

Imports of  
live stock  
overland.

773. The returns of live stock imported overland made by the inspectors of stock always differ more or less from those of the officers of the Customs. In 1881 the former showed much larger numbers as regards horses and cattle, but slightly smaller numbers as regards sheep, than the latter. The following are the imports of these descriptions of stock, according to the returns of both authorities:—

#### IMPORTS OF LIVE STOCK OVERLAND, 1881.

	Horses.	Cattle.	Sheep.
According to returns of the stock inspectors	5,678 ...	65,556 ...	1,067,824
„ „ Customs	... 2,961 ...	... 62,726 ...	... 1,079,298

Imports of  
pigs.

774. According to the returns of the stock inspectors, the pigs imported overland in 1881 numbered 1,017. According to the Customs returns, the total number of pigs imported in the same year numbered 5,265, but it is not stated how many were imported by land and how many by sea.

Value of live  
stock over-  
land.

775. According to the Customs returns, the value of live stock (exclusive of pigs) imported overland in 1880 was £751,041, and in 1881, £678,686.

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### PART VI.—LAW, CRIME, ETC.

Transfer of  
Land  
Statute.

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

Lands under  
the Statute.

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

Assurance  
fund.

778. The assurance and indemnity fund established under the Transfer of Land Statute to secure the Government against possible losses is formed chiefly by the payment of an amount equal to one halfpenny in the pound of the value of all lands which become subject to its operation. The balance to the credit of this fund on the 30th June 1881 was £66,502, of which £50,000 had been invested in Government stock. Three claims upon the fund have been substantiated since its first formation, and £718 Os. 4d. has been paid to claimants.

779. A large increase took place in the business under the Transfer of Land Statute (29 Vict. No. 301) in 1881 as compared with 1880. The following were the transactions in the two years:—

Transactions under the Land Statute, 1880 and 1881.

TRANSFER OF LAND STATUTE, 1880 AND 1881.

	1880.	1881.
Applications to bring land under the Act ... number	865	1,256
Extent of land included ... acres	50,764	64,990
Value of land included ... £	1,018,150	1,451,193
Certificates of title issued ... number	10,066	13,977
Transfers, mortgages, leases, releases, surrenders, &c. „	18,015	23,993
Registering proprietors ... „	311	36
Other transactions* ... „	20,234	22,310
Forms sold ... „	226	369
Fees received ... £	26,579	34,570

780. The total quantity of land under the Transfer of Land Statute at the end of 1881 was 8,557,614 acres, the declared value of which, at the time it was placed under the Act, was £22,391,876. The land granted and sold up to the end of 1881 was 12,614,400 acres. It therefore follows that at that period over two-thirds of the alienated land in the colony was subject to the provisions of this Statute.

Proportion of land under the Statute.

781. The business in Equity was generally somewhat heavier in 1881 than in the previous year, as will be seen by the following figures:—

Transactions in Equity.

TRANSACTIONS IN EQUITY, 1880 AND 1881.

	1880.	1881.
Suits by bill ... number	63	93
Petitions filed ... „	8	4
Commissions issued ... „	8	6
Decrees issued ... „	35	44
Orders issued ... „	127	107
Reports issued ... „	33	27
Writs of injunction issued ... „	3	7
Conveyances settled by Master ... „	1	—
Leases settled by Master ... „	2	—
Recognizances entered into ... „	1	—
Rolls filed ... „	31	54

782. In 1881, as compared with 1880, there was a large increase in the number of probates and letters of administration issued, and in the value of property bequeathed. The average value of each estate in 1880 was £1,530, and in 1881, £1,896. The following are the figures for those years:—

Probates and letters of administration.

\* Not including copies of documents supplied.

## PROBATES AND LETTERS OF ADMINISTRATION, 1880 AND 1881.

Year.	Probates.		Letters of Administration.*		Both.	
	Number.	Property sworn under—	Number.	Property sworn under—	Number.	Property sworn under—
1880 ...	744	£ 1,476,035	491	£ 414,065	1,235	£ 1,890,100
1881 ...	940	2,243,205	608	691,865	1,548	2,935,070
Increase	196	767,170	117	277,800	313	1,044,970

Value of property bequeathed. 783. During the seventeen years ended with 1881 the value of the property respecting which probates and letters of administration were issued amounted to over thirty-one and a third millions sterling (£31,397,239).

Scale of probate, &c., duties. 784. According to the present law,† duties are levied in Victoria on the net value of real and personal estates of deceased persons within the colony upon the following scale; half duty only being paid by widows, children, or grandchildren:—

## SCALE OF DUTIES ON ESTATES OF DECEASED PERSONS.

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

Amount of probate, &c., duties. 785. The amount realized by the State in 1881 from duties on estates of deceased persons was greater by over £30,000 than in either of the three previous years. The amounts, however, fluctuate considerably from year to year, as will be observed by the following figures for the last eleven years:—

## DUTIES ON ESTATES OF DECEASED PERSONS, 1871 TO 1881.

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

\* Including those granted to the Curator of Intestate Estates.

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

786. The intestate estates respecting which administration was granted to the Curator in 1880 numbered 204; those in 1881 numbered 186. The estimated value of such estates amounted to £28,350 in the former and to £77,588 in the latter year.\* The sums received by the Curator on these estates and on others remaining from former years were £50,473 in 1880, and £62,519 in 1881. In the eleven years ended with 1881 the number of intestate estates dealt with was 2,430, and their estimated value £471,366. The amount received by the Curator in respect to these estates during the eleven years was £451,625.

Intestate estates.

787. Under the head of Divorce and Matrimonial Causes there were 9 decrees for dissolution of marriage in 1881 as compared with 11 in 1880; but no decree for judicial separation was made in either year. The following was the business done in the two years:—

Divorce and matrimonial.

DIVORCE AND MATRIMONIAL, 1880 AND 1881.

	1880.	1881.
Petitions for dissolution of marriage ... .. number	16	18
„ judicial separation ... .. „	6	10
„ alimony ... .. „	7	7
Decrees for dissolution of marriage ... .. „	11	9
„ for alimony ... .. „	5	—

788. 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, 143 decrees for dissolution of marriage and 35 decrees for judicial separation have been made.

Divorces in nineteen years.

789. 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.

Divorces in Victoria and England.

790. The fees in Equity amounted in the aggregate to £802 in 1880, and to £798 in 1881; those on Probates amounted to £1,050 in 1880,

Fees in Equity, &c.

\* These numbers and values are included in those given in the table following paragraph 782 ante.

and to £1,325 in 1881; those in Divorce amounted to £111 in 1880, and to £120 in 1881.

Collections  
in Lunacy.

791. The moneys collected in the department of the Master-in-Lunacy decreased from £12,286 in 1880 to £12,133 in 1881.

Insolvencies.

