

1879.

NEW ZEALAND.

REPATRIATION OF PAUPER LUNATICS

(PAPERS RELATING TO).

Presented to both Houses of the General Assembly by Command of His Excellency.

The SECRETARY of STATE for the COLONIES to His Excellency the GOVERNOR.

SIR,—

Downing Street, 30th May, 1877.

I have the honor to transmit to you the accompanying copy of a correspondence with the Foreign Office, relative to the repatriation of British and French pauper lunatics.

It appears that the repatriation of such persons has been discontinued as between the parent countries, and I am disposed to think that it may be convenient to extend this arrangement to their colonies, thereby avoiding the mistakes, trouble, and expense which have been found to attend the opposite practice.

I shall be glad to receive the views of your Government on the subject.

The Officer Administering the Government, New Zealand.

I have, &c.,
CARNARVON.

Enclosures.

The FOREIGN OFFICE to the COLONIAL OFFICE,

SIR,—

Foreign Office, 17th November, 1876.

I am directed by the Earl of Derby to transmit to you, herewith, to be laid before Her Majesty's Secretary of State for the Colonies, copy of a despatch from Her Majesty's Consul General at Algiers, in which he applies for instructions as to the disposal of a lunatic Irishwoman named Bridget Sheen, who is now in the Civil Hospital of Constantine, where there is no accommodation for lunatics, and whose repatriation is requested by the Préfet of the city.

This application has given rise to a question of some difficulty, which appears to Lord Derby to deserve careful consideration.

The question of repatriation of foreign lunatics and paupers at the request of the Government of the country by whom they may have been maintained, is one which has, at different periods, formed the subject of correspondence between Her Majesty's Government and the Government of France.

In former times, Her Majesty's Government have been in the habit of assenting to such applications on the part of the French Government for the repatriation of English lunatics, although by doing so they entailed serious burdens on some English parishes.

But in 1871, they were induced to look more closely into the question, and having ascertained that, by the law and practice of this country, destitute foreigners affected with mental imbecility are habitually received and taken care of in the parochial establishments—as it appeared, on inquiry, to a very great extent—without any demand being made on the Government of the country of which they might be natives, for their repatriation, they decided not to adopt a different system in regard to similar cases of British subjects found destitute in foreign countries.

In communicating at the time this decision to the French Chargé d'Affaires in this country—a decision which has been recently confirmed in the case of a lunatic British subject confined at Baillet—it was pointed out that the British Government are placed in a peculiar difficulty as regards the question, inasmuch as they have no legal authority to remove any person so circumstanced from this country, and are, therefore, precluded from proposing to foreign countries to agree to a system of mutual repatriation.

It was added that, in acting on the conclusion above referred to, Her Majesty's Government had less scruple than might otherwise have been the case, since, from inquiries which had carefully been made, they had reason to believe that on striking a balance of cases for repatriation, it would be greatly to the disadvantage of this country.

But, however desirable the arrangement thus come to by Lord Granville may be as regards France and the United Kingdom, Lord Derby has some doubts whether it would be convenient to apply it to the colonies of either nation, as it is apprehended that it would be still more largely to the disadvantage of England, which possesses a greater number of colonies than France or any other nation.

His Lordship understands that the general practice in British Colonies, where a case arises of a foreign lunatic being destitute, is for the authorities to call on the Consul of his nation to take steps

for his removal to his own country, a course of action which would appear especially desirable in the case of colonies situated in the tropics.

Lord Derby would accordingly be glad to learn whether Lord Carnarvon concurs in the view above expressed, and, if so, whether he is disposed to consider it expedient that the case of Bridget Sheen should be brought to the notice of the French Government by Her Majesty's Ambassador at Paris, with the view to the conclusion of an agreement by which each country should remove from the other's colonies such of their respective nationals as may be insane or destitute.

The Under Secretary of State, Colonial Office.

I have, &c.,

JULIAN PAUNCEFOTE.

Consul PLAYFAIR to the EARL of DERBY.

MY LORD,—

British Consulate General, Algiers, 30th October, 1876.

I have received, through the Vice-Consul of Philippeville, a communication from the Préfet of Constantine, stating that an Irish woman named Bridget Sheen, who had only left her native country a few months before, had been admitted into the Civil Hospital, on the ground of insanity, and requesting that measures might immediately be taken to have her sent back to her native country, as no provision exists for the confinement of insane persons in this colony.

Her mental condition is such that no further particulars can be obtained regarding her history, but it is probable that, as she cannot speak French, a clue to her identity may be obtained when she is brought in contact with some of her countrymen.

I have the honor to request that your Lordship will be pleased to inform me what steps I ought to pursue regarding her. Vessels of the British Indian Steam Navigation Company touch at Algiers every month on their way to London, and she might be sent in one of them.

If your Lordship sanctions my sending her to England in this manner, I would beg the favour of a telegraphic reply to save time.

I have, &c.,

R. J. PLAYFAIR.

The COLONIAL OFFICE to the FOREIGN OFFICE.

SIR,—

Downing Street, 21st March, 1877.

With reference to your letter of the 17th of November last, on the subject of the repatriation of British and French colonial lunatics, I am directed by the Earl of Carnarvon to state that his Lordship is not aware of any sufficient reason for not extending to the colonies the practice which appears to have been adopted since 1871, according to which repatriation of lunatics has been abandoned as between the parent countries.

I am to add that, if the Earl of Derby sees no objection, Lord Carnarvon will bring the matter under the consideration of the Colonial Governments, as without their consent his Lordship would not feel himself in a position to pledge them either to such a course or to that suggested in your letter.

I have, &c.,

R. H. MEADE.

The Under Secretary of State, Foreign Office.

The FOREIGN OFFICE to the COLONIAL OFFICE.

SIR,—

Foreign Office, 16th May, 1877.

I am directed by the Earl of Derby to acknowledge the receipt of your letter of the 21st of March last, on the subject of the repatriation of British and French colonial lunatics, in which you state that Her Majesty's Secretary of State for the Colonies is not aware of any sufficient reason for not extending to the colonies the practice which appears to have been adopted since 1871, according to which the repatriation of lunatics has been abandoned as between the parent countries, but that Lord Carnarvon cannot pledge Colonial Governments to any fixed arrangement without consulting them.

I am, therefore, in reply, to request that you will inform Lord Carnarvon that Lord Derby would be glad if his Lordship would take steps for consulting the Colonial Governments accordingly.

I have, &c.,

J. V. LISTER.

The Under Secretary of State, Colonial Office.