

LAW, CRIME, &c.

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 the applicability, the Colonial Legislature was empowered to declare whether or not they do 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 established. On the separation of Port Phillip from New South Wales in 1850, 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; and 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 1850. 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 either of these sources, it is still necessary to search through series of law reports for decisions which may either modify or interpret same.

The legal system.

LITIGATION AND LEGAL BUSINESS.

The Supreme Court was first established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure has been entirely remoulded by the "Judicature Act of 1883." There were in 1903 five judges, viz., a Chief Justice and four Puisne Judges.

Supreme Court civil business.

The following is a statement of Supreme Court business during 1891, 1895, and the last five years:—

SUPREME COURT CIVIL CASES, 1891 TO 1903.

Year.	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for		Amount Awarded.
	Number Issued.	Amount Claimed.			Plaintiff.	Defendant.	
		£					£
1891 ...	5,744	304,377	479	247	119	64	57,713
1895 ...	2,115	140,292	254	187	101	33	41,487
1899 ...	937	90,957	180	122	68	29	15,203
1900 ...	825	137,083	161	106	62	31	101,896
1901 ...	823	69,788	156	97	38	20	4,640
1902 ...	844	109,012	191	101	52	16	6,717
1903 ...	770	148,516	172	122	54	40	11,135

Decline in
litigation.

The extraordinary decline in litigation in the Supreme Court since 1891, to which attention was directed in the last issue of this work, still continues. In 1903 the writs issued were less than one-seventh; the amount sued for, and the causes which actually came to trial were only about one-half of the number in 1891. Notwithstanding this great decrease in litigation, the census of 1901 showed the number of barristers and solicitors as 820, an increase of 90 over the number as shown at the previous census of 1891. 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, adjourned to another sitting, or compromised.

County
Courts
business

County Courts have a jurisdiction both in equity and common law cases, limited to £500; and to try 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 10 miles further away from defendant's residence than some other County Court in which the plaintiff might have sued. In 1903 there were 116 sessions lasting 346 days held in 46 places. Particulars of litigation in 1891, 1895, and the last five years are as follow:—

COUNTY COURT CASES, 1891 TO 1903.

Year.	Number of Cases Tried.	Amount Sued For.	Amount Awarded.	Costs Awarded to—	
				Plaintiff.	Defendant.
		£	£	£	£
1891 ...	9,947	293,073	115,199	14,006	7,263
1895 ...	1,361	219,285	73,091	7,256	5,514
1899 ...	874	124,466	62,708	5,577	2,868
1900 ...	789	160,676	49,595	5,188	2,782
1901 ...	572	137,227	43,222	5,012	4,143
1902 ...	622	169,968	52,202	5,662	2,331
1903 ...	584	126,670	42,004	3,923	2,923

The falling off in the number of causes tried is enormous and still continues, the number in 1903 being less than in any preceding year, and only one-seventeenth of that in 1891; but

the amount sued for and awarded, and costs awarded, have not fallen off to anything like the same extent. This would seem to indicate that litigants are much more cautious in instituting proceedings than formerly; 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.

Courts of Petty Sessions were held at 233 places in Victoria in 1903 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 is limited to what may be called ordinary debts, damages for assault, or restitution of goods, where the amount in dispute does not exceed £50. Particulars of the debt cases heard during a series of years are as follow:—

Petty Sessions civil business.

COURTS OF PETTY SESSIONS: CIVIL CASES, 1891 TO 1903.

Year.	Cases heard.	Amount claimed.	Amount awarded.
		£	£
1891	33,030	210,255	144,158
1895	30,609	168,143	138,722
1899	20,196	118,321	87,907
1900	17,577	95,890	80,960
1901	17,646	104,884	86,199
1902	20,421	116,936	96,166
1903	22,012	126,051	107,502

In addition to the ordinary civil cases above mentioned, and to the criminal jurisdiction hereinafter mentioned, Courts of Petty Sessions deal with other business of a civil and quasi-criminal nature. During the year 1903, 674 appeals against municipal ratings, 762 maintenance cases, 558 fraud summonses against debtors, 9,136 electoral revision cases, 6,010 licenses and certificates, and 1,189 miscellaneous cases were heard, and 517 lunatics were examined. It will be seen that there has been a large decrease in the debt cases heard before magistrates, and in the aggregate amount claimed and awarded, since 1891; but since 1900 there has been an increase under each of the three headings.

As compared with 1902, there has been a small decrease in the number of probates and letters of administration issued, and a considerable falling off has taken place in the value of property devised and bequeathed. Thus, in 1902, as compared with 1899, the number increased by 9 per cent., and the value of property by 28 per cent., whilst a corresponding comparison of 1903 with the same year shows an increase of

Probates and letters of administration.

only 7 and 3 per cent. There must, however, naturally be large differences in the aggregate value of property left in different years on account of the falling in of one or several very large estates during certain years. This matter is dealt with more fully over a long series of years in part Accumulation of this work. The following information is furnished for the last five years:—

PROBATES AND LETTERS OF ADMINISTRATION: RETURN FOR FIVE YEARS.

Year.	Probates.		Letters of Administration.		Both.	
	Number.	Property Sworn Under.	Number.	Property Sworn Under.	Number.	Property Sworn Under.
		£		£		£
1899	2,355	4,727,698	1,286	1,192,406	3,641	5,920,104
1900	2,534	5,835,594	1,427	1,082,939	3,961	6,918,533
1901	2,509	5,596,261	1,337	930,974	3,846	6,527,235
1902	2,590	6,483,077	1,386	1,088,405	3,976	7,571,482
1903	2,527	5,239,913	1,357	834,164	3,884	6,074,077

INSOLVENCIES.

Insolven-
cies, &c.

Prior to 1898, the returns of insolvencies were defective, inasmuch as private arrangements with creditors were not taken into account until that year. The number of failures and the declared assets and liabilities during the last five years were:—

INSOLVENCIES AND PRIVATE ARRANGEMENTS: RETURN FOR FIVE YEARS.

Year.	Insolvencies.			Private Arrangements.		
	Number.	Declared Liabilities.	Declared Assets.	Number.	Declared Liabilities.	Declared Assets.
		£	£		£	£
1899	360	274,288	131,859	150	256,796	203,305
1900	346	185,198	89,462	149	168,700	159,771
1901	327	216,198	86,391	183	222,608	189,908
1902	406	364,630	270,061	206	200,128	178,337
1903	505	210,086	84,611	194	202,475	164,481

The number of insolvencies was greater in 1903 than in any of the four preceding years, but the declared liabilities, with the exception of those in 1900, were the lowest recorded for the five years. Insolvencies are still much below the average in normal times. Thus the average number during the last five years was 389, and the declared liabilities £250,080, whereas during the ten years, 1879 to 1888, the average yearly number was 612, with declared liabilities £661,720. During the ten years, 1889 to 1898, when the failures resulting from the collapse of the land boom and the consequent banking crisis in 1893 swelled the returns, the yearly average number was 833, with declared liabilities £2,213,592.

