

1880.

## NEW ZEALAND.

## FRENCH CONVICTS FROM NEW CALEDONIA.

(PAPERS RESPECTING THE ARRIVAL AT AUCKLAND OF PARDONED COMMUNISTS AND CRIMINALS.)

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

## No. 1.

The COLONIAL SECRETARY to the AGENT-GENERAL.

SIR,—

Colonial Secretary's Office, N.Z., Wellington, 28th February, 1880.

I have the honor to forward herewith copies of telegrams\* that have passed between us respecting the arrival in New Zealand of liberated Communists and criminals from New Caledonia.

2. The circumstances which caused my telegrams were these:—On the 18th instant, the Government received information from the Minister resident in Auckland, that the schooner "Griffin," chartered by the French Government, had arrived in the Manukau Harbour from New Caledonia, bringing "eleven political offenders and nine convicts for criminal offences," all of them having been conditionally released. Subsequently, the Minister made further inquiries, and reported that, so far as he could ascertain, the information first sent was correct. He also transmitted to the Government an extract from a letter written by a British shipping agent in New Caledonia, stating specifically that he had "booked for Auckland" a number of passengers who were waiting for passages by a schooner expected from Hiscock Island, and that, "should favourable news be received here from the passengers per 'Griffin,' there will be a number more to go from this place." I hereupon telegraphed to the Governments of New South Wales, Queensland, and Victoria, repeating the information before stated, and asking whether those colonies had been similarly treated, and whether they would join New Zealand in urging the Imperial Government to remonstrate with France against permitting a repetition, on the part of its representatives in New Caledonia, of proceedings so likely to prove highly injurious to these colonies. The Chief Secretary of New South Wales replied, "Batches of pardoned convicts from New Caledonia have, on several occasions, arrived here;" while from Queensland I was informed that "on two or three occasions escaped Communists have reached our coasts, but not, as far as we are aware, with the connivance of the French authorities." Both these Governments explained what had been attempted by them in the way of legislating against the landing of foreign convicts, political or criminal: but as to this I need not enter into details. Both also readily agreed to join in a remonstrance through the Agents-General for the Colonies. From Victoria, no answer was received, owing, doubtless, to the general election which is proceeding there.

3. Upon receiving the replies from New South Wales and Queensland, I forwarded my first telegram to you; and a copy of that message was transmitted to each of the three colonies.

4. A very strong feeling of indignation was aroused in Auckland by the landing of the criminals, and the police there, acting under the directions of the Government, sought to ascertain the crimes, sentences, and conditions of release of the men individually. These inquiries showed that, while it was true that the Government of New Caledonia chartered the "Griffin," and paid for the passages of the liberated Communists, the nine freed criminals paid for their own passages. It was also ascertained that, while the amnestied Communists are not at liberty to enter any French territory, the men convicted of ordinary crimes had served their sentences, and when they left New Caledonia were, so far as the operation of French law is concerned, free to go to any other French colony, or to return to France. A copy of the police report is appended.

5. This information, of course, greatly modified the case. However unfriendly it may have been on the part of the French authorities to send to New Zealand conditionally-freed political offenders, and, to a certain extent, to facilitate the coming hither of freed criminal convicts, the proceeding was shown to be less grave in character than it would have been if those criminal convicts had been sent here at the cost of the French authorities, while an essential condition of their freedom was that they should not re-enter France or land in French territory.

6. I accordingly despatched to you my second telegram, which was crossed by your answer to my first; and I informed New South Wales, Queensland, and Victoria of the changed circumstances.

7. I have said that the action of the French authorities is, at the least, a most unfriendly one towards New Zealand. But it would seem that a breach of a distinct promise by the French Govern-

\* For all enclosures, see those to No. 2.

ment is also involved. I am informed that two or three years since, in reply to a remonstrance from Australia, the Duc Decazes, then Minister of the Interior, promised the British Ambassador in Paris (Lord Lyons) that, although the French Government could not forcibly control the movements of free men, they would, as far as they could, divert from the Australian Colonies any pardoned or time-expired convicts, and any Communists liberated from New Caledonia. If the "Griffin" was chartered by the French authorities, as appears to have been the case, the promise made by the Duc Decazes has been broken.

8. Owing to the absence of Sir Hercules Robinson from Wellington, I have been unable to communicate with His Excellency, so as to ascertain fully what action he thinks should be taken; and His Excellency cannot address the Secretary of State for the Colonies on the subject by the present mail. But I have now placed you in possession of what I believe are substantially the facts of the case; and although I requested you to consider my first telegram and its instructions withdrawn, I now request that—remembering that despatches from the Governor will doubtless be forwarded by the next mail—you will communicate the facts to the Agents-General for New South Wales, Queensland, and Victoria, and will, in conjunction with those gentlemen, take such steps as you may feel are justified by a fair desire to protect New Zealand and Australia from a repetition of the wrong now complained of. You are at liberty to state that a very strong feeling indeed exists in Auckland respecting the arrival of the men in question; that protests against their landing have been received from the Mayor of that city on behalf of the people; and that, judging from the newspapers, that which is accepted as the action of the French authorities in New Caledonia is reprobated by all classes throughout the colony.

I have, &c.,

JOHN HALL.

The Agent-General for New Zealand, London.

## No. 2.

The PREMIER to the GOVERNOR.

*Memorandum for His Excellency.*

MINISTERS present their respectful compliments to the Governor, and submit, for His Excellency's information, the following statement respecting the recent arrival in this colony of a number of amnestied Communists and time-expired criminal prisoners from New Caledonia.

2. On the 18th February, a telegram was received from the Minister resident in Auckland, stating that the schooner "Griffin" had arrived in the Manukau Harbour from New Caledonia, and had brought thence eleven political offenders and nine convicts for criminal offences. It was further stated that all the men had been conditionally released, and that the schooner had been chartered by the French authorities. Subsequently, the Minister telegraphed that careful inquiries seemed to confirm the information he had sent. He also transmitted an extract from a letter written by a British shipping agent in New Caledonia, who stated that he had "booked for Auckland" a number of men who were waiting for passage by a schooner expected from Hiscock Island; and who added that, "should favourable news be received from the passengers per 'Griffin,' there will be a number more to go from this place."

