

Enclosure 1, in No. 18.

COPY of a REPORT of a Committee of the Honourable the Privy Council approved by His Excellency the Governor General, on the 9th day of February 1876.

THE Committee of the Privy Council have had under consideration the Circular Despatch from the Right Honourable Her Majesty's Secretary of State for the Colonies, dated 22nd October 1875, transmitting a letter from the Board of Trade with copy of "The Merchant Shipping Act, 1875," and requesting to be furnished with an immediate report of any case in which grain, &c., was shipped in British vessels in contravention of the Act referred to, and in such manner as to endanger human life.

They have also had before them the report, hereunto annexed, from the Honourable the Minister of Marine and Fisheries, to whom the above-mentioned Despatch and its enclosures were referred, and they respectfully submit their concurrence therein, and advise that a copy thereof and of this Minute be transmitted for the information of Lord Carnarvon.

Certified,

(signed)

W. A. Hensworth,

Clerk, Privy Council,
Canada.

Enclosure 2, in No. 18.

Ottawa, 8 February 1876.

THE undersigned has the honour to report to Council that he has had under consideration Despatch from the Earl of Carnarvon of the 22nd October last, transmitting a copy of a letter from the Board of Trade enclosing a copy of "The Merchant Shipping Act, 1875," and requesting to be furnished with an immediate report of any case in which grain, &c., was shipped in British vessels in contravention of the Act referred to, and in such manner as to endanger human life.

The undersigned begs to state that in all cases where grain is shipped in seagoing vessels at Montreal or Quebec, the principal grain-loading ports in the Dominion for countries abroad, it is loaded under the superintendence of the port wardens, as required by the Port Wardens Acts, copies of which, as well as a copy of "The General Port Wardens Act, 1874," are herewith accompanying. The Acts referred to contain the necessary provisions for the inspection of vessels and cargoes while loading, and have been found to work well, and are much more stringent and exact in details than the Merchant Shipping Act of 1875. Consequently vessels loaded at Montreal and Quebec under these Acts are loaded, not only in accordance with the provisions of the Merchant Shipping Act of 1875, but with many more precautions as regards safety.

The undersigned also observes that the Acts in question have been found satisfactory, and have tended in their operation to the safety of life and property, as, since they took effect, no loss has been reported of grain-laden vessels from the ports in question on account of unseaworthiness or improper loading, while in 1872, prior to their coming into operation, six steamships laden with grain were wrecked or foundered at sea on their passage from the St. Lawrence to Europe, it is believed, on account of their being overloaded or improperly stowed.

There is a class of vessels, however, which carry large quantities of grain in the inland Canadian waters, but as no officers have been appointed to inspect such vessels, the undersigned is not aware whether they have carried grain since the 1st October last in contravention of the Act. No such cases have been reported to his department.

With reference to the request of Lord Carnarvon to be favoured with any observations in regard to the application of the several provisions of the Merchant Shipping Act of 1875 to Canada, the undersigned remarks that there has been much excitement and uneasiness amongst Canadian shipowners relative to this Act, and to the prospect of further Imperial legislation next Session in respect to their seagoing vessels, a large portion of which are engaged in the carrying trade of the United Kingdom and foreign countries.

In the 2nd Section of the Act power is given to one-fourth of the seamen belonging to any British ship to have such ship detained by the surveyors of the Board of Trade, and the undersigned is of opinion that this power is too great to be exercised by so small a proportion of the crew, and that it should not be entrusted to a smaller number than one-third or one-half of the crew, especially as sailors when they first join a ship are frequently not in a fit state to form an opinion on such a subject.

With reference to the power of a Board of Trade surveyor to direct the unloading of a ship on account of alleged unseaworthiness of the hull, the undersigned is of opinion that such power should be modified, and that a certificate of classification by British Lloyd's, Liverpool Underwriters' Registry for iron vessels, Bureau Veritas, or by the Canadian Government