In the following return will be found the occupations, in six classes, of those who became insolvent during the last five years, also the number of breadwinners in each class at the census of 1901, and the proportion of the former to the latter. The total number of insolvents does not include 102 whose occupations were not returned:—

Occupations
of insol-
vents.

OCCUPATIONS OF INSOLVENTS, 1899 TO 1903.

Occupation Groups.	Number of Breadwinners, Census, 1901.	Number of Insolvents, 1899 to 1903.	Proportion of Insolvents to every 1,000 Breadwinners.
Professional	35,224	202	5·73
Domestic	66,815	160	2·39
Commercial	79,048	643	8·13
Transport and Communication	31,516	245	7·77
Industrial	146,233	1,037	7·09
Primary Producers	165,147	437	2·65
Total	523,983*	2,724	5·20

As might be expected, fewer breadwinners of the domestic and primary producing classes become insolvent than those of other classes, in proportion to their numbers in the community; whilst a greater proportion of the commercial than any other class find it necessary to file their schedules or compound with their creditors.

The number of insolvencies by way of sequestration of the estate of the debtor, distinguishing between voluntary and compulsory; also the declared liabilities and assets, are appended. Besides these insolvencies there are a number of liquidations in Queensland, and large numbers of private arrangements with creditors, which are virtually insolvencies, and are only recorded in Victoria and South Australia, but are not included in any case in the following table:—

Insolvency
in Australia
and New
Zealand.

INSOLVENCIES IN AUSTRALIAN STATES AND NEW ZEALAND, 1902.

State.	Number of Petitions.			Total Liabilities.	Total Assets.
	Compulsory.	Voluntary.	Total.		
Victoria	32	371	403	£ 359,802	£ 267,259
New South Wales	112	373	485	281,204	124,427
Queensland	28	406	434	88,311	30,321
South Australia	8	27	35	40,797	25,138
Western Australia	21	55	76	51,548	17,247
Tasmania (1901)	7	62	69	2,439	508
Australia	208	1,294	1,502	824,101	464,900
New Zealand	24	181	205	120,401	61,604

* Exclusive of 10,066 persons of independent means.

Victoria heads the list in respect to the total amount of declared assets and liabilities; but no comparison of any value can be made on the above figures on account of the partial character of the returns.

DIVORCE.

Divorces, &c.

The "Divorce Act 1889," which considerably extended the grounds on which divorce may be granted, is responsible for a great increase in the number since that year. The added grounds of divorce, provided by that Act, will be found on page 1008 of the issue of this work for 1895-8. The number of petitions and decrees for dissolution of marriage and judicial separation during the last five years were as follow:—

DIVORCES AND JUDICIAL SEPARATIONS: RETURN FOR FIVE YEARS.

Year.	Petitions for—		Decrees for—	
	Dissolution of Marriage.	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.
1899	160	3	105	2
1900	159	2	93	...
1901	148	2	83	...
1902	157	...	109	...
1903	199	1	101	...

Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 1,590 decrees for dissolution of marriage and 85 decrees for judicial separation have been granted. Of these, 1,242 and 14 respectively were granted since 1890.

Divorce in Australia and New Zealand.

The following were the petitions and decrees for divorce in the Australian States and New Zealand during 1902, also the divorces per 10,000 married couples living:—

DIVORCES IN AUSTRALIAN STATES AND NEW ZEALAND, 1902.

State.	Petitions for—		Decrees for—		Divorces per 10,000 Married Couples.
	Dissolution of Marriage.	Judicial Separation	Dissolution of Marriage.	Judicial Separation	
Victoria	157	...	109	...	6.04
New South Wales	332	37	241	21	12.79
Queensland	14	2	6	...	.83
South Australia	20	2	2	...	.36
Western Australia (1901)	16	1	12	1	4.39
Tasmania	7	2	3	...	1.17
New Zealand	136	2	91	...	7.68

The grounds of divorce are now substantially the same in Victoria and New South Wales, and were extended in New Zealand in 1898. The extension of the grounds upon which divorce may be obtained has in each case had the effect of greatly increasing the number of petitions and decrees. It will be seen from the last column of the above table that, according to the decrees in 1902, divorce is twice as rife in New South Wales as in Victoria, and is now also more rife in New Zealand. Comparisons with the other States are valueless on account of the wide divergence in the grounds of divorce.

JUDICIAL AND LEGAL REVENUE AND EXPENDITURE.

The following return shows for the five years, 1899-1903, the revenue derived from fees in connection with the administration of the Transfer of Land Act, the Stamps Act, from the Registrar-General, for registration of patents, from equity, probate, and all other judicial and legal sources. The amount has increased from £91,682 in 1899 to £112,383 in 1903. The legal and judicial expenditure showed a decrease of £13,238 in 1902-3, as compared with the previous year, in which the amount was greater than either of the three preceding years. Owing to the large receipts for fees for lodging dealings, searches, &c., under the Transfer of Land and Stamps Acts, and for other services, the net cost to the taxpayer of the judicial and legal system during the year 1902-3 was reduced from £165,898 to £53,515, a considerable decrease as compared with the four previous years. A portion of the expenditure on salaries of judges and Crown law officers, sheriffs, &c., must, however, be regarded as having been expended in connection with order and protection.

Legal and
judicial ex-
penditure.

REVENUE FROM AND EXPENDITURE ON LEGAL SERVICES:

RETURN FOR FIVE YEARS.

