

APPEALS FROM INTERLOCUTORY DECREES IN  
ADMIRALTY CASES

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FEBRUARY 5, 1926.—Referred to the House Calendar and ordered to be printed

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Mr. GRAHAM, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 6536]

The Committee on the Judiciary, to whom was referred the bill H. R. 6536, after hearing and consideration, report favorably thereon with the recommendation that the bill do pass.

This bill permits appeals to be taken from interlocutory decrees in admiralty cases, where the decree is one determining the rights and liabilities of the parties. The bill is in the identical language as the bill which passed the Senate in the Sixty-seventh Congress (S. 3632) and is approved by the Department of Justice. The bill also has the approval of the Maritime Law Association and the committee on admiralty of the Bar Association of the city of New York and the United States circuit judge, Charles M. Hough.

The bill will effect a great saving in the time of the courts and litigants and also reduce the expenses of litigation. Mr. Pierre M. Brown, a member of the committee of the Maritime Law Association, made the following statement in the hearings held in the Sixty-eighth Congress (p. 2), showing the necessity for this legislation:

It will take me just a moment to give you a specific instance of the necessity for this bill: Suppose you own a ship and she comes into collision with some other man's vessel. That probably furnishes more instances than any other class of litigation. He sues your ship or you, and that case is tried in a Federal court, and an interlocutory decree is entered which fixes the liability upon you. It does not determine the question of damages; that question is sent to a commissioner, and that commissioner takes proof of damage, and sometimes it takes three years, for every spike and plank is challenged. Finally the commissioner makes his report and the court enters a final decree. Then, for the first time, you are permitted to appeal with reference to the question whether you are liable or not. You go to the circuit court of appeals, and that court may determine that you are not liable and dismiss the case. Then all this work before this commissioner, taking up the time of the witnesses and attorneys, has gone for naught.

This bill is designed to correct that evil. I have heard of no opposition.