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MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.

1584

Press
~~Mis.~~

Dated

19-11-

19

1869

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Department,
19th November 1869.

Read the following papers :—

No. 119. From A. MACGREGOR, Esq., Acting Protector of Emigrants, to the Chief Secretary to Government, Fort Saint George, dated Madras, 7th August 1869, No. 75.

With reference to the Government Order, dated 16th July 1869, No. 982, I have the honour to forward a set of Rules for the guidance of Medical Superintendents not Commissioned Officers.

2. The Rules have been drawn up in consultation with the Master Attendant, and have been simplified and abbreviated as much as possible.

Instructions for (the guidance of) Medical Superintendent appointed by the Government to Ships engaged to carry Coolies to the French Colonies.

The first duty of the Medical Superintendent is to acquire a clear conception of the intentions of the Government as regards the emigrants, and to distinguish between the powers of the Captain of the ship, and his own, as set forth in the following rules :—

1. According to the Rules of the Maritime Service the Captain commands, all authority being vested in him for the working the ship, the general control, the management of the stores and provisions, and the actual responsibility of the voyage.

2. The medical man, if not a Commissioned Officer, is to have no defined rank on board, but is to have the entire control and care of the emigrants as far as their health is concerned, being bound to see them well fed, kindly treated, and their quarters kept clean and clear.

3. He is to obey all lawful commands of the Captain, if they in no way interfere with the health or comfort of the emigrants.

4. Prior to the sailing of the ship, he should join the Committee for the special survey. He should satisfy himself that the supplies of all kinds, and drinking water are put on board in the proportions specified in the orders and regulations on the subject. He should assist, with the Captain, at the inspection of the emigrants who are to be embarked, and give his opinion as to the strength of each to bear the fatigues of the voyage.

5. He should confer with the Captain in the preparation of a regulation or official order to provide for the maintenance of a sound state of things during the passage as regards the internal discipline of the batch of coolies. Four copies of this regulation signed by the Captain and the Medical Superintendent, and approved by Governor or French authority at the port of embarkation, should be drawn out, one for the Administration at the port of embarkation, another for the Captain, a third one for the Medical Superintendent, and the fourth to be despatched after the departure of the vessel under cover to the address of the Minister of Marine. This regulation must be observed during the voyage, and it is the duty of the Medical Superintendent to see to its observance, by being careful as to all its details being carried out in due course.

6. The Medical Superintendent has the right of direct communication with the Captain, verbal at first, and then in writing, with notice that he records in his diary the occurrences, the cognizance of which must be yielded to the Captain of right.

7. No modification can be made in the regulations adopted for the voyage without the opinion, in writing, of the Medical Superintendent.

8. Whenever favourable opportunities occur in the course of the voyage, the Medical Agent (or Superintendent) should transmit a brief report of occurrences to the Minister, and to the authorities at the port of embarkation.

9. On arrival in port, he should furnish a concise account of the voyage to the Governor, and if there is occasion, immediately lodge all complaints he may believe he ought to make with the authorities.

10. In the case of an unusual prolongation of the voyage, if the diminution of the daily rations becomes a question, the Medical Superintendent is to join in any consultations the Captain may hold before coming to a determination. He will have the right to make such observations or representations in the interest of the emigrants, as he may deem proper; but the Captain is not bound to yield to them.

11. As the Medical Officer, the Medical Superintendent must attend to everything connected with the general hygiene, the preservation of the health of the passengers, the care of the sick, their nursing, the keeping and control of the hospital; he will obtain from the Captain everything considered necessary in respect of these. To aid him he will have an Indian interpreter who will assist him in all the details of the service, and have control over the sick attendants chosen from among the passengers.

12. In case of a protracted voyage, if it appears necessary to the Medical Superintendent, with reference to the state of health on board, or to the deterioration or insufficiency of provisions, to put in at any port, he will make a proposal to that effect in writing, and the Captain will give his answer in the same form, whether it be in the affirmative or negative.

13. The Medical Superintendent has to keep a diary in which he records occurrences and incidents relating to his mission. This diary will furnish the materials for the reports to be made to the different authorities. The report to the Minister should be accompanied by extracts or letters in support, having reference to any difficulties that may have happened during the voyage.

14. In conclusion the Medical Superintendent will be careful to maintain a position of respectful subordination to the Captain, insisting with firmness where the health of the emigrants is undoubtedly concerned, but restricting his interference rigidly to such cases.

(Signed) A. MACGREGOR,
Acting Protector of Emigrants.

