

Trade-
marks.

1155. Provision for the registration of trade-marks was established under the Trade-marks Registration Act 1876 (40 Vict. No. 539), which came into operation on the 22nd September of that year. The registration of a person as the proprietor of a trade-mark is *primâ facie* evidence of his right to its exclusive use, subject to the provisions of the Act as to its connexion with the good-will of a business. From the period of the commencement of the Act to the end of 1885, 1,190 trade-marks were submitted for registration, and 851 were registered. During the year 1885, the number submitted was 195—or 14 less than in 1884, and the number registered 110—or 35 less than in 1884.

PART VI.—LAW, CRIME, ETC.

Transfer of
Land
Statute.

1156. The system whereby persons acquiring possession of land, either by transfer, inheritance, or other means, may receive a title thereto direct from the Crown, was introduced into Victoria in the year 1862, and continues in force to the present period.*

Lands under
the Statute.

1157. All lands alienated from the Crown since the introduction of the system have come at once under its provisions; and lands alienated prior to its inauguration can be brought under them by application, provided a clear title be produced, or a title containing only a slight imperfection. In the latter case, the title is given subject to such imperfection, which is noted on the deed.

Assurance
fund.

1158. The assurance and indemnity fund established under the Transfer of Land Statute, to secure the Government against possible losses, is formed chiefly by the payment of an amount equal to one halfpenny in the pound of the value of all lands which become subject to its operation. The balance to the credit of this fund on the 30th June, 1885, was £93,900, of which £65,743 had been invested in Government stock. Seven claims upon the fund, of which one for £1,586 was in 1884-5, have been substantiated since its first formation, and £2,870 has been paid to claimants.

Transactions
under the
Land
Statute,
1884 and
1885.

1159. In 1885, as compared with 1884, a large increase took place in the extent and value of land brought under the Transfer of Land Statute (29 Vict. No. 301) by application, but a decrease in that brought under it by purchase from the Crown; moreover, a large increase

* This system was originated by the late Sir R. R. Torrens, whence it is commonly known as "Torrens's system." He first introduced it into South Australia, but it has since been adopted by all the Australasian colonies.

took place in the fees received and in most of the other business done. The following were the transactions in the two years :—

TRANSFER OF LAND STATUTE, 1884 AND 1885.

		1884.	1885.
Applications to bring land under the Act	... number	1,393	1,532
Extent of land included	... acres	99,722	55,463
Land brought under the Statute—			
By application	... acres	74,775	90,232
” ”	... value	£1,337,862	£2,065,624
By grant and purchase from the Crown	... acres	469,482	427,093
” ”	... purchase money	£585,099	£519,422
Certificates of title issued	... number	19,021	23,051
Transfers, mortgages, leases, releases, surrenders, &c.	”	28,241	33,343
Registering proprietors	”	33	16
Other transactions*	”	29,561	35,142
Forms and extras	”	555	597
Fees received	...	£42,129	£49,685

1160. The total quantity of land under the Transfer of Land Statute at the end of 1885 was 10,224,843 acres, the declared value of which, at the time it was placed under the Act, was £30,829,835. The land granted and sold up to the end of 1885 was 14,425,610 acres. It, therefore, follows that at that period nearly three-fourths of the alienated land in the colony was subject to the provisions of this Statute. Proportion of land under the Statute

1161. Of the whole extent of land under the Statute, 996,619 acres, valued at about 18½ millions sterling, were brought thereunder by application, and the remainder, amounting to 9,655,317 acres, valued at 12½ millions sterling, came under its provisions by virtue of its having been purchased from or granted by the Crown since the Act was passed.† Land under Act by application and otherwise.

1162. In 1884 a Royal Commission was appointed to inquire into the “amendment required in the Transfer of Land Statute, the working of the Titles Office, and the state of the Surveys,” and their Report, dated the 10th June, 1885,‡ contains a number of recommendations for the amendment of the Act. One of the most important of these is to abolish the practice of issuing a fresh certificate of title on the transfer of an entire block or parcel of land, and, instead, for the Registrar to endorse the Crown grant or certificate to the new proprietor. Such transfers, it is stated, “might easily be registered within 24 hours, and Royal Commission on Land, Titles, and Surveys

* Not including copies of documents supplied.

† See paragraph 1157 *ante*.

‡ Parliamentary Paper No. 18, Session 1885.

the fee of £1 for every certificate, now payable, be saved to the public." Another important recommendation is, that power be given to the Registrar to adjust boundaries, overlaps, &c.; any person injured to have his remedy against the assurance fund. For the improved working of the Titles Office, and obviating the delays complained of as occurring therein, several practical suggestions are made. With regard to the state of the territorial surveys, the Commissioners found that "the surveys made in the early days of the colony were, for the most part, extremely faulty and unreliable, and that, as a rule, the dimensions of allotments as marked out by the surveyors on the ground differ from the dimensions of the same as given in the grants," the effect of which has been "the creation or development of endless complications and difficulties from the apparent overlapping of boundaries," &c. With the view of remedying these defects, it is, amongst other things, suggested, "that an Act should be passed declaring that the boundaries as originally set out on the ground, and that are represented by the original marks, buildings, fences, or other improvements, are the true boundaries of allotments, notwithstanding any discrepancies in the measurements that may be found to exist between the boundaries so marked and the description of same in the titles"; also, that a skeleton survey, establishing permanent marks near the corners of all public streets and roads in Melbourne and suburbs, should be undertaken forthwith, so as to supply data for the accurate definition of properties, and for the preparation of proper record plans for the use of the Titles Office, as well as for the alignment of streets"; the cost to be defrayed out of the interest on the accumulated assurance fund, which fund now amounts to nearly £94,000.

New Acts
connected
with Titles
to Land.

1163. In order to give effect to these recommendations, two Acts were passed in 1885, viz.:—The Survey Boundaries Act 1885,* and the Transfer of Land Statute Amendment Act.† The first of these provided for adjusting discrepancies between surveys and titles, and proving boundaries after the original survey marks had been removed or obliterated; and the second, amongst other matters, provided for recovering damages against the assurance fund by persons suffering loss by the inaccuracy of Crown surveys, and for transferring land by means of a simple endorsement made by the Registrar-General upon the certificate of title. Moreover, a model form of "General Conditions of Sale," and an amended table of fees to be charged by the Titles Office, are given in schedules to the Act.

* Act 49 Vict. No. 855. Published as a supplement to the *Government Gazette* of the 24th December, 1885.

† Act 49 Vict. No. 872 came into operation on the 1st January, 1886.

1164. The business in Equity was very much lighter in 1885 than in the previous year, as will be seen by the following figures:—

Transactions in Equity.

TRANSACTIONS IN EQUITY, 1884 AND 1885.

	1884.	1885.
Suits by bill number	38	1
Petitions filed	8	5
Commissions issued	4	...
Decrees issued	37	14
Orders issued	106	71
Reports issued	20	10
Writs of injunction issued ... ..	...	...
Writs of <i>ne exeat coloniâ</i> issued ... ..	...	...
Conveyances settled by Master ... ..	...	...
Recognizances entered into	2	...
Rolls filed	29	2

1165. In 1885, as compared with 1884, there was an increase in the number of probates and letters of administration issued, but a decrease of 16 per cent. in the value of property bequeathed. The average value of each estate in 1884 was £2,706, and in 1885, £2,218. The following are the figures for those years:—

Probates and letters of administration.

PROBATES AND LETTERS OF ADMINISTRATION, 1884 AND 1885.

Year.	Probates.		Letters of Administration.*		Both.	
	Number.	Property sworn under— £	Number.	Property sworn under— £	Number.	Property sworn under— £
1884 ...	1,160	4,507,609	730	606,078	1,890	5,113,687
1885 ...	1,239	3,753,103	699	544,816	1,938	4,297,919
Increase	79	...	...	...	48	...
Decrease	...	754,506	31	61,262	...	815,768

1166. During the twenty-one years ended with 1885, the value of the property respecting which probates and letters of administration were issued amounted to forty-eight millions sterling (£48,040,127).

Value of property bequeathed.

1167. According to the present law,† duties are levied in Victoria on the net value of real and personal estates of deceased persons within the colony upon the following scale (half duty only being paid by widows, children, or grandchildren):—

Scale of probate, &c., duties.

SCALE OF DUTIES ON ESTATES OF DECEASED PERSONS.

Estates of less than	£1,000 in value	...	1 per cent.
„	£1,000 to £5,000	„	2 „
„	£5,000 to £10,000	„	3 „
„	£10,000 to £20,000	„	4 „
„	£20,000 to £30,000	„	5 „
„	£30,000 to £40,000	„	6 „
„	£40,000 to £60,000	„	7 „
„	£60,000 to £80,000	„	8 „
„	£80,000 to £100,000	„	9 „
„	£100,000 and upwards	„	10 „

* Including those granted to the Curator of Intestate Estates.

† The Acts relating to estates of deceased persons are 34 Vict. No. 388, 35 Vict. No. 403, 36 Vict. No. 427, and 39 Vict. No. 523.

Amount of probate, &c., duties.

1168. The amount realized by the State in 1885 from duties on estates of deceased persons was less than in 1884 by about £40,000, and less than in 1883 by £10,500, but was higher than that in any of the previous twelve years. The amounts fluctuate considerably from year to year, as will be observed by the following figures for the last fifteen years :—

DUTIES ON ESTATES OF DECEASED PERSONS, 1871 TO 1885.

			£				£
1871	...	...	17,069	1879	...	...	47,607
1872	...	...	37,643	1880	...	...	48,697
1873	...	...	39,026	1881	...	...	78,914
1874	...	...	67,998	1882	...	...	78,547
1875	...	...	50,057	1883	...	...	96,427
1876	...	...	33,638	1884	...	...	125,697
1877	...	...	82,201	1885	...	...	85,979
1878	...	...	45,470				

Intestate estates.

1169. The number of new intestate estates dealt with by the Curator in 1884 numbered 212; those in 1885 numbered 224. The estimated value of such estates amounted to £36,048 in the former and to £34,698 in the latter year.* The sums received by the Curator on these estates and on others remaining from former years were £50,333 in 1884 and £44,668 in 1885. In the fifteen years ended with 1885, the number of intestate estates dealt with was 3,324, and their estimated value £606,880. The amount received by the Curator in respect to these estates during the fifteen years was £622,457.

Divorce and matrimonial.

1170. Under the head of Divorce and Matrimonial Causes there were as many as 21 decrees for dissolution of marriage in 1885 as against only 10 in 1884. There were also 2 decrees for judicial separation in 1884, and 1 in 1885. The following was the business done in the two years :—

DIVORCE AND MATRIMONIAL, 1884 AND 1885.

		1884.	1885.
Petitions for dissolution of marriage	... number	25	34
„ judicial separation	... „	11	9
„ alimony	... „	9	4
Decrees for dissolution of marriage	... „	10	21
„ judicial separation	... „	2	1
„ alimony	... „	5	2

Divorces in twenty-four years.

1171. Since the Act 25 Vict. No. 125—which first conferred upon the Supreme Court of Victoria jurisdiction in matters matrimonial—came into operation in 1861, 208 decrees for dissolution of marriage and 43 decrees for judicial separation have been made.

Divorces in Victoria and England.

1172. In proportion to the number of marriages, the petitions for dissolution of marriage are about twice as numerous in Victoria as in England and Wales, the annual average per 1,000 marriages over a

* These numbers and values are included in those given in the table following paragraph 1165 *ante*.

series of years being 3·81 in the former and 1·88 in the latter. The decrees for the dissolution of marriage are also, in proportion to the number of marriages, much more numerous in Victoria, the number per 10,000 being 17·8 as against 9·5 in England and Wales. The proportion of decrees to petitions is, however, somewhat higher in England and Wales than in Victoria, being 50 per cent. in the former, but not quite 47 per cent. in the latter.

1173. The fees in Equity amounted in the aggregate to £797 in 1884, and to £646 in 1885; those on Probates amounted to £1,554 in 1884, and to £1,644 in 1885; those in Divorce amounted to £191 in 1884, and to £161 in 1885. The total amount of fees was thus £2,542 in 1884, and £2,451 in 1885. Fees in Equity, &c.

1174. The moneys collected and appropriated in the department of the Master-in-Lunacy, on behalf of patients (including "percentage" and fees) increased from £10,928 in 1884 to £15,273 in 1885.* Collections in Lunacy.

1175. In the eighteen years ended with 1885, thirteen thousand insolvencies took place in Victoria, with liabilities amounting to 11 millions sterling, as against which assets were declared amounting to nearly 5½ millions sterling. The following is a statement of the number of insolvencies in each year, also of the declared liabilities and assets of the estates, and of the amounts by which the latter were exceeded by the former:— Insolvencies.

INSOLVENCIES, 1868 TO 1885.

Year.	Number of Insolvencies.	As shown by the Insolvents' Schedules.		
		Liabilities.	Assets.	Deficiency.
		£	£	£
1868	863	617,764	167,226	450,538
1869	818	653,614	194,251	459,363
1870	996	479,491	150,170	329,321
1871	631	444,117	217,841	226,276
1872	804	696,868	222,770	474,098
1873	672	330,337	188,351	141,986
1874	776	543,157	269,130	274,027
1875	773	641,390	389,330	252,060
1876	712	551,814	280,962	270,852
1877	715	462,651	272,720	189,931
1878	781	677,364	408,677	268,687
1879	1,007	1,655,485	1,204,051	451,434
1880	768	526,130	298,384	227,746
1881	620	303,892	161,386	142,506
1882	500	536,194	311,186	225,008
1883	603	782,116	423,528	358,588
1884	495	479,700	264,286	215,014
1885	467	591,957	282,502	309,455
Total	13,001	10,974,041	5,706,751	5,266,890

* The corresponding amounts in previous issues of this work were incorrect, the moneys paid direct into the Treasury having been entered twice over. The mistake did not occur in the office of the Government Statist.

Proportion
of liabilities
to assets.

1176. The proportion of the assets to the liabilities, as shown by the insolvents' schedules, fluctuates considerably from year to year. In the year under review, the former amounted to 48 per cent. of the latter; in 1884 also to 48 per cent., in 1883 to 54 per cent., in 1882 to 58 per cent., in 1881 to 53 per cent., in 1880 to 57 per cent., and in 1879 to 70 per cent. In the whole period of eighteen years, the declared assets were in the proportion of about 52 per cent. to the declared liabilities.

Insolvencies,
1885 and
previous
years.

1177. It will be observed that in 1885 insolvencies were fewer by 28 than in 1884, and were also fewer than in any previous year; but the declared liabilities were greater by £110,000, and the apparent deficiency was greater by £94,000, in 1885 than in 1884, the former being also greater than in nine and the latter than in ten of the other years named. Comparing the year under review with 1879, when insolvencies were at their maximum, the number fell off by 53 per cent., the declared liabilities by 64 per cent., and the apparent deficiency by 31 per cent.

Failures in
United
Kingdom.

1178. According to statistics issued by Mr. Richard Seyd, F.G.S.,* the following are the number of failures in the United Kingdom during the seven years ended with 1885:—

FAILURES IN THE UNITED KINGDOM, 1879-1885.

Year.	Number of Failures.		
	In Wholesale Trades.†	In Retail Trades.‡	Total.
1879	2,546	14,091	16,637
1880	1,478	11,669	13,147
1881	1,325	10,680	12,005
1882	1,314	9,705	11,019
1883	1,361	9,238	10,599
1884	607	3,787	4,394
1885	586	4,503	5,089
Total	9,217	63,673	72,890

Insolvencies
in England
and Victoria
compared.

1179. It will be noticed that by far the largest number of failures occurred in 1879, but since then a considerable falling-off has taken place in each year, but most especially in the last two years, when the numbers were fewer by about 50 per cent. than that in any of the five preceding years. This experience was very similar to that recorded in

* See Annual Supplement to *The Statist*, 30th January, 1886, page 18.

† Embraces the "financial, wholesale, and manufacturing branches of trade."

‡ Consisting of "retail traders, professional men, builders, publicans, the working classes, &c."

Victoria, for during the last eighteen years the maximum number of insolvencies occurred in 1879; and in 1884 and 1885, notwithstanding the increase of population, the numbers were absolutely the lowest in the last eighteen years.

1180. Important duties in connexion with the registration of deeds and other documents, public companies, bills and contracts for sale; births, deaths, and marriages; and patents, copyrights, and trade-marks, are performed by the Registrar-General. Under all the principal heads much more business was done in 1885 than in 1884, as will be seen by the following table, which shows the number of transactions and the amount of fees received in the last two years:—

REGISTRAR-GENERAL'S TRANSACTIONS AND FEES, 1884 AND 1885.

