

MAY 1941

**THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES**

ANNUAL MEETING — MAY 5, 1941

The Forty-second Annual Meeting of the Association was held at the House of the Association of the Bar of the City of New York on Monday, May 5, 1941, at 4 P. M., pursuant to due notice following the regular Quarterly Meeting of the Executive Committee, with the President, Roscoe H. Hupper, presiding.

Present: Roscoe H. Hupper, President, George C. Sprague, Secretary and Treasurer, and the following fifty-four members:

Ray Rood Allen	R. G. Kelly
Robert E. Ard	A. W. Knauth
Horace T. Atkins	Paul H. Lacques
James S. Benn, Jr.	George M. Lanning
Arthur M. Boal	G. Hunter Merritt
H. F. Birnbaum	Vernon L. Miller
Allan B. A. Bradley	Russell T. Mount
Henry I. Bernard	Thomas F. Mount
Roy W. Chamberlain	P. J. R. McEntegart
William E. Collins	John A. McManus
John W. Crandall	A. Howard Neely
Theodore R. Dankmeyer	L. S. Parsons
Harold S. Deming	John C. Prizer
D. Roger Englar	Warner Pyne
Seymour P. Edgerton	E. A. Quinlan
Morris Douw Ferris	E. Curtis Rouse
Earle Farwell	Leon T. Seawell
Cody Fowler	Lane Summers
Albert T. Gould	John H. Skeen
John W. Griffin	John B. Shaw
Farnham Griffiths	Braden Vandeventer
Joseph W. Henderson	Geo. W. P. Whip
Oscar Houston	Burton H. White
Charles Hann, Jr.	Chas. E. Wythe
John Hemphill	Wm. H. Wooley
Charles R. Hickox	Otto Wolff, Jr.
T. Catesby Jones	F. J. Zito

The reading of the Minutes of the Annual Meeting of May 6, 1940, which had been printed as Document No. 253 and distributed to the members, was, upon motion duly made, seconded and carried, dispensed with.

The reading of the Minutes of the quarterly meetings of the Executive Committee during the year—namely, July 25, November 19, 1940, January 9 and May 5, 1941—was, upon motion duly made, seconded and carried, dispensed with inasmuch as the principal matters transacted at said meetings are included in the report of the Secretary.

The annual reports of the Secretary and Treasurer were read, and upon motion duly made, seconded and carried, were approved and ordered placed on file and printed. They are as follows:

SECRETARY'S REPORT FOR THE YEAR 1940-1

The year's activities consisted of the annual meeting held at 4 P. M., May 6, 1940, followed by the annual dinner at The University Club. The dinner was attended by 155 members and their guests, and 12 Federal Judges were our guests. Informal remarks were made by Judge Learned Hand, Mr. Farnham P. Griffiths and Mr. Cletus Keating.

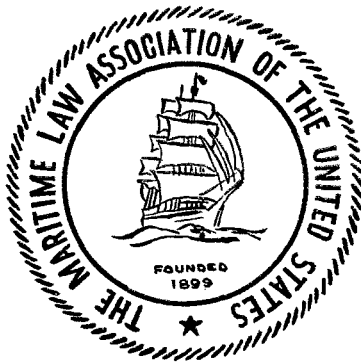
There were four regular meetings of the Executive Committee during the year: July 25, November 19, 1940, January 9 and May 5, 1941.

At the July 25th meeting there was a discussion of "Rules of Procedure in the United States Maritime Commission, also regarding the monographs concerning the U. S. Maritime Commission and the Bureau of Marine Inspection and Navigation of the Department of Commerce". It was voted that the President and Secretary examine these documents and they were authorized to take any action which might be necessary.

Pursuant to this action, the President offered the U. S. Maritime Commission and the Bureau of Marine Inspection and Navigation of the Department of Commerce the services of the Association and of its committees in investigating any problems which they might have in mind and received appreciative letters from the Commission and Bureau in reply thereto.

