

LAW, CRIME, ETC.

THE LEGAL SYSTEM IN VICTORIA.

The law of Victoria, in its basic principles and main provisions, is founded on the law of England. All laws in force in England in 1828 were, so far as they should be held to apply to the circumstances of Australia, by Imperial Statute made law in New South Wales (which then included Victoria); and, in case of any doubt as to their applicability, the Colonial Legislature was empowered to declare whether or not they did apply, or to establish any modification or limitation of them within the colony. The same Statute established a Legislature within New South Wales with power to make laws for that colony; and Supreme and other courts were constituted. On the separation of Port Phillip from New South Wales in 1851 the new colony of Victoria was invested with similar powers, which were widened on the establishment of responsible government in 1855. In order, therefore, to ascertain the law of Victoria as to any particular matter or point, considerable research is often involved. The first step is a search of the Victorian Statutes. If the matter is fully dealt with there, the labour is concluded; but, if it has never been dealt with by any Victorian Act, recourse must be had to the Statutes of New South Wales and the Imperial Statutes specially applicable to New South Wales passed between 1828 and 1851. If no law on the point is obtainable from these sources, the law of England in 1828 must be ascertained, which in most cases is found in the English text-books. Having found the apparent law from one of these sources, it is still necessary to search through series of law reports for decisions which may either modify or interpret the same.

LITIGATION AND LEGAL BUSINESS.

The Supreme Court of Victoria was first established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure was entirely remoulded by the "Judicature Act 1883" (now incorporated in the Supreme Court Act 1915). There were in 1927 seven Judges, viz., a Chief Justice and six Puisne Judges.

Supreme
Court civil
business.

The following is a statement of Supreme Court business during the last year of each of the six decennial periods ended 1920, and the last five years :—

SUPREME COURT CIVIL CASES, 1870 TO 1926.

Year	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for—		Amount Awarded.
	Number Issued.	Amount Claimed.			Plaintiff.	Defendant.	
		£					£
1870 ..	5,583	154,296	237	165	133	29	29,298
1880 ..	5,065	185,131	221	161	133	28	47,401
1890 ..	6,619	687,503	535	297	229	65	68,592
1900 ..	825	137,083	161	106	62	31	101,896
1910 ..	743	69,182	129	85	37	16	7,984
1920 ..	632	74,288	132	80	39	17	9,036
1922 ..	726	155,329	187	67	31	23	13,063
1923 ..	779	178,542	201	75	43	12	17,543
1924 ..	946	383,399	171	94	41	16	13,623
1925 ..	992	229,398	182	71	27	18	35,187
1926 ..	1,074	227,253	224	73	46	10	21,560

Decline in Litigation. There has been a considerable decline in litigation in the Supreme Court since 1890. In 1926 the writs issued were one-sixth, the amount sued for was one-third and the causes which actually came to trial were one-fourth of the corresponding numbers in 1890. The figures show that a very small proportion of writs result in actual trials, whilst a large number of trials are either abandoned before a verdict is given, postponed to the following year, or settled.

County Court business. County Courts have a jurisdiction both in equity and common law cases, limited to £500; also in cases remitted by the Supreme Court. The cause of action must have arisen within 100 miles of the court in which proceedings are taken, which court must not be more than ten miles further away from defendant's residence than some other County Court in which the plaintiff might have sued. In 1926 there were 116 sessions lasting 533 days and held in 40 places. Particulars of litigation in the last

year of each of the six decennial periods ended 1920 and in each of the last five years are as follows :—

COUNTY COURT CASES, 1870 TO 1926.

Year.	Number of Cases Tried.	Amount Sued For.	Amount Awarded.	Costs Awarded to—	
				Plaintiff.	Defendant.
		£	£	£	£
1870 ..	11,866	277,236	102,822	13,815	4,268
1880 ..	9,498	215,929	99,338	13,765	3,956
1890 ..	12,635	340,028	127,433	15,363	6,072
1900 ..	789	160,676	49,595	5,188	2,782
1910 ..	626	144,550	45,196	5,199	1,992
1920 ..	680	283,238	113,804	*	*
1922 ..	796	385,074	200,534	*	*
1923 ..	934	428,153	219,602	*	*
1924 ..	959	570,951	289,517	*	*
1925 ..	961	613,781	305,997	*	*
1926 ..	1,003	680,502	309,087	*	*

* No record.

The number of cases tried in 1926 was above the average of recent years, but was only about 8 per cent. of the number in 1890. The amounts sued for and awarded were, however, greater than the amounts for that year. The decline in the number of cases would seem to indicate that the public is less inclined than formerly to institute legal proceedings for the settlement of disputes; and that the County Court is not resorted to for the recovery of petty and trade debts to the same extent as in former years.

The number of requests for arbitration under the Workers' Compensation Act during the year 1926 was 278. The aggregate amount of compensation claimed was £51,193, and the amount awarded, £50,487. These figures are not included in the above table.

Courts of Petty Sessions were held at 229 places in Victoria in 1926 by stipendiary magistrates and honorary justices. Clerks of courts of ten years' standing, who have passed the prescribed examination, and barristers of five years' standing are eligible for appointment as police magistrates, but there is no legal training or knowledge of the law required as a condition precedent to the appointment of a person as an honorary justice of the peace. The jurisdiction in civil cases is limited to what may be called ordinary debts, damages for assault, and restitution of

Workers' Compensation—Arbitration cases.

Petty Sessions civil business.

goods, where the amount in dispute does not exceed £50. Particulars of such cases heard during a series of years are given hereunder :—

COURTS OF PETTY SESSIONS: CIVIL CASES, 1870 TO 1926.

Year.	Cases Heard.	Amount Claimed.	Amount Awarded.
		£	£
1870	27,722	190,242	105,086
1880	19,983	75,684	50,764
1890	30,466	196,917	132,663
1900	17,577	95,890	80,960
1910	29,902	186,538	146,234
1920	38,300	218,408	158,198
1922	47,140	384,441	295,697
1923	58,502	528,968	413,417
1924	73,264	637,137	497,833
1925	82,589	727,013	552,788
1926	90,299	809,240	611,528

In addition to the ordinary cases above mentioned, and to the criminal jurisdiction hereafter mentioned, Courts of Petty Sessions deal with other business of a civil and quasi-criminal nature. During the year 1926, 421 appeals against municipal ratings, 17 Children's Maintenance Act cases, 751 ejectment cases, 1,529 fraud summons cases against debtors, 2,620 garnishee cases, 12,158 cases relating to licences and certificates, 1,656 maintenance cases, 110 prohibition cases, and 1,871 miscellaneous cases were heard, and 291 persons alleged to be lunatics were examined.

A statement is given below of the number of writs received by the Sheriff in the last year of each of the six decennial periods ended 1920 and the last five years, from which it will be seen that the numbers in recent years have been much less than in 1890 :—

WRITS RECEIVED BY THE SHERIFF, 1870 TO 1926.

Year.	King's Writs against Person and Property.	Subjects' Writs against—		Total.
		The Person.	Property.	
1870	35	75	2,146	2,256
1880	35	58	1,944	2,037
1890	13	21	2,282	2,316
1900	4	3	199	206
1910 ... ..	...	4	166	170
1920 ... ..	...	3	124	127
1922	3	3	187	193
1923	6	1	237	244
1924	3	6	353	362
1925	1	5	315	321
1926	4	8	350	362

**High Court of
Australia.**

A statement showing the nature of this court and the powers vested in it appears in the *Year-Book* for 1916-17, page 433.

**Intestate
Estates.**

The rules by which the property and effects, both real and personal, of persons dying intestate are by law distributed are given in the *Year-Book* for 1916-17, page 437.

