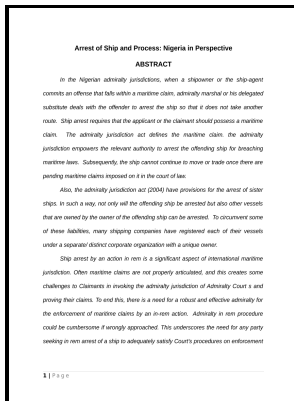


Jurisdiction and practice of the High Court of Admiralty

W. Maxwell & son; [etc., etc.] - Two Lectures on the Jurisdiction and Practice of the High Court of Admiralty of England, 1860



Description: -

- Admiralty -- Great Britain.

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Two Lectures on the Jurisdiction and Practice of the High Court of Admiralty of England, 1860

Accidents on the Navigable Waters Whether an accident on the navigable waters involves an aspect of maritime commerce has not always been an easy question for the courts to answer.

The Jurisdiction and Practice of the High Court of Admiralty: Williams, Robert Griffith: 9781377542515: tools.github.ffxiv.cn: Books

This is not a proceeding to make freight contribute *pari passu* to other lien — that is not the question; but to adjudicate as to the title to the freight itself — a question quite independent of the jurisdiction belonging to this Court.

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The present Jurisdiction of the Instance Court in causes of — 1. An arrest warrant is executed in the same way as a writ is served. Thus, in one case, where a British vessel was in an English port, on her homeward voyage from the East Indies, the owner, who resided in Scotland, had died insolvent, and his representative declined to make any advances for necessary repairs, without which the vessel could not proceed to her destination.

362570 Admiralty Jursiction of High Court

Prohibitions to the Admiralty Court were issued by the Common-law Courts almost as of course; and if they had consistently followed out their construction of the restraining statutes to its logical consequences, the Admiralty Court would have been shorn of all its important jurisdiction. Therefore, only vessels that are actively in navigation or temporarily withdrawn are subject to admiralty jurisdiction.

Two Lectures on the Jurisdiction and Practice of the High Court of Admiralty of England, 1860

Moreover, the courts have not been consistent when ruling on whether a case involving a contract to sell a vessel is within admiralty jurisdiction.

Jurisdiction of Admiralty Courts

Under a 1789 act of Congress, state courts were authorized to decide many, but not all, types of maritime cases. The UNCLOS defined a treaty regarding protection of the marine environment and various.

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Admiralty Jurisdiction — What Does That Mean? Such abolition was, I believe, recommended in the report of the select committee, to which I shall presently advert.

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But perhaps no other means of expression could have been found to bring home to most of you hearers the fact that under a good system of law all just relief can be granted, without a distinction of courts or rules. What must I do besides? The Importance of Admiralty Jurisdiction Applying federal maritime law to a case within admiralty jurisdiction is important because in many respects such law differs from state law. In that case, the appellate court will affirm the lower court's judgment but base its opinion on the correct law.

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