

PART VII.

LAW, CRIME, ETC.

Legal system
in Victoria.

A statement, giving the basic principles and main provisions of the law of Victoria, appears in the *Year-Book* for 1928-29, page 189.

LITIGATION AND LEGAL BUSINESS.

Supreme
Court civil
business.

The Supreme Court of Victoria was established in 1852, and although the procedure was entirely remoulded by the *Judicature Act* 1883 (now incorporated in the *Supreme Court Act* 1928), its constitution and powers remain practically unaltered. There were, in 1945, seven Judges, viz., a Chief Justice and six Puisne Judges. No additional appointments were made during 1946.

The following is a statement of Supreme Court business during the five years 1942 to 1946:—

VICTORIA—SUPREME COURT CIVIL CASES, 1942 TO 1946.

Heading.	Year ended 31st December, —				
	1942.	1943.	1944.	1945.	1946.
Number of places at which sittings were held	6	8	6	4	6
Causes entered—					
For assessment of damages	3	1	1	3	6
For trial	137	67	142	209	345
Number of causes tried—					
By juries of six	34	29	33	29	40
By a Judge	41	22	40	47	66
Verdicts returned for—					
Plaintiff	61	41	56	56	82
Defendant	14	10	17	20	24
Amount awarded £	17,947	9,764	13,746	26,776	50,315
Writs of summons issued	562	440	546	611	957
Other original proceedings	118	111	64	102	147
Appellate proceedings (other than Criminal Appeals heard and determined)—					
By Full Court	44	32	42	34	39
By a Judge	57	47	39	37	58
Fees collected £	3,900	2,555	2,583	3,308	4,755

County Courts. County Courts have jurisdiction, both in equity and common law cases, limited to £500; but actions of tort or contract commenced in the Supreme Court may, under certain conditions, be remitted to the County Court, even although the amount claimed may exceed £500. At the present time County Courts are held at Melbourne and at twelve other places in Victoria. Every Court has jurisdiction throughout the whole of Victoria.

VICTORIA—COUNTY COURT CASES, 1942 TO 1946.

Year ended 31st December.					Number of Causes Tried.	Amount Sued for.	Amount Awarded.
						£	£
1942	..	..	..	..	1,695	361,644	112,117
1943	..	..	..	..	1,154	320,882	73,660
1944	..	..	..	..	976	261,361	55,648
1945	..	..	..	..	1,103	238,718	68,103
1946	..	..	..	..	1,447	325,073	81,790

Petty Sessions civil business. In 1945, Courts of Petty Sessions by stipendiary magistrates and honorary justices were held at 223 places in Victoria. 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 goods, where the amount in dispute does not exceed £50. Particulars of civil cases, &c., heard during the five years, 1941 to 1945, are as follows :—

VICTORIA—COURTS OF PETTY SESSIONS: CIVIL CASES, ETC., 1941 TO 1945.

Heading.	Year ended 31st December—				
	1941.	1942.	1943.	1944.	1945.
Civil cases—					
Number heard	73,013	52,786	36,667	30,064	31,191
Debts or damages—					
Claimed £	616,434	468,652	333,543	270,378	304,896
Awarded £	431,948	351,886	228,572	186,305	210,210
Other cases—					
Appeals against rates ..	758	413	812	233	1,128
Ejectment cases	2,034	910	1,784	1,501	1,819
Examination of lunatics ..	304	144	131	118	113
Fraud summonses	3,695	2,616	2,294	1,960	2,147
Garnishee cases	4,662	3,277	1,644	1,222	1,129
Licences and certificates ..	14,043	10,179	10,221	12,124	13,035
Maintenance cases	1,610	1,263	1,347	1,057	1,033
Prohibition cases	41	55	..	..	..
Show cause summonses ..	3,705	2,199	1,727	1,523	1,181
Other	4,769	10,615*	9,056	8,027	5,975

*Increase as compared with previous years due mainly to cases dealt with under Commonwealth wartime legislation (National Security Regulations, &c.).

Writs by the Sheriff. The table hereunder records the number of writs received by the Sheriff in the five years, 1942 to 1946.

VICTORIA—WRITS RECEIVED BY THE SHERIFF, 1942 TO 1946.

Year ended 31st December.	King's Writs against Person and Property.	Subjects' Writs against—		Total.
		The Person.	Property.	
1942	6	1	41	48
1943	1	..	44	45
1944 .. ..	..	..	40	40
1945 .. ..	..	1	52	53
1946	3	6	97	106

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.

BANKRUPTCIES.

A Bankruptcy Act passed by the Federal Parliament in October, 1924, and amended in 1927, was brought into operation on 1st August, 1928. It supersedes the Bankruptcy and Insolvency Acts of the States, with the exception of any provisions relating to matters not dealt with in the Federal Act.

The number of sequestrations, &c., in Victoria during each of the five years ended 31st July, 1946, under the *Commonwealth Bankruptcy Act 1924-1933*, and the amount of liabilities and assets relating thereto were as follows :—

VICTORIA—BANKRUPTCIES, 1942 TO 1946.

Year ended 31st July—	Sequestration Orders and Orders for Administration of Deceased Debtors' Estates.	Compositions, Assignments, &c., under Part XI. of the Act.	Deeds of Arrangement under Part XII. of the Act.	Total.
NUMBER.				
1942 ..	141	1	72	214
1943 ..	73	..	18	91
1944 ..	54	..	7	61
1945 ..	32	..	3	35
1946 ..	25	..	7	32
LIABILITIES.				
	£	£	£	£
1942 ..	148,615	2,505	101,723	252,843
1943 ..	75,344	..	21,225	96,569
1944 ..	49,591	..	41,455	91,046
1945 ..	11,747	..	35,901	47,648
1946 ..	77,308	..	38,820	116,128
ASSETS.				
	£	£	£	£
1942 ..	36,024	551	64,814	101,389
1943 ..	25,272	..	14,604	39,876
1944 ..	11,616	..	16,988	28,604
1945 ..	3,915	..	25,472	29,387
1946 ..	20,498	..	10,290	30,788

The yearly average number of sequestrations, &c., and the average declared liabilities and assets are shown in the subjoined table for each of the quinquennial periods ended in 1933, 1938 and 1943.