INSOLVENCIES.**Insolvencies,
&c.**

The number of failures and the declared assets and liabilities during the last year of each of the six decennial periods ended 1920 and in each of the last five years were as follows :—

**INSOLVENCIES AND DEEDS OF ARRANGEMENT,
1870 TO 1926.**

Year.	Insolvencies.			Deeds of Arrangement.		
	Number.	Declared Liabilities.	Declared Assets.	Number.	Declared Liabilities.	Declared Assets.
		£	£		£	£
1870	996	479,491	150,170	*	*	*
1880	768	526,130	298,384	*	*	*
1890	795	2,301,271	2,041,200	*	*	*
1900	344	183,531	88,760	149	168,700	159,771
1910	359	132,841	54,381	131	113,597	91,271
1920	186	154,658	53,229	69	82,692	73,591
1922	322	349,118	189,016	99	178,986	127,657
1923	414	323,540	152,602	133	199,074	139,757
1924	520	504,678	311,290	232	350,350	263,124
1925	563	446,438	249,251	233	321,877	273,933
1926	683	493,428	224,316	204	287,767	222,693

* Information not available.

The number of insolvencies in 1926 was the highest recorded in years subsequent to 1896, when the number was 741. The average yearly number during the ten years 1909 to 1918 was 358, and the average declared liabilities, £226,517. During the ten years 1899 to 1908 the average yearly number was 445, with declared liabilities of £244,538, whereas, during the ten years 1889 to 1898, when the failures resulting from the financial crisis of that period swelled the returns, the average yearly number was 833, with declared liabilities of £2,213,592. During the ten years 1879 to 1888 the average yearly number was 612, with declared liabilities of £661,720.

Insolvencies are of two kinds, voluntary and compulsory. The following table shows the number of petitions of each kind in the last five years :—

Year.	Voluntary.	Compulsory.	Total.
1922 ... ..	... 289	33	322
1923 ... ..	... 376	38	414
1924 ... ..	... 462	58	520
1925 ... ..	... 519	44	563
1926 ... ..	... 603	75	683

**Occupations
of Insolvents.**

In the next return will be found the occupations, in six classes, of those who became insolvent or compromised with their creditors during the last five years, also the number of breadwinners in each class at the census of 1921, and the proportion of the former to the latter. The total number of insolvents does not include 133 whose occupations were not stated :—

OCCUPATION OF INSOLVENTS, 1922 TO 1926.

Occupation Groups.	Number of Breadwinners, Census, 1921.	Average Yearly Number of Insolvents, 1922 to 1926.	Insolvents to every 10,000 Breadwinners.
Professional	60,585	24	3·96
Domestic	58,225	19	3·26
Commercial	108,011	220	20·37
Transport and Communication	53,332	42	7·88
Industrial	234,245	272	11·61
Primary Producers	147,438	77	5·22
Total	661,836*	654	9·88

* Exclusive of 7,617 persons of independent means.

The number of breadwinners of the domestic and professional classes who became insolvent was smaller, in proportion to their numbers in the community, than those of any other class, whilst a greater proportion of the commercial than of any other class found it necessary to file their schedules or compound with their creditors.

A table showing the occupations of insolvents in detail for the years 1912 to 1916 appears in the *Year-Book* for 1916-17, page 444.

DIVORCE.

The present law in regard to divorce is contained in the *Marriage Act* 1915, and a summary thereof is given in the *Year-Book* for 1916-17, page 445. The Act of 1915 was amended by Acts passed in 1919, 1921, and 1923, but the amendments relate to minor matters and do not affect the main features of the principal Act. The grounds upon which divorce might be granted were considerably extended by an Act passed in 1889.

Number of Divorces.

Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 7,526 decrees for dissolution of marriage and 117 decrees for judicial separation have been granted. Of these, 7,178 and 46 respectively have been issued since 1890; so that, during the 30 years ended 1890, only 348 decrees for dissolution of marriage and 71 for judicial separation were issued, or an average per annum of about twelve of the former and two of the latter; whereas, since the Divorce Act of 1889 received the Royal Assent in 1890, no fewer than 199 decrees per annum for dissolution of marriage have been granted, while the decrees for judicial separation have decreased to about one per annum.

Divorces, Sex.

The following table gives the number of petitions filed by husband and wife respectively, and the number of decrees granted for divorce, judicial separation, and nullity of marriage during the year 1926 :—

DIVORCES, 1926.

	Petitions filed by—			Decrees granted to—		
	Husband.	Wife.	Total.	Husband.	Wife.	Total.
Dissolution of Marriage	261	315	576	186	280	466
Judicial Separation ...	1	8	9	...	2	2
Nullity of Marriage ...	1	1	2	1	1	2
Total ...	263	324	587	187	283	470

Grounds of divorce.

The grounds upon which divorces were granted during the year 1926 were as follows :—

Grounds on which Granted.				Divorce.		Judicial Separation.		Nullity of Marriage.	
				Husband.	Wife.	Husband.	Wife.	Husband.	Wife.
Adultery ...	...	...	...	54	68	...	2	...	...
Bigamy ...	...	...	...	...	2	...	...	1	1
Cruelty, repeated acts of ...	...	...	...	...	1	...	...	...	...
Desertion ...	...	...	...	120	191	...	...	...	...
Desertion and adultery ...	...	...	...	3	3	...	...	...	...
Drunkenness ...	...	...	...	5	12	...	...	...	...
Insanity ...	...	...	...	4	3	...	...	...	...
Total ...	...	...	...	186	280	...	2	1	1

Divorces, 1881 to 1926.

The following is a statement of the number of petitions and decrees for dissolution of marriage and judicial separation in the State of Victoria during the last year of each of the five

decennial periods ended 1921 and each of the last five years, also of the proportion of decrees per 100,000 married couples living :—

DIVORCES AND JUDICIAL SEPARATIONS IN VICTORIA, 1881 TO 1926.

Year.	Petitions for—		Decrees for—		Divorces and Separations per 100,000 Married Couples Living.
	Dissolution of Marriage.	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.	
1881	18	10	9	..	7
1891	153	1	99	..	57
1901	148	2	83	..	46
1911	262	2	211	..	99
1921	446	4	380	3	136
1922	478	2	370	1	129
1923	528	3	426	2	145
1924	533	5	399	2	133
1925	535	3	445	1	146
1926	576	9	466	2	151

The extension of the grounds upon which divorce might be obtained had the effect of greatly increasing the number of petitions and decrees.

In New South Wales, where the law in regard to divorce does not differ much from that in Victoria, there were, in 1926, 1,061 decrees for dissolution of marriage and judicial separation. The number of divorces and separations in that year per 100,000 married couples living was 245. The average annual number for the five-year period 1922-26, in proportion to a like number of married couples, was 231, as compared with an average of 141 for the same period in Victoria.

CRIME.

ADMINISTRATION OF THE CRIMINAL LAW.

In nearly all cases where the criminal law has been broken the alleged offender is brought at the very first opportunity before a Court of Petty Sessions, before two honorary justices or a police magistrate, or both, or in some cases a single magistrate, and the court, if the matter is one which comes within its summary jurisdiction, disposes of the case summarily. If the offence is an indictable one, the magistrates hold a preliminary investigation, and, if they are satisfied that a prima facie case has been made out by the prosecution, the accused is committed for trial to a superior court. There are two superior courts with criminal jurisdiction, viz., the Supreme Court, and a Court of General Sessions, which are held at various places throughout the

State. The latter court may deal with all cases of an indictable nature except such as are expressly excluded from its jurisdiction, viz., ten of the most serious crimes. A person may be brought before magistrates by three modes of procedure, viz., by an arrest by a police officer on warrant issued on a sworn information; or in a limited number of cases without warrant if the offence has been witnessed by the arresting constable; or by a summons. If at a coroner's inquest a verdict is returned of murder or manslaughter, the accused person is sent for trial to the Supreme Court without any investigation before magistrates. The Attorney-General or Solicitor-General also has the power of presenting any person for trial before a superior court without the necessity of a preliminary magisterial hearing; and upon the application of any person, properly supported by affidavit, a grand jury may be summoned, on the order of the Full Court, if the affidavit discloses that an indictable offence has been committed by a corporate body; or that such an offence has been committed by any person, and that some justice has refused to commit such person for trial; or in the case of a committal that no presentment has been made at the court at which the trial would in due course have taken place. The grand jury, which consists of 23 men, investigates the charge, and, if it is of opinion that a *prima facie* ground of action has been made out, the case is sent for trial. The cases which are presented under these latter forms of procedure are, however, very rare.

