

**MINUTES OF SPECIAL MEETING OF THE MARITIME  
LAW ASSOCIATION HELD AT THE ASSOCIA-  
TION OF THE BAR, 42 WEST 44th  
STREET, NEW YORK CITY,  
JULY 16, 1923, AT  
4:30 P. M.**

A Special Meeting of the Maritime Law Association of the United States was held at the Association of the Bar of the City of New York, July 16, 1923, at 4:30 p. m., to consider reports of (1) the Special Committee of the Association on the Amendment or Redrawal of the Suits in Admiralty Act, and (2) the Special Committee of the Association on the Questionnaire prepared by the International Maritime Committee on Compulsory Insurance for Passengers. These reports had been previously printed and distributed to all members as pages 1219 to 1234 of the minutes of the Association.

Those present at the meeting were the President, Hon. Charles M. Hough, the Secretary, Harold S. Deming, and the following members:

Ray Rood Allen	George de Forest Lord
Horace T. Atkins	L. J. Matteson
Frank A. Bernero	A. M. Menkel
William H. Blymyer	A. Howard Neely
C. C. Burlingham	Henry W. Nichols, 3d
Ira A. Campbell	R. Parmer
Ellis P. Collins	Robert Phillips
W. T. Conlen	William F. Purdy
John W. Crandall	Harrington Putnam
Morris Douw Ferris	Warner Pyne
Allen Evarts Foster	Walter Schaffner
Horace M. Gray	J. Frank Staley
Henry M. Hewitt	Carl G. Stearns
T. Catesby Jones	Hon. Henry G. Ward

The reading of the minutes of the preceding meeting was omitted on unanimous consent, the same having been printed and distributed to members.

The following new members were duly nominated and elected at the meeting:

*Associate*

Hon. Morris A. Soper, Post Office Bldg., Baltimore, Md.

*Active*

George A. Conroy, 15 William St., N. Y. City

Frank J. Foley, 27 William St., N. Y. City

Charles W. Hagen, 64 Wall St., N. Y. City

Robert E. Hill, 27 William St., N. Y. City

P. J. R. McEntegart, 64 Wall St., N. Y. City

Forrest E. Single, 64 Wall St., N. Y. City

The Secretary then read to the meeting memorials to the late James Emerson Carpenter and the late Russell H. Loines. Upon motion duly made and seconded, these memorials were ordered filed and incorporated in the minutes of the meeting, and fair copies sent to the families of our deceased members. They will be found printed at pages 1238 and 1239.

The President then called for a discussion of the report of the Special Committee on the Amendment or Redrawal of the Suits in Admiralty Act. After a general discussion of the first division of the report covering the Bases for a Draft International Convention (printed at pages 1219 to 1220), Judge Ward suggested that it would be advisable to amend the report by changing the next to the last paragraph thereof to read:

“We think Art. III (c) should be amended so as to make the liabilities of the vessels and cargoes mentioned in it enforceable only by the tribunals of the states owning them and not by the tribunals of any of the contracting states, and that there be no seizure of such vessels or property, an appearance by the state owning them only, to be required.”

On motion of Mr. Burlingham, seconded by Mr. Jones, this amendment was adopted and the report as amended was unanimously accepted and approved in so far as it covered the International Convention.

The President then called for a discussion of the proposed Suits in Admiralty Act as redrawn by the Committee (see pages 1221 to 1225).

Letters from Mr. Blodgett and Mr. Griffin were read and full general discussion had.

Mr. Jones suggested that Section 13 of the proposed Act (see page 1225) should be amended to read:

“Section 13. The provisions of all other Acts inconsistent herewith are hereby repealed but nothing in this Act shall cut off the rights of persons entitled to maintain or bring suit against the United States under the provisions of the Act as approved March 9th, 1920, in cases arising prior to the passage of this Act.”

On motion of Judge Putnam, seconded by Mr. Jones, this amendment was adopted and the proposed Act as amended approved and the report and recommendations of the Committee thereon in all other respects accepted and approved.