Period.	Yearly Average Number.	Average Declared Liabilities.	Average Declared Assets.
1928-29 to 1932-33 ..	690	£ 1,419,060	£ 1,009,294
1933-34 to 1937-38 ..	381	595,056	274,545
1938-39 to 1942-43 ..	296	297,886	128,033

DIVORCE.

The present law in regard to divorce is contained in the *Marriage Act 1928*, as amended by the *Marriage (Divorce) Act 1933*.

The following table gives the number of petitions filed by husbands and wives respectively, and the number of decrees granted for dissolution of marriage, judicial separation, and nullity of marriage during the year 1945. Every decree of dissolution of marriage is in the first instance a decree *nisi* and is not made absolute till the expiration of not less than three months thereafter.

VICTORIA—DIVORCES, 1945.

	Petitions filed by—			Decrees granted to—		
	Husbands.	Wives.	Total.	Husbands.	Wives.	Total.
Dissolution of marriage ..	1,128	939	2,067	933	794	1,727
Judicial separation ..	..	4	4	..	..	..
Nullity of marriage ..	18	19	37	12	20	32
Total ..	1,146	962	2,108	945	814	1,759

The grounds upon which divorces were granted during the year 1945 were as set out in the following table:—

VICTORIA—DIVORCES, GROUNDS OF, 1945.

Grounds on which Granted.	Dissolution of Marriage.		Judicial Separation.		Nullity of Marriage.	
	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.
Adultery ..	423	252	..	..	..	..
Bigamy ..	..	..	..	..	2	8
Bigamy and adultery ..	..	2	..	..	..	..
Cruelty ..	..	4	..	..	..	..
Consanguinity ..	..	..	..	..	..	1
Desertion ..	488	491	..	..	..	..
Desertion and drunkenness ..	..	1	..	..	..	..
Desertion and convictions for crime ..	..	2	..	..	..	..
Desertion and adultery ..	9	14	..	..	..	..
Drunkenness (habitual) ..	3	5	..	..	..	..
Drunkenness and cruelty ..	..	9	..	..	..	..
Impotence ..	..	..	..	..	10	11
Insanity ..	10	1	..	..	..	..
Sentences for crime ..	..	11	..	..	..	..
Sodomy ..	..	2	..	..	..	..
Total ..	933	794	..	..	12	20

The following table shows the number of petitioners to whom decrees were granted in 1945, the ages of such petitioners and the number of their issue as at date of decree :—

VICTORIA—DIVORCE PETITIONS GRANTED, AGES OF PETITIONERS AND ISSUE TO EXISTING MARRIAGE, 1945 :—

Ages (Years).	Dissolution of Marriage.		Judicial Separation.		Nullity of Marriage.		Number of Children.*	
	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.
19 ..	2	4	..	..	..	1	2	3
20 ..	2	6	..	..	..	..	..	5
21 ..	3	10	..	..	1	2	2	7
22-25 ..	77	56	..	..	..	4	38	40
26-29 ..	159	135	..	..	3	4	110	123
30-34 ..	223	188	..	..	4	4	198	184
35-39 ..	194	146	..	..	3	2	235	200
40-44 ..	118	93	..	..	..	2	182	170
45-49 ..	67	84	..	..	..	1	145	119
50-54 ..	44	46	..	..	..	..	87	106
55-59 ..	18	19	..	..	1	..	43	50
60 ..	2	3	..	..	..	..	4	3
61 ..	4	..	..	..	..	..	3	..
62 ..	1	..	..	..	..	..	4	..
63 ..	3	..	..	..	..	..	2	..
64 ..	4	1	..	..	..	..	..	..
65 ..	1	1	..	..	..	..	..	2
67 ..	1	..	..	..	..	..	1	..
68 ..	1	..	..	..	..	..	4	..
69 ..	1	..	..	..	..	..	..	..
72 ..	1	..	..	..	..	..	..	..
73 ..	1	..	..	..	..	..	..	..
80 ..	1	..	..	..	..	..	..	..
Not stated	5	2	..	..	..	..	12	4
Total ..	933	794	..	..	12	20	1,072	1,016

* Of the total of 2,088, 2,082 relate to the decrees for dissolution of marriage, and 6 to the decree of nullity of marriages.

The following table shows the ages of the parties concerned in the decrees for dissolution of marriages, petitions for which had been granted during 1945:—

VICTORIA—DISSOLUTIONS OF MARRIAGE, PETITIONS, GRANTED—AGES OF PARTIES, 1945.

Ages of Husbands in Years.	Ages of Wives in Years.											Total Husbands.
	Under 21.	21-25.	26-29.	30-34.	35-39.	40-44.	45-49.	50-54.	55-59.	60 and Over.	Not Stated.	
Under 21 ..	3	2	..	..	..	..	..	..	..	..	..	5
21-25 ..	14	79	16	..	1	1	..	..	..	..	..	111
26-29 ..	5	113	112	21	1	..	..	..	..	..	..	252
30-34 ..	1	51	130	182	29	1	3	..	..	..	1	398
35-39 ..	..	10	48	157	115	24	1	2	1	..	1	359
40-44 ..	..	3	14	30	99	77	16	4	2	..	1	246
45-49 ..	1	1	2	6	30	55	48	10	2	..	..	155
50-54 ..	..	2	..	2	2	19	45	25	8	..	1	104
55-59 ..	..	..	..	..	2	2	9	17	17	2	..	49
60 and over ..	..	..	1	..	1	1	4	11	11	11	..	40
Not stated ..	..	..	..	2	..	..	..	..	..	..	6	8
Total wives	24	261	323	400	280	180	126	69	41	13	10	1,727

In 1861 jurisdiction was conferred on the Supreme Court of Victoria in matrimonial matters. The *Divorce Act* 1889, which received the Royal Assent on 13th May, 1890, considerably extended the grounds upon which divorce might be granted.