3. The Premier hereupon telegraphed to the Governments of New South Wales, Queensland, and Victoria, repeating the information before stated, and asking whether those colonies had been similarly treated, and whether they would join New Zealand in urging the Imperial Government to remonstrate with France against permitting a repetition, on the part of its representatives in New Caledonia, of proceedings so likely to prove highly injurious to the colonies. The Chief Secretary of New South Wales replied, "Batches of pardoned convicts from New Caledonia have on several occasions arrived here;" while from Queensland the reply was, "On two or three occasions escaped Communists have reached our coast, but not, as far as we are aware, with the connivance of the French authorities." Both Governments explained what had been attempted by them in the way of legislation against the landing of French convicts, political or criminal; both also agreed to join in the proposed remonstrance through the Agents-General for the colonies. Victoria has not replied, no doubt owing to the fact that a general election was proceeding at the time the telegram was sent.

4. Considering it to be of importance that some action should at once be taken to protest against the wrong that had been done, the Agent-General was directed—pending such steps as, upon his return to Wellington, His Excellency might think necessary—to do what was possible, in concert with the representatives of New South Wales, Queensland, and Victoria, towards causing a remonstrance to be addressed to the French Government.

5. Inquiries were continued in Auckland by the police, for the purpose of ascertaining the crimes, sentences, and conditions of release of the men individually. The result was such that a second telegram was sent to the Agent-General withdrawing the first, and directing him to suspend action until he had received letters that would be forwarded by the outgoing mail. It was found, in fact, that the "Griffin" was chartered by the French authorities, and that they paid the passages of the liberated Communists; but that the men who had been criminal convicts had paid for their own passages. It was further ascertained that these latter were, so far as regards the operation of the French law, free to return to France, though the amnestied Communists were not at liberty to land in France or in any French territory.

6. The wrong done to New Zealand was thus shown to be less grave than it had been believed to be, but it remained of a character necessitating protest against repetition, and against the unfriendliness of the action, if not against a breach of good faith and of promise. A statement of all the facts was accordingly sent to the Agent-General by the mail *via* San Francisco, and he was instructed to consult with the other Agents-General, and to do what he could, pending action by His Excellency, to secure that a remonstrance should be made to the French Government against the acts of its representatives in New Caledonia.

7. Copies of telegrams, reports, &c., are submitted herewith for His Excellency's information; and Ministers respectfully advise His Excellency, in anticipation of such despatches as he may be pleased to send by the outgoing mail, to telegraph to the Secretary of State for the Colonies to the following effect:—"Ministers request me to solicit the good offices of Her Majesty's Government in remonstrating with the French Government against making New Zealand a receptacle for liberated Communists and convicts from New Caledonia. The recent arrival of considerable numbers of such men has caused very great dissatisfaction, and demands that colony shall legislate for its own protection against further additions of kind have been made from various parts of colony. Full particulars respecting recent arrivals in Auckland were forwarded Agent-General, *via* San Francisco."

Wellington, 5th March, 1880.

JOHN HALL.

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### Enclosure No. 1.

The PREMIER to Sir HENRY PARKES.

Hon. Sir H. Parkes, Sydney.

SCHOONER "Griffin," from New Caledonia, arrived at Auckland, bringing eleven pardoned Communists, and nine convicts described as ticket-of-leave-men, or only conditionally freed. Passages of these people were paid by New Caledonian Government. Information received that second batch of Communists is ready for deportation on similar terms. This Government will be much obliged if you will inform them whether New South Wales has been treated in this manner, and, if so, what action, if any, has been taken by your Government. Further, will New South Wales unite in a request to Imperial Government, to be made through Governors, and also by Agents-General, that such remonstrances may be addressed to the Government of France as will prevent future shipment of amnestied criminals to the Australasian Colonies? I am addressing the Premiers of Victoria and Queensland to same effect. As case is urgent, I shall be obliged by early reply.

JOHN HALL.  
Wellington, Feb. 19.

[A like message, on same date, to Premiers, Victoria and Queensland.]

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### Enclosure No. 2.

The COLONIAL SECRETARY, Queensland, to the PREMIER.

Chief Secretary, New Zealand.

THE matter referred to in your message has already received the attention of this Government. On two or three occasions, escaped Communists have reached our coasts, but not, so far as we are aware, with the connivance of the French authorities. Government will readily join in remonstrance to the Imperial Government. Will forward you by next mail copy of Bill submitted to our Parliament last session, framed to meet such cases, which we propose reintroducing next year in modified form.

C. HARDIE BUZACOTT,  
(for Colonial Secretary.)  
Brisbane, 20th.

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### Enclosure No. 3.

The COLONIAL SECRETARY, New South Wales, to the PREMIER.

The Colonial Secretary, Wellington.

BATCHES of pardoned convicts from New Caledonia have on several occasions arrived here. Last session we introduced Bill to prevent their influx, but did not proceed with it, for reasons which I will explain in letter. This Government will communicate with Imperial Government as you suggest, if your Government will separately take a similar course.

COLONIAL SECRETARY, New South Wales.  
Sydney, Feb. 20th.

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### Enclosure No. 4.

The PREMIER to the AGENT-GENERAL.

(From Wellington, 21/2/80.)

Vogel, London.

ELEVEN pardoned Communists and nine convicts, described as conditionally freed, arrived Auckland from New Caledonia. Passages paid by Government of New Caledonia. Reported that further similar deportations pending. Governor absent from Wellington. Directly returns, will be advised urge Imperial Government to remonstrate with France. Meanwhile, you take every possible step prevent repetition such proceeding. Very strong feeling throughout Zealand. Retaliatory measures being urged as protection. New South Wales and Queensland join remonstrance. See Agents-General.

HALL.

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### Enclosure No. 5.

The PREMIER to the AGENT-GENERAL.

(From Wellington, 24/2/80.)

Vogel, London.

TELEGRAM respecting New Caledonia withdrawn. Suspend action. Explanation by letter, next mail. Inform Agents-General.

