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THE LAWS OF BARBADOS

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CHAPTER 305

BILLS OF LADING

An Act to consolidate and amend the Law relating to bills of lading. 1892-1.

[15th January, 1892] Commence-
ment.

1. This Act may be cited as the Bills of Lading Act. Short title.

2. Every consignee of goods named in a bill of lading, and every endorsee of a bill of lading, to whom the property in the goods therein mentioned passes upon or by reason of such consignment or endorsement, shall have transferred to and vested in him all rights of suit and be subject to the same liabilities in respect of such goods as if the contract contained in the bill of lading had been made with himself. Rights and liabilities of consignee and endorsee.

3. Nothing herein contained shall prejudice or affect any right of stoppage *in transitu* or any right to claim freight against the original shipper or owner or any liability of the consignee or endorsee by reason or in consequence of his being such consignee or endorsee or of his receipt of the goods by reason or in consequence of such consignment or endorsement. Act not to affect right to stop *in transitu*.

4. Every bill of lading in the hands of a consignee or endorsee for valuable consideration representing goods to have been shipped on board a vessel shall be conclusive evidence of such shipment as against the master or other person signing the same, notwithstanding that such goods or some part thereof may not have been so shipped, unless such holder of the bill of lading has actual notice at the time of receiving the same that the goods had not in fact been laden on board: Bill of lading conclusive evidence of shipment.

Provided that the master or other person so signing may exonerate himself in respect of such misrepresentation by showing that it was caused without any default on his part and wholly by the fraud of the shipper or of the holder or some person under whom the holder claims.

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Who to represent owner or charterer of ship in proceedings on bill of lading.

5. In any proceedings taken in this Island against the owner or charterer of any ship or other person in respect of any bill of lading or other contract of affreightment relating to goods and merchandise brought to this Island by any such ship, the recognised or ostensible agent in this Island of such owner, charterer or other person or, if there be no such agent, the master of such ship, shall be deemed and taken to be the legally qualified agent of such owner, charterer or other person on whom all process issued in proceedings taken against such owner, charterer or other person shall be served, and such agent or master shall in all respects represent such owner, charterer, or other person in any such proceedings, and all such proceedings shall be binding on the owners and charterers or other such person.

Moneys in hands of representative may be attached.

6. Moneys in the hands of or coming to such agent or master belonging or payable to such owner, charterer or other person specified in section 5 shall, for the purposes of this Act, be deemed to be a debt which may be attached in accordance with the Rules of the Supreme Court, and the agent or master shall for the purposes of those Rules be deemed to be garnishees within the meaning of those Rules.