

thing done within the Realm, but only of a thing done upon the Sea, as it hath been used in the time of the noble Prince King *Edward*, Grandfather of our Lord the King that now is. ment de chose fait sur le meer solonc ceo qad este due-ment use el temps du noble roy Edward aiel nostre seig-nour le roi qor est.

Enforced 2 H. 4, c. 11. 1 Inst. 260. 4 Inst. 135. 12 Co. 104. 13 Co. 42, 52. Hob. 11, 79, 212, 196. 2 Roll. 497. 2 Bulstr. 323. 3 Bulstr. 205. Dyer, 159. 4 Mod. 176. 15 R. 2, c. 3. 1 Salk. 31.

Kilty, (Rep. 224,) considers that Stat. 15 R. 2, c. 3 (and the Statutes 13 R. 2, st. 1, c. 5; 2 H. 4, c. 11, with it,) may be usefully incorporated in our laws, as ascertaining the bounds of the jurisdiction of the common law Courts and Admiralty Courts, and may be resorted to for that purpose by our State Courts, and by the Courts of the United States acting in this State. In *Nicholson's Adm'x. v. the State*, 3 H. & McH. 109, it is said to have been held, that the establishment of the District Court of the United States superseded the Admiralty jurisdiction of the State. That was an action brought against the State for labour, services, and diligence of the plaintiff's intestate in his life-time, as judge of the Court of Admiralty from Nov. 1789 to Dec. 1790, when he resigned. The grounds on which this salary was claimed are stated in a letter of the plaintiff's intestate addressed to the Governor, in which he insists that the admiralty jurisdiction of the State still extends in all cases between citizens of the State, viz., seamen, citizens libelling a State bottom, also in cases between part-owners, being citizens, and in all cases of seizure made by virtue of the laws and regulations of the State. The General Court gave judgment on the *case stated for the plaintiff. See 1 Kent Comm. 365 *et seq.*; **195** Conkling's Admiralty, ch. 1.

In the *Belfast*, 7 Wallace, 624, the Supreme Court held, that a State law, which proposes to enforce a claim for repairs, &c. of a vessel by process *in rem*, is unconstitutional, as it trenches on the admiralty jurisdiction of the United States which is exclusive.¹

¹ As to the exclusive, or concurrent, jurisdictions of the State and of the Federal Courts respectively in admiralty and maritime matters, see *Rose's Code of Fed. Proc.*, secs. 11, 15, 16, 200; *Benedict's Admiralty*, sec. 127 *et seq.*; *Fed. Stats. Ann.* Vol. 4 p. 220; 1 *Cyc.* 809 *et seq.*