Nature of Transaction.	Transactions.		Fees.	
	1884.	1885.	1884.	1885.
			£	£
Registry	16,632	18,235	5,106	5,586
Companies Statute	3,914	7,629	1,060	1,623
Bills and contracts of sale	6,620	6,963	331	348
Births, deaths, and marriages certificates	2,178	3,005	535	739
Patents	708	*	2,218	1,012
Copyrights	528	567	68	73
Trade-marks	547	*	699	390
Searches in connexion with the above	16,647	17,533	1,330	1,433
Miscellaneous fees ... ..	...	...	109	73
Total	47,774	53,932	11,456	11,277

1181. The number of offences reported to the police or magistrates during 1884 and 1885 is given in the following table; those offences being distinguished:—1. In respect to which persons were brought before magistrates on summons, but were never in custody. 2. In respect to which arrests were made by the police. 3. In respect to which no person had been arrested or brought before magistrates† up to the end of the month of March of the year following that in which the offence was reported. An increase will be observed in the number of apprehensions, but a decrease under the other heads, resulting in a net increase during the year in the total number of offences of 1,000, or about 2 per cent.:—

* Information not furnished.

† It does not follow that in the remaining instances the offender escaped altogether. He may have been arrested after the date at which the returns were made up, or on other charges, even prior to that period.

OFFENCES REPORTED, 1884 AND 1885.

Offences in respect to which—	1884.	1885.	Increase.	Decrease.
1. Persons were brought before magistrates on summons	23,894	23,711	...	183
2. " " apprehended by the police	27,503	28,855	1,352	...
3. The offenders were still at large* ...	4,049	3,879	...	170
Total	55,446	56,445	999†	...

Summons cases.

1182. Nearly half the offences consist of those in respect to which persons are brought before magistrates on summons but are not taken into custody. These must obviously be of a lighter character than those for which arrests are made, and therefore do not demand lengthened consideration. The offences in this category classed as against the person are principally assault cases resulting from petty quarrels; those against property are chiefly cases of wilful damage to or illegal detention of property; and the remainder consist for the most part of breaches of the Education Act, the clause in the Public Works Statute relating to railways and water supply, the Local Government Act or municipal by-laws, the Masters and Servants or Wines and Spirits Statutes, &c. The following are the particulars given respecting those which were dealt with in 1884 and 1885:—

OFFENCES DEALT WITH BY SUMMONS,† 1884 AND 1885.

	1884.	1885.	Increase.	Decrease.
Offences against the person	1,549	1,993	444	...
" " property	948	771	...	177
Other offences	21,397	20,947	...	450
Total	23,894	23,711	...	183†
Cases dismissed by magistrates	7,346	7,944	598	...
Offender summarily convicted or held to bail	16,548	15,767	...	781

Charges counted as persons.

1183. Very full details are given of the offences which gave occasion for the apprehensions made by the police; but, in making up the returns, a person arrested more than once during the year, or arrested at one time

* It should be pointed out that the offences for which arrests have and have not been made are not strictly comparable. They are reckoned in the former case according to the individual arrests effected, in the latter according to the offences reported, although in the perpetration of many of these more than one person may have been concerned.

† This table does not embrace cases in which the offender was sentenced to imprisonment or was committed for trial. Although he might in the first instance have appeared before the magistrates on summons, such disposal would place him in custody of the police, and he would therefore be included in subsequent tables.

† Net figures.

on several charges, is counted as a separate individual in respect to each arrest or charge, and this, except where the contrary is stated, must be borne in mind by those consulting the following paragraphs and tables.*

1184. The persons † who were taken in charge by the Victorian police in 1885, and in the first year of each of the two previous quinquennia, were as follow:—

Arrests, 1875, 1880, and 1885.

PERSONS † ARRESTED, 1875, 1880, AND 1885. ‡

Number of Persons—	1875.	1880.	1885.
Taken into custody	25,247	23,983	28,855
Discharged by magistrates... ..	7,674	7,432	9,674
Summarily convicted or held to bail	16,829	15,871	18,413
Committed for trial	744	680	768

1185. At the last period, it will be observed, arrests were more numerous than at the first period, and much more so than at the middle period, when the number of arrests made was the smallest in the last 10 years; but, if the numbers of the population be taken into account, the arrests at the last period will be found to have been much lower than at the first period, although still somewhat higher than at the middle period. The estimated average population in 1875 was 787,337; in 1880, 850,343; and in 1885, 975,040. The arrests were, therefore, in the proportion of 1 to every 31 persons living at the first period, of 1 to every 35 persons living at the second period, and of 1 to every 34 persons living at the third period.

Arrests: proportion to population.

1186. The persons summarily convicted, held to bail, or committed for trial, were, to the whole number arrested, in the proportion of 70 per cent. at the first period, 69 per cent. at the second period, and of 66 per cent. at the third period.

Proportion of times charge was sustained.

1187. The diminution in the number of serious offences is illustrated by the fact that, as compared with the arrests, the commitments for trial were fewer at the last two periods than at the first period. These were in the proportion of 1 to every 34 arrests at the first period, of 1 to every 35 arrests at the middle period, and of 1 to every 38 arrests at the third period.

Serious offences.

1188. The sexes of the persons arrested, and of such of them as were discharged by magistrates, summarily dealt with, or sent for trial, were as follow at the same three periods:—

Males and females arrested.

* For 1884, a table was compiled showing the number of charges on which each individual was arrested. See paragraph 1212 *et seq. post.*

† See preceding paragraph.

‡ A statement showing, during a series of years, the numbers taken into custody, the numbers committed for trial, and the numbers convicted after commitment, will be found in the Statistical Summary of Victoria (first folding sheet) *ante.*

MALES AND FEMALES* ARRESTED, 1875, 1880, AND 1885.

	1875.		1880.		1885.	
	Males.	Females.	Males.	Females.	Males.	Females.
Taken into custody	19,967	5,280	18,857	5,126	23,155	5,700
Discharged by magistrates ...	5,936	1,738	5,763	1,669	7,717	1,957
Summarily convicted or held to bail	13,373	3,456	12,469	3,402	14,773	3,640
Committed for trial	658	86	625	55	665	103

Cases in which charge was sustained.

1189. The males and females summarily convicted, held to bail, or committed for trial, were, to the whole numbers of the same sexes arrested, in the proportions respectively of 70 per cent. and 67 per cent. in 1875; of 69 per cent. and $67\frac{1}{4}$ per cent. in 1880; and of 67 per cent. and 66 per cent. in 1885.

Relative proportions of male and female criminals.

1190. The next table shows the relative proportions of males and females arrested, and of those of them who were discharged, summarily dealt with, or committed for trial at the same three periods:—

MALES AND FEMALES.—RELATIVE PROPORTIONS ARRESTED, 1875, 1880, AND 1885.

	Number of Females to 100 Males.		
	1875.	1880.	1885.
Taken into custody	26·44	27·19	24·62
Discharged by magistrates	29·28	28·96	25·36
Summarily convicted or held to bail	25·84	27·28	24·64
Committed for trial	13·07	8·80	15·49

Relative proportions of male and female criminals at three periods.

1191. It will be observed that, relatively to the males taken into custody or summarily convicted, the proportion of females similarly dealt with was at the last period much lower than at either of the former periods. The proportion of females committed for trial, however, was nearly twice as high at the last as at the middle period, as well as much higher than at the first period. At all the periods, the proportion of female to male criminals was much lower than the proportion that females bore to males in the total population; at the first period the females in the colony were in the proportion of 88, and at the second of 90, and at the third period of about 87, to every 100 males.

* See paragraph 1183 ante.

1192. A condensed statement of the offences for which arrests were made in the same three years, together with the numbers arrested for each offence, will be found in the following table:—

Causes of arrest.

CAUSES OF ARREST, 1875, 1880, AND 1885.

Offence.	1875.	1880.	1885.
Murder and attempt at murder	15	26	20
Manslaughter	16	10	11
Shooting at or wounding with intent to do bodily harm	43	65	63
Assault	1,710	1,767	1,867
Rape and indecent assault on females	38	81	57
Unnatural offence, and assault with intent to commit	11	16	9
Other offences against the person	119	119	139
Robbery with violence, burglary, &c.	212	245	287
Horse, sheep, and cattle stealing, &c.	220	171	149
Other offences against property	3,395	3,534	3,026
Forgery and offences against the currency	110	56	80
Drunkenness	11,541	10,056	13,580
Other offences against good order	5,741	6,111	8,016
Offences relating to carrying out laws	426	329	210
Smuggling and other offences against the revenue	89	79	93
Offences against public welfare	1,561	1,318	1,248
Total	25,247	23,983	28,855

1193. The causes in respect to which more arrests were made at the last period than at either of the former ones were assaults, minor offences against the person, robbery with violence or burglary, drunkenness, and other offences against good order; smuggling and other offences against the revenue. But, for unnatural offences, miscellaneous offences against property, horse, sheep, and cattle stealing, offences relating to carrying out laws, and offences against public welfare, there were fewer arrests at the last than at either of the former periods. It is a noteworthy fact that at the middle period, which was preceded by a year of great commercial depression, although the total arrests and the arrests for drunkenness were much fewer than at the first or last period, yet the arrests for all the more serious offences, involving personal violence, viz., murder and manslaughter, shooting at or wounding, and rape and other assaults against females, were much more numerous than at either the preceding or succeeding period; the only other class of offences which was most numerous at the middle period being miscellaneous offences against property. At the first period arrests for horse, sheep, and cattle stealing, forgery, offences relating to carrying out

Offences at last period.

laws, and offences against public welfare were more numerous than at either of the subsequent periods.

Drunken-
ness.

1194. The number of arrests for drunkenness affords ample evidence that the efforts of those who are seeking to suppress or mitigate the evil are not uncalled for. In many cases, no doubt, the same individual was arrested over and over again; but, supposing each arrest had represented a distinct individual, there would have been taken into custody for drunkenness—

In 1874,	one person in every	71	living in	Victoria.
„ 1875,	„	68	„	„
„ 1876,	„	69	„	„
„ 1877,	„	65	„	„
„ 1878,	„	69	„	„
„ 1879,	„	77	„	„
„ 1880,	„	85	„	„
„ 1881,	„	79	„	„
„ 1882,	„	76	„	„
„ 1883,	„	74	„	„
„ 1884,	„	73	„	„
„ 1885,	„	72	„	„

Increase of
drunken-
ness.

1195. It will be observed that 1879, 1880, and 1881, embracing the year in which the colony was in a depressed condition, as already stated, and the two following years, drunkenness was less rife than at any preceeding or subsequent period. Since 1880, however, arrests for drunkenness, in proportion to the population, have been steadily increasing.

Efforts to
promote
sobriety in
criminals.

1196. Mr. W. G. Brett, the Inspector-General of Penal Establishments and Gaols, in his Report for 1885,* page 8, mentions that “intemperance being a fertile source of crime, the favourable attention of the governors of gaols and the chaplains has been directed to encourage, in every gaol, prisoners taking the pledge before leaving the prison, and they can hardly render more effectual benefit in this direction than by persuading offenders to avoid, by total abstinence, the chief cause of downfall.”

Licensing Act
1885.

1197. As bearing upon the subject of drunkenness it should be mentioned that an Act for the better regulating and restricting the numbers of public-houses was passed in 1885,† and came into operation on the 1st February, 1886. The principal provisions of this Act are as follow :—

Licensing Districts are created of convenient area, each of which has a Licensing Court which is presided over, in the Metropolitan, Ballarat, and Sandhurst Districts, by a County Court Judge and two Police Magistrates, and in the other districts by three Police Magistrates. The number of public-houses which may be licensed in each district is limited to 1 to each full 250 of the first

* Parliamentary Paper, No. 50, Session 1886.

† *The Licensing Act 1885* (49 Vict. No. 857).

1,000 inhabitants, and a further 1 to each subsequent 500 inhabitants. This is denominated the "statutory number." Licences which existed at the time of passing the Act are not affected, but no new licences are to be issued in any district unless the number existing is below the statutory number. In cases where the number of licences does not reach the standard, they may be increased. For the purposes of determining the statutory number for each licensing district five times the number of ratepayers on the roll of the electoral division forming such district in the month of June preceding is considered to be the population, and one-fifth of these may petition for determination, by a poll, either for a reduction of licences to the statutory number or an increase to its limit. Grocers' licences follow the same rule, with the exception that no increase may exceed one for every 500 inhabitants, which, in the case of grocers' licences, is the statutory limit. The determination arrived at either with regard to the increase or decrease of licences is to be in force for three years, and thereafter until a fresh petition is presented. In every case of an application for a new licence the District Inspector has to furnish his report containing full description of the premises, &c., the position and distance from other licensed premises, the fitness of the applicant, and the requirements of public convenience, &c. On Sunday, liquors are not permitted to be consumed on licensed premises by, or sold to, any except lodgers and *bonâ fide* travellers, under a penalty ranging from £2 to £10 for the first offence, from £10 to £20 for a second offence, and forfeiture of licence and disqualification to hold one for twelve months for a third offence. Travellers must reside not less than ten miles in a direct line from the licensed premises, and must have travelled the distance on the same day. The burden of proof as to the person served being either lodger or *bonâ fide* traveller is cast upon the licensee, but proof is allowed that reasonable precautions are taken by him to ascertain the *bona fides*. The licensed victualler is not compelled to serve any person on Sunday; and the bar of every licensed house is to be kept locked during prohibited hours. Only one bar is allowed on any licensed premises except under the sanction of the Licensing Court. No permit for the removal of spirit manufactured in Victoria for human consumption may be granted by any inspector of distilleries or other officer until a period of six months has elapsed from the date of manufacture, and no spirit imported into Victoria is allowed to go into consumption within six months from the date of first shipment. All spirits are subject to examination by an analytical chemist, and all beer by an inspector of liquor. All licence and other fees, fines, penalties, and forfeitures are to be paid to the Treasurer, and by him placed to the credit of a Trust Fund, called the "Licensing Act 1885 Fund," to be applied to the purposes of the Act, and, if insufficient, a special appropriation is to be made. The equivalent of licence fees payable to each municipal body under the previous Licensing Act* is to be paid to such municipalities out of this fund, during the month of March in each year, such sums being made a first charge thereupon.

FEES PAYABLE FOR LICENCES UNDER THE "LICENSING ACT 1885."

Victualler's Licence—		Per Annum.
In respect of premises assessed at the annual value of £50 ...	£15	£15
Of more than £50 and up to £200 ...	25	25
Of more than £200 ...	50	50
Roadside licence ...	5	5
Packet licence ...	20	20
Grocer's licence ...	10	10
Colonial wine licence ...	5	5
Railway refreshment-room licence ...	25	25
Brewer's licence ...	25	25
Spirit merchant's licence ...	25	25
Billiard-table licence, for any number of tables not greater than four, per table ...	5	5
" " " " for any number of tables greater than four, for the whole number ...	20	20
Temporary licence ...	2	2

* *The Licensing Act 1876* (40 Vict. No. 566).

Minor offences.

1198. Drunkenness, "other offences against property," "other offences against good order," and "offences against public welfare," may be considered as, comparatively speaking, minor offences, hardly amounting to crimes. Arrests for these numbered 22,238 in 1875, 21,019 in 1880, and 25,870 in 1885; and to the whole number of arrests were in the proportion of 88 per cent. at the first and second periods, and 90 per cent. at the third period. Thus only 12 per cent. of the arrests at the first and middle periods, and 10 per cent. at the last period, were for crimes in the strict sense of the word.

Smuggling and other offences against revenue.

1199. It is worthy of remark that, notwithstanding the inducement which high import duties might be supposed to offer to smugglers, offences against the revenue have never led to many arrests in Victoria. Only 93 persons were taken into custody for such offences in 1885, which, however, is somewhat more than the number in 1880 or in 1875.

Age and education of arrested persons.

1200. The ages of those taken into custody in 1885, and the degree of instruction possessed by them, are shown in the following table:—

DEGREE OF INSTRUCTION AND AGE OF PERSONS* ARRESTED, 1885.

Ages.	Superior Instruction.	Read and Write well.	Read only, or Read and Write imperfectly.	Unable to Read.	Total.
Under 10 years ...	...	2	97	255	354
10 " 15 "	...	33	395	125	553
15 " 20 "	...	284	1,580	162	2,026
20 " 25 "	6	805	3,379	270	4,460
25 " 30 "	24	731	2,853	284	3,892
30 " 40 "	45	957	4,188	517	5,707
40 " 50 "	41	755	4,002	717	5,515
50 " 60 "	22	440	2,910	585	3,957
60 years and upwards	16	195	1,753	427	2,391
Total ...	154	4,202	21,157	3,342	28,855

Education of children arrested.

1201. The returns of those under 15 years of age taken in charge by the police embrace neglected and deserted children as well as criminals. The whole number in 1885, according to the table, was 907, and of these not one was possessed of superior instruction; only 35, or 1 in 26, could read and write well; and 380, or about three-sevenths, were unable to read. The number of children under 15 committed for trial was 3—all males—all of whom could read, but not one could write.

Education of adults.

1202. Those over 15 years arrested numbered 27,948, and of these, 4,321, or less than a sixth (including those possessed of superior instruction), could read and write well, and 2,962, or nearly a ninth,

* See paragraph 1188 *ante*.

could not read. Those over 15 years of age committed for trial numbered 765, of whom 233, or less than a third, could read and write well, or were possessed of superior instruction, and 46, or a seventeenth, were unable to read. According to these figures, the persons charged with offences serious enough to call for their commitment for trial were somewhat better educated than the other arrested persons. Those arrested, whether committed for trial or otherwise dealt with, were on the average not nearly so well educated as the general population, for at the last census all over 15 years of age, except about a tenth, were returned as being able to read and write, and only an eighteenth were returned as entirely illiterate.

