

Enclosure.

MY LORD,—

Paris, January 9, 1884.

With reference to my despatch of the 3rd instant, I have the honour to report that I took an opportunity this afternoon of speaking very seriously to M. Ferry on the subject of the Relapsed Criminals Bill. I begged him to give full attention to the notes on the subject which I addressed to him, by your Lordship's order, on the 12th ultimo and 3rd instant; and I said that I was sure that it would be unnecessary for me to dwell on the subject, if he were aware of the intensity of the feeling in regard to it which prevailed in Her Majesty's Australian Colonies.

M. Jules Ferry answered that he must ask me whether the emotion which appeared on the surface was genuine and sincere. Was it not rather caused by the thirst for annexation of territory with which the colonists were beset, than by any real alarm felt by them as to the consequences of the transportation of a certain number of French criminals to New Caledonia.

I answered that M. Jules Ferry seemed to me to be putting effect for cause. It was, I said, quite certain that one of the principal incentives in Australia to the cry for annexation of neighbouring islands was the fear that those islands might be converted into penal settlements by foreign Powers, or become the resort of escaped criminals from such settlements. The alarm on the subject of the proposed transportation of a criminal population to New Caledonia was, I could assure M. Ferry, perfectly sincere, and it was growing in extent and intensity.

M. Jules Ferry answered that he really could not understand the apprehensions about which the colonists made so much noise. The relapsed criminals who would be sent to New Caledonia would not be positive convicts (*forçats*), they would not be very numerous, and they would be prohibited from quitting the island.

I said that, if I understood the Bill correctly, the persons who would be transported under it would be still more objectionable than the positive *forçats*. They would be criminals who had proved to be incorrigible; but they would not be shut up in a convict establishment, or kept under strict control: they would be at liberty, or nearly so, on the island, and would have very great facilities for escape. In another respect, too, they seemed to me to be in a position which made them peculiarly dangerous to the neighbouring British colonies. Would their departure from New Caledonia be an offence rendering them fit subjects for a demand for extradition? If so, would the French authorities be sure, in all cases, to apply for the extradition? Could the extradition be granted by the colonial authorities under the ordinary laws and treaties?

M. Jules Ferry said that he was not prepared with an opinion on the question respecting extradition. He thought, however, that, as the persons transported would all have been under sentence for serious offences, they would carry the effect of their sentences with them.

I observed that the Bill did not seem to make this at all clear. On the contrary, it would seem from it that the objects to whom it would be applied would be criminals who had worked out their sentences in France, and who would not be held to be liable to any other restriction than that of remaining on the island to which they were sent.

M. Jules Ferry answered that of course they would render themselves liable to penalties if they quitted the island. He went on to say that he did not think that, after all, very many would be sent to New Caledonia: there was a French population there which must not be swamped. He thought that by far the greater number would go to Cayenne, a place which did not at all deserve the evil reputation it had for unhealthiness.

I expressed a hope that, in answer to the request made in my note of the 3rd instant, he would enable me to assure Her Majesty's Government that no relapsed criminals at all would be sent to New Caledonia.

M. Jules Ferry replied that he would examine the matter with a sincere desire to show every consideration for the wishes of Her Majesty's Government, and for the feelings of the British colonists; but that, of course, he could not admit that any foreign country had a right to prevent France from sending convicts to one of her own colonies.

I said that I had not at all wished to put the matter on this kind of footing. As a rule every man had a right to do what he liked with his own house, but it was surely reasonable for a friend who lived next door to ask him not to make his house a danger to his neighbours.

M. Jules Ferry repeated that he was sincerely desirous of showing all reasonable consideration for the feelings of the British colonies.

The Earl Granville, K.G.

I have, &c.

LYONS.

No. 26.

Governor the Right Hon. Lord A. Loftus, G.C.B. to the Right Hon. the Earl of Derby.

MY LORD,—

Government House, Sydney, December 13, 1883.

In reply to your Lordship's telegram of the 7th instant, I have now the honour to enclose copy of a minute from Mr. Stuart, Colonial Secretary and President of the Convention, with telegrams from the police authorities of the other colonies, and report of the Inspector-General of Police here, containing all the information he has been able to obtain in regard to the number of escaped convicts from New Caledonia.

2. Your Lordship will observe, from these papers, that the greater part of these escapees were to be found among the criminal classes of the colonies, and that only one-tenth were computed to earn an honest livelihood.

I have, &c.

The Right Hon. the Earl of Derby.

AUGUSTUS LOFTUS.