—		1899.	1900.	1901.	1902.	1903.
REVENUE.						
Transfer of Land Act	...	£ 29,214	£ 30,233	£ 33,061	£ 33,984	£ 35,857
Stamps Act	...	41,859	47,337	47,682	55,258	53,902
Registrar General	...	6,368	6,135	5,963	6,441	6,562
Patents Office	...	4,325	4,289	4,352	5,107	4,987
Equity and Probate	...	4,963	5,643	6,453	6,573	6,577
Others	...	4,953	4,469	4,778	4,469	4,498
Total	...	91,682	98,106	102,289	111,832	112,383

REVENUE FROM AND EXPENDITURE ON LEGAL SERVICE:
RETURN FOR FIVE YEARS.—*Continued.*

—	1899.	1900.	1901.	1902.	1903.
EXPENDITURE.					
Judges' Salaries (including Master-in-Equity)	£ 19,775	£ 20,000	£ 20,000	£ 20,000	£ 19,679
Crown Law Officers and Crown Solicitor	20,882	20,381	21,026	21,181	19,217
Registrar General and Registrar of Titles	24,942	26,700	27,936	29,841	28,000
Sheriffs	13,676	13,745	13,232	13,704	12,479
Police Magistrates and Wardens	14,084	15,650	17,852	16,008	15,247
Clerks of Courts	19,392	20,135	20,174	20,160	18,413
Others	49,775	55,227	56,965	58,242	52,863
Total	162,526	171,838	177,185	179,136	165,898
NET EXPENDITURE.					
—	70,844	73,732	74,896	67,304	53,515

CRIME.

ADMINISTRATION OF THE CRIMINAL LAW.

Administra-
tion 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, who, if the matter is one which comes within their summary jurisdiction, dispose of the case summarily. If the offence is an indictable one, the magistrates hold a preliminary investigation; and, if satisfied that a "prima facie" case is 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 corresponds with the Quarter Sessions in England, and may deal with all cases of a criminal nature except such as are expressly excluded from its jurisdiction, viz., 19 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 without an information if the offence is witnessed by the arresting constable; by private summons; and by a police summons. If at a coroner's inquest a verdict is returned for 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 has also the power of presenting any person for trial before a superior Court without the necessity of any 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. The grand jury consists of twenty-three men, who investigate the charge, and if they are of opinion that a "prima facie" case has been made out, the case is sent for trial. The cases which are presented under these two latter forms of procedure, are, however, very rare.

POLICE PROTECTION.

The following figures denote the numerical strength of the police force in Australia, the States, and New Zealand, and the proportion of same to population on the 31st December, 1903:—

Strength of police force in Australia and New Zealand.

POLICE IN AUSTRALIAN STATES AND NEW ZEALAND, 1903.

State.	Number.			Proportion per 10,000 of Population.
	Metropolitan.	Country.	Total.	
Victoria ...	824	671	1,495	12·37
New South Wales ...	979	1,291	2,270	15·90
Queensland ...	228	616	844	16·37
South Australia ...	227	165	392	10·63
Western Australia ...	136	355	491	21·63
Tasmania ...	41	194	235	13·09
Total Australia ...	2,435	3,292	5,727	14·58
New Zealand ...	66	551	617	7·41

It will be seen that Western Australia has the greatest police protection in proportion to population, Queensland and New South Wales next, New Zealand having by far the lowest. Of course, where the population is scattered, it is natural that more police in proportion to population will be required than in a densely populated centre where the area requiring protection is comparatively small.

CHARGES BEFORE MAGISTRATES.

Of the offenders who are reported as having committed offences, generally about 50 per cent. are arrested, 38 per cent. are summoned, whilst about 11 per cent. are still at large at the end of March of the year following that in which the offence was reported, but in 1903 the rates were 44, 44,

Offences reported and undetected crimes.

and 12 per cent. respectively. The following are particulars for the last five years:—

SUMMONSES, ARRESTS, AND UNDETECTED CRIMES: RETURN FOR FIVE YEARS.

Offences in respect to which persons were—	1899.	1900.	1901.	1902.	1903.
Brought before Magistrates on Summons	20,950	22,482	21,130	20,478	24,207
Apprehended by the Police	24,907	28,866	30,957	26,402	24,268
Still at large	6,032	6,449	6,472	6,153	6,593
Total	51,889	57,797	58,559	53,033	55,068

In this table each separate charge against a person is considered as a separate offence; for instance, a charge of drunk and disorderly, of resisting the police, of riotous conduct, and of tearing uniform would appear as four separate offences, although the occasion is the same. Of the offences in respect of which persons were still at large, 93 per cent. were offences against property, 3 per cent. were offences against the person, and the balance, 4 per cent., were of a miscellaneous character.

Offences
dealt with
by magis-
trates.

The following are particulars of cases brought before magistrates, from which it will be seen that about three-fourths are generally summarily convicted, one-fourth discharged, whilst an average of between 600 and 700 are sent for trial by superior courts:—

ARRESTS AND SUMMONSES DEALT WITH BY MAGISTRATES: RETURN FOR FIVE YEARS.

Number of Persons—	1899.	1900.	1901.	1902.	1903.
Arrested or Summoned	44,165	49,589	50,169	45,198	46,682
Discharged by Magistrates	11,120	11,664	12,564	11,096	10,020
Summarily Convicted or Dealt with	32,476	37,224	36,905	33,461	36,031
Committed for Trial	569	701	700	641	631

In regard to persons arrested included in these figures, minor charges are excluded, and only that charge which throughout the hearing of the case has been most prominent is taken account of; but in regard to summons cases, the unit is each separate charge or case. It will be noticed that the proportion summarily convicted in 1903 was considerably above the average.

Males and
females
arrested.

The sexes of persons brought up on summons are not recorded; but about 20 per cent. of the arrests are always found to be females. The males and females arrested, and the disposal of the cases, in 1903, were as follow:—

MALES AND FEMALES ARRESTED, 1903.

Disposal.	Arrests.		
	Males.	Females.	Total.
Summarily Convicted ...	12,424	3,317	15,741
Discharged by Magistrates ...	4,914	1,248	6,162
Committed for Trial ...	503	69	572
Total ...	17,841	4,634	22,475

The arrests during the last five years numbered 23,215 in 1899, 27,107 in 1900, 29,039 in 1901, 24,720 in 1902, and 22,475 in 1903.

DRUNKENNESS.

The following are the number, and proportion per 1,000 of the population, of persons arrested for drunkenness during the last five years. Summons cases for drunkenness are not included, particulars regarding them being unavailable before 1902, but the number of such cases is inconsiderable, being only 117 in 1903:—

Arrests for drunkenness, 1899 to 1903.

ARRESTS FOR DRUNKENNESS: RETURN FOR FIVE YEARS.

Year.	Number.	Proportion per 1,000 of Population.
1899 ...	12,998	10.96
1900 ...	15,878	13.31
1901 ...	17,360	14.43
1902 ...	13,897	11.51
1903 ...	12,513	10.35

The arrests for drunkenness were fewer during last year than in any of the four preceding years. A comparison of the last year and the preceding five years with previous periods is given below. The amount of drunkenness, as evidenced by arrests, being taken as 100 in 1874-8, the numbers for the subsequent periods will show the increase or decrease by comparison:—

Drunkenness—Comparison with previous years.