While the by-laws of the Association provide that the Secretary shall have custody of the seal of the Association, it appears

that actually the Association has not heretofore had a seal. At the November meeting the Secretary presented a cut of a seal which had been prepared, and, upon motion duly made, seconded and carried, it was voted that this cut be accepted as the seal of the Association, and the Secretary was instructed to order the preparation of the seal in a hand press for its use on all official documents. A facsimile of the seal is printed herewith.



The Committee on Admiralty Rule 46½ reported at the November meeting that it had presented the resolution unanimously passed by the Association at the 1940 annual meeting, recommending a change in this rule to the Judiciary Conference in October and had been advised by Judge Learned Hand that the Chief Justice of the Supreme Court had discussed the resolution with the entire Court, but that the Court had declined to change the rule and would continue to insist upon findings of fact in all Admiralty appeals. The Committee, therefore, considered that further effort to change the rule was futile and requested its discharge. This report was accepted, the Committee discharged with thanks and the report printed as Document No. 257 and mailed to all members.

The President brought before the Executive Committee at its January meeting for consideration the question of whether or not the Association should make a contribution toward the acquisition of the original Silver Oar of the Vice Admiralty Court of the Province of New York and its restoration to the United States District Court for the Southern District of New York. It was the unanimous opinion of the Executive Committee that the Association should appropriate the sum of \$500 out of the

funds of the Association for this purpose, and the Secretary was instructed to make such contribution, which was done.

After the Silver Oar was purchased and presented to the Court, Mr. Burlingham, on behalf of the Committee of Donors, turned back to the Association the sum of \$71.50, the net balance remaining out of the contributions received for the Silver Oar, with the request that this sum be used toward paying for a printed report of the presentation proceedings to be published by the Association. This report was so published and is known as Document No. 259. The Association's printer, The Hecla Press, very kindly donated its services in printing the pamphlet so that the only charge to the Association was for the making of halftone cuts of the oar. The Association is indebted to Judge Woolsey for furnishing, without cost, photographs of the Silver Oar from which the halftone cuts were made.

The Court has adopted as the "official mace and symbol of the Admiralty Division of this Court" the Silver Oar and has temporarily deposited it in the Museum of the City of New York, 104th Street and Fifth Avenue, New York City, "as a loan from this Court for the purpose of public exhibition on the understanding and condition that it is to be returned to this Court on request". A copy of the order of the Court signed by the District Judges and of the acceptance of the loan by the Museum of the City of New York, together with supporting resolutions of the Museum's Board of Trustees, have been furnished by courtesy of Judge Woolsey and will be filed in the official records of the Association.

It was voted by the Executive Committee at its meeting on May 6, 1940, that the Association's subscription to the International Maritime Committee for the year 1939-40 should be in the amount of \$125 and, in accordance with this authorization, a check was sent on May 7, 1940. The Secretary and Treasurer reported to the January meeting that this check had never been presented to the bank for payment and that he feared this was due to the invasion of Belgium by Germany. It was the opinion of the Committee that payment on the check should be stopped and the Secretary and Treasurer was authorized to give such notice to the bank, which he did under date of January 9, 1941.

We record with sorrow the deaths of the following members:

Robert E. Bronson	(1931)	Seattle	November 18, 1939
William J. Mahar	(1928)	New York	March 24, 1940
Thomas D. Hewitt	(1911)	New York	February 19, 1941
George Forbes	(1920)	Baltimore	March 8, 1941
Walker B. Spencer	(1921)	New Orleans	March 15, 1941
John E. Purdy	(1932)	New York	March 31, 1941
Edward R. Baird	(1923)	Norfolk	December 11, 1940

HONORARY MEMBER

Honorable James M. Morton, Jr.	(1921)	Boston	June 26, 1940
--------------------------------	--------	--------	---------------

The following resignations have been received:

William Nelson	(1920)	Boston	December 12, 1940
P. Randolph Harris	(1923)	New York	April 30, 1941
Gordon H. Smith	(1940)	New York	April 30, 1941

Fifteen active members were elected at the last annual meeting; one new library was added to our mailing list. The total active membership is 334; associate, 53; honorary, 9; library, 16; total, 412.