JOHN HALL.

## Enclosure No. 6.

The PREMIER to Sir HENRY PARKES, Sydney.

Chief Secretary, Sydney.

NEW CALEDONIAN prisoners. Strict inquiry shows that, although the schooner was chartered by New Caledonian Government, the convicts who came paid their own passages to Auckland, and that they were not, as first stated, paid by Government. The convicts were at liberty to go to France or elsewhere. The Communists had passages provided by Government, and are forbidden to land in French territory. Am instructing Agent-General to suspend action, and to inform your representative. On receipt of your promised letter, will communicate further.

JOHN HALL.  
Wellington, Feb. 24th.

[A like message, on same date, to Queensland and Victoria.]

## Enclosure No. 7.

The AGENT-GENERAL to the PREMIER.

(Received 25/2/80.)

Premier, New Zealand.

SECRETARY of State for Colonies has requested Foreign Office speedily as possible move French Government discontinue shipment convicts New Zealand. Gravity of matter specially urged.

VOGEL.  
London, Feb. 24.

## Enclosure No. 8.

The AGENT-GENERAL to the PREMIER.

(Received 25/2/80.)

Premier, New Zealand.

HAVE sent last copy telegram *re* New Caledonia to Colonial Office.

VOGEL.  
London, Feb. 24.

## Enclosure No. 9.

The MAYOR of AUCKLAND to the COLONIAL SECRETARY.

The Colonial Secretary, Wellington.

Auckland, 25th February, 1880.

THIS Council desires most emphatically to express the strong feeling of indignation which exists among the citizens of Auckland with reference to the action of the French authorities of New Caledonia, in sending a vessel with released convicts to our shores. The Council calls upon the Government to take immediate and decided steps to protect the citizens from a repetition of this obnoxious form of immigration with which they are threatened.

THOS. PEACOCK,  
Mayor.

## Enclosure No. 10.

The COLONIAL SECRETARY to the MAYOR of AUCKLAND.

His Worship the Mayor, Auckland.

Wellington, 25th February, 1880.

IN reply to your Worship's message, expressing indignation at action of French authorities at New Caledonia, in sending a vessel with released convicts to New Zealand, Mr. Hall directs me to say, question is engaging the careful attention of Government. If it should be established that the action of New Caledonian Government has been such as to justify a remonstrance on the part of this Government, the necessary steps will be taken for that purpose.

G. S. COOPER.

## Enclosure No. 11.

REPORT of the SUPERINTENDENT of POLICE, Auckland.

New Zealand Constabulary, District Office,

Auckland, 21st February, 1880.

SIR,—

Referring to my telegram of the 18th instant, I have the honor to forward herewith a list and personal description of the French political prisoners or *deportés* landed here ex "Griffin" from New Caledonia; also of the convicts per same vessel, including one of the latter who stowed away on board.

Those men are at present all doing their utmost to obtain employment, and six of the latter have gone to Whangarei for that purpose, respecting whom I have instructed the constable there. Telegram attached hereto.

I beg also to furnish herewith a copy of report *re* this matter, supplied by me to the Hon. the Attorney-General by his express instructions, together with copy of the enclosures therein.

I have, &amp;c.,

R. C. Shearman, Esq., Superintendent in Charge  
of North Island Police, Wellington.

J. BELL THOMSON,  
Superintendent.

## Sub-Enclosure No. 1.

Mr. J. B. THOMSON to the Hon. F. WHITAKER.

Constabulary Department,

SIR,—

Superintendent's Office, Auckland, 20th February, 1880.

In accordance with your instructions, I have the honor to report that of the twenty *ex* prisoners from New Caledonia per "Griffin," I have officially ascertained that eleven are *deportés* or liberated political offenders, and nine are discharged offenders against the criminal code. I had some of the latter brought before me last evening and examined their passports, but none of these documents disclosed the prison career of the bearers, or gave any information about the sentence he has completed.

The men themselves inform me that their respective pardons are unconditional, and that they are at liberty to return to France or to any other part of the world they can, but that no document of formal pardon was ever given them, the passport being the only Government document with which they were furnished on leaving New Caledonia. They further inform me that, of their class, men who had endeavoured to retrieve their character were permitted to leave New Caledonia; each of the nine, after finishing his sentence, having undergone a probation (under police surveillance) of two years, during which probation they worked in or about Noumea at their respective trades and callings, and were thus enabled to save sufficient to pay their own passages per "Griffin" from Noumea to Auckland, for which passage-money each holds a receipt.

The passages of the *deportés* or political prisoners were paid by the Noumea authorities at the rate of £5 for each man.

I beg to forward herewith a report from Serjeant Martin, of the water police, of the information on this subject furnished to him by the captain and the owner of the schooner "Griffin," and also a copy of a letter sent by the New Caledonia authorities to the French Consul here, D. B. Cruickshank, Esq., who is therein officially notified of the departure from Noumea of the *deportés* or political offenders, but has not received any notification *re* the nine liberated criminal offenders, the majority of whom appear to have had sentences respectively of five years, and none of them over seven years, several of them having been soldiers convicted of insubordination or other offences against the discipline of the army.

These men are at present scattering in all directions in search of work; but I anticipate being able to obtain by to-morrow a tolerably accurate descriptive return of them, together with their respective sentences.

The Hon. F. Whitaker,  
Resident Minister, Auckland.

I have, &c.,  
J. BELL THOMSON,  
Superintendent.

## Sub-Enclosure No. 2.

Sergeant MARTIN to Mr. J. B. THOMSON.

Armed Constabulary Station, Auckland, 20th February, 1880.