Period.	Index Number.
1874-8	100
Average 5 years ...	...
1879-85	88
1886-92	106
1893-97	65
1898-1902	83
1903	74

A very considerable decrease in drunkenness is shown during the five years following the banking crisis, which was a period of general depression; but during the five years,

1898-1902, the arrests for drunkenness are assuming something nearer their normal proportions. In 1903, however, the arrests for drunkenness were fewer than in either of the five preceding years.

Drunken-
ness in
Australian
States and
New Zea-
land.

Drunkenness in each of the Australian States and New Zealand, over a series of years, is dealt with in company with other offences on the next and the following pages.

DECREASE IN CRIME.

Decrease of
crime in
Victoria.

It is difficult to make a proper comparison of crime in recent years with former periods on account of the differences in the sex and age constitution of the people at different periods. The bulk of arrests consist of males from 20 to 50 years of age. The proportion of women and children arrested is comparatively very small; so that it is natural that, at a period like the present, when the percentage of males at those ages is much less than ten years ago, the proportion of arrests per 10,000 of the population is not a true index of crime, and makes the decrease appear greater than it really is. It is therefore necessary to divide the sexes of arrested persons, and each sex into age groups, and to show the number of charges laid against males and females at various ages between 10 and 50, per 10,000 alive at each age, as shown by the census. The following are the particulars on this basis at the last four census years:—

CHARGES PER 10,000 ALIVE AT EACH AGE AGAINST PERSONS
ARRESTED, 1871, 1881, 1891 AND 1901.

Ages.				1871.	1881.	1891.	1901.
				Males.			
10 to 15 years	...	...	...	104	111	96	51
15 to 20 years	...	...	...	338	335	305	209
20 to 25 years	...	...	...	773	720	688	570
25 to 30 years	...	...	...	834	823	777	712
30 to 40 years	...	...	...	771	865	869	700
40 to 50 years	...	...	...	726	721	1,053	873
50 to 60 years	...	...	...	830	623	760	804
60 years and over	...	...	...	756	661	586	443
				Females.			
10 to 15 years	...	...	...	37	26	15	15
15 to 20 years	...	...	...	80	90	50	28
20 to 25 years	...	...	...	141	178	139	116
25 to 30 years	...	...	...	232	219	171	172
30 to 40 years	...	...	...	303	290	189	168
40 to 50 years	...	...	...	272	322	238	166
50 to 60 years	...	...	...	245	223	215	116
60 years and over	...	...	...	186	166	144	110

During the years 1871, 1881, and 1891 the tabulations were based on each separate charge against arrested persons, and in 1901 on each separate arrest, only the most prominent charge being counted in the latter year. The percentage by which the total charges exceeded the arrests during 1901, has, however, been added on to the figures for each age group for the purpose of comparison. A study of the figures shows that the proportion of offences has on the whole fallen off in 1901 as compared with the three previous periods. In regard to males, there has been a falling off in 1901 as compared with the three previous periods at all ages except 50 to 60, in which group the proportion of arrests was in excess of that in 1891 and 1881. The falling off is more marked amongst the very old people (60 years and over) and the young people under 20, than at other ages. The ages at which the largest proportion of arrests was made were 40 to 50 years in 1901 and 1891, 30 to 40 years in 1881, and 25 to 30 and 50 to 60 years in 1871. In regard to females there has been a very decided falling off at all ages, the ages at which the largest proportion of arrests were made being 25 to 50 in 1901, 40 to 60 in 1891, and 30 to 50 in 1881 and 1871.

CRIME AND DRUNKENNESS IN AUSTRALASIA.

A scientific comparison of crime cannot be made between different States or countries unless several considerations are taken into account. The first point necessary is that the criminal law, in the places compared, should be substantially the same; the second, that it should be administered with equal strictness; and the third, that proper allowances are made for differences in the age and sex constitution of the population. As previously pointed out, the latter consideration is one that must also be taken into account in comparing crime in recent years with previous periods when the population was very differently constituted in regard to sex and age. The returns of the States and New Zealand do not afford sufficient data to allow for these differences; but in regard to the first two points above mentioned the basis and main provisions of the criminal law are the same in each State; and it must be presumed, in the absence of any evidence to the contrary, that the law is administered with equal strictness in each State. The following table shows, for a series of years, the number of charges against persons arrested or summoned per 1,000 of the population for the only four classes of offences for which complete comparisons can be made:—

Offences and
drunken-
ness in
Australia
and New
Zealand.

CRIME IN AUSTRALIAN STATES AND NEW ZEALAND, 1890, 1895,
AND 1899 TO 1902.

State.	Year.	Number of Charges Against Persons Arrested or Summoned for—				
		Offences Against the Person.	Offences Against Property.	Drunk- enness.	Other Offences.	Total.
Victoria ...	1890	4,091	5,036	18,501	37,156	64,784
	1895	2,500	4,068	11,143	22,616	40,327
	1899	2,242	3,460	12,998	27,613	46,313
	1900	2,238	3,540	15,878	30,192	51,848
	1901	2,152	3,521	17,360	29,054	52,087
	1902	2,121	3,882	13,897	26,337	46,237
New South Wales ...	1890	8,729	7,616	18,654	31,088	66,087
	1895	4,459	6,153	18,379	35,987	64,978
	1899	4,527	6,857	19,938	28,040	59,362
	1900	4,435	6,675	21,003	30,747	62,860
	1901	4,336	6,437	21,123	32,729	64,625
	1902	4,223	7,292	21,577	33,608	66,700
Queensland ...	1890	2,713	2,487	6,332	7,464	18,996
	1895	2,073	2,085	4,993	8,522	17,673
	1899	1,933	2,243	8,337	10,172	22,685
	1900	1,937	2,552	9,254	10,621	24,364
	1901	1,846	2,547	9,791	9,736	23,920
	1902	1,908	2,375	8,123	8,709	21,115
South Australia ...	1890	520	501	2,382	3,596	6,999
	1895	411	677	1,763	2,128	4,979
	1899	393	609	1,999	2,719	5,720
	1900	304	575	2,249	3,072	6,200
	1901	260	528	2,047	3,392	6,227
	1902	232	509	2,431	3,416	6,608
Western Australia ...	1890	371	536	1,181	2,602	4,690
	1895	654	1,080	2,154	4,489	8,377
	1899	978	1,657	2,826	8,419	13,880
	1900	1,037	1,746	3,070	9,010	14,863
	1901	1,040	1,593	3,348	9,352	15,333
	1902	845	1,889	3,311	10,398	16,443
Tasmania ...	1890	483	619	1,151	4,158	6,411
	1895	353	710	463	3,240	4,766
	1899	396	600	885	3,108	4,989
	1900	368	676	832	3,505	5,381
	1901	341	647	743	3,768	5,499
	1902	248	618	636	4,669	6,171
Total Australian States ...	1890	16,907	16,795	48,201	86,064	167,967
	1895	10,450	14,773	38,895	76,982	141,100
	1899	10,469	15,426	46,983	80,071	152,949
	1900	10,319	15,764	52,286	87,147	165,516
	1901	9,975	15,273	54,412	88,031	167,691
	1902	9,597	16,565	50,618	87,137	163,917
New Zealand	1890	1,516	2,297	5,830	8,604	18,247
	1895	1,281	2,557	5,104	8,639	17,581
	1899	1,435	2,740	6,279	12,220	22,674
	1900	1,526	2,680	7,319	13,165	24,690
	1901	1,586	3,048	8,086	13,105	25,825
	1902	1,114	3,083	8,311	15,568	28,076