The publications of the Association for the year have been as follows:

- #253—Minutes of Annual Meeting, May 6, 1940.
- 254—Report of Committee on Aviation and Admiralty by Mr. Knauth.
- 255—1940 Issue of By-laws and List of Officers, Members, etc.
- 256—Supreme Court Rules in Admiralty.
- 257—Report of Committee on Supreme Court Admiralty Rule 46 $\frac{1}{2}$.
- 258—Memorials.
- 259—Presentation Proceedings—Silver Oar.
- 260—Notice of Annual Meeting and Dinner—1941.
- 261—Report of Committee on Aviation and Salvage.
- 262—Supplemental Notice of Annual Meeting and Dinner.

TREASURER'S REPORT**May 5, 1941**

Amount on Deposit May 6, 1940.....		\$2,369.69
------------------------------------	--	------------

RECEIPTS:

Sale of Documents.....	\$ 17.87	
Refund—Balance of subscriptions for Silver Oar.....	71.50	
DUES—Arrears	70.00	
1940-41	1,220.00	
1941-42	15.00	
1940 Dinner (Subscriptions received after annual meeting).....	24.00	
1941 Dinner (Subscriptions received to date)	840.00	2,258.37
		<hr/>
		\$4,628.06

EXPENDITURES:

1940 Dinner—At University Club:		
By Subscription.....	\$652.00	
From General Funds.....	385.13	\$1,037.13
		<hr/>
Printing	775.00	
Stationery	97.75	
Sales Taxes	17.40	
Clerical, typewriting, postage, addressing..	602.31	
Contribution to the Silver Oar.....	500.00	
Seal of the Corporation.....	16.00	3,045.59
		<hr/>
AMOUNT ON DEPOSIT MAY 5, 1941.....		\$1,582.47
ANNUAL DINNER Subscriptions received to date.....		
	\$840.00	
Probable charge on General Funds.....	400.00	1,240.00
		<hr/>
		<u>\$ 342.47</u>

ELECTION OF MEMBERS

On recommendation of the Executive Committee, and on motion duly made, seconded and carried, the following named persons were elected members of the Association:

Associate Members

HONORABLE JOHN W. HOLLAND
United States District Judge, Southern District of Florida,
Miami, Fla.

Proposed by James H. Willock.
Seconded by Cody Fowler.

HONORABLE FRANCIS J. W. FORD
United States District Judge, District of Massachusetts,
Boston, Mass.

Proposed by Charles S. Bolster.
Seconded by Thomas H. Walsh.

HONORABLE JEROME N. FRANK
United States Circuit Judge, Second Circuit, New York.

Proposed by Roscoe H. Hupper.
Seconded by George C. Sprague.

HONORABLE JOHN C. MAHONEY
United States Circuit Judge, First Circuit, Providence, R. I.

Proposed by Charles S. Bolster.
Seconded by George Lloyd Letts.

HONORABLE CALVERT MAGRUDER
United State Circuit Judge, First Circuit, Boston, Mass.

Proposed by Charles S. Bolster.
Seconded by Charles F. Dutch.

HONORABLE JOHN BIGGS, JR.
United States Circuit Judge, Third Circuit, Wilmington, Del.

Proposed by Joseph W. Henderson.
Seconded by Thomas F. Mount.

Active Members

JOSEPH M. NUGENT
Socony Vacuum Oil Co., 230 Park Ave., New York.

Proposed by George Whitefield Betts, Jr.
Seconded by Frank J. Zito.

ARTHUR J. SULLIVAN

Vice President and Director, Frank B. Hall & Co.,
67 Wall St., New York City.

Proposed by Earle Farwell.

Seconded by George C. Sprague.

HARRY B. JONES, JR.

Jones & Bronson, Coleman Bldg., Seattle, Wash.

Proposed by Lane Summers.

Seconded by Lawrence Bogle.

CECIL P. STEWART

Frank B. Hall & Co., 67 Wall St., New York.

Proposed by Morris Douw Ferris.

Seconded by C. B. Dunham.

LYMAN HENRY

Merchants Exchange Bldg., 465 California St.,
San Francisco, Calif.

Proposed by Frederick W. Dorr.

Seconded by Chalmers G. Graham.

