### PART VII.—LAW, CRIME, ETC.

1102. The system whereby persons acquiring possession of land, either Transfer of by transfer, inheritance, or other means, may receive a title thereto Statute. direct from the Crown, was introduced into Victoria in the year 1862, and continues in force to the present period.\*

1103. All lands alienated from the Crown since the introduction of Lands under 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.

1104. The assurance and indemnity fund established under the Transfer Assurance 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, 1883, was £81,052, of which £50,000 had been invested in Government stock. Six claims upon the fund, of which 2 were in 1883-4, have been substantiated since its first formation, and £1,285 has been paid to claimants.

1105. An increase took place in the extent of land brought under the Transactions Transfer of Land Statute (29 Vict. No. 301), but a decrease in the Land fees received and in most of the other business transacted, in 1883 as compared with 1882. The following were the transactions in the two years :--

TRANSFER OF LAND STATUTE, 1882 AND 1883.

					1882.		1883.
Applications to bring land	under t	he Act		number	1,534	•••	1,356
	•••		•••	acres	54,065	•••	46,158
Land brought under the	Statute						
By application	• • •		•••	acres	45,984	•••	68,884
	•••		•••	value£	21,347,137	•••	1,420,232
By grant and purchase f	rom the	e Crown		acres	442,099		472,536
<b>&gt;&gt; &gt;&gt; &gt;&gt;</b>		"		value	£598,079	•••	564,504
Certificates of title issued	• • •n		•••	number	16,752	•••	16,478
Transfers, mortgages, lease	s, releas	ses, surrei	nders, &	c. "	25,931	•••	24,331
<b>Registering proprietors</b>	•••	•••	•••	>>	43		5
Other transactions <sup>†</sup>		•••	•••	"	24,905	•••	25,626
Forms sold	•••		•••	22	349	•••	414
Fees received	•••	• • •	•••		£39,017	•••	37,599

\*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.

† Not including copies of documents supplied.

2 I

Proportion of land under the Statute. at the end of 1883 was 9,590,354 acres, the declared value of which, at the time it was placed under the Act, was £26,321,828. The land granted and sold up to the end of 1883 was 13,529,036 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.

Land under Act by application and otherwise. 1107. Of the whole extent of land under the Statute, 831,612 acres, valued at about 15 millions sterling, were brought thereunder by application, and the remainder, amounting to 8,758,742 acres, valued at nearly  $11\frac{1}{4}$  millions sterling, came under its provisions by virtue of its having been purchased from or granted by the Crown since the Act was passed.\*

Transactions 1108. The business in Equity was generally heavier in 1883 than in the previous year, as will be seen by the following figures :----

				1882.		1883.
Suits by bill	•••		number	65	•••	81
Petitions filed	• • •	•••	,,	10	•••	15
<b>Commissions</b> issued	4 • •		"	4	••,•	4
Decrees issued	•••	•••	>>	47	•••	38
Orders issued	•••	•• •	"	112	• • •	132
Reports issued	•••	•••	>>	14	•••	20
Writs of injunction is		•••	>>	4	• • •	•••
Writs of ne exeat colo			"	1	• • •	•••
Conveyances settled b	v	•••	72	1	• • •	•••
Recognizances entered	l into	•••	"	4	•••	5
Rolls filed	•••	•••	"	43		40

TRANSACTIONS IN EQUITY, 1882 AND 1883.

Probates and letters of administration.
1109. In 1883, as compared with 1882, there was a large increase in administration.
the number of probates and letters of administration issued, and in the value of property bequeathed. The average value of each estate in 1882 was £2,051, and in 1883, £2,089. The following are the figures for those years :--

PROBATES AND LETTERS OF ADMINISTRATION, 1882 AND 1883.

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	P	robates.	Letters of	Administration.		Both.
Year.	Number.	Property sworn under—	Number.	Property sworn under—	Number.	Property sworn under—
1882 1883	1 020	£ 2,799,695 3,152,386	680 756	£ 683,243 595,958	1,698 1,794	£ 3,482,938 3,748,344
Increase Decrease		352,691 	76	 87,285	96 	265,406

\* See paragraph 1103 ante.

† Including those granted to the Curator of Intestate Estates.

1110. During the nineteen years ended with 1883, the value of the value of property respecting which probates and letters of administration were bequeathed. issued amounted to nearly thirty-nine millions sterling (£38,628,521).

1111. According to the present law,\* duties are levied in Victoria on scale of probate, &c., the net value of real and personal estates of deceased persons within the duties. colony upon the following scale (half duty only being paid by widows, children, or grandchildren) :---

SCALE OF DUTIES ON ESTATES OF DECEASED PERSONS.

Estates	of less than	£1,000 ir	value		ln	er cent.
11200000		-		• • •	- P	
"	$\pounds$ 1,000 to	£5,000	"		2	"
"	£5,000 to	£10,000	>>		3	"
"	£10,000 to	£20,000	<b>,,</b>	•••	4	>>
"	<b>£20,</b> 000 to	£30,000	"	•••	5	<b>&gt;&gt;</b>
"	£30,000 to	<b>£40,000</b>	"	•••	6	"
"	£40,000 to	£60,000	"	•••	7	"
"	£60,000 to	£80,000	"	•••	8	"
"	£80,000 to .	£100,000	"	•••	9	"
"	£100,000 and	d upwards	"	•••	10	"
	•					

1112. The amount realized by the State in 1883 from duties on estates Amount of of deceased persons exceeded that in 1882 by £17,880, and was also duties. much above that in any of the previous 12 years. The amounts fluctuate considerably from year to year, as will be observed by the following figures for the last thirteen years:—

DUTIES ON ESTATES OF DECEASED PERSONS, 1871 TO 1883.

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

1113. The intestate estates, respecting which administration was Intestate granted to the Curator in 1882, numbered 220; those in 1883 numbered 238. The estimated value of such estates amounted to  $\pm 30,179$  in the former and to  $\pm 34,589$  in the latter year.<sup>†</sup> The sums received by the Curator on these estates and on others remaining from former years were  $\pm 37,206$  in 1882 and  $\pm 38,625$  in 1883. In the thirteen years

\* 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

† These numbers and values are included in those given in the table following paragraph 1109 ante.

2 I 2

ended with 1883, the number of intestate estates dealt with was 2,888, and their estimated value £536,134. The amount received by the Curator in respect to these estates during the thirteen years was £527,456.

Divorce and matrimonial. 1114. Under the head of Divorce and Matrimonial Causes there were as many as 25 decrees for dissolution of marriage in 1883 as against only 9 in 1882. There were also 2 decrees for judicial separation in 1883 and 3 in the previous year. The following was the business done in the two years :---

DIVORCE AND MATRIMONIAL, 1882 AND 1883.

					1882.		1883.
Petitions fo	r dissolution of ma	rriage		number	29	•••	37
,,	judicial separatio	n	•••	"	9	•••	7
,,	$\operatorname{alimony}$	•••	0	"	6	•••	5
Decrees for	dissolution of man	riage	•••	"	9	•••	<b>25</b>
,,	judicial separation		• • •	"	3		<b>2</b>
>>	alimony	• • •	•••	"	2	•••	3

Divorces in twenty-two years. 1115. 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, 177 decrees for dissolution of marriage and 40 decrees for judicial separation have been made.

Divorces in Victoria and England. 1116. 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 being 3.74 petitions 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, more numerous in Victoria, the number per 10,000 being 16.1 as against 9.5 in England and Wales. The proportion of decrees to petitions is, however, higher in England and Wales than in Victoria, being about one-half in the former, but only about three-sevenths in the latter.

Fees in

1117. The fees in Equity amounted in the aggregate to  $\pounds 1,284$  in

Equity, &c. 1882, and to £1,014 in 1883; those on Probates amounted to £1,412 in 1882, and to £1,454 in 1883; those in Divorce amounted to £134 in 1882, and to £175 in 1883.

Collections 1118. The moneys collected in the department of the Master-inin Lunacy. Lunacy increased from £13,683 in 1882 to £16,478 in 1883.

Insolvencies. 1119. In the sixteen years ended with 1883, over twelve thousand insolvencies took place in Victoria, with liabilities amounting to nearly 10 millions sterling, as against which assets were declared slightly

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exceeding 5 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 :---

	X7		Number	As shown	by the Insolvent	s' Schedules.
	Year.		of Insolvencies.	Liabilities.	Assets.	Deficiency
		<del>مر میں برت میں ایک م</del>		£	£	£
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	. <b></b>	•••	500	536,194	311,186	225,008
1883	a a -a	•••	603	782,116	423,528	358,588
Tot	al	- - •••	12,039	9,902,384	5,159,963	4,742,421

INSOLVENCIES, 1868 TO 1883.

1120. The proportion of the assets to the liabilities, as shown by the Proportion In the to assets. insolvents' schedules, fluctuates considerably from year to year. year under review, the former amounted to 54 per cent. of the latter, in 1882 to 58 per cent., in 1881 to 53 per cent., in 1880 to 57 per cent., in 1879 to 70 per cent., in 1878 to 60 per cent., in 1877 to 59 per cent., and in 1876 to 51 per cent. In the whole period of sixteen years, the

of liabilities

declared assets were in the proportion of about 52 per cent. to the declared liabilities.

1121. Important duties in connexion with the registration of deeds Registrar-General. 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 most of these heads less business was done in 1883 than in 1882, 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, 1882 AND 1883.

		Trans	actions.	Fe Fe	ees.
Nature of Transaction.		1882.	1883.	1882.	1883.
				£	£
Registry	•••	20,089	16,300	5,713	4,859
Companies Statute		6,060	3,475	1,463	946
Bills and contracts of sale		7,018	6,695	351	335
Births, deaths, and marriages certificates	• • •	1,565	1,800	390	445
Patents	• • •	572	525	1,760	1,892
Copyrights		265	491	36	56
Trade-marks	• • •	387	529	403	643
Searches in connexion with the above		22,820	17,124	1,606	1,294
Miscellaneous fees	•••	•••	•••	182	59
Total	•••	58,776	46,939	11,904	10,529

Offences reported. 1122. The number of offences reported to the police or magistrates during 1882 and 1883 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 under all the heads, the total number of offences being 4 per cent. more in 1883 than in 1882 :—

#### OFFENCES REPORTED, 1882 AND 1883.

Offences in respect to which —	1882.	1883.	Increase.
1. Persons were brought before magistrates on sum-	20,811	21,900	1,089
2. " " apprehended by the police …	26,423	27,074	651
3. The offenders were still at large †	4,985	5,389	404
Total	52,219	54,363	2,144

Summons cases.

1123. About two-fifths of the total number of 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

\* 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.

† 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.

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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 1882 and 1883:-

	3		1882.	1883.	Increase.	Decrease
Offences against the person			2,213	1,792	•••	421
", ", property	•••	•••	1,402	1,116	•••	286
Other offences	• • •	•••	17,196	18,992	1,796	•••
Total	•	•••	20,811	21,900	1,089	•••
Cases dismissed by magistrates		• • •	6,330	6,175	• • •	155
Offender summarily convicted or	held t	o bail	14,481	15,725	1,244	•••

OFFENCES DEALT WITH BY SUMMONS,\* 1882 AND 1883.

1124. Very full details are given of the offences which gave occasion charges for the apprehensions made by the police; but, in making up the returns, persons. a person arrested more than once during the year, or arrested at one time 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.

1125. The persons † who were taken in charge by the Victorian police Arrests, 1873, 1878, and in 1883, and in the first year of each of the two previous quinquennia, 1883. were as follow:----

Persons † Arrested, 1873, 1878, and 1883. ‡

Number of Persons— 1873. 1878. 1883.	Number of Persons—	1873.	1878.	1883.
--------------------------------------	--------------------	-------	-------	-------

counted as

Taken into custody	24,959	25,544	27,074
Discharged by magistrates	7,262	$7,448 \\17,438 \\658$	8,713
Summarily convicted or held to bail	16,968		17,755
Committed for trial	729		606

\* 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.