Indeterminate sentences.

The Indeterminate Sentences Act came into force on 1st July, 1908. Its principal provisions are—

1. The adoption of the indeterminate sentence for (a) habitual criminals, and (b) certain classes of other offenders.
2. The appointment of an Indeterminate Sentences Board.
3. The establishment of reformatory prisons.
4. A system of probation applicable to adults as well as minors.

A Board was appointed on 18th August, 1908. Its present members are:—The Hon. S. Mauger (chairman), Dr. C. S. Godfrey, and Mr. W. R. Anderson, I.S.O., P.M., formerly Secretary to the Crown Law Department. The secretary is Mr. G. F. Dicker, Chief Secretary's Office, Melbourne.

The chief functions of the Board are to make visits of inspection monthly to each reformatory prison, to examine the conduct reports of the inmates and accounts of their earnings, to authorize promotion in grade, to approve of indulgences, and to make careful inquiries as to whether any persons detained in a reformatory prison are sufficiently reformed to be released on probation, and submit recommendations accordingly to the Chief Secretary; also generally to report on the working of the Indeterminate Sentences Act and the regulations. Other important powers were vested in the Board

under the provisions of the Amending Indeterminate Sentences Act of 1915, chief among which are :—

- (a) To parole a prisoner temporarily for the purpose of testing his reform ;
- (b) To impose conditions of release ;
- (c) To transfer prisoners from one reformatory prison to another ;
- (d) To hear charges of misconduct and impose punishment at a reformatory prison for the detention of persons not habitual criminals, the power formerly conferred on visiting justices in this regard being cancelled ;
- (e) To control the disbursement of a prisoner's earnings upon release ; and
- (f) To recommend to the Minister that he make an order permitting a prisoner detained in a reformatory prison to leave such prison temporarily—
 - (1) for the purpose of being treated in a hospital ; or
 - (2) to visit a relative believed to be dying ; or
 - (3) for any other reason which appears to the Board to be sufficient.

An important alteration under the Amending Act is the substitution of "Minister" for "Governor in Council" as the authority by whose direction a prisoner may be released on probation on the Board's recommendation. Regulations governing the treatment of declared habitual criminals, and of offenders not habituals, who are detained under indeterminate sentence in a reformatory prison, are now in operation.

In the early part of the financial year 1916-17 the Board brought into operation two valuable aids to the reformation of the inmates of the reformatory prisons, by the Government sanctioning the purchase of a farm in connexion with the Castlemaine Reformatory, and the establishment of a forestry settlement at French Island.

The equipment of the Castlemaine Reformatory was further improved in 1917 by the addition of the necessary plant and tools for imparting technical instruction to the inmates. A new workshop has since been erected and also a new schoolroom with modern equipment. The appointment to the staff of this reformatory in 1924 of a trained teacher from the Education Department to take charge of the school work has led to very satisfactory results. The inmates received class instruction in the forenoon and also tuition from seven to nine o'clock on five nights of each week. At the beginning of 1926 an instructor from the Education Department, trained in technical subjects, was also added to the staff, and to him is entrusted the practical training of the lads in the use of tools, framing, joining, &c. Much useful work has already been accomplished, and it is intended in the near future to form a class for instruction in sheet metal work.

During 1926 a swimming pool was constructed, the work being carried out by the inmates themselves. Classes in life saving operations

and in First Aid to the injured are now held, and all inmates are put through a course of physical drill.

At the farm a number of improvements have been carried out and additional buildings erected. Accommodation is now provided for two married officers and their families, and for fifteen inmates. Poultry farming is carried on upon a fairly large scale, and additional land has been purchased for agricultural purposes.

At the Afforestation Camp, French Island, the industry of the prisoners has won the commendation of the officers of the Forests Commission. The land previously held by the Commission has recently been handed over to the Penal Department, and is being utilized for agricultural pursuits, as well as for afforestation (pines and wattles).

Some marked improvements have been effected at this camp within the last two or three years, and a considerable area of land, formerly a swamp, has been reclaimed and is now under crop. Several acres of suitable land have been set aside for the purpose of a nursery, and pine seedlings, which formerly were received from State nurseries, are now raised locally. The planting season usually extends from May to September in each year. During other months a number of the men are employed in cutting fire breaks and preparing for the next planting season, also in breaking up and ploughing other areas of land for cultivation. The men at this establishment are chosen from those under indeterminate detention at Pentridge. At no time are they under lock and key, and they enjoy a considerable amount of freedom, yet with few exceptions they have responded loyally to the trust placed in them. Any who fail to rise to the standard of conduct and industry required of them are immediately returned to Pentridge.

The number of prisoners under indeterminate detention on 30th June in each of the last five years was as follows :—

Name of Reformatory Prison.	Year ended 30th June.				
	1923.	1924.	1925.	1926.	1927.
Pentridge Reformatory Prison ..	31	41	51	54	59
Castlemaine Reformatory Prison ..	39	60	66	86	84
Reformatory for Females, Coburg ..	..	..	1	1	2
McLeod Settlement, French Island ..	35	31	37	39	38
Geelong Reformatory Prison ..	..	6	7	7	9
Beechworth Reformatory Prison ..	..	..	..	..	21
Total	105	138	162	187	213

Probation officers to supervise first offenders released by the courts on recognizance under the provisions of the *Crimes Act* 1915 are appointed by the Governor in Council on the recommendation of the Board. The position is honorary and a number of persons connected with religious and philanthropic organizations have been appointed to the office.

OFFENCES HEARD BY MAGISTRATES.

Arrests and
summonses
for various
offences.

The following are particulars of the different classes of offences dealt with by magistrates in 1926 :—

ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1926.

Nature of Offence.	Total.	Summarily Convicted, &c.		Discharged by Magistrates.		Committed for Trial.	
		M.	F.	M.	F.	M.	F.
Against the Person—							
Murder and attempts at	5	...	...	...	...	3	2
Manslaughter	10	...	...	5	...	5	...
Shooting at, wounding, &c. ...	38	...	...	5	...	29	4
Assaults ...	1,465	728	49	601	85	2	...
Others ...	230	38	5	44	10	122	11
Total ...	1,748	766	54	655	95	161	17
Against Property—							
Robbery, burglary, &c.	367	74	4	51	3	230	5
Larceny and similar offences ...	2,204	1,313	108	465	53	238	27
Wilful damage	509	352	26	109	20	2	...
Others ...	761	536	15	170	17	23	...
Total ...	3,841	2,275	153	795	93	493	32
Forgery and Offences against the Currency	21	1	...	...	...	20	...
Against Good Order—							
Drunkenness ...	10,150	5,728	733	3,298	391	...	...
Others ...	9,062	6,373	807	1,595	286	1	...
Total ...	19,212	12,101	1,540	4,893	677	1	...
Other Offences—							
Perjury ...	15	...	...	...	...	15	...
Breaches of—							
Defence Act ...	877	765	...	112	...	...	...
Education Act ...	12,000	9,240	1,587	917	256	...	...
Electoral Act ...	1,049	480	185	227	157	...	...
Licensing Act ...	5,152	3,273	485	1,117	277	...	...
Pure Food Act ...	520	359	46	100	15	...	...
Miscellaneous ...	31,121	25,998	1,420	3,433	248	19	3
Total ...	50,734	40,115	3,723	5,906	953	34	3
Grand Total ...	75,556	55,258	5,470	12,249	1,818	709	52

These particulars include the arrests and summonses disposed of in Children's Courts, which are detailed in the next table, other than arrests of neglected children.

Of the persons dealt with in the 56,703 summons cases, 48,086 were summarily convicted, 8,575 were discharged, and 42 were

committed for trial. Of the total persons dealt with (75,556), 60,728 were summarily convicted, 14,067 were discharged, and 761 were committed for trial.

