

1863 had established the penal settlement of New Caledonia, and in 1867 a Ministerial decision had appointed it as the place where all convicts should be transported; but there was no trace of any report or other document from the colony to justify that decision; if any had ever existed, they were lost or destroyed.

3. *Statement by the Sanitary Council of the Marine Department.*

4. *Evidence of M. Franconie, Deputy for Guiana.*

5. *Minute by M. Félix Faure, Under-Secretary of State.*

6. *Minute by the Governor of Guiana (M. Chessé).*

All these papers relate chiefly to Guiana; but the last is a powerful and sustained argument against the whole scheme of relegation as originally proposed, and especially against the *relégués* being free. In 1878, 3,656 convicts transported to Guiana had cost 219,865 francs (£9,599); in 1884, only 2,443 had cost 441,900 francs (£17,676). The cost of the scheme might begin at hundreds of thousands of francs, but would soon be counted by millions. Out of 22,000 convicts transported since 1854 perhaps ten *libérés* might be counted as having established themselves, and these were old soldiers who really had only the name of *forçats*. So, after all the cost that would be lavished, the *récidiviste* would be neither punished nor reformed; but he would have that done for him which many poor but honest families in France herself might envy. Governor Chessé then went on to propose a system under which relegation might be carried out, provided that the law itself laid down that every *relégué* who was a charge to the State should be constrained to forced labour and subjected to discipline and to military jurisdiction. [This system would really be one of rigorous repression, essentially antagonistic to the scheme as voted by the Chamber of Deputies.]

True *précis*.

F. D. BELL.

31st January, 1885.

No. 11.

The AGENT-GENERAL to the PREMIER.

SIR,—

7, Westminster Chambers, London, S.W., 16th February, 1885.

In my letter of the 12th instant (No. 185) I sent you a *précis* I had made of the report of the French Senate Committee on the *Récidiviste* Bill. I now beg to enclose some notes of the debate on the second reading, which, you will see, was passed by a majority of 178 against 20.

The debate was of great length, extending over six days, from the 5th to the 13th February, and travelling over the whole ground of transportation as a punishment. I have only extracted so much of it from the *Journal Officiel* as seemed of interest to Australasia.

I have, &c.,

F. D. BELL.

The Hon. the Premier, Wellington.

Enclosure.

RÉCIDIVISTE BILL.—Notes of Debates in the French Senate on the second reading of the Bill, from the 5th to the 13th February, 1885.

[NOTE.—It is impossible to give more than a mere sketch of a debate which extended over six days, and travelled over the whole ground of the transportation question.]

5TH FEBRUARY.—M. Bérenger renewed the arguments he had advanced in the debates of October, 1884, in favour of his scheme for combating relapse into crime, and criticised adversely the whole scope of the present Bill. The evidence of the Governors of New Caledonia and Guiana had now shown that it was impossible to send *récidivistes* to New Caledonia, and inhuman to send them to Guiana. The Committee had thereupon devised the idea of leaving everything to the Executive. But to vote relegation and then leave it in the air; to acknowledge that it was impossible to say where it could be applied; to reject every place one after the other as inadmissible—to do this was a somewhat daring imposition on serious men. The scheme would entail an enormous expense. It was now clear that the estimate of the criminals to be transported must be doubled or trebled. After reading the first twenty pages of the report the decision seemed inevitable against going on with the Bill. The Committee knew that there was no more to be said about New Caledonia or Guiana, and that they could not maintain their former opinions. They had practically renounced their scheme: they had even struck out the word “colony” from the Bill; relegation was now to be simply defined as *internement*. *Internement* where? The Minister might interpret the Bill in any sense he pleased. No one had ever supposed that such colonies as Réunion or Martinique could be used, still less any others that might be conquered or annexed hereafter; and who would dare from that tribune to suggest Tunis, or Tonkin, or Corsica, or Algiers? Then, as to numbers and cost, the old figure of 5,000 had vanished: they had now got to 21,000 as the lowest; but certain classes of criminals had yet to be counted in, and 30,000 was the least number. The estimate had been ten million francs a year: they would find thirty millions too little. As to the exaction of forced labour, it really meant perpetual imprisonment. That was, again, another innovation. But a penal law ought not to sanction a punishment which it neither named nor defined. [M. Bérenger then went on to argue in favour of his own alternative scheme.]

M. Waldeck-Rousseau (Minister of the Interior) replied to M. Bérenger. The Government still insisted on the necessity of the Bill. Public opinion demanded it, and it was justified by the immense results produced by English transportation. He knew there was a conflict of opinion about Australia. “Convicts made Australia,” said some; “ruined her,” said others. But it was only when Australia had become powerful and flourishing that she refused to receive any more criminals.