

# MARITIME LAW ASSOCIATION OF THE UNITED STATES.

OCTOBER 18, 1912.

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A meeting of the MARITIME LAW ASSOCIATION OF THE UNITED STATES was held pursuant to call on the 18th day of October, 1912, at the rooms of the New York County Lawyers' Association in the City of New York.

The President, Hon. George C. Holt, was in the chair, and the following members were present: Hon. H. C. Ward, Hon. C. M. Hough, Hon. Harrington Putnam, Everett P. Wheeler, Joseph C. Hughes, J. Parker Kirlin, C. C. Burlingham, Lawrence Kneeland, George B. Ogden, Charles E. Dean, Frederick M. Brown, Frederick H. Price, James E. Carpenter, Russell Loines, Frank Healy, George W. Betts, Jr., William Harison, A. Gordon Murray, Thomas D. Hewitt, John M. Woolsey, Howard S. Harrington, D. Roger Englar, Henry E. Mattison, T. Catesby Jones, P. M. Brown, Charles R. Hickox, Clarence B. Smith, William J. Conlen, Ernest W. Congden, James W. Hatch, Robinson Leech and Edward G. Benedict.

1. The first matter considered was the question of employing the efforts of this Association in aid of obtaining from Congress an appropriation to cover the expenses of the American representatives at the next Diplomatic Conference, which will be held in 1913 at a date not yet fixed. Mr. Kirlin offered the following Resolution, which was adopted:

*Resolved*, that in the opinion of this Association it is highly desirable that the United States should be officially represented at the meeting of the International Conference on Maritime Law which is to meet at Brussels in 1913; and that, for this purpose, an adequate appropriation should be made by Congress for the expenses of participation by the United States at said Conference.

*Resolved*, that the officers and Executive Committee of this Association be directed to take such steps as may be necessary to secure this appropriation at the next session of Congress.

2. The second matter considered was the proposed Bill of this Association relating to the maintenance of actions for death on the high seas and other navigable waters, and the Bill permitting suits against the United States for damages caused by vessels of the United States.

Mr. Kneeland, of the committee in charge of the Bills, told of the hearing on the Bills, on August 6, 1912, before the Judiciary Committee of the House. No action was taken by the Association in regard to either of these bills, which were left in charge of their respective committees.

3. The third matter taken up by the Association was the report of the Committee heretofore appointed to consider the Limitation of Liability Acts, the report of which Committee is found in the circular of this Association dated September 17, 1912. It was moved that the report of the Committee, to the effect that no change in the law of limited liability be recommended at the present time, be adopted by the Association, but after discussion, the motion was lost, and on further motion it was

*Resolved*, that a new Committee be appointed to consider and report what changes, if any, should be made in the limitation of liability statutes of the United States.

It was suggested and approved that the Committee be composed of nine members, including the President of the Association, with power to add to their number if desired, and that the President of the Association should appoint the members of the Committee. The President afterwards appointed the following Committee:

EVERETT P. WHEELER, *Chairman*, New York.  
 HON. GEORGE C. HOLT, New York.  
 JAMES E. CARPENTER, New York.  
 HERBERT GREEN, New York.  
 GEORGE W. BETTS, JR., New York.  
 HON. FREDERICK DODGE, Boston.  
 W. O. HART, New Orleans.  
 WILLIAM H. GORHAM, Seattle.  
 BENJAMIN THOMPSON, Portland, Me.

4. The fourth matter considered was the Bill introduced in the Senate by Senator Nelson of Minnesota, and referred to the Committee on Commerce, amending the Harter Act, copy of which bill has been printed in the Association's circular of September 17, 1912.

On motion it was

*Resolved*, that the subject matter of this Bill be referred to a Committee of seven, to be appointed by the President, such Committee to consider the Bill and to report at the next meeting of the Association whether this Association should take any action in regard thereto.