The table which follows shows the number of arrests and summonses for various offences which were disposed of in Children's Courts during the year 1926 :—

CHILDREN'S COURTS: ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1926.

Nature of Offence.	Number of Offences for which—				Others (Application to board out, &c.).		Total Offences.	
	Arrests were made.		Summonses were issued.					
	M.	F.	M.	F.	M.	F.	M.	F.
Against the Person—								
Assaults	63	3	34	3	..	..	97	6
Others	6	..	9	..	..	..	15	..
Total	69	3	43	3	..	..	112	6
Against Property—								
Larceny, &c.	602	26	821	26	..	..	1,423	52
Wilful Damage	5	..	231	1	..	..	236	1
Others	28	2	126	..	..	..	154	2
Total	635	28	1,178	27	..	..	1,813	55
Against Good Order—								
Drunkenness	4	..	2	..	..	..	6	..
Others	56	8	437	3	..	..	493	11
Total	60	8	439	3	..	..	499	11
Other Offences—								
Miscellaneous	116	21	1,223	9	111	53	1,450	83
Grand Total	880	60	2,883	42	111	53	3,876	155

The arrests of neglected children, which in 1926 numbered 67, viz., 49 males and 18 females, have been included in this table to indicate the business done by Children's Courts, but they are eliminated from all other criminal tabulations.

Of the persons who were brought before magistrates during the last five years, 25 per cent. were arrested, and 75 per cent. summoned. The great increase in summons cases since 1906 is due principally to the number of prosecutions under the Licensing, Pure Foods, Commonwealth Electoral, and Defence Acts, and is also partially accounted for by more parents having been summoned for neglecting to send their children to school than in previous years—the compulsory clauses of the Amending Education

**Arrests and
summons
cases.**

Act requiring children to attend a greater number of times than formerly. Particulars for the last year of each of the five decennial periods ended with 1921, and for each of the last five years, are given in the subjoined table :—

ARRESTS AND SUMMONSES, 1881 TO 1926.

Year.	Arrested by the Police.	Brought before Magistrates on Summons.	Total.
1881	22,640	19,384	42,024
1891	31,971	24,525	56,496
1901	27,855	21,130	48,985
1911	19,398	25,128	44,526
1921	15,249	47,153	62,402
1922	16,163	47,550	63,713
1923	17,223	49,889	67,112
1924	17,786	50,708	68,494
1925	17,922	55,424	73,346
1926	18,853	56,703	75,556

**Neglected
children
arrested.**

The arrests of neglected children, which are excluded from the above table and the tables which follow, numbered 115 in 1922, 98 in 1923, 108 in 1924, 104 in 1925, and 67 in 1926.

There has been a great falling off in the arrests in the last seven years, as compared with previous years, the principal reason being that children boarded out with their own mothers by the Children's Welfare Department are not now arrested by the police.

The following table shows for each of the last five years the number of offences for which persons were arrested or summoned, summarily convicted, discharged by magistrates, committed for trial, and convicted after commitment, also the number per 10,000 of the population :—

NUMBER OF ARRESTS AND SUMMONS CASES, 1922 TO 1926.

Year.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.	Convicted after Commitment.
1922 ...	63,713	49,464	13,516	733	463
1923 ...	67,112	53,183	13,295	634	400
1924 ...	68,494	54,376	13,516	602	401
1925 ...	73,346	58,879	13,723	744	510
1926 ...	75,556	60,728	14,067	761	461
Number per 10,000 of Population.					
1922 ...	405·5	314·8	86·0	4·7	2·9
1923 ...	412·9	327·2	81·8	3·9	2·5
1924 ...	417·2	331·2	82·3	3·7	2·4
1925 ...	438·8	352·3	82·1	4·4	3·1
1926 ...	445·3	357·9	82·9	4·5	2·7

In regard to persons arrested, minor charges are excluded, and only that charge which throughout the hearing of the case was most prominent is taken account of; but, in summons cases, the unit is each separate charge or case, and the number of convictions, discharges, &c., is, therefore, greater than the number of persons concerned.

CRIME AND DRUNKENNESS.

Offences and drunkenness. The subjoined table shows, for a series of years, the number of persons arrested or summoned, also the number per 1,000 of the population, for the only classes of offence for which complete comparisons can be made:—

CRIME IN THE STATE OF VICTORIA, 1890 TO 1926.

Year.				Number of Persons Arrested or Summoned for—				
				Offences against the Person.	Offences against Property.	Drunkenness.	Other Offences.	Total.
1890	...	...	...	4,091	5,036	18,501	36,456	64,084
1895	...	...	...	2,344	3,336	11,143	20,843	37,666
1900	...	...	...	2,103	3,106	15,878	28,003	49,090
1910	...	...	...	1,663	3,052	12,719	34,626	52,060
1920	...	...	...	1,909	4,877	7,154	42,758	56,698
1922	...	...	...	1,570	3,639	8,773	49,731	63,713
1923	...	...	...	1,687	3,605	10,131	51,689	67,112
1924	...	...	...	1,767	3,626	9,814	53,287	68,494
1925	...	...	...	1,637	3,672	9,430	58,607	73,346
1926	...	...	...	1,748	3,841	10,150	59,817	75,556
				Number per 1,000 of the Population.				
1890	...	...	...	3·66	4·50	16·54	32·59	57·29
1895	...	...	...	1·98	2·82	9·41	17·60	31·81
1900	...	...	...	1·76	2·60	13·31	23·47	41·14
1910	...	...	...	1·30	2·38	9·92	27·00	40·60
1920	...	...	...	1·26	3·23	4·73	28·27	37·49
1922	...	...	...	1·00	2·32	5·58	31·66	40·56
1923	...	...	...	1·04	2·28	6·17	31·80	41·29
1924	...	...	...	1·08	2·21	5·98	32·45	41·72
1925	...	...	...	·98	2·20	5·64	35·06	43·88
1926	...	...	...	1·03	2·26	5·98	35·26	44·53

Drunkenness. The most noticeable feature of the above table is the large decrease in the arrests for drunkenness in the last five years as compared with the years prior to 1920.

Offences against the person and property. Almost all serious crimes are either offences against the person or offences against property. The first-named consist mainly of assault, but include murder, manslaughter, shooting, wounding, and all crimes of lust. Offences against property consist principally of larceny and similar offences; but include burglary, robbery, &c., cattle stealing, and wilful damage to property.

The only serious crimes included under "Other Offences" are forgery, counterfeiting, conspiracy, and perjury, and these are very few in number, there having been in Victoria in 1926 only 40 of such crimes out of a total of 59,817 in the category to which they belong. A large proportion of the cases under the heading "Other Offences" are merely breaches of various Acts of Parliament, by-laws, &c., which indicate no degree of criminal instinct or intent on the part of the person charged. There is also among them a large number of offences against good order, including insulting behaviour, vagrancy, &c.

If it be desired to compare the above figures with those relating to other States or countries several considerations must be taken into account. The first point necessary is that the criminal law in the places compared be substantially the same; the second, that it be administered with equal strictness; and the third, that proper allowances be made for differences in the age and sex constitution of the population. These considerations must also be taken into account in comparing crime in recent years with that in previous periods when there may have been differences in the law and when the population was very differently constituted in regard to sex and age.

SENTENCES PASSED.

The results of summary disposal of cases by magistrates during 1926 were as follows:—

SUMMARY DISPOSAL BY MAGISTRATES OF PERSONS ARRESTED, 1926.

Sentence.	Males.	Females.	Total.
Fines paid	5,433	710	6,143
Imprisonment for—			
Under 1 month	3,215	539	3,754
1 and under 6 months	1,218	171	1,389
6 and under 12 months	156	40	196
1 to 2 years ... ..	...	...	...
2 years	2	...	2
Ordered to find bail or sentence suspended on entering surety ...	387	33	420
Admonished	472	64	536
Sent to Industrial or Reformatory Schools ...	82	3	85
Otherwise dealt with	112	5	117
Total sentenced	11,077	1,565	12,642
Discharged	4,827	665	5,492
Total summarily disposed of ...	15,904	2,230	18,134
Sentenced per 10,000 of population ...	131·2	18·4	74·5

Sentences in
superior
courts.