1203. The following table shows the birthplaces and religions of the persons taken into custody and of those committed for trial in 1885, also the ratio of those of each country and sect to the estimated numbers of the same country and sect in the population:—

Birthplace
and reli-
gions of
criminals.

**BIRTHPLACES AND RELIGIONS OF PERSONS * ARRESTED AND
COMMITTED FOR TRIAL, 1885.**

Birthplace and Religion.	Persons Arrested.		Persons Committed for Trial.	
	Number.	Proportion per 1,000 of the Popu- lation. †	Number.	Proportion per 1,000 in the Popu- lation. †
BIRTHPLACE.				
Victoria ‡	8,271	14·67	301	·53
Other Australasian colonies ‡	1,514	33·62	65	1·44
Australian Aborigines ...	48	...	1	...
England and Wales ...	6,994	41·87	200	1·20
Scotland	2,378	43·63	37	·68
Ireland	7,714	78·79	98	1·00
China	213	15·73	2	·15
Other countries	1,723	...	64	...
Total	28,855	29·60	768	·79
RELIGION.				
Protestants	15,979	22·86	482	·69
Roman Catholics ...	12,142	52·81	255	1·11
Jews	133	27·18	23	4·70
Pagans	214	16·70	2	·16
Others	387	...	6	...

1204. It is always found that fewer Victorians are arrested, and fewer are committed for trial, in proportion to their numbers in the population, than persons of any other nationality. This, without doubt, is mainly due

Relative
numbers of
each birth-
place.

* See paragraph 1183 *ante*.

† The estimated population of each birthplace and religion with which these calculations have been made will be found in the tables following paragraphs 56 and 68 *ante*.

‡ Exclusive of Aborigines.

to the fact of a very large proportion of children being embraced within their numbers; with the increasing ages of the Victorian-born population, however, the number arrested is becoming larger. In 1875, only 3,558, and in 1880, 5,688 persons of Victorian birth were taken into custody, whereas in the year under review the number had risen to 8,271. Of places outside Victoria, the country which supplies the largest number of arrested persons is Ireland. In 1885, those arrested of this nationality exceeded the English and Welsh arrested by 720, and this although natives of England and Wales in the population outnumbered the Irish by about 69,000, or 70 per cent. The offences with which the Irish were charged, however, could not have been of so serious a nature as those in respect to which the English and Welsh were arrested, as the number of the latter committed for trial bore a higher proportion to the numbers in the population; the proportion of Scotch arrested was slightly above that of the English, but that of those committed for trial was below that of any others except Victorians and Chinese. The proportion of Chinese arrested was below that of persons of any other nationality except Victorians; and the proportion committed for trial was much lower than that of any other nationality. Arrests of natives of other Australasian colonies were, in proportion to their numbers, the least numerous after those of Chinese and Victorians, but their commitments for trial were much more numerous than those of persons of any other nationality.

Relative numbers of each religion.

1205. In proportion to their numbers in the community, the Roman Catholics supplied nearly two and a half times as many arrested persons as the Protestants, nearly twice as many as the Jews, and more than three times as many as the Pagans. In view of a similar proportion, the Roman Catholics committed for trial were nearly twice as numerous as the Protestants, but not nearly so numerous as the Jews. It should be stated, however, that in the previous year the proportion committed for trial of Roman Catholics was only a fourth higher than, whilst that of Jews was three times as high as, that of Protestants. A statement of the offences which formed the grounds for arrest will be found in the next table but one.

Religions of persons convicted and sentenced.

1206. It is generally assumed that nearly every person sent to trial is guilty of the offence for which he was committed, and, although he may subsequently be acquitted, the probability is that a conviction would have been obtained if sufficient evidence had been available. On the other hand, it may be maintained that many of those discharged had been unjustly accused, and should not be classed as criminals. If the latter assumption be correct, it would appear by the following table—

which shows the number of the various religions tried and the number convicted together with the percentage of convictions obtained—that in 1885 a somewhat larger proportion of Roman Catholics were unjustly committed than of Protestants; which, however, is just the reverse of the experience of previous years; also that, in 1885, a smaller proportion of Jews, but a larger proportion of Pagans, were unjustly accused than in the case of either Protestants or Roman Catholics. It should, however, be pointed out that the number of Jews and Pagans committed for trial was so small that any proportions based thereon are but of little value:—

RELIGIONS OF PERSONS* TRIED† AND CONVICTED, 1885.

Religions.	Number Tried in 1885.†	Convictions in 1885.		Percentage in Year 1884.	Five Years, 1879-1883.
		Total Number.	Percentage of Number Tried.		
Protestants ...	424	285	67·1	63·1	65·8
Roman Catholics	221	142	64·3	66·5	68·8
Jews	7	7	100·0	57·1	77·3
Pagans	4	2	50·0	37·5	54·8
Others	9	8	...	...	...
Total ...	665	444	66·8	6·43	66·7

1207. The religions of the persons* taken into custody in 1885 are given in the following table in connexion with their offences:—

Causes of arrest, and religions.

CAUSES OF ARREST AND RELIGIONS, 1885.

Offence.	Religions.					Total.
	Protestants.	Roman Catholics.	Jews.	Pagans.	Others.	
Murder and attempt at murder	14	5	...	1	...	20
Manslaughter	5	6	...	...	...	11
Shooting at or wounding with intent to do bodily harm ...	32	28	...	2	1	63
Assault	967	843	4	20	33	1,867

* See paragraph 1183 ante.

† Exclusive of those not prosecuted, who numbered 102 in 1885. The number "tried," moreover, differs from the number "committed for trial," since the former is inclusive of those awaiting trial at the beginning, but exclusive of those awaiting trial, at the end of the year. In previous issues of the *Victorian-Year Book* the numbers "not prosecuted" were not eliminated.

CAUSES OF ARREST AND RELIGIONS, 1885—continued.

Offence.	Religions.					Total.
	Protestants.	Roman Catholics.	Jews.	Pagans.	Others.	
Rape and indecent assault on females	37	19	...	1	...	57
Unnatural offence, and assault with intent to commit	6	3	...	...	...	9
Other offences against the person	84	51	1	...	3	139
Robbery with violence, burglary, &c.	168	116	...	1	2	287
Horse, sheep, and cattle stealing, &c.	98	49	...	1	1	149
Other offences against property	1,745	1,160	50	35	36	3,026
Forgery and offences against the currency	68	12	...	...	...	80
Drunkenness	7,552	5,816	16	11	185	13,580
Other offences against good order	4,276	3,493	43	116	88	8,016
Offences relating to the carrying out of laws	123	81	1	4	1	210
Smuggling and other offences against the revenue	40	27	1	17	8	93
Offences against public welfare	764	433	17	5	29	1,248
Total	15,979	12,142	133	214	387	28,855

Causes of arrest of each sect compared.

1208. It will be observed that 14 Protestants, 5 Roman Catholics, and 1 Pagan, were arrested for murder and attempt at murder; 37 Protestants, 34 Roman Catholics, and 2 Pagans were arrested for manslaughter, shooting at, or seriously wounding; 37 Protestants and 19 Roman Catholics and 1 Pagan were arrested for sexual offences. Nearly 7,600 Protestants, over 5,800 Roman Catholics, 16 Jews, and 11 Pagans were arrested for drunkenness. No Jew was arrested during the year for murder, manslaughter, or a sexual offence.

Religions of drunkards.

1209. Arrests for drunkenness and other offences against good order were in the proportion of 74 per cent. of the total arrests of Protestants, of 77 per cent. of those of Roman Catholics, of 45 per cent. of those of Jews, of 59 per cent. of those of Pagans, and of 71 per cent. of those of persons of other beliefs. These proportions, except in the case of Pagans, the arrests of whom for drunkenness amounted to only 40 per cent. of the total arrests of Pagans in 1884, vary but little from year to year.

Occupations of persons arrested.

1210. The next table shows the occupations of the males and females taken into custody in 1885:—

OCCUPATIONS OF MALES AND FEMALES* ARRESTED, 1885.

Occupations.	Males.	Females.
CLASS I.—GOVERNMENTAL AND PROFESSIONAL.		
Government officer ...	6	...
Police, penal officer	4	...
Officer of local body	5	...
Army, navy—officer, man	13	...
Clergyman	3	...
Lawyer	28	...
Medical man, student	21	...
Dentist	7	...
Chemist and druggist	31	...
Midwife	...	2
Others connected with medicine	1	...
Author, editor, reporter	18	...
Science, connected with	7	...
Education, engaged in	28	10
Fine arts, engaged in	22	...
Photographer	1	...
Music, teacher of, musician	51	2
Theatres and exhibitions, connected with	20	2
CLASS II.—ENGAGED IN ENTERTAINING AND SERVING.		
Hotelkeeper	80	...
Board and lodging, connected with	5	...
Domestic servant, cook	243	669
Hotel, boarding-house, &c., servant	70	2
Charitable institution servant	...	...
Nurse (not servant)	1	9
Attendance, engaged in	1	21
CLASS III.—COMMERCIAL PURSUITS.		
Merchant, capitalist	12	...
Auctioneer, &c.	9	...
Broker, agent, &c.	137	...
Commercial clerk, &c.	332	...
Commercial traveller, salesman	122	...
Other mercantile persons	13	...
Shopkeeper	56	...
Pawnbroker	2	...
Hawker, pedlar	313	14
General dealer	234	5
Railway service	13	...
Omnibus, cab—driver, owner	260	...
Draymen, carter, carrier	326	...
Others connected with conveyance	4	...
Harbour, pier, pilot, lighthouse—service	...	...
Ship—owner, master, officer, seaman (not navy)	962	...
Steamship—engineer	...	...
Ship—servant, steward, &c.	29	2
Boatman, waterman, &c.	3	...
Stevedore and others connected with ships	3	...
Storage, engaged in	1	...
Messenger, porter, errand boy	22	...
Telegraph service	1	...

* See paragraph 1183 ante.

OCCUPATIONS OF MALES AND FEMALES* ARRESTED, 1885—*continued.*

Occupations.	Males.	Females.
CLASS IV.—AGRICULTURAL, PASTORAL, ETC.		
Farmer, market gardener, farm servant, labourer, &c. ...	748	1
Squatter, grazier, station servant, labourer, &c. ...	78	...
Land surveyor and assistants	13	...
Others connected with selection	2	...
Horse dealer, proprietor, &c.	6	...
Veterinary surgeon, farrier	6	...
Horse-breaker, groom, jockey	280	...
Live stock salesman	3	...
Game, rabbit catcher	3	...
Fisherman	27	...
Drover and others engaged about animals	59	...
CLASS V.—INDUSTRIAL.		
Bookseller, newsvendor, &c.	38	...
Bookbinder	10	...
Printer	145	...
Musical instrument tuner	2	...
Prints and pictures, connected with	6	...
Carving and figures, connected with	12	...
Designs and medals, connected with ... ..	...	...
Watch and clock maker, dealer	49	...
Philosophical instrument maker, dealer ... ..	...	...
Optician	1	...
Gunsmith, &c.	8	...
Mechanical or undefined engineer	176	...
Toolmaker, cutler, &c.	12	...
Carriagemaker, wheelwright	71	...
Saddle, harness, and whip maker, dealer	117	...
Shipwright, rigger, boatbuilder	20	...
Sailmaker, shipchandler, &c....	19	...
Builder, contractor, architect... ..	79	...
Carpenter, joiner	643	...
Bricklayer, mason, plasterer, shingler, slater	551	...
Painter, paperhanger, plumber, &c.	377	...
Others connected with buildings	3	...
Cabinet, &c., maker, dealer	78	...
Undertaker	1	...
Chemicals, working or dealing in	5	...
Draper and assistants	56	1
Wool-classer	36	...
Textile fabrics, manufacturer of, weaver	19	1
Hairdresser, wigmaker, &c.	29	...
Hat and cap maker	21	2
Tailor, tailoress, dealer in clothing	207	27
Milliner, dressmaker ... ..	...	40
Clothing manufacture, engaged in	5	21
Boot and shoe maker	753	...
Shoeblock	1	...
Umbrella—maker, mender	12	...
Laundryman	1	...
Rope, mat, sack, maker	18	...
Tent, tarpaulin, maker, canvas dealer	1	...
Cowkeeper, dairyman, woman	16	...
Butcher, &c.	232	...
Poulterer, fishmonger	37	1

* See paragraph 1183 *ante.*

OCCUPATIONS OF MALES AND FEMALES* ARRESTED, 1885—*continued.*

Occupations.	Males.	Females.
CLASS V.—INDUSTRIAL— <i>continued.</i>		
Other dealers in animal food...	1	...
Miller, grain and flour dealer, and assistants	8	...
Baker, confectioner ...	191	...
Greengrocer, fruiterer ...	5	1
Others dealing in vegetable food	...	...
Brewing, connected with ...	12	...
Gingerbeer and sodawater maker	4	...
Sugar refiner ...	1	...
Grocer and assistants ...	61	2
Tobacco manufacture, engaged in	37	2
Tobacconist ...	10	2
Opium shopkeeper ...	2	...
Soapboiler, candlemaker, tallowmelter	8	...
Tanner, fellmonger, currier ...	52	...
Leather articles, maker of ...	1	...
Brush and broom maker ...	5	...
Animal matters, working or dealing in	9	...
Japanner, french polisher ...	58	...
Timber merchant and assistant ...	2	...
Firewood—dealer, chopper, splitter, fencer	45	...
Cooper, turner ...	70	...
Sawyer, sawmill owner, worker ...	40	...
Basketmaker ...	6	...
Chaffcutter ...	...	...
Papermaker ...	1	...
Rag and bottle gatherer ...	60	...
Billsticker ...	10	...
Vegetable matters, others working or dealing in	10	...
Mining, engaged in ...	680	...
Coal and charcoal, working or dealing in	5	...
Chimney sweep ...	17	...
Quarryman, limeburner, &c. ...	32	...
Brickmaker, potter ...	86	...
China, glass, &c., maker, dealer	1	...
Navy, platelayer ...	22	...
Nightman, scavenger ...	5	...
Earth, stone, glass, &c., others working or dealing in	23	...
Dealing in water or ice ...	1	...
Goldsmith, silversmith, jeweller ...	24	...
Ironfounder, blacksmith, locksmith	418	...
Ironmonger ...	16	...
Brassfounder, finisher, gasfitter	64	...
Other metals, working or dealing in	119	...
CLASS VI.—INDEFINITE AND NON-PRODUCTIVE.		
Labourer ...	10,657	...
Indefinite—Mechanic, manager, apprentice, &c.	124	...
Engine-driver, undescribed ...	81	...
Independent means ...	6	...
Prostitute, brothel-keeper ...	...	1,546
No stated occupation, over 15 years of age	809	3,118
" " under " "	644	197
Total ...	23,155	5,700

* See paragraph 1183 *ante.*

Chief occupations of persons arrested.

1211. It will be observed that, of the males arrested, nearly half were labourers; and that, of other occupations, those most frequently arrested were sailors, shoemakers, miners, farmers and farm labourers, carpenters, and bricklayers, in the order named. No occupation was returned in 1,453 cases, but of these 644 were youths, and of the others it is probable that most of them belonged to the criminal classes. Of the females arrested, more than a fourth were set down as prostitutes or brothel-keepers. Nearly three-fifths, including 197 young girls, were of no specified occupation; and of the few returned as following regular occupations more than four-fifths were domestic servants, and the bulk of the remainder were dressmakers and tailoresses.

Arrests of distinct individuals.

1212. It has been already stated that, in making up the returns, a person arrested more than once is counted as a separate individual in respect to each arrest or charge,* but it is possible to ascertain approximately the actual numbers passing through the hands of the police by means of a close comparison of the names, ages, birthplaces, religions, occupations, residences, &c., of the individuals in question. This is too tedious and laborious—and consequently expensive—an investigation to be attempted every year, but it has been done for 1884, so far as the sexes and birthplaces of the persons arrested are concerned, and the result is given in the following table:—

DISTINCT INDIVIDUALS ARRESTED, 1884.

