

to the employment of prisoners, and also in consonance with my own views, that properly-regulated labour is the best basis of a sound prison-discipline.

25. I cannot close this report without once more entering my annual protest against persons suffering from delirium tremens, or supposed lunatics, being sent to the prisons for medical treatment. I have pointed out yearly in my reports for the last seven years that it is nothing short of cruelty and inhumanity that these unfortunate creatures should be shut up in prisons. But, notwithstanding the decision of the Legislature, as set forth in clauses 67 and 68 of "The Lunacy Act, 1882," that such persons should be treated in the hospitals—a separate ward being provided for such purposes, the Hospital and Charitable Aid Boards not only decline to admit them to hospitals, but even go further, and ignore Resident Magistrates' warrants committing them to hospitals. As before stated, two deaths in prisons occurred from alcohol during the past year, and though everything was done that could be done for these unfortunates in the prisons, still it is quite possible that had they been in hospital their lives might have been prolonged, or even their recovery established.

26. A very striking case came to my notice a short time since. A woman who had drowned her child and attempted suicide was brought to the prison committed for trial. She was a desponding case; no sign of violence, but a case that wanted more than constant watching to guard against any suicidal tendencies. She was palpably more fit for a hospital than a prison, and was accordingly sent to the hospital, but promptly returned to gaol, because one of the hospital-staff recognised her as a former patient at Sunnyside Asylum, although only detained there as an inebriate. What are the hospitals for? Are the staff to have no troublesome patients? In England patients in hospitals would be attended by nurses, and every expedient resorted to before the dire alternative of relegating a patient to a gaol or lunatic asylum, or even parting with them at all. In the New Zealand hospitals it appears that whenever a patient gives a little trouble, or evinces any noisy tendencies, they are at once turned over to a gaol or lunatic asylum.

27. In the interests of humanity we should see that patients are not unnecessarily placed in a lunatic asylum or prison. To be there is to become insane to the majority of weak-minded persons, and the weak-minded are the majority. It appears to me that the hospital-staff are too particular, or rather too much alive to their own peace and quietness. The theory put forth is, patients disturb other patients. Then, they should make their arrangements accordingly. Is it nothing to send a poor creature to gaol or amongst the insane, because the mind is temporarily unhinged, to awaken among those who are permanently insane and among associations which would try the strongest mind? I cannot but record my opinion once more that all these cases should be sent to hospitals in the first instance for curative treatment, and then, in the case of drunkards, when cured, they should be dealt with by Magistrates, and severely punished.

FIRST OFFENDERS' PROBATION ACT REPORT.

1. It is with great pleasure I am able to reiterate all that was said in the report of last year upon the satisfactory working of this Act; and a reference to Table L shows that during the year ended the 31st December last, out of 103 first offenders treated under the Act, 44 satisfactorily carried out the conditions of their licenses and were duly discharged; 51 are still working out the conditions of their obligations successfully, whilst only 7 having failed to report themselves at the stipulated periods have been rearrested and brought to justice, and 1 only has managed, by eluding the vigilance of the Probation Officers and police, to escape unpunished.

2. Since the Act came into force on the 1st October, 1886, 121 persons have been placed on probation; of these, 58 have been discharged on satisfactorily completing the conditions of their licenses, 53 are still on probation, 9 have been rearrested and brought before Magistrates, and 1 has escaped.

3. The amount of costs, &c., ordered to be paid by the various Courts before which the 103 offenders were brought during the past year amounted to £326 5s. 9d., of which sum £144 6s. 5d. has been already actually paid into the Probation Officers' hands; and those from whom sums are still due continue as a rule to carry out the conditions of their licenses as far as their means will permit. It is left to the discretion of the Probation Officers to occasionally give additional time for these payments in case of persons with families, or when sickness interferes with their chances of earning a living, or for other sufficient reasons.

4. The approximate cost of keeping these offenders in prison had not the Probation Act been brought into force would have been about £2,900, thus a saving for the year of £3,226 5s. 9d. has been effected; and, when it is taken into account that the administration of the Act is carried out absolutely free of all cost, it must be admitted that the result has also proved financially successful.

5. When the Act was first brought into force the then Minister of Justice (the Hon. J. A. Tole) purposely avoided hampering those who had to administer it by issuing lengthy and, in his opinion, unnecessary regulations, preferring to leave to the discretion of those whose duty it is to adjudicate on criminal cases to discriminate as to the intentions of the Legislature with regard to the cases that should be brought within the provisions of the Act or otherwise.

6. It was at first argued that the Act was not intended to apply to young children; next that it was meant to exclude aged persons; whilst lawyers contended that a so-called first offender had a right to expect to be placed on probation as a matter of course. Again, that a very unsuitable class of persons had been selected for Probation Officers, as there was too much of the police and prison element surrounding them. That these were nothing more than fallacies is now proved by the manner in which the Act has worked during the eighteen months of its existence, and that Mr. Tole's perception in not tying the hands of the administrators by useless provisions has been amply justified by results.