

**THE LAW RELATING  
TO  
CHARTER-PARTIES**

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The Law Relating to Charter-Parties by J. E. R. Stephens

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**J. E. R. STEPHENS**

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# INTRODUCTION

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ALTHOUGH there is no diminution in the number of legal practitioners, there is an increasing desire on the part of business men to know something of "how they stand" in certain circumstances without having recourse to their solicitors. They do not, however, wish to go to the expense of costly Law books, and it is even possible some of them recognise that were they to do so, the last state would be worse than the first. What they desire is *the Law laid down plainly and concisely*, in volumes which are neither bulky nor expensive. This is particularly the position in Shipping affairs, where all concerned in the industry—be they Owners, Brokers, Merchants or Officers—are almost daily confronted with some legal problem or another, small perhaps in itself, but yet of importance to them.

To meet this demand the Syren & Shipping, Limited, arranged in 1907 for the issue of a series of HANDBOOKS ON SHIPPING LAW. Whilst brevity and moderate cost were two essentials aimed at, the absolute necessity of accuracy was also kept in mind, so that the inquirer who consulted the work would have no cause to fear that the information provided would lead him in the path he should not take. That these aims have been fulfilled, the success attendant on the first volumes of the series, *The Law relating to Demurrage*, and *The Law relating to Freight*, affords an ample proof.

Every care has been exercised in the preparation

of the present volume, which deals with the Law relating to Charter-Parties. Consequently, the publishers confidently look forward to its meeting with a reception no less gratifying than that which marked the issue of its predecessors.

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*April 1908.*

## P R E F A C E

**D**IFFERENT authors adopt different methods in writing a legal text-book. Some merely state general principles, and refer in the footnote to the authorities, without giving any details of the cases decided. Others state a proposition and then give the facts of the more important cases on the point, and now and then quotations from the judgments. The former method involves less work for the author, and it has its advantages in that the subject can be condensed within a much smaller space. But to the business man it is almost useless, as he has no means of referring to the cases to see whether the facts were at all similar to his own. To properly understand a decision, it is necessary to have before one the leading facts of the case upon which the judge gave his decision. I have therefore adopted the latter method. Of course it has been impossible for me in every case to give the facts, as space would not permit of that being done; but where I have considered there was any doubt or difficulty, I have endeavoured to do so. In other cases the law is so well settled and clear, that it seemed unnecessary to do more than state the principle.

In the present work, as well as that on Bills of Lading, I have inserted in the Table of Cases the year in which each case was decided. This has considerably added to the labour of preparing this

work for the press, but in this task I have been ably assisted by Mr F. O. Low, of the Middle Temple.

I shall always be grateful to receive any notices of errors or omissions, or suggestions for improvements for a subsequent edition.

J. E. R. STEPHENS.

2 ESSEX COURT,  
TEMPLE, E.C.,  
*April 1908.*



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