792. In the fourteen years ended with 1881, nearly eleven thousand insolvencies took place in Victoria, with liabilities amounting to over 8½ millions sterling, as against which assets were declared amounting to nearly 4½ millions sterling. The following is a statement of the number of insolvencies in each year, also of the declared liabilities and assets of the estates, and of the amounts by which the latter were exceeded by the former:—

#### INSOLVENCIES, 1868 TO 1881.

Year.	Number of Insolvencies.	As shown by the Insolvents' Schedules.		
		Liabilities.	Assets.	Deficiency.
		£	£	£
1868 ... ..	863	617,764	167,226	450,538
1869 ... ..	818	653,614	194,251	459,363
1870 ... ..	996	479,491	150,170	329,321
1871 ... ..	631	444,117	217,841	226,276
1872 ... ..	804	696,868	222,770	474,098
1873 ... ..	672	330,337	188,351	141,986
1874 ... ..	776	543,157	269,130	274,027
1875 ... ..	773	641,390	389,330	252,060
1876 ... ..	712	551,814	280,962	270,852
1877 ... ..	715	462,651	272,720	189,931
1878 ... ..	781	677,364	408,677	268,687
1879 ... ..	1,007	1,655,485	1,204,051	451,434
1880 ... ..	768	526,130	298,384	227,746
1881 ... ..	620	303,892	161,386	142,506
<b>Total ... ..</b>	<b>10,936</b>	<b>8,584,074</b>	<b>4,425,249</b>	<b>4,158,825</b>

Insolvencies,  
1881 and  
previous  
years.

793. The financial and commercial depression which existed during 1879 is shown by the unusual number of failures in that year. It is gratifying, however, to note a great improvement in 1880, and a still further improvement in 1881, when the number of insolvents and the amount of their liabilities were absolutely the lowest recorded during the whole period of fourteen years. The deficiency shown, moreover, was less in 1881 than in any previous year except 1873.

Proportion  
of liabilities  
to assets.

794. The proportion of the assets to the liabilities, as shown by the insolvents' schedules, fluctuates considerably from year to year. In the year under review, the former amounted to 53 per cent. of the latter, 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 fourteen years, the declared assets were in the proportion of about 52 per cent. to the declared liabilities.

795. The number of offences reported to the police or magistrates during 1880 and 1881 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. A slight decrease will be observed under the third head, but an increase under the other two heads; the total number of offences being nearly 6 per cent. more in 1881 than in 1880:—

OFFENCES, 1880 AND 1881.

Offences in respect to which —	1880.	1881.	Increase.	Decrease.
1. Persons were brought before magistrates on summons	17,795	19,384	1,589	...
2. „ „ apprehended by the police	23,983	25,346	1,363	...
3. The offenders were still at large † ...	4,898	4,631	...	267
Total ... ..	46,676	49,361	2,685 ‡	...

796. Nearly two-fifths of the total number of offences in 1880 and 1881 consisted of those in respect to which persons were brought before magistrates on summons but were not taken into custody. These must obviously be of a lighter character than those for which arrests are made, and therefore do not demand lengthened consideration. The offences in this category classed as against the person are principally assault cases resulting from petty quarrels; those against property are chiefly cases of wilful damage to or illegal detention of property; and the remainder consist for the most part of breaches of the Education Act, the clause in the Public Works Statute relating to railways and water supply, the Local Government Act or municipal bye-laws, the Masters and Servants or Wines and Spirits Statute, &c. The following are the particulars given respecting those which were dealt with in 1880 and 1881:—

\* 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 are and are not 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.

‡ Net figures. •

## OFFENCES DEALT WITH BY SUMMONS,\* 1880 AND 1881.

				1880.	1881.	Increase.	Decrease.
Offences against the person	...	...	...	2,409	2,468	59	...
"    "    property	...	...	...	346	998	652	...
Other offences	...	...	...	15,040	15,918	878	...
Total				17,795	19,384	1,589	...
Cases dismissed by magistrates	...	...	...	6,716	6,701	...	15
Offender summarily convicted or held to bail	...	...	...	11,079	12,683	1,604	...

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

798. The persons † who were taken in charge by the Victorian police in 1881, and in the first year of each of the two previous quinquenniads, were as follow:—

## PERSONS † ARRESTED, 1871, 1876, AND 1881. ‡

Number of Persons—		1871.	1876.	1881.
Taken into custody	...	22,800	25,281	25,346
Discharged by magistrates...	...	6,950	7,750	8,307
Summarily convicted or held to bail	...	15,069	16,851	16,448
Committed for trial	...	781	680	591

799. It will be observed that fewest arrests were made at the first period, and that they were only slightly more numerous at the last than at the middle period. In proportion to the number of persons in the colony, however, arrests at the last period were less numerous than at either the first or the middle period. The estimated average population in 1871 was 737,005; in 1876, 796,558; and in 1881, 868,942. The arrests were therefore in the proportion of 1 to every 32 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. In considering the arrests in connection with the numbers of the population, it should, however, be remembered that persons, and especially males,

\* 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 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*.

Charges counted as persons.

Arrests, 1871, 1876, and 1881.

Arrests, proportion to population.

at an age to commit crime now bear a much smaller proportion to the inhabitants of the colony than they did formerly.

800. The persons summarily convicted, held to bail, or committed for trial, were, to the whole number arrested, in the proportion of 70 per cent. at the first period, of 69 per cent. at the second, and of 67 per cent. at the third period. Proportion of times charge was sustained.

801. The diminution in the number of serious offences is shown by the decreasing number of commitments for trial at each successive period. These were in the proportion of 1 to every 29 arrests at the first period, of 1 to every 34 arrests at the middle period, and of 1 to every 43 arrests at the third period. Diminution of serious offences.

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

**MALES AND FEMALES\* ARRESTED, 1871, 1876, AND 1881.**

	1871.		1876.		1881.	
	Males.	Females.	Males.	Females.	Males.	Females.
Taken into custody ...	18,576	4,224	19,528	5,753	19,840	5,506
Discharged by magistrates ...	5,613	1,337	5,887	1,863	6,432	1,875
Summarily convicted or held to bail	12,258	2,811	13,064	3,787	12,872	3,576
Committed for trial ...	705	76	577	103	536	55

803. The males and females summarily convicted, held to bail, or committed for trial, were to the whole numbers of the same sexes arrested in the proportions respectively of 70 per cent. and 68 per cent. in 1871; of 70 per cent. and 68 per cent. in 1876; and of 68 per cent. and 66 per cent. in 1881. Cases in which charge was sustained.

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

**MALES AND FEMALES.—RELATIVE PROPORTIONS ARRESTED, 1871, 1876, AND 1881.**

	Number of Females to 100 Males.		
	1871.	1876.	1881.
Taken into custody ...	22·74	29·46	27·75
Discharged by magistrates ...	23·81	31·64	29·15
Summarily convicted or held to bail ...	22·93	28·99	27·78
Committed for trial ...	10·78	17·85	10·26

\* See paragraph 797 ante.

Relative proportions of male and female criminals at three periods.

805. It will be observed that, relatively to the males taken into custody, or summarily convicted, the proportion of females similarly dealt with was at the last higher than at the first period, but somewhat lower than at the middle period. The proportion of females committed for trial, however, was slightly lower at the last period than at the first, as well as very much lower than at the middle period. At all the periods the proportion of female to male criminals was much lower than the proportion that females bore to males in the total population. At the first period the females in the colony were in the proportion of 83, and at the second of 88, and at the third of 91, to every 100 males.

Causes of arrest.

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

CAUSES OF ARREST, 1871, 1876, AND 1881.

Offence.	1871.	1876.	1881.
Murder and attempt at murder ... ..	28	17	16
Manslaughter ... ..	14	17	16
Shooting at or wounding with intent to do bodily harm	54	59	82
Assaults ... ..	1,398	1,425	1,862
Rape and indecent assaults on females ...	88	86	71
Unnatural offence, and assaults with intent to commit	18	15	5
Other offences against the person ... ..	130	125	109
Robbery with violence, burglary, &c. ...	224	136	195
Horse, sheep, and cattle stealing, &c. ...	154	170	183
Other offences against property ... ..	3,454	3,458	3,355
Forgery and offences against the currency ...	82	98	58
Drunkenness ... ..	9,968	11,624	11,065
Other offences against good order ... ..	5,045	6,085	6,696
Offences relating to carrying out laws ...	672	374	361
Smuggling and other offences against the revenue	101	66	33
Offences against public welfare ... ..	1,370	1,526	1,239
Total ... ..	22,800	25,281	25,346

Offences at last period.

