

It will be in your Lordship's recollection that, at the interview with which you honoured some of us on the 19th November last, we traced the changes that had been made in the Bill from the time when it passed the Chamber of Deputies in June, 1883, to its first reading in the Senate in October, 1884. The scheme had recommended itself to the Chamber of Deputies by four leading features: the colonies to which the *récidivistes* were to be transported were expressly named, France was to be rid of 60,000 or even 80,000 of her most dangerous criminals, this riddance was to be effected at a very small cost, and the *récidivistes* were to be absolutely free on their arrival in the colony. Your Lordship will remember that this last feature seemed so incredible to you that you required the Agent-General for New Zealand to supply you with clear evidence of it, which was at once supplied, and has since been abundantly verified in the Senate debates.

The Bill as it left the Chamber of Deputies was largely amended at its first reading in the Senate last October. All the leading features of the original scheme were reversed. The names of colonies were struck out; transportation was to be limited to Guiana and New Caledonia; instead of 60,000 or 80,000 *récidivistes* there were only to be 12,000; instead of the scheme costing little, the estimate for the first three years was to exceed £1,000,000; lastly, instead of the *récidivistes* being free, they were to be under effectual restraint, and be liable to forced labour. These changes reflected one which was not less significant in French public opinion. There had always been serious objections to the Bill in France, but in the interval between the passing of the Bill in the Chamber of Deputies and its coming up to the Senate, these objections had been so powerfully urged, especially in regard to the "state of liberty," that the Government had been obliged to defer to them.

The Bill had only got as far as the first reading in the Senate, when the session was prorogued. In the interval between the prorogation and the reassembling of the Chambers in January the Senate Committee reinvestigated the whole subject, and they presented an elaborate supplementary report, by which the character of the Bill was again to be largely modified. They admitted that grave doubts now existed whether it was possible to carry out the law at all, for want of any colony where the "relegation" could take place. They allowed that the evidence laid before them had established the fact of there being no more room in New Caledonia, where there were already 10,000 convicts, and 3,000 *libérés*, who had to be supported by the State for want of work. The late Governor, M. Pallu de la Barrière, declared in emphatic terms that New Caledonia could not receive any *récidivistes*. They would not be able to find work, any more than the *libérés*. There were no industries in the colony, and the *libérés* furnished more workmen than were wanted; while the free colonists would always prefer recruits from the New Hebrides at 45 francs per month, or *forçats* at 65 francs, to *libérés* who would not work under 8 to 10 francs a day. The *relégués* would require the same wages, though they would be more dangerous and less apt to work than the *forçats*; and if they did not get work they would, perforce, come back to the State, as the *libérés* did, for sustenance. As to concessions of land, what remained of the State domain would barely suffice up to 1888 for the concessions to *libérés* required by the law of 1854, or for the free emigration which was the indispensable counterpoise of any scheme of transportation; so that, in order to allow of any concessions being made to the *relégués* at all, either transportation must very soon cease or the allocation of land to free colonists must come to an end, which meant the ruin of the colony. The Governor of Guiana, M. Chessé, advanced a sustained and powerful argument against the whole scheme of relegation as originally proposed, and especially against the *relégués* being free on arrival. He warned the Government that, although the cost of the scheme might begin at a few hundred thousand francs, it would soon have to be counted by millions; he showed that, out of 22,000 convicts transported to Guiana since 1854, perhaps ten *libérés* might be counted as having established themselves, and even these were all old soldiers, who had nothing about them of the *forçat* but the name; and he then went on to propose a rigorous system of restraint, under which he thought relegation might be possible, provided the law itself laid down that every *relégué* who did not get his own living should be held to forced labour, and subjected to military jurisdiction and discipline. M. Schœlcher, a member of the Senate and Vice-President of the *Conseil Supérieur des Prisons*, presented protests from Guiana and New Caledonia, confirming all that the Governors of those colonies had said. New Caledonia has no representative in the French Parliament; but its delegate to the *Conseil Supérieur des Colonies* entreated the Government of the mother-country, after having inflicted upon the colony one scourge in the *libérés*, not to inflict another yet worse in the *relégués*.

The Senate Committee confirmed the evidence of the Governor of New Caledonia. After a renewed and exhaustive study of the question, showing that there was really no colony in which it could be said with certainty that the law could be safely put in force, they advised the Senate to leave the choice of territory entirely to the Government. They admitted that the possession of absolute liberty and common rights by incorrigible malefactors constituted a peril so great that the law could never have been really carried out. They showed that the number spoken of at the first reading of the Bill in October, 1884, must be now largely increased. According to the earlier returns, they had been willing to accept the estimate of 5,000 for the first year, 4,000 for the second, and 3,000 for the third; but a later return, supplied to them by the Minister of Justice, showed that not less than 30,000 would have come under the original Bill, and 21,000 under the present one. It was argued within the Committee that even this number might turn out to be much less than the reality; that the growing augmentation of *récidive* had not been taken into account; that sentences of military and naval tribunals entailing relegation had been altogether left out; that various offences had also been omitted; that, in addition to the 30,000 who would come immediately under the law, there were large numbers whom previous sentences would place in the same category; that there were really more than 60,000 on whom a fresh sentence would entail relegation; and that it was not 12,000, but perhaps 30,000, who would have to be relegated in the first three years. The Committee admitted that the 21,000 indicated by the Minister must be very much increased. They did not pretend that there was any more than an approximate estimate of the number to be