† 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.

Arrests : proportion to population. 1126. At the last period, it will be observed, arrests were more numerous than at the former periods; but, if the numbers of the population be taken into account, the arrests at the last period will be found to have been considerably below those at either of the others. The estimated average population in 1873 was 765,511; in 1878, 821,466; and in 1883, 917,310. The arrests were, therefore, in the proportion of 1 to every 31 persons living at the first period, of 1 to every 32 persons living at the second period, and of 1 to every 34 persons living at the third period.

Proportion of times charge was sustained.

Diminution of serious offences. 1127. The persons summarily convicted, held to bail, or committed for trial, were, to the whole number arrested, in the proportion of 71 per cent. at the first and second periods, and of 68 per cent. at the third period.

1128. The diminution in the number of serious offences is strikingly shown by the decreased number of commitments for trial at the last two periods as compared with the first period. These were in the proportion of 1 to every 34 arrests at the first period, of 1 to every 39 arrests at the middle period, and of 1 to every 45 arrests at the third period.

Males and females arrested. 1129. 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 :—

	1873.		1 <b>87</b> 8.		1883.	
	Males.	Females.	Males.	Females.	Males.	Females.
Taken into custody	19,911	5,048	19,714	5,830	21,276	5,798
Discharged by magistrates Summarily convicted or held to	5,724 13,530	1,538 3,438	5,684 13,442	1,764 3,996	6,762 13,961	1,951 3,794
bail Committed for trial	657	72	588	70	553	53

MALES AND FEMALES\* ARRESTED, 1873, 1878, AND 1883.

Cases in which charge was sustained. 1130. 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 71 per cent. and 69 per cent. in 1873; of 71 per cent. and 70 per cent. in 1878; and of 68 per cent. and 66 per cent. in 1883.

Relative proportions of male and female criminals. 1131. The next table shows the relative proportions of males and female and dealt with, or committed for trial at the same three periods :--

\* See paragraph 1124 ante.

	Number	Number of Females to 100 Males.					
······································	1873.	1878.	1883.				
Taken into custody	. 25.35	29.57	27 · 25				
	. 26.87	31.03	28.85				
	. 25.41	29.73	27.18				
Committed for trial	. 10.96	11.90	<b>9 · 5</b> 8				

### MALES AND FEMALES.---RELATIVE PROPORTIONS ARRESTED, 1873, 1878, AND 1883.

1132. It will be observed that, relatively to the males taken into cus- Relative tody or summarily convicted, the proportion of females similarly dealt with was at the last higher than at the first period, but somewhat lower than at the middle period. The proportion of females committed for trial, however, was lower at the last than at either of the former periods. 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 86, and at the second and third periods of 90, to every 100 males.

1133. A condensed statement of the offences for which arrests were causes of arrest. made in the same three years, together with the numbers arrested for each offence, will be found in the following table :---

Offence.	1873.	1878.	1883.
Murder and attempt at murder	25	21	18
Manslaughter	20	15	20
Shooting at or wounding with intent to do bodily harm	55	73	56
Assault	1,408	1,636	1,816
Rape and indecent assault on females	74	54	52
Unnatural offence, and assault with intent to	19	2	8

CAUSES OF ARREST, 1873, 1878, AND 1883.

proportions of male and female criminals at three periods.

commit	4		
Other offences against the person	108	114	113
Robbery with violence, burglary, &c	187	187	262
Horse, sheep, and cattle stealing, &c	155	173	158
Other offences against property	3,435	3,622	3,030
Forgery and offences against the currency	99	122	59
Drunkenness	11,195	11,825	12,408
Other offences against good order	5,955	5,978	7,417
Offences relating to carrying out laws	593	308	169
Smuggling and other offences against the revenue	73	68	63
Offences against public welfare	1,558	1,346	1,425
• Total	24,959	25,544	27,074
	<u> </u>		

Offences at last period.

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1134. The only causes in respect to which more arrests were made at the last period than at either of the former ones were assaults, robbery with violence or burglary, drunkenness, and other offences against good order. But, for homicide, rape and indecent assaults against females, miscellaneous offences against property, forgery, offences relating to carrying out laws, and smuggling, there were fewer arrests at the last than at either of the former periods. Most arrests for horse, sheep, and cattle stealing and for forgery occurred at the middle period, and most arrests for murder and rape at the first period.

Drunkenness. 1135. 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,	<b>&gt;</b>	,	68	"	"
<b>,,</b>	1876,	"	"	69	"	""
,,	1877,	>>	"	65	,,	,,
"	1878,	"	"	<b>69</b>	"	,,
"	1879,	"	"	77	"	
"	1880,	"	29	85	"	••
"	1881,	,,	"	79	"	>>
"	1882,	>>	"	76	"	"
<b>,,</b>	1883,	"	"	74	**	23

Minor offences. 1136. 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 22,143 in 1873, 22,771 in 1878, and 24,280 in 1883; and to the whole number of arrests were in the proportion of 88 per cent. at the first period, 89 per cent. at the second, and 90 per cent. at the third. Thus only 12 per cent. of the

arrests at the first, 11 per cent. at the middle, and 10 per cent. at the last period, were for crimes in the strict sense of the word.

Smuggling. 1137. 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 63 persons were taken into custody for smuggling in 1883, which is somewhat less than the number in 1878, or in 1873.

Age and education of arrested persons. 1138. The ages of those taken into custody in 1883, and the degree of instruction possessed by them, are shown in the following table :—

## Law, Crime, &c.

Ages.		Superior Instruction.	Read and Write well.	Read only, or Read and Write imperfectly.	Unable to Read.	Total.
Under 10 years	•••	•••	•••	62	358	420
10 " 15 "	•••	•••	36	477	91	604
15 " 20 "	•••	1	446	1,263	135	1,845
20 " 25 "	• • •	12	1,121	2,692	250	4,075
25 ,, 30 ,,	•••	12	894	2,144	192	3,242
30 "40 "	•••	48	1,257	3,632	445	5,382
40 " 50 "	•••	57	1,096	3,793	687	5,633
50 ,, 60 ,,	•••	35	589	2,542	498	3,664
50 years and upwa	rds	10	269	1,512	407	2,198
Unknown age	•••	•••	1	10	•••	11
Total		175	5,709	18,127	3,063	27,074

DEGREE OF INSTRUCTION AND AGE OF PERSONS\* ARRESTED, 1883.

1139. The returns of those under 15 years of age taken in charge by Education of the police embrace neglected and deserted children as well as criminals. arrested. The whole number in 1883, according to the table, was 1,024, and of these not one was possessed of superior instruction; only 36, or 1 in 28, could read and write well; and 449, or about four-ninths, were unable to read. The number of children under 15 committed for trial was 8—all males—all of whom could read, but not one could write.

1140. Those over 15 years arrested numbered 26,050, and of these Education of adults. 5,848, or less than a fourth (including those possessed of superior instruction), could read and write well, and 2,614, or about a tenth, could not read. Those over 15 years of age committed for trial numbered 598, of whom 196, or 33 per cent., could read and write well, or were possessed of superior instruction, and 51, or an eleventh, 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.

1141. The following table shows the birthplaces and religions of the Birthplaces and religions of the numbers and religions of the ratio of those of each country and sect to the estimated numbers of the same country and sect in the population :--

\* See paragraph 1124 ante.

	Pers	sons Arrested.	Persons C	ommitted for Trial.
Birthplace and Religion.	Number.	Proportion per 1,000 in the Popu- lation. †	Number.	Proportion per 1,000 in the Popu- lation. †
BIRTHPLACE.				
Victoria ‡	6,893	12.99	245	•46
Other Australasian colonies ‡	•	31.65	69	1.63
Australian Aborigines	57		•••	
England and Wales	6,858	43.69	128	$\cdot 82$
Scotland	2,388	46.61	25	•49
Ireland	7,702	83.53	63	•68
China	192	$15 \cdot 20$	12	•95
Other countries	1,643	•••	64	•••
Total	27,074	29.51	606	•66
Religion.				اليسير مواليك الموال من مشيقة الموال المحمد المسيني
Protestants	14,887	22.63	400	$\cdot 61$
Roman Catholics	11,573	53.49	177	· 82
Jews	83	18.01	4	•87
Pagans	193	16.16	12	1.00
Others	338	•••	13	•••

BIRTHPLACES AND RELIGIONS OF PERSONS \* ARRESTED AND COMMITTED FOR TRIAL, 1883.

Relative numbers of place.

1142. It is always found that fewer Victorians are arrested, and fewer each birth. are committed for trial, in proportion to their numbers in the population, than persons of any other nationality. This, without doubt, is mainly due 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 increasing. In 1872, only 2,312 persons of Victorian birth were taken into custody, whereas in the year under review the number had risen to 6,893. The country which supplies the largest number of arrested persons is Ireland. In 1883, those arrested of this nationality exceeded the English and Welsh arrested by 844, and this although natives of England and Wales in the population outnumbered the Irish by 64,766, or 70 per cent. The offences with which the Irish were charged, however, must have been of a less serious nature than those in respect to which the English and Welsh were arrested, as the number of the former committed for trial was, in proportion to population, smaller than that of the latter. It should be stated, however, that this is the reverse of the experience of previous years, and that the number of Irish committed for trial in 1883 was unusually small, viz., only 63 as against 89 in 1882, 115 in 1881, 132 in 1880, 108 in 1879, and 116 in 1878. Proportionately to the numbers in the population, the Scotch arrested were slightly above the English, but those committed for trial were below any others except Victorians. The proportion of Chinese arrested was below that of

<sup>\*</sup> See paragraph 1124 ante.

<sup>†</sup> The estimated population of each birthplace and religion with which these calculations have been made will be found in the tables following paragraphs 61 and 67 ante.

<sup>‡</sup> Exclusive of Aborigines.

## Lan, Crime, &c.

persons of any other nationality except Victorians; but the proportion committed for trial was above that of any except natives of other Australasian colonies. 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.

1143. In proportion to their numbers in the community, the Roman Relative numbers of Catholics supplied nearly two and a half times as many arrested each religion. persons as the Protestants, and about three times as many as the Jews or the Pagans. In view of a similar proportion, the Roman Catholics committed for trial were a third more numerous than the Protestants, but not so numerous as the Jews or the Pagans. A statement of the offences which formed the grounds for arrest will be found in the next table but one.

1144. It is generally assumed that nearly every person sent to trial is Religions of guilty of the offence for which he was committed, and, although he may victed and subsequently be acquitted, the probability is that a conviction would have been obtained if sufficient evidence had been available. On the other hand, it is maintained by some that many of those discharged had been unjustly apprehended, and should not be classed as criminals. If the latter assumption be correct, it would appear by the following tablewhich shows the number of the various religions committed for trial and the number convicted together with the percentage of convictions obtained—that in 1883 a larger proportion of Roman Catholics were unjustly committed than of Protestants; which, however, is contrary to the average experience of the previous four years. Also that, according to the average, 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\* CONVICTED AND SENTENCED, 1883.

persons consentenced.

		Convictions and	l Sentences in 1883.	
Religions.	Number Tried.†	Total Number.	Percentage of Commitments.	Percentage in 4 Years, 1879–1882.
Protestants	389	235	60.4	58.9
Roman Catholics	172	97	56.4	64.1
Jews	4	4	100.0	65.8
Pagans	13	8	61.5	50-0
Others	15	6	· •••	•••
Total	593	350	59.0	60.8

\* See paragraph 1124 ante.