807. The only causes in respect to which more arrests were made at the last period than at either of the former ones were shooting at or wounding, assaults; horse, sheep, and cattle stealing; and miscellaneous offences against good order. But, except manslaughter and drunkenness—arrests for which were least numerous at the first—and robbery—arrests for which were least numerous at the middle period—the apprehensions

for all other offences were fewer at the last than at either of the former periods.

808. Arrests for drunkenness in 1881 were more numerous than in 1879 or 1880, but fewer than in any other year since 1874. For several years prior to 1877, drunkenness, as shown by the arrests, was increasing from year to year, but since then, judged by the same standard, it had until 1881, when a slight increase occurred, been steadily declining; thus, in the eight years ended with 1881, these arrests numbered 10,981, 11,541, 11,624, 12,447, 11,825, 10,859, 10,056, and 11,065. Notwithstanding the diminution which has taken place of late years in the number of arrests for drunkenness, it is still quite common enough to show that vigorous effort on the part of those who are seeking to suppress or mitigate the evil is not uncalled for, especially when it is remembered that, large as is the number of persons taken into custody each year for this offence, arrests therefor are very seldom made unless it is accompanied with disorderly conduct. In many cases, no doubt, the same individual was arrested over and over again; but, supposing each arrest had represented a distinct individual, there would have been taken into custody for drunkenness—

In 1874,	one person in every	71	living in	Victoria.
„ 1875,	„	68	„	„
„ 1876,	„	69	„	„
„ 1877,	„	65	„	„
„ 1878,	„	69	„	„
„ 1879,	„	77	„	„
„ 1880,	„	85	„	„
„ 1881,	„	79	„	„

809. Drunkenness, “other offences against property,” and “other offences against good order,” may be considered as, comparatively speaking, minor offences, not amounting to crimes. Arrests for these numbered 18,467 in 1871, 21,167 in 1876, and 21,116 in 1881; and to the whole number of arrests were in the proportion of 81 per cent. at the first period and 84 per cent. at the last two periods. Notwithstanding the inducement which high import duties might be supposed to offer to smugglers, offences against the revenue have never led to many arrests. Only 33 persons were taken into custody for smuggling in 1881, which is only half the number in 1876, and less than a third of the number in 1871.

810. The ages of those taken into custody in 1881, and the degree of instruction possessed by them, are shown in the following table :—

## DEGREE OF INSTRUCTION AND AGE OF PERSONS\* ARRESTED, 1881.

Ages.	Superior Instruction.	Read and Write well.	Read only, or Read and Write imperfectly.	Unable to Read.	Total.
Under 10 years ...	...	3	61	362	426
10 to 15 ,, ...	...	57	535	149	741
15 to 20 ,, ...	1	545	1,381	141	2,068
20 to 25 ,, ...	12	1,207	2,181	293	3,693
25 to 30 ,, ...	23	903	1,668	258	2,852
30 to 40 ,, ...	42	1,401	3,170	636	5,249
40 to 50 ,, ...	45	1,028	3,305	846	5,224
50 to 60 ,, ...	33	579	2,063	510	3,185
60 years and upwards	10	285	1,205	392	1,892
Unknown ...	1	4	8	3	16
Total ...	167	6,012	15,577	3,590	25,346

Education of children arrested.

811. The returns of those under 15 years of age taken in charge by the police embrace neglected and deserted children as well as criminals. The whole number in 1881, according to the table, was 1,167, and of these not one was possessed of superior instruction; only 60, or about a nineteenth, could read and write well; and 511, or 44 per cent., were unable to read. The number of children under 15 committed for trial was 10, all males, of whom two were able to read and write, five could read only, and three were unable to read.

Education of adults.

812. Those over 15 years arrested numbered 24,179, and of these, 6,119, or over a fourth (including those possessed of superior instruction), could read and write well, and 3,079, or over an eighth, could not read. Those over 15 years of age committed for trial numbered 581, of whom 168, or nearly a fourth, could read and write well, or were possessed of superior instruction, and 58, or a tenth, 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.

Birthplaces and religions of criminals.

813. The following table shows the birthplaces and religions of the persons taken into custody and of those committed for trial in 1881, also the ratio of those of each country and sect to the numbers of the same country and sect as enumerated at the last census:—

\* See paragraph 797 ante.

**BIRTHPLACES AND RELIGIONS OF PERSONS \* ARRESTED AND  
COMMITTED FOR TRIAL, 1881.**

Birthplace and Religion.	Persons Arrested.		Persons Committed for Trial.	
	Number.	Proportion per 1,000 of the Popu- lation. †	Number.	Proportion per 10,000 of the Popu- lation. †
<b>BIRTHPLACE.</b>				
Victoria ‡ ... ..	6,231	12·48	185	3·71
Other Australian colonies ‡	1,182	29·65	61	15·30
Australian Aborigines ...	40	...	...	...
England and Wales ...	6,444	43·70	149	10·10
Scotland ... ..	2,156	44·77	34	7·06
Ireland ... ..	7,517	86·67	115	13·26
China ... ..	246	20·85	5	4·24
Other countries ... ..	1,530	...	42	...
<b>Total ... ..</b>	<b>25,346</b>	<b>29·39</b>	<b>591</b>	<b>6·85</b>
<b>RELIGION.</b>				
Protestants ... ..	13,755	22·24	350	5·66
Roman Catholics ...	11,033	54·22	214	10·52
Jews ... ..	76	17·55	4	9·24
Pagans ... ..	220	19·71	6	5·38
Others ... ..	262	...	17	...

814. It is always found that fewer Victorians are arrested, and fewer are committed for trial, in proportion to their numbers in the population, than persons of any other nationality. This is no doubt 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 1871, only 2,123 persons of Victorian birth were taken into custody, whereas in the year under review the number had risen to 6,231. The country which supplies the largest number of arrested persons is Ireland. In 1881, those arrested of this nationality exceeded the English and Welsh arrested by 1,100, and this although natives of England and Wales in the population outnumbered the Irish by 60,720, or 70 per cent. The offences with which the Irish were charged could not, however, as a whole, have been of so serious a nature as those in respect to which the English were arrested, as the number of the former committed for trial was, in proportion to population, only slightly larger than that of the latter. Proportionately to the numbers in the population, the Scotch arrested were slightly above the English, but those committed for trial were much below any others except Victorians and Chinese; the Chinese arrested and committed for trial were below persons of any other

Relative numbers of each birth-place.

\* See paragraph 797 *ante*.

† The enumerated population of each birthplace and religion with which these calculations have been made will be found in the tables following paragraphs 46 and 53 *ante*.

Exclusive of Aborigines.

nationality except Victorians. 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 were more numerous than those of persons of any other nationality.

815. In proportion to their numbers in the community, the Roman Catholics supplied much more than twice as many arrested persons as the Protestants, more than three times as many as the Jews, and nearly three times as many as the Pagans. In view of a similar proportion, the Protestants committed for trial were fewer than the members of any of the other sects distinguished except Pagans. Four Jews were committed for trial during the year, which, as the number of this sect in the population is but small, renders the proportion of committals of Jews nearly as high as that of the Roman Catholics, and about twice as high as that of Protestants. A statement of the offences which formed the grounds for arrest will be found in the next table but one.

