

No. 25.

(New Zealand, No. 75.)

SIR,—

Downing Street, 10th December, 1885.

With reference to previous correspondence I have the honour to transmit to you, for communication to your Government, a copy of a letter from the Foreign Office, enclosing a despatch from Her Majesty's Ambassador at Paris relative to the French Habitual Criminals Law.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Foreign Office, 7th November, 1885.

With reference to the letter from this office of the 31st of July last, I am directed by Her Majesty's Secretary of State for Foreign Affairs to transmit to you, to be laid before Her Majesty's Secretary of State for the Colonies, the accompanying copy of a despatch from Her Majesty's Ambassador at Paris in regard to the Habitual Criminals Law.

I have, &c.,

J. PAUNCEFOTE.

The Under-Secretary of State, Colonial Office.

Sub-Enclosure.

MY LORD,—

Paris, 2nd November, 1885.

With reference to my despatches, No. 483, of the 22nd July last, and No. 492, of the 28th of the same month, I have the honour to transmit to your Lordship an extract from the *Journal des Débats*, which purports to give the first five articles of Regulations ("Règlement d'Administration Publique") framed by the Council of State for the execution of the Habitual Criminals Law.

Your Lordship is aware that it is provided by this law that many most important particulars relative to the transportation of habitual criminals and their treatment shall be determined by "Règlements d'Administration Publique;" that the first of these Règlements shall be promulgated within six months of the promulgation of the law itself; and that the law shall become operative on the promulgation of this first Règlement.

Now, the law was promulgated on the 27th May, and consequently the first Règlement must be promulgated on or before the 27th of the present month of November.

The *Journal des Débats* states in the enclosed extract that the first five articles of the Règlement in question have been settled by the Council of State, and it professes to give the text of those articles.

The articles have not yet appeared in any official form, and it is to be remembered that the *Journal des Débats* is a wholly unofficial newspaper. Nevertheless, the text of the articles, as published by it, is probably in substance correct.

If so, the transported convicts are to be divided into two categories: those in the first to be treated "individually," those in the second to be treated "collectively."

The first category is to consist of those who show that they have honourable means of subsistence by the exercise of professions or trades or handicrafts, those who are considered fit to receive grants of land, and those who are authorized to contract engagements for work or service with the State, the colonies, or with private persons.

It would seem that criminals belonging to this category are to be sent to any French colony or possession; that they are to live there separately and in a state of liberty, and are to be subject to the ordinary law and jurisdiction.

The second category, or those subjected to what is termed "la relégation collective," are to be placed in establishments in which their subsistence is provided for by the authorities, and they are to be obliged to work. They are to be sent to Guyane, or, if necessary, to New Caledonia or its dependencies. The article on the subject is thus worded:—

"La relégation collective s'exécutera dans les territoires de la Colonie de la Guyane et, si les besoins l'exigent, de la Nouvelle-Calédonie ou des ses dépendances, qui seront déterminés ou délimités par des Décrets.

"Des Règlements d'Administration Publique pourront désigner ultérieurement d'autres lieux de relégation."

Finally, provision appears to be made for sending temporarily to any colonies which apply for them gangs of these criminals, to be employed on public works.

The Habitual Criminals Law, as promulgated, was enclosed in my Despatch No. 346 of the 28th May last. The articles of it relating to "Règlements d'Administration Publique" are the 1st, 7th, 16th, 18th, and 21st.

I have, &c.,

LYONS.

The Right Hon. the Marquis of Salisbury, K.G., &c.