+ Including 56 persons who were awaiting trial at the end of 1882 and 52 who were not prosecuted. The persons awaiting trial at the end of 1883 numbered 69.

Causes of arrest, and religions.

1145. The religions of the persons \* taken into custody in 1883 are given in the following table in connexion with their offences :---

	Religions.								
Offence.	Protestants.	Roman Cathollcs.	Jews.	Pagans,	Others.	Total.			
Murder and attempt at murder Manslaughter Shooting at or wounding with intent to do bodily harm	8 11 32	8 8 19	••• •••	1  3	1 1 2	18 20 56			
Assault Rape and indecent assault on	$\begin{array}{c} 894\\ 34\end{array}$	862 18	12 	18 	<b>3</b> 0 	1,816 52			
females Unnatural offence, and assault with intent to commit	7	1	•••	•••	•••	8			
Other offences against the person	77	35	•••	· 1	•••	113			
Robbery with violence, burglary, &c.	139	115	1	7.	•••	262			
Horse, sheep, and cattle stealing, &c.	93	59	•••	1	5	158			
Other offences against property	1,785	1,150	27	34	34	3,030			
Forgery and offences against the currency	44	12	1		2	59			
Drunkenness	6,796	5,467	6	9	130	12,408			
Other offences against good order	3,936	3,261	33	95	92	7,417			
Offences relating to the carrying out of laws	93	69	•••	4	3	169			
Smuggling and other offences against the revenue	34	18	2	6	3	63			
Offences against public welfare	904	471	· 1	14	35	1,425			
Total	14,887	11,573	83	193	338	27,074			

## CAUSES OF ARREST AND RELIGIONS, 1883.

Causes of arrest of each sect compared.

1146. It will be observed that 8 Protestants, the same number of Roman Catholics, and 1 Pagan, were arrested for murder and attempt at murder; 43 Protestants, 27 Roman Catholics, and 3 Pagans were arrested for manslaughter, shooting, or serious wounding; 41 Protestants, and 19 Roman Catholics, were arrested for sexual offences. Nearly 6,800 Protestants, nearly 5,500 Roman Catholics, 6 Jews, and 9 Pagans were arrested for drunkenness. No Jew was arrested during the year for murder, manslaughter, or a sexual offence. 1147. Arrests for drunkenness and other offences against good order **Religions** of drunkards. were in the proportion of 72 per cent. of the total arrests of Protestants, of 75 per cent. of those of Roman Catholics, of 47 per cent. of those of Jews, of 54 per cent. of those of Pagans, and of 66 per cent. of those of

\* See paragraph 1124 ante.

persons of other beliefs. These proportions vary but little from year to year.

1148. The next table shows the occupations of the males and females Occupations of persons taken into custody in 1883:—

Occupations of Males and Females\* Arrested, 1883.

Occi	Males.	Females.				
CLASS I.—GOVERNME	NTAL ANI	PROFES	SIONAL.			
Government officer	•••	•••	•••	•••	12	•••
Police, penal officer		• • •	•••		4	•••
Officer of local body	•••		•••		5	•••
Army, navy—officer, man	• • •	• • •	•••		22	•••
Clergyman		3 * *	•••	•••	1	•••
Lawyer	• • •	•••			23	•••
Others connected with law	• • •		•••	•••	2	
Medical man, student		* * 4	•••		26	•••
Dentist	• • •		•••	•••	5	•••
Chemist and druggist			•••		29	•••
Midwife	• • •	• • •	•••			1
Others connected with medi	icine		•••	•••	4	•••
Author, editor, reporter	•••	• • •	•••		29	•••
Science, connected with	•••	•••	•••		3	•••
Education, engaged in					<b>29</b>	1
Fine arts, engaged in	• • •	* • •	• • •		<b>20</b>	•••
Photographer			•••		6	
Music, teacher of, musician	•••	•••	•••	•••	44	3
Theatres and exhibitions, co		with	•••		13	1
CLASS II.—ENGAGED IN			SUDT			
•	UNTERTA	INING ANJ	J DERV.	ING.	<b>59</b>	3
Hotelkeeper		• • •	•••	•••	59 2	
Board and lodging, connect		•••	•••	•••	273	509
Domestic servant, cook	••••		•••	•••		3
Hotel, boarding-house, &c.,		•••	•••	•••	61 2	Э
Charitable institution serva		•••	•••	•••	4	
Nurse (not servant) Attendance, engaged in	• • •	•••	•••	•••		21
Attenuance, engageu m	•••	•••	**•	•••	Ŧ	21
CLASS III.—CON		PURSUIT	S.		11	
Merchant, capitalist	•••	•••	• • •	•••	11	• • •
Auctioneer, &c	•••		•••	•••	/	•••
Broker, agent, &c,	• • •	•••	•••	•••	81	•••
Commercial clerk, &c.	• • •	•••	•••	••	392	***
Commercial traveller, sales		•••	• • •	•••	49	•••
Other mercantile persons	• • •	• • •	•••	•••	17	•••
Shopkeeper	•••	•••	***	••••	39	I I
Pawnbroker	•••	•••	•••		4	•••
Hawker, pedlar	•••	* • •	•••	•••	232	13
General dealer	•••	• • •	•••	•••	234	2
Railway service	•••	***	• • •	· · · • •	17	•••
Omnibus, cab-driver, owne	er	•••	•••		211	•••
Draymen, carter, carrier	• • •	• • •	•••	• •••	340	•••
Others connected with conv		• • •	•••	•••	4	•••
Ship—owner, master, officer			y)	•••	1,299	
Steamship—engineer, stoke		immer	•••		35	•••
Ship—servant, steward, &c		•••	•••		57	•••
Boatman, waterman, &c.			•••		<b>2</b>	•••
Stevedore and others conne	cted with	ships	· • • •	1	4	

\* See paragraph 1124 ante.

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OCCUPATIONS OF MALES AND FEMALES\* ARRESTED, 1883—continued.

Occupations.				Males.	Females.
CLASS III.—COMMERCIAL PUR	SUITS-	continued			
Storage, engaged in				22	48.0
Messenger, porter, errand boy	•••	•••	•••	10	• • •
Telegraph service	•••	•••	•••	6	• • •
			-		
CLASS IV.—AGRICULTURAL, P Farmer, market gardener, farm serve			C	795	1
Squatter, grazier, station servant, la				71	-
Land, estate—agent, proprietor, &c.				$\frac{1}{2}$	•••
Land surveyor and assistants				14	• • •
Horse dealer, proprietor, &c.		•••	•••	5	
	•••			16	
Horse-breaker, groom, jockey			•••	229	
Game, rabbit catcher	•••			2	
Fisherman			•••	$2\overline{1}$	
Drover and others engaged about an				$\frac{1}{60}$	•••
CLASS VINDUST		· .		19	
Bookseller, newsvendor, &c Bookbinder	•••	***	• • •	$13 \\ 5$	• • •-
	•••	• • •	•••	-	•••
Printer	•••	• • •	•••	114	***
Musical instrument maker, dealer	***	* * *	•••	2 2	* • •
Prints and pictures, connected with	•••	•••	•••	-	<b>₽ 4 ●</b> -
Carving and figures, connected with		•••	•••	4	4 8 u
Tackle for sports, connected with	***	•••		3	• • •
Watch and clock maker, dealer	•••	•••	•••	21	•••
Philosophical instrument maker, dea		•••	•••	3	• • •
Surgical instrument maker, dealer	•••	•••	•••	1 1	• • •
Gunsmith, &c Mechanical or undefined engineer		•••	•••		•••
Ç	• • •		•••	160	• • •
Toolmaker, cutler, &c	••	• • •		<b>2</b> 0	• • •
Carriagemaker, wheelwright	 alon	• • •	• • •	58	• • •
Saddle, harness, and whip maker, de		* • •	•••	89	***
Shipwright, rigger, boatbuilder	•••	•••	•••	27	• • •
Sailmaker, shipchandler, &c	• • •	•••	•••	24	• • •
Builder, contractor, architect		•••	•••	41	•••
Carpenter, joiner Bricklayer, mason, plasterer, shingle	n slatos	• • •	•••	501	•••
Painter, paperhanger, plumber, &c.	I, SIAICI		•••	435	•••
Others connected with buildings	• • •		•••	286	•••
	•••	•••	•••	3	•••
Cabinet, &c., maker, dealer Undertaker	•••	•••	•••	87	•••
	•••	• • •	•••	3	•••
Chemicals, working or dealing in	•••	•••		4	•••
Draper and assistants Wool-classer	***	•••	•••	63	•••
	•••	***	••••	3	•••
Textile fabrics, manufacturer of, we	aver	***	•••	20	•••
Hairdresser, wigmaker, &c Hat and cap maker	• • •	* * *	•••	32	••••
▲		•••	•••	17	3
Tailor, tailoress, dealer in clothing Millinor, drossmakor	•••		•••	196	38
Milliner, dressmaker	•••	•••	••••	•••	43
Clothing manufacture, engaged in		•••	•••	2	24
Boot and shoe maker	•••	•••	•••	661	1. <b>1</b>
Umbrella-maker, mender	•••	•••	•••	16	
Washerwoman, &c		***	•••	•••	41
Rope, mat, sack, maker	•••	•••	•••	4	1
Tent, tarpaulin, maker, canvas deale	r	•••	•••	1	•••

\* See paragraph 1124 ante.

# OCCUPATIONS OF MALES AND FEMALES\* ARRESTED, 1883—continued.

	Males.	Females					
CLAS	s V.—Indus	TRIAL.	-continu	ed			
Cowkeeper, dairy						20	2
Butcher, &c.				•••	•••	240	
Poulterer, fishmo					•••	22	
Miller, grain and				•••		7	•••
Baker, confection			~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		•••	171	1
Greengrocer, fru		•••	• • •	•••	•••	7	3
Jam, pickle, &c.		•••	•••	• • •		,	Ŭ
Brewing, connec		•••	• • •	* • •	•••	9	•••
Gingerbeer and			* 3 *	•••	•••	5	• • •
Sugar refiner	Soud water in	GR CI	•••		•••	5	•••
Grocer and assis	tanta .	•••	• • •		•••	1	•••
		 ad in	•••	• • •	•••	48 35	·•• T
Tobacco manufa Tobacconist	coure, engage		•••	· • •	•••	35	
		••• ••••		• • •	•••	4	•••
Soapboiler, candl			ŝt.	•••	•••	3	
Tanner, fellmong		• • •	• • •	•••	•••	39	2
Leather articles,			•••	•••	•••	3	• • •
Brush and broom		**	• • •	•••	•••	3	•••
Animal matters,	-	•	ın	•••	•••	33	• • •
Japanner, Frencl	-	•••		• • •	•••	28	•••
Firewood-deale	r, chopper, s	plitter,	fencer	•••	•••	69	
Cooper, turner	•••	••	•••		•••	49	•••
Sawyer, sawmill	owner, work	$\mathbf{er}$		•••	•••	35	• • •
Basketmaker	••• •	••	•••	•••		6	• • •
Papermaker	•••		•••	•••	•••	1	•••
Rag gatherer			• • •	• • •	•••	26	• • •
Vegetable matter	rs, others wo	rking o	r dealing	g in	•••	4	
Mining, engaged	in	•••	2 • • •	• • •		695	
Coal and charcoa	al, working of	r dealin	g in	• • •		13	
Chimney sweep	•••		•••	•••	•••	17	
Quarryman, lime				•••		16	
Brickmaker, pot	-	•••		•••		53	•••
China, glass, &c.			• • •	•••	•••	25	
Road and railway				•••		3	
Navvy	•••	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~				5	
Nightman, scave			•••	•••	•••	8	
Earth, stone, gla			 ing or de	ealing in	•••	10	
Goldsmith, silver				мин <u>е</u> тц		18	• • •
			• • •	• • •	•••	449	• • •
Ironfounder, bla	-		• • •	• • •	••••	449 10	• • •
Ironmonger Decession for fr			•••	• •#	•••		• • •
Brassfounder, fin			• • •	• • •	•••	14	•••
Other metals, wo	orking or dea	iing in	• • •	•••	•••	97	•••

OF A WI INDREINER AND NON DRODUCTIVE

CLASS VI.	INDEFINITE	AND NON-I	PRODUCTIVI	8.	· · · ·	
Labourer	••• •			•••	9,342	•••
Indefinite-Med	hanic, manage	er, apprent:	ice, &c.	•••	20	• • •
Engine-driver,	undescribed	•••	•••	•••	162	<b>* • •</b>
Independent me		-	•••	•••	2	•••
Pensioner, inma	te of institutio	on, &c	• • •	•••	2	• • •
Beggar, pauper	vagrant (not	otherwise	described)	•••	4	•••
Prostitute, brot	hel-keeper		•••		• • •	1,602
Gambler, gamin		•••	•••	•••	10	• • •
No stated occup	ation, over 15	years of a	ge	•••	854	3,195
,, ,, ,,	under	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•••	•••	690	276
	T	otal			21,276	5,798

\* See paragraph 1124 ante.