816. It is generally assumed that nearly every person sent to trial is guilty of the offence for which he was committed, and although he may subsequently be acquitted, the probability is that a conviction would have been obtained if sufficient evidence had been available. On the other hand, it 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 table—which shows the number of the various religions committed for trial and the number convicted during 1881, together with the percentage of convictions obtained—that in that year a larger proportion of Protestants were unjustly committed than of Roman Catholics, that more of the latter were unjustly committed than Jews, and that Pagans were the least wrongly accused of all. 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, 1881.

Religions.	Committed for Trial, 1881.	Convicted and Sentenced.	
		Total Number.	Percentage of Committals.
Protestants ... ..	301	173	57·47
Roman Catholics ... ..	163	100	61·35
Jews ... ..	3	2	66·67
Pagans ... ..	5	4	80·00
Others ... ..	17	12	70·59
Total ... ..	489*	291	59·51

\* Exclusive of 102 who were awaiting trial at the end of the year.

Relative numbers of each religion.

Religions of persons convicted and sentenced.

817. The religions of the persons taken into custody in 1881 are given in the following table in connection with their offences:—

Causes of arrest, and religions, 1881.

CAUSES OF ARREST AND RELIGIONS, 1881.

Offences.	Religions.					Total.
	Protestants.	Roman Catholics.	Jews.	Pagans.	Others.	
Murder and attempts at murder	10	6	...	...	...	16
Manslaughter ... ..	7	9	...	...	...	16
Shooting at or wounding with intent to do bodily harm	37	38	2	4	1	82
Assaults ... ..	929	886	8	26	13	1,862
Rape and indecent assaults on females	46	23	...	...	2	71
Unnatural offence, and assault with intent to commit	3	1	...	1	...	5
Other offences against the person	70	39	...	...	...	109
Robbery with violence, burglary, &c.	104	87	2	1	1	195
Horse, sheep, and cattle stealing, &c.	112	65	...	1	5	183
Other offences against property	1,935	1,319	10	57	34	3,355
Forgery and offences against the currency	37	21	...	...	...	58
Drunkenness ... ..	6,050	4,886	12	8	109	11,065
Other offences against good order	3,442	3,087	28	86	53	6,696
Offences relating to carrying out laws	210	128	6	11	6	361
Smuggling and other offences against the revenue	17	7	...	9	...	33
Offences against public welfare	746	431	8	16	38	1,239
Total ... ..	13,755	11,033	76	220	262	25,346

818. It will be observed that 10 Protestants and 6 Roman Catholics were arrested for murder and attempts at murder; 44 Protestants, 47 Roman Catholics, 2 Jews, and 4 Pagans were arrested for manslaughter, shooting, or serious wounding; 49 Protestants, 24 Roman Catholics, and 1 Pagan were arrested for sexual offences. About 6,000 Protestants, 4,900 Roman Catholics, 12 Jews, and 8 Pagans were arrested for drunkenness. No Jew was arrested during the year for murder, manslaughter, or a sexual offence.

Causes of arrest of each sect compared.

819. Arrests for drunkenness and other offences against good order were in the proportion of 69 per cent. of the total arrests of Protestants, of 72 per cent. of those of Roman Catholics, of 52 per cent. of those of Jews, of 43 per cent. of those of Pagans, and of 62 per cent. of those of

Religions of drunkards.

persons of other beliefs. In the case of Protestants and Roman Catholics, the proportions are somewhat higher than those in the previous year.

820. The next table shows the occupations of the males and females taken into custody in 1881 :—

OCCUPATIONS OF MALES AND FEMALES ARRESTED, 1881.

Occupations.	Males.	Females.
<b>Class I.—PROFESSIONAL.</b>		
Ministering to government, defence, or protection ...	44	...
Clergy, church officers, &c. ...	4	...
Medical men, dentists, druggists ...	53	...
Lawyers, law-court officers ...	26	...
Authors, editors, reporters ...	14	...
Ministering to science ...	5	...
Teachers, governesses, &c. ...	36	3
Artists, &c. ...	9	...
Photographers ...	3	...
Musicians, teachers of music, &c. ...	29	...
Actors and others connected with exhibitions ...	31	...
<b>Class II.—DOMESTIC.</b>		
Hotelkeepers, servants, &c. ...	175	4
Domestic servants ...	229	555
<b>Class III.—COMMERCIAL.</b>		
Merchants, agents, auctioneers, brokers, &c. ...	125	...
Commercial clerks ...	333	...
Shopkeepers, general dealers, &c. ...	325	...
Hawkers, pedlers ...	274	7
Railway service ...	28	...
Coach, omnibus, cab—proprietors, drivers ...	227	...
Draymen, carriers, carters ...	303	...
Ship—masters, officers, seamen ...	1,182	...
Boatmen, watermen, &c. ...	82	...
Messengers, porters, &c. ...	4	...
Telegraph service ...	2	...
<b>Class IV.—AGRICULTURAL, PASTORAL, ETC.</b>		
Farmers, market gardeners, farm servants ...	938	3
Squatters, station laborers, herdsman, and others engaged about animals	58	...
Land surveyors, &c. ...	14	...
Veterinary surgeons, &c. ...	6	...
Horsebreakers, grooms, jockeys, &c. ...	192	...
Fishermen, &c. ...	34	...
Drovers and cattle dealers ...	94	...
<b>Class V.—INDUSTRIAL.</b>		
Booksellers, bookbinders, printers, and others connected with books	132	...
Musical instrument makers, dealers, &c. ...	1	...

OCCUPATIONS OF MALES AND FEMALES ARRESTED, 1881—*continued.*

Occupations.	Males.	Females.
<b>CLASS V.—INDUSTRIAL—<i>continued.</i></b>		
Watch, clock, and philosophical instrument makers, &c....	11	...
Mechanical engineers, toolmakers, cutlers, &c....	233	...
Coach makers, dealers, wheelwrights, &c. ...	43	...
Saddlers, harness makers, dealers ...	90	...
Shipwrights, boatbuilders, &c. ...	31	...
Builders, bricklayers, carpenters, masons, plasterers, and others engaged in houses and buildings	1,020	...
Cabinetmakers, furniture dealers, &c. ...	73	...
Drapers and assistants ...	71	...
Woolstaplers, woollen manufacturers, &c. ...	34	...
Hairdressers, hatters, tailors, milliners, shoemakers, &c.	968	60
Washerwomen, &c. ...	...	38
Rope, tent, tarpaulin makers, and dealers ...	21	...
Butchers, bakers, grocers, millers, brewers, dairymen, and others dealing in food	607	7
Soapboilers, fellmongers, tanners, &c....	66	...
Brush and broom makers ...	4	...
Firewood dealers, coopers, sawyers, and others working or dealing in vegetable matters	149	...
Miners ...	968	...
Quarry, brick, glass workers... ..	67	...
Rag and bottle gatherers, sweeps, nightmen, &c. ...	80	...
Goldsmiths, jewellers, &c., ...	48	...
Blacksmiths, ironfounders, &c. ...	504	...
Ironmongers, &c. ...	7	...
<b>Class VI.—INDEFINITE AND NON-PRODUCTIVE.</b>		
Laborers ...	7,847	...
Independent means... ..	19	...
Criminal and pauper classes ...	36	1,679
No occupation, unspecified (adults) ...	1,071	2,866
"                    " (children under 15)... ..	760	284
Total ...	19,840	5,506

821. It will be observed that, of the males arrested, nearly two-fifths were laborers, and that of other occupations those most frequently arrested were sailors, persons engaged in houses and buildings, tailors, bootmakers, hairdressers, &c., farmers, miners, butchers, and blacksmiths; but that only 36 males were set down as belonging to the criminal or pauper classes. Of females, nearly a third are contained in the criminal or pauper group; these were all public prostitutes. More than half the arrested females were of no specified occupation; and of the few returned as following regular occupations more than five-sixths were domestic servants, and the bulk of the remainder were dressmakers, tailoresses, &c.