SERGEANT MARTIN begs respectfully to forward, for the information of the Officer in Charge, the following statements respecting the recent arrival of time-expired convicts, per schooner "Griffin," from the Island of New Caledonia:—

John Adam Beswick states: "I am master of the British vessel 'Griffin.' Mr. William Bishop is owner. I recently proceeded from this port to Noumea, New Caledonia. On arrival at that place, I learned from Mr. Manning, commission agent, &c., of that place, that the Government of the Island wished to despatch a number of time-expired convicts to Auckland. Mr. Bishop acted as supercargo on board the vessel, and negotiated with Mr. Manning for the passages of a number. I myself had nothing to do with the matter. I once went to the British Consul to ascertain if we should be acting illegally by conveying these people to a British colony, and was told that I should not. Monsieur Nardin, Superintendent of Police, inspected the passengers, and gave them a clearance on leaving." William Bishop states: "I am owner of the schooner 'Griffin.' On the 16th January, 1880, I left the port of Noumea, New Caledonia, with that vessel, and took from there twenty-three passengers. We landed on the 17th February, 1880, at the port of Manukau. These passengers, I was informed by my agent at Noumea, Mr. Manning, were time-expired convicts, and were sent away by the Government. I transacted no business respecting their passages myself; that was all done by Mr. Manning. I agreed to convey them to Auckland at the rate of £5 per head; their passages were to be paid by a Treasury bill, but Mr. Manning agreed to pay over the amount in cash, and retain the Treasury bill himself. I received no documents from the authorities at Noumea, and had only a list of the passengers supplied by Mr. Manning. This list showed eleven political offenders, and nine offenders against the criminal law, two females and one infant—the latter three being friends of the first-named offenders."

Sergeant Martin begs also to forward herewith copy of a letter referring to these people, supplied by Mr. D. B. Cruickshank, the French Consul of this place.

J. Bell Thomson, Esq.,  
Superintendent in Charge of District.

H. MARTIN,  
Sergeant, No. 210.

Sub-Enclosure No. 3.  
LIST AND DESCRIPTION OF POLITICAL EX-PRISONERS, per "GRIFFIN," from NEW CALEDONIA.

Names.	Country.	Age.	Height.	Complexion.	Eyes.	Hair.	Build.	Appearance.	Remarks.
Rayer, François ...	France ...	50	ft. in. 5 4	Dark ...	Grey ...	Dark hair, tinged with grey	Medium ...	Smart ...	Full moustache ; slight beard and whiskers.
Vilval, Joseph Charles Albin ...	Belgium ...	32	5 4	Fair ...	" ...	Dark-brown ...	" ...	Smart, and good-looking	Slight moustache ; no whiskers ; and speaks English slightly.
Verspeelt, Bruno ...	" ...	54	5 3	Fresh ...	Dark ...	Grey ...	Stout ...	Elderly ...	Slight grey beard and moustache ; wears spectacles.
Huguenin, Simon ...	France ...	49	5 10	" ...	Brown ...	Brown ...	" ...	Smart ...	Full dark moustache ; slight growth of beard.
Lewéident, Henry Louis ...	" ...	42	5 4	Fair ...	Blue ...	Light-brown ...	Medium ...	" ...	Slight beard and moustache.
Plessis, François Julien ...	" ...	49	5 8	Dark ...	Dark ...	Grey ...	Slight ...	" ...	Moustache ; no beard or whiskers.
Henry, Nicolas ...	" ...	50	5 3	Fresh ...	" ...	Grey ...	Medium ...	Elderly ...	Slight moustache and beard.
Hocquart, Auguste ...	" ...	45	5 7	Swarthy ...	Dark-brown ...	Brown ...	Stout ...	Gentlemanly	Full dark beard and moustache ; shrugs his shoulders when speaking.
Lahalle, Hippolyte Celestin ...	" ...	43	5 10	Very dark ...	Brown ...	Black ...	Medium ...	Respectable	Moustache and beard.
Picard, Pierre ...	" ...	44	5 9	Swarthy ...	Grey ...	Brown ...	Stout ...	" ...	" ...
Caillien, François Octavien ...	" ...	45	5 4	Very dark ...	Dark ...	Dark ...	" ...	Gentlemanly	Beard, whiskers, and moustache.

Police Station, Auckland, 21st February, 1880.

Sub-Enclosure No. 4.

LIST and DESCRIPTION of CRIMINAL EX-PRISONERS, per "GRIFFIN," from NEW CALEDONIA.

Names.	Country.	Offence.	Sentence.	Age.	Height.	Com- plexion.	Eyes.	Hair.	Build.	Appearance.	Trade.	Remarks.
Ledré, John ...	France ...	Violent assault on a brother soldier	5 years	38	ft. in. 5 0	Dark ...	Grey	Light-brown	Slight	Ordinary ...	Labourer	Full moustache; slight beard.
Dapremont, Jean Louis ...	"	Assaulting a sergeant ...	5 years	26	5 11	Fair ...	Grey	Brown ...	Slim	Smart ...	Butcher ...	Large nose; no hair on face; good-looking.
Leca, Paul Felix ...	"	Embezzling army money	5 years	32	5 4	Dark ...	Dark	Dark ...	Medium	"	Clerk ...	Full moustache; no beard or whiskers.
Pourailly, Bernard Adolphe ...	"	"	5 years	39	5 10	"	"	"	Stout	Respectable ...	"	Moustache and beard.
Mélin, Pierre ...	"	Indecent assault on girl under 10 years of age	10 years	50	5 2	"	"	"	Slight	Ordinary ...	Clerk and school-master	Bald; was formerly a priest.
Granguier, Prospere ...	"	Assaulting an officer ...	5 years	27	5 7	"	Grey	"	Stout	Smart and active	Carter ...	Pockpitted; beard and moustache.
Parisse, Joseph ...	"	Assaulting the captain of his ship by throwing him overboard	10 years	37	5 5	"	Brown	"	"	Respectable ...	Ship's carpenter ...	Hair turning grey; moustache and beard.
Benjames, Charles ...	"	Deserting from army ...	5 years	42	5 6½	Fair ...	Blue	Light ...	Medium	"	Painter ...	Moustache and beard.
Perrot, Antoine ...	"	Larceny ...	5 years	42	5 7	Swarthy	Grey	Brown ...	Stout	"	Mechanical engineer	Scar on forehead; moustache and beard turning grey.
Peodgao ...	Fr. creole	Robbing with violence	20 years	22	5 5	Very dark	Blue	Light ...	Slight	Ill-looking	Labourer ...	Was a stowaway; only served 2 years of the 20 years' sentence.