The following were the sentences of the arrested persons tried and convicted in superior courts during 1926 :—

SENTENCES OF ARRESTED PERSONS TRIED AND CONVICTED, 1926.

Sentence.	Males.	Females.	Total.
Fines paid	3	...	3
Imprisonment for—			
Under 1 month	9	...	9
1 and under 6 months	50	5	55
6 „ 12 „	144	4	148
1 „ 4 years	83	2	85
4 „ 7 „	9	...	9
10 years	1	...	1
15 „	1	...	1
Ordered to find bail or sentence suspended on entering surety	78	6	84
Sent to Reformatory Prison	39	1	40
„ Lunatic Asylum ... ..	...	1	1
Total convicted	417	19	436
Acquitted	223	19	247
Not prosecuted	32	1	33
Convictions per 10,000 of population...	4.94	.22	2.57

In addition to being sent to gaol, seven prisoners were ordered one whipping each, and one prisoner two whippings, with a birch or a cat-o'-nine-tails.

Prisoners remaining for trial from the previous year and sentenced in the year mentioned are included in the above statement, but those awaiting trial at the end of the year are excluded.

In compiling the criminal statistics of the State each year a person arrested more than once is counted as a separate individual in respect of each arrest. It is possible to ascertain approximately the number of distinct persons passing through the hands of the police by making a close comparison

Arrests of
distinct
individuals.

DISTINCT INDIVIDUALS ARRESTED, 1926.

[illegible]

of names, ages, birth-places, religions, occupations, &c., of the individuals dealt with. This has been done for 1926, in so far as the sex and age of the persons arrested are concerned, and the result is given in the following table :—

Individuals arrested more than once. Of the total number of arrests, 18,853, only 14,454, or 77 per cent., were of distinct individuals. Of these, 12,125, or 84 per cent., were arrested only once; 1,452, or 10 per cent., twice; 450, or 3 per cent., three times; 178, or 1 per cent., four times; and 249, or 2 per cent., five times and over—one of these persons having been arrested eighteen times. The table which follows gives a comparison of 1926 with 1907—a year in which an important Act relating to the obtaining and holding of licences came into force. From this it will be seen that there was a large decrease in the later year in the number of distinct persons arrested:—

DISTINCT PERSONS ARRESTED, 1907 AND 1926.

Year.	Distinct Persons Arrested.						Percentage Arrested.				
	Number.			Per 100,000 of the Population.			Once.	Twice.	Thrice.	Four Times.	More than Four Times.
	Males.	Females.	Total.	Males.	Females.	Total.					
1907 ...	14,519	2,297	16,816	2,410	369	1,372	83	10	3	2	2
1926 ...	13,033	1,421	14,454	1,544	167	852	84	10	3	1	2

Sexes of those arrested more than once. The tendency of females to be arrested over and over again is much greater than that of males, for, while only 15 per cent. of the males who fell into the hands of the police were arrested more than once in 1926, as many as 24 per cent. of the females were so arrested.

Distinct persons arrested more than once for drunkenness. The distinct persons arrested for drunkenness during 1926 numbered 7,482, and, of these, 1,315, or 18 per cent., were arrested more than once, viz., 795 twice; 264 thrice; 99 four times; 51 five times; and 106 more than five times, of whom 4 were arrested fifteen times.

Drunkenness, 1907 and 1926. The number of distinct persons arrested for drunkenness was 10,944 in the year 1907, and 7,482 in 1926. The proportions per 1,000 of the population were 8·93 and 4·41 respectively in the years mentioned, the decrease in the later year being equivalent to a reduction of 51 per cent.

Whilst the number of distinct persons arrested for drunkenness in 1926 was 7,482, the charges of drunkenness brought against them numbered 10,066; these persons were also charged with 1,412 other offences, so that the total number of charges of all kinds against drunkards was 11,478. Fifty-three per cent. of the arrests during 1926 consisted of persons who were charged with drunkenness.

The number of persons and the number per 1,000 of the population arrested or summoned for drunkenness during the last five years are given hereunder:—

PERSONS ARRESTED OR SUMMONED FOR DRUNKENNESS,
1922 TO 1926.

Year.	Number of Persons—			Number per 1,000 of Population.
	Arrested.	Summoned.	Total.	
1922 ...	8,684	89	8,773	5·58
1923 ...	10,029	102	10,131	6·17
1924 ...	9,713	101	9,814	5·98
1925 ...	9,318	112	9,430	5·64
1926 ...	10,066	84	10,150	5·98

The amount of drunkenness in proportion to population, as evidenced by arrests, being taken as 100 in 1874-8, the corresponding numbers for subsequent periods will show the increase or decrease by comparison. These numbers are given in the following statement:—

Period.	Index Number.	Period.	Index Number.
1874-78	100	1919	29
1879-85	88	1920	32
1886-92	106	1921	34
1893-97	65	1922	38
1898-1902	84	1923	42
1903-07	77	1924	40
1908-12	68	1925	39
1913-17	59	1926	41
1918	29		

A very considerable decrease in drunkenness is shown for the five years 1893-97, which was a period of general depression. In the five years following an increase occurred, but since that time the arrests for this offence have declined. In the middle of the year 1915 an Act was passed limiting the number of hours during which alcoholic liquors could be sold in hotels, and a further limitation was made in the following year. This probably accounts for the marked decrease in drunkenness in the last eleven years. The index numbers for that period are the lowest on record.

The accompanying table shows the number of persons under 20 years of age arrested for drunkenness, also the number arrested per 100,000 of the population under that age, from which it will be seen that very few young persons are arrested for this offence :—

ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED
WITH DRUNKENNESS, 1895 TO 1926.

Year.	Number.	Number per 100,000 of the Population under 20 years of age.
1895	185	35·60
1900	222	42·38
1910	128	24·19
1920	140	24·15
1922	118	19·58
1923	143	23·07
1924	159	25·24
1925	130	20·27
1926	142	21·81

One per cent. of the distinct individuals arrested in 1926 were entirely illiterate, 98 per cent. could read only, or read and write, and under 1 per cent. were possessed of superior or good education.

Education of
persons
arrested.

CONSUMPTION OF INTOXICATING LIQUOR.

The next table shows for a period of years the average yearly consumption of intoxicating liquors in Australia and New Zealand. It is not possible to give the Victorian consumption for a later year than 1909, as the Commonwealth Government discontinued keeping records of Inter-State trade in the following year.

AVERAGE CONSUMPTION OF SPIRITS, BEER, AND WINE IN AUSTRALIA AND NEW ZEALAND.

	Yearly Average Quantity Consumed. 1st July, 1921, to 30th June, 1926.			Consumption per Head.		
	Spirits.	Beer.	Wine.	Spirits.	Beer.	Wine.
	gallons.	gallons.	gallons.	gallons.	gallons.	gallons.
Commonwealth of Australia ..	2,361,000	64,819,100	2,590,400	·41	11·27	·45
*Dominion of New Zealand ..	592,500	13,053,600	185,300	·45	10·03	·14

* Average for five years ended 31st December, 1926.

The quantities consumed per head in Australia and New Zealand during three quinquennial periods in the years 1909 to 1926, were as follows :—

	Australia.			New Zealand.		
	1909-13.*	1916-21.†	1921-26.†	1909-13.*	1917-21.*	1922-26.*
	gallons.	gallons.	gallons.	gallons.	gallons.	gallons.
Spirits	·82	·46	·41	·79	·69	·45
Beer	12·40	12·29	11·27	9·69	11·31	10·03
Wine	·42	·38	·45	·14	·15	·14

Average for five years ended—

* 31st December.

† 30th June.