The following is a statement of the number of decrees granted in Victoria for dissolution of marriage and for judicial separation during the period 1861 to 1890, for the decennial periods 1891-1900 to 1931-40, and for each of the years 1941 to 1945.

VICTORIA—DIVORCES AND JUDICIAL SEPARATIONS,
1861 TO 1945.

Years ended 31st December.	Decrees Granted for—	
	Dissolution of Marriage.	Judicial Separation.
1861-1880	348	71
1891-1900	949	14
1901-1910	1,255	6
1911-1920	2,499	14
1921-1930	4,403	16
1931-1940	6,495	16
1941	833	5
1942	953	2
1943	1,375	1
1944	1,670	2
1945	1,727	..
Total—1891 to 1945	22,159	76
Total—1861 to 1945	22,507	147

RACECOURSE LICENCES.

The *Police Offences Act* 1928 provides that no race-meeting shall be held except on a racecourse which is licensed under such Act for horse races or for pony races or for trotting races. Any licence shall, unless cancelled, be in force for twelve months from the date of its issue. For each such licence there shall be paid into the Consolidated Revenue a fee of £1, and also an annual sum equal to 3 per cent. of the gross revenue from all sources received from such racecourse by the owner or trustees of the racecourse during the year immediately preceding the year for which the licence is required. It is provided, however, that where the gross revenue is less than £1,500 but more than £600,

**Racecourse
licences and
percentage
fees.**

the annual sum payable shall be 2 per cent. of the gross revenue, and where the gross revenue is £600 or less no amount shall be payable. The amounts paid into the Consolidated Revenue in licence fees and percentages on gross revenue during each of the last ten years were as follows :—

VICTORIA—REVENUE FROM RACECOURSE LICENCES AND PERCENTAGE FEES, 1935-36 TO 1944-45.

Year ended 30th June,	Amount.	Year ended 30th June.	Amount.
	£		£
1936	15,554	1941	15,420
1937	15,718	1942	15,095
1938	16,627	1943	13,525
1939	17,191	1944	11,688
1940	16,710	1945	14,049

CRIME.

Information relating to the administration of the criminal law in Victoria appears in the *Year-Book* for 1928-29, page 196.

Administration of the criminal law.

CRIME AND DRUNKENNESS.

The statistics of crime and drunkenness for the years subsequent to 1932 were compiled on a basis which differed from that for the years 1893 to 1932. The particulars for the years 1933 to 1945 represent, in respect of multiple charges, the total number of all offences with which arrested persons were charged whereas, for the period 1893 to 1932, only the most serious offence in each case was tabulated. Summons cases in 1933 to 1945 relate, as in previous years, to all offences with which a person was charged. The statistics for the last thirteen years are comparable, therefore, with those for the years prior to 1893 appearing in earlier issues of the *Year-Book*.

Alteration in method of tabulation.

The following table shows, for a series of years, the numbers of arrest and summons cases, and also the numbers per 1,000 of the population, tabulated according to the only classes of offences for which complete comparisons can be made. The particulars include cases (other than arrests of neglected children) disposed of in Children's Courts.

Offences and drunkenness.

VICTORIA—OFFENCES AND DRUNKENNESS, 1890 TO 1945.

Year ended 31st December.	Number of Arrest and Summons Cases—				
	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
1930*	1,680	5,078	8,132	41,859	56,749
1940	1,346	7,698	11,619	65,624	86,287
1941	1,380	7,329	12,064	56,230	77,003
1942	1,632	8,210	12,887	51,769	74,498
1943	1,618	8,268	12,561	48,646	71,093
1944	1,660	7,874	12,518	42,837	64,889
1945	1,711	6,535	10,534	41,964	60,744
Number of Arrest and Summons Cases per 1,000 of 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
1930*	·94	2·84	4·55	23·44	31·77
1940	·71	4·04	6·10	34·47	45·32
1941	·71	3·79	6·23	29·04	39·77
1942	·83	4·18	6·57	26·37	37·95
1943	·82	4·18	6·35	24·60	35·95
1944	·83	3·95	6·28	21·48	32·54
1945	·85	3·25	5·23	20·86	30·19

* See paragraph "Alteration in method of tabulation" on page 302.

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. These were very few in number, there having been in Victoria in 1945 only 82 of such charges out of a total of 41,964 in the

category to which they belong. A large proportion of the cases under the heading "Other Offences" were 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 were 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 it is necessary that consideration be given to several points. The first 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 points 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.

VICTORIA—ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1945.

Nature of Offence.	Total.	Summarily Disposed of—				Committed for Trial.	
		Convicted.		Dismissed, Withdrawn, Struck Out.		M.	F.
		M.	F.	M.	F.		
Against the person—							
Murder and attempts at	19	..	..	10	7	1	1
Manslaughter	9	..	..	5	..	4	..
Shooting at, wounding, &c.	66	3	..	7	..	49	7
Assaults	1,387	682	83	475	100	45	2
Others	230	48	7	24	2	141	8
Total	1,711	733	90	521	109	240	18
Against property—							
Robbery, burglary, &c.	621	58	7	18	2	502	34
Larceny and similar offences	4,403	2,938	362	541	72	438	52
Wilful damage	367	256	18	77	10	6	..
Others	1,144	716	28	195	18	181	6
Total	6,535	3,968	415	831	102	1,127	92
Forgery and offences against the currency ..	72	5	..	..	..	65	2

VICTORIA—ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES,
1945—continued.