Police Station, Auckland, 21st February, 1880.

## Sub-Enclosure No. 5.

The MILITARY COMMANDER, New Caledonia, to the FRENCH CONSULAR AGENT, Auckland.  
Noumea, le 13 Janvier, 1880.

*Administration Pénitentiaire.—Déportation.*

MONSIEUR L'AGENT CONSULAIRE,—

J'ai l'honneur de vous adresser la liste des deportés amnitiés que j'ai autorisés à prendre passage sur goëlette le "Griffin," pour se rendre à le Nouvelle Zélande le 15 Janvier, 1880.

Parmi ces passages se trouvent deux sujets Belges, les noms Villeval et Verspeelt. Quant aux autres, bien que sujets français, ils ont déclaré avoir des ressources suffisants pour leur permettre d'attendre d'avoir trouvé de l'ouvrage dans le pays.

Dans tous les cas, ils ont été prévenus qu'ils se rendraient à la Nouvelle Zélande à leur risques et périls, et qu'ils n'avaient nullement à compter sur l'intervention de notre Consul pour leur procurer soit un engagement, soit du travail.

Recevez, Monsieur l'Agent Consulaire, l'assurance de ma considération le plus distingué.

Pour le Gouverneur,

A. Monsieur D. B. Cruickshank,

LE COMMANDANT MILITAIRE.

Agent-Consulaire à Auckland, Nouvelle Zélande.

## LISTE des PASSAGERS EMBARQUES sur le "GRIFFIN."

Noms et Prisonniers.	Nationalité.	Graciés.	Bannis.	Observations.
Rayer, François ... ..	Français	1	...	
Villeval, Joseph Charles Albin ... ..	Belge	1	...	
Hocquart, Auguste ... ..	Français	1	...	
Leweident, Henri Louis ... ..	"	1	...	
Verspeelt, Bruno ... ..	Belge	1	...	
Plessis, François Julian ... ..	Français	1	...	
Lahalle, Hippolyte Celestin ... ..	"	1	...	
Henry, Nicolas ... ..	"	1	...	Sous condition d'expulsion de territoire Français.
Picard, Pierre ... ..	"	1	...	
Caillien, François Octavien ... ..	"	1	...	
Fille Caillien (16 ans) ... ..	"	...	...	
Fille Caillien (1 ans) ... ..	"	...	...	
Huguenin, Simon ... ..	"	1	...	
Quivogne, Claude Seraphin ... ..	"	1	...	

Arrêté la présente liste à quatorze noms.

C. DU GRORY,

Le Directeur de l'Administration Pénitentiaire.

Noumea, le 14 Janvier, 1880.

## Sub-Enclosure No. 6.

Mr. J. B. THOMSON to Constable HAMMOND.

Auckland, 21st February, 1880.

Constable Hammond, Whangarei.

SIX of the liberated prisoners from New Caledonia are reported to me as having sailed per "Argyle" last night for Whangarei to try and obtain work at the coal-mines or gum-fields, or at their respective trades. Unless they commit some offence against our laws you are not to interfere with them, or in any way prevent them getting an honest living; but I shall expect you to keep sufficient surveillance over them to be able to inform me at any time when required where any one of them is residing, and what he is doing for a living. I shall further require you to report to me at once when any one of them leaves Whangarei, and where he proceeds to from there.

J. BELL THOMSON, Superintendent.

## No. 3.

The COLONIAL SECRETARY, Queensland, to the COLONIAL SECRETARY, New Zealand.

SIR,—

Colonial Secretary's Office, Brisbane, 26th February, 1880.

Referring to your telegrams of the 19th, 21st, and 24th instant respectively, and to mine of the 20th idem, on the subject of the recent arrival at Auckland of a number of liberated convicts from the French colony of New Caledonia, I have the honor to forward for your information a copy of a Bill which was introduced by the Government during the last session of our Parliament, and which, you will observe, has been framed specially to provide against the influx of criminals from a foreign State.

At the time this measure was submitted, many members were of opinion that the Government were legislating in anticipation, and that many of the provisions of the Bill were arbitrary and of too sweeping a character; but, as recent events now convince us that some such measure is required, the Government will probably reintroduce it in a modified form during the ensuing session.

I take this opportunity of enclosing for your information copies of circular despatches from the Colonial Office to the Officer Administering the Government of this colony, and of drawing your attention to the Duc Decazes's letter to the Foreign Office under date the 13th of February, 1877. The action of the Government of New Caledonia in chartering the "Griffin," and thus assisting these ex-criminals to reach your colony, can scarcely be reconciled with the promise of the Duke that every legitimate effort would be made to prevent such persons going to Australia.



In deference to the wish expressed in your telegram, I have refrained from communicating with our Agent-General, but was on the point of doing so when your last message reached me.

I have, &c.,

C. HARDIE BUZACOTT,  
(for the Colonial Secretary.)

The Hon. the Colonial Secretary, New Zealand.

### Enclosure No. 1.

The SECRETARY of STATE for the COLONIES to the OFFICER ADMINISTERING the GOVERNMENT of QUEENSLAND.

SIR,—

Downing Street, 1st January, 1877.

I have the honor to transmit to you, for your information and for that of your Government, a copy of a note which, in obedience to instructions from the Imperial Government, Her Majesty's Ambassador at Paris has addressed the Government of France, drawing attention to the objections entertained by the Australian Colonies to the resort to their territories of pardoned convicts from New Caledonia.

The instruction to Lord Lyons to make a further representation to the French Government on this subject, of which a copy is likewise enclosed, was based upon a request contained in your despatch No. 65 of the 2nd September last.

I enclose for your information an extract from the *Journal Officiel* giving the notification issued in August last upon this subject, to which allusion is made in Lord Lyons's note to the Duc Decazes.

I have, &c.,

CARNARVON.

The Officer Administering the Government of Queensland.

### Sub-Enclosure No. 1.

Lord LYONS to the Duc DECAZES.

M. LE MINISTRE,—

Paris, 13th December, 1876.

