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**MINUTES OF ANNUAL MEETING OF THE MARITIME
LAW ASSOCIATION, HELD AT THE ASSOCIA-
TION OF THE BAR, 42 WEST 44th STREET,
MAY 2, 1924, AT 4 P. M.**

The annual meeting of The Maritime Law Association of the United States was held at the Association of the Bar of the City of New York, May 2, 1924, at 4 P. M.

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

Allen, Ray Rood	Knauth, A. W.
Arnold, W. H.	Little, Henry H.
Bailey, Theodore L.	Maclay, Mark W.
Bernero, Frank A.	McCloskey, George V. A.
Blymyer, William H.	Matteson, L. J.
Boal, Arthur M.	Mayhew, K. S.
Brown, R. W.	Murphy, Edwin S.
Burlingham, C. C.	Niles, E. H.
Burlingham, Charles	O'Kelly, Manley
Campbell, Ira A.	Pennell, Frederick
Cooper, Morris, Jr.	Phillips, Robert
Crandall, John W.	Purdy, William F.
Curren, Leo J.	Schaffner, Walter
Dean, W. J.	Siddall, Roger B.
Detels, Martin P.	Sprague, G. C.
Englar, D. Roger	Stearns, Carl A.
Ferris, Morris Douw	Symmers, James K.
Foster, Frederick	Veeder, Hon. Van Vechten
Gray, Horace M.	Washington, G. A.
Hagen, Charles W.	Whip, George W. P.
Hickox, Charles R.	Wolfe, Carver W.
	Wythe, Charles E.

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

The Nominating Committee presented the following nominations for officers and members of the Executive Committee:

President

Charles M. Hough

Secretary and Treasurer

Harold S. Deming

Executive Committee

H. Alan Dawson

Stuart S. Janney

Edward R. Baird

Roscoe H. Hupper

John M. Woolsey

Fitz-Henry Smith

T. Catesby Jones

Russell T. Mount

On motion duly made and seconded, the nominations were declared closed and the Secretary directed to cast one ballot for the foregoing nominees, who were thereupon duly elected for the ensuing year, and until their successors should be chosen.

The Secretary and Treasurer submitted his annual reports and, there being no objection, the same were received, approved and ordered filed, and copies thereof are annexed (Appendices I, II, pages 1256, 1257).

The President then called upon Mr. Niles, as Secretary of the Committee on the Documentation of Vessels, for a report of the progress of the Committee. Mr. Niles' report will be found annexed to these minutes (Appendix III, page 1258).

The President then called upon Mr. Betts, as Chairman of the Committee having in charge the furthering of the passage of a bill to amend the Suits in Admiralty Act, for a report of progress. Mr. Betts' report will be found annexed to these minutes (Appendix IV, page 1260).

Mr. Knauth, on behalf of American Maritime Cases, reported that the publication was in a healthy condition financially and maintaining its high record for promptness and completeness in reporting.

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

Associate Member

Hon. Julian W. Mack

Active Members

William Paul Allen	Caleb A. Harding
Sherman Baldwin	Albert E. Kane
Lucius H. Beers	Chauncey F. Kingsley
James Henry Bruns	George V. A. McCloskey
Charles T. Butler	G. Hunter Merritt
Roy H. Caldwell	Thomas H. Middleton
Charles F. Dutch	Vincent A. O'Connor
J. Dudley Eggleston	C. B. Manley O'Kelley
Ezra G. Benedict Fox	Basil H. Pollitt
Irving H. Frank	William H. Woolley

On motion of Mr. Robert Phillips, a proposed amendment to the Preferred Mortgage Act, prepared by Mr. Peter Carter, was referred to the President for consideration with power in his discretion to appoint a committee of the Association to act upon the matter if deemed appropriate.

There being no further business to come before the meeting, on motion duly made and seconded the meeting was adjourned.

HAROLD S. DEMING,

Secretary.

APPENDIX I.**ANNUAL REPORT OF THE TREASURER.**

Harold S. Deming, as Treasurer of the Maritime Law Association of the United States, submits his annual report for the year ending April 30, 1924, as follows:

Balance on hand April 30, 1923..... \$1,064.18

Dues received:

1919-20, 1 member	\$ 5.00	
1920-21, 2 members.....	35.00	
1921-22, 7 members.....	35.00	
1922-23, 18 members.....	90.00	
1923-24, 250 members.....	1,250.00	
1924-25, 2 members.....	10.00	
Interest to date.....	24.82	1,449.82
		<hr/>
		\$2,514.00

Disbursements:

Printing	\$427.10	
Stenography and Postage.....	236.64	
Comite Maritime International.....	200.00	
Rent	5.00	
Refund (1922 dues paid twice by 2 members)	10.00	
American Maritime Cases.....	40.00	918.74
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Balance on hand April 30, 1924..... \$1,595.26

Back dues unpaid:

Year 1922-23, 7 members.....	\$ 35.00
Year 1923-24, 30 members.....	150.00
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Total dues unpaid.....	\$185.00

Respectfully submitted,

HAROLD S. DEMING.

