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NOVEMBER 13, 1900.

An adjourned meeting of the Maritime Law Association of the United States was held at the Association of the Bar of the City of New York, No. 42 West 44th Street, at 2.30 P.M.

There were present: Mr. R. D. Benedict, Hon. Addison Brown and Messrs. Robert M. Hughes, Harrington Putnam, Edward S. Dodge, J. P. Kirlin, G. B. Adams, Charles C. Burlingham, E. P. Wheeler, E. N. Taft, Frederic Dodge, J. E. Carpenter, Lawrence Kneeland, George Whitelock, Wilhelmus Mynderse and H. G. Ward.

The minutes of the last meeting were read and approved.

Mr. Robert D. Benedict, one of the delegates to the International Maritime Conference at Paris, read a report, which was on motion accepted and ordered to be printed, and is herewith submitted.

Mr. Hughes submitted the report of the Committee appointed to draft a bill to be enacted by Congress providing a uniform supply and material lien law, which, after considerable discussion, was recommitted to the same Committee for further consideration, the Committee being also directed to consider the case of chartered vessels. Members are requested to communicate their views on the whole subject to the Committee.

Mr. Mynderse submitted the report of the Committee appointed to draft a bill to be enacted by Congress conferring a right of action for loss of life caused by negligence at sea. After considerable discussion the report was received and adopted, and the Committee was directed to confer with the proper Committees of Congress with reference to the subject.

Mr. Frederic Dodge submitted the report of the Committee appointed to consider the subject of preliminary acts in collision suits, which report was accepted and adopted.

The opinion of the Committee was that owing to the difference between the English practice and our own such acts were unadvisable.

The Secretary submitted a letter dated Antwerp, Oct. 23, 1900, from M. Louis Franck, requesting that the Association forward to him a check for 500 francs, the assessment laid

upon it as its share of the expenses of the International Maritime Committee. The Secretary was directed to forward this amount, and some of the members present contributed the sum of \$70 on account, other members promising subsequently to make further contributions.

Mr. Wheeler gave notice that at the Annual Meeting of the Association, to be held on the first Friday of May, 1901, he would move to amend the by-laws by adding a by-law providing for annual dues of \$5.00 a year.

It was, on motion, resolved that the thanks of the Association be extended to the Association of the Bar of the City of New York for the use of the room in which the meeting was held.

The Executive Committee was instructed to consider the question of a banquet in connection with the next Annual meeting.

The Association then adjourned.

HENRY GALBRAITH WARD,
Secretary.

The International Maritime Conference met in Paris on the first of October, 1900.

There were present at the Conference about seventy-five delegates. Among them were Lord Alverstone, who has recently been appointed Lord Chief Justice of England in place of Lord Russell; Sir John Glover, formerly President of the Chamber of Shipping; Mr. Marsden, the author of *Marsden on Collisions*; Dr. Sieveking, President of the Upper Court at Hamburg; M. Lejeune, Vice-President of the Maritime Association of Belgium; Mr. Hindenburg, President of the Danish Maritime Law Association; Mr. Rahusen, President of the Maritime Association of Holland; Prof. Ascoli, Professor of Maritime Law at Venice; Prof. Leon Caen, Professor of the University of Paris; Prof. Matzunami, of Tokio, and others.

Of the delegates who were appointed by the Maritime Law Association of the United States I was the only one who was able to attend.

The meetings of the Conference lasted three days. They were held at the Palace of Congresses, in the Exposition. The French Minister of Commerce, M. Millerand, called the first meeting to order, and made an address expressing his sense of the importance and the interest of the Conference and the subjects which were to be considered.

The members of the Conference were invited by President Loubet to meet him on the morning of October 3d, at the Palace of the Elysee, and in the brief address which the President made to them he expressed his sympathy with the purposes of the Conference, and his readiness to facilitate in the passage by the French Legislature of any law relating to maritime affairs which should be recommended by the Conference.

The subjects which were brought up for consideration and discussion before the Conference covered two matters, viz., the limitation of the liability of shipowners, and salvage.

As to the first, the Conference expressed the view that such

limitations should cover damages done by vessels to dikes, quays, and similar fixed objects, but should not extend to the wages of the master and crew of the vessel.

As to the matter of salvage, the determinations of the Conference were as follows, as well as I could understand. But the full report, when received, may show some differences.

(1) That it was advisable that salvage should be regulated by legislation in the different countries.

(2) That it was not advisable to make a distinction, as is done in the law of some countries, between salvage and assistance in the nature of salvage.

(3) That salvage remuneration should not be given where none of the property was saved.

(4) That assistance rendered by a tug which was towing a vessel, or by the pilot or crew, should not be considered salvage, unless the service was outside of the contract service.

(5) That salvage should be awarded in cases where the saving vessel and the saved vessel belonged to the same owners.

(6) That salvage should not be awarded in general to persons who have rendered service to a vessel, although forbidden by the master to do so.

(7) That the amount of salvage should be fixed on consideration of substantially the elements which are now considered in the law of this country.

(8) That the compensation for salvage should be paid by the property saved, and that persons whose lives were saved should not be called on to contribute.

(9) That the compensation for salvage should be divided among the salvors in proportion to circumstances.

(10) That the amount of salvage fixed by contract made at the time of peril might be reduced by the court.

(11) That it should be made obligatory upon ships which have been in collision to assist each other.

(12) That it was not advisable to establish that obligation in other than collision cases.

(13) That the penalty upon the master of a ship for not standing by in collision cases should be fine or loss of license, but that the fact of not standing by ought not to furnish a presumption of fault as against the owners of the ship.

A committee consisting of Dr. Sieveking, Lord Alverstone, Prof. Leon Caen, M. Autran, M. Lejeune and Mr. Franck was appointed to prepare a proposition for a law embodying the action of the Conference and to present it to the next Conference for its consideration.

A question as to the proper court to have jurisdiction in collision cases was not considered for lack of time, but was put over until the next meeting of the Conference.

An interesting paper was read before the Conference by Mr. Matsunami, one of the Japanese delegates, in reference to collisions between men-of-war and merchant ships. On this subject Mr. Matsunami had prepared and published a treatise in English, copies of which he presented to each of the several Maritime Law Associations. As to this matter, however, no action was taken by the Conference.

After the sessions of the Conference were closed, a dinner to the members was given by the Maritime Law Association of France, which was held in the Blue Pavilion in the Exposition Grounds, and at which each member was presented with a bronze medal commemorative of the Conference, which medal had been spoken of as the most beautiful of all the medals which have been struck in connection with the present Exposition.

It is understood that the next Conference is to be held at Hamburg next year. The date has not been fixed.

NOV. 1, 1900.

R. D. BENEDICT.