

La contagion de cette sympathie me paraît avoir malheureusement gagné jusqu'au Détective Walker, qui en a négligé mes instructions, et, par suite, laissé disparaître son prisonnier.

En effet, l'Honorable Ministre de l'Education s'est rendu sur le *wharf*, le 11 Août, à deux heures 45 minutes, au moment de l'embarquement du prisonnier Gasparini. Il était accompagné de son secrétaire particulier, de son avocat, de son interprète, et a eu avec le dit prisonnier extradé une conversation d'environ quinze minutes, à laquelle Monsieur l'Inspecteur Thomson a dû mettre un terme.

L'Honorable Ministre de l'Education et son avocat ont même chargé le Détective Walker, qui voyageait à mes frais, de messages pour Sydney—messages qui ne pouvaient avoir pour objet que de soulever de nouvelles difficultés de procédure, et d'empêcher, si possible, l'extradition définitive du forçat Gasparini.

Tels sont, Monsieur le Gouverneur, les éléments principaux de l'intervention personnelle et publique de l'Honorable Ministre de l'Education en faveur des criminels Cury et Gasparini, et plus particulièrement de ce dernier.

J'ai l'honneur de soumettre les faits relatés ci-dessus à la haute appréciation de votre Excellence.

J'ai l'honneur, etc.,

JOUFFROY D'ABBANS,

Vice-Consul de France en Nouvelle-Zélande.

Son Excellence Sir William Jervois, G.C.M.G., C.B.,

Gouverneur de Nouvelle-Zélande, &c., Wellington.

[TRANSLATION.]

The FRENCH CONSUL to the GOVERNOR.

SIR,—

French Consulate, Wellington, 11th September, 1888.

1. The two cases of extradition which formed the subject of my despatches of the 25th April, 21st June, and 6th July last were finally dealt with in your Excellency's absence.

2. The extradition of both criminals was granted to me by Sir James Prendergast on my requisition; but one of them, Cury, the fraudulent bankrupt, obtained a decision in his favour on suing out a writ of *habeas corpus* from the Judge of the Supreme Court.

3. The other, F. Gasparini, convicted of larceny, obtained an adverse decision, on the writ of *habeas corpus*, before the same Judge, and was surrendered to me agreeably to the stipulations of the Anglo-French treaty of 14th August, 1878. He was sent by my direction to Sydney, to be from thence returned to New Caledonia.

4. The Superintendent of Police in Wellington was good enough to place at my disposal the services of one of his detectives, John Mitchell Walker, to accompany the said Gasparini, and insure his delivery at Sydney to the French Consul in that city, as representative of the Governor of New Caledonia.

5. The prisoner was embarked in my presence on the steamer "Wakatipu" on the 11th August last, at 3.10 p.m.

6. I have since learnt by telegraph from M. le Comte de Séguier, French Consul at Sydney under date 31st August last, that the prisoner Gasparini was not delivered to him, and that Detective Walker, who had charge of him, had left again for New Zealand.

7. I cannot but conclude from this information that the surrendered prisoner Gasparini has escaped from the custody of his guard, and mysteriously disappeared.

8. The manner in which Detective Walker has performed his functions during the voyage on the "Wakatipu" has formed the subject of correspondence between the Chief of Police and myself.

9. During the course of these extradition proceedings, which have lasted over four months, I have met with the most cordial support from your Excellency, and obtained all the co-operation, consistently with the English law and the treaties, that I could wish for from the Hon. the Minister of Justice and the Chief of Police.

10. But I deem it my duty to lay before your Excellency an expression of regret that I have felt owing to the ostensible intervention in favour of these criminals by a Minister of the Government. Indeed, this intervention has not only doubled the difficulties of my task, but, more than that, has neutralised the combined efforts of both the colonial and the French authorities to insure the extradition of these criminals.

11. The Hon. the Minister of Education, who was present at the proceedings before Sir James Prendergast, did, in fact, lend his co-operation and influence on the side of the convict Gasparini, with a view to obtaining his release. Sir J. Prendergast had hardly granted the extradition of this convict—notifying at the same time that he had fifteen days wherein to appeal against it by suing out a writ of *habeas corpus*—than the Hon. the Minister of Education said aloud before ten witnesses—of whom His Excellency Sir J. Prendergast is one—"I will see to it," and put himself in communication with the said convict by means of the interpreter, Robertson.

12. But for this intervention on the part of a member of the Government, I have reason to believe that the decision of His Excellency the Deputy-Governor for extradition would have been final, and that there would have been no appeal to the Supreme Court. Indeed, the prisoner Cury's counsel had retired after the judgment had been given; and the prisoner Gasparini was undefended until a subscription-list was opened and circulated by the Hon. the Minister of Education, with the object of engaging the services of a well-known lawyer for his defence.

13. This same intervention of a member of the Government has had the effect of creating in a considerable portion of the New Zealand population a movement of sympathy with the two convicts claimed by the French authorities.

14. The contagion of this sympathy, as it appears to me, has unfortunately spread to Detective Walker, who neglected my instructions, and consequently permitted his prisoner to vanish.