ARCHIE M. STEVENSON

Dorr & Stevenson, 465 California St., San Francisco, Calif.

Proposed by Frederick W. Dorr.

Seconded by Chalmers G. Graham.

JOSEPH J. GEARY

Lillick, Geary, Olson & Charles, 311 California St.,
San Francisco, Calif.

Proposed by Arnold Knauth.

Seconded by George C. Sprague.

THOMAS L. BRADY

Tugboat Underwriting Syndicate, 99 John St., New York.

Proposed by John M. Aherne.

Seconded by P. J. R. McEntegart.

LLOYD A. RAY

724 Whitney Building, New Orleans, La.

Proposed by Walter Carroll.

Seconded by Jas. Hy. Bruns.

WILLIAM M. SHEFFIELD

Hill, Rivkins & Middleton, 60 Wall St., New York.

Proposed by Eugene P. McCue.

Seconded by Robert E. Hill.

BARTON P. FERRIS

Hill, Rivkins & Middleton, 60 Wall St., New York.

Proposed by Eugene P. McCue.

Seconded by George C. Sprague.

EDWARD R. BAIRD, JR.

Baird, White & Lanning, National Bank of Commerce Bldg.,
Norfolk, Va.

Proposed by George M. Lanning.
Seconded by Braden Vandeventer.

WILLIAM BRADFORD HARWOOD

(Mgr. American Marine Ins. Syndicates), 99 John St.,
New York.

Proposed by Paul H. Lacques.
Seconded by D. Roger Englar.

HENRY B. DEGRAY

Appleton & Cox, Inc., 111 John St., New York.

Proposed by John W. R. Zisgen.
Seconded by D. Roger Englar.

GRAFTON L. WILSON

Hale & Dorr, 60 State St., Boston, Mass.

Proposed by Charles S. Bolster.
Seconded by Albert T. Gould.

EDWARD A. NEILEY

50 Federal St., Boston, Mass.

Proposed by Charles S. Bolster.
Seconded by Albert T. Gould.

R. ARTHUR JETT

Citizens Bank Building, Norfolk, Va.

Proposed by Paul Speer.
Seconded by Richard F. Lenahan.

HERBERT L. ROBINSON

Mystic Steamship Co., 250 Stuart St., Boston, Mass.

Proposed by Seymour P. Edgerton.
Seconded by Charles S. Bolster.

WALTER X. CONNOR

Kirlin, Campbell, Hickox, Keating & McGrann,
120 Broadway, New York.

Proposed by Vernon S. Jones.
Seconded by Raymond Parmer.

HERBERT S. EVANS

Manager Boston Tow Boat Co., Lewis Wharf, Boston, Mass.

Proposed by Charles S. Bolster.
Seconded by Albert T. Gould.

FRANK A. BULL

Duncan & Mount, 27 William St., New York.

Proposed by Russell T. Mount.
Seconded by Henry W. Dieck.

WILBUR H. HECHT

Duncan & Mount, 27 William St., New York.

Proposed by Russell T. Mount.

Seconded by Henry W. Dieck.

ALBERT WRIGHT

Cunard White Star Line, 25 Broadway, New York.

Proposed by George C. Sprague.

Seconded by Allan A. Baillie.

ALLAN B. LUTZ

Hill, Rivkins & Middleton, 60 Wall St., New York.

Proposed by Gregory S. Rivkins.

Seconded by Eugene P. McCue.

REPORTS OF STANDING COMMITTEES

Committee on Extension of Admiralty Jurisdiction

Mr. Oscar R. Houston reported for the Committee as follows:

The Committee on Extension of Admiralty Jurisdiction report that bills were introduced in the last session of Congress, both in the Senate and in the House, incorporating the views of the Association about Extension of Admiralty Jurisdiction.

However, the bills never got out of the respective Committees and new bills will have to be proposed at this session.

Senator White, who introduced the Senate bill in the last session of Congress, has agreed to introduce the bill over again. Mr. Baldwin, who succeeded Congressman Barton, has been asked to introduce the bill in the House and it is hoped that he will do so.