Sex and Birthplace of Arrested Persons.	Number of Charges on which Arrests were made.	Number of Distinct Individuals Arrested.	Number of Charges on which Distinct Individuals were Arrested.																			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	19	20	28	
SEX.																						
Males	21,908	16,229	12,822	2,231	698	238	110	52	33	15	11	4	3	2	1	3	2	1	..	2	1	
Females	5,595	3,628	2,682	518	191	118	38	34	13	13	9	2	2	..	2	2	1	2	1	..	..
Total	27,503	19,857	15,504	2,749	889	356	148	86	46	28	20	6	5	2	3	5	3	3	1	2	1	
BIRTHPLACE.																						
Victoria	7,441	5,413	4,206	764	260	92	49	18	11	7	1	1	1	..	..	2	1	..	..	..	..
Other Australasian Colonies	1,386	1,020	801	144	48	16	4	2	..	1	1	..	1	..	..	1	1	..	..	..	..
England and Wales	6,726	4,951	3,951	640	197	72	37	23	14	6	3	1	..	1	1	1	1	1	..	2	..	
Scotland	2,607	1,883	1,460	274	82	40	10	6	1	2	4	1	1	..	1	1	..	..	..	..	..
Ireland	7,538	5,180	3,931	752	250	119	46	32	20	10	10	3	1	1	1	..	..	2	1	..	1
Other British possessions	153	113	84	24	3	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..
France	112	83	67	7	6	2	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Germany	326	277	240	30	4	2	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
United States	363	266	209	36	13	5	..	1	..	1	1	..	..	..	..	..	..	..	..	..	..
China	195	169	152	10	5	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Other Countries and Unknown.. ..	656	502	403	68	21	5	1	3	..	..	..	..	1	..	..	..	..	..	..	..	..

* See paragraph 1183 ante.

1213. The total number of charges shown in the table (27,503) corresponds with the number of persons set down as arrested in the returns for 1884, but it is seen that only 19,857 were distinct individuals, or nearly a fourth less than that number. Of these, 15,504, or 78 per cent., were only arrested once; 2,749, or 14 per cent., were arrested or charged twice; 889, or 4 per cent., three times; 356, or 2 per cent., four times; and 359, or 2 per cent., more than four times, 2 having being arrested or charged as many as twenty, and 1 as many as twenty-eight times.

Individuals
arrested
more than
once.

1214. It appears that the tendency of females to be arrested over and over again, or on several charges, is greater than that of males, for whereas, in 1884, only 21 per cent. of the males who fell into the hands of the police were apprehended more than once, or were charged with more than one offence, as many as 26 per cent. of the females who fell into the hands of the police were so apprehended or charged.

Sexes of
those
arrested
more than
once.

1215. Twenty-six per cent. of the natives of British Possessions outside of the United Kingdom and the Australasian Colonies were taken into custody or charged with an offence more than once during the year, as also were 24 per cent. of the Irish, 22 per cent. of the Victorians, the other Australians, and the Scotch, 21 per cent. of the Americans, 20 per cent. of the English, 19 per cent. of the French, 13 per cent. of the Germans, and 10 per cent. of the Chinese.

Countries
of those
arrested
more than
once.

1216. The distinct persons taken into custody for drunkenness during 1884 numbered 10,287 and, of these 1,520, or 15 per cent., were apprehended more than once, viz. :—994 twice, 288 thrice, 112 four times, 51 five times, 25 six times, 19 seven times, 11 eight times, 7 nine times, 1 ten times, 4 eleven times, 1 twelve times, 2 thirteen times, 1 fourteen times, 2 fifteen times, 1 twenty times, and 1 twenty-six times.

Individuals
arrested
more than
once for
drunken-
ness.

1217. Whilst the number of individuals arrested for drunkenness was 10,287, the charges of drunkenness brought against them numbered 12,938; but these persons were charged with 2,622 other offences, so that the total number of charges of all kinds against drunkards was 15,560, as against 27,503 charges of all descriptions. Thus 57 per cent. of the offences for which persons were arrested, during 1884, were committed by persons who were arrested, during the same year for drunkenness.

Drunkards
charged
with other
offences.

1218. The results of summary disposal of cases by magistrates in the year 1885 were as follow :—

Results of
summary
disposal.

SUMMARY DISPOSAL BY MAGISTRATES OF ARRESTED PERSONS,* 1885.

Sentence.				Males.	Females.
Imprisonment for 2 years	...	...	...	9	...
„ 1 year and under 2 years	...	...	...	150	94
„ 6 months and under 1 year	...	...	...	211	126
„ 5 months	...	...	...	3	...
„ 4 months	...	...	...	20	3
„ 3 months	...	...	...	768	400
„ 2 months and under 3 months	...	...	...	208	45
„ 1 month and under 2 months	...	...	...	1,014	454
„ 15 days and under 1 month	...	...	...	19	11
„ 8 days and under 15 days	...	...	...	594	199
„ 7 days and under	...	...	...	4,044	1,286
Fined	...	...	...	6,829	697
Ordered to find bail	...	...	...	329	57
Sent to lunatic asylum	...	...	...	231	129
Sent to industrial school or reformatory	...	...	...	264	135
Otherwise dealt with	...	...	...	80	4
Total sentenced				14,773	3,640
Discharged				7,717	1,957
Total summarily disposed of				22,490	5,597

Sentences by magistrates.

1219. Of the persons sentenced by magistrates during 1885, 46 per cent. of the males, and 19 per cent. of the females, were fined ; 32 per cent. of the former, and 41 per cent. of the latter, were sentenced to imprisonment for various terms under a month, and 15 and 28 per cent., respectively, for periods varying from 1 to 12 months ; about 1 per cent. of the males, and 3 per cent. of the females, were sentenced to more than 1 year's imprisonment ; the balance, or 6 per cent. of the males and 9 per cent. of the females, were sent to Lunatic Asylums, Industrial and Reformatory Schools, or were otherwise disposed of.

Whipping ordered by magistrates.

1220. Corporal punishment to males may be ordered by magistrates for certain offences. In such cases the offender may be sentenced to be whipped once, twice, or thrice, at the discretion of the bench. No offenders were so sentenced in 1885 or 1884 ; but in 1883 two offenders were so sentenced, one of whom was to receive one whipping of fourteen lashes, and the other two whippings of twenty-five lashes each. These were the only occasions during the last six years that whipping was ordered by magistrates.

Whipping recommended for youths.

1221. Mr. Inspector-General Brett in his report for 1885,† page 7, recommends the substitution of whipping for imprisonment in the case of juvenile offenders. The following are Mr. Brett's words :—

“As to the most suitable punishment for juvenile offenders, the difficulty is greatly enhanced by the palpable and serious evils arising from the imprisonment of youths either together or with adults, even for short periods of time. The inevitable tendency is to sink the younger offenders to the level of the worst of

* See paragraph 1183 *ante*.

† Parliamentary Paper No. 50, Session 1886.

those amongst whom they are confined. Punishment of a summary kind, in the shape of personal chastisement, would be the most efficacious, and should be administered, not once only, but again and again for repeated offences, rather than to send youths to gaol. It should only be inflicted with a birch rod, never with the lash; and in no case should any sentence be for more than twenty-five stripes, all to be inflicted at one time, and in the prisoners' room of the court-house, or in the police lock-up, and the youthful offender discharged whilst smarting from the effects; or this punishment might be held over, and the youth allowed to go on probation, and be liable to undergo the chastisement on a future occasion, if brought up for a subsequent offence during the period of probation.

"It is a matter of vital importance to this colony how young offenders are managed, and when we have learned satisfactorily to dispose of such youths, there will be in the future a scarcity of adult criminals by natural consequence. An important step towards the solution of the problem may be found in making their offences appear contemptible and unpopular by the use of the birch rod, thus depriving crime of the halo which surrounds its exploits in the youth's mind."

1222. The results of the commitments for trial at the three periods already referred to were as follow :— Results of committals for trial.

RESULTS OF COMMITMENTS FOR TRIAL, 1875, 1880, AND 1885.*

—	1875.	1880.	1885.
Number for trial	656	664	767
Convicted and sentenced... ..	427	398	444
Acquitted	170	208	221
Not prosecuted	59	58	102

1223. Of those committed for trial, 597 were eventually tried in 1875, 606 in 1880, and 665 in 1885. At the first period 72 per cent., at the second period 66 per cent., and at the third period 67 per cent., of the trials resulted in convictions. Proportion of convictions obtained.

1224. The following are the sentences of the prisoners tried and convicted in superior courts during the year under review :— Sentences in superior courts.

SENTENCES OF PERSONS TRIED AND CONVICTED, 1885.

Sentence.	Males.	Females.
Death	6	1†
Hard labour on roads or public works for 10 years and under 15 years ...	1	...
" " " 7 years and under 10 years ...	4	...
" " " 4 years and under 7 years ...	19	...
Imprisonment for 2 years and under 4 years	101	2
" 1 year and under 2 years	98	5
" 6 months and under 1 year	72	7
" 1 month and under 6 months	73	15
" under 1 month	23	9
Fined	3	...
Recognizances estreated	3	...
To find bail to appear when called upon	2	...
Total tried and convicted	405	39

* Including those who were remaining for trial from the previous year, but excluding those awaiting trial at the end of the year. † Death recorded.

Length of sentences in superior courts.

1225. Of males convicted in superior courts, 6 were sentenced to death, and all but 8 of the remainder to terms of imprisonment, with or without hard labour; of those imprisoned, more than two-thirds were sentenced for periods of less than two years, and only one-sixteenth to more than four years. Of the females, 7 were sentenced to over one, and 31 to under one, year's imprisonment. Only one male was sentenced to be imprisoned for a longer period than ten years. No female was sentenced to a longer period than four years.

Solitary confinement ordered by superior courts.

1226. In addition to terms of imprisonment named in the foregoing table, 94 persons were ordered to be kept in solitary confinement for periods varying from a few days to 12 weeks in the year. Ten of these had been convicted of murder, attempt to murder, or manslaughter; 2 of assault; 1 of rape; 24 of robbery under arms or burglary; 6 of sheep or cattle stealing, &c.; 34 of other offences against property; 16 of forgery; and 1 of offences relating to carrying out laws. In some instances the sentences of this kind were very severe; thus, one offender convicted of robbery with violence, sentenced to between 2 and 4 years' imprisonment, was ordered to be placed in solitary confinement for 15 periods of 2 weeks each and to receive one whipping of 20 lashes; another, convicted of forgery, sentenced to between 4 and 7 years' imprisonment, was ordered to be kept in solitary confinement for various periods amounting altogether to 60 weeks; another, also convicted of robbery with violence, was sentenced to 10 months, with solitary confinement for a period of 14 days in each month; and another, for a similar offence, was sentenced to between 2 and 4 years with solitary confinement for 36 periods of 4 days each.

Separate and solitary confinement

1227. In his report for 1885, already alluded to,* Mr. Inspector-General Brett states, at page 8, his opinion upon the relative merits of separate and solitary confinement, giving his verdict decidedly in favour of the former. The following are his words:—

“By regulations of the Governor in Council, the separate system is applicable to all first convicted prisoners sentenced to a term of imprisonment not exceeding six months, and although limited in its operation (by want of a sufficient number of separate cells to men of short sentences in the Melbourne Gaol, and not applied to the women there at all, for the same reason, but more extensively to both male and female prisoners in the country gaols), it is nevertheless a step towards the education of the officers in working this system, and the devices resorted to by first offenders to escape the punishment speaks well for its efficacy. The great drawback of separation in this colony is the want of profitable or suitable work for prisoners in separate cells, and the costly character of the system; but as compared with association, and the many evils inseparable from it, the advantages are all in favour of the former, bearing in mind the primary objects of penal discipline, as tending to the diminution of crime. Solitary confinement differs so much from separate confinement, that the features of the two systems are distinctly and prominently brought forward. “Solitary confinement” is a condition of as positive

* See paragraph 1221 *ante*.

seclusion from human society as is practicable. The prisoner's diet is restricted to mere bread and water, and no employment of any kind interferes with the unbroken seclusion of his cell. The privations are both bodily and mental, the object being to punish by the operation of pain and fear, and not to effect a lasting moral benefit for himself, but to employ harsh measures to attain a temporary purpose. In "separate confinement" the prisoner is provided with sufficient food and given employment in his cell and not consigned to torpor and other bad consequences of idleness, the permanent moral benefit of the prison is the object which he can plainly see the system has in view, because an appeal is made to his moral sense and understanding. Contrasting these two systems, it is worthy of consideration whether the separate system does not contain in itself the elements of penal and reformatory discipline judiciously combined, and in due proportions, being more humane and salutary on the whole, and in accord with the tendencies of the age, which demand that criminals are to be regarded as rational and responsible beings, and that those placed in authority over them are not merely their legal custodians, but responsible for using the most effectual means to punish and restore them to society as better and more useful members of the community."

1228. The total number of offenders sentenced by superior courts to be whipped was 6. Rape or indecent assaults on females were the crimes of two of these, for one of whom 2 whippings, for another 1 whipping, of 10 lashes each, were ordered. Robbery with violence was the crime of the four remaining offenders, one of whom were sentenced to receive 2 whippings on each occasion, and three 1 whipping; one of the latter was to receive 20 lashes, but the number in the other cases was not stated. Judges of the Supreme Court and Courts of General Sessions can sentence males to receive corporal punishment, under Act 27 Vict. No. 233, for unnatural offences, attempts to choke in order to commit an offence, for robbery under arms, and, in the case of youths under sixteen, for several other offences; also, under Act 35 Vict. No. 399, for attempts to commit rape, or for rape itself where sentence of death is commuted. The greatest number of whippings an individual can be sentenced to receive for one offence is three, and the greatest number of lashes at each whipping is 50.

Whippings
ordered by
superior
courts.

1229. The number of individuals sentenced to corporal punishment in 1874 was 11, viz., 6 by magistrates and 5 by superior courts; the number in 1875 was 5, viz., 2 by magistrates and 3 by superior courts; the number in 1876 was 11, viz., 1 by magistrates and 10 by superior courts; the number in 1877 was 11, viz., 5 by magistrates and 6 by superior courts; the number in 1878 was 17, viz., 2 by magistrates and 15 by superior courts; the number in 1879 was 9, viz., 4 by magistrates and 5 by superior courts; the number in 1880 was 5, 17 in 1881, 8 in 1882—all by superior courts; the number in 1883 was 14, viz., 2 by magistrates and 12 by superior courts; the number in 1884 was 17, and the number in 1885 was 6, all by superior courts. The total number of whippings directed to be administered in the twelve years was 189, of which 27 were ordered by magistrates, and 162 by superior courts. The number of persons sentenced to be whipped in 1885 was

Whippings
ordered,
1874-1885.

thus larger than that in 1875 or 1880, but much smaller than in any other year of the period. The average number of whippings per individual in the twelve years was 1.5.

Executions.

1230. Three criminals, all Englishmen, and claiming to be members of the Church of England, were executed in 1885, the offences of 2 being murder and the offence of 1 shooting with intent to murder. Since the first settlement of Port Phillip, 140 criminals have been executed within the colony, of whom only one was a female. No execution took place in 1882, or in 1878, 1874, 1850, 1849, 1846, 1845, 1844, 1843, or any year prior to 1842, but one or more executions took place in all the other years. The following table shows the birthplaces of the persons executed, the religions they professed, and the crimes they expiated on the scaffold:—

CRIMINALS EXECUTED, 1842 TO 1885.

Birthplace, Religion, and Offence.								Number.
Total number executed								140
Birthplace—								
Victoria	...	...	...	...	...	...	...	4
Other Australian colonies	...	...	...	...	...	...	...	6
England	...	...	...	...	...	...	...	59
Wales	...	...	...	...	...	...	...	2
Ireland	...	...	...	...	...	...	...	41
Scotland	...	...	...	...	...	...	...	7
West Indies	...	...	...	...	...	...	...	2
Belgium	...	...	...	...	...	...	...	1
France	...	...	...	...	...	...	...	1
Switzerland	...	...	...	...	...	...	...	1
Germany	...	...	...	...	...	...	...	1
Sweden	...	...	...	...	...	...	...	1
Sicily	...	...	...	...	...	...	...	1
United States of America	...	...	...	...	...	...	...	4
China	...	...	...	...	...	...	...	8
At sea	...	...	...	...	...	...	...	1
Religion—								
Church of England	...	...	...	...	...	...	...	32
Presbyterian	...	...	...	...	...	...	...	5
Wesleyan	...	...	...	...	...	...	...	7
Baptist	...	...	...	...	...	...	...	1
Lutheran	...	...	...	...	...	...	...	2
Protestant undefined	...	...	...	...	...	...	...	30
Roman Catholic	...	...	...	...	...	...	...	52
Pagan	...	...	...	...	...	...	...	6
No Religion	...	...	...	...	...	...	...	5*
Offence—								
Murder	...	...	...	...	...	...	...	104
Attempt to murder	...	...	...	...	...	...	...	17
Rape	...	...	...	...	...	...	...	9
Unnatural offence on a child	...	...	...	...	...	...	...	1
Robbery with violence	...	...	...	...	...	...	...	9

* Aborigines.

1231. The offences in respect to which no persons were apprehended numbered 3,879 in 1885, or 170 less than in 1884, and 1,510 less than in 1883. As compared with 1884, those against property decreased by 249, but those against the person increased by 41, and other offences by 38. The following are the undetected offences in the last eleven years. It will be noticed that, whilst the total number in 1883 was higher, the number in 1885 was lower, than in any previous year:—

UNDETECTED CRIME, 1875 TO 1885.