Your Excellency is well aware that the local colonial authorities strongly object to the arrival in Australia of pardoned convicts from New Caledonia, and indeed the French Government was so considerate as to insert in the *Journal Officiel* of the 29th August last a notice to that effect.

Since I had before the honor of addressing your Excellency on the subject, Her Majesty's Government have received from the Governors of Her Majesty's Australian possessions further despatches pointing out that the feelings of the colonists are strongly opposed to the reception of persons of this class, and they have accordingly instructed me once more to press upon the attention of the French Government the objections entertained in those colonies to the resort to the territory of released French prisoners.

I have, &c.,

LYONS.

The Duc Decazes.

### Sub-Enclosure No. 2.

Earl of DERBY to Lord LYONS.

MY LORD,—

Foreign Office, 8th December, 1876.

I have to acquaint your Excellency that I caused to be communicated to the Colonial Department the extract from the *Journal Officiel* which accompanied your Excellency's Despatch No. 711, of the 29th August last, notifying that the French Consul at Sydney had informed the French Government that the Australian authorities object to the arrival of pardoned convicts from New Caledonia.

On the 26th of last October I transmitted to your Excellency, with my Despatch No. 922, an extract of a despatch from the Governor of New South Wales upon this subject.

Other despatches have been subsequently received at the Colonial Office from the Governor of Queensland, relating to the resort to the Australian Colonies of French Communists from New Caledonia.

For your Excellency's information, I transmit this correspondence herewith, requesting that it may be ultimately returned to this department.

Although the French Government have already been made aware by your Excellency's representations of the feeling which exists in Australia upon this subject, Lord Carnarvon has suggested to me that it may be advisable to impress still further upon them the objections which are entertained in those colonies to the resort to their territory of released French prisoners, and I have accordingly to request that your Excellency will take an opportunity once more of drawing the attention of the French Government to this matter.

I have, &c.,

DERBY.

His Excellency Lord Lyons, G.C.B., &c.

### Sub-Enclosure No. 3.

EXTRACT from *Journal Officiel*.

Le Gouvernement a été averti par le Consul Français résidant à Sydney que les autorités Australiennes s'opposent à l'arrivée des déportés graciés de la Nouvelle-Calédonie. Il croit devoir porter cette décision à la connaissance du public, afin que les familles des déportés qui auraient eu la pensée d'adresser des secours en argent leur donnent une autre destination que celle des Colonies Australiennes.

### Enclosure No. 2.

The SECRETARY of STATE for the COLONIES to the OFFICER ADMINISTERING the GOVERNMENT of QUEENSLAND.

SIR,—

Downing Street, 2nd March, 1877.

With reference to my circular despatch of the 1st of January, I have the honor to transmit to you, for your information and for that of your Government, a copy of a letter from the Foreign Office,

enclosing a copy of the reply returned by the Duc Decazes to the note in which Her Majesty's Ambassador in Paris drew attention to the objections entertained by the Australian Colonies to the resort to their territory of pardoned convicts from the penal settlement of New Caledonia.

Her Majesty's Government have received with great satisfaction the assurance of the Duc Decazes that it is the desire and intention of the French Government to endeavour to meet the wishes of the Australian Colonies on a matter of much interest to them.

The Officer Administering the Government of Queensland.

I have, &c.,

CARNARVON.

### Sub-Enclosure No. 1.

The FOREIGN OFFICE to the COLONIAL OFFICE.

SIR,—

Foreign Office, 19th February, 1877.

With reference to my letter of the 18th of last December, I am directed by the Earl of Derby to transmit to you, for the information of the Earl of Carnarvon, a copy of the reply which has been returned by the Duc Decazes to the note in which Lord Lyons pressed upon the French Government the remonstrances of the Australian authorities against the resort to their territory of pardoned convicts from New Caledonia.

The Duc Decazes states that the French Government will do all it can to deter these released convicts from going to Australia, but that it has not the power to control their movements by force.

I have, &c.,

The Under-Secretary of State, Colonial Office.

TENTERDEN.

### Sub-Enclosure No. 2.

The Duc DECAZES to Lord LYONS.

MONSIEUR L'AMBASSADEUR,—

Versailles, 13 Février, 1877.

Votre Excellence m'a fait l'honneur de m'écrire le 13 Décembre dernier, pour appeler l'attention du Gouvernement Français sur les objections élevées par les autorités et la population de l'Australie contre l'arrivée dans ce pays d'individus qui, ayant été déportés à la Nouvelle Calédonie, obtiennent leur grâce. J'ai fait part de cette communication à mon collègue, M. le Ministre de la Marine et des Colonies, en le priant d'examiner dans quelle mesure il lui serait possible de prêter son concours aux vues indiquées par votre Excellence. M. l'Amiral Fourichon est disposé à prendre toutes les précautions afin d'éviter, autant qu'il dépendra de lui, les fuissemens dont vous m'avez entretenus. D'après ce qu'il m'a écrit, il se proposerait de recommander aux autorités de la Nouvelle Calédonie de veiller à ce que les individus dont il s'agit soient prévenus à l'avance des dispositions qu'ils sont exposés à rencontrer en Australie, de manière à les détourner de se rendre dans ce pays. Il est naturellement impossible d'user de mesures de coercition pour déterminer des personnes devenues libres de leurs mouvements à prendre une direction autre que celle qui leur convient, mais du moins les autorités Coloniales Françaises s'abstiendront soigneusement de faciliter aux individus visés par votre communication des embarquements qui les conduiraient dans les ports Australiens.

Agréez, &c.,

DECAZES.

Son Excellence Lord Lyons, &c.

### Enclosure No. 3.

A BILL to prevent the Influx of Foreign and other Criminals into Queensland.

[Recommended by His Excellency the Governor, 14th May, 1879. Introduced in Committee 20th May, 1879. MR. PALMER.]

Preamble.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Offenders illegally at large.

1. The following persons shall be deemed to be offenders illegally at large within the meaning of this Act, that is to say:—

Any person in Queensland who, having been found guilty of felony by a Court of competent jurisdiction in the United Kingdom of Great Britain and Ireland or any British possession other than Queensland, shall have escaped from custody within three years of his arrival in Queensland.