The Committee recommend that they be continued to follow this matter up in the hope that favorable action may be obtained in Washington.

CHARLES R. HICKOX

GEO. WHITEFIELD BETTS

OSCAR R. HOUSTON

Upon motion duly made, seconded and carried, this report was accepted and the Committee continued.

Committee on Aviation and Admiralty

Arnold Knauth, Chairman of the Committee, consisting of himself, William E. Collins, Joseph Luley, Burton H. White and Robert Williams, presented a report, printed as Document No. 261 and previously sent to all members of the Association. On motion duly made, seconded and carried, it was voted that this report be adopted as the views of the Association.

REPORTS OF SPECIAL COMMITTEES

Committee on Enlargement of Supreme Court's Power to Make Rules in Admiralty

The following report of the Committee was read by Mr. Griffin:

The Special Committee on the enlargement of the Supreme Court's power to make Rules in Admiralty report that they have considered the position in which the Admiralty Rules have been left since the revision made by the Supreme Court in 1939.

It will be recalled that the Chief Justice informed us that it was considered that the Supreme Court did not have the power to adopt as Admiralty Rules certain of the new rules of Civil Procedure dealing with depositions. The reason for that was that Sections 863 et seq. of the Revised Statutes would be modified or broadened by the new rules.

Accordingly, if the Admiralty Rules are to be brought into parity, as it were, with the Rules of Civil Procedure, a statute would have to be passed to give the Supreme Court the necessary power.

The Committee recommend that a proposed statute should be passed by Congress in the form hereto annexed. If the statute should be passed, application could be made to the Supreme Court to make the Admiralty Rules correspond with the Civil Rules, except that there might be some slight change which would permit depositions to be taken before issue is joined.

If the Association endorses the proposed act, it is recommended that the Committee be continued to follow the matter through with Congress and perhaps with the Supreme Court, or

that a new Committee should be appointed to take care of the matter.

CHARLES R. HICKOX
JOHN W. GRIFFIN
A. HOWARD NEELY
CHARLES S. BOLSTER
ROBERT WILLIAMS

“The Supreme Court of the United States shall have the power to prescribe, from time to time, by general rules, for the District Courts of the United States, for the Courts of the District of Columbia and for the Circuit Courts of Appeals of the United States when hearing appeals in admiralty, the forms of process, writs, pleadings and motions, and the practice and procedure in all cases of Admiralty and Maritime Jurisdiction both instance and prize. Said rules shall neither abridge, enlarge nor modify the substantive rights of any litigant. They shall take effect at such time as the Supreme Court shall prescribe, and thereafter all laws in conflict therewith shall be of no further force or effect.”

Discussion was had concerning the desirability of altering the present practice as concerns facility and expense of taking depositions.

On motion duly made, seconded and carried, it was voted that this report be referred to the Executive Committee for further consideration and report.

Committee on Workmen's Compensation for Seamen

The report of the Committee was read by Mr. William E. Collins in the absence of the Chairman, Mr. Vernon S. Jones, as follows:

The undersigned were appointed a Committee on April 11, 1941 “to study Workmen's Compensation for Seamen”. The letter to your Committee from the Secretary attached a copy of a letter which he had received, dated March 31, 1941, from Mr. G. K. Briggs, Chairman of the Interdepartmental Committee to Study Workmen's Compensation for Seamen, copy of which is attached hereto, and requested a preliminary report at the meeting of the Association on May 5th.

This report is confined to a consideration of the questions raised in Mr. Briggs' letter.

The first matter on which the Interdepartmental Committee requests information, is "the range of percentages of recoveries taken by contingent fees". According to our information, the percentages range between 25 and 50%, and the usual percentage is probably 33-1/3 or 40%. It may depend upon the character of the case, including the difficulties involved, as well as the amount of probable recovery.

