

INTERNATIONAL MARITIME COMMITTEE.

ANTWERP, March 31st, 1909.

DEAR SIR,

BREMEN CONFERENCE, 1909.

We beg to inform you that the 9th Conference of this Committee will be held at Bremen from 22nd to 26th September next.

Amongst the questions which will be on the agenda, we may mention:

- 1st. Report on the work of the International Maritime Committee since the Venice Conference.
- 2d. The Diplomatic Conference on Maritime Law and the state of negotiations as to the final adoption of Treaties on Collision, Salvage, Shipowners' Liability and Maritime Mortgages and Liens.
- 3d. Conflicts of Law as to freight, also Conflicts of Law as to treatment of Freight questions in General Average.
- 4th. International publicity with relation to maritime mortgages.
- 5th. New questions for study: time charters, postal parcels and general Average.

We beg to remind the National Associations and Committees of the resolution of the Venice Conference "that the National Associations should report to the Permanent Bureau the existing legislative and administrative means of registration and publication in each country."

Several of the National Associations or Committees have not yet sent their report on this subject. Their early attention would oblige.

PARIS SUB-COMMITTEE.

The Sub-Committee appointed by the Venice Conference in order to prepare a draft-treaty on the question of Freight, met at Paris on February 22d-23d.

We are publishing, as an Annex to the present, the draft-treaty as it was agreed to by that Sub-Committee and kindly request the national Associations to send us their remarks as to same.

We also request them to suggest to this Committee any other solutions which they think might confer a uniform treatment of the freight in the matter of General Average; the Paris Sub-Committee expressed the wish that this matter would be included in the questions on Freight to be dealt with at the Bremen Conference.

We are, Dear Sir,

Yours very truly,

The President,
A. BEERNAERT.

The Hon. Gen. Secretaries,
LOUIS FRANCK,
LESLIE SCOTT.

The Vice-President,
CHARLES LE JEUNE.

FREIGHT.

DRAFT-ARTICLES PROPOSED BY THE PARIS COMMISSION.

(March 22d-23d, 1909.)

ART. 1.

Save as is hereinafter provided, no freight is payable in respect of goods which do not reach their destination.

ART. 2.

Freight is payable in respect of:

- 1st. Goods of which the value is made good by contribution in General Average;
- 2d. Goods which have perished in the course of the voyage by reason of their nature or inherent vice;
- 3d. Goods which are sold in the course of the voyage on account of their damaged condition, whether the same arises from their nature or inherent vice or from a peril of the sea.

Freight is also payable in respect of goods used or sold by reason of the urgent needs of the ship, subject to a right of compensation for an amount equal to the value as they would have possessed at their port of destination.

ART. 3.

Where a ship is, after departure, prevented from completing the voyage, the captain has a right to the agreed freight if the goods nevertheless arrive at their destination by reason of his exertions.

If the reshipment can only be effected by the payment of a higher rate of freight, the excess is chargeable against the goods, saving for the right of the shipper to effect the reshipment himself or otherwise to dispose of the goods carried.

ART. 4.

Upon all contracts of affreightment and carriage by sea, where the shipper does not provide the agreed cargo, he is liable to pay half the freight by way of forfeit and indemnity.

Where a shipper loads only part of the agreed cargo he is liable for the entire freight on the whole quantity specified in the contract, subject to a right to a proportional reduction of his liability, if he is able to prove that other goods have been shipped in place of his own.

The shipper who, except in the case provided for under Article 3, resumes control of his goods, is liable to pay the whole freight and to indemnify the captain in respect of all the expenses and losses occasioned by such resumption.

The foregoing provisions are equally applicable to general ships.

ART. 5.

The differences of opinion existing in regard to the legal attributes of demurrage would appear to be of a theoretical description.

Claims in respect of demurrage enjoy the same protection as those in respect of freight.

They are payable without any special mode of procedure or technicality.