Chief occupations of persons arrested.

Results of  
summary  
disposal.

822. The results of summary disposal of cases by magistrates in the year 1881 were as follow :—

SUMMARY DISPOSAL BY MAGISTRATES OF ARRESTED PERSONS,\* 1881.

Sentence.				Males.	Females.
Imprisonment for 3 years	...	...	...	1	...
” 2 years	...	...	...	27	4
” 1 year and under 2 years	...	...	...	185	80
” 6 months and under 1 year	...	...	...	288	148
” 5 months	...	...	...	...	...
” 4 months	...	...	...	23	8
” 3 months	...	...	...	818	312
” 2 months and under 3 months	...	...	...	196	62
” 1 month and under 2 months	...	...	...	832	283
” 15 days and under 1 month	...	...	...	31	15
” 8 days and under 15 days	...	...	...	511	215
” 7 days and under	...	...	...	3,707	1,287
Fined	...	...	...	5,318	747
Ordered to find bail	...	...	...	228	40
Sent to lunatic asylum	...	...	...	272	146
Sent to industrial school or reformatory	...	...	...	316	229
Otherwise dealt with	...	...	...	119	...
Total sentenced				12,872	3,576
Discharged				6,432	1,875
Total summarily disposed of				19,304	5,451

Sentences by  
magistrates.

823. Of the persons sentenced by magistrates during 1881, 41 per cent. of the males, and 21 per cent. of the females, were fined ; 33 per cent. of the former, and 42 per cent. of the latter, were imprisoned for various terms under a month, and 17 and 23 per cent., respectively, for periods varying from 1 to 12 months ; not quite 2 per cent. of the males, but more than 2 per cent. of the females, were sentenced to more than 1 year's imprisonment ; the balance, or 7 per cent. of the males, and 12 per cent. of the females, were sent to Lunatic Asylums, Industrial and Reformatory Schools, or were otherwise disposed of.

Whipping  
ordered by  
magistrates.

824. Corporal punishment to males may be ordered by magistrates for certain offences. In such cases the offender may be sentenced to be whipped once, twice, or thrice, at the discretion of the bench. No one, however, was so sentenced in 1880 or 1881. In the previous six years there was an average of 4 per annum.

\* See paragraph 797 ante.

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

RESULTS OF COMMITMENTS FOR TRIAL, 1871, 1876, AND 1881.

	1871.	1876.	1881.
Number for trial ... ..	781	768*	669*
Convicted and sentenced... ..	478	384	332
Acquitted ... ..	213	216	177
Not prosecuted ... ..	90	87	58
Awaiting trial ... ..	...	81	102

826. Of those committed for trial in 1871, 691 were eventually tried. Including those remaining for trial from the previous year, 600 were tried in 1876, and 509 in 1881. At the first period 69 per cent., at the second 64 per cent., and at the third period 65 per cent., of the trials resulted in convictions. Proportion of convictions obtained.

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

SENTENCES OF PERSONS TRIED AND CONVICTED, 1881.

Sentence.	Males.	Females.
Death ... ..	3	...
Hard labor on roads or public works for 15 years ... ..	1	...
"    "    "    10 years and under 15 years	2	...
"    "    "    7 years and under 10 years	6	...
"    "    "    4 years and under 7 years	12	...
Imprisonment for 2 years and under 4 years ... ..	94	8
"    1 year and under 2 years ... ..	71	6
"    6 months and under 1 year ... ..	49	13
"    1 month and under 6 months ... ..	43	6
"    under 1 month ... ..	4	...
Fined ... ..	7	...
Sent to lunatic asylum ... ..	3	...
To find bail to appear when called upon ... ..	3	1
Total tried and convicted ... ..	298	34

828. Of males convicted in superior courts, 3 were sentenced to death, and 95 per cent. of the remainder to terms of imprisonment, with or without hard labor ; of those imprisoned, a third were sentenced for periods of less than one year, and only 1 in 14 to more than four years. Of the females, 14 were sentenced to over one and 19 to under one. Length of sentences in superior courts.

\* The figures for 1876 include 88, and those for 1881 include 78, who were remaining for trial from the previous year. In 1871 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.

year's imprisonment. No female was sentenced to be imprisoned for a longer period than four years

829. 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 17 were ordered to be whipped. Rape or indecent assaults on females were the crimes of four of these, for two of whom 3 whippings, for one 2 whippings, and for one 1 whipping was ordered. Of the two first mentioned, one was to receive 25 and the other 10 lashes, and the others 12 lashes, on each occasion. Unnatural offence was the crime of one, who was ordered 3 whippings of 20 lashes each. Robbery with violence, burglary, &c., were the crimes of twelve; one of whom was ordered 3 whippings of 20 lashes, one 2 whippings of 25 lashes, on each occasion, and the remainder 1 whipping—five being sentenced to receive 25, four 20, and one 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 3, and the greatest number of lashes at each whipping is 50.

830. The number of individuals sentenced to corporal punishment in 1874 was 11, viz., 6 by magistrates and 5 by superior courts; the number in 1875 was 5, viz., 2 by magistrates and 3 by superior courts; the number in 1876 was 11, viz., 1 by magistrates and 10 by superior courts; the number in 1877 was 11, viz., 5 by magistrates and 6 by superior courts; the number in 1878 was 17, viz., 2 by magistrates and 15 by superior courts; the number in 1879 was 9, viz., 4 by magistrates and 5 by superior courts; the number in 1880 was 5, and in 1881 the number was 17—all by superior courts. The total number of whippings directed to be administered in the eight years was 143, of which 25 were ordered by magistrates and 118 by superior courts. The number of persons sentenced to be whipped in 1881 was thus the same as in 1878, but greater than in any other year of the previous septenniad. The average number of whippings per individual in the eight years was 2.

831. One criminal, an Englishman, claiming to be a member of the Wesleyan Church, was executed in 1881 for murder. Executions have taken place in Victoria in each year since its separation from New South Wales, except 1874 and 1878. In the seventeen years ended with 1881 the total number of executions was 45. Those executed

Whipping  
ordered by  
superior  
courts.

Whippings  
ordered,  
1874-1881.

Executions.

were all males, and only one native of Victoria is included in the list. The following table shows their birthplaces, the religions they professed, and the crimes they expiated on the scaffold :—

CRIMINALS EXECUTED, 1865 TO 1881.

Birthplace, Religion, and Offence.								Number.
Total number executed								45
Birthplace—Victoria								1
" Other Australian colonies								2
" England								11
" Wales								1
" Ireland								18
" Scotland								2
" Belgium								1
" France								1
" Switzerland								1
" United States of America								1
" West Indies								1
" China								4
" At sea								1
Religion—Church of England...								13
" Roman Catholic								23
" Presbyterian								2
" Wesleyan								4
" Pagan								3
Offence—Murder								40
" Attempt to murder								1
" Rape								3
" Unnatural offence on a child								1

832. The offences in respect to which no person was apprehended numbered 4,631 in 1881, or 267 less than in the previous year. Those against the person decreased by 152, and those against property by 165, but the other offences increased by 50. The following are the undetected offences in the last seven years. It will be noticed that the total number in 1881 was greater by 1 than in 1879, but less than in the other years :—

Undetected crime.