Year.	Number of Offences.			
	Against the Person.	Against Property.	Other Offences.	Total.
1875	321	3,830	493	4,644
1876	381	3,968	378	4,727
1877	457	4,431	463	5,351
1878	496	4,011	385	4,892
1879	503	3,763	364	4,630
1880	613	3,935	350	4,898
1881	461	3,770	400	4,631
1882	572	3,980	433	4,985
1883	596	4,209	584	5,389
1884	450	3,249	350	4,049
1885	491	3,000	388	3,879

1232. With reference to the offences set down as undetected, it should be remarked that in all probability the malefactors do not in all such cases escape entirely. The returns are made up in the month of April of the year following that in which the offence is reported, and he who committed it may be arrested after that date, or may even before that date be arrested, and perhaps punished, for other misdeeds.

1233. The next four tables, giving details of crime in the various Australasian colonies, have been compiled in the office of the Government Statist, Melbourne, from their respective *Statistical Registers*. The first of these gives for each colony, and for the whole of Australasia, during each of the nine years 1876 to 1884, a statement of the number of offences for which persons were apprehended or summoned, were summarily convicted or held to bail, were committed for trial, and were convicted after commitment. In the returns of the number of cases in respect to which persons were summoned, those so dealt with on account of matters coming under the head of civil jurisdiction are omitted in all the colonies:—

CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1884.

Name of Colony.	Number of Offences for which Persons were—				
	Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.	
Victoria	1876	42,297	27,505	680	384
	1877	45,844	29,528	594	340
	1878	44,742	29,452	658	458
	1879	43,936	28,266	628	397
	1880	41,778	26,950	680	398
	1881	44,730	29,131	591	332
	1882	47,234	31,542	616	402
	1883	48,974	33,480	606	350
	1884	51,397	34,456	695	407
New South Wales †	1876	45,105	30,404	1,391	822
	1877	47,739	33,003	1,517	829
	1878	53,325	37,924	1,803	959
	1879	53,870	38,828	1,743	1,090
	1880	57,784	42,205	1,717	1,148
	1881	66,600	51,130	1,626	1,058
	1882	65,936	50,126	1,724	1,065
	1883	72,231	55,463	1,606	1,008
	1884	75,680	57,897	1,550	928
Queensland †	1876	10,180	6,126	285	132
	1877	9,929	6,444	312	177
	1878	9,563	6,153	344	197
	1879	9,058	5,762	377	185
	1880	9,133	6,051	316	170
	1881	10,063	7,253	264	126
	1882	11,649	8,025	308	144
	1883	13,804	9,788	427	193
	1884	15,518	11,620	555	274
South Australia	1876	9,375	7,929	239	129
	1877	10,314	8,696	240	156
	1878	13,682	11,685	369	229
	1879	12,843	10,970	384	223
	1880	15,063	12,814	353	199
	1881	15,347	13,258	342	213
	1882	14,672	12,634	339	211
	1883	13,104	11,378	305	166
	1884	11,988	10,425	293	127
Western Australia...	1876	7,509	5,847	95	47
	1877	6,855	5,272	83	27
	1878	6,126	4,552	102	45
	1879	6,471	4,853	85	53
	1880	5,577	4,221	50	25
	1881	5,460	4,134	109	61
	1882	5,089	3,683	90	46
	1883	4,739	3,450	72	46
	1884	4,831	3,477	64	40

* Not including civil cases.

† Cases brought up for lunacy are not included in the returns of New South Wales, Queensland, and Tasmania. In New South Wales, 814 lunatics during 1876, 955 during 1877, 879 during 1878, 863 during 1879, 879 during 1880, 867 during 1881, 835 during 1882, 647 during 1883, and 665 in 1884; and in Queensland, 320 during 1876, 288 during 1877, 384 during 1878, 317 during 1879, 387 during 1880, 357 during 1881, 434 during 1882, 508 during 1883, and 384 during 1884; and in Tasmania, 65 lunatics in 1884, were admitted to asylums. Probably four-fifths of these were apprehended by the police.

CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1884—*continued.*

Name of Colony.			Number of Offences for which Persons were—				
			Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.	
Tasmania †	1876	7,523	5,659	96	51
			1877	6,606	5,140	102	49
			1878	6,644	5,131	113	54
			1879	7,184	5,641	110	67
			1880	6,908	5,418	117	73
			1881	6,229	4,799	90	51
			1882	7,615	5,942	93	36
			1883	8,039	5,394	88	33
		1884	6,273	4,843	70	39	
New Zealand †	1876	22,141	16,100	414	249
			1877	21,953	16,293	405	250
			1878	22,237	16,370	415	292
			1879	22,492	16,088	734§	296
			1880	21,181	15,025	592	370
			1881	19,796	14,079	474	235
			1882	22,659	16,573	467	219
			1883	23,090	16,944	459	231
		1884	23,572	17,968	509	241	
Australasia †	1876	144,130	99,570	3,200	1,814
			1877	149,240	104,376	3,253	1,828
			1878	156,319	111,267	3,804	2,234
			1879	155,854	110,408	4,061	2,311
			1880	157,424	112,684	3,825	2,383
			1881	168,225	123,784	3,496	2,076
			1882	174,854	128,525	3,637	2,123
			1883	183,981	135,897	3,563	2,027
		1884	189,259	140,686	3,736	2,056	

1234. By this table it would appear that crime is so much more prevalent in New South Wales than in Victoria that, notwithstanding the smaller population, there has been, in every year, under all the heads, larger numbers in the former colony than in the latter. This is particularly observable in regard to serious offences, the commitments for trial and convictions thereafter being in New South Wales considerably more than twice as numerous as in Victoria. Some improvement, however, in regard to offences of this character has taken place in the former colony during the last two years. In 1884, the apprehensions and summonses in New South Wales exceeded those in Victoria by 47 per cent., and the summary convictions by 68 per cent. It must,

Large amount of crime in New South Wales.

* Not including civil cases.

† The figures for Tasmania in the first two columns, and consequently also those for Australasia, differ from those given last year, owing to the exclusion from the Tasmanian returns of charges of lunacy and those civil cases for non-payment of rates and taxes, which had previously been included.

‡ Maoris are included. In 1884, the number of cases in which they were concerned was 467—in 296 of which summary convictions were obtained, in 113 cases the prisoner was discharged, and in 58 cases committed for trial.

§ This large increase appears to have been owing to Maori disturbances, as 202 of that race were committed for trial in 1879, as against only 18 in the previous year.

moreover, be remembered that the returns of the latter are swelled by the apprehensions of lunatics, whilst these are not included in the returns of the former.

Proportion of
crime in
each colony.

1235. The position of the different colonies in respect to crime will be better ascertained by means of the next table, which shows the proportion that the number of apprehensions and summons cases,* of summary convictions, of commitments for trial, and of convictions after commitment, occurring in each colony during the last nine years, bore to the average population of the same colony; also, the proportion in each colony of summary convictions to apprehensions and summons cases, and of convictions after commitment to commitments:—

PROPORTION OF ARRESTS, COMMITMENTS, AND CONVICTIONS IN AUSTRALASIAN COLONIES TO POPULATION, ETC., 1876 TO 1884.

Name of Colony.	Proportion per 1,000 of the Population of—		Proportion per 10,000 of the Population of—		Proportion per Cent. of—		
	Apprehensions and Summons Cases.*	Summary Convictions.	Commitments for Trial.	Convictions after Commitment.	Summary Con- victions to Ap- prehensions and Summons Cases.*	Convictions after Commitment to Commitments.	
Victoria	1876	53·10	34·53	8·54	4·82	65·03	56·47
	1877	56·69	36·52	7·35	4·20	64·40	57·24
	1878	54·47	35·85	8·01	5·58	65·82	69·60
	1879	52·68	33·89	7·53	4·76	64·33	63·22
	1880	49·13	31·69	8·00	4·68	64·51	58·53
	1881	51·48	33·52	6·80	3·82	65·13	56·18
	1882	53·04	35·42	6·92	4·51	66·78	65·26
	1883	53·39	36·50	6·61	3·82	68·36	57·76
	1884	54·33	36·42	7·35	4·30	67·04	58·56
New South Wales	1876	72·96	49·18	22·50	13·30	67·40	59·10
	1877	73·90	51·09	23·48	12·83	69·13	54·65
	1878	78·65	55·94	26·59	14·15	71·12	53·19
	1879	75·45	54·38	24·41	15·27	72·08	62·54
	1880	80·11	58·52	23·81	15·92	73·04	66·86
	1881	87·29	67·01	21·31	13·87	76·77	65·07
	1882	82·49	62·71	21·57	13·32	76·02	61·77
	1883	85·64	65·76	19·04	11·95	76·79	62·76
	1884	84·53	64·67	17·31	10·37	76·50	59·87
Queensland	1876	55·27	33·26	15·47	7·17	60·18	46·32
	1877	50·89	33·03	15·99	9·07	64·90	56·73
	1878	46·24	29·75	16·63	9·53	64·34	57·27
	1879	42·29	26·90	17·60	8·64	63·61	49·07
	1880	41·15	27·26	14·24	7·66	66·25	53·80
	1881	45·53	32·82	11·95	5·70	72·08	47·73
	1882	49·03	33·77	12·96	6·06	68·89	46·75
	1883	51·53	36·54	15·94	7·20	70·90	45·20
	1884	51·95	38·89	18·58	9·17	74·88	49·38

* Not including civil cases.

PROPORTION OF ARRESTS, ETC., 1876 TO 1884—continued.

Name of Colony.	Proportion per 1,000 of the Population of—		Proportion per 10,000 of the Population of—		Proportion per Cent. of—		
	Apprehensions and Summons Cases.*	Summary Convictions.	Commitments for Trial.	Convictions after Commitment.	Summary Convictions to Apprehensions and Summons Cases.*	Convictions after Commitment to Commitments.	
South Australia	1876	42·99	36·36	10·96	5·92	84·58	53·97
	1877	44·60	37·60	10·38	6·75	84·31	65·00
	1878	56·34	48·12	15·20	9·43	85·40	62·06
	1879	50·50	43·17	15·11	8·77	85·48	58·07
	1880	57·16	48·63	13·40	7·55	85·07	56·43
	1881	53·18	45·94	11·81	7·38	86·39	62·28
	1882	50·61	43·58	11·69	7·28	86·11	62·24
	1883	43·82	38·05	10·20	5·55	86·82	54·43
	1884	38·83	33·78	9·49	4·11	86·96	43·34
Western Australia	1876	277·95	216·43	35·17	17·40	77·87	49·47
	1877	248·55	191·16	30·09	9·79	76·90	32·53
	1878	218·77	162·56	36·43	16·07	74·31	44·11
	1879	227·72	170·78	29·91	18·65	75·00	62·35
	1880	193·35	146·34	17·33	8·67	75·69	50·00
	1881	182·93	138·50	36·52	20·44	75·71	55·96
	1882	167·46	121·19	29·62	15·14	72·37	51·11
	1883	151·73	110·46	23·05	14·72	72·80	63·89
	1884	149·43	107·55	19·80	12·37	71·97	62·50
Tasmania† ...	1876	71·94	54·11	9·18	4·88	78·29	53·12
	1877	62·15	48·37	9·60	4·61	79·97	48·04
	1878	61·22	47·28	10·41	4·98	79·00	47·78
	1879	64·60	50·73	9·89	6·02	81·08	60·91
	1880	60·80	47·69	10·30	6·43	80·19	62·40
	1881	53·11	40·91	7·67	4·35	78·64	56·67
	1882	63·09	49·23	7·70	2·98	78·73	38·71
	1883	64·65	43·37	7·08	2·65‡	80·80	37·50
	1884	48·86	37·72	5·45	3·04	77·20	55·71
New Zealand ...	1876	57·14	41·55	10·68	6·43	72·72	60·14
	1877	53·76	39·90	9·92	6·12	74·22	61·73
	1878	52·74	38·82	9·84	6·92	73·62	70·36
	1879	50·19	35·90	16·38§	6·61	71·53	40·33||
	1880	44·66	31·68	12·48	7·80	70·94	62·50
	1881	40·11	28·52	9·60	4·76	71·12	49·58
	1882	44·49	32·54	9·17	4·30	73·14	46·90
	1883	43·62	32·01	8·67	4·36	73·38	50·33
	1884	42·66	32·51	9·21	4·36	76·23	47·35
Total Australasia†	1876	60·81	42·03	13·50	7·77	69·35	56·70
	1877	60·55	42·35	13·20	7·54	70·10	56·19
	1878	61·18	43·54	14·89	8·91	71·32	58·73
	1879	58·62	41·53	15·28	8·93	71·06	56·91
	1880	58·87	42·15	14·33	8·91	71·73	62·30
	1881	60·46	44·49	12·62	7·46	73·68	59·38
	1882	60·70	44·64	12·64	7·37	73·57	58·37
	1883	61·07	45·11	11·83	6·73	74·50	56·80
	1884	59·85	44·49	11·81	6·47	74·33	55·06

* Not including civil cases.

† The figures for Tasmania, and, consequently, those for Australasia, in the first two columns, have been revised. See footnote (†) on page 595 ante

‡ This small proportion is in consequence of the large number of cases not prosecuted.

§ See footnote (§) on page 695 ante.

|| This small proportion of convictions is owing to the fact that the Maoris committed for disturbances of a political nature were leniently dealt with.

Order of colonies in respect to apprehensions, &c.

1236. In regard to the proportion of offences for which apprehensions were made or summonses issued, Western Australia and New South Wales have stood at the head of the list throughout the nine years named, and Tasmania stood next until 1884, when Victoria and Queensland rose above that colony. New Zealand stood lowest on the list until 1884, when that place was occupied by South Australia. The following is the order of the various colonies in this respect in 1884, the colony with the highest proportion of persons apprehended or summoned on criminal charges being placed first, and that with the lowest last:—

ORDER OF COLONIES IN REFERENCE TO NUMBERS APPREHENDED OR SUMMONED IN PROPORTION TO POPULATION, 1884.

- | | |
|-----------------------|---------------------|
| 1. Western Australia. | 5. Tasmania. |
| 2. New South Wales. | 6. New Zealand. |
| 3. Victoria. | 7. South Australia. |
| 4. Queensland. | |

Order of colonies in respect to summary convictions.

1237. As regards the persons summarily convicted, in proportion to population, Western Australia, New South Wales, and Tasmania have usually been at the top of the list; but, in 1884, the proportion in Queensland, where it had considerably increased, was somewhat higher than in Tasmania, where it had fallen off. Victoria generally occupies the fifth position, showing a smaller proportion of summary convictions than the four colonies referred to. The following is the order in which the colonies stood in this particular, the colony with the highest proportion of summary convictions being placed first and the rest in succession:—

ORDER OF COLONIES IN REFERENCE TO SUMMARY CONVICTIONS IN PROPORTION TO POPULATION, 1884.

- | | |
|-----------------------|---------------------|
| 1. Western Australia. | 5. Victoria. |
| 2. New South Wales. | 6. South Australia. |
| 3. Queensland. | 7. New Zealand. |
| 4. Tasmania. | |

Order of colonies in respect to commitments for trial.

1238. In every year until 1884 Victoria has shown, relatively to population, a much smaller number of persons committed for trial than any other colony, and it may, therefore, be inferred that the proportion of serious offences perpetrated there is comparatively small. In 1884, however, the proportion in Tasmania, being much below the average, fell below that in Victoria. Western Australia has been at the head of the list throughout the period, and New South Wales stood second until 1884, when, for the first time, Queensland rose above it.

In respect to the proportion of commitments for trial to population, the colonies stood in the following order in 1884:—

ORDER OF COLONIES IN REFERENCE TO NUMBERS COMMITTED FOR TRIAL IN PROPORTION TO POPULATION, 1884.

- | | | |
|-----------------------|--|-----------------|
| 1. Western Australia. | \| | 5. New Zealand. |
| 2. Queensland. | \| | 6. Victoria. |
| 3. New South Wales. | \| | 7. Tasmania. |
| 4. South Australia. | \| |  |

1239. In respect to convictions in superior courts, Victoria has usually had the smallest number in proportion to population, with the exception of Tasmania, but, in 1884, South Australia also stood below Victoria. Western Australia, New South Wales, and Queensland were at the top of the list, a position they have occupied during most of the nine years.

Order of colonies in respect to convictions in superior courts.

ORDER OF COLONIES IN REFERENCE TO CONVICTIONS IN SUPERIOR COURTS IN PROPORTION TO POPULATION, 1884.

- | | | |
|-----------------------|--|---------------------|
| 1. Western Australia. | \| | 5. Victoria. |
| 2. New South Wales. | \| | 6. South Australia. |
| 3. Queensland. | \| | 7. Tasmania. |
| 4. New Zealand. | \| |  |

1240. Either more persons are apprehended unjustly in Victoria than in the other colonies, or punishment for minor offences does not follow their commission with such certainty in the former as in the latter, since the number of summary convictions obtained in proportion to the apprehensions is lower in this colony than in any of the others. The following is the order of the colonies in respect to convictions of this kind in 1884, the colony in which the rate of summary convictions to apprehensions is highest being placed first, and that in which it is lowest last:—

Order of colonies in respect to summary conviction obtained.

