

Returns have also been obtained from the following minor gaols and lock-ups within the Colony, which we have the honor to forward with the other documents:—

Tauranga,	Naseby,	Port Chalmers,
Russell,	Manuherikia,	Tokomairiro,
Mongonui,	Queenstown,	Timaru,
Westport,	Oamaru,	Lawrence,
Charleston,	Whanganui,	Waitahuna.
Greyton,	Cobden,	
Clyde,	Brighton,	

GENERAL SUBJECTS OF INQUIRY.

Guided by the assumption of such general principles as are above referred to, and the terms of our Commission, we assumed the following to be the general subjects of our inquiry:—

I. The existing law of the Colony respecting criminal prisons and punishments, especially as affecting persons convicted of serious offences, and the rules and regulations made thereunder, and the observance and enforcement thereof throughout the Colony.

II. The existing prisons of the Colony and their fitness in respect of construction, arrangement, discipline, labour, and management—according to actual experience—for insuring the chief objects, as before ascertained, of any wise and effective penal system, stating what we consider such objects to be.

III. The practicability of adapting any of the existing prisons for the purposes of penal establishments for convicts under sentences of penal servitude or long terms of hard labour, and their sufficiency for other classes of prisoners, to be treated according to principles recognized by modern experience and authority.

IV. The propriety of instituting one or more general penal establishments for the whole Colony; and the nature, character, and requirements of such establishments; and the system to be pursued therein: and lastly,

V. The locality or localities most suitable for such establishment or establishments.

In order to procure the fullest and most definite information respecting all matters affecting these subjects, we agreed upon a series of details into which inquiry was to be made, and which were to be taken as a guide to the examination of appropriate witnesses, whether orally or in writing. These details will be found in the Memorandum attached hereto.

We now propose to enter into details respecting each of the five general subjects of inquiry above enumerated; but before doing so, we desire, for fear of misapprehension, to record our opinion that we are not called upon to report specifically on all the merits and demerits of particular existing prisons, but that we need call attention to them only so far as may be necessary for the purpose of ascertaining generally the evils and mischiefs which exist throughout the prisons of the Colony, and of discovering practicable means for removing, remedying, or minimizing them; and therefore we have not in our detailed Report dealt with the various matters affecting each prison separately, but have endeavoured to summarize the evidence on each different subject of importance, as it applies to the whole of the prisons of the Colony.

I.—THE LAW OF THE COLONY RESPECTING CRIMINAL PRISONS AND PUNISHMENTS; AND THE REGULATIONS MADE IN PURSUANCE THEREOF; AND THE ENFORCEMENT THEREOF.

1. "An Ordinance for the Regulation of Prisons," passed on the 15th day of October, 1846. (Sess. VII. No. VII.)
2. "The Secondary Punishment Act, 1854," and "The Secondary Punishment Act Amendment Act, 1863."
3. "The Gaolers Act, 1858."
4. "The Execution of Criminals Act, 1858."
5. "The Supreme Court Act, 1860." (Section 8.)
6. "The Sheriffs Act Amendment Act, 1863."
7. "The Prisoners Removal Act, 1865."
8. "The New Munster Empowering Ordinance, 1849," (Section I. No. 5.) and Provincial Empowering Ordinances derived therefrom.
 - (1.) "The Wellington Empowering Ordinance, 1854."
 - (2.) "The Nelson Province Empowering Ordinance, 1853," (Section 1. No. 2).
9. "The Auckland Superintendent's Transfer of Powers Act."
10. "The Governor's Delegates Act, 1867."
11. "The Neglected and Criminal Children Act, 1867."

1. "*An Ordinance for the Regulation of Prisons, 1846.*"—By this Ordinance (secs. 1, 2) all buildings used as public gaols at the time of its passing, and which should thereafter be declared such by the Governor's proclamation, were to be deemed public gaols; and each Judge of the Supreme Court was empowered (sec. 3) to sentence any offender to be imprisoned, whether with or without hard labour, in any particular gaol of the Colony as to him should seem meet.

Moreover, such public gaols are to be taken, unless otherwise provided, to be houses of correction.