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Chief occupations of persons arrested. 1149. It will be observed that, of the males arrested, nearly half were labourers, and that of other occupations those most frequently arrested were sailors, miners, shoemakers, and farmers or farm labourers. No occupation was returned respecting 854 of the males, and it is probable that many of these belonged to the criminal classes. Of females, nearly a third were set down as prostitutes or brothel-keepers. More than half the arrested females were of no specified occupation; and of the few returned as following regular occupations more than two-thirds were domestic servants, and the bulk of the remainder were dressmakers, tailoresses, and washerwomen.

Results of summary disposal.

1150. The results of summary disposal of cases by magistrates in the year 1883 were as follow :---

SUMMARY DISPOSAL BY MAGISTRATES OF ARRESTED PERSONS,\* 1883.

		Males.	Females.				
Imprisonment for	3 years	•••	•••	•••	•••	1	•••
- >>	2 years	•••	•••	• • •	•••	20	•••
3)	1 year ai	nd under	2 years	• • •		172	95
"	6 months	s and un	der 1 yea	ar	•••	<b>255</b>	136
"	5 month		•••	•••	•••	1	•••
"	4 month	s			•••	20	3
<b>3</b> 3	3 months	5			•••	747	385
	2 months	s and un	der 3 mc	onths	•••	<b>265</b>	74
	1 month	and und	ler 2 moi	$\mathbf{nths}$	•••	937	368
	15 days	and und	er 1 mon	th	•••	33	7
,,	8 days a				•••	504	228
>>	7 days a		v	••••		3,732	1,301
Fined	•••	•••	• • •	•••	•••	6,415	813
Ordered to find b	ail	•••	•••	•••		220	52
Sent to lunatic as	sylum		•••	•••	•••	199	121
Sent to industrial	school o	r reform	atory	•••		325	206
Otherwise dealt w		•••	•••	•••	•••	115	5
Total sente	enced	•••	•••	•••		13,961	3,794
Discharged	l		•••	•••	•••	6,762	1,951
Total sum	narily dis	sposed of	£	•••	•••	20,723	5,745

Sentences by

1151. Of the persons sentenced by magistrates during 1883, 46 per

<sup>magistrates.</sup> cent. of the males, and  $21\frac{1}{2}$  per cent. of the females, were fined; 31 per cent. of the former, and 41 per cent. of the latter, were imprisoned for various terms under a month, and 16 and 25 per cent., respectively, for periods varying from 1 to 12 months; about 1 per cent. of the males, and  $2\frac{1}{2}$  per cent. of the females, were sentenced to more than 1 year's imprisonment; the balance, or 6 per cent. of the males and 10 per cent. of the females, were sent to Lunatic Asylums, Industrial and Reformatory Schools, or were otherwise disposed of.

\* See paragraph 1124 ante.

1152. Corporal punishment to males may be ordered by magistrates whipping for certain offences. In such cases the offender may be sentenced magistrates. to be whipped once, twice, or thrice, at the discretion of the bench. Two offenders were so sentenced in 1883, one of whom was to receive one whipping of fourteen lashes, and the other two whippings of twentyfive lashes each. These are the only occasions during the last four years that whipping has been ordered by magistrates.

1153. The results of the commitments for trial at the three periods Results of already referred to were as follow :---

		18 <b>73.</b>	1878.	1883.
Number for trial	•••	729	594*	593*
Convicted and sentenced		476	458	350
Acquitted	•••	201	178	191
Not prosecuted	•••	52	64	52

RESULTS OF COMMITMENTS FOR TRIAL, 1873, 1878, AND 1883.

1154. Of those committed for trial, 677 were eventually tried in Proportion 1873; 636 in 1878; and 541 in 1883. At the first period 70 per cent., of convictions obtions obtained.

1155. The following are the sentences of the prisoners tried and con-sentences in superior courts during the year under review :--

SENTENCES OF PERSONS TRIED AND CONVICTED, 1883.

	Sentence.						Females.
Death	• • •	•••	•••	•••	• • •	2	•••
Death recorded	d	• • •		•••	•••	2	•••
Hard labour on	roads or pu	blic works	for 15 ]	years		1	•••
"	27	"		years ai 5 years	nd under s	2	•••
"	<b>?</b> ?	"	7	•	nd under	• 6	••••
"	>>	"			n <mark>d un</mark> der	52	1
Imprisonment	for 2 years	and under	: 4 year	•	•• •••	88	8
))		and under			•• ••	79	7
22	6 montl	is and und	ler 1 ye	ear.	•• ••	61	4
27	1 month	n and unde	er 6 mo	onths .	•• •••	. 18	4
>>	under 1	month	•••		•• •••	5	2
Fined		•••	•••	••• •	•• ••	5	•••
Recognizances	estreated	•••	•••	••• •	•• •••	2	• • •
To find bail to		en called u	ipon .	• • •	•••••	1	
Т	'otal tried a	nd convict	ed .	•••	•• •••	324	26

\* The figures for 1878 and 1883 include those who were remaining for trial from the previous year, but exclude those awaiting trial at the end of the year. In 1873, the returns were not made up until the result of the commitments for trial was known, so that none were shown as remaining for trial at the beginning of the year or awaiting trial at its close.

2K 2

Length of sentences in superior courts.

1156. Of males convicted in superior courts, 4 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 half were sentenced for periods of less than two years, and a fifth to more than four years. Of the females, 16 were sentenced to over one, and 10 to under one year's imprisonment. Three males were sentenced to be imprisoned for a longer period than ten years, one of whom was sentenced to fifteen years. No female was sentenced to a longer period than seven years.

Whippings ordered by superior courts.

1157. In addition to the terms of imprisonment named in the foregoing table, several of the persons sentenced were ordered to be kept in solitary confinement for certain periods, and 12 were ordered to be whipped. Rape or indecent assaults on females were the crimes of five of these, for one of whom 3 whippings, for three 2 whippings, and for one 1 whipping, were ordered. The first and last mentioned of these were to receive 15 lashes on each occasion; of the others, one was to receive 10, another 9 lashes, but the number for the third was not stated. Unnatural offence was the crime of two, one of whom was ordered three whippings of 12 lashes each, and the other two whippings of 15 lashes Robbery with violence was the crime of the five remaining each. offenders, four of whom were sentenced to receive two whippings of 15 lashes on each occasion, and one three whippings of 12 lashes. 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.

1158. The number of individuals sentenced to corporal punishment 1874-1883. 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; and the number in 1883 was 14, viz., 2 by magistrates and 12 by superior courts. The total number of whippings directed to be administered in the ten years was 165, of

which 27 were ordered by magistrates and 138 by superior courts. The number of persons sentenced to be whipped in 1883 was thus larger than in any year of the period except 1878. The average number of whippings per individual in the ten years was 2.

1159. One criminal, an Irishman, claiming to be a member of the Executions. Roman Catholic Church, was executed in 1883 for murder. Since the first settlement of Port Phillip, 134 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 :---

	Birthplace, Religion, and Offence.							Number	
Total nu	umber executed	•••	***	•••	•••	•••	•••	• • •	134
Birthpla	ace—Victoria	• • •	• • •		•••	•••	•••	•••	4
,,	Other Australi	ian col	onies	• • •		•••	- • •, .		5
>>	England	• • •	•••	• • •	•••		•••	•••	56
,,	Wales		•••	•••	• • •	•••	•••	•••	2
>>	Ireland			•••		•••		•••	39
,,	Scotland		•••	•••	•••	•••	•••	•••	7
,,	West Indies		•••		•••	* 4 *		•••	2
27 27	Belgium	•••	•••	•••	•••		•••	•••	1
,,	France	•••	•••	•••	•••	• • •		•••	· 1
>>	Switzerland		•••	•••		•••		•••	1
"	Germany	•••	•••	•••	•••	•••		•••	1
>>	Sweden		•••		•••				1
"	Sicily	• • •		•••	•••	•••	•••	•••	1
"	United States	of Am	erica	•••	•••	•••		•••	4
,,	China	•••	•••	•••	•••	•••	•••	•••	8
>>	At sea	•••	•••		•••				1
Religion	-Church of Engla	nd	• • •	• • •				•••	28
,,	Presbyterian	•••		•••	•••	•••	•••	•••	4
,,	Wesleyan	i, ●	•••	•••	•••	•••	•••	•••	7
<b>39</b> .	Baptist	•••	• • •	•••	•••	•••			1
"	Lutheran	•••	• • •		•••	•••	•••	•••	2
27	Protestant undef	ined	• • •	•••	•••	•••	• • •	•••	30
>>	Roman Catholic	•••	•••	•••	•••	•••	• • •	•••	51
"	Pagan	•••	•••	• • •	•••	•••	• • •		6
>>	No Religion		•••	•••	* • •	• • •	•••	•••	5*
)ffence-	-Murder	·	• • •	• • •		•••	•••	•••	99
))	Attempt to murde	e <b>r</b>	•••	• • •	•••	• •' •	•••	•••	16
,, ,,	Rape	•••					•••	•••	9
,,	Unnatural offence	e on a		<b></b>	•••	•••		•••	1
"	Robbery with viol		•••	•••		· •••	• • •	•••	9

CRIMINALS EXECUTED, 1842 TO 1883.

\* Aborigines.

Undetected crime.

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1160. The offences in respect to which no person was apprehended numbered 5,389 in 1883, or 404 more than in the previous year. Those against the person increased by 24, those against property by 229, and other offences by 151. The following are the undetected offences in the last nine years. It will be noticed that the total number in 1883 was higher than in any previous year :---

T			Number of Offences.							
-	Year.		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	• 6 8	•••	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				

### UNDETECTED CRIME, 1875 TO 1883.

Offender perhaps other grounds.

1161. With reference to the offences set down as undetected, it arrested on should be remarked that in all probability the malefactor does 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.

Crime in Australasian colonies.