No. 120. From A. MACGREGOR, Esq., Acting Protector of Emigrants, to the Acting Under Secretary to Government, Fort Saint George, dated Madras, 14th September 1869, No. 99-NI.

With reference to your Memorandum of the 17th August, I have the honour to transmit a copy of amended Rules for the guidance of British Commissioned Surgeons drawn up in concurrence with the Master Attendant. It will be observed that the alterations are not very important.

2. Rules 10, 11, 12, and 13 have been expunged, as the duties therein assigned appeared to be inconsistent with the position held by a British Commissioned Officer with regard to a foreign authority, and the term *delegate* has been exchanged for that of *surgeon*.

3. As regards French Commissioned Officers, the rules as they stand appear to be unobjectionable.

4. My reply to your Memorandum has been delayed owing to the fact that both the Officers who submitted the report referred to in G. O., 16th July 1869, No. 982, are absent from Madras.

Instructions for the guidance of British Commissioned Surgeons appointed by the Government to Ships engaged to carry Coolies to the French Colonies.

The first duty of the Surgeon is to acquire a clear conception of the intentions of the Government as regards the emigrants, and to distinguish between the powers of the Captain of the ship, and his own, as set forth in the following rules :—

1. According to the general rules of the Marine Service the Captain commands, the superior authority being vested in him for the working of the ship, the general control, the management of the materials and provisions, and the actual responsibility of the voyage.

2. The Surgeon represents the Government, and, as such representative is a part of the hierarchy on board, immediately next to the Captain. By virtue of his position, he always occupies the second berth in the ship.

3. He receives no orders from the Captain, save in the exceptional cases comprised (under the designation of) general control, or which arise from imminent dangers.

4. Prior to the sailing of the ship, he should join the Committee for the special survey. He should satisfy himself that the supplies of all kinds, and drinking water are put on board in the proportions specified in the orders and regulations on the subject. He should assist, with the Captain, at the inspection of the emigrants who are to be embarked, and give his opinion as to the strength of each to bear the fatigues of the voyage.

5. He should confer with the Captain in the preparation of a regulation or official order to provide for the maintenance of a sound state of things during the passage as regards the internal discipline of the batch of coolies. Four copies of this regulation signed by the Captain and the Surgeon, and approved by Governor or French authority at the port of embarkation, should be drawn out, one for the Administration at the port of embarkation, another for the Captain, a third one for the Surgeon, and the fourth to be despatched after the departure of the vessel under cover to the address of the Minister of Marine. This regulation must be observed during the voyage, and it is the duty of the Surgeon to see to its observance, by being careful as to all its details being carried out in due course.

6. In his capacity of Medical Officer, he has authority over the emigrants on board, but without detriment to the prerogatives of the Captain. Just as on board a ship-of-war, the Officer Commanding a detachment of troops, who are passengers on board, carries with him all his authority as regards the internal discipline of the soldiers, who are at the same time subject to the rules of the ship as regards their general conduct, so the Government, which charter the transport, protects the emigrants, and in consequence has control over them in the person of its Surgeon.

7. The Surgeon has the right of direct communication with the Captain, verbal at first, and then in writing, with notice that he records in his diary the occurrences, the cognizance of which must be yielded to the Captain of right.

8. No modifications can be made in the regulation adopted for the voyage without the opinion, in writing, of the Surgeon, who should have a voice in the consultations of the Captain and Officers in the event of imminent danger and on important occasions.

9. The Surgeon, who will, equally with others on board, become aware of what may happen, may submit to the Captain any suggestions although they involve a departure from the rules adopted. He will record these suggestions in his journal, but he cannot compel the Captain to yield to him.

10. On going on board, the Surgeon is furnished with a copy of the decree of the 27th March 1852, and of the subsequent ministerial regulations on emigration. He should clearly understand the spirit of them, both as regards the Committee of Emigration at the port of embarkation and as regards the Captain. He should give his opinion as to the manner in which the regulations ought to be applied.

11. On board he should see that the regulations in regard to the space allotted to each emigrant are maintained, as also in regard to daily cleansing, the ventilation, and the white-washing with lime. A special place should be secured for the women and children.

12. He should look after the personal cleanliness of the passengers, and insist on no neglect in this respect being tolerated.

13. After having arranged with the Captain as to the quantity of food to be daily issued, he should satisfy himself that the supplies are correctly delivered to the cook at proper hours, in order that the distribution may be effected at the times prescribed in the official order. It has been suggested that 750 grammes of rice, with an addition of meat, fish, or vegetable, will be sufficient for the sustenance of coolies, instead of 1000 grammes. No reduction should be made in the regulated quantities, except with extreme caution, and with the concurrence of the Captain and the Surgeon. Experience seems to demonstrate the utility of issues of brandy or rum, as also of the supply of fresh meat at departure and on putting in at ports.

