

I consider it better, as by this system, to keep a prisoner's attention confined to his work during his imprisonment than to allow him to work at per day after his time has expired. A prisoner, when his sentence is finished, is restless and unable to confine himself to work to earn the money given to him with the same satisfaction as he would do while he was serving his sentence.

H.M. Gaol, Auckland, 10th May, 1877.

B. L. O'BRIEN,
Governor and Gaoler.

No. 2.

Mr. B. MACLEAN, Auckland, to the Hon. F. WHITAKER.

SIR,—

Auckland, 6th June, 1877.

The Auckland Gaol Commissioners, in their report as published in the *Herald* newspaper, state "that if the general administration formed part of the duty of the Visiting Justices, they either have not been aware of it, or have utterly neglected it." This is a serious charge against public officers in their official capacity as Justices of the Peace. I have visited the Gaol weekly, and frequently oftener for nearly four years, and I beg leave to request that the Commissioners will point out in what way I have either misunderstood or neglected my duties as Visiting Justice.

The Commissioners further report "that the printed rules, exhibited in the prison, are not obeyed, and recommend that some of the rules which are useless, should be expunged." I beg to state that the rules of the prison were drawn up under the authority of the Hon. the Minister of Justice, and they have been strictly carried out in every particular.

I have, &c.,

The Hon. F. Whitaker.

B. McLEAN,
Visiting Justice, Auckland Gaol.

MINUTE on above LETTER.

THE Commissioners do not feel the duty imposed on them of complying with Mr. Maclean's request; and, after careful reconsideration of the evidence, find that it will not permit them to modify the passages referred to in his letter.

W. J. HUBST, Chairman.

No. 3.

Mr. B. MACLEAN, Auckland, to the Hon. F. WHITAKER.

SIR,—

Auckland, June, 1877.

I cannot help expressing my regret at the reply of the Gaol Commissioners to the reasonable request contained in my letter of the 6th instant.

In their report, the Gaol Commissioners have stated that "if the general administration formed part of the duty of the Visiting Justices, they either have not been aware of it, or have utterly neglected it." As I have been the senior Visiting Justice for nearly four years, and the other Justice having resigned before the report was written, it is apparent that the serious charge of neglect in the above statement must apply chiefly, if not altogether, to me. I had therefore a right to ask that the Commissioners would point out in what way there had been neglect, in order that I might reply to the charge.

The Commissioners answer this request by stating that "they do not feel the duty imposed on them to comply with Mr. McLean's request; and, after a careful reconsideration of the evidence, find that it will not permit them to modify the passages referred to in his letter."

This imposes upon me the unpleasant duty of denying in the most absolute terms the imputation of the Commissioners, both with reference to this matter and to neglect of rules, which I also referred to in my letter of 6th June; and of further declaring that I am entirely at a loss to know on what shadow of foundation the Commissioners could have been induced to base it.

The Commissioners speak very favourably in their report of the cleanliness and orderly working of the Gaol. Yet they find it consistent to combine with this statement of fact imputations of neglect against the Visiting Justices, with whom much of the responsibility of the cleanliness and orderly working rests.

They also speak in high terms of the increased payment to stonebreakers as exertion money, but are not apparently aware that this increase was established by me in the face of some opposition. So also with respect to the increased allowance to the prisoners of various trades, which has been overlooked in the report.

I mention those points as indicating some of the information that I could have given had the Commissioners afforded me the opportunity, and venture to say that had they done so they would never have allowed the imputations against the Visiting Justices contained in the report to have gone forth under their authority.

I respectfully request that this correspondence may, under the peculiar circumstances, be printed with the report.

I have, &c.,

The Hon. F. Whitaker.

B. MACLEAN,
Visiting Justice, Auckland Gaol.