1162. The next four tables, giving details of crime in the various Australasian colonies, have been compiled in the office of the Govern-

ment 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 seven years 1876 to 1882, 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 areomitted in all the colonies :---

## Law, Crime, &c.

## CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1882.

		Number of	of Offences for	which Person	ns were—
Name of Colony.		Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	after
	(1876	42,297	27,505	680	384
	1877	45,844	29,528	594 650	
Victoria		44,742	29,452	<b>658</b>	
Victoria	{ 1879	43,936	28,266	628 680	
		41,778	26,950	<b>680</b>	
	1881	44,730	29,131	591	
	(1002	47,234	31,542	616	402
	(1876	45,105	30,404	1,391	822
	1877	47,739	33,003	1,517	829
	1878	53,325	37,924	1,803	959
New South Wales †		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
	(1876	10,180	6,126	285	132
	1877	9,929	6,444	312	
	1878	9,563	6,153	344	197
Queensland †	{ 1879	9,058	5,762	377	185
	1880	9,133	6,051	316	
	1881	10,063	7,253	264	
	[ 1882	11,649	8,025	308	144
	(1876	9,375	7,929	239	129
	1877	10,314	8,696	240	156
	1878	13,682	11,685	369	229
South Australia	{ 1879	12,843	10,970	384	<b>22</b> 3
	1880	15,063	12,814	353	199
	1881	15,347	13,258	342	213
	(1882	14,672	12,634	339	211
	(1876	7,509	5,847	95	47
	1877	6,855	5,272	83	Convicted after Commitment 384 340 458 397 398 332 402 822 829 959 1,090 1,148 1,058 1,065 132 177 197 185 170 126 144 129 156 229 223 199 213 211
	1878	6,126	4,552	102	
Western Australia		6,471	4,853	85	
	1880	5,577	4,221	50	25
	1881	5,460	4,134	109	
	(1882	5,089	3,683	90	
	(1050		7 000	0.0	<b>F</b> 3

Tasmania	 $ \begin{array}{c} 1876\\ .1877\\ 1878\\ \\ 1879\\ 1880\\ 1881\\ 1882 \end{array} $	9,207 7,619 7,901 8,709 8,336 7,566 8,820	7,208 6,092 6,260 7,061 6,685 5,950 6,944	96 102 113 110 117 90 93	51 49 54 67 73 51 36
	 }	•	l	•••••	

\* Not including civil cases.

† Cases brought up for lunacy are not included in the returns of New South Wales and Queensland. In the former, 814 lunatics during 1876, 955 during 1877, 879 during 1878, 863 during 1879, 879 during 1880, 867 during 1881, and 835 during 1882; and in the latter, 320 during 1876, 288 during 1877, 384 during 1878, 317 during 1879, 387 during 1880, 357 during 1881, and 434 during 1882, were admitted to asylums. Probably four-fifths of these were apprehended by the police. CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1882-continued.

			Number o	of Offences for	which Perso	ons were—
Name	e of Colony.		Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.
New Zealand †	•••	$ \begin{array}{c} 1876\\ 1877\\ 1878\\\\ 1879\\ 1880\\ 1881\\ 1882 \end{array} $	22,141 21,953 22,237 22,492 21,181 19,796 22,659	16,100 16,293 16,370 16,088 15,025 14,079 16,573	$\begin{array}{r} 414\\ 405\\ 415\\ 734\ddagger\\ 592\\ 474\\ 467\end{array}$	249 250 292 296 370 235 219
Australasia		$ \begin{array}{c} 1876\\ 1877\\ 1878\\ \\ 1879\\ 1880\\ 1881\\ 1882 \end{array} $	$145,814 \\150,253 \\157,576 \\157,379 \\158,852 \\169,562 \\176,059$	101,119 105,328 112,396 111,828 113,951 124,935 129,527	$3,200 \\ 3,253 \\ 3,804 \\ 4,061 \\ 3,825 \\ 3,496 \\ 3,637$	1,814 $1,828$ $2,234$ $2,311$ $2,383$ $2,076$ $2,123$

Large amount of crime in New South Wales. 1163. By this table it would appear that, notwithstanding the smaller population, crime is much more prevalent in New South Wales than in Victoria, there being, 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. In 1882, the apprehensions and summonses exceeded those in Victoria by 39 per cent., and the summary convictions by 59 per cent. It must, moreover, be remembered that the returns of Victoria are swelled by the apprehensions of lunatics, whilst these are not included in the returns of New South Wales.

Proportion of 1164. The position of the respective colonies in respect to crime will each colony. 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 seven 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 :---

\* Not including civil cases.

† Maoris are included. In 1882, the number of cases in which they were concerned was 551—in 853 of which summary convictions were obtained, in 168 cases the prisoner was discharged, and in 30 cases committed for trial, resulting in 19 convictions.

<sup>‡</sup> 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.

# Law, Crime, &c.

PROPORTION OF ARRESTS, COMMITMENTS, AND CONVICTIONS IN AUSTRALASIAN COLONIES TO POPULATION, ETC., 1876 TO 1882.

	Propo per 1,00	rtion 00 of—	Propo per 10,00		Propo per Cer	
Name of Colony.	Apprehensions and Summons Cases* to Population.	Summary Convictions to Population.	Commitments for Trial to Population.	Convictions after Commitment to Population.	Summary Con- victious to Ap- prehensions and Summons Cases.*	Convictions after Commitment to Commitments.
Victoria { 1876	53·10	34·53	8·54	4·82	$\begin{array}{r} 65.03 \\ 64.40 \\ 65.82 \\ 64.33 \end{array}$	56·4
1877	56·69	36·52	7·35	4·20		57·2
1878	54·47	35·85	8·01	5·58		69·6
1879	52·68	33·89	7·53	4·76		63·2
1880	49·13	31.69	8·00	4.68	64.51	58·5
1881	51·48	33.52	6·80	3.82	65.13	56·1
1882	53·04	35.42	6·92	4.51	66.78	65·2
(1876   1877   1878   1878	72·96 73·90 78·65	49·18 51·09 55·94	22.50 23.48 26.59	13·30 12·83 14·15	67·40 69·13 71·12	59·1 54·6 53·1
New South Wales < 1879	75·45	54·38	24·41	$   \begin{array}{r}     15 \cdot 27 \\     15 \cdot 92 \\     13 \cdot 87 \\     13 \cdot 32   \end{array} $	72.08	62·5
1880	80·11	58·52	23·81		73.04	66·8
1881	87·29	67·01	21·31		76.77	65·0
1882	82·49	62·71	21·57		76.02	61·7
(1876	55·27	33·26	15·47	7·17	60·18	46·3
1877	50·89	33·03	15·99	9·07	64·90	56·7
1878	46·24	29·75	16·63	9·53	64·34	57·2
Queensland { 1879   1880   1881   1882	42·29 41·15 45·53 49·03	$26.90 \\ 27.26 \\ 32.82 \\ 22.77$	17.60 14.24 11.95	8·64 7·66 5·70	63 <sup>.</sup> 61 66 <sup>.</sup> 25 72 <sup>.</sup> 08	49.0 53.8 47.7
(1876 1877	42 <sup>.</sup> 99 44 <sup>.</sup> 60	33·77 36·36 37·60	12·96 10·96 10·38	6·06 5·92 6·75	68 <sup>.</sup> 89 84 <sup>.</sup> 58 84 <sup>.</sup> 31	46·7 53·9 65·0
South Australia { 1878	56·34	48·12	15·20	9·43	85·40	62·0
1879	50·50	43·17	15·11	8·77	85·48	58·0
1880	57·16	48·63	13·40	7·55	85·07	56·4
1881	53·18	45·94	11·81	7·38	86·39	62·2
L 1882	50.61	43 <sup>.</sup> 58	11·69	7·28	86·11	62·2
( 1876	277.95	216 <sup>.</sup> 43	35·17	17·40	77·87	49·4
1877	248.55	191 <sup>.</sup> 16	30·09	9·79	76·90	32•5
1878	218·77	162·56	36·43	16·07	74·31	44·1
Western Australia < 1879	227·72	170·78	29·91	18·65	75·00	62·3
1880	193·35	146·34	17·33	8·67	75·69	50·0
1881	182·93	138·50	36·52	20·44	75·71	55·9
(1882	167·46	121·19	29 <sup>.</sup> 62	15·14	72·37	51·1
(1876	88·04	68·93	9 <sup>.</sup> 18	4·88	78·29	53·1
[1877]   1878   1878   1879   1880	71.68 72.80 78.31 73.37	57·33 57·68 63·49 58·84	9.60 10.41 9.89 10.30	4·61 4·98 6·02 6·43	79·97 79·00 81·08 80·19	48·0 47·7 60·9 62·4
1881	64·49 73·07	50·72 57·53	7·67 7·70	4·35 2·98†	78.64	56·6 38·7

\* Not including civil cases.

† This small proportion is in consequence of the large number of cases not prosecuted, amounting to about 44 per cent. of the commitments.

PROPORTION OF ARRESTS, COMMITMENTS, AND CONVICTIONS IN AUSTRALASIAN COLONIES TO POPULATION, ETC., 1876 TO 1882 —continued.

	Propo per 1,00	rtion )0 of—	Propo per 10,0	rtion 00 of—	Propo per Cer	rtion nt. of—
Name of Colony.	Apprehensions and Summons Cases* to Population.	Summary Convictions to Population,	Commitments for Trial to Population.	Convictions after Commitment to Population	Summary Con- victions to Ap- prehensions and Summons Cases.*	Convictions after Commitment to Commitments.
New Zealand $\begin{cases} 1876\\ 1877\\ 1878\\ 1879\\ 1880\\ 1881\\ 1882 \end{cases}$	57.1453.7652.7450.1944.6640.1144.49	41.55 39.90 38.82 35.90 31.68 28.52 32.54	10.68 9.92 9.84 16.38† 12.48 9.60 9.17	$\begin{array}{c} 6.43 \\ 6.12 \\ 6.92 \\ 6.61 \\ 7.80 \\ 4.76 \\ 4.30 \end{array}$	72.7274.2273.6271.5370.9471.1273.14	60°14 61°73 70°36 40°33‡ 62°50 49°58 46°90
Total Australasia 1876 1877 1878 1879 1880 1881 1882	61.52 60.97 61.67 59.19 59.41 60.94 61.18	42.66 42.74 43.98 42.06 42.62 44.90 45.01	13.50 13.20 14.89 15.28 14.33 12.62 12.64	7·77 7·54 8·91 8·93 8·91 7·46 7·37	69·35 70·10 71·32 71·06 71·73 73·68 73·57	56.70 56.19 58.73 56.91 62.30 59.38 58.37

Order of colonies in respect to apprehensions, &c.

1165. Judging from the number of offences for which apprehensions were made or summonses issued during the seven years named, as compared with the population, the three colonies to which criminals were formerly transported, viz., New South Wales, Tasmania, and Western Australia, are, as will readily be supposed, those in which crime is more rife than in the remainder, which have always been free from the convict taint. According to this standard, Queensland would appear to be the colony in which the population is generally the least criminal of any in the group, and next to Queensland, New Zealand. The positions of these were, however, reversed in 1881 and 1882, the returns showing the latter to have been the colony in which, relatively to population, the fewest arrests were made or summonses issued. Over the seven years, Victoria occupied the fourth place. The following is the order of the various colonies in this respect in 1882, the colony with the highest proportion of persons apprehended or summoned on criminal charges being placed first, and that with the lowest last: -

† See footnote (‡) on page 520 ante.

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

<sup>\*</sup> Not including civil cases.

ORDER OF COLONIES IN REFERENCE TO NUMBERS APPREHENDED OR SUMMONED IN PROPORTION TO POPULATION, 1882.

- 1. Western Australia.
- 2. New South Wales.
- 3. Tasmania.
- 4. Victoria.

1166. As regards the persons summarily convicted, in proportion to Order of colonies in population, the three colonies which at one time received convicts are respect to again at the top of the list. Victoria occupies the fifth position, thus showing a smaller proportion of summary convictions than those three colonies or than South Australia. The following is the order in which the colonies stand 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.

- 1. Western Australia.
- 2. New South Wales.
- 3. Tasmania.
- 4. South Australia.