14. In the case of an unusual prolongation of the voyage, if the diminution of the daily rations becomes a question, the Surgeon is to join in any consultations the Captain may hold before coming to a determination. He will have the right to make such observations or representations in the interest of the emigrants, as he may deem proper; but the Captain is not bound to yield to them.

15. As the Medical Officer, the Surgeon has under his jurisdiction everything connected with the general hygiene, the preservation of the health of the passengers, the care of the sick, their messing, and the keeping and control of the hospital, he will obtain from the Captain everything considered necessary in respect of these. To aid him he will have an Indian interpreter who will assist him in all the details of the service, and have control over the sick attendants chosen from among the passengers.

16. In case of a protracted voyage, if it appears necessary to the Surgeon, with reference to the state of health on board, or to the deterioration or insufficiency of provisions, to put in at any port, he will make a proposal to that effect in writing, and the Captain will give his answer in the same form, whether it be in the affirmative or negative.

17. The Surgeon has to keep a diary in which he records occurrences and incidents relating to his mission. This diary will furnish the materials for the reports to be made to the authorities.

18. In conclusion, the Surgeon will maintain in his relations with the Captain a spirit of harmony and good understanding on all matters, so that the arrangements concerted between them may have a happy influence on the success of the undertaking.

(Signed) A. MACGREGOR,
Acting Protector of Emigrants.

No. 121. ORDER THEREON, 19th November 1869, No. 1584.

With the letters above recorded the Protector of Emigrants, in concurrence with the Master Attendant, has submitted two sets of Rules as directed in G. O., No. 982, dated 16th July 1869, to provide for the cases where the Surgeons on board English vessels, hired by the French Administrations for the transport of emigrants, are and are not Commissioned Officers.

2. The Protector of Emigrants expresses his opinion that the rules, as enforced on board French vessels, may be introduced in English vessels where the Medical Officer is a French Commissioned Surgeon. The Government concur in this opinion.

3. The modified rules submitted with the Protector's letter No. 99-NI, dated 14th September 1869, are intended to be enforced where the Surgeon in charge is an English Commissioned Officer. The Protector of Emigrants has changed the term "delegate" used in the rules to "surgeon," and has struck out Rules 10, 11, 12, and 13, as assigning duties inconsistent with the position held by a British Commissioned Officer with respect to a foreign authority.

4. The rules in question require the Surgeon to furnish reports to the French Minister of Marine, and other authorities, both during the voyage and on the arrival of the ship in port; and to protest, in the character of an Agent of the French Government, if the ship should be met by a foreign vessel and searched on the high seas.

5. The same reasons, which induced the Protector to expunge these rules, have force with reference to the last clause of Rule 21, which, however, the Protector has retained.

6. The Government approve of the modifications which the Protector of Emigrants has made, not because they consider it inconsistent with the position of a British Officer temporarily employed by a Foreign Government to make reports to that Government regarding the duty upon which he is engaged, but because the rules as modified may be applied, and with propriety enforced, by the British Government, both where the Commissioned Officer is deputed by his own Government and where he is employed by the French Administration under a private agreement. In the latter case it will still be open to the French Administration to stipulate for any reports they may think necessary. In this view the last clause of Rule 21 (Rule 17 of the Protector's) will also be omitted.

7. The second set of rules is to be adopted where the Medical Superintendent are not Commissioned Officers. These, Mr. Macgregor states, have been simplified and abbreviated as much as possible.

8. The Government believe that the rules as modified are as near an approximation to the French rules, as it would be practicable to enforce in English ships when the Surgeon is not a Commissioned Officer.

9. Copies of these Proceedings, and of those dated 16th July 1869, Nos. 107 and 108, will be forwarded to His Excellency the Governor of the French Settlements in India, and to the Supreme Government. The former will be requested to issue such orders as may be necessary to secure that French Emigration Agents chartering English vessels for the conveyance of emigrants, shall cause to be inserted in the charter parties, clauses rendering obligatory the adoption of the set of rules suited to the case, and the Protector of Emigrants and Consular Agents will be instructed not to permit embarkation unless the charter parties are so framed.

(True Extract.)

R. S. ELLIS,
Chief Secretary.

To the Protector of Emigrants.

„ Master Attendant, Madras.

