

long-sentence prisoners and first offenders—that they all work together?—They do; but the penal-servitude men are kept separate within the gaol from prisoners sentenced merely to hard labour.

430. The Gaoler informs us that, notwithstanding this, everything can be heard all through the gaol that prisoners choose to say to each other?—Not between the penal-servitude wards and the hard-labour wards.

*Mr. Pearce.*

15th Aug., 1878.

431. No; but within the penal-servitude wards from cell to cell all along?—Yes, from cell to cell.

432. Then there is no such thing as classification of prisoners?—No, it is impossible.

433. What is your opinion with regard to keeping penal-servitude prisoners in a separate gaol. Do you think that is necessary?

*Witness.*] Am I to understand the question to refer to the proposal to establish a central prison for those who are on penal servitude?

*The Chairman.*] Yes. I think it would be a wise thing to do. It would facilitate classification.

434. Do you know of your own knowledge of any mischief that has arisen from first-sentence prisoners associating with men who have been frequently committed?—I cannot give any definite case; but it is manifest that if first-sentence prisoners are put with hardened criminals the result must be bad. Especially is it wrong to put youths with hardened criminals; and it is manifestly inconvenient that men sent up for a sentence, say, of forty-eight hours, should mix with those who have perhaps years to serve.

435. Are there many complaints made by the prisoners to the Visiting Justices or officers as to the gaol discipline?—Very rarely indeed are there any complaints, and I always allow prisoners an opportunity of making complaints if they wish to do so.

436. *Mr. Seymour.*] To make complaints to you alone?—To me alone, if a prisoner so wishes it.

437. *The Chairman.*] With regard to the labour that has been done by the prisoners, I understand it is chiefly out-door labour, and that trades are not taught in the gaol, except shoemaking?—Shoemaking is the only trade that is taught, but occasionally tradesmen are employed at the gaol, such as carpenters.

438. In your opinion, is it advisable that the prisoners should be employed on works connected with roads and streets?—I do not know that any evil results, if they are employed in that way, and it has been very beneficial to the town to have that labour.

439. Does the town pay for the labour?—No; I should say of late years the town has not had the use of the prisoners. They have been employed for a considerable time now in connection with the new hospital. It is many years since they have been used to form streets.

440. Do the hospital trustees pay?—I think not.

441. Then there is no account kept—no means of checking the value of the labour?—None whatever. It has never been attempted.

442. Are the rations, in your opinion, sufficient?—Yes.

443. Has your attention been drawn to any part of the rations which is too lavish?—No. I should say, with regard to the rations, we have always adopted the plan of allowing the men tea, which, if the rules were strictly carried out, would not be allowed.

444. There is an alternative in the ration scale, which allows tea in certain cases?—Under certain circumstances, but we have stretched the Regulations. I understood the Regulations to require that tea should be given only on the order of the medical officer.

445. No; it is in the discretion of the surgeon. Do you think there is too much bread given to the prisoners when this alternative scale is on?—No; I believe the prisoners are able to use all the bread they get.

446. We understand that there is no check on their giving it to each other?—No; we have not thought it wise to prevent it.

447. Then the gaolers have not the means of doing it?—They have the means, but men have different appetites.

448. We are told that the Gaoler at Lyttelton has very strictly adhered to the Regulations, and there is no complaint of the men being short of rations. The Gaoler says there is a great waste of bread, that bucketsful of bread are sent away every day.

*Witness.*] Have they had all their meals within the gaol?

*The Chairman.*] No. They have had one meal at the works; but there is a great deal of work done. They are at present doing work in the gaol building. There is another point that we were asking the Gaoler about—tobacco. The allowance of that is in the discretion of the Justices. Do the Visiting Justices understand that the ration of tobacco is given out to every prisoner indiscriminately, whether he smokes or not?—I believe it is so.

449. That means that some prisoners get more than the stick?—I fancy it is so. Those who do not smoke occasionally give their allowance to other prisoners.

450. We also understood the Gaoler to tell us, on inquiry, that when the tobacco is served out the prisoners are allowed to keep it in their pockets, and that they may use it as they please, some of them chewing it?—I did not know that was the case.

451. He further said he could not prevent their getting tobacco when on the works. As you are aware, when on the works they sometimes pick up tobacco under stones?—But they are very rare cases.

451A. By the Regulations in some gaols when prisoners come in from the work they are searched, so that they cannot take tobacco into the gaol?—They are searched in the Wellington Gaol as they come in.

452. But I understand it is recognized as a right that they shall have tobacco in their possession when they come in?—It is so.

453. Strictly, where tobacco is allowed it is served out as any other ration to the smokers?—That has not been our practice.

454. Do you think the prisoners could profitably grow any food—any garden produce?—The suggestion is new to me.

455. Is there any land near the gaol available for the purpose of a garden?—Not very suitable; but I should say there is a garden near the gaol on which prisoners are employed.