The following table shows the number of charges laid against persons arrested or summoned per 1,000 of the

population in the Australian States and New Zealand during a series of years:—

PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH AUSTRALIAN STATE AND NEW ZEALAND, 1890, 1895, AND 1899 TO 1902.

State.	Year.	Charges against Persons Arrested or Summoned per 1,000 of the Population for:—			
		Offences against the Person.	Offences against Property.	Drunkenness.	Other Offences.
Victoria	1890	3·66	4·50	16·54	33·22
	1895	2·12	3·45	9·44	19·17
	1899	1·93	2·98	11·20	23·79
	1900	1·88	2·97	13·31	25·30
	1901	1·79	2·93	14·43	24·15
	1902	1·76	3·22	11·51	21·82
New South Wales	1890	7·92	6·91	16·93	28·21
	1895	3·53	4·87	14·53	28·46
	1899	3·39	5·14	14·95	21·03
	1900	3·28	4·93	15·51	22·70
	1901	3·16	4·69	15·39	23·85
	1902	3·03	5·23	15·49	24·12
Queensland	1890	7·03	6·45	16·41	19·35
	1895	4·58	4·60	11·03	18·82
	1899	4·07	4·72	17·53	21·40
	1900	3·95	5·21	18·90	21·68
	1901	3·65	5·04	19·36	19·25
	1902	3·71	4·62	15·82	16·96
South Australia	1890	1·64	1·60	7·53	11·35
	1895	1·18	1·94	5·06	6·11
	1899	1·07	1·66	5·43	7·39
	1900	·85	1·60	6·26	8·55
	1901	·72	1·46	5·65	9·37
	1902	·69	1·40	6·68	9·39
Western Australia	1890	8·28	11·97	26·37	58·09
	1895	7·06	11·66	23·25	48·45
	1899	5·80	9·83	16·77	49·96
	1900	5·86	9·86	17·34	50·88
	1901	5·51	8·45	17·75	49·59
	1902	4·08	9·12	15·98	50·20
Tasmania	1890	3·36	4·31	8·01	28·93
	1895	2·22	4·46	2·91	20·36
	1899	2·32	3·52	5·19	18·21
	1900	2·13	3·91	4·82	20·29
	1901	1·96	3·73	4·28	21·70
	1902	1·41	3·52	3·48	26·72
Australian States	1890	5·43	5·39	15·48	27·64
	1895	2·98	4·22	11·11	21·99
	1899	2·85	4·20	12·78	21·78
	1900	2·75	4·21	13·96	23·26
	1901	2·62	4·01	14·30	23·13
	1902	2·49	4·29	13·10	22·57
New Zealand	1890	2·44	3·70	9·39	13·86
	1895	1·85	3·71	7·37	12·48
	1899	1·91	3·65	8·37	16·29
	1900	2·00	3·51	9·58	17·24
	1901	2·04	3·92	10·39	16·85
	1902	1·40	3·86	10·42	19·51

Almost all serious crimes are either offences against the person or offences against property, the only serious crimes included under "Other Offences" being forgery, counterfeiting, and perjury, which are very few in number, being in Victoria in 1902, only 59 out of a total of 26,337 included under that category. A large proportion of these cases are merely breaches of various Acts of Parliament, bye-laws, &c., which indicate no degree of criminal instinct or intent on the part of the person charged. They also include a large number of offences against good order, including insulting behaviour, &c., vagrancy, and soliciting prostitution. Comparison between the States of "Other Offences" is not of much value, on account of the differences in the laws of the States in these matters, and on account of the large proportion of these offences which are not crimes, but mere breaches of various Acts and bye-laws.

Offences
against the
person.

Offences against the person set out in the first column of the preceding table, consist mainly of assaults, but include murder, manslaughter, shooting, wounding, and all crimes of lust. A glance at the above figures shows that since 1890 there has been a very large decline in these crimes in every State in proportion to population. South Australia easily holds the pride of place, then coming New Zealand and Tasmania, closely followed by Victoria. New South Wales occupies a considerably worse position than Victoria, and the two last are Queensland and Western Australia, in that order, although the positions of these two would be reversed in 1902 if allowance were made for the exceptionally large proportion of adult males in the population of Western Australia.

Offences
against
property.

A decrease, as compared with 1890, will also be noticed in the proportion of offences against property in all the Australian States; but there has been a small increase in New Zealand, and a relapse in 1902 in Victoria and New South Wales. The decrease in respect of these offences is, however, not nearly so marked as that in respect of offences against the person. Offences against property are far less rife in South Australia than in any other State or New Zealand, Victoria coming next, closely followed by Tasmania, New Zealand, Queensland, and New South Wales, in that order. These crimes are far more rife in Western Australia than in any other State, although the proportion in excess would be considerably reduced if allowance were made for the large proportion of adult males in the population of that State. Offences against property consist principally of larceny and similar offences; but include burglary, robbery, &c., cattle stealing, and wilful damage to property.

Drunken-
ness.

In every Australian State there has been a decrease in drunkenness cases before magistrates in 1902, as compared

with 1890; but an increase as compared with 1895 in every case except Western Australia. This offence is much less frequent in Tasmania than in any other State, South Australia coming next, and then following New Zealand, Victoria, New South Wales, Queensland, and Western Australia, in that order. If allowance were made for the large proportion of adult males in the latter State, Western Australia would now occupy a better position than Queensland, or New South Wales, and would be about equal to Victoria. In the latter State summons cases for drunkenness are not included, not being recorded for back years, but the number of such cases in 1903 was so small that the comparison is not appreciably affected by their omission.