Exd. J. Wright.

87

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter *from the*

Ag. Protector of Emigrants.

Here enter 7 August — and
14 Sept. 69. No. 75 and $\frac{N.L.}{99}$ /

Order thereon No 1584 - 19 Nov/69

With the letters above
transmitted the Protestos of
Immigrants in concurring
with the Master Attendant

has submitted two sets
of Rules as directed in F.O.
N^o 902, dated 16 July 1864,
to provide for the cases when
the surgeons on board
English vessels hired by
the French Administra-
tion for the transport
of emigrants are and

~~all~~
~~conclude~~
only the amended
def'd rules left
by the machine
T. R. 2094
H. R.

I have two distinct sets of rules
 for Crim. Justice officers - not
 compared -
 Draft - when might
 have - (cancel)
 W.O.

Handwritten: ~~There seems to be~~
~~was for consideration~~
~~only the amended~~
~~draft of rules~~
~~by the committee~~
~~in the March~~
~~1994~~

Govt. of India Madras

PUBLIC.

THE PROTECTOR OF EMIGRANTS

etc., etc., etc.

Dated November, 1911.

Recd.

Emel

G. O., 19th November 1869, No. 1584

NOVEMBER.
Nos. 119-121.

Passing orders on the use of rules submitted by the Protector of Customs, and providing for the cases where Seagoing ships on board English vessels, hired by the French Administration for the transport of immigrants, are and are not Commissioned Officers

are not Commissioned Officers.

2. The Protector of Emigrants expresses his opinion that the rules, as enforced on French Vessels, may be introduced in English vessels where the medical officer is a French Commissioned Surgeon. The Government concur in this opinion.

3. The modified rules submitted with the Protector's letter N^o $\frac{21}{99}$ dated 14th September 1869, are intended to be enforced where the surgeon in charge is an English Commissioned Officer. The Protector of Emigrants has changed the term "delegate" used in the rules, to "surgeon", and has struck out rules

10, 11, 12 and 13. as assigning duties inconsistent with the position held by a British Commissioned Officer with respect to a foreign authority.

4. The rules in question require the surgeon to furnish reports to the French Minister of Marine, and other authorities, both during the voyage and on the arrival of the ship in port, and to protect in the character of an agent of the French Government, if the ship should be met by a foreign vessel and searched.

5. The same reasons which induced the Protector to expunge ^{these} rules, have force with reference to Rule 21, which, however, the

the Protector has retained.

6. The Government approve of the modifications which the Protector of Emigrants has made, not because they consider it inconsistent with the position of a British Officer temporarily employed by a Foreign Government to make reports to that Government regarding the duty upon which he is engaged, but because the rules as modified may be applied, and with propriety enforced, by the British Government, both where the Commissioned Officer is deputed by his own Government and where he is employed by the French

French administration under a private agreement. In the latter case it will still be open to the French administration to stipulate for any reports they may think necessary. In this view the last clause of rule 21 (rule 17 of the Protector's) will also be omitted.

7. The second set of rules ~~is~~ to be adopted where the medical Superintendent are not commissioned Officers. These, Mr. Mc Gregor states, have been simplified and abbreviated as much as possible.

8. The Government believe that the rules as modified are as near an approximation to the French rules, as it would be practicable to enforce in English ships

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is not a Commissioned Officer
to approve the rules.

9. Copies of these proceed-
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the French Settlements in
India, and to the Supreme
Government. The former

will be requested to issue
such orders as may be
necessary to secure, that

French Emigration Agents
chartering English vessels
for the conveyance of
Emigrants, shall cause

to be inserted in the charter
parties clauses rendering
obligatory the adoption of
the set of rules suited to
the case, and the Protec-

tor of Emigrants and
Consular Agents will

be instructed not to per-
mit embarkation un-
less the charter parties
are so framed.

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to the Protector of Emigrants.

Master Attendant, Madras

Gov of India

N. French Governor -

25/11

*Received of the
 Hon. Secy of the
 Dep. of the Interior
 the sum of \$100.00
 for the purpose of
 the same.*

Govt. of 1869 } **Quadrans.**

Paid to

To

*The Postoffice of
 Emigration
 Dec*

Dated *Decr 19* }
 Recd. 1869, No. 13

Nos. 119 - 121.

*Having order on the 1st
 of Decr submitted by
 the District of Emigration
 for the purpose of the same
 those charges as from
 the 1st of Decr, this day
 the French Commission
 for the purpose of
 Emigration, as per*

*See with
 RAL*