

No. 63.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 41.)

Government House, Auckland;

MY LORD,—

New Zealand, 2nd May, 1872.

At the request of my Responsible Advisers, I have the honor to transmit the enclosed Ministerial Memorandum respecting the extradition of criminals in certain cases.

Memo. by Mr.
Gisborne,
April 9, 1872.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 63.

MEMORANDUM by Mr. GISBORNE.

THE attention of Ministers has been drawn to the fact that the facilities offered by the establishment of a line of steamers between New Zealand and the United States of America have been availed of by persons in order to escape to the United States from New Zealand, after having committed forgery, embezzlement, and other grave offences.

This has led to the consideration of the Extradition Treaty between Great Britain and the United States, and the Acts of the Imperial Parliament relating thereto, so far as the same affect New Zealand.

It appears that the Treaty and the Act do apply to New Zealand, unless the same has been expressly excepted by order of the Queen in Council.

No information has been sent to this Colony of any such Order in Council having been passed.

So far as Ministers have been able to ascertain, no information relative to this Treaty, or the law relating thereto, has been sent by Her Majesty's Government to this Colony.

Ministers would therefore respectfully represent the necessity there is for keeping the Government of this Colony informed of the treaties which exist between Her Majesty and foreign countries relating to the extradition of criminals, and of the state of the foreign law relating to the mode in which extradition of criminals from such countries to New Zealand may be obtained.

Ministers would also request that the Secretary of State should be asked to consider whether some instructions could not advantageously be given to the Governor of this Colony, with a view to his guidance in the discharge of any duties devolving on him in relation to this subject, not only when the matter is the extradition to New Zealand, but also the extradition from New Zealand.

Ministers have not been able to ascertain whether it is necessary for the prosecutor of the charge against the alleged offender to obtain a requisition from your Excellency in order that the extradition of the offender may be obtained from the United States, or whether Her Majesty's Diplomatic Representative in the United States will act on the requisition of the prosecutor or the police officer sent with the warrant. Ministers therefore desire to obtain information on this matter.

Ministers also respectfully request that the Secretary of State should be asked to consider whether it is necessary that any communication should be made by Her Majesty's Government to that of the United States, in order to facilitate the extradition of criminals to New Zealand, as the Treaty does not appear to provide that the extradition shall be to that part of the British dominions in which the alleged offence was committed. For instance, should an offender escape from New Zealand to San Francisco, and thence to New York, will the extradition necessarily be to New Zealand, or may it not be to England?

Wellington, 9th April, 1872.

W. GISBORNE.

No. 64.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 45.)

Government House, Auckland,

MY LORD,—

New Zealand, 13th May, 1872.

In my Despatch No 20, of the 13th February ultimo, I reported that the intelligence of the recent dangerous illness of the Prince of Wales had called forth throughout New Zealand a general sympathy, which proves (if indeed any proof were wanting) the strength of the loyal attachment of all classes in this community to the Crown and to the Royal Family.

2. The news of the recovery of His Royal Highness caused universal joy; and when it became known here that a Thanksgiving Day had been appointed in the United Kingdom and in other parts of the Empire, it was felt that the example should be followed in this country. Accordingly, I issued, with the advice of my Ministers, a Proclamation (of which I annex a copy) appointing the 9th instant to be observed as "a General Holiday and Day for a Public Thanksgiving."

3. I learn by telegrams from all parts of New Zealand that this Proclamation was entirely in harmony with public feeling; that the Thanksgiving Day was

Enclosure 1.
N.Z. Gazette, No.
20, April 26, 1872.