

No. 26.

(Circular.)

SIR,—

Downing Street, 11th July, 1887.

I have the honour to transmit to you, for communication to your Government, a copy of a letter from the Foreign Office, enclosing a despatch from Her Majesty's Consul at Noumea, with its enclosures, respecting his action on the occasion of the application made to him by two French *libérés* for permission to go to Sydney before leaving New Caledonia for the three years during which, in consequence of good conduct, they had received permission to absent themselves, together with a copy of the reply which I caused to be returned to the Foreign Office letter.

I think it right to place you in possession of this correspondence, as the prohibition to set foot in British colonies, in the circumstances described, may be unknown in the colony under your Government.

I have, &c.,

H. T. HOLLAND.

The Officer Administering the Government of New Zealand.

Enclosures.

SIR,—

Foreign Office, 28th May, 1887.

I am directed by the Marquis of Salisbury to transmit to you herewith a copy of a despatch from Her Majesty's Consul at Noumea, relating to the prohibition to French *libérés* from Noumea from setting foot on any British possession, and I am to request that, in laying this letter before Secretary Sir H. Holland, you will move him to favour his Lordship with his observations upon the subject.

I have, &c.,

The Under-Secretary of State, Colonial Office.

T. V. LISTER.

MY LORD,—

Noumea, 22nd March, 1887.

I was lately much surprised at being requested by two Frenchmen to give them permission to go to Sydney. On informing them that any one free to leave this colony could go thither, they stated that they were *libérés*, and, though allowed to leave this place for a residence in America, they were prohibited from setting foot in any English possession, in proof of which they produced an *autorisation de départ*, of which I enclose a copy (marked B).

2. Not having heard from your Lordship of any arrangement of this kind being made with the French Government, I was not a little astonished at the proviso which I have underlined in red.

3. I hardly knew how to act. The men said the Acting-Director of the Pénitenciaire had referred them to me to give the permission, if I saw fit. I knew that almost their only chance of carrying out their permission was to take ship from Sydney, and eventually I indorsed their papers that they proceeded to Sydney to embark for California, not for residence. I, of course, intended to communicate with the Sydney authorities respecting them.

4. As soon as possible I waited on the Acting-Director to get a clear understanding of the matter. The result your Lordship will find detailed in the letter I have addressed to the Colonial Secretary of New South Wales, of which I annex a copy herewith, as I think your Lordship should be acquainted with the position of affairs.

5. I would ask for your Lordship's instructions respecting the levying of any fees on these permits. If any fee is to be taken, should it be under No. 67, 68, or 73 of the table? If under No. 67, I would suggest that a supply of printed forms, on stamped paper, may be forwarded. If the indorsement is simply made as a *visa*, on the back of the *autorisation*, a simple 2s. stamp would suffice. I did not charge any fees in this instance, not knowing whether I had any right to act, or if my act would be efficacious.

I have, &c.,

The Most Noble the Marquis of Salisbury.

E. L. LAYARD.

NOUVELLE-CALÉDONIE ET DÉPENDANCES.—ADMINISTRATION PÉNITENTIAIRE.

Form of Autorisation de Départ.

LE Gouverneur de la Nouvelle-Calédonie et Dépendances,—vu l'Article 6, § 3, et l'Article 8 de la Loi du 30 Mai, 1854 ; vu les dépêches Ministerielles des 17 Juillet, 1884, No. 527, et 30 Juin, 1885, No. 466—sur le proposition du Directeur de l'Administration Pénitentiaire, décide :

Article 1^{er}. Le libéré des travaux forcés est autorisé à quitter la colonie pénitentiaire pour aller à . Il lui est interdit de se rendre en France et dans aucune colonie ou possession Française ou Anglaise.

Art. 2. Cette autorisation, valable pour trois années, est subordonnée au versement par l'impétrant, à la Caisse d'Epargne Pénitentiaire, de la somme de 800fr., prescrit par la dépêche Ministérielle du 8 Avril, 1880, No. 277.

Art. 3. Le Directeur de l'Administration Pénitentiaire est chargé de l'exécution de la présente décision, qui sera enregistrée et communiquée partout où besoin sera.

Par le Gouverneur,

Le Directeur de l'Administration Pénitentiaire,

Nouméa, le

18 .