With the assistance of the figures in the preceding table, it is possible to estimate for Australia and New Zealand, with some degree of accuracy, the approximate expenditure of the people on intoxicating liquors in a year. The following table shows the average yearly consumption over a period of years :—

AUSTRALIAN AND NEW ZEALAND DRINK BILL.— YEARLY AVERAGE.

	Expenditure by the People on—					
	Spirits.	Beer.	Wine.	Total.		
				Amount.	Per Head.	Per Adult Individual.
	£	£	£	£	£ s. d.	£ s. d.
*Commonwealth of Australia ..	9,935,000	18,812,700	2,397,700	31,145,400	5 8 2	9 6 7
†Dominion of New Zealand ..	2,499,500	3,790,800	179,600	6,469,900	4 19 2	8 10 11

* Average for five years ended 30th June, 1926.

† Average for five years ended 31st December, 1926.

These figures show that the average yearly expenditure on drink in Australia during the five years ended 30th June, 1926, was £31,145,400, and that in New Zealand during the quinquennium 1922 to 1926 it was £6,469,900. The expenditure per head for the Commonwealth was £5 8s. 2d., and for New Zealand, £4 19s. 2d. The corresponding expenditures for the quinquennium 1909–13 were £3 10s. 2d., and £2 18s. 2d. per head, and for a similar period in the years 1916 to 1921, £3 17s. 1d., and £4 8s. 6d. per head.

LOCAL OPTION.

At the general elections for the State Legislative Assembly, held on 21st October, 1920, the provision in the *Licensing Act 1906* (incorporated in the Act of 1915), which required a poll of the electors to be taken on the question of the number (if any) of liquor licences to be held in the various licensing districts of the State, was submitted to the electors. The resolutions were :—

- That the number of licences existing in this district continue.
- That the number of licences existing in this district be reduced.
- That no licences be granted in this district.

If resolution C had been previously carried and was in force in the district, the following was to be submitted instead of the resolutions mentioned above :—

- That licences be restored in this district.

Resolution A or B was carried if a majority of the votes given was in favour of such resolution. Resolution C was carried if three-fifths at least in number of the votes given was in favour of that resolution, it being provided that, where less than such number was given, the votes recorded in favour of resolution C should be added to the votes given for resolution B. Resolution D was carried if three-fifths at least in number of the votes given was in favour of that resolution. Resolutions C and D could not be carried unless 30 per cent. or more of the number of electors on the electoral rolls for the district voted for the resolution.

In two licensing districts in the State, viz., Boroondara and Nunawading, resolution C was carried. Seven hotels in the former district and three in the latter had, therefore, to be closed. The amount of compensation awarded by the Licences Reduction Board was £12,100, or an average of £1,210 for each hotel.

Act of 1922. By an amending Licensing Act (No. 3259) assented to on 21st December, 1922, it is provided that a vote of the electors for the Legislative Assembly be taken on the licensing question once in every eighth year on a day to be fixed by proclamation of the Governor in Council, published in the *Government Gazette*, not being a day within three months before or after the day for a general election, the first of such polls to be taken in the year 1930.

At the first of such votes and at any subsequent vote, whenever licences exist, the following resolution only shall be submitted to the electors:—

Abolition.—That licences shall be abolished (Resolution I.).

If at any vote Resolution I. is carried the following resolution only shall be submitted to the electors at each subsequent vote until carried:—

Restoration.—That licences shall be restored (Resolution II.).

Hotels Closed, 1885-1905. During the period 1885 to 1905, 217 hotels were closed as the result of local option polls. The amount of compensation awarded was £212,771, or an average of £980 for each hotel. This sum was provided partly out of the Licensing Fund, and, when this was insufficient for the purpose, out of the general revenue.

Restricting the hours for the sale of intoxicants. In the year 1915 an Act was passed (No. 2584) which fixed the hours during which alcoholic liquors might be sold in hotels during the period of the war at from 9 o'clock in the morning until half-past 9 at night. By an Act passed in 1916 (No. 2827) the closing hour was fixed at 6 o'clock instead of 9.30. The latter provision was made permanent by Act No. 3028, passed on 19th December, 1919.

LICENCES REDUCTION BOARD.

Licences
Reduction
Board.

The Licences Reduction Board, provided for by the *Licensing Act* 1906, was appointed on 21st May, 1907. At the same time a Compensation Fund was instituted, which was raised by means of a percentage fee of £3 for every £100 of purchases of liquor, the owner of the premises being chargeable with two-thirds and the tenant with one-third of the fee. The duties of the Board are referred to in the *Year-Book* for 1915-16, page 476. Just before the close of the year 1916 an amending Licensing Act (No. 2855) was passed, by which the members of the Licences Reduction Board were constituted a Licensing Court for the whole State. The taking of a local option poll was postponed to the second general election after January, 1917, and the court was authorized in the meantime to close hotels to the extent of the Compensation Fund available, as if reduction had been carried in every Licensing District. No alteration was made in the provisions abolishing the statutory number of hotels for a district, so that the number existing on 1st January, 1917, is now the maximum number, a similar provision applying to spirit merchants' licences, grocers' licences, Australian wine licences, and club licences. The Mallee area was made the subject of special legislation, under which it is possible after a petition and a poll to obtain victuallers' licences in proclaimed areas containing at least 500 electors. These victuallers' licences are to be 12 miles apart, except at Mildura, where there can be three hotels. The whole system of licence-fees was re-cast, fixed fees in the retail liquor trade being abolished and percentage fees substituted. In the wholesale section there are now percentage fees for the sales to private customers, and fixed fees in respect of the balance of the trade. The percentage fee in the case of hotels has been fixed at 6 per cent. of the annual liquor purchases, the owner paying three-eighths, and the licensee five-eighths. This combines and takes the place of the old fixed fees, the 3 per cent. compensation fee, and the assessments for lost licence fees arising out of the closing of hotels. Spirit merchants and holders of grocers' licences and Australian wine licences pay 4 per cent. of the cost of liquors sold to non-licensed purchasers.

Provision was made by Act No. 2776 for an adjustment of rents owing to the reduction effected by the "9.30 Closing Act" in the number of hours allowed for selling liquor, and this provision was extended by Act No. 2855 so as to provide for adjustments by reason of the further restrictions imposed by Act No. 2827—the "6 o'clock Closing Act." The work of adjustment was entrusted to the Board. Under the provisions of these Acts over 700 applications were received from licensees for adjustment of rent and licence-fee rebates.

Up to 30th September, 1927, 1,661 hotels had been closed by the Board or had surrendered their licences. The total sum paid in compensation was £1,074,191, or an average of £647 each. Five hundred and twelve of these hotels were located in the Greater Melbourne district;

the compensation paid in connexion with these totalled £548,907, making an average of £1,072 each. There were 1,149 hotels closed in country districts, whose owners and licensees received £525,284, or an average of £457 for each hotel.

Particulars of the hotels closed and compensation awarded in metropolitan and country districts in each year since the constitution of the Board are set forth in the following table:—

NUMBER OF HOTELS CLOSED AND COMPENSATION AWARDED, 1907 TO 1927.

Year Ended—	Number of Hotels Closed.			Amounts Awarded Owners and Licensees.		
	Greater Melbourne.	Country.	Total.	Greater Melbourne.	Country.	Total.
31st December—				£	£	£
1907 ..	26	37	63	26,471	6,125	32,596
1908 ..	43	90	133	33,764	32,817	66,581
1909 ..	30	78	108	20,021	21,648	41,669
1910 ..	28	78	106	27,636	26,507	54,143
1911 ..	17	85	102	15,501	32,953	48,454
1912 ..	24	72	96	20,511	30,877	51,388
1913 ..	26	76	102	24,775	25,346	50,121
1914 ..	19	70	89	20,040	30,033	50,073
1915 ..	30	82	112	25,800	35,883	61,683
1916 ..	40	103	143	35,485	48,658	84,143
1917 ..	23	60	83	19,193	30,415	49,608
30th June—						
1918 ..	10	34	44	7,475	15,802	23,277
(six months)						
30th June—						
1919 ..	22	57	79	19,825	29,635	49,460
1920 ..	39	36	75	39,080	21,595	60,675
1921 ..	35*	57	92*	43,355	34,230	77,585
1922 ..	7	41	48	9,070	35,915	44,985
1923 ..	21	12	33	33,000	5,185	38,185
1924 ..	11	11	22	18,270	3,025	21,295
31st December—						
1925 ..	27	31	58	44,335	21,450	65,785
(18 months)						
1926 ..	31	17	48	59,700	17,715	77,415
30th September—						
1927 ..	3	22	25	5,600	19,470	25,070
Total ..	512	1,149	1,661	548,907	525,284	1,074,191

* Including ten hotels closed as the result of a Local Option poll held on 21st October, 1920.