UNDETECTED CRIME, 1875 TO 1881.

Year.	Number of Offences.			
	Against the Person.	Against Property.	Other Offences.	Total.
1875	321	3,830	493	4,644
1876	381	3,968	378	4,727
1877	457	4,431	463	5,351
1878	496	4,011	385	4,892
1879	503	3,763	364	4,630
1880	613	3,935	350	4,898
1881	461	3,770	400	4,631

Offender  
perhaps  
arrested on  
other  
grounds.

833. With reference to the offences set down as undetected, it 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.

834. The next four tables, giving details of crime in the various Australasian colonies, have been compiled in the office of the Government Statist, Melbourne, from their respective *Statistical Registers*. The first of these gives for each colony, and for the whole of Australasia, during each of the five years 1876 to 1880, a statement of the number of offences for which persons were apprehended or summoned, were summarily convicted or held to bail, were committed for trial, and were convicted after commitment. In the returns of the number of cases in respect to which persons were summoned, those so dealt with on account of matters coming under the head of civil jurisdiction are omitted in all the colonies:—

#### CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1880.

Name of Colony.	Number of Offences for which Persons were—				
	Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.	
Victoria ... ..	1876	42,297	27,505	680	384
	1877	45,844	29,528	594	340
	1878	44,742	29,452	658	458
	1879	43,936	28,266	628	397
	1880	41,778	26,950	680	398
New South Wales† ...	1876	45,105	30,404	1,391	822
	1877	47,739	33,003	1,517	829
	1878	53,325	37,924	1,803	959
	1879	53,870	38,828	1,743	1,090
	1880	57,784	42,205	1,682	1,148
Queensland† ... ..	1876	10,180	6,126	285	132
	1877	9,929	6,444	312	177
	1878	9,563	6,153	344	197
	1879	9,058	5,762	377	185
	1880	9,133	6,051	316	170

\* 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, and 879 during 1880; and in the latter, 320 during 1876, 288 during 1877, 384 during 1878, 317 during 1879, and 387 during 1880, were admitted to asylums. Probably four-fifths of these were apprehended by the police.

CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1880—continued.

Name of Colony.			Number of Offences for which Person were—			
			Apprehended or Summoned *	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.
South Australia ...	...	1876	9,375	7,929	239	124
		1877	10,314	8,696	240	140
		1878	13,682	11,685	369	211
		1879	12,843	10,970	384	214
		1880	15,063	12,814	353	188
Western Australia...	...	1876	7,509	5,847	95	47
		1877	6,855	5,272	83	27
		1878	6,126	4,552	102	45
		1879	6,471	4,853	85	53
		1880	5,577	4,221	50	25
Tasmania...	...	1876	9,207	7,208	96	51
		1877	7,619	6,092	102	49
		1878	7,901	6,260	113	54
		1879	8,709	7,061	110	67
		1880	8,336	6,685	117	73
New Zealand † ...	...	1876	22,141	16,100	414	249
		1877	21,953	16,293	405	250
		1878	22,237	16,370	415	292
		1879	22,492	16,088	734‡	296
		1880	21,181	15,025	592	370
Australasia ...	...	1876	145,814	101,119	3,200	1,809
		1877	150,253	105,328	3,253	1,812
		1878	157,576	112,396	3,804	2,216
		1879	157,379	111,828	4,061	2,302
		1880	158,852	113,951	3,790	2,372

835. 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 1880 the apprehensions and summonses exceeded those in Victoria by 38 per cent., and the summary convictions by 56 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.

Large amount of crime in New South Wales.

\* Not including civil cases.

† Maoris are included. In 1880, the number of cases in which they were concerned was 431—in 247 of which summary convictions were obtained, in 112 cases the prisoner was discharged, and in 72 cases committed for trial.

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

Proportion of  
crime in  
each colony.

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

PROPORTION OF ARRESTS, COMMITMENTS, AND CONVICTIONS  
IN AUSTRALASIAN COLONIES TO POPULATION, ETC., 1876 TO 1880.

Name of Colony.		Proportion per 1,000 of—		Proportion per 10,000 of—		Proportion per Cent. of—		
		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.	
Victoria	...	1876	53·10	34·53	8·54	4·82	65·03	56·47
		1877	56·69	36·52	7·35	4·20	64·40	57·24
		1878	54·47	35·85	8·01	5·58	65·82	69·60
		1879	52·68	33·89	7·53	4·76	64·33	63·22
		1880	49·13	31·69	8·00	4·68	64·51	58·53
New South Wales		1876	72·96	49·18	22·50	13·30	67·40	59·10
		1877	73·90	51·09	23·48	12·83	69·13	54·65
		1878	78·65	55·94	26·59	14·15	71·12	53·19
		1879	75·45	54·38	24·41	15·27	72·08	62·54
		1880	80·11	58·52	23·32	15·92	73·04	68·25
Queensland	...	1876	55·27	33·26	15·47	7·17	60·18	46·32
		1877	50·89	33·03	15·99	9·07	64·90	56·73
		1878	46·24	29·75	16·63	9·53	64·34	57·27
		1879	42·29	26·90	17·60	8·64	63·61	49·07
		1880	41·15	27·26	14·24	7·66	66·25	53·80
South Australia		1876	42·99	36·36	10·96	5·69	84·58	51·88
		1877	44·60	37·60	10·38	6·05	84·31	58·33
		1878	56·34	48·12	15·20	8·69	85·40	57·07
		1879	50·50	43·17	15·11	8·40	85·48	55·73
		1880	57·16	48·63	13·40	7·13	85·07	53·26
Western Australia		1876	277·95	216·43	35·17	17·40	77·87	49·47
		1877	248·55	191·16	30·09	9·79	76·90	32·53
		1878	218·77	162·56	36·43	16·07	74·31	44·11
		1879	227·72	170·78	29·91	18·65	75·00	62·35
		1880	193·35	146·34	17·33	8·67	75·69	50·00
Tasmania	...	1876	88·04	68·93	9·18	4·88	78·29	53·12
		1877	71·68	57·33	9·60	4·61	79·97	48·04
		1878	72·80	57·68	10·41	4·98	79·00	47·78
		1879	78·31	63·49	9·89	6·02	81·08	60·91
		1880	73·37	58·84	10·30	6·43	80·19	62·40

\* Not including civil cases.

PROPORTION OF ARRESTS, COMMITMENTS, AND CONVICTIONS IN AUSTRALASIAN COLONIES TO POPULATION, ETC., 1876 TO 1880 —continued.

Name of Colony.	Proportion per 1,000 of—		Proportion per 10,000 of—		Proportion per Cent. of—		
	Apprehensions and Summons Cases* to Population.	Summary Convictions to Population.	Commitments for Trial to Population.	Convictions after Commitment to Population	Summary Convictions to Apprehensions and Summons Cases.*	Convictions after Commitment to Commitments.	
New Zealand ...	1876	57.14	41.55	10.68	6.43	72.72	60.14
	1877	53.76	39.90	9.92	6.12	74.22	61.73
	1878	52.74	38.82	9.84	6.92	73.62	70.36
	1879	50.19	35.90	16.38†	6.61	71.53	40.33‡
	1880	44.66	31.68	12.48	7.80	70.94	62.50
Total Australasia	1876	61.52	42.66	13.50	7.63	69.35	56.53
	1877	60.97	42.74	13.20	7.34	70.10	55.61
	1878	61.67	43.98	14.89	8.66	71.32	58.15
	1879	59.19	42.06	15.28	8.66	71.06	56.69
	1880	59.41	42.62	16.04	8.87	71.73	55.29

837. Judging from the number of offences for which apprehensions were made or summonses issued during the five 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 the least criminal of any in the group, and next to Queensland, New Zealand, which is closely followed by Victoria. The following is the order of the various colonies in this respect in 1880, the colony with the lowest proportion of persons apprehended or summoned on criminal charges being placed first, and that with the highest last: —

Order of colonies in respect to apprehensions, &c.