APPENDIX II.**ANNUAL REPORT OF THE SECRETARY.**

Harold S. Deming, as Secretary of the Maritime Law Association of the United States, submits his report for the year ending April 30, 1924, as follows:

There have been three meetings of the Association during the year, as follows:

Annual meeting, May 4, 1923;

Special meeting, July 16, 1923;

Usual winter meeting, December 5, 1923.

As reported to the Secretary, our roll of active members has been depleted by the death of Nathan H. Frank and J. Wilson Leakin. The resignations of the following were accepted as of April 30, 1924:

Ralph G. Brown,
Christian Hagemann,
William D. Macy,
Henry E. Mattison,
Herbert R. Spencer.

Our associate membership has been increased by the addition of five members, and our active membership by the addition of twenty-three members. The present membership shows forty associate members and two hundred and seventy-nine active members, making a total of three hundred and nineteen as compared with a total of two hundred and ninety-seven last year.

In view of the full printed reports of the meetings already distributed to the members, no further detailed reference seems necessary to the accomplishments of the Association during the year.

Respectfully submitted,

HAROLD S. DEMING.

APPENDIX III.**COMMITTEE ON DOCUMENTATION OF VESSELS.**

The Committee on Documentation of Vessels begs to report that it has, through its Chairman and Secretary, held interviews with the Acting Commissioner of Navigation, Mr. Tyrer, Secretary of Commerce Hoover, and Chairman O'Connor of the Shipping Board. The Committee held a meeting at Baltimore in the office of the Chairman on April 21, 1924, those present being Honorable John C. Rose, Roscoe H. Hupper, Morris D. Ferris, Addison C. Burnham, and Emory H. Niles.

At this meeting it was the opinion of the Committee that the definition of the Home Port is the central problem to be solved. It was agreed that the Home Port should be the port of documentation and therefore the problem was to designate what port should be the port of documentation. In the opinion of the Committee, owners should be allowed unlimited discretion in regard to choosing a Home Port, but the members of the Committee could see no objection to some limitation as to residence or business office. The principal thing to be desired is that wherever the Home Port is, it should be fixed, known and permanent except by voluntary change recorded so that it cannot be mistaken.

The Committee, after considering the various definitions suggested for the Home Port, including that of the Department of Commerce and that of Judge Veeder and Mr. Griffin, drafted the following definition:

"A vessel shall be documented at such port as may be selected by the owner, and such port shall be the Home Port of the vessel. Such Home Port shall be recorded with the Department of Commerce in Washington, and shall remain as such until a new Home Port is selected and established by record in the Department of Commerce as required by law."

After discussion with the Acting Commissioner of Navigation, Mr. Burnham inserted the following definition in his draft act:

“The Home Port of a vessel shall be a port of documentation within the customs district where the owner, or, if there be more than one owner, one of the owners, resides, or has his or its principal place of business, or where the greater part of the vessel’s business will be conducted.”

Other matters have been considered by the Committee, such as the validation of mortgages made under the old practice. It is proposed at the present time to go carefully over the draft Act prepared by Mr. Burnham and then submit it to the Association for approval. It is hoped then that the bill may be introduced into Congress and passed without any of the controversy arising from conflicting interests which would surely come when a general recodification is considered.

EMORY H. NILES,
Secretary.

APPENDIX IV.**REPORT OF COMMITTEE APPOINTED BY THE PRESIDENT ON DECEMBER 5, 1923, TO ACT IN CONCERT WITH THE COMMITTEE ON FEDERAL LEGISLATION OF THE BAR ASSOCIATION IN URGING CONGRESS TO PASS SOME STATUTE REGARDING THE LIABILITY OF SOVEREIGN OWNED PROPERTY.**

Your Committee, after conference with Judge Ward's Committee and also with the Committee of the Bar Association, believed that they should endeavor to secure the introduction in Congress of the proposed amended Suits in Admiralty Act which had been drafted by the Committee of this Association and approved. The Chairman communicated with Mr. George W. Edmonds of Philadelphia, the Chairman of the Committee on Claims in the House, before whom private bills for permission to sue the United States to enforce liabilities of Government owned vessels are referred, and who is also on the House Committee of Marine and Fisheries, believing that this bill would be referred to one of those two Committees. Mr. Edmonds received a copy of the bill and appeared to be in a very receptive mood at first, but after several communications his Secretary wrote to the Chairman as follows:

"In the absence of Mr. Edmonds I have to acknowledge the receipt of your letter of the 25th instant and in reply state that owing to the fact that the Congressman could get no assurance that an Admiralty bill could be acted upon at this session, he has so far refrained in introducing such a bill.