In addition to the above closings, the following have been deprived of their licences, as a result of the local option poll held on 21st October, 1920:—5 spirit merchants, 4 grocers, 1 club, and 4 Australian wine licensees. The amount of compensation awarded was £550. Since 1922, 3 spirit merchants', 2 grocers', and 34 Australian wine licences have been taken away, for which compensation to the amount of £8,118 has been awarded.

A section of the Board's work which has grown rapidly in extent and importance, is the improvement in the type of structure and in the class of accommodation of licensed houses.

Since 1922 plans have been passed by the Board for new and improved licensed premises, the estimated cost being £2,103,477, in the following districts :—

ESTIMATED COST OF NEW BUILDINGS AND OF IMPROVEMENTS TO LICENSED PREMISES, 1923 TO 1926.

Licensing District.	Amount.	Licensing District.	Amount.
	£		£
<i>Metropolitan.</i>		Dalhousie	7,635
Abbotsford	37,320	Dandenong	34,400
Albert Park	25,840	Daylesford	33,410
Boroondara	28,900	Dundas	2,210
Brighton	36,900	Eaglehawk	3,000
Brunswick	29,580	Evelyn	17,000
Carlton	51,090	Geelong	69,462
Collingwood	27,460	Gippsland East	8,575
East Melbourne	174,915	Gippsland North	16,443
Essendon	49,950	Gippsland South	1,910
Fitzroy	82,599	Gippsland West	22,633
Flemington	40,950	Glenelg	10,940
Hawthorn	6,110	Goulburn Valley	3,547
Jika Jika	39,273	Grenville	2,610
Melbourne	406,090	Gunbower	21,405
North Melbourne	42,650	Hampden	6,500
Port Melbourne	85,983	Kara Kara	6,150
Prahran	52,255	Korong	8,050
Richmond	39,720	Lowan	34,080
St. Kilda	66,160	Maryborough	4,000
Toorak	14,750	Mornington	49,635
Williamstown	48,360	Ovens	9,030
Total Metropolitan ..	1,386,855	Polwarth	8,870
<i>Country.</i>		Port Fairy	2,580
Allandale	13,200	Rodney	20,410
Ballarat East	8,000	Stawell and Ararat	21,577
Ballarat West	6,076	Swan Hill	118,890
Barwon	12,035	Upper Goulburn	18,700
Benalla	10,112	Walhalla	5,290
Benambra	10,160	Wangaratta	2,122
Bendigo East	12,800	Waranga	11,524
Bendigo West	2,495	Warrenheip	3,500
Borung	19,540	Warrnambool	4,496
Bulla	22,750	Total Country	716,622
Castlemaine and Maldon ..	8,870	Grand Total	2,103,477

The return given hereunder shows the number of hotels, including roadside licences, in Victoria in 1885, 1906 and 1927, and the number of persons to each hotel in those years. The years 1885 and 1906 have been selected, because in those years important alterations were made in the liquor licensing laws :—

NUMBER OF HOTELS, 1885, 1906 AND 1927.

Year.				Estimated Population.	Number of Hotels.*	Persons to each Hotel.
1885	...	...	...	969,200	4,339	223
1906	...	...	...	1,244,470	3,520	354
1927	...	...	...	1,726,445	1,860†	928
Increase, 1885 to 1927				757,245	...	705
Decrease, „ „				...	2,479	...

* Including Roadside Licences.

† Fifteen of these hotels will be closed on the 1st January, 1928.

While the population has increased by 78 per cent. since 1885, the number of hotels has decreased by 57 per cent., and the number of persons to an hotel is now 316 per cent. more than it was in that year. During the period 1885-1927, 227 hotels were closed as the result of local option polls, 1,661 were deprived of their licences by the Licences Reduction Board, or surrendered their licences to the Board, and 663 were closed voluntarily. During the period of twenty-one years, 1907 to 1927, 57 new licences were granted.

The *Lotteries Gaming and Betting Act* 1906 (now Section 152 of the *Police Offences Act* 1915) provides that all race-courses shall be licensed, for which a fee of £1 per annum is charged. It is stipulated that, in addition to this fee, there shall be paid annually a sum equal to 3 per cent. of the gross revenue derived from all sources. Where the gross revenue is less than £1,500, but more than £600, the annual sum payable is 2 per cent. of the revenue, and, where the gross revenue is £600 or less, no percentage is charged. The amounts paid into the Consolidated Revenue in licence fees and percentages on receipts during the last ten years were as follows :—

REVENUE FROM RACE-COURSE LICENCES AND PERCENTAGE FEES, 1918 TO 1927.

Year ended 30th June.			Amount.	Year ended 30th June.			Amount.
			£				£
1918	..	..	11,346	1923	..	..	20,124
1919	..	..	11,557	1924	..	..	20,516
1920	..	..	13,416	1925	..	..	21,714
1921	..	..	17,731	1926	..	..	23,270
1922	..	..	17,578	1927	..	..	24,148

GAOLS AND PRISONERS.

Gaols and prisoners.

There are seven gaols in Victoria, including the Pentridge Penal Establishment, and six reformatory prisons, also two police gaols which are used as receiving stations; the figures given below show that there is accommodation in the gaols for nearly twice the average number of prisoners in confinement. The following statement contains information for the year 1926 in regard to the accommodation for prisoners, the daily average number in confinement, the number received during the year, and the number in confinement at the end of the year :—

GAOL ACCOMMODATION AND PRISONERS, 1926.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received.		In Confinement, 31.12.26.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ..	669	..	543	..	1,597	..	522	..
Pentridge Reformatory Prison ..	68	..	54	..	86	..	57	..
Ballarat ..	62	18	20	..	269	10	23	..
Beechworth Reformatory Prison ..	69	..	2	..	12	..	11	..
Bendigo ..	116	28	14	..	209	12	13	..
Castlemaine Reformatory Prison ..	97	..	76	..	114	..	70	..
Coburg Female Prison ..	..	123	..	47	..	688	..	42
Coburg Reformatory Female Prison ..	..	10	..	..	..	1	..	1
Geelong ..	177	29	65	..	337	2	69	..
Geelong Reformatory Prison ..	10	..	7	..	9	..	10	..
McLeod Settlement Reformatory Prison ..	42	..	36	..	31	..	35	..
Metropolitan ..	111	..	107	..	3,871	..	103	..
Sale ..	30	5	4	..	59	..	6	..
Police Gaols ..	26	..	4	..	152	1	3	..
Total ..	1,477	213	932	47	6,746	714	922	43

Prisoners in confinement, 1871 to 1926—decrease.

A statement is given below of the average number of prisoners in detention in the gaols of the State in the last year of each of the decennial periods 1871 to 1921 inclusive, and in each of the last five years. From this it will be seen that there has been a considerable decrease in late years as compared

with earlier periods. The rate per 10,000 of population, aged fifteen years and over, was, in 1926, 7 per cent. less than in 1911, 43 per cent. less than in 1901, 68 per cent. less than in 1891, 73 per cent. less than in 1881, and 78 per cent. less than in 1871.

PRISONERS IN CONFINEMENT, 1871 TO 1926.