Nature of Offence.	Total.	Summarily Disposed of—				Committed for Trial.	
		Convicted.		Dismissed, Withdrawn, Struck Out.			
		M.	F.	M.	F.	M.	F.
Against good order—							
Drunkenness*	10,534	9,439	1,004	78	13	..	..
Others	6,557	5,168	404	814	171	..	..
Total	17,091	14,607	1,408	892	184	..	..
Other offences—							
Breaches of—							
Education Act	3,536	1,966	1,036	367	167	..	..
Licensing Act	1,229	845	156	184	44	..	..
Motor Car Act	6,070	5,538	162	361	9	..	..
Traffic Regulations ..	7,667	6,787	608	224	48	..	..
Vermin and Noxious Weeds Act	49	26	1	21	1	..	..
Miscellaneous	16,784	13,346	1,404	1,740	243	35	16
Total	35,335	28,508	3,367	2,897	512	35	16
Grand Total	60,744	47,821	5,280	5,141	907	1,467	128

* See footnote on page 306.

Particulars of the arrest and summons cases for the five years, 1941 to 1945, are given in the subjoined table.

VICTORIA—ARREST AND SUMMONS CASES, 1941 TO 1945.

Year ended 31st December.	Arrest Cases.		Summons Cases.		Total.
	Males.	Females.	Males.	Females.	
1941	19,710	2,624	48,617	6,052	77,003
1942	22,542	2,515	42,567	6,874	74,498
1943	22,505	2,652	38,115	7,821	71,093
1944	21,575	2,521	35,685	5,108	64,889
1945	18,545	1,897	35,884	4,418	60,744

The following table shows, for each of the five years specified, the number of offences for which persons were arrested or summoned, summarily convicted, discharged by magistrates, or committed for trial; also the number per 10,000 of the population.

VICTORIA—DISPOSAL OF ARREST AND SUMMONS CASES,
1941 TO 1945.

Year ended 31st December.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.
1941	77,003	67,520	8,083	1,400
1942	74,498	66,511	6,565	1,422
1943	71,093	62,361	7,088	1,644
1944	64,889	56,939	6,333	1,617
1945	69,744	53,101	6,048	1,595
Number per 10,000 of Population.				
1941	397·7	348·7	41·8	7·2
1942	379·5	338·8	33·4	7·3
1943	359·5	315·4	35·8	8·3
1944	325·4	285·5	31·8	8·1
1945	301·9	263·9	30·1	7·9

NOTE.—The convictions in respect of drunkenness include those cases in which offenders were discharged by magistrates on a first appearance. Prior to 1936 such cases were not treated as convictions.

**Children's
courts.**

The jurisdiction of Children's Courts is limited to minors under the age of seventeen years. In 1939, the Children's Court Office was re-organized and the appointment was made of a Stipendiary Special Magistrate with jurisdiction throughout the State. He has the assistance of two Stipendiary Probation Officers who investigate problem cases which come before the Court. A clinic has been established for the purpose of dealing with cases referred to it by the Court.

The table which follows shows the number of cases which were disposed of in Children's Courts during the year 1945.

VICTORIA—CHILDREN'S COURTS: CASES DISPOSED OF, 1945.

Nature of Offences.	Total.	Summarily Disposed of—				Committed for Trial.	
		Convicted.		Dismissed Withdrawn, Struck Out.			
		M.	F.	M.	F.	M.	F.
Against the person—							
Assaults	66	42	1	21	..	2	..
Others	10	8	..	..	2	..	..
Total	76	50	1	21	2	2	..
Against property—							
Larceny, &c.	2,462	2,069	65	314	12	2	..
Wilful damage	212	161	2	47	2	..	..
Others	129	102	6	20	1	..	..
Total	2,803	2,332	73	381	15	2	..
Against Good Order—							
Drunkenness	13	5	5	2	1	..	..
Others	267	211	7	49	..	..	..
Total	280	216	12	51	1	..	..
Other Offences, &c.—							
Traffic offences	780	637	78	55	10	..	..
Other offences	195	134	16	42	2	1	..
Neglected children	428	184	98	88	58	..	..
Total	1,403	955	192	185	70	1	..
Grand Total	4,562	3,553	278	638	88	5	..

The number of cases which were disposed of in Children's Courts in each of the five years, 1941 to 1945, is given in the following statement :—

VICTORIA—CHILDREN'S COURTS: CASES DISPOSED OF
1941 TO 1945.

Nature of Offence,	Year ended 31st December,—				
	1941.	1942.	1943.	1944.	1945.
Against the person—					
Assaults	70	82	111	84	66
Others	4	11	4	1	10
Against Property—					
Larceny, &c. .. .	3,383	3,865	3,426	2,757	2,462
Wilful damage .. .	185	146	157	207	212
Others	261	296	152	135	129
Against good order—					
Drunkenness .. .	10	25	22	8	13
Others	249	278	183	226	267
Traffic offences .. .	589	731	722	696	780
Other offences .. .	240	240	560	531	195
Neglected children .. .	527	604	701	326	428
Total	5,518	6,278	6,038	4,971	4,562
Summarily convicted .. .	4,557	5,414	5,156	4,422	3,831
Summarily dismissed, &c. .. .	958	860	878	547	726
Committed for trial .. .	3	4	4	2	5

The following statement gives particulars of the manner in which the cases in the Children's Courts were disposed of by magistrates in 1945 :—

Children's
Courts—cases,
how dealt with.

VICTORIA—CHILDREN'S COURTS: CASES, HOW DEALT WITH 1945.

How Dealt With.	Males.	Females.	Total.
Adjourned for period without probation ..	972	52	1,024
Released on probation	705	26	731
Committed to care of Children's Welfare Department	319	84	403
Committed to reformatory	52	..	52
Committed to care of a private person or institution	4	4	8
Fined	928	95	1,023
Released under Section 356 of <i>Crimes Act</i> 1928	1	..	1
Dismissed on payment of costs or damages or both	2	..	2
Discharged upon surety	50	..	50
Sentenced to term of imprisonment .. .. .	..	..	..
Sentenced to imprisonment, the execution of which has been suspended	40	4	44
Convicted and discharged	329	7	336
Discharged with a caution	116	6	122
Otherwise dealt with	35	..	35
Summarily convicted	3,553	278	3,831
Summarily dismissed, &c.	638	88	726
Committed for trial	5	..	5
Grand Total	4,196	366	4,562

Children's courts—probation cases.

