

sleep in groups of five, seven or eight to a cell ; or in larger numbers if the prison be crowded, according to the number who may from time to time be undergoing sentence. The few Maori prisoners have a cell to themselves. There are also two solitary cells, comfortable rooms, such as a penal servitude convict might envy, but suited for anything better than for the punishment of refractory prisoners by solitude and silence.

HEALTH OF THE PRISONERS.

Notwithstanding the defective arrangements of the convict cells, the health of the prisoners is reported good. So long as that number remains at its present average, this immunity from sickness will probably continue. For your Excellency will observe that the hard labor men (being seldom less than three-fourths of the entire number) enjoy at present ample accommodation ; while the number of penal servitude men is so small, that only one-half of the number of cells appropriated to that department are or have been occupied. Moreover, the situation of "The Stockade" is pre-eminently healthful, the labor is easy, the rations liberal, and the prisoners may be said to pass the entire day, from six a.m. to seven p.m. in the open air. I should also observe, that since I have presided over the Supreme Court in this Province, I have rarely passed a sentence of penal servitude ; and of those prisoners whom I have so sentenced, one has escaped, and never been recaptured. Meanwhile the sentences of imprisonment with hard labor have in most instances not exceeded twelve months. In England, and in most civilized countries, the old barbarism of lengthened punishments has been superseded by the more humane and more politic practice of shorter sentences, accompanied, however, by conditions, which are wholly ignored in this Province, and (as I am informed) throughout New Zealand : viz., rigid discipline, reformatory instruction and industrial training. I will not trouble your Excellency with my reasons for adopting the experiment of lenient sentences ; but the effect of that course upon the present condition of the "Stockade" is intelligible. Thus, the penal servitude convicts sentenced before my arrival in this Colony have in several instances worked out their time, or been discharged under remission of the residue of their punishment, and their cells have not been reoccupied by fresh convicts, so that half of those cells have been till very recently unoccupied, and the ventilation is proportionally relieved. The hard labor men have also been generally discharged as fast or faster than their places have been filled by fresh arrivals, and thus the accommodation in this department has proved sufficient. But it is my duty to warn your Excellency and those authorities who are responsible for the management of the gaols, that, had I continued to inflict the former and ordinary length of punishment, even with the recent standard of population and of crime, the Stockade would already be crowded to suffocation, those narrow convict cells would each now probably contain more than one inmate, and the Stockade itself would, I believe, have become already a scene of disease. With the increase of population an increase of crime must be expected. The number of prisoners already committed for trial is unusually large. Troops are arriving and are being located in Auckland and its neighbourhood, whose numbers bear a large proportion to the adult male population of the district, and if the number of prisoners should increase in anything approaching the like proportion, the gaols cannot contain them. Even since this report was begun, five military convicts have been added to the penal servitude ; and I have every reason to anticipate that the heats of next summer will find two, if not three convicts, seething within a single cell, of which the dimensions and ventilation have been above described.

STAFF OF OFFICERS.

I will not enter on details which appertain to the visiting Justices, to whom may be left complaints such as that one razor and one towel only have been allowed for twelve men, that they have for a time wanted hair-combs, and such matters,—as the visiting Justices would, on complaint, order to be corrected. But the defective supervision of the prison requires notice. The guards complain of the paucity of their numbers, and that their wages are low, with no scale of increase as a reward for long service. I have informed your Excellency, they have till lately numbered only six, and the addition of one only to the staff will afford little relief. They are on active duty about the Stockade with little opportunity to sit down during thirteen hours daily, viz., from 6 a.m. till 7 p.m. But, as these are matters to be attended to before the cells are opened of a morning, the guards rise and commence their duty at 5 a.m. : and thus are ordinarily on duty fourteen hours per diem. The night duty is divided between two guards—one continuing from seven till midnight, and the other, who relieves him, watching from midnight till five in the morning. Thus it appears, that, about every third day, each guard is on duty during nineteen hours out of the twenty-four. Their wages are £100 per annum each. It is alleged that superior intelligence is required to discharge certain duties, e.g., the apportioning and measuring of work, and that a scale of wages ought to be adopted. But my object at present is to shew your Excellency to what kind of supervision this important establishment is confided. The superintendent and the guards express themselves as living always at the mercy of the prisoners ; and, while they are consciously incompetent to prevent escapes, they are only grateful for the forbearance which they receive from the prisoners by whom they are held in charge.

ESCAPES.

Escapes from the Stockade form the rule rather than the exception. The prisoners might, indeed, at any moment, rush the guard or the palisade, and by a single push might prostrate either,