The second question is as to "the extent, if any, to which advancements are made by attorneys to litigants (a) for court costs and (b) for the personal use and maintenance of the clients". According to our information, it is customary for attorneys to advance the disbursements, including the cost of investigation and the preparation of the cases for trial. Court costs are ordinarily not involved because, by statute, a seaman may sue without prepayment of costs. We believe also, and it is probably a matter of general knowledge, that it is not infrequent practice in cases of this type, for attorneys to make advances to the seaman client for his personal use and maintenance during the period between commencement of suit and the trial. Where there is a right to some maintenance and cure the seaman thus receives from the attorney such maintenance as he could obtain without suit from his employer, while at the same time the attorney is reasonably certain of being repaid part or all of his advances. Both, under the contingent retainer, share in the speculation of a substantial verdict or award on the basis of indemnity.

The third inquiry presents the question of "the relation of such advancements, where made, to the ultimate fees collected by the attorneys". Such advances as are made, whether for disbursements or for the maintenance and use of the seaman, are usually deducted from the amount of the recovery, while the attorneys at the same time receive their agreed percentage of the total amount recovered. Some attorneys, however, confine their percentage to the total amount of recovery without deducting such disbursements, the arrangement depending, in some instances, upon the percentage of retainer and the amount of recovery. While such disbursements may be theoretically charged to the client, this is probably done without any real expectation of recovering them if the suit is unsuccessful.

The fourth question is as to "the use of 'runners' between attorneys and prospective clients". It is probably common knowl-

edge that, in the past, "runners" have been employed by many attorneys engaged in this practice, to obtain the cases of seamen while they are receiving treatment at the Marine Hospitals. It is our information that in December, 1940, the Surgeon General of the United States adopted certain sweeping regulations, both with respect to solicitation in Marine Hospitals, and with respect to the co-operation of employees of the hospitals with attorneys in supplying them with business. It is the opinion of your Committee that these regulations were too recently adopted to determine whether they have been effective. We understand, however, that the regulations were apparently of a disciplinary character, directed primarily against the employees of the hospitals within the jurisdiction of the Surgeon General, and did not visit any penalty on the attorneys. Such solicitation and co-operation in hospitals in the State of New York is prohibited by Sections 270 a, b and c of the New York State Penal Law. These sections prohibit the soliciting of business on behalf of an attorney, entering a hospital to negotiate settlement or to obtain a release or statement, and forbid the co-operation of persons in hospitals, police departments, etc., in the solicitation of legal business. These provisions of the New York Penal Law are made applicable to Federal territory located within the States by Act of Congress approved June 6, 1940, Title 18, U. S. C. A., Section 468.

The fifth inquiry is as to "any other practices or arrangements between attorney and client which affect the prosecution and results of the civil remedies of seamen under the Jones Act". We are unable to quite understand this inquiry, but do not know of any other practices between attorney and client which affect the prosecution and results of the civil remedies of seamen under the Jones Act.

VERNON S. JONES, *Chairman*
 JOHN L. GALEY
 WILLIAM E. COLLINS

INTERDEPARTMENTAL COMMITTEE TO STUDY WORKMEN'S
COMPENSATION FOR SEAMEN

Mr. George C. Sprague,
Secretary, Maritime Law Association,
117 Liberty Street,
New York City.

March 31, 1941

My dear Mr. Sprague:

Under the terms of Senate Resolution 299, the Department of Commerce, the Department of Labor, the United States Maritime Commission, the United States Employees' Compensation Commission, and the Maritime Labor Board are "directed jointly to make a thorough study of workmen's compensation with a view to determining whether the same, by Act of Congress, should be made applicable to seamen; to supply the Senate with statistical information and other data that may be helpful in considering such legislation; * * *" and to report their findings and recommendations to the Senate.

The Interdepartmental Committee on Seamen's Compensation is composed of representatives of the departments and agencies named in Senate Resolution 299, and is conducting the studies required by the Resolution.

The Committee is desirous of obtaining as much information as it can with respect to the practices prevailing among plaintiffs' attorneys in actions under the Jones Act—specifically, (1) the range of percentages of recoveries taken by contingent fees; (2) the extent, if any, to which advancements are made by attorneys to litigants (a) for court costs and (b) for the personal use and maintenance of the clients; (3) the relation of such advancements, where made, to the ultimate fees collected by the attorneys; (4) the use of "runners" between attorneys and prospective clients; and (5) any other practices or arrangements between attorney and client which affect the prosecution and results of the civil remedies of seamen under the Jones Act.

