

I have to state, that on the receipt of your letter of 2d June last, transmitting Mr. Fife's report of the excess of passengers on board this vessel, which I herewith enclose you, I immediately submitted the case to Mr. Duval, Q. C.; a copy of my letter you have herewith, and instructed him to institute proceedings against the master. The case was heard before W. K. McCord, Esquire and Captain C. Alleyn, R. M., the sitting magistrates on the occasion. The case was however dismissed, for the reasons stated in their judgment, a copy of which I enclose.

With reference to the quality of the provisions on board this vessel, I can only state that on the arrival of the passengers from Grosse Isle, some time after the vessel had reached this port, where they had been detained in consequence of sickness, a general complaint was made by them respecting the provisions supplied by the ship. I consequently visited the vessel to inquire into the correctness of these charges, and found a quantity of biscuit and a number of sacks of flour. The biscuit was of very inferior quality, and the greater part of it mouldy; the flour was sour, mouldy, and all in large lumps, and altogether unfit food for human beings. The first mate, who was in charge of vessel, stated that these provisions were part of the supplies put on board for the use of the passengers. I, after some persuasion, induced a few of the passengers to remain as witnesses, in order that I might proceed against the master; but the great majority objected, as, in consequence of their long detention in quarantine, they did not wish to be subject to any more delay, for which they would receive no adequate compensation. The parties who had promised to remain were, I found afterwards, bribed by one of the owners of the vessel to leave the city, and I was consequently obliged to discontinue further proceedings.

I can only say, that a more gross infraction of the Passenger Act has not come under my notice for some years. In a report which I made to Mr. Assistant Secretary Parent, on the 2d of August last, I gave him full particulars of this case, and at the same time forwarded a copy of the judgment, the original of which I now enclose (Paper, No. 3). I herewith annex an extract from my letter to Mr. Parer t.

" On the arrival of this vessel in port, it was found that she had brought out an excess of passengers over her legal complement, equal to 64 persons calculated under the Act 11 Vict., c. 6; the master stated that he was cleared by the officer of customs at the port of Galway, under the Act 5 & 6 Vict., c. 107, but even under this Act (which had expired on the 28th March) it was found that there was an excess of 12½ adults over her legal number, owing to 16 persons having been cleared out as cabin passengers, who, it was ascertained from their own admission, and the acknowledgment of the master, were not cabin passengers; as with the exception of five, who merely slept in the cabin, they all messed and occupied the steerage.

I have, &c.

(signed) A. C. Buchanan.

H. Jessopp, Esq., Collector, &c.

#### Enclosure 2, in No. 3.

Sir,

Customs Québec, Quebec, 31 May 1848.

I HAVE the honour to report the arrival of the brig "St. John's," B. Oliver, master, from Galway, having 156 passengers, who were landed at Grosse Isle; there was not a medical practitioner on board. It appears by the certified list, the superficial space, 1,184 feet, that she can legally carry per Act 11 Vict., c. 6, 84½ passengers; deduct 7 infants from 156, exhibit an excess of 64½ passengers. The master states the vessel was cleared outwards at the port of departure, under the provisions of the old Act.

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I have, &c.

(signed) John Fife,  
Tidewaiter.

H. Jessopp, Esq.,  
Collector H. M. Customs, Quebec.

#### Enclosure 4, in No. 3.

Sir,

Emigration Department, Quebec,  
2 June 1848.

I HAVE the honour to enclose you the list of passengers that arrived at Grosse Isle, on board the brig "St. John," B. Oliver, master, from Galway. I also enclose you the report of Mr. Fife, the tide-surveyor of this port, with reference to the excess of passengers on board this vessel. The master, however, states, in justification, that he was cleared out under the old Act, 5 & 6 Vict., c. 107, which permits vessels to carry one adult passenger for every ten superficial feet. This would allow her 118. There are, however, 16 passengers, equal to 12½ adults, on board, entered as cabin passengers, who are not so, as the greater part, if not the whole, occupied the steerage of the vessel, and, moreover, did not mess with the captain, nor pay the usual cabin price; they cannot, in any way, be considered as cabin passengers within the meaning of the Act. This vessel has, consequently, under the old

Encl. 4, in No. 3.