In the following table particulars are given of the cases in which children were released on probation by magistrates in Children's Courts during the five years 1941 to 1945.

VICTORIA—CHILDREN'S COURTS: PROBATION CASES, 1941 TO 1945.

Year ended 31st December.	Cases Released on Probation.	Results of Probation.		
		Satisfactory.	Fair.	Unsatisfactory.
		%	%	%
1941 ..	1,254	81	9	10
1942 ..	1,449	81	9	10
1943 ..	1,122	79	7	14
1944 ..	1,007	78	9	13
1945 ..	731	76	8	16

Arrest cases summarily disposed of by magistrates.

The following is a statement of the arrest cases summarily disposed of by magistrates in Courts of Petty Sessions during 1945 :—

VICTORIA—ARREST CASES SUMMARILY DISPOSED OF
BY MAGISTRATES IN COURTS OF PETTY SESSIONS,
1945.

How Disposed of.	Year ended 31st December, 1945.		
	Males.	Females.	Total.
Fines paid	7,946	645	8,591
Imprisonment for—			
Under 1 month	2,925	330	3,255
1 month and under 6 months	1,315	111	1,426
6 months and under 12 months	197	23	220
1 year and under 2 years	28	1	29
2 years .. .. .	..	..	..
Admonished	3,124	362	3,486
Ordered to find ball or sentence suspended on entering surety	287	127	414
Sent to reformatory schools, &c.	13	4	17
Otherwise dealt with	229	20	249
Total convicted	16,064	1,623	17,687
Dismissed, withdrawn, struck out	1,211	178	1,389
Total summarily disposed of	17,275	1,801	19,076

**Committals
for trial—
convictions.**

The following table shows the offences of distinct persons who were convicted in the Supreme Court and in Courts of General Sessions during 1945. Where a person was charged with more than one offence, the principal offence only has been counted:—

VICTORIA—COMMITTALS FOR TRIAL, DISTINCT
PERSONS CONVICTED, 1945.

Offence.	Year ended 31st December, 1946.		
	Males.	Females.	Total.
Against the Person—			
Murder	1	..	1
Manslaughter	5	2	7
Wounding or inflicting grievous bodily harm, &c.	18	3	21
Rape and other offences against females	66	..	66
Unnatural offences	15	..	15
Indecent assault on males	13	..	13
Bigamy	12	7	19
Assault	7	..	7
Suicide (attempted)	5	..	5
Other	2	..	2

VICTORIA—COMMITTEES FOR TRIAL, DISTINCT PERSONS
CONVICTED, 1945—*continued.*

Offence.	Year ended 31st December, 1945.		
	Males.	Females.	Total.
Against Property—			
Robbery and Stealing from the Person	12	..	12
Burglary, Housebreaking, &c. ..	268	4	272
Stealing Horses, Cattle, and Sheep ..	4	..	4
Other Larceny	126	11	137
Embezzlement	4	..	4
Fraud and False Pretences	11	..	11
Receiving	41	2	43
Arson, Incendiarism.. .. .	3	..	3
Other	5	1	6
Forgery and offences against the Currency	16	2	18
Other offences—			
Perjury and Subornation	2	1	3
Conspiracy	2	..	2
Breaches of <i>Registration of Births, Deaths, and Marriages Act 1928</i>	4	6	10
Other	10	1	11
Total	652	40	692

Drunkennes The number of persons and the number per 1,000 of the population arrested or summoned for drunkenness during the five years 1941 to 1945 are given hereunder:—

VICTORIA—PERSONS ARRESTED OR SUMMONED FOR
DRUNKENNESS, 1941 TO 1945.

Year ended 31st December.	Number of Persons—			Number per 1,000 of Population.
	Arrested.	Summoned.	Total.	
1941	12,035	29	12,064	6·23
1942	12,857	30	12,887	6·57
1943	12,527	34	12,561	6·35
1944	12,449	69	12,518	6·28
1945	10,534	28	10,506	5·23

**Drunkenness
—Comparison
with previous
years.**

If the amount of drunkenness in proportion to population, as measured by the number of arrests therefor, be represented as 100 for the period 1874-78, the corresponding numbers for subsequent periods will show the comparative increase or decrease. These numbers are given in the following table :—

VICTORIA—DRUNKENNESS, 1874 TO 1945.

Years ended 31st December.	Index Number.	Years ended 31st December.	Index Number.
1874-78	100	1928-32	30
1879-85	88	1933-37	36
1886-92	106	1938	41
1893-97	65	1939	42
1898-1902	84	1940	42
1903-07	77	1941	42
1908-12	68	1942	45
1913-17	59	1943	44
1918-22	32	1944	43
1923-27	41	1945	36

A considerable decrease in drunkenness is shown for the five years 1893-97, which was a period of general depression, followed by an increase in the subsequent five-yearly period. A similar trend is shown for the depression years 1928-32 and subsequent years. In the middle of the year 1915, an Act was passed reducing the number of hours during which alcoholic liquors could be sold in hotels, and a further reduction was made in the following year. This possibly accounts for the marked decrease in the number of arrests for drunkenness in the period immediately following.

**Young persons
charged
with
drunkenness.**

The accompanying table shows for the five years 1941 to 1945 the number of persons under 20 years of age arrested for drunkenness.

VICTORIA—ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED WITH DRUNKENNESS, 1941 TO 1945.

Year ended 31st December.	Numbers.		Total.
	Males.	Females.	
1941	*	*	126
1942	156	24	180
1943	150	20	170
1944	169	23	192
1945	155	25	180

* Not available.

REGULATION OF LIQUOR TRADE.

Licences Reduction Board. Information relating to the nature of the duties of and the powers vested in the Licences Reduction Board is given in the *Year-Book* for 1915-16, page 476, and in that for 1928-29, page 213.

