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Admiralty

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6th Edition

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ADMIRALTY IN A NUTSHELL

Sixth Edition

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PREFACE TO SIXTH EDITION

Most law school professors deal with discrete areas of the law such as contracts, torts, property, or commercial law. But one teaching admiralty has the opportunity to delve into many substantive, procedural and remedial aspects of the law and to analyze how those varied areas apply to one activity—maritime shipping and commerce. The admiralty professor must be concerned with such subjects as torts, contracts, worker compensation, insurance, commercial law, security devices, procedure, federal courts, constitutional law, international law and conflicts of law, as well as peculiar aspects of maritime law such as salvage, limitation of liability, and general average. Thus the maritime lawyer is truly a specialist in generality, a specialist in the law governing disputes that arise on or near, or affect commerce on water. It is easy to see how one falls in love with this wonderful area of the law.

Joining us in this Sixth Edition of the Admiralty Nutshell is Catherine Maraist, a co-author of our casebook in Maritime Law. We welcome her and her valuable contributions to this publication.

The authors are not sailors drawn to the subject by our love of the sea. We are lawyers who have occupied ourselves with maritime law because it is

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one of the most comprehensive and fascinating subjects imaginable. In this book, we have tried to bring our enthusiasm for the subject to those who may find this book useful. We have attempted to make our explanations clear and to avoid bogging down in needless detail. But we have also tried to identify and address significant maritime issues of current concern. In the spirit of the Nutshell Series, we have attempted to provide the newcomer to the material with a helpful introduction, but we also have attempted to provide all those who deal with maritime law with a helpful review and a useful presentation of cases decided since the fourth edition was published.

In this sixth edition we have strived to preserve the organization, clarity, tone, and style of the earlier editions. We have updated the citations where a more recent significant case has been decided or where Congress has acted. We also have made textual changes where the material demanded it. One of the significant demands is the renumbering of Title 46 of the U.S. Code; in this edition we provide the new citations and, where appropriate, reference to the prior citations. Generally, however, we have tried to preserve the inherent strengths of the previous editions (three of which Professor Maraist crafted until President Galligan joined him on the fourth edition).

President Galligan is grateful to his co-author, Professor Maraist, who not only has included him in this project and so many others over the years, but who convinced him about fifteen years ago that

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it would be wise for Galligan, as a Torts teacher, to also teach a course in Admiralty. President Galligan and Professor Maraist are also extremely excited that Catherine Maraist is joining the authorial team. Professor Maraist taught President Galligan about Admiralty, Torts and teaching. And, President Galligan was lucky to have Catherine Maraist as a student. Catherine Maraist also no doubt learned much from her father, Frank Maraist, so perhaps the educational loop comes full circle. The authors owe unending thanks to Madeline Babin, administrative assistant at LSU, without whose extraordinary effort this edition would not have been completed in a timely fashion, and to Kevin Blanchard and Joshua Clayton, whose research assistance on this sixth edition was invaluable.

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