The President then advised the meeting concerning the approaching meeting at Gothenburg, Sweden, of the International Maritime Committee, and stated that Messrs. Englar and Hickox were expected to attend as delegates of the Association.

The President then called for the consideration of the report of the Special Committee on the Questionnaire prepared by the International Maritime Committee on Compulsory Insurance for Passengers. After full discussion, and upon motion duly made and seconded, this report was unanimously accepted and approved as made, and copies thereof, together with copies of the report of the Committee on the Amendment or Redrawal of the Suits in Admiralty Act, ordered sent to the Secretary of the International Maritime Committee, and also to Messrs. Englar and Hickox, as delegates of the Association, for their guidance at the meeting at Gothenburg.

There being no further business to come before the meeting, on motion duly made and carried, the meeting was then adjourned, subject to the call of the President.

HAROLD S. DEMING,

*Secretary.*

JAMES EMERSON CARPENTER died at New York City, October 25, 1921.

Mr. Carpenter was born in Buffalo, New York, and was graduated from Harvard with the Class of 1866. Removing to New York City, he studied law under the late Stephen P. Nash, one of the distinguished members of the very able Bar of that time, and later, in partnership with the late Joseph F. Mosher, he founded the firm of Carpenter & Mosher, which, after the death of Mr. Mosher in 1894, became the firm of Carpenter & Park, of which he remained the head until his retirement from practice.

He specialized in admiralty and marine insurance, but not before he had become thoroughly grounded in the common law. He was a charter member of the Maritime Law Association of the United States, and in 1908, with the late Robert D. Benedict, he was a delegate to the International Maritime Conference at Paris, France.

Mr. Carpenter was a man of broad culture and of sound legal attainments. His devotion to the interests of his clients and his disinterested fondness for legal principles always insured his thorough study of any question relating to a case in his charge, and what the New York Court of Appeals said of him and of his opponent in deciding one of his cases (*Newtown Creek Towing Co. v. Aetna Insurance Company*, 163 N. Y. 116) was but descriptive of his method of handling all of his cases, whether they involved much or little:

“Counsel have accumulated between them apparently not only all the decisions, but all the textbook learning as well, in this country and England, on the subject,” etc.

This habit of exhausting a subject, if not before forming, at least before expressing, an opinion, was perhaps the cause of what was regarded, by some at least, as Mr. Carpenter's weakness as a counselor; apparently he was slow in coming to a conclusion, and, in weighing the arguments pro and con bearing on any close question, he seemed to find it difficult to reach a

firm and definite opinion within the short period that modern business methods allow for consideration.

Toward the courts he was always faithful. His statements of fact were never questioned or questionable; toward his brother practitioners he was uniformly courteous and considerate; and in consequence he was honored by the confidence of the judges before whom he came and by the affectionate esteem of his associates, who, in his death, have lost a loyal friend and a genial companion. He was a member of the Harvard Club, the Bar Association of the City of New York, the American Bar Association and the New York State Bar Association.

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RUSSELL H. LOINES, who died December 27, 1922, had been a member of the Association for several years and was a member of the Executive Committee from 1920 until his death.

He was educated for the bar, but never practiced his profession. After taking a degree at the Harvard Law School he went to London and entered the office of Messrs. A. Bilbrough & Company, managers of one of the best known English Protection & Indemnity Associations or Clubs. There he laid the foundations of his work as the organizer of the American Steamship Owners Mutual Protection & Indemnity Association, Inc., of which his firm, Johnson & Higgins, became the managers and himself the secretary.

In 1921 and 1922 he served as chairman of a committee of the Association on workmen's compensation legislation, and made several valuable reports.

Mr. Loines was not cast in a common mould. He was a man of culture, with a fine literary and poetic sense. But he was no dreamer. The extraordinary thing about him was that his imagination and facility of expression and charm were not reserved for his leisure but irradiated his daily business life and work.

It is unusual to find such force and strength of character in a man of quiet ways and gentle manners. Those who were so fortunate as to be associated with him either in business or in his lighter hours felt at the time that they were privileged beings. The rare and penetrating flavor of his personality has not been lost.