To 31st December, 1945, 1,862 hotels had been closed by the Board or had surrendered their licences. Of these hotels 530 were located in metropolitan districts, and the compensation paid amounted to £581,662, or an average of £1,097 each. There were 1,332 hotels closed in country districts, and compensation amounting to £720,679 was paid, or an average of £541 each. The total sum paid in compensation in all districts of the State was £1,302,341, or an average of £691 for each hotel.

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, 11 grocers' and 99 Australian wine licences have been taken away, for which compensation to the amount of £20,306 has been awarded.

Improvement and Extension of Licensed accommodation. A section of the Board's work which has grown rapidly in extent and importance since 1922 is the consideration given to enforcing 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 thereof being £6,080,615 exclusive of the cost of sewerage and new equipment. National Security Regulations have restricted since 1940 all building operations in regard to hotels. During the twelve months ended 31st December, 1945, only £8,622 was expended throughout the State.

The following return shows the number of hotels, including roadside licences, in Victoria in 1885, 1906, and certain subsequent years, and the average 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.

VICTORIA—NUMBER OF HOTELS, 1885 TO 1945.

Year ended 31st December.	Estimated Population.	Number of Hotels.*	Average Number of Persons to each Hotel.
1885	969,200	4,339	223
1906	1,219,832	3,520	347
1930	1,792,605	1,803	994
1935	1,843,023	1,744	1,057
1940	1,918,660	1,691	1,135
1941	1,952,153	1,683	1,160
1942	1,969,977	1,671	1,179
1943	1,988,938	1,670	1,191
1944	2,005,600	1,666	1,204
1945	2,020,600	1,665	1,213

* Including Roadside Licences.

During the period 1885 to 31st December, 1945, 227 hotels were closed as the result of local option polls, 1,861 were deprived of or surrendered their licences, and 60 hotel licences lapsed. During the period 1907 to 31st December, 1945, 79 new licences were granted.

The revenue for the year ended 30th June, 1945, amounted to £398,811. The amounts received from the various sources were :—Licences, certificates, &c., £381,600 ; interest on investments, £10,982 ; fees and fines, £5,925 ; and

Licensing Fund.

miscellaneous, £305. The expenditure, which totalled £398,811 consisted of the following items:—Annual payments to municipalities, £58,988; compensation, £4,225; transferred to Police Superannuation Fund under section 311 of Act No. 3717, £23,000; transferred to revenue under section 312 of Act No. 3717, as amended by Act No. 4909, £292,687; and salaries, expenses, &c., £19,911. The amount at credit of the fund at 30th June, 1945, was £410,976, of which £341,000 was invested.

**Hours for
Sale of
Intoxicants**

The trading hours* of hotels in Victoria are from 9 a.m. to 6 p.m., but trading is not permitted on Sundays, Anzac Day (25th April), and Good Friday. The various legislative enactments, which from time to time have curtailed such trading hours, are given in the *Year-Book* for 1935-36, page 110.

**Local Option
Acts of 1920
and 1922.**

A statement, giving particulars of the provisions of the Local Option Acts of 1920 and 1922 appears in the *Year-Book* for 1928-29, pages 211 and 212.

**Local Option
Poll held
21st October,
1920.**

Particulars relating to the Local Option Poll, held on 21st October, 1920, are given in the *Year-Book* for 1928-29, page 211.

**Hotels closed
by Local
Option.**

During the period 1885 to 1938, compensation paid to the 227 hotels closed as the result of local option polls amounted to £224,870, or an average of £990 for each hotel. This sum was provided out of the Licensing Fund, and, when this was insufficient for the purpose, out of Consolidated Revenue.

**Licensing
Polls 1930
and 1938.**

On the 29th March, 1930, a Referendum, called a Licensing Poll, was conducted under Part XIV. of the *Licensing Act* 1928 (as amended) to determine whether or not licences should be abolished throughout Victoria. The Act provides that the resolution shall be carried if three-fifths at least in number of the votes given is in favour of the resolution. The poll was State-wide, and was the first of the octennial polls provided for by the Licensing Act of 1922 (now incorporated in the *Licensing Act* 1928). A similar poll was held on the 8th October, 1938. Particulars relating to the number of votes recorded at each of these polls appears in the *Year-Book* for 1939-40, page 71.

* By National Security Regulations (Liquor Control Order), the trading hours in the Metropolitan Electoral District were, as from 24th August, 1942, confined to the period between 10 a.m. to 6 p.m. This Order was revoked on 21st December, 1945.

**Consumption
of beer.**

The estimated quantity of beer consumed in Victoria in each of the five years 1942 to 1946 was as follows:—

CONSUMPTION OF BEER IN VICTORIA, 1942 TO 1946.

Year ended 30th June.					Estimated quantity of Beer Consumed.	Per Head of Population.
					gallons	gallons
1942	..	..	..	..	27,288,500	13·96
1943	..	..	..	..	25,113,950	12·73
1944	..	..	..	..	25,549,300	12·85
1945	..	..	..	..	24,866,100	12·40
1946	..	..	..	..	26,921,500	13·26

GAOLS AND PRISONERS.

**Gaols and
prisoners.**

In Victoria there are 4 gaols and 4 reformatory prisons as set out hereunder. The following statement contains information (other than for police gaols) for the year 1945 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.

VICTORIA—GAOL ACCOMMODATION AND PRISONERS, 1945.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received (including Transfers).		In Confinement at end of Year.*	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge	928	89	795	44	4,851	596	695	41
Pentridge Reformatory Prison	64	3	56	..	175	..	46	..
Ballarat Gaol	66	18	25	..	129	..	19	..
Beechworth Reforma- tory Prison	78	..	41	..	48	..	43	..
Castlemaine Reforma- tory Prison	91	..	65	..	84	..	63	..
Coorimungle Prison Camp	32	..	31	..	61	..	28	..
McLeod Settlement Reformatory Prison	52	..	49	..	58	..	50	..
Sale Gaol	26	9	5	01	54	3	5	..
Total	1,337	119	1,067	44·01	5,460	599	949	41

* Including 17 males and 7 females awaiting trial.

