

different opinion prevails with different Governments. One Government makes up its mind to proceed in one direction, and the next Government reverses the decision of its predecessor. I think the whole question should be remitted to a Royal Commission.

*Mr. Sharp.*  
30th Aug., 1878.

1119. You are aware there was a Commission in 1868?—Yes; but they did not come to any unanimous decision on the point.

1120. They came to a unanimous decision as to the necessity of there being such a place, but not as to the locality?—No.

1121. *Mr. Swanson.*] Do you think, in reference to these warders, that it would be a good idea if a uniform system of remuneration could be arranged?—Yes. I have heard complaints repeatedly that the warders are not put on a uniform system as to pay.

1122. You know I do not mean to pay every man alike—the lower warders to receive as much pay as the higher warders—but that men in the same position all over the colony should receive as near as possible the same rate of pay?—Yes.

1123. You think that desirable, do you?—I do.

FRIDAY, 13TH SEPTEMBER, 1878.

*Mr. V. Pyke.*

Mr. VINCENT PYKE, M.H.R., examined:

13th Sept., 1878.

1124. *The Chairman.*] You are Visiting Justice at Clyde, Mr. Pyke?—Nominally I am, but I have not acted for some years.

1125. And you were Resident Magistrate in that district for some time?—Yes.

1126. Have you had anything to do with the gaol in Dunedin?—Very little; not to an extent which would justify me in giving any opinion in reference to its working.

1127. In your opinion is it advisable to keep prisoners who are sentenced for any considerable term in the small county prisons?—I think for any period not exceeding six months it is desirable, more especially where the district in which the gaol is situated is not connected with the central gaol by railway.

1128. You do not think it advisable so to keep prisoners who are sentenced for a longer term than six months?—No, because the balance of expense would then turn the other way, because of the higher cost of rations in the country.

1129. In your experience are there many recommitments of the same persons?—Frequently, on such charges as vagrancy and drunkenness.

1130. Do you think there is what may be called a criminal class in the colony?—Undoubtedly; but I do not think there is a criminal class in the habit of perpetrating the greater offences.

1131. Are you aware whether there is proper classification in the gaols of the colony?—I am not aware.

1132. Do you think it would be right that first offenders should be imprisoned with habitual criminals?—No; I think it altogether unsound in principle, and in operation very injurious.

1133. You are aware there are two kind of sentences—one, the penal-servitude sentence; and the other, the hard-labour sentence?—Yes.

1134. Has your attention ever been drawn to the fact that practically there is no distinction made in the gaols between those two classes of sentences?—I am aware there is no difference made.

1135. Do you think that acts unequally or unjustly, or do you think it does not matter?—I think, if the law were carried out as it seems to me it was intended it should be carried out, those persons sentenced to penal servitude ought to be removed to a different prison. You cannot carry out the two kinds of sentences in the same gaol.

1136. In the larger gaols of the colony, do you think it possible for Visiting Justices to detect abuses that might be going on in the gaol, in their ordinary visits?—I should scarcely like to express an opinion for want of experience.

1137. Do you consider that general inspection by a Government officer is necessary in order to keep up the same standard of punishment throughout the colony? Do you think an inspector, such as is employed in the Mother Country, is necessary?—If the object is to have one system of punishment throughout the gaols of the colony, undoubtedly you must have such inspection; otherwise the mode in which sentences are administered will vary in different gaols according to the temper and caprice of the different gaolers.

1138. Do you know practically whether under existing circumstances a particular sentence means the same amount of punishment all over the colony?—I do not.

1139. Do you think Visiting Justices are, from their position, able to detect abuses in a gaol, supposing there were such, and that the gaoler and his officers were leagued to prevent detection?—I do not think it is possible for them to do so—to detect such abuses when on casual visits. However, my opinion is worth very little, because I have not had experience as a Visiting Justice, except in the smaller gaols.

1140. I suppose you had occasion as Magistrate to use the Vagrant Act?—Yes, very frequently.

1141. And the class of men who come under that Act you believe to be habitual criminals?—Yes, I believe them to be past redemption—both men and women. I know one woman who has had seventy odd sentences, and one who has had even more. Her life alternates between debauchery in the streets and punishment in the gaol.

1142. What, in your opinion, would be the most effective means of making sentences deterrent?—I question whether it is possible to make sentences deterrent. I do not think the fear of sentences is ever before these men.

1143. Which do you think would be the most deterrent as to first offenders, a short sharp sentence, or a long sentence carried out in an easy-going way?—A short sharp sentence. I do not believe in prisoners being treated too tenderly.