

1881.
NEW ZEALAND.

REPORT ON THE AUGUSTUS CASE

(BY MR. I. N. WATT, RESIDENT MAGISTRATE, OAMARU).

Return to an Order of the House of Representatives, dated 6th September, 1881.

"That there be laid before this House the report of Mr. I. N. Watt, Resident Magistrate of Oamaru, on the Augustus case."—(*Mr. Jones.*)

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

SIR,—

Oamaru, 31st August, 1881.

In obedience to your telegram I furnish you herewith, in the matter of *Regina v. Augustus*, copies as follows:—

1. Police notes shown to me before commencing the enquiry ;
2. Information and depositions ;
3. Yesterday's proceedings.

With respect to the deposition of the deceased I have to remark that it was taken at the hospital at 7 p.m., because when Mr. Sergeant-Major Thompson showed me the police notes in the afternoon he told me the doctor considered her in a critical state. She gave her evidence very volubly, incoherently, contradictorily, and vindictively. This I should have noticed in passing sentence as a reason for accepting any portion, not corroborated, with great caution, had not Mr. O'Meagher stopped me by asking for a remand.

As to the statement in the newspapers that I insisted that the experts should state specifically whether the ill-treatment accelerated death. What I did insist on was that they should state *their opinion* whether the ill-treatment accelerated death, if they were able to form any opinion upon the evidence and *post-mortem*, and if not they should say so, and give the accused the benefit of the doubt.

I do not know that I need say anything further, than to ask that this letter and the depositions be submitted to the Hon. the Attorney-General for his opinion as to whether I should have sent the case to a jury on a charge of manslaughter, as I have remanded the accused for a week, in order that, before disposing of the case, I may have the benefit of such opinion.

The Hon. the Minister of Justice, Wellington.

I have, &c.,

I. NEWTON WATT, R.M.