

a misapprehension of Dr. Hanan's meaning. In making that assertion, it seems evident that he was alluding not to symptoms such as pain or breathlessness, which were certainly present in this case, though suspected by the medical officer to be feigned, but to those physical signs of heart disease for which the medical officer was looking, and which he was unable to detect when he examined the patient's chest, and which it is quite correct to say may be absent in a case of *angina pectoris*.

4. I do not consider that the prisoner's death was accelerated by any neglect or absence of precautions which ought properly to have been adopted. There is no evidence to justify the conclusion that, as a matter of fact, death was accelerated. It is evident, however, that the prisoner would have had a better chance of escaping pain and prolonging for a short time his life, had the disease under which he was labouring been recognized, and a suitable line of treatment adopted instead of that to which, as a suspected malingerer, he was subjected. It is therefore an important question whether the medical officer had sufficient reasons for believing that the man was malingering. I do not think the evidence shows this to have been the case. The reasons which he alleged for thinking that the man was shamming were certainly not conclusive; and it would have been but just to have given the man the benefit of the doubt, and rather have required conclusive proof of shamming than conclusive proof of heart disease. I think the medical officer is to be blamed for his error of judgment.

5. Assuming the uncontradicted assertions of his fellow prisoners to be true, it would appear that they had seen much more convincing evidence that the prisoner Wilson was seriously ill than either the gaoler or Warder McKellop (so far as one can judge by their evidence) had seen or been made aware of. Thus the gaoler stated that he heard no complaint of Wilson not taking his food till the day he died; and Allan Charles Young's account of Wilson's illness of the 25th of March, that "he had his hands on his chest on that day, stooping almost to the ground," is much more calculated to have impressed the medical officer with the idea that Wilson was really ill than anything which McKellop stated in his evidence. I think it was a serious oversight, both on the part of the gaoler and of the medical officer, not to have taken steps to be supplied with the fullest information regarding a prisoner who was complaining of pain and inability to work, and was at the same time suspected of feigning.

6. Referring to the evidence of the prisoner A. C. Young, that he heard the prisoner Wilson moaning nearly every night, and one night saying, "My God, my God!" I think it was an omission not to have examined the night wardsman, who was said to have visited him nearly every night.

7. I think it is also to be regretted that Warder McKellop was not examined regarding the important statement of the medical officer that he had told him (the doctor) that "he could prove that he (Wilson) not only ate his own rations, but those left by other prisoners."

The Hon. the Minister of Justice,  
Wellington.

FRED. W. A. SKAE,  
Inspector Lunatic Asylums and Hospitals.

### No. 13.

The RESIDENT MAGISTRATE, Invercargill, to the Hon. the MINISTER of JUSTICE.

SIR,—

Resident Magistrate's Office, Invercargill, 14th May, 1880.  
I have the honor to acknowledge the receipt of your letter of the 30th April last, acknowledging the receipt of my letter of the 16th April, covering depositions taken at the inquest on John Wilson, at the gaol, Invercargill, on the 6th and 12th April last, and to state that, in accordance with your instructions, I have communicated to the medical officer and gaoler the conclusions to which the Government, as at present advised, consider the evidence points, by forwarding to each of those officers a copy of the three last paragraphs of your letter.

With reference to this portion of your letter, I think it but right that you should be informed that it was considered, both by myself and the jury at the inquest, that very little reliance could be placed on the evidence given by prisoners Middleton and Young. The punishment-book, which was on the table, showed that several charges before the Visiting Justices for breaches of the gaol regulations had been brought against each of these men; and we considered that, in giving their evidence, they were very likely to be actuated by a desire to injure the officers of the gaol.

I may add, of my own knowledge, that Middleton seems to be mixed up in all the charges at the gaol. Some of the charges against him have been brought before me as a Visiting Justice, and he has given evidence against other prisoners, but I have always felt that his evidence was altogether unreliable.

The Hon. the Minister of Justice,  
Wellington.

I have, &c.,  
HENRY McCULLOCH,  
Resident Magistrate.

### No. 14.

The GAOLER, Invercargill, to the Hon. the MINISTER of JUSTICE.

SIR,—

H.M. Gaol, Invercargill, 17th May, 1880.  
I have the honor to acknowledge the receipt of Mr. McCulloch's letter of the 6th instant, containing an extract from a letter received by him from you in reference to the manner of the prisoner Wilson's death, which was the occasion of an inquiry before Mr. McCulloch, on the 6th and 12th of April last.

While thanking you for kindly affording me the opportunity of making a statement as to the cause of the prisoner's death, I have the honor to state that, on a full consideration of the circumstances, it does not seem to me to be necessary to add anything to the evidence I gave at the inquest, except in reference to the expression of your opinion, "that greater care should have been taken, both on the part of the gaoler and the medical officer, to obtain fuller information as to the real condition" of the prisoner; and, that "had all the facts that were disclosed in the evidence at the