Any person in Queensland having been found guilty as aforesaid whose sentence shall have expired within three years previous to his arrival in Queensland.

Any person in Queensland who, having been transported or imprisoned under the authority of any foreign State for any crime, shall have escaped from custody.

Any person who, having served a sentence of transportation or imprisonment under the authority of any foreign State, shall come into Queensland within three years after the expiration of such sentence.

Offenders may be arrested.

2. It shall be lawful for any Justice of the Peace or any constable at any time after the passing of this Act having reasonable cause to suspect that any person is an offender illegally at large within the meaning of this Act, forthwith and without any warrant for such purpose to arrest or cause such suspected person to be apprehended and taken before any two Justices of the Peace, to be dealt with as hereinafter mentioned.

It shall be lawful for any Justice to take bail for the appearance of any person charged with being an offender illegally at large, to answer the charge before two such Justices, in such sum and with or without such sureties as such Justice may deem expedient.

Punishment of offenders illegally at large.

3. It shall be lawful for any two Justices of the Peace before whom any person shall be brought

charged with being an offender illegally at large within the meaning of this Act to convict him thereof, and at their discretion either

- (1.) To take bail that such person shall leave the colony within seven days after his conviction; or
- (2.) To cause such person to be delivered up to any person duly authorized by the Government of the country or possession from whence he came, so as to be conveyed in custody to such country; or
- (3.) To cause him to be put on board any ship of war belonging to such country, and in the meantime to detain him until he can be so conveyed, delivered up, or put on board a ship of war as aforesaid; or
- (4.) To sentence such person, if a male, to be kept to hard labour on the roads or other public works of the colony for any period not exceeding three years; or if a female, to be imprisoned with or without hard labour in any gaol for any period not exceeding one year.

Forfeiture of property.

4. All property found upon or in the possession of any person arrested under the authority of this Act shall, upon his apprehension, be seized and detained, and, in the event of his being convicted, may be forfeited and sold or otherwise disposed of at the discretion of the country Justices.

Punishment for offenders remaining after expiration of sentence.

5. Any person sentenced as aforesaid to hard labour or imprisonment who shall remain in Queensland for three months after the termination of such sentence shall be liable to be again apprehended and sentenced, and so on from time to time as often as he shall so remain.

Penalty for harbouring.

6. Any person who shall harbour or conceal any other person whom he shall know or believe to be an offender illegally at large within the meaning of the Act shall be subject to a fine not exceeding one hundred pounds, or to be imprisoned in any gaol or house of correction in Queensland for any period not exceeding twelve months.

Masters of ships liable if offenders introduced.

7. Any master mariner or other person commanding, navigating, or sailing any vessel for the trip or voyage when such vessel shall bring to any port or place in Queensland any such person as is mentioned in the first clause of this Act shall, upon conviction thereof before any two Justices of the Peace, for every such offence be liable to a fine not exceeding one hundred pounds, or to imprisonment for any time not exceeding six months, or to both, at the discretion of the said Justices.

Search warrants.

8. It shall be lawful for any Justice of the Peace having information on oath that any offender illegally at large is harboured in any house or other place to grant a general search warrant to any constable for such person, and it shall be lawful for any such constable, in virtue of such general search warrant, to break, enter, and search by day or by night any dwelling-house, tenement, or other place wherein such person may be suspected to be concealed, and to apprehend any person whom such constable shall have reasonable cause for suspecting to have arrived or remained in Queensland contrary to the provisions hereof, and also to apprehend all persons found in or about such dwelling-house, tenement, or other place whom such constable shall have reasonable grounds for suspecting and believing to have knowingly harboured and concealed such suspected person; and all persons found and apprehended as aforesaid shall be forthwith taken before any Justices of the Peace to be dealt with as herein provided.

Power of search.

9. It shall be lawful for any Justice of the Peace or constable to enter on board any vessel, and, having reasonable cause to suspect that any such person as is mentioned in the first section is on board such vessel, to search any and every part thereof and apprehend any such person found therein.

Summary jurisdiction.

10. It shall be lawful for any two or more Justices to hear and determine in a summary way all cases arising under this Act; and no complaint, conviction, order for confiscation, punishment, or forfeiture, or other proceeding before or by any Justices under this Act shall be quashed or set aside, or deemed void or insufficient for want of form only, or be removed or removable by *certiorari* or any other writ or process whatsoever into the Supreme Court.

11. The Justices who shall hear any complaint or information laid under this Act may receive such evidence as may be laid before them, although the same may not be such as in other cases would be legally admissible; and if it shall be proved before them—

- (1.) That any person was at any time theretofore in any country known, deemed, or commonly reputed to have been found guilty of any transportable or capital felony in the United Kingdom, or any British possession other than Queensland;
- (2.) Was known or deemed or reputed to have served or been serving any sentence of transportation or imprisonment,

shall for the purposes of the Act be taken to be *prima facie* evidence of such person having been so found guilty, or been sentenced or served such sentence as aforesaid.

12. Any Justices adjudicating under this Act may, for the purpose of assisting their judgment, receive in evidence any paper purporting to be a Government *Gazette* of any Australian colony, containing the name of any person charged under this Act, and describing him as a convicted prisoner, or transported felon, or prisoner escaped from justice, and in the case of prisoners from any foreign State may also inspect any letter written by any Governor or consular authority of such State in which any such person shall be named, described, or referred to as a person escaped from custody; and

if any such person from any foreign State shall allege that the offence for which he has been sentenced or found guilty was of a political nature, the proof thereof shall lie upon him.

Appeal.

13. Any person who shall feel himself aggrieved by the judgment of the Justices adjudicating under this Act may, on entering into such recognizances as are hereinafter mentioned, appeal from their order or adjudication to the next District Court which shall be held nearest to the place where such order or adjudication shall have been given or made; and the execution of every such order or adjudication so appealed from, and the forfeiture and sale of any property as aforesaid, may at the discretion of such Justices be suspended.