ORDER OF COLONIES IN REFERENCE TO PROPORTION OF SUMMARY CONVICTIONS TO ARRESTS AND SUMMONSES, 1884.

- | | | |
|---------------------|--|-----------------------|
| 1. South Australia. | \| | 5. Queensland. |
| 2. Tasmania. | \| | 6. Western Australia. |
| 3. New South Wales. | \| | 7. Victoria. |
| 4. New Zealand. | \| |  |

1241. In regard to the proportion of convictions to commitments for trial, Western Australia and New South Wales were at the head of the list in 1884, and Victoria stood third, whilst South Australia,

Order of colonies in respect to convictions obtained in superior courts.

which in 1883 occupied the fourth place, fell, in 1884, to the bottom of the list, and changed places with Tasmania. In the subjoined statement the colonies are placed in order, the one in which the convictions, in 1884, bore the highest proportion to commitments being placed first :—

ORDER OF COLONIES IN REFERENCE TO PROPORTION OF CONVICTIONS
IN SUPERIOR COURTS TO COMMITMENTS FOR TRIAL, 1884.

1. Western Australia.	|	5. Queensland.
2. New South Wales.		6. New Zealand.
3. Victoria.		7. South Australia.
4. Tasmania.		

Incomplete
returns in
some
colonies.

1242. It is to be regretted that the information as to the offences for which persons are arrested or summoned is very incomplete in several of the colonies. In Queensland, the only specific offence mentioned in the returns is drunkenness, the balance being grouped as offences against the person, offences against property, or as other offences. This, except that drunkenness is not separated from "other offences," is likewise the grouping adopted in Western Australia, as also in Victoria in respect to the summons cases where the offender is never in custody of the police, the exact offence being entered only when an arrest takes place.

Arrests, &c.,
for various
offences in
Austral-
asian
colonies.

1243. Notwithstanding that New South Wales possesses a smaller population than Victoria, arrests for offences of all descriptions are much more numerous in the former colony than in the latter. Thus, in 1884, arrests for homicide in New South Wales numbered 98 against only 39 in Victoria; arrests for rape and other sexual offences numbered 119 against 70; arrests for other offences against the person numbered 9,842 against 3,539; arrests for robbery, burglary, &c., numbered 263, as against 205; arrests for horse, sheep, and cattle stealing, &c., numbered 482 against 130; arrests for other offences against property numbered 6,415 against 4,038; and arrests for drunkenness numbered 25,428* against 12,938. The following table shows the offences for which apprehensions were made or summonses issued in the various Australasian colonies during the nine years 1876 to 1884, so far as the information can be gathered from their respective *Statistical Registers* :—

* Contrary to statements which have frequently appeared in the press of an adjacent colony, the law relating to drunkenness is the same in Victoria as in New South Wales. In both colonies, a drunken person is liable to be arrested even although not guilty of disorderly conduct.

APPREHENSIONS AND SUMMONSES FOR VARIOUS OFFENCES IN THE
AUSTRALASIAN COLONIES, 1876 TO 1884.

Colony.	Year.	Number of Arrests or Summonses for—							
		Murder, Attempts at Murder, and Manslaughter.	Rape, and other Offences against Females.	Other Offences against the Person.	Robbery with Violence, Burglary, &c.	Horse, Sheep, and Cattle Stealing, &c.	Other Offences against Property.	Drunkenness.*	Other Offences.
Victoria	1876	34	86	4,083	136	178	3,956	11,624	22,200
	1877	50	48	4,316	155	195	4,167	12,447	24,466
	1878	36	54	4,456	187	173	4,274	11,825	23,737
	1879	29	60	4,174	203	154	4,160	10,859	24,297
	1880	36	81	4,376	245	171	3,880	10,056	22,933
	1881	32	71	4,526	195	153	4,383	11,065	24,305
	1882	33	66	4,340	206	169	4,853	11,749	25,818
	1883	38	52	3,785	262	158	4,146	12,408	28,125
	1884	39	70	3,539	205	130	4,038	12,938	30,438
New South Wales	1876	7,578			5,898			16,171	15,458
	1877	8,539			6,130			16,696	16,374
	1878	9,398			6,807			17,224	19,896
	1879	63	85	9,102	266	472	6,126	17,713	20,043
	1880	75	95	9,364	245	469	6,154	18,777	22,605
	1881	68	104	9,031	231	465	6,237	22,560	27,904
	1882	54	110	9,080	274	529	6,643	22,280	26,966
	1883	76	109	10,484	203	348	6,343	23,178	31,490
	1884	98	119	9,842	263	482	6,415	25,428	33,033
Queensland	1876	1,226			1,238			3,679	4,037
	1877	1,550			1,201			3,019	4,159
	1878	1,273			1,191			3,215	3,884
	1879	1,238			1,175			2,997	3,648
	1880	1,320			1,186			2,867	3,760
	1881	1,304			1,146			3,275	4,338
	1882	1,532			1,140			3,771	5,206
	1883	2,369			1,327			4,505	5,603
	1884	2,543			1,687			5,117	6,171
South Australia	1876	5	19	735	30	27	544	2,837	5,178
	1877	11	31	810	24	31	636	2,890	5,881
	1878	10	32	941	50	12	824	4,166	7,647
	1879	5	29	857	46	15	890	3,840	7,161
	1880	13	37	1,026	52	51	971	4,325	8,588
	1881	7	33	862	45	23	1,009	5,298	8,070
	1882	5	16	934	55	19	963	4,713	7,967
	1883	5	17	767	61	15	652	4,533	7,054
	1884	24	41	711	45	13	653	3,938	6,563
Western Australia	1876	515			537			6,457	
	1877	470			493			5,892	
	1878	619			515			4,992	
	1879	462			387			5,622	
	1880	331			355			4,891	
	1881	418			354			4,688	
	1882	365			459			4,265	
1883	455			372			3,912		
1884	410			335			4,086		

* See footnote to preceding page.

APPREHENSIONS AND SUMMONSES FOR VARIOUS OFFENCES IN THE
AUSTRALASIAN COLONIES, 1876 TO 1884—*continued.*

Colony.	Year.	Number of Arrests or Summonses for—							
		Murder, Attempts at Murder, and Manslaughter.	Rape, and other Offences against Females.	Other Offences against the Person.	Robbery with Violence, Burglary, &c.	Horse, Sheep, and Cattle Stealing, &c.	Other Offences against Property.	Drunkenness.*	Other Offences.
Tasmania †	1876	13	11	876	61	18	903	1,807	3,834
	1877	25	16	636	58	26	854	1,345	3,646
	1878	6	30	693	60	35	862	1,374	3,584
	1879	2	54	616	45	35	998	1,504	3,930
	1880	2	14	651	103	37	723	1,543	3,835
	1881	5	8	528	35	17	691	1,446	3,499
	1882	5	20	621	36	27	842	1,827	4,237
	1883	2	17	701	25	28	702	1,890	4,674
	1884	3	21	533	22	25	616	1,577	3,476
New Zealand	1876	31	51	1,743	54	43	1,776	7,153	11,290
	1877	18	41	1,899	66	61	1,855	7,429	10,564
	1878	16	43	1,890	38	44	1,684	7,105	11,417
	1879	14	51	1,869	100	67	2,563	6,672	11,156
	1880	29	56	1,909	99	65	2,272	6,371	10,380
	1881	13	59	1,937	73	85	2,146	5,770	9,713
	1882	10	47	1,920	93	62	2,226	6,996	11,305
	1883	16	46	1,605	71	50	2,358	7,494	11,450
	1884	25	35	1,652	102	66	2,270	7,154	12,268

Ratio of each group of offences to population of each colony.

1244. Subjoined is a statement of the proportion of the various offences, grouped under four heads, to the population of each colony during the same nine years:—

PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH
AUSTRALASIAN COLONY, 1876 TO 1884.

Colony.	Year.	Arrests or Summonses per 1,000 of the Population for—			
		Offences against the Person.	Offences against Property.	Drunkenness.*	Other Offences.
Victoria	1876	5·28	5·36	14·60	27·87
	1877	5·46	5·59	15·39	30·26
	1878	5·53	5·64	14·40	28·90
	1879	5·11	5·42	13·02	29·13
	1880	5·28	5·05	11·83	26·97
	1881	5·33	5·44	12·73	27·97
	1882	4·99	5·87	13·19	28·99
	1883	4·22	4·97	13·53	30·66
	1884	3·86	4·62	13·68	32·17

* See footnote on page 600 *ante.*

† The figures for Tasmania in the last column differ from those given last year. See footnote (†) on page 595 *ante.*

PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH AUSTRALASIAN COLONY, 1876 TO 1884—*continued.*

Colony.	Year.	Arrests or Summonses per 1,000 of the Population for—			
		Offences against the Person.	Offences against Property.	Drunkenness.*	Other Offences.
New South Wales ...	1876	12·26	9·54	26·16	25·00
	1877	13·21	9·50	25·84	25·35
	1878	13·86	10·04	25·40	29·35
	1879	12·95	9·61	24·80	28·07
	1880	13·22	9·52	26·03	31·34
	1881	11·99	9·09	29·57	36·57
	1882	11·56	9·31	27·87	33·73
	1883	12·65	8·17	27·48	37·34
	1884	11·23	8·00	28·40	36·90
Queensland ...	1876	6·66	6·72	19·97	21·92
	1877	7·94	6·16	15·47	21·32
	1878	6·16	5·76	15·55	18·78
	1879	5·78	5·49	13·99	17·03
	1880	5·95	5·34	12·92	16·94
	1881	5·90	5·19	14·82	19·63
	1882	6·45	4·80	15·87	21·91
	1883	8·84	4·95	16·81	20·92
	1884	8·51	5·65	17·13	20·66
South Australia ...	1876	3·48	2·76	13·01	23·75
	1877	3·68	2·99	12·50	25·43
	1878	4·05	3·65	17·16	31·49
	1879	3·54	3·74	15·11	28·14
	1880	4·08	4·08	16·41	32·59
	1881	3·12	3·66	18·36	27·97
	1882	3·29	3·58	16·26	27·48
	1883	2·64	2·44	15·16	23·59
	1884	2·51	2·30	12·76	21·26
Western Australia ...	1876	19·06	19·88	239·01	
	1877	17·04	17·87	213·63	
	1878	22·13	18·39	178·27	
	1879	16·26	13·62	197·84	
	1880	11·48	12·31	169·57	
	1881	14·00	11·86	157·06	
	1882	12·01	15·10	140·34	
	1883	14·57	11·91	125·25	
	1884	12·68	10·36	126·39	
Tasmania † ...	1876	8·60	9·39	17·28	36·67
	1877	6·37	8·82	12·65	34·31
	1878	6·72	9·00	12·66	33·02
	1879	6·04	9·69	13·52	35·35
	1880	5·87	7·60	13·58	33·75
	1881	4·61	6·33	12·32	29·83
	1882	5·35	7·50	15·14	35·10
	1883	5·79	6·07	15·20	37·59
	1884	4·34	5·16	12·28	27·08

* See footnote on page 600 ante.

† The figures for Tasmania in the last column differ from those given last year. See footnote (†) on page 595 ante.

PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH
AUSTRALASIAN COLONY, 1876 TO 1884—*continued.*

Colony.	Year.	Arrests or Summonses per 1,000 of the Population for—			
		Offences against the Person.	Offences against Property.	Drunkenness.*	Other Offences.
New Zealand	1876	4·70	4·84	18·46	29·14
	1877	4·79	4·85	18·19	25·87
	1878	4·62	4·19	16·85	27·08
	1879	4·32	6·09	14·88	24·89
	1880	4·20	5·13	13·41	21·86
	1881	4·07	4·67	11·68	19·68
	1882	3·88	4·67	13·74	22·19
	1883	3·15	4·68	14·16	21·63
	1884	3·10	4·41	12·95	22·20

Order of colonies as to offences against the person.

1245. It will be observed that, according to population, arrests or summonses for offences against the person were, in all the years, much more numerous in Western Australia and New South Wales than in any other colony; in the former of which they were—in the year 1884—three and a quarter times, and in the latter nearly three times, as numerous as in Victoria. The following is the order of the colonies in this respect during 1884, the colony in which the proportion was highest being placed first and that in which it was lowest last:—

ORDER OF COLONIES IN REFERENCE TO ARRESTS OR SUMMONSES FOR
OFFENCES AGAINST THE PERSON, 1884.

- | | |
|-----------------------|---------------------|
| 1. Western Australia. | 5. Victoria. |
| 2. New South Wales. | 6. New Zealand. |
| 3. Queensland. | 7. South Australia. |
| 4. Tasmania. | |

Order of colonies as to offences against property.

1246. In 1884, arrests for offences against property in Western Australia were more than twice, and in New South Wales nearly twice as numerous, in proportion to population as they were in Victoria. In this respect, the order of the colonies was as follows, the colony with the largest proportion of such arrests being placed first, and the rest in succession:—

ORDER OF COLONIES IN REFERENCE TO ARRESTS OR SUMMONSES FOR
OFFENCES AGAINST PROPERTY, 1884.

- | | |
|-----------------------|---------------------|
| 1. Western Australia. | 5. Victoria. |
| 2. New South Wales. | 6. New Zealand. |
| 3. Queensland. | 7. South Australia. |
| 4. Tasmania. | |

* See footnote on page 600 *ante.*

1247. In the matter of drunkenness, New South Wales far outstrips all the other colonies of the group in which the offence is distinguished*—the arrests for drunkenness there in the last five years having been proportionately more than twice as numerous as in Victoria,† which, being almost invariably at the bottom of the list, may be set down as the least inebriate of the Australasian colonies. In this respect, however, the year 1884 was an exception to this rule, Victoria having then had a higher proportion of arrests for drunkenness than New Zealand, South Australia, or Tasmania; whilst, on the other hand, South Australia, which had for some years prior to 1883 occupied the next highest position to New South Wales, fell in 1884 below all the colonies except Tasmania. In the following list, the colony in which the largest number of inebriates was brought before magistrates is placed first and that in which the number was smallest last:—

Order of colonies as to drunkenness.

ORDER OF COLONIES IN REFERENCE TO APPREHENSIONS FOR DRUNKENNESS IN PROPORTION TO POPULATION, 1884.

- | | | |
|---------------------|--|---------------------|
| 1. New South Wales. | \| | 4. New Zealand. |
| 2. Queensland. | \| | 5. South Australia. |
| 3. Victoria. | \| | 6. Tasmania. |

1248. "Other offences," which embrace breaches of corporation by-laws, Wines and Spirits Statute, &c., are rather violations of good order than actual crimes, and are consequently generally dealt with by summons. Relatively to population, they are usually most numerous in Tasmania, and in recent years have been also much more numerous in New South Wales than in Victoria; in 1884, however, the proportion in Tasmania was lower than that in either Victoria or New South Wales. In Western Australia, drunkenness is included with these offences, and, consequently, the figures are not comparable with those of the other colonies. Omitting Western Australia, therefore, the following is the order of the colonies in respect to irregularities of this description, the colony in which the proportion was highest being placed first and that in which it was lowest last:—

Order of colonies as to "other offences."

ORDER OF COLONIES IN REFERENCE TO ARRESTS OR SUMMONSES FOR "OTHER OFFENCES," 1884.

- | | | |
|---------------------|--|---------------------|
| 1. New South Wales. | \| | 4. New Zealand. |
| 2. Victoria. | \| | 5. South Australia. |
| 3. Tasmania. | \| | 6. Queensland. |

1249. The statistics at hand relating to the United Kingdom give the commitments for trial and convictions in the superior courts, but do

Crime in United Kingdom.

* The only colony in which drunkenness is not distinguished is Western Australia.

† Both in Victoria and New South Wales, a drunken person is liable to be arrested even although not disorderly.

not afford any information respecting the cases dealt with in courts of petty sessions. The following table shows the number of commitments and convictions and their respective proportions to the population of each division of the United Kingdom, also the proportion of commitments to convictions, during the nine years ended with 1884:—

CRIME IN THE UNITED KINGDOM, 1876 TO 1884.

