William Lusk surviving partner of Handy & Lusk
vs
Republic of Texas

In this case upon the coming in of the copy of the Judgment had in the Court of Admiralty it will be seen that the Jury brought in a Special Verdict that the fifth fact found by the Jury is in these words. viz "that she was wrecked on the Brazos Bar for the want of a good Pilot – although a good Pilot offered his services for that purpose." The Honorable Benjamin C Franklin (the then presiding Judge of the Court of Admiralty) deposeth "that the fifth fact found by the Jury was alone found upon the evidence of Capt Fuller, who stated that he told the Captain he would take him out, and said if he had been on board he could have taken the Schooner to sea," this testimony no one for a moment will question, yet Nevertheless so far from the Jury having condemned the goods so lost by the wrecking of the Vessel to be paid for by the Government they have found to the contrary in so many words. They have liabled the owners of the vessel by finding the wreck was occasioned for the want of a Pilot they also find that a Pilot who was competent to take the vessel to sea did offer to do so. However just may be the demands of Claimant and however much I might feel disposed to allow the Govt to "pay for the goods in my