

## THE MARITIME LAW ASSOCIATION OF THE UNITED STATES

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March, 1932.

### SECRETARY'S NOTICES

#### AMENDMENT TO SUITS IN ADMIRALTY ACT

A Bill, H. R. 7238, and entitled "A Bill to amend section 5 of the Suits in Admiralty Act, approved March 9, 1920," has been introduced in the House of Representatives by Mr. Free of California. This Bill amends the Suits in Admiralty Act so as to provide that the two-year period of limitation therein provided shall not apply to any case in which a suit was begun in any State or Federal Court prior to January 6, 1930, and which was dismissed because not brought in conformity with or within the period limited by the Suits in Admiralty Act, and permits a new suit on such cause of action if brought on or before December 31, 1932.

The Bill has been favorably reported by a sub-committee of the Judiciary Committee of the House and may come before Congress for final action at the present session. A similar bill has been introduced in the Senate, S. 2514, by Mr. Johnson of California.

The justification for the Bill is stated as follows by some of its supporters who are members of this Association:

"The Suits in Admiralty Act, passed March 9, 1920, does not specifically take away claimant's rights to sue at law or in Admiralty or under the Tucker Act. For some ten years after its passage, the overwhelming weight of authority in the lower Federal Courts and the general opinion of the Bar was to the effect that the Suits in Admiralty Act afforded an *additional* and not the *exclusive* remedy, leaving other existing remedies untouched. In reliance upon these decisions, many meritorious suits were brought in various courts, but not in conformity with the Suits in Admiralty Act. All these claimants now, since the decision of the Supreme Court on January 6, 1930,