ORDER OF COLONIES IN REFERENCE TO NUMBERS APPREHENDED OR SUMMONED IN PROPORTION TO POPULATION, 1880.

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

\* Not including civil cases.

† See footnote (†) on page 367 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.

Order of colonies in respect to summary convictions.

838. As regards the persons summarily convicted, in proportion to population, Queensland again stands first on the list, and Victoria, which is behind New Zealand by only a small fraction, still occupies the third position. The three colonies which at one time received convicts are again at the bottom of the list. The following is the order in which the colonies stand in this particular, the colony with the lowest proportion of summary convictions being placed first, and the rest in succession :—

ORDER OF COLONIES IN REFERENCE TO NUMBERS SUMMARILY CONVICTED IN PROPORTION TO POPULATION, 1880.

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

Order of colonies in respect to commitments for trial.

839. Victoria shows relatively to population a much smaller number of persons committed for trial than any other colony, and it may therefore be inferred that the proportion of serious offences perpetrated there is but small. Western Australia and New South Wales are still at the bottom of the list, and Queensland sinks to the place just above them, but Tasmania occupies a position inferior only to Victoria :—

ORDER OF COLONIES IN REFERENCE TO NUMBERS COMMITTED FOR TRIAL IN PROPORTION TO POPULATION, 1880.

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

Order of colonies in respect to convictions in superior courts.

840. In respect to convictions in superior courts, the order varies slightly from the foregoing, Victoria, having the smallest number in proportion to population, being still at the top of the list. New Zealand falls below South Australia and Queensland, but the relative positions of the other colonies remain unaltered :—

ORDER OF COLONIES IN REFERENCE TO CONVICTIONS IN SUPERIOR COURTS IN PROPORTION TO POPULATION, 1880.

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

Order of colonies in respect to summary convictions obtained.

841. 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, 1880.

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

842. In regard to the proportion of convictions to commitments for trial, New South Wales was in 1880 at the top of the list; New Zealand and Tasmania, where the proportions were nearly equal, stood next, and Victoria followed. This will be seen by the subjoined statement, in which the colonies are placed in order, the one in which the convictions bear the highest proportion to commitments being placed first:—

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

ORDER OF COLONIES IN REFERENCE TO PROPORTION OF CONVICTIONS IN SUPERIOR COURTS TO COMMITMENTS FOR TRIAL, 1880.

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

843. 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.

Incomplete returns in some colonies.

844. Notwithstanding that New South Wales possesses a smaller population by about a seventh than Victoria, arrests for offences of all descriptions are much more numerous in the former colony than in the latter. Thus, in 1880, arrests for homicide in New South Wales numbered 75 against only 36 in Victoria; arrests for rape and other sexual offences numbered 95 against 81; arrests for other offences against the person numbered 9,364 against 4,376; arrests for offences against property numbered 6,868 against 4,296; and arrests for drunkenness numbered 18,777 against 10,056. The following table shows the offences for which apprehensions were made or summonses issued in the various Australasian colonies during the five years 1876 to

Arrests, &c., for various offences in Australasian colonies.

1880, so far as the information can be gathered from their respective *Statistical Registers* :—

APPREHENSIONS AND SUMMONSES FOR VARIOUS OFFENCES IN THE AUSTRALASIAN COLONIES, 1876 TO 1880.

Colony.	Year.	Number of Arrests or Summonses for—							
		Murder, Attempts at Murder, and Manslaughter.	Rape, and other Offences against Females.	Other Offences against the Person.	Robbery with Violence, Burglary, &c.	Horse, Sheep, and Cattle Stealing.	Other Offences against Property.	Drunkenness.	Other Offences.
Victoria	1876	34	86	4,083	136	178	3,956	11,624	22,200
	1877	50	48	4,316	155	195	4,167	12,447	24,466
	1878	36	54	4,456	187	173	4,274	11,825	23,737
	1879	29	60	4,174	203	154	4,160	10,859	24,297
	1880	36	81	4,376	245	171	3,880	10,056	22,933
New South Wales	1876	7,578			5,898			16,171	15,458
	1877	8,539			6,130			16,696	16,374
	1878	9,398			6,807			17,224	19,896
	1879	63	85	9,102	266	472	6,126	17,713	20,043
	1880	75	95	9,364	245	469	6,154	18,777	22,605
Queensland	1876	1,226			1,238			3,679	4,037
	1877	1,550			1,201			3,019	4,159
	1878	1,273			1,191			3,215	3,884
	1879	1,238			1,175			2,997	3,648
	1880	1,320			1,186			2,867	3,760
South Australia	1876	5	19	735	30	27	544	2,837	5,178
	1877	11	31	810	24	31	636	2,890	5,881
	1878	10	32	941	50	12	824	4,166	7,647
	1879	5	29	857	46	15	890	3,840	7,161
	1880	13	37	1,026	52	51	971	4,325	8,588
Western Australia	1876	515			537			6,457	
	1877	470			493			5,892	
	1878	619			515			4,992	
	1879	462			387			5,622	
	1880	331			355			4,891	
Tasmania	1876	13	11	876	61	18	903	1,807	5,518
	1877	25	16	636	58	26	854	1,345	4,659
	1878	6	30	693	60	35	862	1,374	4,821
	1879	2	54	616	45	35	998	1,504	5,455
	1880	2	14	651	103	37	723	1,543	5,263
New Zealand	1876	31	51	1,743	54	43	1,776	7,153	11,290
	1877	18	41	1,899	66	61	1,855	7,429	10,564
	1878	16	43	1,890	38	44	1,684	7,105	11,417
	1879	14	51	1,869	100	67	2,563	6,672	11,156
	1880	29	56	1,909	99	65	2,272	6,371	10,380

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

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

PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH AUSTRALASIAN COLONY, 1876 TO 1880.

