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THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES

Secretary's Notice

SUPREME COURT ADMIRALTY RULES

The Association has from time to time received word that the Supreme Court may be considering revising the Admiralty Rules. In June 1950 the President of the Association, Mr. Oscar R. Houston, wrote the Chief Justice offering the assistance of this Association in the event that changes in the present Admiralty Rules were contemplated. In order that our Association might be prepared to act the Executive Committee authorized the President to appoint a committee to study the subject. Accordingly, Mr. Houston appointed the following Committee on the Supreme Court Admiralty Rules:

George Whitefield Betts, Jr., of New York,
Chairman
Charles S. Bolster of Boston
Robert S. Erskine of New York
J. Franklin Fort of Washington, D. C.
Cody Fowler of Tampa
Joseph W. Henderson of Philadelphia
Arnold W. Knauth of New York
Robert G. McCreary of Cleveland
Russell T. Mount of New York
Lane Summers of Seattle

This Committee has from time to time considered and filed interim reports and has worked in cooperation with admiralty committees of other law associations.

At the meeting of the Executive Committee on February 16, 1951, it was reported that one of the Justices of the Supreme Court had asked a member of the New York Bar to obtain the

views of admiralty lawyers regarding the possible revision of the Admiralty Rules. After full discussion the Executive Committee unanimously resolved that:

1. The Admiralty Rules are better suited to the practice in Admiralty cases than the Civil Rules.

2. No general revision of the Admiralty Rules is necessary or desirable.

3. Three amendments to the Admiralty Rules are recommended.

   (a) A provision permitting the examination of an adverse party for discovery even though he may live within the district.

   (b) Permitting the running of an admiralty subpoena outside the district to a distance of 100 miles, thus restoring the statutory provision which was inadvertently repealed in the recent revision of the Code.

   (c) The provision formerly contained in Rule 54 permitting a shipowner to begin proceedings for limitation of liability in the district where the vessel is when suit has been brought against him in personam in another district, which was (we believe inadvertently) omitted from Rule 54 when that rule was revised in 1948, should be restored.

The final report of this Association's Supreme Court Admiralty Rules Committee was considered by the Executive Committee on August 22, 1951. Enclosed herewith is a copy of resolutions of the Executive Committee setting forth the views of The Maritime Law Association of the United States on the subject. Copies of these resolutions have been sent to the Chief Justice and the Associate Justices of the Supreme Court and to the Director, Administrative Office of the United States Courts.

HENRY C. BLACKISTON, Secretary,
25 Broadway,
New York 4, New York.