

1876.

NEW ZEALAND.

BROACHING CARGO AT SEA: LOSS OF THE "COSPATRICK."

(CORRESPONDENCE RELATING TO.)

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.*

Hon. J. VOGEL to the Right Hon. the Earl of CARNARVON.

7, Westminster Chambers, Victoria Street, Westminster, S.W.,
3rd May, 1875.

MY LORD,—

Some weeks since your Lordship caused to be sent to me an introduction to the Board of Trade, with a view to my conferring with some officer of that department upon questions relating to emigration.

2. I have had an interview with a gentleman connected with the Marine Department of the Board of Trade, and I promised to visit the office; but my health has not permitted me to do so. At the interview I have mentioned, I strongly urged some points which I considered it was desirable should, for the safety of emigrants, be attended to; and as it seems to me that my recommendations may have more weight when made direct to your Lordship if supported by your sanction, I venture to trouble you with this letter.

3. The principal points upon which I wish to dwell are:—First, the general condition of boats on board emigrant ships; second, the existing penalties for broaching cargo.

4. (1.) Apart from the fact that the boats are invariably too few for the number of emigrants on board, I have good reasons for believing that they are habitually not kept in a condition fit for use. In the interests of all concerned, I believe that a very simple legislative provision would meet this difficulty. A clause in a charter-party stipulating that the boats shall be kept in good condition has no effect, because there is no specific penalty for a breach of the stipulation, and, unless in the case of a disaster which bears its own punishment, no adequate means of deciding how the boats are kept. But if legislative powers were taken enabling the Board of Trade to decide from time to time the conditions under which boats on board emigrant ships must constantly be kept, and if it were also enacted that a special log-book must be kept, in which daily entries must be made by the master and the surgeon as to the state of the boats and their equipments, I believe it would be found that when the boats were required to be used they would at least be serviceable, however inadequate they might be for the number of persons on board.

(2.) When wines, spirits, oils, and inflammable substances are allowed to be carried in emigrant ships, they should be made as far as possible inaccessible to the sailors or passengers: they should, in fact, be as jealously guarded as the gunpowder in the magazine. As affecting one most important requirement in this direction, I respectfully ask that your Lordship will consider the present penalties for broaching or pilfering cargo at sea. I have no doubt whatever that the "Cospatrick" was destroyed through the use of matches or naked candles by men while broaching cargo. I would invite your Lordship's attention to the appended letters from *The Times* of the 27th and 30th of April. It was not, however, these letters which directed my attention to the frequency and danger of the offence of broaching cargo. Indeed, as you will see, another enclosure to this letter is of an earlier date; besides that, as the result of frequent observation, I made a still earlier representation on the subject to the Board of Trade.

5. I attach hereto a copy of a letter from the solicitor to the Government of New Zealand in London, in reply to a request that he would give me legal information on the subject. Your Lordship will observe that the punishment for pilfering or broaching cargo on the high seas is exceedingly light, whereas the act is so serious an offence against the safety of any ship at sea, and in the case of emigrant ships is fraught with such horrible consequences, that as a matter of necessary precaution scarcely any punishment could be too heavy for it.

6. I most earnestly ask your Lordship to consider whether, in the interests of humanity, the offence of broaching cargo at sea should not be made heavily punishable. In my opinion, it should be made a felony, with provisions for enabling the punishment to be meted out at any British port at which the

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