The President afterwards appointed the following Committee:

J. PARKER KIRLIN, New York, *Chairman*.  
 JOSEPH C. HUGHES, New York.  
 JAMES K. SYMMERS, New York.  
 D. ROGER ENGLAR, New York.  
 FREDERIC CUNNINGHAM, Boston.  
 FRANK HEALY, Providence, R. I.  
 ALFRED HUGER, Charleston, S. C.

5. The fifth matter which came before the Association was the circular letter and series of questions from the International Maritime Committee, which circular and questions have been printed in the pamphlet of this Association dated September 17th, 1912.

Mr. Kneeland stated that the series of questions were divided into three classes; the first relating to the safety of navigation; the second, to the Declaration of London, and the third, to insurance matters in time of war, and suggested that the matters covered by the questions relating to safety of navigation were not questions properly to be passed upon by the International Maritime Committee, but by experts in naval architecture. Mr. Burlingham stated that the subject matter of the questions was a subject properly to be dealt with by the International Maritime Committee, and moved that this Association answer the questions; that question 1 should be answered in the affirmative; and that the matter of question 1 and 2 should be referred to a Committee of three for answer, which Committee should be

given power to communicate directly with the International Maritime Committee.

After considerable discussion the motion was adopted. The President afterwards appointed the following Committee.

HON. CHARLES M. HOUGH, *Chairman.*

GEORGE B. OGDEN.

FREDERICK M. BROWN.

In regard to the questions relating to the Declaration of London, Mr. Burlingham explained the provisions of the Declaration of London, and stated that it had already been ratified by the United States Senate. Mr. Wheeler thereupon offered the following resolution as an answer to questions 1, 2 and 3 under the head of the Declaration of London in the Questionnaire of the International Maritime Committee:

*Resolved*, that the Maritime Law Association begs leave to inform the International Maritime Committee that the Declaration of London was ratified by the United States Senate April 24, 1912. This Association appreciates the force of certain objections raised to the Declaration, but it believes that these can be adequately met at the approaching Hague Conference.

*The resolution was adopted.*

In regard to the questions under the heading "State of War, Marine Insurance on Enemy Goods, Comparative Law in the Questionnaire," Judge Hough moved that a Committee of three be appointed to answer the questions, including the final question in the circular, and that the Committee be appointed by the President, which motion was adopted.

The President afterwards appointed the same Committee as last above indicated, viz.:

HON. CHARLES M. HOUGH, *Chairman.*

GEORGE B. OGDEN.

FREDERICK M. BROWN.

Mr. Wheeler introduced a resolution as follows:

*Resolved*, that this Association respectfully recommends to the International Maritime Committee the consideration of the subject of international regulation of foreign bills of lading.

This resolution was adopted.

Mr. Burlingham called attention to the recent death of the President of the International Maritime Committee, His Excellency August Beernaert, and offered the following resolution, which was adopted:

At a meeting of the Maritime Law Association of the United States, held in the City of New York, on the 18th day of October, 1912, it was

*Resolved*, that the Maritime Law Association of the United States has learned with deep regret of the death of His Excellency August Beernaert, Minister of State, President of the International Maritime Committee, and President of the International Conference on Maritime Law.

*Resolved*, that this Association wishes to record its high appreciation of the invaluable services rendered by M. Beernaert to the cause of the unification of Maritime Law, and of International Arbitration, and to that end places upon its records this resolution.

*Also resolved*, that a copy of this resolution be sent to the International Maritime Committee and to Madame Beernaert.

Judge Ward moved that the regular meetings of this Association should be held at 8 o'clock in the evening at the rooms of the Association of the Bar, No. 42 West 44th Street, in the City of New York, which motion was adopted.

Mr. Kneeland moved that the thanks of the Association be extended to the County Lawyers' Association for the use of their rooms for the meetings of this Association, which motion was adopted.

The meeting then adjourned.

EDWARD GRENVILLE BENEDICT,  
*Secretary.*