The following table shows the average consumption during the five years, 1898 to 1902, of intoxicating liquors in the Australian States and New Zealand:—

Consumption of intoxicating liquors.

AVERAGE CONSUMPTION OF SPIRITS, BEER, AND WINE IN AUSTRALIAN STATES AND NEW ZEALAND DURING THE FIVE YEARS, 1898 TO 1902.

State.	Yearly Average Quantity Consumed, 1898 to 1902.			Proportion per head.		
	Spirits.	Beer.	Wine.	Spirits.	Beer.	Wine.
	Gallons.	Gallons.	Gallons.	Gallons.	Gallons.	Gallons.
Victoria ...	925,167	15,545,778	1,566,966	·76	13·09	1·30
New South Wales	1,131,610	14,160,690	916,495	·84	10·46	·68
Queensland ...	527,288	5,586,302	205,379	1·07	11·28	·41
South Australia ...	237,525	3,229,508	644,559	·65	8·89	1·77
Western Australia	291,075	4,522,359	185,461	1·60	24·84	1·02
Tasmania ...	86,384	1,509,619	24,591	·50	8·78	·14
New Zealand ...	551,051	6,880,583	116,975	·72	8·99	·15

It will be seen that Victoria consumes more beer per head than New Zealand or any of the States except Western Australia. Western Australia, Queensland, and New South Wales consume more spirits per head, and South Australia more wine per head than Victoria.

With the assistance of the figures in the preceding table, it is not a very difficult matter to estimate, with some degree of accuracy, the approximate expenditure of the people on intoxicating liquors. Assuming that three-fourths of the spirits are consumed in hotels and clubs, and the balance privately, it would appear that each gallon of spirits costs the consumer 35s. It is estimated, allowing for imported ale and stout, that 3s. is paid for every gallon of beer consumed; and that 10s. per gallon is a fair average for wine, assuming that half is consumed in hotels, clubs, and saloons, and half privately, and allowing for imported champagnes and other wines.

Expenditure by the people on intoxicating liquor.

The following table shows the approximate amount spent by the people on spirits, beer, and wine, during an average year, the figures being based on the average quantity consumed during the five years, 1898 to 1902. The amount per head of population and per adult male over 20 years of age is also shown:—

AUSTRALASIAN DRINK BILL: YEARLY AVERAGE, 1898 TO 1902.

State of—	Expenditure by the People on—					
	Spirits.	Beer.	Wine.	Total.		
				Amount.	Per Head.	Per Adult Male.
	£	£	£	£	£ s. d.	£ s. d.
Victoria	1,619,043	2,331,867	783,483	4,734,393	3 18 10	14 0 3
New South Wales	1,980,317	2,124,103	458,248	4,562,668	3 7 4	11 12 0
Queensland	922,754	837,945	102,689	1,863,388	3 14 10	11 11 9
South Australia	415,669	484,426	322,279	1,222,374	3 7 4	12 6 1
Western Australia	509,382	678,354	92,730	1,280,466	6 19 1	16 4 6
Tasmania	151,172	226,443	12,295	389,910	2 5 3	8 3 7
Commonwealth of Australia	5,598,337	6,683,138	1,771,724	14,053,199	3 14 6	12 11 5
Colony of New Zealand	964,340	1,032,087	58,488	2,054,915	2 13 2	8 16 7

It is a fact worthy of notice that, although South Australia spends more per adult on drink than New South Wales or Queensland, yet drunkenness, as evidenced by cases before magistrates, is far less prevalent in that State. It is also noticeable that drunkenness cases are less frequent in Victoria than in the same two States, although the amount spent on drink is greater per head and per adult male. In this connection, however, it will be noted that both Victoria and South Australia consume a much larger proportion of wine than any other State, and that New South Wales and Queensland consume a greater proportion of spirits. It has often been asserted that wine drinking countries are the most temperate, although there is no satisfactory statistical proof of the contention. It is, however, a very significant fact that the three States in which drunkenness is most frequent, as evidenced by cases before magistrates, are those in which the consumption of spirits is greatest. The quality of the liquor supplied is another point which bears on this phase of the question; for less drunkenness would naturally be caused by the consumption of a greater quantity of superior liquor, than by a smaller quantity of inferior quality.

It has been claimed on behalf of New South Wales as a reason why cases of drunkenness are more frequent in that State than in Victoria, that in the latter State drunkenness itself is no crime, but must be allied with disorderly conduct

before the person may be punished. This statement is incorrect, for Section 153 of the "Licensing Act 1890" (No. 1,111) provides that: "Every person found drunk in any high-way or other public place, whether a building or not, or on "any licensed victualler's premises, may be taken into custody "by the police, and shall be liable to a penalty not exceeding "Ten shillings, &c." It is true that most of the cases of drunkenness are brought under the "Police Offences Act"; but the degree of disorderly conduct required is very slight, the mere fact of a person being so drunk as to be a nuisance or dangerous to himself or others being sufficient. If any doubt arises as to whether the accused is disorderly within the meaning of the section, the charge is laid under the section of the Licensing Act mentioned above, but such cases are comparatively few.

The following is a statement of the number of charges of drunkenness made against persons in each State and in New Zealand during 1902, also the number of convictions, and the percentage of the latter to the former:—

Leniency of magistrates in drunkenness cases in Victoria.

PERCENTAGE OF CONVICTIONS FOR DRUNKENNESS IN AUSTRALIAN STATES AND NEW ZEALAND, 1902.