Country.	Estimated Population.	Commitments for Trial.	Convictions.	Proportion of—			
				Commitments to Population.	Convictions to Population.	Convictions to Commitments.	
				per 10,000.	per 10,000.	per cent.	
England and Wales	1876	24,244,010	16,078	12,195	6·63	5·03	75·85
	1877	24,547,309	15,890	11,942	6·47	4·86	75·15
	1878	24,854,397	16,372	12,473	6·59	5·02	76·18
	1879	25,165,336	16,388	12,525	6·51	4·98	76·43
	1880	25,480,161	14,770	11,214	5·80	4·40	75·92
	1881	26,055,406	14,786	11,353	5·67	4·36	76·78
	1882	26,406,820	15,260	11,699	5·78	4·43	76·66
	1883	26,770,744	14,659	11,347	5·49	4·24	77·41
	1884	27,132,449	14,407	11,134	5·31	4·10	77·28
Scotland	1876	3,527,811	2,716	2,051	7·70	5·81	75·51
	1877	3,560,715	2,684	2,009	7·54	5·64	74·85
	1878	3,593,929	2,922	2,273	8·13	6·32	77·79
	1879	3,627,453	2,700	2,091	7·44	5·76	77·44
	1880	3,661,292	2,583	2,046	7·05	5·59	79·21
	1881	3,744,323	2,444	1,832	6·53	4·89	74·96
	1882	3,785,400	2,469	1,943	6·52	5·13	78·70
	1883	3,825,744	2,567	1,916	6·70	5·00	74·68
	1884	3,866,521	2,600	2,077	6·72	5·37	79·88
Ireland	1876	5,321,618	4,146	2,343	7·79	4·40	56·54
	1877	5,338,906	3,870	2,300	7·25	4·31	59·49
	1878	5,351,060	4,183	2,293	7·82	4·28	54·81
	1879	5,362,337	4,363	2,207	8·14	4·12	50·58
	1880	5,327,099	4,716	2,383	8·85	4·47	50·53
	1881	5,129,950	5,311	2,698	10·35	5·26	50·80
	1882	5,097,730	4,301	2,255	8·44	4·42	52·43
	1883	5,015,328	3,025	1,740	6·03	3·46	57·52
	1884	4,962,570	2,925	1,546	5·89	3·12	52·89
Total ...	1876	33,093,439	22,940	16,589	6·93	5·01	72·31
	1877	33,446,930	22,444	16,251	6·71	4·86	72·44
	1878	33,799,386	23,477	17,039	6·95	5·04	72·57
	1879	34,155,126	23,451	16,823	6·87	4·93	71·74
	1880	34,468,552	22,069	15,643	6·40	4·54	70·88
	1881	34,929,679	22,541	15,883	6·45	4·55	70·46
	1882	35,289,950	22,030	15,897	6·24	4·50	72·16
	1883	35,611,816	20,247	15,001	5·69	4·21	74·09
	1884	35,961,540	19,932	14,757	5·54	4·10	74·04

Crime in United Kingdom and Australasia compared.

1250. Taking the mean of the nine years given in the table, it will be found that, in proportion to population, the commitments for trial in the United Kingdom, taken as a whole, are less than in Victoria, and

considerably less than in any of the other Australasian colonies; also, that the same holds good for England and Scotland, except that the proportion in Victoria is about equal to that in the latter; but in Ireland the proportion has, on the whole, been slightly higher than in Victoria. Convictions after commitment are, relatively to population, generally as numerous in Victoria as in the United Kingdom or England and Wales, more numerous than in Ireland, but less than in Scotland.

1251. The convictions obtained in proportion to the commitments are, according to the figures, more numerous in England and Scotland than in any of the Australasian colonies, but the proportion in Ireland in 1884 was exceeded in Victoria, New South Wales, Western Australia, and Tasmania during the same year.

Convictions in United Kingdom and Australasia compared.

1252. A phase of crime, respecting which it is difficult to obtain accurate information, is female prostitution. Mr. H. M. Chomley, the Chief Commissioner of the Victorian police, however, by means of the force at his disposal and by correspondence with the police authorities of the neighbouring colonies, has obtained some figures relating to the prostitution existing in Melbourne, Sydney, Brisbane, and Adelaide, which will be found in the following table:—

Prostitution in Australian capitals.

PROSTITUTION IN AUSTRALIAN CAPITALS.

Capital Cities.	Population (Census of 1881).	Number of Prostitutes.	Prostitutes per 10,000 of Population.
Melbourne	282,947	597	21·10
Sydney	224,211	613	27·34
Brisbane	31,109	99	31·82
Adelaide	103,864	500	48·14

1253. According to the figures in the last column, Melbourne is much freer from prostitution than any one of the metropolitan cities named. It will be observed that even in actual numbers the prostitutes in Melbourne are fewer than in Sydney, although the latter has the smaller population. A very large amount of prostitution appears to exist in Adelaide, but the figures, being given in round numbers, must be regarded with suspicion.

Results compared.

1254. The Victorian police force is an admirably organized body of men, and, although smaller in numbers than the police force of New South Wales (a colony with fewer inhabitants) by 162, or about an eighth, and smaller in proportion to population than the police force of any other of the Australasian colonies, their efficiency, combined with

Police in Australasian colonies.

the orderly character of the population, is such that serious offences, as has been already shown,* are usually much less rife in Victoria than in any of the other colonies. The following figures show the number of police and their proportion to the population in each colony:—

POLICE IN AUSTRALASIAN COLONIES.

1. Victoria	has	1,281	police,	or	1	to	797	persons.
2. New Zealand †	„	741	„	„	„	„	783	„
3. South Australia	„	412	„	„	„	„	762	„
4. New South Wales	„	1,443	„	„	„	„	664	„
5. Queensland ‡	„	873	„	„	„	„	384	„

Police in
Australian
capitals.

1255. Mr. Chomley supplies the following figures to show that one policeman keeps in order and protects considerably more persons in Melbourne than one is found able to do in Sydney, Adelaide, or Brisbane:—

POLICE IN AUSTRALIAN CAPITAL CITIES.

1. Melbourne	has	505	police,	or	1	to	723	persons.
2. Sydney	„	466	„	„	„	„	622	„
3. Adelaide	„	192	„	„	„	„	600	„
4. Brisbane	„	168	„	„	„	„	308	„

Supreme
Court
Criminal
Sittings.

1256. The number of criminal cases tried in the Supreme Court at the various places throughout the colony where sittings were held in 1885 was 315, of which 226 were for felony, and 89 for misdemeanors. The convictions for felony numbered 173, and for misdemeanors 58. The number of places where sittings were held was 17, the number of sittings was 42, and the total duration of sittings was 184 days.

Supreme
Court civil
sittings.

1257. Sittings may be held at the same number of places to try civil cases, but no causes were entered at 6 out of the 18 places in 1885. The number of causes entered for trial during the year was 381; but the number of causes tried was only 168, of which 66 were tried by juries of six, 20 by juries of twelve, and 82 by a judge alone. All but 2 of these were defended. The damages laid in the declarations amounted in the aggregate to £349,418. Verdicts were returned in 163 instances, and there were 3 nonsuits. Of the verdicts, 121, or about 74 per cent., were for the plaintiff. The aggregate amount awarded by the juries was £29,169, or 8 per cent. of the damages laid. In the ten years

* See paragraph 1238 *ante*.

† Deducting the "Field Force," there are only 524 police in New Zealand, or 1 to every 1,107 of the population. Sir Robert Stout, K.C.M.G., the Premier of New Zealand, in a paper recently contributed by him to the Statistical Society of London (see *Statistical Journal* for September, 1886, page 548), gives the proportion of police in his colony as 1 to 1,293 persons, but he evidently does not take into account the Field Force, and perhaps makes other exclusions.

‡ Deducting the native troopers, there are only 679 police in Queensland, or 1 to every 493 of the population.

ended with 1884, the damages sued for in these or similar courts amounted to £2,053,888, and the sums awarded by juries to £459,521, or to about 22 per cent. of the damages sued for.

1258. Courts of General Sessions have jurisdiction in criminal cases within certain limitations, and have also appellate jurisdiction in civil cases from petty sessions. The places at which such courts were held in 1885 numbered 30, and the number of courts held 78, extending over periods amounting in the aggregate to 139 days. The number of cases tried was 329, in 201 of which, or 61 per cent., convictions were obtained. The number of appeals heard was 66. In the ten years prior to 1885, 2,553 cases were tried in Courts of General Sessions, and 1,702 convictions were obtained; thus the latter were to the former in the proportion of 67 per cent.

Courts of
General
Sessions.

1259. County Courts have jurisdiction in civil cases up to £250. The number of places at which they were held in 1885 was 65, and the number of courts held was 204, extending over 496 days. The total number of causes tried was 9,888, the amount sued for was £240,144, and the amount recovered £85,607, or only 36 per cent. of the amount sued for. The costs awarded to the plaintiff amounted to £13,164, and the costs awarded to the defendant to £4,753. During the ten years prior to the year under review the aggregate amount sued for in County Courts was £2,917,392, and the aggregate amount awarded was £907,974, or 31 per cent. of the amount sued for.

County
Courts.

1260. Courts of Mines have jurisdiction concerning all questions or disputes which may arise out of mining on Crown lands. The places at which they were held in 1885 numbered 17, and the courts held numbered 51, occupying 20 days. The total number of suits was 6, and the aggregate amount or value of demand, £283. The amount of costs awarded to the plaintiff was £21, and to the defendant £11. These figures do not include all the mining disputes which took place during the year, as those of minor importance are adjudicated on by the wardens of the gold-fields. In the ten years prior to 1885, the value sued for in Courts of Mines amounted in the aggregate to £34,148. The business has fallen off very considerably for several years past.

Courts of
Mines.

1261. The cases of indictable offences heard at Petty Sessions during 1885 numbered 1,861, which resulted in 768 commitments for trial. Commitments were thus obtained in 41 per cent. of the cases. The

Courts of
Petty Ses-
sions:
criminal
cases.

offences summarily dealt with numbered 50,705, in 34,180 of which, or 67 per cent., the offender was convicted.

Courts of
Petty Ses-
sions: civil
cases.

1262. Courts of Petty Sessions have jurisdiction in ordinary civil cases up to £20, and in master and servant cases up to £50. Such courts were held at 225 places during the year. The civil cases heard numbered 15,276, in which the total amount of debts or damages claimed was £63,235, and the total amount awarded was £41,399, or 65 per cent. of the amount claimed. In the ten years ended with 1884, the debts or damages claimed in these courts amounted in all to £813,894, and the sums awarded to £516,992, or to 64 per cent. of the amounts claimed.

Debts sued
for and
awarded.

1263. The net results of the civil cases tried in 1885 may be gathered from the following table, which shows the total amount of debts and damages sued for in the various courts, and the aggregate value of the awards, also the percentage of the latter to the former, in 1885 and the previous decennium. It will be noticed that the whole amount at stake was nearly two-thirds of a million sterling, and that less than a fourth was recovered; also, that whilst the proportion recovered in the Supreme Court appears to have been equal to only one-third* of the average, that in the Courts of Petty Sessions and County Courts was somewhat above the average:—

DEBTS AND DAMAGES CLAIMED AND AWARDED.*

Name of Court.	Amount of Debts and Damages, 1885.		Proportion of Debts and Damages recovered.	
	Claimed.	Awarded.	1885.	Average of Previous 10 Years.
	£	£	Per cent.	Per cent.
Supreme Court	349,418	29,169	8	22
County Courts	240,144	85,607	36	31
Courts of Petty Sessions ...	63,235	41,399	65	64
Total	652,797	156,175	24	33

Writs.

1264. The number of writs issued in 1885, in the six bailiwicks into which the colony is divided, was 1,131, of which 31 were Queen's writs against both person and property, 26 were subjects' writs against the person alone, and 1,074 were subjects' writs against property alone. In the three years, 1878, 1879, and 1880, the writs issued were unusually

* The amounts claimed and awarded, especially in the Supreme Court, are not strictly comparable, for whereas the amount claimed is set down for every case entered whether tried or not, the amount awarded obviously only applies to cases actually tried. In the Supreme Court, only about two-thirds of the cases entered are actually tried, whereas in 1885 only about two-fifths were tried during the year.

numerous, but in the last five years they were less so than in any of the previous eleven years.

1265. Places for the reception of prisoners in Victoria are of three kinds: ordinary gaols, police gaols, and penal establishments. The ordinary gaols are both houses of correction and debtors' prisons;* the penal establishments are houses of correction only. The police gaols are used for the detention of prisoners sentenced to short periods of imprisonment, or awaiting trial or transfer to some other gaol or penal establishment, or to a lunatic asylum.

Gaols and
penal estab-
lishments.

1266. In his report for 1884, page 3, Mr. Inspector-General Brett described as follows the system of penal discipline existing in this colony†:—

System of
penal dis-
cipline in
force.

“(a) To inflict upon the offender such an amount of punishment as would deter him from the repetition of his crimes, and also operate as a wholesome warning to others.

“(b) To endeavour to make his punishment the means by which the moral reformation of the prisoner himself may be attained.

“(c) To reduce the expense of maintaining him to the lowest possible limits consistent with the accomplishment of the objects mentioned.

“(d) Every effort to be made to render his labour as productive as possible, by full employment for mind and body in industrial pursuits.

“(e) A progressive stage system of classification, regulated by ‘marks,’ the attainment of a certain number of which causes advancement from a lower to a higher class, with increased advantages attached to each stage from one class to another, such as the removal of restraint, modification of irksome labour, increase of gratuity, &c., and associated labour under vigilant supervision.”

1267. Mr. Brett, in his report for 1885, page 6, has the following remarks respecting the probation system for first offenders, which, however, up to the present, has not been adopted in Victoria‡:—

Probation
system

“With regard to the probation system for first offenders, which had its origin in the State of Massachusetts, and which has been so fully discussed in the press, it had become necessary to submit for consideration some means of cutting off the supply of such prisoners to the gaols, by affording an opportunity of reforming whilst in the possession of freedom, the only restraint being the certainty of punishment on a second conviction, both for the original offence and the subsequent one; and, as a tentative measure, too much should not be expected at the outset from the introduction of an entirely new departure in the treatment of first offenders, should Parliament sanction the experiment. To whatever degree of perfection the discipline of prisons may ultimately be brought, it is obviously far more for the interests of the community, and the first offender, that the latter should be at large upon proper conditions, than become the inmate of a gaol. The moral atmosphere of a prison is replete with so much injury to character that, independently of the corruption arising from the companionship of the hardened and depraved, acquaintance with the interior of a prison produces impressions most unfavorable to reformation, while there attaches to the person who has once been confined in an ordinary gaol a disgrace which adheres through life. It is therefore of great importance that first offenders be allowed to work out their deliverance from such a fate by their own exertions, whilst exposed to

* Imprisonment for debt in Victoria, except in cases of fraud, was abolished by Act 29 Vict. No 284.

† Parliamentary Paper No. 33, Session 1885.

‡ Parliamentary Paper No. 50, Session 1886.

the temptations and vicissitudes of every-day life. Alteration for the better, under such circumstances, would be the growth of natural conditions of life, and the genuineness and stability of the change put to the proof. For these reasons, among others, it is desirable a first offender, under certain circumstances, should be a legitimate subject for probationary treatment; the leniency extended must be consistent with moral welfare and happiness, the effect of example, the demands of justice, and the protection of the interests of society at large. If judiciously applied with discrimination, within the limits prescribed by law, and the probation officers be well chosen, the system will be another valuable agency towards the reclamation of many who have taken the first downward step in crime. Those first offenders who may not be considered eligible for such leniency in the first instance should be subjected to separate confinement, and when the progressive stage for employment in association is arrived at, all intercourse or communication with old criminals should be strictly prohibited. The attainment of this most desirable object depends, however, upon the buildings available, the character of the accommodation provided therein, and the nature of the work that can be found for the isolation of this class of prisoners. All that is possible at present to lessen the evils of association must be done by judicious classification and vigilant supervision."

Gaols and prisoners.

1268. The gross, distinct, and average number of prisoners detained in each description of prison during 1885 will be found in the following table, males and females being distinguished:—

GAOLS AND PENAL ESTABLISHMENTS, 1885.

Description of Prison.	Number of Institutions.	Prisoners detained during the Year.								
		Gross Number.*			Distinct Individuals.†			Average at One Time.		
		M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
Gaols ...	9	6,119	2,631	8,750	6,412	2,072	8,484	575	334	909
Penal establishments	2‡	1,023	...	1,023				530	...	530
Police gaols ...	10	581	67	648	465§	40§	505§	9	2	11
Total ...	21	7,723	2,698	10,421	6,877	2,112	8,989	1,114	336	1,450

Increase of distinct prisoners.

1269. According to this table, the number of individual prisoners detained during the whole or some portion of 1885 in the gaols and penal establishments of the colony was 8,989, viz., 6,877 males and 2,112 females. In the previous year, the number of distinct prisoners was 8,460—viz., 6,710 males and 1,750 females; thus showing an increase of 529 during the year under review, resulting from an increase of 167 in the male and of 362 in the female prisoners.

Proportion of distinct prisoners to population.

1270. Comparing the figures for 1885 with those showing the mean population of that year, it appears that 1 person in every 108 persons in the colony, or 1 male in every 75 males, and 1 female in every 216

* Exclusive of prisoners transferred from one institution to another. The numbers here given represent imprisonments, each person being counted afresh every time imprisoned.

† See table following paragraph 1273 *post*.

‡ One of these—a hulk lying off Williamstown—was abolished on the 7th March, 1886.

§ Estimated.

females, passed some portion of the year in prison; whereas the proportion in 1884 was 1 person in every 112 persons in the colony, or 1 male in every 75 males, and 1 female in every 254 females. In these estimates no account is taken of persons lodged temporarily in watch-houses, &c., pending examination before magistrates, the prisoners here referred to being only those detained in regular gaols or penal establishments.