1167. Victoria shows, relatively to population, a much smaller number order of colonies in of persons committed for trial than any other colony, and it may, respect to therefore, be inferred that the proportion of serious offences perpetrated ments for trial. there is comparatively small. Western Australia and New South Wales are still at the top of the list, the commitments for trial being proportionately more numerous in them than in any of the other colonies. Queensland rises to the next place below these, but Tasmania, in consequence of the low ratio of commitments, occupies a position just above Victoria :---

ORDER OF COLONIES IN REFERENCE TO NUMBERS COMMITTED FOR TRIAL IN PROPORTION TO POPULATION, 1882.

- 1. Western Australia.
- 2. New South Wales.
- 3. Queensland.
- 4. South Australia.

- 5. New Zealand.
- 6. Tasmania.
- 7. Victoria.

summary convictions.

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- 5. Victoria. 6. Queensland.
- 7. New Zealand.

5. South Australia.

6. Queensland.

7. New Zealand.

varies but slightly from the foregoing, Victoria generally having the respect to convictions smallest number in proportion to population; but, in 1882, Victoria rose in superior courts. above New Zealand and Tasmania-South Australia also rose above Queensland-but the relative positions of the other colonies remained unaltered :---

ORDER OF COLONIES IN REFERENCE TO CONVICTIONS IN SUPERIOR COURTS IN PROPORTION TO POPULATION, 1882.

- 1. Western Australia.
- 2. New South Wales.
- 3. South Australia.
- 4. Queensland.

- 5. Victoria.
- 6. New Zealand.
- 7. Tasmania.

Order of colonies in respect to summary convictions obtained. 1169. 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, 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 REFERENCE TO PROPORTION OF SUMMARY CONVICTIONS TO ARRESTS AND SUMMONSES, 1882.

South Australia.
 Tasmania.
 New South Wales.
 New Zealand.
 New Zealand.
 New Zealand.

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

1170. In regard to the proportion of convictions to commitments for trial, Victoria was, in 1882, at the top of the list; and South Australia and New South Wales, where the proportions were nearly equal, stood next; whilst Tasmania, which in the previous year occupied the third place, was—in consequence of the large number of cases which fell through for want of prosecution\*—at the bottom of the list. This will be seen by the subjoined statement, in which the colonies are placed in order, the one in which the convictions 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, 1882.

<ol> <li>Victoria.</li> <li>South Australia.</li> <li>New South Wales.</li> <li>Western Australia.</li> </ol>	<ol> <li>5. New Zealand.</li> <li>6. Queensland.</li> <li>7. Tasmania.</li> </ol>
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Incomplete returns in some colonies.

1171. 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.

\* See footnote (†) on page 521 ante.

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1172. Notwithstanding that New South Wales possesses a smaller Arrests, &c., for various population by about a seventh than Victoria, arrests for offences of all descriptions are much more numerous in the former colony than in Australian colonies. the latter. Thus, in 1882, arrests for homicide in New South Wales numbered 54 against only 33 in Victoria; arrests for rape and other sexual offences numbered 110 against 66; arrests for other offences against the person numbered 9,080 against 4,340; arrests for robbery, burglary, &c., numbered 274 against 206; arrests for horse, sheep, and cattle stealing, &c., numbered 529 against 169; arrests for other offences against property numbered 6,643 against 4,853; and arrests for drunkenness numbered 22,280 against 11,749. The following table shows the offences for which apprehensions were made or summonses issued in the various Australasian colonies during the seven years 1876 to 1882, so far as the information can be gathered from their respective *Statistical Registers:—* 

APPREHENSIONS	AND	SUMM	ONSES	FOR	VARIO	US	OFFENCES	IN	THE
Ατ	STRAI	LASIAN	Colo	NIES,	1876	то	1882.		

			Nui	nber of	Arrests	or Summ	ionses f	or—	
Colony.	Year.	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 1877 1878 1879 1880 1881 1882	34 50 36 29 36 32 33	86 48 54 60 81 71 66	4,083 4,316 4,456 4,174 4,376 4,526 4,340	136     155     187     203     245     195     206	178 195 173 154 171 153 169	3,956 4,167 4,274 4,160 3,880 4,383 4,383 4,853	$11,624 \\12,447 \\11,825 \\10,859 \\10,056 \\11,065 \\11,749$	22,933 24,305
New South Wales {	1876 1877 1878	69	7,578 8,539 9,398		966	5,898 6,130 6,807		16,171 16,696 17,224 17,718	16,374 19,896
	1879 1880 1881 1882	63 75 68 54	85 95 104 110	9,102 9,364 9,031 9,080	245 231	472 469 465 529	6,126 6,154 6,237 6,643	18,777 22,560	22,605 27,904

\* The law relating to drunkenness differs in New South Wales from that in the other colonies, inasmuch as only there is it legal to arrest for drunkenness unaccompanied with disorderly conduct. Certainly, in Victoria, and probably in the other colonies, whatever the law may be, the practice differs but little, if at all, from that in New South Wales, as the term "disorderly conduct" is applied to any act whereby the individual shows himself to be in a drunken condition, *e.g.*, staggering, talking loud or singing in the streets, lying or even sitting on a kerb or doorstep, &c. It is evident that no one can be arrested anywhere for drunkenness unless he show some sign of being drunk, and should such sign when shown be held to imply disorderly conduct, and thus lead to his arrest, the difference in the law can cause no difference in the practice.

APPREHENSIONS AND SUMMONSES FOR VARIOUS OFFENCES IN THE AUSTRALASIAN COLONIES, 1876 TO 1882—continued.

		Number of Arrests or Summonses for-								
Colony.	Year.	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.	
Queensland {	1876 1877 1878 1879 1880 1881 1882		1,226 1,550 1,273 1,238 1,320 1,304 1,532	<b>1</b>	L	1,238 1,201 1,191 1,175 1,186 1,146 1,140	1 	3,679 3,019 3,215 2,997 2,867 3,275 3,771	4,159 3,884 3,648 3,760	
South Australia {	1876 1877 1878 1879 1880 1881 1882	$5\\11\\10\\5\\13\\7\\5$	19 31 32 29 37 33 16	735 810 941 857 1,026 862 934	$     \begin{array}{r}       30 \\       24 \\       50 \\       46 \\       52 \\       45 \\       55 \\     \end{array} $	$ \begin{array}{c c} 27 \\ 31 \\ 12 \\ 15 \\ 51 \\ 23 \\ 19 \\ \end{array} $	544 636 824 890 971 1,009 963	2,837 2,890 4,166 3,840 4,325 5,298 4,713	5,178 5,881 7,647 7,161 8,588 8,070 7,967	
Western Australia	1876 1877 1878 1879 1880 1881 1882		515 470 619 462 331 418 365			537 493 515 387 355 354 459		6,4 5,8 4,9 5,6 4,8 4,6 4,2	92 92 22 91 88	
Tasmania{	1876 1877 1878 1879 1880 1881 1882	13 25 6 2 2 5 5 5	$     \begin{array}{r}       11 \\       16 \\       30 \\       54 \\       14 \\       8 \\       20 \\     \end{array} $	876 636 693 616 651 528 621	61 58 60 45 103 35 36	18 26 35 35 35 37 17 27	903 854 862 998 723 691 842	1,807 $1,345$ $1,374$ $1,504$ $1,543$ $1,446$ $1,827$	5,518 4,659 4,821 5,455 5,263 4,836 5,442	
New Zealand {	1876 1877 1878 1879 1880 1881 1881 1882	31 18 16 14 29 13 10	51 41 43 51 56 59 47	1,743 1,899 1,890 1,869 1,909 1,937 1,920	54 66 38 100 99 73 93	43 61 44 67 65 85 62	1,776 $1,855$ $1,684$ $2,563$ $2,272$ $2,146$ $2,226$	7,153 7,429 7,105 6,672 6,371 5,770 6,996	11,290 10,564 11,417 11,156 10,380 9,713 11,305	

Ratio of each 1173. Subjoined is a statement of the proportion of the various offences to population of each colony. during the same seven years :--

Lan, Crime, &c.

		Arrests or Summonses per 1,000 of the Population for-							
Colony.	Year.	Offences against the Person.	Offences against Property.	Drunken- ness.*	Other Offences				
	( 1876	5.28	5.36	14.60	27.87				
	1877	5.46	$5.50 \\ 5.59$	15.39	30•26				
	1878	5.53							
Victoria			5.64	14.40	28.90				
	\ 1879	5.11	5.42		29·13				
		5.28	5.05	11.83	26.97				
	1881   1882	$\begin{array}{c c} 5\cdot 33 \\ 4\cdot 99 \end{array}$	$5 \cdot 44 \\ 5 \cdot 87$	$ \begin{array}{c c} 12.73 \\ 13.19 \end{array} $	$\begin{array}{r} 27 \cdot 97 \\ 28 \cdot 99 \end{array}$				
		12.26							
	1876		9.54	26.16	25.00				
	1877	13.21	9.20	25.84	25.35				
New South Wales		13.86	10.04	25.40	29.35				
New South Wates	1879	12.95	9.61	24.80	28.07				
	1880	$13 \cdot 22$	9.52	26.03	31.34				
	1881	11.99	9.09	29.57	36.57				
	L 1882	11.56	9•31	27.87	33•73				
	( 1876	6.66	6.72	19.97	21.92				
	1877	7 • 94	6.16	15.47	$21 \cdot 32$				
	1878	6.16	5.76	15.55	18.78				
Queensland	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				
	L 1882	6 • 45	4.80	15.87	21.91				
	<b>(</b> 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				
South Australia		3.54	3.74	15.11	28.14				
	1880	4.08	4.08	16.41	$32 \cdot 59$				
	1881	$3 \cdot 12$	3.66	18.36	$27 \cdot 97$				
	1882	3 · 29	3.58	16.26	27.48				
	( 1876	19.06	19.88	239	01				
	1877	17.04	17.87	213	63				
	1878	$22 \cdot 13$	18.39	178	•27				
Western Australia	1879	16.26	13.62	197	•84				
	1880	11.48	12.31	169	• 57				
	1881	14.00	11.86	157	•06				
	L 1882	12.01	15.10	140	• 34				
	( 1876	8.60	9.39	17.28	52.77				
	1877	6.37	8.82	12.65	43.83				
	1878	6.72	9.00	12.66	40.39				
Fasmania	1879	<b>6</b> ·04	9.69	13.52	<b>49</b> .05				
	1880	5.87	7.60	13.58	46.32				
	1881	4.61	6•33	12.32	41.21				
	L 1882	5.35	7.50	15.14	45.09				
	┌│ 1876	4.70	4.84	18.46	<b>29 · 14</b>				
	1877	4.79	4.85	18.19	25.87				
	1878	4.62	<b>4</b> ·19	16.85	27.08				
New Zealand	\ 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				

## PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH AUSTRALASIAN COLONY, 1876 TO 1882.

\* See footnote on page 525 ante.

Order of colonies as to offences against the person.

1174. 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 1882 nearly two and a half times, and in the latter more than two and a The following is the order quarter times, as numerous as in Victoria. of the colonies in this respect during 1882, 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, 1882.

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

3. Queensland.

4. Tasmania.

Order of colonies as to offences against property.

1175. In 1882, arrests for offences against property in Western Australia were nearly three times as numerous, and in New South Wales more than half as numerous again, 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, 1882.

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

1176. In the matter of drunkenness, New South Wales far outstrips Order of colonies as to drunken- all the other colonies of the group in which the offence is distinguished ness. the arrests for drunkenness there in the last three years having been In South proportionately more than twice as numerous as in Victoria.\* Australia, a remarkable increase during the last five years, as compared with previous ones, has taken place in the arrests for drunkenness; for whereas the proportion in 1876 and 1877 was lower than in any other

colony, in the five years since 1877 it has been higher there than in any colony except New South Wales. 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 IN REFERENCE TO APPREHENSIONS FOR DRUNKENNESS IN PROPORTION TO POPULATION, 1882.

