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NOTES

Navigable Waters and Admiralty Jurisdiction

Of the jurisdictional facts which one must establish in order to claim the attention of an admiralty court, none is more important than water. Certain waters must be involved before a party can avail himself of a maritime remedy whether his claim be in contract or tort. When two vessels collide in the North Atlantic, few problems are encountered in this respect; but when the collision occurs on one of our domestic waterways, a jurisdictional question often is present.

Admiralty is the *corpus juris maris*—the code of the law of the sea. As such, it is justly interested in anything which relates to travel by water. In general, any transaction which more concerns the sea than it does the land should fall within maritime jurisdiction. But, as in other areas of human conduct, progress, politics and a quest for expediency have intervened and have sometimes distorted what might otherwise have been easily-defined boundaries.

THE BEGINNINGS

The law of admiralty began with the Phoenicians three thousand years before the Birth of Christ. Through the centuries it developed as an independent system of jurisprudence which owed allegiance to no one country. After the fall of the Roman Empire the merchants of Western Europe established their own consular courts throughout the known