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Admiralty and Maritime Law in the United States

Cases and Materials

Third Edition

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CAROLINA ACADEMIC PRESS
Durham, North Carolina

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ISBN: 978-1-61163-787-8
LCCN: 2015943127

Carolina Academic Press
700 Kent Street
Durham, North Carolina 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.cap-press.com

Printed in the United States of America

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Preface

Studying the admiralty field—the field of marine casualties and transactions—necessitates inquiry into issues ranging across much of the basic law school curriculum, including civil procedure, comparative law, conflicts of laws, constitutional law, contracts, creditors’ rights, environmental law, federal courts, insurance, international law, legislation, products liability, property, remedies, torts, and workers’ compensation.

We do not claim that our book provides the opportunity to teach all of these subjects. But we have tried to select cases with an eye to maximizing the admiralty course’s potential for integrating the knowledge the students will have gained from their other courses. In Section I-F’s *Thorsteinsson* opinion, for example, U.S. law’s commitment to the requirement of physical arrest of the vessel in *in rem* proceedings as an essential element of due process comes into sharp conflict with our country’s strong regard for the necessity and wisdom of recognizing the judgments of other countries’ courts.

In editing the cases and supplementing them with textual material, we have used the following signals: Omitted text is signaled by three asterisks. Inserted text is enclosed in brackets. Omitted citations are signaled by empty brackets. Our own editorial footnotes to the opinions are labeled as such. (Otherwise, footnote numbers in opinions are the courts’ original numbers.) Cross-references within the book refer to the chapter number, the section number, and the sub-section (if any). Thus “Section II-A” means chapter II, section A, and “Section I-G-10” means chapter I, section G, subsection 10.

Because this is a teaching book and not a case reporter or a scholarly reference work, we have felt free to make some changes to the opinions without providing any signal. These include minor changes to the courts’ punctuation and typography, correction of obvious spelling errors, and correction of citations and citation form. Unsignaled omissions include the courts’ citations to the record, citations to the opinions below, and the courts’ footnotes. Occasionally, we found that our editing of an opinion required moving one of the court’s footnotes. When we did that, we left the footnote number intact but did not signal the change of position. When it seems historically evocative, we have retained the British spellings in use in the early U.S. materials.

This Third Edition contains a large amount of new material, including a new section on punitive damages and new chapters on piracy and oil pollution. We have tried to condense everything as much as we can, realizing the desirability of keeping the book from getting too fat.