1. New South Wales. 2. South Australia. 3. Queensland.

4. Tasmania.

- 5. New Zealand.
- 6. Victoria.

\* See footnote to table following paragraph 1172 ante.

1177. "Other offences," which embrace breaches of corporation by-order of laws, Wines and Spirits Statute, &c., are rather violations of good order than actual crimes, and are consequently generally dealt with by Relatively to population, they are most numerous in Tassummons. mania, and in recent years have been also much more numerous in New South Wales than in Victoria. 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 IN REFERENCE TO ARRESTS OR SUMMONSES FOR "OTHER OFFENCES," 1882.

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

1178. The statistics at hand relating to the United Kingdom give the Crime in United commitments for trial and convictions in the superior courts, but do Kingdom. 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 eight years ended with 1883 :---

Country.			Gammit		Proportion of				
		Estimated Population. Commit- ments for Trial.		Con- victions.	Commit- ments to Population.	Convic- tions to Population.	Convic- tions to Commit- ments.		
<u></u>					per 10,000.	per 10,000.	per cent.		
	(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	6.29	5.02	76.18		
England and	1879	25,165,336	16,388	12,525	6.51	4.98	76.43		
Wales	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		
	/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		
<b>O</b> (1	1879	3,627,453	2,700	2,091	7.44	5.76	77.44		
Scotland	1 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		
				•			74.68		
	1883	3,825,744	2,563	1,914	6.70	5.00			

CRIME IN THE UNITED KINGDOM, 1876 TO 1883.

colonies as to "other offences."

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CRIME IN THE UNITED KINGDOM, 1876 TO 1883—continue	CRIME	IN THE	UNITED	KINGDOM,	1876	то	1883—continued
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Country.					P	roportion of	•
		Estimated Population.	Commit- ments for Trial.	Con- victions.	Commit- ments to Population	Convic- tions to Population	Convic- tions to Commit- ments.
			4.140	2.249	per 10,000.	per 10,000. 4 · 40	per ccnt. 56.54
	(1876)	5,321,618	4,146	2,343	7.79 7.25	$4 40 4 \cdot 31$	$50 54 59 \cdot 49$
	1877	5,338,906	3,870	2,300	$7 \cdot 25$ $7 \cdot 82$	4.31 4.28	59 + 9 54.81
Ireland $\int 18^{\circ}$	1878	5,351,060	4,183 4,363	2,293	8.14	$\frac{4}{4} \cdot 12$	50.58
	/	5,362,337 5,327,099	4,303	2,207 2,383	8.85	$\frac{4}{4}.47$	50.50 50.53
	$\frac{1880}{1881}$	5,129,950	5,311	2,698	10.35	5.26	50.80
	1881	5,097,730	4,301	2,050	8.44	4.42	52.43
	$\begin{pmatrix} 1002\\1883 \end{pmatrix}$	5,015,328	3,025	1,740	6.03	3.46	$57 \cdot 52$
	/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
Total $\dots$	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	$6 \cdot 24$	4.20	72.16
	1883	35,611,816	20,247	15,001	5.69	4.21	<b>74 · 09</b>

Crime in United Kingdom and Australasia compared.

1179. Taking the mean of the eight 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 somewhat 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 is much higher than in Victoria. Convictions after commitment are, relatively to population, generally somewhat less numerous in Victoria than in the United Kingdom or any of its divisions.

Convictions in United Kingdom and compared.

1180. The convictions obtained in proportion to the commitments are, according to the figures, more numerous in England and Scotland Australasia than in any of the Australasian colonies, but the proportion in Ireland was exceeded in 1882 in Victoria, New South Wales, and South Australia.

1181. A phase of crime, respecting which it is difficult to obtain Prostitution in Australian capitals. 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 :---

## Lan, Crime, &c.

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	•••		67,954	500	73-58

PROSTITUTION IN AUSTRALIAN CAPITALS.

1182. According to the figures in the last column, Melbourne is Results commuch 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. An enormous amount of prostitution appears to exist in Adelaide, but the figures being given in round numbers must be regarded with suspicion.

1183. The Victorian police force is an admirably organized body of Police. men, and, although smaller in proportion to population than the police of any other of the Australian colonies, their efficiency, combined with the orderly character of the population, is such that serious offences, as has been already shown,\* are much less rife in Victoria than in any of the other colonies. The total number of police of all ranks is 1,188, or one policeman to every 790 of the population. From a return kindly furnished by the Chief Commissioner of Police, it is found that there is one policeman to every 722 of the population of South Australia, one to every 644 of the population of New South Wales, and one to every 468 of the population of Queensland. Mr. Chomley also finds that one policeman keeps in order and protects as many as 675 persons in Melbourne, whilst there is one to every 566 in Sydney, one to every 375 in Adelaide, and one to every 253 in Brisbane.

1184. The number of criminal cases tried in the Central Criminal supreme Court, Melbourne, and in the Courts of Assize throughout the colony, in 1883, was 292, of which 202 were for felonies, and 90 for misdemeanors. The convictions for felonies numbered 122, and for misdemeanors 68. The number of places where courts were held was 18, the number of courts held was 42, and the total duration of courts was 156 days.

1185. Courts may be held at the same number of places to try civil supreme cases, but no causes were entered at 6 out of the 18 places in 1883. <sup>Court civil</sup> sittings. The number of causes entered for trial during the year was 222. The

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<sup>\*</sup> See paragraphs 1167 and 1170 ante.

number of causes tried was 219, of which 113 were tried by juries of six, and 106 by juries of twelve. All these but 78 were defended. The damages laid in the declarations amounted in the aggregate to £347,515. Verdicts were returned in 212 instances, there were 5 nonsuits, and in 3 instances the jury disagreed. Of the verdicts, 175, or about 83 per cent., were for the plaintiff. The aggregate amount awarded by the juries was £75,160, or 22 per cent. of the damages laid. In the ten years ended with 1882, the damages sued for in these or similar courts amounted to £1,821,044, and the sums awarded by juries to £425,801, or to about 23 per cent. of the damages sued for.

Courts of General Sessions. 1186. 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 1883 numbered 33, and the number of courts held 88, extending over periods amounting in the aggregate to 102 days. The number of cases tried was 254, in 152 of which, or 60 per cent., convictions were obtained. The number of appeals heard was 41. In the ten years prior to 1883, 2,760 cases were tried in Courts of General Sessions, and 1,850 convictions were obtained; thus the latter were to the former in the proportion of 67 per cent.

County Courts. 1187. County Courts have jurisdiction in civil cases up to £250. The number of places at which they were held in 1883 was 65, and the number of courts held was 209, extending over 452 days. The total number of causes tried was 9,589, the amount sued for was £239,238, and the amount recovered £96,126, or only 40 per cent. of the amount sued for. Although the number of causes was larger than in the previous year, the amount sued for was considerably smaller, being only about a fourth of the amount in 1882, when, however, the amount was unusually large. The costs awarded to the plaintiff amounted to £13,092, and the costs awarded to the defendant to £5,290. During the ten years prior to the year under review the aggregate amount sued for in County Courts was £2,922,072, and the aggregate amount

awarded was £907,409, or 31 per cent. of the amount sued for.

Courts of Mines. 1188. 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 1883 numbered 22, and the courts held numbered 75, occupying 29 days. The total number of suits was 12, and the aggregate amount or value of demand,  $\pounds 510$ . The amount of costs awarded to the plaintiff was  $\pounds 285$ , and to the defendant  $\pounds 33$ . 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 1883 the value sued for in Courts of Mines amounted in the aggregate to  $\pounds 263,735$ . The business has fallen off very considerably for several years past.

1189. The cases of indictable offences heard at Petty Sessions during Courts of 1883 numbered 1,651, which resulted in 606 commitments for trial. Sions: Commitments were thus obtained in 37 per cent. of the cases. The criminal cases. offences summarily dealt with numbered 47,323, in 33,480 of which, or 71 per cent., the offender was convicted.

1190. Courts of Petty Sessions have jurisdiction in ordinary civil cases Courts of up to £20, and in master and servant cases up to £50. Such courts sions: civil were held at 225 places during the year. The civil cases heard numbered 14,211, in which the total amount of debts or damages claimed was £62,375, and the total amount awarded was £39,606, or 63 per cent. of the amount claimed. In the ten years ended with 1882 the debts or damages claimed in these courts amounted in all to £908,823, and the sums awarded to £573,863, or to 63 per cent. of the amounts claimed.

1191. The net results of the civil cases tried in 1883 may be gathered Debts sued from the following table, which shows the total amount of debts and awarded. damages sued for in the various courts, and the aggregate value of the awards, also the percentage of the latter to the former, in 1883 and the previous decennium. It will be noticed that the whole amount at stake was nearly two-thirds of a million sterling, and that not quite a third was recovered; also, that whilst the proportion recovered in the Supreme Court and the Courts of Petty Sessions was about the average, that in County Courts was considerably above the average:---

DEBTS AND DAMAGES CLAIMED AND AWARDED.

			and Damages, 1883.		of Debts and recovered.	
Name of Court.		Claimed.	Awarded.	1883.	Average of Previous 10 Years.	
		£	£	Per cent.	Per cent.	
Supreme Court	• • •	347,515	75,160	22	23	
County Courts	•••	239,238	96,126	40	31	
Courts of Petty Sessions	••	62,375	39,606	63	63	
Total	•••	649,128	210,892	32	34	

1192. Writs were issued during 1883 in six places. The number of writs. writs issued was 1,298, of which 28 were Queen's writs against both person and property, 69 were subjects' writs against the person alone,

and 1,201 were subjects' writs against property alone. In the three years, 1878, 1879, and 1880, the writs issued were unusually numerous, but in the last three years they were less so than in any of the previous eleven years.

Gaols and penal establishments. 1193. 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 prisoners.

1194. The total and average number of males and females detained in each of these descriptions of prison during 1883 will be found in the following table :--

		of ons.		Prisone	ers detained	during th	e Year.		
Description of Prison.		Number of Institutions.	T	otal Num	iber.†	Avera	Average at One Time.		
		Nun Inst	M.	<b>F.</b>	Total.	M.	F.	Total.	
Gaols Police gaols	•••	9 12	5,625 551	2,715 67	8,340 618	569 15	$\frac{319}{3}$	888 18	
Penal establishments Total	•••	$\begin{array}{c} 2 \\ \hline 23 \end{array}$	1,161 7,337	2,782	1,161	543  1,127	322	543 1,449	

GAOLS AND PENAL ESTABLISHMENTS, 1883.

Prisoners, 1882 and 1883. 1195. The total number of prisoners detained during the whole or any portion of 1883, exclusive of those transferred from one institution to another, viz., 10,119, as shown in the table, was greater by 35, but the average number of prisoners constantly detained during the same year was less by 46, than the corresponding numbers in 1882.  $\ddagger$ 

Proportion of prisoners to population. 1196. The mean population of the colony during 1883 was 917,310, consisting of 483,960 males and 433,350 females, which figures, being compared with those in the table showing the average number of prisoners, it follows that 1 person in every 633 persons living was constantly in prison during the year; or, distinguishing the sexes, that, during the same period, 1 male in every 429 males living, and 1 female in every 1,346 females living, were constantly in detention.

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

† Exclusive of prisoners transferred from one institution to another.

‡ Owing to an ambiguity in the return from which the figures were obtained, the total number of prisoners in 1882 was given in the last *Year-Book* as 8,192 instead of 10,084.

These figures, and those for the seven previous years, are given in the following table. It will be observed that the proportion of males constantly in prison in 1883 was much lower than in any previous year shown; but the proportion of females had been exceeded on three previous occasions :---

PROPORTION OF PRISONERS TO POPULATION, 1876 TO 1883.