State.	Charges of Drunkenness.	Convictions.	
		Total.	Percentage of Charges.
Victoria	14,540	9,394	64·61
New South Wales	21,577	21,472	99·51
Queensland	8,123	8,102	99·74
South Australia... ..	2,431	2,394	98·48
Western Australia	3,311	2,026	61·49
Tasmania	636	602	94·65
Commonwealth	50,618	44,000	86·93
New Zealand	8,311	8,244	99·19
Australasia	58,904	52,244	88·69

It will be seen from the last column in the above table that the percentage of convictions in Victoria and Western Australia was much less than in the other States and New Zealand, nearly every case resulting in a conviction in the latter, and in less than 2 out of every 3 cases in the former. These figures seemed to denote such a comparative leniency on the part of magistrates in drunkenness cases in Victoria and Western Australia that the matter was brought under the notice of the Victorian Chief Commissioner of Police, who called for a report from the police officials best qualified to judge in Melbourne and the six principal country centres. It appears from the reports received, that it is the practice at the

Melbourne City Police Court to discharge a person on his first appearance, and also upon the second offence if more than 12 months have elapsed since his first appearance; and also, generally throughout the State, to discharge first offenders and those who have been arrested on a Saturday and were necessarily detained in custody till Monday, as it is considered the latter have already been sufficiently punished. In some cases, also, when an offender has been admitted to bail after arrest, he is discharged on promising to put a donation in the poor box. In all these cases no conviction is recorded in Victoria, and a similar practice is probably adopted in Western Australia; but in the other States a conviction is entered on the records in nearly every case, whether any punishment is inflicted or not. As regards the leniency in drunkenness cases in Victoria, the Chief Commissioner of Police states that magistrates seem to take a common-sense view of the cases which come before them; and that he sees no reason to find fault with their action. Although the percentage of convictions entered on the records in Victoria and Western Australia is small in comparison to the other States, the extent to which persons are arrested for drunkenness is not affected thereby.

A large proportion of the offences dealt with by magistrates cannot be classed as crimes properly so called, but are mere breaches of Acts of Parliament and show no degree of criminality in the person charged. A still larger proportion consists of drunkenness and offences against good order, including vagrancy, larrikinism, &c. The number of serious crimes preliminarily investigated by magistrates in Victoria and New South Wales during 1902 was:—

SERIOUS CRIMES IN VICTORIA AND NEW SOUTH WALES DURING 1902.

Class of Crime.	Victoria.	New South Wales.
Murder and attempts, manslaughter, shooting, wounding, &c.	90	203
Robbery, burglary, &c.	190	392
Crimes of lust	86	130
Horse, sheep, and cattle stealing	116	158
Total	482	883

The total per 10,000 of the population was 6·34 in New South Wales, and 4·00 in Victoria. Multiple charges are excluded in the above figures, each separate arrest only being counted. It is claimed on behalf of New South Wales that the comparatively large number of criminals in that State is due to the want of a proper law to prevent the influx of such persons from other places.

BIRTHPLACES OF ARRESTED PERSONS.

The following is a statement of the principal countries in which persons arrested during 1903 were born, and the proportion per 1,000 of the persons of such nationalities living in the State at the census of 1901:—

Birthplaces
of persons
arrested.

BIRTHPLACES OF PERSONS ARRESTED, 1903.

Birthplace.	Number.	Proportion per 1000 living.
Victoria	11,291	12.89
Other Australian States	1,813	27.85
New Zealand	338	37.47
England and Wales	3,228	27.56
Scotland	1,219	34.10
Ireland	3,060	49.75
China	91	14.61
Other Countries	1,435	46.86
Total	22,475	18.71

As the ages of the people were not tabulated in conjunction with their birthplaces at the census, the proportion of Victorian arrests does not afford a proper comparison with the proportions indicated for other Australian States, Great Britain, and foreign countries. The Victorian born population includes a large proportion of women and children, whereas there is so small a number of children in the State born in places outside Victoria, that the arrests of persons born outside the State may be regarded almost entirely as those of adults, and mostly of adult males. If the proportion of adult males arrested in Victoria be taken, it would in all probability approximate to those of the other Australian States.

EDUCATION OF ARRESTED PERSONS.

The ages of those arrested in 1903, and the degree of instruction possessed by them, are shown in the following table:—

Age and
degree of
instruction

AGE AND DEGREE OF INSTRUCTION OF PERSONS ARRESTED, 1903.

Ages.	Superior Education.	Read and Write Well.	Read Only, or Read and Write Imperfectly.	Unable to Read.	Total
Under 10 years ...	...	...	65	278	343
10 to 15 " ...	...	...	362	34	396
15 to 20 " ...	...	28	1,094	41	1,163
20 to 25 " ...	1	84	2,559	70	2,714
25 to 30 " ...	4	130	2,886	89	3,109
30 to 40 " ...	15	266	5,455	164	5,900
40 to 50 " ...	18	217	4,320	192	4,747
50 to 60 " ...	24	88	2,034	156	2,302
60 and upwards ...	7	58	1,537	199	1,801
Total ...	69	871	20,312	1,223	22,475

Education
of children
arrested.

The returns of those under 15 years of age arrested by the police consist mainly of neglected and deserted children. Of the 739 children under 15 arrested during 1903, not one was possessed of superior instruction nor could read and write well; and 312, or 42 per cent., were unable to read.

OFFENCES HEARD BY MAGISTRATES.

Arrests and
summonses
for various
offences.

Prior to 1902, information relating to various offences has been incomplete on account of there being no returns as to summons cases other than "against the person," "against property," and "other offences." As will be seen below, there is a large proportion of assaults and offences against good order initiated by summonses, and the following are particulars of the different classes of offences in 1903, distinguishing between arrest and summons cases, multiple charges against the same individual being each counted as an offence:—

ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1903.

Nature of Offence.	Number of Offences for which—		Total Offences Heard.
	Arrests were made.	Summonses were issued.	
Against the Person—			
Murder and attempts, manslaughter, shooting at, &c.	69	...	69
Assaults	713	862	1,575
Others	148	144	292
Against Property—			
Robbery, burglary, &c. ...	329	...	329
Larceny and similar offences ...	2,216	410	2,626
Wilful damage to property ...	246	247	493
Others	223	297	520
Against Good Order—			
Drunkenness	12,513	117	12,630
Others	6,688	5,893	12,581
Breaches of Licensing Act ...	...	647	647
Other Offences	1,123	15,590	16,713
Total	24,268	24,207	48,475

Of the 24,268 arrests, 1,793 were multiple charges, leaving the number of separate arrests 22,475, of which 15,741 were summarily convicted, 6,162 were discharged, and 572 were committed for trial. Of the 24,207 summons cases, 20,290 were summarily convicted, 3,858 were discharged, and 59 were committed for trial. Of the total persons dealt with (46,682), the number summarily convicted was 36,031, 10,020 were discharged, and 631 were committed for trial.

SENTENCES PASSED.