1271. If a comparison be made between the gross number of prisoners and the distinct prisoners, it will be found that only 86·81 per cent. of the prisoners dealt with in 1885—viz., 89·78 per cent. in the case of males, and 78·74 per cent. in the case of females—were distinct individuals. In the previous year the proportions were:—Total, 83·04 per cent.; males, 90·04 per cent.; females, 64·58 per cent. .

Proportion of
distinct to
gross
prisoners.

1272. If the figures in the table showing the average number of prisoners are compared with the mean population, it follows that 1 person in every 670 persons living was constantly in prison during 1885; or, distinguishing the sexes, that, during that year, 1 male in every 466 males living, and 1 female in every 1,357 females living, were constantly in detention. By the following table, which gives the figures for the last ten years, it will be seen that the proportion of prisoners to the population decreases from year to year, and in 1885 it was lower—with one exception, in the case of females—than in any previous year named, the reason being the smaller amount of serious crime which exists in the community, in view of which the terms of imprisonment to which prisoners have been sentenced by the judges have been of diminished duration:—

Proportion of
prisoners to
population.

PROPORTION OF PRISONERS TO POPULATION, 1876 TO 1885.

Year.	Of the Total Population One Person was constantly in Prison to every—		
	Males.	Females.	Both Sexes.
1876	323	1,142	487
1877	345	1,183	518
1878	356	1,397	549
1879	351	1,267	534
1880	348	1,274	532
1881	353	1,349	543
1882	391	1,416	596
1883	429	1,346	633
1884	446	1,347	650
1885	466	1,357	670

Number
of times
individuals
were in
prison.

1273. In Mr. Brett's annual reports a return appears showing the number of times each individual was imprisoned during the year. The following are the particulars for 1885,* also the proportions per cent.:—

DISTINCT PRISONERS, 1885.
(Exclusive of those in Police Gaols.)

Number of Times Imprisoned during Year.	Distinct Prisoners, 1885.					
	Number.			Percentage.		
	Males.	Females.	Total.	Males.	Females.	Total.
Once	4,583	1,548	6,131	71·47	74·71	72·26
Twice	686	257	943	10·70	12·40	11·12
Three times	135	37	172	2·11	1·79	2·03
Four times	54	18	72	·84	·87	·85
Five times	19	11	30	·30	·53	·35
Six times and upwards	37	18	55†	·58	·87	·65
Total received	5,514	1,889	7,403	86·00	91·17	87·26
In detention at commencement of year ‡	898	183	1,081	14·00	8·83	12·74
Grand Total	6,412	2,072	8,484	100·00	100·00	100·00

Persons
imprisoned
more than
once.

1274. Adding the numbers at the commencement of the year to those in the first line of the table, it is found that 85 per cent. of the distinct prisoners in 1885 were imprisoned only once during the year, and consequently 15 per cent. were imprisoned more than once. In the case of males, the proportions were $85\frac{1}{2}$ and $14\frac{1}{2}$ per cent.; and in the case of females, $83\frac{1}{2}$ and $16\frac{1}{2}$ per cent. respectively. The tendency of females to be imprisoned over and over again is greater than that of males; thus, during the year, over 4 per cent. of the whole number were imprisoned three times or upwards, and $2\frac{1}{4}$ per cent. four times or upwards; whereas little more than $3\frac{3}{4}$ per cent. of the males were imprisoned more than twice, and less than $1\frac{3}{4}$ per cent. more than three times.

Prisoners
previously
convicted.

1275. Out of a total of 1,416 prisoners in detention on the 31st December, 1885, 828, or $58\frac{1}{2}$ per cent., had been previously imprisoned under sentence in the colony—viz., 183, or 13 per cent., once; 115, or 8 per cent., twice; 78, or $5\frac{1}{2}$ per cent., three times; and as many as 452, or 32 per cent., four times or oftener. Of the total number, 33 had also been convicted in other countries, including 1 man from New Caledonia.

* See Inspector-General's Report, page 14.

† Eleven males admitted seven, 6 eight, and 4 nine times during the year.

‡ Exclusive of those discharged and re-admitted during the year, who numbered 325, they being included with the figures in the previous line.

1276. The following is a classification of the prisoners in confinement at the end of 1885, according to the grounds in respect to which they were detained. It will be noticed that 85 were untried; also that more than half the males, but less than a seventh of the females, had been convicted of felony:—

GROUNDS FOR DETENTION OF PRISONERS, 1885.

Grounds for Detention.	Gaols.		Police Gaols.		Penal Establishments.	Total.		
	M.	F.	M.	F.	M.	M.	F.	Total.
Felony, tried ...	189	44	1	...	403	593	44	637
" untried ...	35	9	5	...	...	40	9	49
Misdemeanors, tried ...	214	178	7	...	69	290	178	468
" untried ...	13	4	1	...	...	14	4	18
Other offences, tried ...	131	95	7	1	20	158	96	254
" untried ...	11	1	6	...	...	17	1	18
Total ...	593	331	27	1	492	1,112	332	1,444

Grounds of imprisonment.

1277. The cases in which prisoners were absent from work during the year on account of sickness, which numbered 1,011,* were in the proportion of 1 case to every 9 individual prisoners. The daily average number of prisoners incapacitated from labour by reason of sickness was 83, or 1 in every 12 of the average number constantly employed.

Sickness in prisons.

1278. Forty-six deaths (excluding 3 deaths of criminals executed) occurred in prison during 1884, and 69 deaths (also excluding 3 resulting from executions) in 1885. These deaths were in the proportion of 1 to every 184 in the former year, and 1 to every 130 in the latter year, of the estimated individual prisoners; or in the proportion of 1 to every 32 in the former year, and 1 to every 21 in the latter year, of the daily average number of prisoners detained. The death rate was thus much higher in the year under review than in the previous one.

Deaths in prisons.

1279. In 1884, two prisoners, both males, absconded, and were not recaptured during the year, viz., 1 from the Williamstown and 1 from the Melbourne gaol. In 1885 only 1 prisoner succeeded in effecting his escape, viz., from the Ararat gaol.

Prisoners absconding.

1280. Two prisoners who had been sentenced to imprisonment for life were liberated in 1885. Of such prisoners there have been 33 altogether in the colony, and of these, 18 have been discharged under the operation of regulations in force since February, 1878, as to prisoners under commuted sentences to terms of life, 1 by special commutation, 1 to a lunatic asylum, and 2 by death; whilst 11—viz., 9 males and 2 females—still remain in custody.

Prisoners under life sentences.

* The cases of sickness in gaols were set down as 990 in Part Vital Statistics, paragraph 700 ante. In that return the sickness which occurred in police gaols was not included.

Ages of
prisoners.

1281. An abstract of the estimated population at various ages, of the average number of prisoners at the same ages, and the proportion of the latter to the former, will be found in the following table:—

AGES OF PRISONERS, 1885.

Ages.	Estimated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
Under 20 years ...	455,031	151	3·32
20 to 30 „ ...	199,020	494	24·82
30 „ 40 „ ...	97,561	270	27·68
40 „ 50 „ ...	91,604	243	26·53
50 „ 60 „ ...	82,516	171	20·72
60 years and upwards...	49,308	121	24·54
Total ...	975,040	1,450	14·87

Proportion
of prisoners
at various
ages.

1282. It appears from this table that, in 1885, the proportion of prisoners constantly detained to the population was greatest between the ages of 20 and 50. Of persons over 20 living in Victoria, 1 in every 400; of those between 20 and 40, 1 in every 388; of those over 40, 1 in every 418; and of those over 60, 1 in every 408, were constantly in prison throughout the year.

Birthplaces
and reli-
gions of
prisoners.

1283. The birthplaces and religions of the prisoners constantly detained during the year, deduced from the total numbers of each nationality and religion returned as passing through the institutions, also the estimated totals of the same nationality and religion, are compared in the following table:—

BIRTHPLACES AND RELIGIONS OF PRISONERS, 1885.

Native Country and Religion.	Estimated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
NATIVE COUNTRY.			
Australasian Colonies ...	608,917	583	9·57
England and Wales ...	167,038	343	20·53
Scotland ...	54,500	98	17·98
Ireland ...	97,908	310	31·66
China ...	13,539	19	14·03
Other countries ...	33,138	97	...
Total ...	975,040	1,450	14·87
RELIGION.			
Protestants ...	699,129	814	11·64
Roman Catholics ...	229,917	604	26·27
Jews ...	4,894	8	16·33
Pagans ...	12,813	19	14·83
Others ...	28,287	5	...

1284. It will be observed that, in view of their respective numbers in the population, natives of the Australasian colonies contributed much less, and natives of China slightly less, than their share to the number of inmates of prisons, but the natives of Scotland contributed 21 per cent. more, natives of England and Wales 38 per cent. more, and natives of Ireland 113 per cent. more, than their share to that number. Also, that of the religious denominations shown, Protestants contributed much less than their share; but Jews slightly more, and Roman Catholics 76 per cent. more, than their share to the number of such inmates.

Relative numbers of each country and sect.

1285. Mr. Brett gives the following figures to show the state of education of prisoners at various periods since 1873, and the increased proportion of those able to read and write, and the diminished proportion of the grossly illiterate section:—

Education of prisoners.

EDUCATION OF PRISONERS, 1873 TO 1885.

Period.	Numbers in every 100—		
	Able to Read and Write.	Able to Read only.	Unable to Read.
1873 to 1876 ...	64	18	18
1877 to 1880 ...	74	8	18
1881 to 1883 ...	83	6	11
1884 ...	84	6	10
1885 ...	86	7	7

1286. The following cases of punishment for offences committed within the prison took place in 1885. It will be observed that solitary confinement, which is said to be more dreaded by prisoners than any other punishment, was prescribed in more than half the cases. The "other punishments" do not include whipping, as corporal punishment is not administered in Victoria for any breach of prison regulations:—

Gaol punishments.

PUNISHMENTS FOR OFFENCES WITHIN PRISONS, 1885.

Nature of Punishment.	Gaols.			Penal Establishments.	Total.		
	M.	F.	Total.	M.	M.	F.	Total.
Hard labour ...	...	...	...	8	8	...	8
Solitary confinement ...	182	102	284	288	470	102	572
Other punishments ...	84	42	126	364	448	42	490
Total ...	266	144	410	660	926	144	1,070

Proportion of prisoners punished. 1287. The punishments for offences within the prison, as detailed in the last table, were in the proportion of 1 to every 8 individual prisoners, 1 punishment of a male to every 7 individual male prisoners, 1 punishment of a female to every 14 individual female prisoners. According to the daily average number of prisoners, there was about two punishments to every 3 prisoners; or not quite two punishments to every 3 males, and not quite two punishments to every 5 females.

Cost and earnings of prisoners. 1288. The total cost of supervision and maintenance of prisoners (exclusive of those in police gaols) in 1885 was £56,891, being equivalent to £39 13s. 5d. per head of the average number in detention. The gross earnings of prisoners during the year amounted to £40,315—of which £15,094 was the value of work done for other Government departments, municipal bodies, &c., and £25,221 for work done in connexion with the gaols, including the manufacture of clothing, utensils, implements, &c. The actual cash receipts paid into the Treasury, however, amounted to only £6,748. The earnings in the year—on working days only, which numbered 307—were equivalent to 2s. 5d. per head per diem; the average number of available prisoners being 1,093.

New Caledonian convicts in prison. 1289. During 1885, five prisoners were in the gaols who had served terms in New Caledonia, and one of these remained in prison at the end of the year.

New Caledonian convicts in Victoria. 1290. Up to July, 1884, it is known that 33 convicts, or expirees, from the French penal settlement at New Caledonia—viz., 29 males and 4 females—came to Victoria. By the following statement respecting their career in this colony, it appears that only three were leading honest lives, and the remainder had relapsed into disreputable courses or crime:—

NEW CALEDONIAN CONVICTS IN VICTORIA, 1884.

MALES.			
In prison, serving sentence for burglary	...	...	6
" " uttering false coin	...	...	5
" " forged cheques...	...	...	1
At large, having served a sentence for false pretences	...	...	1
" " larceny and forgery	...	...	1
" " larceny and absconding	...	...	1
Extradited for larceny in New South Wales	...	...	1
Living on earnings of prostitutes	...	...	10
Leading honest lives (two having been political prisoners)	...	...	3
		Total	29
FEMALES.			
Committed for burglary, <i>nolle prosequi</i> entered	...	...	1
Keeping brothels	...	...	3
		Total	4

1291. During the same year, 47 male convicts from New Caledonia, of whom 5 were escapees and 18 expirees, were known to be living in Sydney,* and 77 had come to Queensland. Of the latter, 42 were sent back to New Caledonia. New Caledonian convicts in other colonies.

1292. The following table shows the total amounts and the amounts per head expended in connexion with the police and the penal establishments and gaols during the 20½ years ended with 1884-5. The cost of buildings is not included, the figures relating to maintenance only:— Expenditure on police, gaols, &c.

EXPENDITURE ON POLICE, GAOLS, ETC., 1865 TO 1884-5.

Year.	Amount Expended† on—			Amount per Head of Population.	
	Police.	Gaols and Penal Establishments.	Total.	s.	d.
	£	£	£		
1865	187,962	62,629	250,591	8	2
1866	194,189	72,522	266,711	8	6
1867	138,226	52,972	191,198	5	11
1868	201,000	71,285	272,285	8	2
1869	157,563	50,913	208,476	6	1
1870	198,027	56,503	254,530	7	2
1871 (six months) ...	95,363	27,101	122,464	3	4
1871-2	190,711	57,855	248,566	6	8
1872-3	187,101	56,017	243,118	6	5
1873-4	194,329	61,787	256,116	6	8
1874-5	198,312	60,469	258,781	6	7
1875-6	199,738	61,051	260,789	6	7
1876-7	197,371	60,008	257,379	6	5
1877-8	207,119	58,132	265,251	6	6
1878-9	209,041	58,442	267,483	6	5
1879-80	233,732	56,636	290,368	6	11
1880-1	207,674	53,565	261,239	6	1
1881-2	201,063	53,032	254,095	5	9
1882-3	204,561	57,128	261,689	5	9
1883-4	216,973	55,836	272,809	5	10
1884-5	217,684	57,311	274,995	5	9
Total	4,037,739	1,201,194	5,238,933	6	5

1293. By the figures in the last column it will be observed that the police and gaols expenditure ranged from 8s. 6d. per head in 1866 to about 5s. 9d. in the last four years, during which period the rate remained almost uniform. Expenditure per head.

1294. The inquests held in 1885 numbered 1,608, as against 1,439 in 1884. In 875 instances the death was found to have resulted from disease or natural causes; in 25 cases, from intemperance; in 642 cases, from violence; in 55 cases, from doubtful causes; and in 11 cases a verdict of "still-born" was returned. Of the deaths set down to violence, the Inquests.

* See a return published in a paper laid before the Parliament of Victoria, entitled "Annexation Federation, and Foreign Convicts." No. 38, Session 1884.

† Exclusive of the cost of buildings.

verdict in 471 cases was to the effect that the death had resulted from accident; in 12, from homicide; in 90, from suicide; 3 from execution; and in 66 that the cause of the violent death was doubtful. The practice of holding inquests in cases of other than violent deaths was more common in the last two years than in the previous ten years. In 1875, the proportion which verdicts of "death from disease or natural causes" bore to the total number of verdicts given was 52 per cent.; in 1876, 53 per cent.; in 1877, 54 per cent.; in 1878, 52 per cent.; in 1879, 50 per cent.; in 1880, 52 per cent.; in 1881, 51 per cent.; in 1882, 53 per cent.; in 1883, 49 per cent.; and in 1884 and 1885, 55 per cent. Inquests in cases of death occurring under suspicious circumstances are held at the discretion of the coroner of the district within which the death takes place, subject to instructions issued by the Governor in Council under the 3rd section of the Coroners Statute 1865 (28 Vict. No. 253).

Fire
inquests.

1295. Nine fire inquests were held in both 1885 and 1884, 4 in 1883, 5 in 1882, 4 in 1881, 5 in 1880, and 10 in 1879. Under the Amending Coroners Statute (33 Vict. No. 338), which came into operation on the 19th August, 1869, fire inquests may be held at the request of any individual who lodges with his application a fee of £5 5s., or in pursuance of Ministerial authority, which is only given when circumstances appear sufficiently suspicious to warrant action being taken.

PART VII.—ACCUMULATION.

Coins and
accounts.

1296. The coins in circulation in Victoria are in all respects the same as those used in the United Kingdom. The accounts are kept in sterling money (£ s. d.).

Royal Mint.

1297. A branch of the Royal Mint was established in Melbourne in 1872, and was opened to the public on the 12th June of that year. The premises occupy 2 acres 1 rood and 26 perches of land, valued in October, 1880, at £8,500, but now probably worth four times that amount; the original cost of the buildings, machinery, fittings, and furniture was £68,350.*

Gold
received at
Mint.

1298. From the time of the opening of the Mint to the end of 1885 nearly $8\frac{1}{4}$ million ounces of gold were received thereat, valued at nearly 33 millions sterling. The following table shows the quantity and value of the gold received in each year:—

* See Amended Return to an order of the Legislative Assembly, Parliamentary Paper C.—No. 4*. Session 1880.