

1855-6.

VICTORIA.

PASSENGERS' ACT.

COPY DESPATCH conveying Her Majesty's Assent to the Act of Council
18th Victoria, No. 5.

*LAI*D upon THE COUNCIL TABLE by THE CHIEF SECRETARY, by command of HIS EXCELLENCY
THE OFFICER ADMINISTERING THE GOVERNMENT, and ordered by THE COUNCIL to be
printed, 15th January, 1856.

No. 15.

Downing-street,
30th May, 1855.

SIR,

I have laid before the Queen the Act of your Government, No. 5, 18 Victoria, entitled,
“*An Act to regulate the Conveyance of Passengers to Victoria*,” which accompanied your
Despatch No. 12, of the 11th January last, and I have to acquaint you that Her Majesty has
been pleased to approve and allow the same.

You will, accordingly, communicate Her Majesty's decision to the inhabitants of Victoria,
by a Proclamation, to be published in the usual and most authentic manner.

I have, however, to acquaint you, that Her Majesty's Government have introduced a
measure for the amendment of the Imperial Passengers' Act, of 1852, which they hope to carry
through Parliament during the present session, and which, when it passes into law, will
render necessary the repeal of the Local Act, No. 5, now assented to, in order that the local law
may be adjusted to the provisions of the Imperial Act; and I herewith transmit for your
information, in connection with this subject, an Extract of a Report which has been received
from the Colonial Land and Emigration Commissioners, in reply to a reference which was made to
them on the subject.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed)

J. RUSSELL.

Governor Sir C. Hotham,
&c., &c., &c.

Extract of a Report from the Emigration Commissioners, dated 24th April, 1855.

“5. The Act appears a very useful one, and we have to report our opinion that it may be
properly confirmed.

“6. As matters of detail, we have to remark that the passengers' berths are required, as in
the English Act, to be six feet long and eighteen inches wide. But in the Bill now before
Parliament it has been found necessary to add a provision that the berths shall be not less than
two and a half feet in height.

“7. We also observe that the offence of taking down berths or failing to maintain the
passengers for forty-eight hours after the ships arrival is punishable, under the Imperial Act, by a
fine of not less than £5 nor more than £50, but under the Local Act, by a fine not exceeding £20.

“The Complainant, of course, will be able to proceed under either Act, but there is an
appearance of conflict which it would have been better to avoid.”