proves the ship was sailing under the flag of France and therefore belongs to the French government.

"Remanding the case back down to the court in Grand Rapids basically protects a lot of our rights as finders of the possible Griffon ship, though I understand the State of Michigan claims they were vindicated," Libert said, referring to a recent Associated Press story. "The state does not own everything on the bottomlands despite what they say."

He added, "I want to be clear there are only two or three bureaucrats causing this problem."

Libert now awaits a decision by the lower court on what, if anything, with which his group may proceed.

As in the past, Libert was adamant in his desire to work toward getting a museum to house the ship in Charlevoix if it turns out to be Le Griffon. He has also

For more information about the La Salle - Griffon Project, visit www.lasalle-griffon.org.

The attorney general's office did not return phone calls or e-mails by press time.

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