The number of prisoners received at and discharged from the gaols and reformatory prisons (excluding police gaols) in Victoria is given in the following table for the years 1944 and 1945:—

VICTORIA—PRISONERS RECEIVED AT AND DISCHARGED FROM GAOLS AND REFORMATORY PERSONS, 1944 AND 1945.

(Exclusive of Police Gaols.)

Classification.	1944.			1945.		
	Males.	Females.	Total.	Males.	Females.	Total.
Number in confinement at beginning of year—						
Convicted	1,024	65	1,089	1,055	46	1,101
Awaiting trial	33	8	41	31	2	33
Total	1,057	73	1,130	1,086	48	1,134
Received during year—						
Convicted of—						
Felony	1,381	106	1,487	1,187	41	1,228
Misdemeanour	2,459	363	2,822	2,206	326	2,532
Other offences	492	70	562	375	25	400
Transfers from—						
Other Gaols and Reformatory Prisons	424	2	426	355	..	355
Hospitals, Asylums, Reformatory Schools, &c.	34	6	40	33	4	37
For Trial, not subsequently convicted	1,225	215	1,440	1,304	203	1,507
Total	6,015	762	6,777	5,460	599	6,059
Discharged during year—						
By remission of sentence	495	46	541	508	27	535
On expiration of sentence and payment of fines	3,524	484	4,008	3,101	362	3,463
Bailed to appeal	13	2	15	36	2	38
On bond from Court, Judge's Order, Attorney-General's Order, &c.	55	12	67	37	6	43
By special authority	27	8	35	13	1	14
On parole	163	1	164	159	..	159
Died	3	..	3	3	..	3
Executed .. .. .	..	..	..	..	..	..
Deported	4	..	4	7	..	7
Absconded	15	..	15	18	..	18
Transfers to—						
Other Gaols and Reformatory Prisons	428	1	429	362	..	362
Hospitals, Asylums, Reformatory Schools, &c.	37	12	49	36	6	42
Unconvicted	1,222	221	1,443	1,317	202	1,519
Total	5,986	787	6,773	5,597	606	6,203
Number in Confinement at 31st December—						
Convicted	1,055	46	1,101	932	34	966
Awaiting trial	31	2	33	17	7	24
Total	1,086	48	1,134	949	41	990

**Prisoners
under
sentence.**

The following table shows the number of prisoners under sentence at the end of each of the ten years 1936 to 1945.

VICTORIA—PRISONERS UNDER SENTENCE, 1936 TO 1945.

At 31st December.	Males.	Females.	Total.	Number per 10,000 of Population.
1936	1,057	37	1,094	5·91
1937	955	34	989	5·32
1938	1,043	41	1,084	5·71
1939	1,107	37	1,144	6·06
1940	998	48	1,046	5·45
1041	904	35	939	4·82
1942	1,066	43	1,109	5·64
1943	1,024	65	1,089	5·48
1944	1,055	46	1,101	5·50
1945	932	34	966	4·78

**Daily average
number of
prisoners in
confinement.**

A statement is given below of the daily average number of prisoners in detention in the gaols of the State in the last year of each of the decennial periods 1871 to 1941 inclusive, and in each of the four years 1942, 1943, 1944, and 1945.

VICTORIA—DAILY AVERAGE NUMBER OF PRISONERS IN CONFINEMENT, 1871 TO 1945.

Year ended 31st December.	Daily Average Number of Prisoners in Confinement.		
	Males.	Females.	Total.
1871	1,345	274	1,619
1881	1,294	304	1,598
1891	1,550	350	1,900
1901	951	200	1,151
1911	713	100	813
1921	741	54	795
1931	1,391	50	1,441
1941	1,023	50	1,073
1942	1,077	52	1,129
1943	1,120	71	1,191
1944	1,152	67	1,219
1945	1,067	44	1,111

Indeterminate sentences.

The *Indeterminate Sentences Act* 1908 came into force on 1st July of that year. It is now incorporated in the *Crimes Act* 1928. The 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 to minors.

The Board was appointed on 18th August, 1908. A statement of its chief functions appears in the *Year-Book* for 1929-30, pages 106 to 108.

The number of prisoners under indeterminate detention on 30th June in each of the five years 1942 to 1946 was as follows:—

**VICTORIA—PRISONERS UNDER INDETERMINATE
DETENTION, 1942 TO 1946.**

Name of Reformatory Prison.	Year ended 30th June—				
	1942.	1943.	1944.	1945.	1946.
Pentridge Reformatory Prison ..	46	51	64	61	35
Beechworth Reformatory Prison ..	43	43	50	36	44
Castlemaine Reformatory Prison ..	70	79	71	72	61
McLeod Settlement, French Island ..	52	51	45	55	44
Total	211	224	230	224	184

Probation officers to supervise first offenders released by the courts on recognizance under the provisions of the *Crimes Act* 1928 are appointed by the Governor in Council on the recommendation of the Board. A number of persons connected with religious and philanthropic organizations has been appointed to the office, which is honorary.

From 1st July, 1908, to 30th June, 1946, admissions to the several reformatories totalled 5,400 (5,348 males and 52 females).

Particulars of those released on parole or probation (inclusive of cases released more than once) and of those otherwise dealt with during the same periods are given hereunder:—

Heading.	1945.		1946.	
	Number.	Percentage.	Number.	Percentage.
Reconvicted or returned to prison ..	1,885	35·90	1,948	36·07
Probation satisfactorily completed ..	2,277	43·37	2,369	43·87
Still on parole or probation ..	347	6·61	353	6·54
Deaths in institutions ..	27	0·51	27	0·50
Deaths on parole or probation ..	28	0·53	28	0·52
Escapes ..	225*	4·29	238†	4·41
Released by special authority ..	64	1·23	65	1·20
Effluxion of time ..	94	1·79	94	1·75
Transfers to hospitals and asylums	40	0·76	40	0·74
Transfers to serve additional sentences and on appeal ..	40	0·76	55	1·01
In institutions 30th June ..	223	4·25	183	3·39
	5,250	100·00	5,400	100·00

* 184 were recaptured.

