

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	269	Press ~~Mis.~~
Dated	17-3-	1866

Not to be folded or roughly handled

22

Proceedings of the Madras Government, Public Department,
17th March 1866.

No. 63. Read the following letter from the Protector of Emigrants, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 23rd November 1865, No. 202.

I have the honor to acknowledge Proceedings of Government, of the 18th instant, No. 1192, calling for remarks on a Despatch from the Secretary of State for India, on the subject of a supposed infraction of the Emigration Act by embarking 341 emigrants for the Mauritius on the *Porchester*, when the vessel was only legally competent to carry $337\frac{1}{2}$.

2. The actual numbers put on board the *Porchester* are shewn in the margin as equal to 334 statute adults, the vessel having been licensed for 337. But although infants under one year of age are not taken into account by the Act, it is usual in the Mauritius Agency to allow

Men.....	219		219
Women.....	84		84
Boys.....	31	} =	81
Girls.....	31		
Infants.....	7		334

them space equal to one-third of an adult. The number the ship was reported to have received was therefore 336 $\frac{1}{2}$, being two infants less than her complement.

3. An error, however, had crept into practice regarding the age at which a boy was to be considered an adult, and, at the time the *Porchester* left, it had not been corrected. Section 47 of the Act XIII of 1864 says that two children from 1 to 10 years of age shall be reckoned as one adult, and it had been the practice to set down a child of 10 as entitled to half the space of an adult. This has since been corrected, but it has everly been the cause of the reference under notice, although legally the excess is not as much as stated. The number embarked, excluding infants, of which the Act takes no notice, was 334. Of these, nine were children of 10 years, who were reckoned as halves, instead of full statutes. The number of passages to be added is therefore $4\frac{1}{2}$, increasing the total to 338 $\frac{1}{2}$, being $1\frac{1}{2}$ adult statute passage in excess of that which the vessel was licensed to carry.

4. To this number, however, the Protector at the Mauritius adds $2\frac{1}{2}$ full passages for seven infants ; but as the Act takes no cognizance of these, the allotment is not legally increased.

No. 64. ORDER THEREON, 17th March 1866, No. 269.
To be recorded.
(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

A 202

Protectors Office
Madras 23rd November 1865

From

John J. Franklin Esquire
Protector of Emigrants

To

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Public Department
Fort Saint George

Sir,

I have the honor to acknowledge Proceedings of Government of the 18th instant, A 192, calling for remarks on a despatch from the Secretary of State for India on the subject of a supposed infraction of the emigration Act by embarking 341 emigrants for the Mauritius on the "Porchester," when the vessel was only legally competent to carry 337½.

2 The actual numbers put on board the "Porchester" are shewn in the margin as equal to 334, statute adults, the vessel having been licensed for 337. But although infants under one year of age are not taken into account by the Act, it is usual in the Mauritius Agency to allow them space equal to one third of an adult. The number the ship was reported to have received was therefore 336½, being 2 infants less than her complement.

Men	219	219
Women	84	84
Boys	31	
Girls	31	31
Infants	7	334

3 An error, however, had crept into practice regarding the age at which a boy was to be considered

an adult, and at the time the "Porchester" left it had not been corrected. Section 47 of the Act XIII of 1864 says that 2 children from 1 to 10 years of age shall be reckoned as one adult, and it had been the practice to set down a child of 10 as entitled to half the space of an adult. This has since been corrected, but it has evidently been the cause of the reference under notice, although legally the excess is not as much as stated. The number embarked, excluding infants of which the Act takes no notice, was 334. Of these 9 were children of 10 years, who were reckoned as halves, instead of full statutes. The number of passages to be added is therefore $4\frac{1}{2}$ increasing the total to $338\frac{1}{2}$ being $1\frac{1}{2}$ adult statute passage in excess of which the vessel was licensed to carry.

4 To this number however the Protector at the Mauritius adds $2\frac{1}{2}$ full passages for 7 infants, but as the Act takes no cognizance of these, the allotment is not legally increased.

I have the honor to be

Sir,

Your most obedient servant

Wm. H. M. M.

Protector of Emigrants

No 18 Nov 1865 Nov 26-27

ditto 27 March.

Public 1865 Department

From
The Protector of Emigrants

To Mr. Secretary the New Zealand
Government
Public Department
Fort St George

Dated 23rd November 1865

No 202

No 1513

Offers remarks with
reference to the despatch from
the Secretary of State on the
subject of the highest importance
of the emigration Act by
undertaking 341 emigrants for
the Colonies on the 1st of October
when the vessel was only legally
competent to carry 337.

21st March 1866 No 202

Wm. W. W. W.

183. 64.