During 1903 there were 15,741 sentences by magistrates in exercise of their summary jurisdiction, 12,424 of which were of males and 3,317 of females. These figures do not represent the number of distinct individuals sentenced during the year, for many of them, particularly the habitual drunkard class, were brought up and sentenced several times during the year. Of every 1,000 males sentenced, 448 were fined, 391 were imprisoned for a period less than 1 month, 107 for a period between 1 and 12 months, 10 for 1 year or over, and 44 were sent to reformatory schools, ordered to find bail, or otherwise dealt with. Of every 1,000 females sentenced, 352 were fined, 467 were imprisoned under 1 month, 110 over 1 and under 12 months, 7 over 12 months, and 64 were sent to the industrial or reformatory schools. In addition to these sentences, there were 739 cases (666 males, 73 females) in which the magistrates, having found the accused persons guilty, deemed it inexpedient to inflict any punishment, and "admonished" such persons, that is, let them off with a caution. In addition to the sentence of imprisonment, 1 prisoner was ordered 1 whipping of 25 lashes.

Sentences
by magis-
trates.

During 1903, 371 persons were sentenced by superior courts, of whom 43 were females. Of the 328 males, 2 were sentenced to death, 3 to periods between 10 and 15 years, 5 between 7 and 10 years, 23 between 4 and 7 years; 104, or 32 per cent., between 1 and 4 years; and 155, or 47 per cent., to periods under 1 year; whilst 5 were fined, 28 were required to find bail to appear when called upon, and 7 were sent to a reformatory or lunatic asylum. Of the 43 females, 1 was sentenced to 5 years, 2 between 1 and 2 years, and 28 under 12 months, whilst 10 were discharged on finding bail. In addition to the term of imprisonment, 4 persons were ordered to be kept in solitary confinement during various portions of their terms of imprisonment, and 15 were ordered to be whipped, 1 to receive 2 and 14 one whipping each.

Sentences in
superior
courts.

GAOLS AND PRISONERS.

There are nine gaols in Victoria, including the Pentridge Penal Establishment, Ararat and Portland gaols having been closed several years ago, and Maryborough recently. The gaols at Sale and Castlemaine have been reduced to receiving stations for local committals with very short sentences. The following statement gives for the year 1903 the accommodation, daily average in confinement, number received during

Gaols and
prisoners.

the year, and the number in confinement at the end of the year:—

GAOL ACCOMMODATION AND PRISONERS, 1903.

Name.	Number of Prisoners.							
	For Whom there is Accommodation.		Daily Average.		Total Received.		In Confinement, 31.12.03.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ...	800	...	489	...	532	...	473	...
Ballarat ...	62	18	23	2.0	369	58	31	3
Beechworth ...	66	15	35	30	190	14	35	...
Bendigo ...	116	28	23	2.46	321	65	28	3
Castlemaine ...	99	...	12	.02	93	3	3	...
Coburg Female Prison	...	324	...	95.58	...	225	...	97
Geelong ...	187	29	98	31	330	16	90	...
Melbourne ...	485	114	209	39.53	3,961	1,102	174	26
Salé ...	30	5	9	.50	156	7	6	...
Total ...	1,845	533	898	140.7	5,952	1,490	840	129

There are also seven police gaols which are used as receiving stations, but the daily average number of prisoners detained therein during 1903 was only nine. The above figures show that there is accommodation in the gaols for more than twice the average number in confinement.

Prisoners
in confine-
ment, 1895
to 1903—
decrease.

The following is a statement of the average number of prisoners, male and female, in detention during each of the years, 1895 to 1903, in all the gaols of the State, from which it will be seen that the decrease is very considerable, the number in 1903 being 376, or 26 per cent. less than in 1895:—

PRISONERS IN CONFINEMENT, 1895 TO 1903.

Year.	Average Number of Prisoners in Confinement.		
	Males.	Females.	Total.
1895 ...	1,208	216	1,424
1896 ...	1,143	194	1,347
1897 ...	1,044	182	1,226
1898 ...	1,065	223	1,288
1899 ...	1,020	215	1,235
1900 ...	981	204	1,185
1901 ...	951	200	1,151
1902 ...	943	170	1,113
1903 ...	907	141	1,048

EXPENDITURE ON POLICE AND GAOLS.

In the 38½ years ended 30th June, 1903, the total amount expended in connection with the police, and penal establishments and gaols of Victoria was £10,909,178, viz., £8,674,256 on the former, and £2,234,922 on the latter. The following table shows the amounts and the amounts per head expended in connection with the police, and penal establishments and gaols of Victoria during each of the five years ended with 1902-3:—

EXPENDITURE ON POLICE AND GAOLS, 1898-9 TO 1902-3.

Year.	Amount Expended (exclusive of the Cost of Buildings) on—			Amount per Head of Population.
	Police.	Gaols and Penal Establishments.	Total.	
	£	£	£	s. d.
1898-9	255,991	51,857	307,848	5 2
1899-1900	261,954	50,805	312,759	5 3
1900-1	272,444	52,138	324,582	5 5
1901-2	271,561	51,948	323,509	5 4
1902-3	264,422	51,919	316,341	5 3

The following are the amounts expended on police and gaols in the Australian States and New Zealand during the year ending 31st December, 1902, in Tasmania; 31st March, 1903, in New Zealand; and 30th June, 1903, in the other States:—

EXPENDITURE ON POLICE AND GAOLS IN AUSTRALIAN STATES AND NEW ZEALAND, 1902-3.

State.	Amount Expended (exclusive of the cost of buildings) on—			Amount per Head of Population.
	Police.	Gaols.	Total.	
	£	£	£	s. d.
Victoria	264,422	51,919	316,341	5 3
New South Wales	415,800	101,968	517,768	7 4
Queensland	170,873	26,322	197,195	7 9
South Australia	76,339	12,554	88,893	4 10
Western Australia	130,308	25,625	155,933	14 7
Tasmania	37,806	5,679	43,485	4 11
New Zealand	123,804	32,070	155,874	3 10

No execution took place in 1903, as against 2 in 1902, 1 in 1900, 1 in 1898, 1 in 1897, 1 in 1896, 2 in 1895, and 5 in 1894. Since the first settlement of Port Phillip, 167 criminals have been executed within the State, of whom only three were females.

Coroners'
inquests.

In 1903 the number of coroners' inquests into the causes of deaths of individuals was 1,435, which was below the average number of the four preceding years. In 844 cases the death was found to be due to disease or natural causes, in 357 cases to accident, in 125 to suicide, in 102 to external causes which could not be ascertained, in 1 to homicide, in 1 to intemperance, whilst in 5 cases the cause of death was doubtful. The number of inquests during the last five years was 7,800, of which 4,529 deaths were found to be due to disease or natural causes, and 3,208 to violence. Of those due to violence, 61 per cent. were due to accidental causes, 21 per cent. to suicide, whilst in 18 per cent. of the cases the cause or motive of the violence which caused death was doubtful.
