

No. 3.

The Right Hon. the EARL of KIMBERLEY to Governor Sir G. F. BOWEN, G.C.M.G.
(No. 65.)

SIR,—

Downing Street, 26th October, 1872.

I referred to Her Majesty's Emigration Commissioners your Despatch No. 55, of the 26th June, enclosing a ministerial memorandum and a report of a Commission appointed to inquire into certain matters connected with the voyage of the emigrant ship "England," from this country to New Zealand, between December and March last.

I have the honor to transmit to you, for your information and for that of your Ministers, a copy of the report with which I have been furnished by the Emigration Commissioners in reply.

I have, &c.,

Governor Sir George Bowen, G.C.M.G.

KIMBERLEY.

Enclosure 1 in No. 3.

Mr. HUMPHREYS to Captain FORSTER.

MY DEAR SIR,—

19, Trinity Square, October, 1872.

With reference to the mental capacity of the medical officer of the ship "England," I must say that I did not observe any signs of deficiency, and I remember that he showed me two prize medals which he had obtained while in the medical classes; and without attaching too much value to such marks of distinction, they are at least proof of industry and of the power of acquiring information.

It appears that he was subject to epileptic attacks, but these, unless extremely frequent and severe, would not leave any external signs that could be discerned in an hour's interview.

I must say, in short, that he did not give me any reason to think him incompetent for the duties about to devolve upon him.

I have, &c.,

Captain Forster, R.N.

T. B. HUMPHRIES, F.R.C.S.

Enclosure 2 in No. 3.

Mr. WALCOTT to Mr. HERBERT.

SIR,—

Emigration Board, 12th October, 1872.

I have to acknowledge your letter of 3rd ultimo, with a despatch from the Governor of New Zealand, transmitting a report of a Commission of Inquiry held on the emigrant ship "England."

The "England" (860 tons) left Gravesend on 8th December last, for Wellington, with 102 emigrants, equal to 81 statute adults, and arrived at her destination on 9th March, after a passage of 92 days. The mortality on board was very large—16 deaths, or at the rate of 15·68 per cent. The Colonial Government very properly appointed a Commission to inquire into the case. The Commissioners, who appear to have taken much pains in the investigation, have divided their report into four heads. It is only with the first head (compliance with the Passengers' Act), to which the attention of the Secretary of State has been specially requested by the Colonial Government, that I propose to deal. The rest of the report relates chiefly to what took place on the voyage, and the matters affecting the charterers and the New Zealand Government Agency in this country, by whom the emigrants were selected and the arrangements for shipping them were made.

The Commissioners find no fault with the ship, either as regards her seaworthiness or suitability for the service; but they object: (1.) That no adequate provision was made for the immigrants, who arrived before the ship was ready to receive them. (2.) That the skylight over the main hatchway was too slight and insufficient to afford light and ventilation in bad weather. (3.) That the sleeping bunks were boarded up so as to obstruct ventilation. (4.) That no evidence could be obtained that the provisions, water, and medical stores were properly surveyed before they were shipped. (5.) That the medical inspection of emigrants was loosely conducted. (6.) That the stowage of the cargo was defective. And (7.) That the master did not obtain the Emigration Officer's certificate, required by the eleventh section of the Passengers' Act. The general conclusion of the Commissioners on this part of the case is condemnatory of the way in which the requirements of the Act are attended to by the Emigration Officers.

We at once called on the Emigration Officer and Medical Inspector under whose supervision the "England" was despatched, for any explanations they might be able to afford on the above points, and I would beg to refer to their replies, which I now enclose. The reply of Dr. Humphreys, who happened to be abroad, has only recently reached me, which will account for the delay in sending in this report.

In addition to the explanations of those officers, I may be permitted to make two or three general remarks on this portion of the case.

In the first place, it must be borne in mind that Emigration Officers have no absolute authority over passenger ships. Their power is defined and limited by the Passengers' Act. It rests with the shipowner to fit his ships as he thinks best, and so long as he conforms to the requirements of the law, the Emigration Officer, although he may prefer other arrangements, must accept those submitted for his inspection, unless a discretion in any particular instance is conferred on him by the Act. For example: in the matter of hospitals, the Act requires that they shall be placed either under the poop, or in a deck-house, or on the "upper passenger deck." The choice of situation, however, rests with the owner and not with the Emigration Officer. The latter can object only when the space is insufficient or not properly divided off. In the present case, Captain Forster states that the space and ventilation were, in his opinion, fully sufficient to meet ordinary requirements.