† 211 were recaptured.

POLICE PROTECTION.

The numbers and classification of the various ranks of the police force in Victoria on 31st December, 1945 and 1946 were 2131 and 2198 respectively as shown in the following table:—

VICTORIA—POLICE FORCE, CLASSIFICATION AND NUMERICAL STRENGTH AT 31ST DECEMBER, 1945 AND 1946.

Designation.	At 31st December, 1945.			At 31st December, 1946.		
	Metro- politan.	Country.	Total.	Metro- politan.	Country.	Total.
	No.	No.	No.	No.	No.	No.
Chief Commissioner	1	..	1	1	..	1
Superintendents	3	7	10	3	8	11
Chief Inspectors	1	..	1	1	..	1
Inspectors	4	6	10	8	8	16
Sub-Inspectors	20	6	26	21	4	25
Sergeants, First Class	32	14	46	35	12	47
Sergeants, Second Class	42	11	53	39	12	51
Senior Constables	158	76	234	157	82	239
Senior Constables (brevet rank)	2	..	2	2	..	2
First Constables	660	399	1,059	652	395	1,407
Constables	368	56	424	439	65	504
Total	1,291	575	1,866	1,358	586	1,944

VICTORIA—POLICE FORCE, CLASSIFICATION AND NUMERICAL STRENGTH AT 31ST DECEMBER, 1945 AND 1946—*continued.*

Designation.	At 31st December, 1945.			At 31st December, 1946.		
	Metro-politan.	Country.	Total.	Metro-politan.	Country.	Total.
<i>Detectives.</i>						
Superintendent	No. 1	No. ..	No. 1	No. 1	No. ..	No. 1
Inspectors	1	..	1	1	..	1
Sub-Inspectors	4	..	4	3	..	3
Sub-Inspector (brevet rank)	1	..	1	1	..	1
Sergeants, First Class	4	..	4	4	..	4
Sergeants, Second Class	3	..	3	7	..	7
Senior Detectives	24	3	27	23	4	27
First Detectives	93	12	105	94	9	103
Detectives	12	..	12	10	1	11
Total	143	15	158	144	14	158
<i>Mounted.</i>						
First Constables	22	67	89	21	54	75
Constables	3	15	18	6	15	21
Total	25	82	107	27	6	96
Grand Total	1,459	672	2,131*	1,529	669	2,198†

* The above particulars include 12 police-women, and 25 members with Defence Forces, but exclude 22 recalled police pensioners, 50 members of the Victoria Police Women's Auxiliary, 3 members of the Police Auxiliary Force, 3 matrons, and 1 black tracker.

† The above particulars include 15 police-women and 10 members with Defence Forces but exclude 49 members of the Victoria Police Women's Auxiliary, 2 members of the Police Auxiliary Force, 1 matron and 1 black tracker.

The following statement gives the numerical strength of the police force in Victoria and the number of inhabitants to each police officer at the end of each of the ten years 1936 to 1945 :—

VICTORIA—POLICE FORCE, NUMERICAL STRENGTH, 1936 TO 1945.

Year ended 31st December.	Total Strength Including Police-women.	Number of Inhabitants to Each Police-officer.	Year ended 31st December.	Total Strength Including Police-women.	Number of Inhabitants to Each Police-officer.
1936 ..	2,289	809	1941 ..	2,327*	838
1937 ..	2,280	815	1942 ..	2,318*	855
1938 ..	2,271	825	1943 ..	2,263*	882
1939 ..	2,313*	816	1944 ..	2,209*	908
1940 ..	2,352*	824	1945 ..	2,131*	948

* Including members with Defence Forces but excluding recalled Police Pensioners.

The next table shows the total amount and the amount per head of population expended from Consolidated Revenue in connexion with the police, and with the Penal establishments and gaols of Victoria, in each of the five years 1941 to 1945.

**VICTORIA—EXPENDITURE ON POLICE AND GAOLS,
1940-41 TO 1944-45.**

Yearended 30th June.	Amount Expended (exclusive of Pensions) on—					Amount per Head of Population.
	Salaries, &c.		Buildings and Rents.		Total.	
	Police.	Gaols and Penal Establish- ments.	Police.	Gaols and Penal Establish- ments.		
£	£	£	£	£	s. d.	
1941 ..	800,071	129,850	32,143	6,264	968,328	10 2
1942 ..	813,010	136,193	30,557	5,875	985,635	10 1
1943 ..	1,019,144	143,716	33,007	7,542	1,203,409	12 2
1944 ..	1,073,304	159,226	32,279	5,757	1,270,566	12 9
1945 ..	1,055,791	152,267	39,142	9,133	1,256,333	12 6

Executions. During the 41 years ended with 1945 there were only fourteen executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, two in 1918, one in 1922, one in 1924, one in 1932, two in 1936, two in 1939, and one in 1941. Since the first settlement of Port Phillip in 1835, 182 criminals (178 males and 4 females) have been executed within the State on account of the following offences :—Murder, 142 ; attempted murder, 17 ; robbery with violence, 9 ; burglary and wounding, 1 ; sexual offences, 12 ; and arson 1.

Inquests. The number of inquest cases in Victoria during each of the five years 1942 to 1946 is given in the following table :—

VICTORIA—INQUESTS, 1942 TO 1946.

Year ended 31st December.	Inquests into the Deaths of—			Total Persons per 1,000 Deaths.
	Males.	Females.	Total Persons.	
1942	1,386	577	1,963	89·3
1943	1,193	559	1,752	82·1
1944	1,111	566	1,677	81·8
1945	1,055	565	1,620	79·0
1946	1,184	558	1,742	80·8