

CORRESPONDENCE RELATIVE TO CONDITIONALLY PARDONED CONVICTS FROM WESTERN AUSTRALIA.

No. 1.

The Hon. J. ROBERTSON to the Hon. W. GISBORNE.

SIR,—

Sydney, 10th August, 1871.

I have the honor to acknowledge the receipt of your telegram of the 26th and your letter of the 28th June last, respecting eight conditionally pardoned convicts from Western Australia, who lately arrived at Lyttelton, in your Colony, and were, under the circumstances explained by you (their landing in New Zealand having been an offence against the law of that Colony), permitted to leave for Sydney by the "Queen of the South."

In reply, I have the honor to offer you my thanks for the information conveyed by your letter, and to inform you that this Government have it in contemplation to introduce into Parliament a Bill calculated to deal with future cases of the kind referred to.

I have, &c.,

JOHN ROBERTSON.

The Hon. the Colonial Secretary of New Zealand, Wellington.

No. 2.

The Hon. F. P. BARLEE to the Hon. W. GISBORNE.

SIR,—

Western Australia,
Colonial Secretary's Office, Perth, 25th August, 1871.

I am directed by His Excellency Governor Weld to acknowledge the receipt of your letters of the 19th and 28th June, 1871 (L. and J., 71-1553), respecting the arrival from this Colony at Lyttelton, in the Province of Canterbury, of eight persons holding from Her Majesty the Queen conditional pardons for offences for which they had been transported to Western Australia.

The pardons granted to these persons were issued to them by the Governor, in the name and under specific instructions from the Queen, and, from the date of issue, the recipients were, to all intents and purposes, free British subjects, and no power existed here to prevent their proceeding to any part of the world, even to England, notwithstanding the condition of the pardon. The effect of the pardon granted to the Fenian and to the other prisoners was precisely the same,—the one contained no privileges or restrictions that the other did not possess.

I informed the agent of the "Queen of the South," in reply to an application he made, that I was not aware that any law had been passed in New Zealand preventing the landing of conditional pardon holders; but had your Government followed the course adopted by other Governments that have passed Convict Prevention Acts, and notified the same with a view to their promulgation, I should, of course, have acted otherwise.

I shall now take steps publicly to notify, for the information of conditionally pardoned convicts, the restrictions to their landing in New Zealand; but you must clearly understand that the Government of this Colony possesses no power to prevent their proceeding to New Zealand or elsewhere, and can in no way be held responsible for their movements.

I have, &c.,

FRED. P. BARLEE.

The Hon. the Colonial Secretary, Wellington, New Zealand.