	Year.		Of the Total Population One Person was constantly in Prison to every—				
	······		Males.	Females.	Both Sexes		
1876	•••	•••	<b>3</b> 23	1,142	487		
1877	•••	•••	345	1,183	518		
1878	•••	•••	356	1,397	549		
1879	•••	•••	351	1,267	534		
<b>1880</b> .	• • •	•••	<b>348</b>	1,274	532		
1881	• • •		353	1,349	543		
1882	• • •		391	1,416	596		
1883	•••	•••	429	1,346	633		

1197. From the returns supplied by the Penal Department, it is not Number of possible to determine accurately from year to year the number of distinct distinct prisoners under detention, as those imprisoned more than once during the year are not distinguished. The information is, however, available for a previous year, viz., 1879, when it was ascertained that 21 per cent. of the total number of prisoners were re-admissions. If a similar proportion for those imprisoned two or more times during the year be uniformly deducted from the total number detained in all kinds of prisons during 1883—already shown to have been 10,119, or 7,337 males and 2,782 females—the remainder would be 7,994, or 5,796 males and 2,198 females, which may be considered to express approximately the number of distinct persons incarcerated during the whole or some part of the year.

1198. Comparing these figures with those showing the mean population, Proportion of it appears that 1 person in every 115 persons in the colony, or 1 male in every 83 males, and 1 female in every 197 females, passed some portion of the year in prison. In this estimate, 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. 1199. Out of a total of 8,288 male prisoners (including transfers) under Prisoners detention in 1883, 3,877, or 47 per cent., had been previously convicted— previously convicted. viz., 1,263, or 15 per cent. of the whole, once; 671, or 8 per cent., twice; and as many as 1,943, or 23 per cent., three times or oftener. Similarly, out of a total of 2,905 female prisoners, 1,986, or 68 per cent., had been previously convicted—viz., 308, or 11 per cent. of the whole, once; 208, or 7 per cent., twice; and no fewer than 1,470, or 50 per cent., three times or oftener.

Grounds of imprisonment. 1200. The following is a classification of the prisoners in confinement at the end of 1883, according to the grounds in respect to which they were detained. It will be noticed that 69 were untried; also that more than half the males, but not quite a sixth of the females, had been convicted of felony :--

GROUNDS FOR DETENTION OF PRISONERS AT END OF 1883.

Grounds for Detention.	Gaols.		Police Gaols.		Penal Establishments.	Total.		
	М.	F.	м.	F.	М.	М.	F.	Total.
Felony, tried , untried Misdemeanors, tried , untried Other offences, tried	$   \begin{array}{c}     157 \\     34 \\     99 \\     3 \\     257 \\     15   \end{array} $	55 3 69 2 203	$ \begin{array}{c} 1\\5\\4\\\\\\\\1\\\end{array} \end{array} $	···· ···· 2	424  80  21	582 39 183 3 279	55 3 69 2 205	$637 \\ 42 \\ 252 \\ 5 \\ 484 \\ 99$
" untried … Total …	$\begin{array}{ c c c }\hline 15\\\hline 565\\\hline \end{array}$	5 337	$\frac{2}{13}$	2	525	17 1,103	5  339	22 1,442

Sickness in prisons.

1201. The cases of sickness in the year, which numbered 788,\* were in the proportion of 1 case to every 10 individual prisoners, or to every 2 of the average number constantly detained.

Deaths in prisons.

1202. Thirty-one deaths in prison occurred in 1882, and 40 (including 1 execution) in 1883. These deaths were in the proportion of 1 to every 257 in the former year, and 1 to every 200 in the latter year, of the estimated individual prisoners; and in the proportion of 1 to every 48 in the former year, and 1 to every 36 in the latter year, of the daily average number of prisoners detained.

Prisoners absconding.
1203. Three prisoners, all males, absconded successfully in 1882, viz.,
1 from the Geelong, 1 from the Maryborough, and 1 from the Melbourne gaol. In 1883, some attempts were made, but not one prisoner succeeded in effecting his escape.

Ages of prisoners.

1204. 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 :---

<sup>\*</sup> The cases of sickness in gaols were set down as 753 in Part Vital Statistics, paragraph 634 ante. In that return the sickness which occurred in police gaols was not included.

## Law, Crime, &c.

Ages.	Estimated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.	
Under 20 years	442,977	149	3.36	
20 to 30 <sup>°</sup> ,	169,073	479	28.33	
30 " 40 "	91,132	271	29.73	
40 ,, 50 ,,	93,532	248	26.51	
50 ,, 60 ,,	75,799	174	22.96	
60 years and upwards	44,797	128	28.58	
Total	917,310	1,449	15.80	

AGES OF PRISONERS, 1883.

1205. It appears from this table that, in 1883, the proportion of pri-Proportion soners constantly detained to the population was greatest between the at various ages of 20 and 40, and at over 60 years of age. Of persons over 20 living in Victoria, 1 in every 364; of those between 20 and 40, 1 in every 347; of those over 40, 1 in every 389; and of those over 60, 1 in every 350, were constantly in prison throughout the year.

1206. The birthplaces and religions of the prisoners constantly Birthplaces detained during the year, deduced from the total numbers of each gions of 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 :--

Native Country and Religion.	Estimated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
NATIVE COUNTRY.			
Australasian Colonies	573,189	544	9.49
England and Wales	156,967	379	24.14
Scotland	51,235	93	18.12

BIRTHPLACES AND RELIGIONS OF PRISONERS, 1883.

Ireland	•••	92,201	317	$34 \cdot 38$
China		12,631	16	12.67
Other countries	•••	31,087	100	•••
Total		917,310	1,449	15.80
Religion.				
Protestants	•••	657,772	809	12.29
<b>Roman Catholics</b>		216,363	612	<b>28 · 2</b> 8
Jews	•••	4,608	5	10.85
Pagans		11,945	18	15.07
Others	•••	26,622	5	•••

Relative numbers of each country and sect.

1207. It will be observed that, in view of their respective numbers in the population, natives of the Australasian colonies and of China especially the former—contributed much less than their share to the number of inmates of prisons, but the natives of Scotland contributed slightly more, natives of England and Wales 50 per cent. more, and natives of Ireland 118 per cent. more, than their share to that number. Also, that of the religious denominations shown, Protestants and Jews contributed much less, and Pagans slightly less, than their share ; but Roman Catholics 79 per cent. more than their share to the number of such inmates.

Gaol punishments.

. 1208. The following cases of punishment for offences committed within the prison took place in 1883. It will be observed that hard labour was prescribed in only 11 instances. The "other punishments" do not include whipping, as corporal punishment is not administered in Victoria for any breach of prison regulations :—

Nature of Punishment.	Gaols.			Penal Establishments.	Total.		
	М.	F.	Total.	М.	M.	F.	Total.
Hard labour Solitary confinement Other punishments	4 193 38	 118 64	$\begin{array}{r} 4\\311\\102\end{array}$	7 397 374	11 590 412	118 64	11 708 476
Total	235	182	417	778	1,013	182	1,195

PUNISHMENTS FOR OFFENCES WITHIN PRISONS,	PUNISHMENTS	FOR <b>UFFENCE</b>	5 WITHIN	PRISONS.	1883.
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Proportion of prisoners punished.

1209. The punishments for offences within the prison, as detailed in the last table, were in the proportion of 1 to every 7 individual prisoners, 1 punishment of a male to every 6 individual male prisoners, 1 punishment of a female to every 12 individual female prisoners. According to the daily average number of prisoners, there was not quite one pupishment to each prisoner; or about one punishment to each male, and not quite two punishments to each female.

1210. The number of inmates of reformatories during 1883 was 328, viz., 215 males and 113 females. Of these, 105, of whom 77 were newly committed, were admitted, and 132 left, during the year. Of the latter, 20 were discharged at the request of relatives, 16 were discharged on expiration of term, 71 were sent to employment, 12 were licensed to parents, and 13 were discharged otherwise. At the end of the year 196 inmates—141 boys and 55 girls—remained in the institutions; the boys were all in the reformatory at Ballarat; 29 of the girls were

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in the Protestant reformatory at Coburg, and 26 were in the assisted reformatory school maintained under the supervision of the nuns at Oakleigh.

1211. Of the 196 inmates of reformatories at the end of 1883, all but Birthplaces 12 were known to be Australians by birth. Of the remainder, 5 were natives of England, 1 of Ireland, and of 6 the birthplace was unknown. Of the whole number, 114, or about 58 per cent., were Protestants-viz., 70 members of the Church of England, 12 Presbyterians, 17 Wesleyans, 3 Independents, and 12 members of other Protestant sects; 2 were Jews; and the remainder-viz., 80, or about 41 per cent.-were Roman Catholics.

1212. One of the inmates of reformatories at the end of 1883 was Ages in reformatories\_ between 10 and 11 years of age, seven were aged 11, twenty-one aged 12, thirty-three aged 13, fifty-nine aged 14, forty-five aged 15, and thirty aged 16 and upwards.

1213. The Government expenditure for the maintenance of reforma- Cost of maintenance of tory school children amounted in 1883 to £6,863, as against which reformatory children.  $\pounds 433$  was received from parents, and  $\pounds 179$  was derived from the sale of farm produce, &c., or  $\pounds 612$  in all, which leaves  $\pounds 6,251$  as the net amount expended by Government. The mean number of children maintained was 214; the average net cost of each to the State was thus £29 4s. 2d.

1214. The inquests held in 1883 numbered 1,544, as against 1,553 in Inquests. 1882. In 762 instances the death was found to have resulted from disease or natural causes; in 25 cases, from intemperance; in 700 cases, from violence; in 49 cases, from doubtful causes; and in 8 cases a verdict of "still-born" was returned. Of the deaths set down to violence, the verdict in 520 cases was to the effect that the death had resulted from accident; in 4, from homicide; in 102, from suicide; 1 from execution; and in 73, that the cause of the violent death was doubtful. The practice of holding inquests in cases of other than violent deaths was on the increase until 1877, but since then the proportion which verdicts of "death from disease or natural causes" has borne to the total number of verdicts given has been tolerably steady. In 1873, this proportion was 45 per cent.; in 1874, 47 per cent.; in 1875, 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.; and in 1883, 49 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

and religions in reformatories.

to instructions issued by the Governor in Council under the 3rd section of the Coroners Statute 1865 (28 Vict. No. 253).

Eire inquests.

1215. Four fire inquests were held during 1883 as against 5 in 1882, 4 in 1881, 5 in 1880, 10 in 1879, and 3 in 1878. 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 VIII.—RELIGIOUS, MORAL, AND INTELLECTUAL **PROGRESS.**

Abolition of State aid to religion.

1216. It was provided by the Constitution Act that, for the advancement of the Christian religion in Victoria, the sum of £50,000 should be set apart each year from the general revenue to promote the erection of buildings for public worship and the maintenance of ministers of religion, which sum should be apportioned to each denomination according to the number of its members at the preceding census. This provision was, however, repealed by an Act (34 Vict. No. 391) which came into operation on the 31st December, 1875. Since that date no further State assistance to religion has been given.

Difficulty in obtaining religious bodies.

1217. Great difficulty exists in obtaining accurate statistics from statistics of several of the religious bodies. In the instances referred to, the returns are not furnished until after repeated applications, and even then they are often forwarded in so manifestly incorrect a condition that it is

necessary to send them back for correction, frequently more than once. It is surprising that a matter which must be of interest to every member of these denominations should not receive more attention at the hands of their clergy or other recognised heads.

Clergy and services.

1218. The following table contains a statement of the number of registered clergy and the approximate number of religious services performed in connexion with each denomination during the last two years :---