It will be a great service to the members of the Interdepartmental Committee if you will give us the benefit of your knowledge of the situation in regard to these matters.

Very truly yours,

G. K. BRIGGS,
Chairman.

Upon motion duly made, seconded and carried the report was accepted and the Committee continued to receive instructions from the Executive Committee from time to time.

Mr. Lester S. Parsons of Norfolk inquired whether any of the committees of the Association had made a study of the Welch bill affecting the Longshoremen's & Harbor Workers' Compensation Act and, it appearing that the matter had not been considered, the President requested Mr. Parsons to obtain full information about this bill and to write the Secretary with reference thereto so that the matter might be taken up at the next meeting of the Executive Committee and a special committee appointed if thought necessary.

ELECTION OF OFFICERS

Oscar R. Houston, as Chairman of the Nominating Committee, which consisted of himself, John W. Griffin, Albert T. Gould, Joseph W. Henderson, Russell T. Mount and Braden Vandeventer, presented the following nominations:

For President:	Roscoe H. Hupper	New York
For Vice President:	Robert Williams	Baltimore
For Secretary-Treasurer:	P. J. R. McEntegart	
	99 John Street	New York

For members of the Executive Committee (to hold office until the Annual Meeting, 1944):

Alexis T. Gresham	Mobile
Roy W. Chamberlain	New York
Wharton Poor	New York

It was duly moved, seconded and carried that the nominations be made unanimous and that the Secretary cast a single ballot for the nominees. The Secretary having stated that he had cast a single ballot as directed, the Chairman declared the nominees duly elected to the respective offices set opposite their names for the terms as hereinabove set forth.

Upon motion duly made, seconded and carried, it was voted that the retiring Secretary and Treasurer receive the grateful thanks of the Association for his services during the past four years.

There being no further business the meeting, on motion duly made, seconded and carried, adjourned at 5.15 P. M. to reconvene at The University Club, 1 West 54th Street, New York City, at 7 P. M. for the annual dinner.

GEORGE C. SPRAGUE,
Secretary.

ANNUAL DINNER

The annual dinner was held at The University Club, 1 West 54th Street, New York City, at 7 P. M. May 5, 1941. 207 members and guests were present. As guests of the Association, there were also present Judge Charles E. Clark of the U. S. Circuit Court of Appeals for the Second Circuit; Judge Alfred C. Coxe, Judge Francis G. Caffey, Judge Murray Hulbert, Judge Vincent L. Leibell, Judge William Bondy, Judge Henry W. Goddard, all of the U. S. District Court for the Southern District of New York; and Judge Mortimer W. Byers, Judge Matthew T. Abruzzo, Judge Robert A. Inch, Judge Clarence G. Galston and Judge Grover M. Moscovitz, all of the U. S. District Court for the Eastern District of New York.

The President, Mr. Hupper, called upon Mr. Farnham Griffiths of San Francisco, California, for a few words on behalf of the members from the Pacific Coast, and Mr. Griffiths responded. The President quoted a few pungent remarks from the famous Holmes-Pollock letters, with reference to Judge Learned Hand and the late Judge Hough, the Restatement of the Law, etc., and then called upon Circuit Judge Clark who spoke briefly upon his impressions of the Restatement of the Law and of the independence and democracy of American navigators generally as disclosed in certain records on appeal which had recently been before him.

An attractive booklet containing the menu, list of those present and seating arrangement, on the cover of which was a reproduction of the Silver Oar of the Vice Admiralty Court of the Province of New York, was prepared by the Dinner Committee and printed, without charge, by Post Printing Company, to whom the appreciation of the Association is extended.

The members of the Dinner Committee were:

Chauncey I. Clark, *Chairman*

Reese D. Alsop	James S. Hemingway
Arthur M. Boal	Arnold W. Knauth
John T. Carpenter	Mark W. Maclay
Harold S. Deming	P. J. R. McEntegart
Robert S. Erskine	Adrian J. O'Kane
Charles W. Hagen	John C. Prizer