Year.	Average Number of Prisoners in Confinement.			Number per 10,000 of Population, aged 15 years and over.		
	Males.	Females.	Total.	Males.	Females.	Total.
1871 ...	1,345	274	1,619	54·77	15·46	38·30
1881 ...	1,294	304	1,598	45·25	12·35	30·03
1891 ...	1,550	350	1,900	38·78	10·07	25·43
1901 ...	951	200	1,151	23·92	5·06	14·53
1911 ...	713	100	813	15·73	2·16	8·87
1921 ...	741	54	795	14·56	·98	7·40
1922 ...	752	54	806	14·36	·98	7·31
1923 ...	735	69	795	13·38	1·04	7·05
1924 ...	734	48	782	13·00	·82	6·79
1925 ...	850	45	895	14·74	·75	7·63
1926 ...	932	47	979	15·93	·78	8·22

Birthplaces,
religions,
and ages of
prisoners.

The birthplaces, religions, and ages of prisoners constantly detained, as deduced from the numbers passing through the gaols, are shown below for the five decennial periods ended with 1921 and for 1926 :—

BIRTHPLACES, RELIGIONS, AND AGES OF PRISONERS CONSTANTLY DETAINED, 1881 TO 1926.

—	1881.	1891.	1901.	1911.	1921.	1926.
Total	1,598	1,900	1,151	813	795	979
Birthplace—						
Australia and New Zealand	584	845	689	595	660	758
England and Wales ..	401	420	149	87	64	98
Scotland	105	129	56	26	18	39
Ireland	378	336	160	62	23	39
China	27	14	18	4	1	3
Others	103	156	79	39	29	42
Religion—						
Protestants	888	1,098	651	476	479	562
Roman Catholics ..	671	729	465	317	293	379
Jews	7	14	8	4	4	4
Buddhists, Confucians, &c..	27	14	12	1	..	..
Others	5	45	15	15	19	34
Age—						
Under 20 years	229	129	75	54	85	87
20 to 30 years	473	669	316	205	287	283
30 to 40 years	312	457	337	211	190	260
40 to 50 years	294	279	234	193	126	177
50 to 60 years	166	193	102	96	68	114
60 years and over ..	124	173	87	54	39	58

BIRTHPLACES, RELIGIONS, AND AGES OF PRISONERS
CONSTANTLY DETAINED, PER 10,000 OF POPULATION,
1881 TO 1926.*

	1881.	1891.	1901.	1911.	1921.	1926.
Birthplace—						
Australia and New Zealand	10·84	10·65	7·25	5·32	4·92	5·10
England and Wales ..	27·20	25·78	12·72	9·73	} 6·53	9·87
Scotland	21·81	25·46	15·66	9·78		
Ireland	43·58	39·39	26·01	14·95		
China	22·88	16·53	28·89	7·14	3·54	9·84
Others	35·34	39·24	25·80	11·64	11·13	14·56
Religion—						
Protestants	14·36	13·12	7·19	4·90	4·12	4·40
Roman Catholics ..	32·98	29·33	17·63	11·07	9·08	10·60
Jews	16·17	21·68	13·54	6·38	5·21	4·72
Buddhists, Confucians, &c.	24·20	20·75	21·95	6·18	..	..
Others	2·00	10·78	7·03	3·05	4·97	6·50
Age—						
Under 20 years	35·30	2·53	1·42	1·01	1·45	1·34
20 to 30 years	34·18	27·36	15·30	8·67	10·93	9·73
30 to 40 years	34·82	31·30	18·23	11·66	8·35	10·31
40 to 50 years	20·95	32·00	20·07	11·64	7·20	9·13
50 to 60 years	34·84	23·95	15·35	9·60	4·50	6·79
60 years and over ..	30·88	23·90	8·73	5·58	3·07	4·12

* The ratios refer to 10,000 persons in the community whose birthplaces, religions, or ages were as stated above.

POLICE PROTECTION.

Strength of
police force in
Victoria.

The following table shows the numbers in the various grades of the police force in Victoria on the 31st December, 1926 :—

POLICE IN VICTORIA, 31ST DECEMBER, 1926.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Foot.</i>			
Chief Commissioner	1	...	1
Superintendents'	2	9	11
Inspectors	7	4	11
Sub-Inspectors	19	5	24
Sergeants, First class	35	11	46
„ Second class	36	10	46
Senior Constables	153	78	231
Constables	1,018	269	1,287
Detectives	42	2	44
Others ... ..	...	...	...
Total	1,313	388	1,701
<i>Mounted.</i>			
Sergeants, First class	1	...	1
Senior Constables	1	...	1
Constables	41	219	260
Total	43	219	262
Grand Total	1,356	607	1,963

Strength of
police force in
proportion to
population.

The number of police in Victoria per 100,000 of the population and the corresponding proportions for other States, at the end of 1926, were as follows:—Victoria, 114·7; New South Wales, 126·5; Queensland, 133·7; South Australia, 113·3; Western Australia, 141·5; Tasmania, 112·2; and Northern Territory, 949·2.

Expenditure
on police,
gaols, &c.

The next table contains a statement of the amount and the amount per head of population expended in connexion with the police, and the penal establishments and gaols of Victoria, in the year 1871-2 and every tenth year

thereafter until 1921-22 inclusive, also in each of the four years ended with 1925-26 :—

EXPENDITURE ON POLICE AND GAOLS, 1871-2 TO 1925-26.

Year ended 30th June.	Amount Expended (exclusive of Pensions) on—					Amount per Head of Population.
	Maintenance, &c.		Buildings.		Total.	
	Police.	Gaols and Penal Es- tablishments.	Police.	Gaols and Penal Es- tablishments.		
	£	£	£	£	£	s. d.
1872 ..	190,711	57,855	5,722	2,133	256,421	6 10
1882 ..	201,063	53,032	14,996	3,328	272,419	6 2
1892 ..	283,409	65,679	19,113	23,319	391,520	6 9
1902 ..	271,561	51,948	7,064	3,613	334,186	5 6
1912 ..	316,456	48,514	12,856	2,300	380,126	5 8
1922 ..	527,305	71,825	6,681	2,336	608,147	7 10
1923 ..	531,440	75,732	8,597	4,631	620,400	7 10
1924 ..	540,109*	85,963	20,997	15,159	662,228	8 2
1925 ..	602,222	92,635	20,109	7,097	722,063	8 9
1926 ..	622,509	101,794	24,566	14,747	763,616	9 1

* This does not include amounts paid to members of the Special Constabulary Force, which was employed temporarily after the Police strike of 1923.

The police perform a number of duties in addition to those connected with the maintenance of law and order. The actual cost to the community of the police protection afforded is, therefore, less than the expenditure shown in the above table for maintenance of the police force.

Executions. During the twenty-two years ended with 1926 there were only eight executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, two in 1918, one in 1922, and one in 1924. Since the first settlement of Port Phillip in 1835, 176 criminals have been executed within the State, of whom only four were females.

The *Year-Book* for 1916-17 contains on page 490 a table showing the offences for which criminals were executed, also their birthplaces and religions, for the years 1842 to 1916.

Inquests. The number of inquiries into the causes of deaths of individuals during each of the last five years is given below:—

INQUESTS, 1922 TO 1926.

Cause of Death found to be due to—	1922.	1923.	1924.	1925.	1926.
External Causes—					
Accident	461	524	601	619	718
Homicide	10	11	7	11	10
Suicide	123	125	128	170	144
Execution	1	..	1	..	..
Doubtful	17	18	19	21	26
Disease or Natural Causes	556	714	688	603	599
Intemperance .. .. .	..	6	..	..	1
Unspecified or Doubtful Causes	5	3	4	3	5
Being "Still Born"	1	..	1	1	1
Total	1,174	1,401	1,449	1,428	1,504
Number per 10,000 of Population	7.47	8.71	8.82	8.54	8.86

Of the deaths from external causes during the last five years, 78 per cent. were due to accidental causes, 1 per cent. to homicide, and 18 per cent. to suicide; in 3 per cent. of the cases the nature or motive of the violence which caused death was doubtful.