Mr. Edmonds however, is keeping the matter in mind."

In this situation Mr. Charles C. Burlingham kindly offered to endeavor to have the bill introduced by Mr. Ogden N. Mills, and the bill has been sent to him with the request for its in-

roduction. The Chairman has also written him sending a brief memorandum showing why the amended bill should be enacted.

The Chairman in the meantime had requested Senator Jones in Washington, whom he knew, to introduce the bill in the Senate and after considering the matter Senator Jones advised that he thought it unwise for him to introduce the bill as he thought he ought to be in an impartial attitude in case of its possible reference to his Committee.

Mr. Janney then offered to endeavor to secure its introduction by Senator Bruce of Maryland, and the Chairman interviewed Senator Bruce in Washington and explained to him the purpose and need of the bill. The Senator was familiar with many of the difficulties under the present Act by reason of sitting on the Committee on Claims to whom the private bills are referred, and he said that he would be very glad to act. The bill was introduced by him in the Senate on April 10, 1924—S. 3110—and referred to the Committee on Commerce, of which the following are members:

Wesley L. Jones of Washington,
 Bert M. Fernald of Maine,
 Charles L. McNary of Oregon,
 Walter E. Edge of New Jersey,
 Frank B. Willis of Ohio,
 O. E. Weller of Maryland,
 L. Heisler Ball of Delaware,
 Edwin F. Ladd of North Dakota,
 James Couzens of Michigan,
 Duncan U. Fletcher of Florida,
 Joseph E. Ransdell of Louisiana,
 Morris Sheppard of Texas,
 Furnifold M. Simmons of North Carolina,
 Nathaniel B. Dial of South Carolina,
 Woodbridge N. Ferris of Michigan,
 Hubert D. Stephens of Mississippi.

It is extremely desirable that all of our members should write to those members of that Committee with whom they are acquainted, urging the adoption of the bill.

The members of your Committee endeavored repeatedly to get in touch with Mr. Beecher to see what objections, if any, the Shipping Board would have to the bill, but he has now severed his connection with that body. They also endeavored to confer with Mr. Staley of the Department of Justice and Mr. Janney's partner, Mr. Williams, succeeded in having an interview with him in Washington at which Mr. Staley suggested certain modifications of the bill, one of which was as to the extension of the remedy to torts of public vessels. He also stated that the Government was opposed to any proceedings in rem in any jurisdiction except where the vessel was at the time the proceedings were instituted. He also commented on the omission of the Fleet Corporation from our proposed amended bill. He believes that any vessels owned by such a corporation should be free from seizure; also that the Act should provide that in any case of cross libel against the Government, the cross libellant should be required to give security. He also considers that the venue provisions in our bill are too broad; that if the libellant is a foreigner the suit should be brought in the District of Columbia and that in Section 5 the word "cases" should be changed to "causes of action." He also suggests that in Section 7 the word "Consul" should be broadened out into "ambassador, minister or proper diplomatic or consular representative" or some such phrase. He also asks why the word "possession" is left out of Section 1. Of course Mr. Staley expressed these ideas as his own and would not want them to be construed as those of the Government.

Your Committee was exceedingly gratified to have such a frank expression of opinion and believe that some of the points are well taken and that it will be a help in the preparation of hearings before any Committee.

On February 14, 1924, Mr. Underhill, who is a member of the Committee on Claims, introduced a bill which was referred to that Committee. This bill provides for a libel against the United States for damages caused by collision by a public vessel and for compensation for towage and salvage services rendered to a public vessel, provided the consent of the Attorney General in writing to the maintenance of the suit is first given; the suit

is to be brought in the District where the vessel or cargo is found, or if without the United States, in the District where the parties or any of them reside or have their principal place of business. The procedure is to follow that of the Suits in Admiralty Act; that in case the United States files a libel for damage arising from collision with a private vessel, its owner may file a cross libel against the United States; that in any suit brought on a cause of action arising since April 6, 1920, and prior to the approval of the Act, the testimony of any witness given at any investigation may be offered by the United States if the witness cannot be produced; also that no officer or member of the crew of any public vessel may be subpoenaed without the consent of the Secretary of the Department.

GEORGE W. BETTS.