No appeal under the last preceding section shall be allowed unless the person intending to appeal shall, with one or more sufficient sureties or sureties, before the Justices hearing the case enter into a recognizance to Her Majesty, her heirs and successors, in such sum as to such Justices shall seem fit, which recognizance such Justices are hereby authorized to take, conditioned to prosecute such appeal with effect, and to be forthcoming to abide the determination of such District Court, and pay such costs as the said Court shall award, and such Court is hereby authorized finally to hear and determine the matter of such appeal.

14. Nothing in this Act shall be taken or construed to take away or curtail any powers vested in the Governor under any Extradition Act or Extradition Treaty.

Duration of Act.

15. This Act shall continue in force for one year from the passing thereof, and thence to the end of the then next session of the Legislative Council of Queensland.

Short Title.

16. This Act may be cited as "The Criminal Expulsion Act of 1879."

No. 4.

The PREMIER to the COLONIAL SECRETARY, Queensland.

SIR—

Colonial Secretary's Office, Wellington, New Zealand, April 15, 1880.

I have the honor to acknowledge the receipt of your letter No. 80-35, of the 26th of February last, enclosing the copy of a Bill which had been introduced by your Government into the Queensland Parliament during the last session, and which had been framed specially to provide against the influx of criminals from a foreign State.

You also enclose copies of two papers presented to Parliament, containing correspondence between the Governments of England and France upon the subject.

For the valuable information thus conveyed I desire to offer you the thanks of this Government.

No. 2, of this series.

I now beg to forward to you the copy of a Ministerial memorandum addressed to His Excellency Sir Hercules Robinson on the same subject, which states fully the facts with respect to the liberated criminals and political offenders who were passengers by the "Griffin" from New Caledonia.

His Excellency has forwarded a copy of this document to the Secretary of State, and has likewise telegraphed to Sir Michael Hicks Beach as requested in the memorandum. A reply has been received, to the effect that Her Majesty's Ambassador at Paris has been instructed to urge the French Government to prohibit assistance being given to liberated convicts in emigrating from New Caledonia to the Australasian Colonies.

Since the arrival of the "Griffin," another vessel has also reached Auckland, having on board a further number of amnestied political and time-expired criminal offenders.

With regard to the possibility of a further influx of a similar character, I am addressing you separately in a confidential letter of this day's date.

The Colonial Secretary, Brisbane.

I have, &c.,

J. HALL.

No. 5.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, February 26, 1880.

I have the honor to inform you that on the receipt of your telegram (copy herewith) of the 21st instant, respecting the arrival at Auckland from New Caledonia of certain persons discharged as conditionally-freed Communists and convicts, I lost no time in placing myself in communication with the Colonial Office; and thereupon Sir Michael Hicks Beach requested the Foreign Office to instruct Lord Lyons, the English Ambassador at Paris, to make immediate representations to the French Government.

On receipt of your telegram (copy herewith) of the 24th instant, I at once sent a copy of the same to the Colonial Office, and received in reply a communication from Mr. Herbert, the Under-Secretary for the Colonies, to the effect that a telegram had been sent to Lord Lyons requesting him to intimate to the French Government that any action may be suspended for the present, pending the receipt of further advices from New Zealand.

I have, &c.,

JULIUS VOGEL,

Agent-General.

The Hon. the Premier, Wellington.

## No. 6.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, March 22, 1880.

Referring to my letter of the 26th February, advising you of the steps I had taken in connection with your telegraphic communications respecting the arrival in the colony of Communists and convicts from New Caledonia, I now have the honor to forward, for your information, copy of a despatch I have since received on the subject from the Colonial Office.

I have, &amp;c.,

JULIUS VOGEL,  
Agent-General.

The Hon. the Premier, Wellington.

## Enclosure.

The UNDER-SECRETARY for the COLONIES to the AGENT-GENERAL.

SIR,—

Downing Street, 13th March, 1880.

With reference to your letters of the 23rd and 24th of February, enclosing telegrams from the Premier of New Zealand, relative to the influx of convicts from New Caledonia into that colony, I am directed by the Secretary of State for the Colonies to inform you that a telegram on the same subject was subsequently received from the Governor of New South Wales, and that Her Majesty's Ambassador at Paris was instructed on the 3rd instant to urge the French Government to take all the measures in their power to prevent assistance being given to time-expired convicts in New Caledonia in emigrating to any of the Australasian Colonies.

2. I am at the same time to enclose a copy of a telegram, dated the 6th instant, from the Governor of New Zealand, containing a representation on the part of the Government of that colony upon the subject, together with a copy of the reply which has been returned to it.

3. I am to add that a letter has been addressed to the Foreign Office, requesting that this further telegram may be communicated to Lord Lyons, with any additional instructions which may be thought proper.

4. Sir Michael Hicks Beach desires me to add, that he will be glad to receive the particulars respecting the recent arrival of convicts in Auckland, to which allusion is made by Sir H. Robinson as having been communicated to you.

I have, &amp;c.,

The Agent-General for New Zealand.

ROBT. G. W. HERBERT.

## Sub-Enclosure No. 1.

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

Right Hon. Sir Michael Hicks Beach, Bart., Colonial Office,  
Downing Street, London.

SIXTH MARCH.—Ministers request me to solicit the good offices of Her Majesty's Government, in remonstrating with the French Government against making New Zealand a receptacle for liberated Communists and convicts from New Caledonia. The recent arrival of a considerable number of such men has caused much dissatisfaction; and demands that the colony shall legislate, for its own protection, against further additions of the kind, have been made from various quarters. Full particulars respecting recent arrivals in Auckland were forwarded to the Agent-General by the last Frisco mail.

GOVERNOR,

Wellington.

## Sub-Enclosure No. 2.

PARAPHRASE of TELEGRAM from the SECRETARY of STATE to the GOVERNOR of NEW SOUTH WALES.

March 13.

IN reply to your telegram respecting liberated convicts from New Caledonia, instructions have been given to Her Majesty's Ambassador at Paris to urge French Government to take steps to prohibit assistance being given to them in emigrating to Australasian Colonies. Please inform Sir Hercules Robinson of above.

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1880.

Price 9d.]