Colony.	Year.	Arrests or Summonses per 1,000 of the Population for—			
		Offences against the Person.	Offences against Property.	Drunkenness.	Other Offences.
Victoria ...	1876	5.28	5.36	14.60	27.87
	1877	5.46	5.59	15.39	30.26
	1878	5.53	5.64	14.40	28.90
	1879	5.11	5.42	13.02	29.13
	1880	5.28	5.05	11.83	26.97
New South Wales ...	1876	12.26	9.54	26.16	25.00
	1877	13.21	9.50	25.84	25.35
	1878	13.86	10.04	25.40	29.35
	1879	12.95	9.61	24.80	28.07
	1880	13.22	9.52	26.03	31.34
Queensland ...	1876	6.66	6.72	19.97	21.92
	1877	7.94	6.16	15.47	21.32
	1878	6.16	5.76	15.55	18.78
	1879	5.78	5.49	13.99	17.03
	1880	5.95	5.34	12.92	16.94
South Australia ...	1876	3.48	2.76	13.01	23.75
	1877	3.68	2.99	12.50	25.43
	1878	4.05	3.65	17.16	31.49
	1879	3.54	3.74	15.11	28.14
	1880	4.08	4.08	16.41	32.59
Western Australia ...	1876	19.06	19.88	239.01	
	1877	17.04	17.87	213.63	
	1878	22.13	18.39	178.27	
	1879	16.26	13.62	197.84	
	1880	11.48	12.31	169.57	
Tasmania ...	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
	1879	6.04	9.69	13.52	49.05
	1880	5.87	7.60	13.58	46.32
New Zealand ...	1876	4.70	4.84	18.46	29.14
	1877	4.79	4.85	18.19	25.87
	1878	4.62	4.19	16.85	27.08
	1879	4.32	6.09	14.88	24.89
	1880	4.20	5.13	13.41	21.86

846. 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 1880 more

Order of colonies as to offences against the person.

than twice, and in the latter more than two and a half times, as numerous as in Victoria. In South Australia and in New Zealand, however, the proportion of arrests for these offences was in all the years smaller than it was in Victoria. The following is the order of the colonies in this respect during 1880, the colony in which the proportion was smallest being placed first and that in which it was largest last:—

ORDER OF COLONIES IN REFERENCE TO ARRESTS OR SUMMONSES FOR OFFENCES AGAINST THE PERSON, 1880.

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

847. In 1880 arrests for offences against property in Western Australia were more than twice, and in New South Wales nearly twice, as numerous in proportion to population as they were in Victoria. In this respect the order of the colonies was as follows, the colony with the smallest 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, 1880.

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

848. In the matter of drunkenness, New South Wales far outstrips all the other colonies of the group in which the offence is distinguished—the arrests for drunkenness there in 1880 having been proportionately more than twice as numerous as in Victoria—that being the colony in which apprehensions for drunkenness in that year were relatively the fewest. In South Australia a remarkable increase during the last three years 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 three years since 1877 it has been higher there than in any colony except New South Wales. The reverse has happened in the case of Queensland, for whilst in 1876 the proportion there was higher than in any other colony except New South Wales, in 1880 it was lower than in any other colony except Victoria. In the following list the colony in which the smallest number of inebriates was brought before magistrates is placed first and that in which the number was largest last:—

ORDER OF COLONIES IN REFERENCE TO APPREHENSIONS FOR DRUNKENNESS IN PROPORTION TO POPULATION, 1880.

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

849. "Other offences," which embrace breaches of corporation bye-laws, Wines and Spirits Statute, &c., are rather violations of good order.

Order of colonies as to offences against property.

Order of colonies as to drunkenness.

Order of colonies as to "other offences."

than actual crimes, and are consequently generally dealt with by summons. In 1880 they were relatively to population least numerous in Queensland, and were also somewhat less numerous in New Zealand 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 possessing the greatest immunity from them being placed first and that in which they are most prevalent last:—

ORDER OF COLONIES IN REFERENCE TO ARRESTS OR SUMMONSES FOR "OTHER OFFENCES," 1880.

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

850. The statistics at hand relating to the United Kingdom give the commitments for trial and convictions in the superior courts, but do 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 five years ended with 1880:—

CRIME IN THE UNITED KINGDOM, 1876 TO 1880.

Country.	Estimated Population.	Commitments for Trial.	Convictions.	Proportion of—			
				Commitments to Population.	Convictions to Population.	Convictions to Commitments.	
				per 10,000.	per 10,000.	per cent.	
England and Wales	1876	24,244,010	16,078	12,195	6·63	5·03	75·85
	1877	24,547,309	15,890	11,942	6·47	4·86	75·15
	1878	24,854,397	16,372	12,473	6·59	5·02	76·18
	1879	25,165,336	16,388	12,525	6·51	4·98	76·43
	1880	25,480,161	14,770	11,214	5·80	4·40	75·92
Scotland ...	1876	3,527,811	2,716	2,051	7·70	5·81	75·51
	1877	3,560,715	2,684	2,009	7·54	5·64	74·85
	1878	3,593,929	2,922	2,273	8·13	6·32	77·79
	1879	3,627,453	2,699	2,090	7·44	5·76	77·44
	1880	3,661,292	2,583	2,046	7·05	5·59	79·21
Ireland ...	1876	5,321,618	4,146	2,343	7·79	4·40	56·54
	1877	5,338,906	3,870	2,300	7·25	4·31	59·49
	1878	5,351,060	4,182	2,292	7·82	4·28	54·81
	1879	5,362,337	4,363	2,207	8·14	4·12	50·58
	1880	5,327,099	4,716	2,383	8·85	4·47	50·53
Total ...	1876	33,093,439	22,940	16,589	6·93	5·01	72·31
	1877	33,446,930	22,444	16,251	6·71	4·86	72·44
	1878	33,799,386	23,476	17,038	6·95	5·04	72·57
	1879	34,155,126	23,450	16,822	6·87	4·93	71·74
	1880	34,468,552	22,069	15,643	6·40	4·54	70·88

Crime in  
United  
Kingdom  
and  
Australasia  
compared.

851. Taking the mean of the five 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 all the divisions of the United Kingdom, except that the proportion in Victoria is about equal to that in Scotland and Ireland. Convictions after commitment are relatively to population generally about as numerous in Victoria as in the United Kingdom, less numerous than in Scotland, and more so than in Ireland, but in all the other colonies the proportion is higher than in the United Kingdom or any of its divisions.

Convictions  
in United  
Kingdom  
and  
Australasia  
compared.

852. The convictions obtained in proportion to the commitments are, according to the figures, more numerous in England and Scotland than in any of the Australasian colonies, but the proportion in Ireland was exceeded in 1880 in all the Australasian colonies except Western Australia.

Supreme  
Court  
Criminal  
Sessions.

853. The number of criminal cases tried in the Central Criminal Court, Melbourne, and in the Courts of Assize throughout the colony, in 1881, was 240, of which 163 were for felonies, and 77 for misdemeanors. The convictions for felonies numbered 107, and for misdemeanors 56. The number of places where courts were held was 11, the number of courts held was 34, and the total duration of courts was 99 days.

Supreme  
Court civil  
sittings.

854. Courts were held at the same number of places to try civil cases. The number of causes entered for trial during the year was 205. The number of causes tried was 118, of which 107 were tried by juries of six, and 11 by juries of twelve. All these but one were defended. The damages laid in the declarations amounted in the aggregate to £102,097. Verdicts were returned in every instance. Of the verdicts, 99, or about 70 per cent., were for the plaintiff. The aggregate amount awarded by the juries was £18,676, or 18 per cent. of the damages laid. In the ten years ended with 1880 the damages sued for in these or similar courts amounted to £1,929,832, and the sums awarded by juries to £444,798, or to about 23 per cent. of the damages sued for.

Courts of  
General  
Sessions.

855. 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 1881 numbered 32, and the number of courts held, 93, extending over periods amounting in the aggregate to 116 days. The number of cases tried was 264, in 158 of which, or 60 per cent., convictions were obtained. The number of appeals heard was 49. In the ten years prior to 1881, 2,782 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 66 per cent.

856. County Courts have jurisdiction in civil cases up to £250. The number of places at which they were held in 1881 was 65, and the number of courts held was 208, extending over 450 days. The total number of causes tried was 8,822, the amount sued for was £200,898, and the amount recovered, £73,800, or 37 per cent. of the amount sued for. The costs awarded to the plaintiff amounted to £12,451, and the costs awarded to the defendant to £3,867. During the ten years prior to the year under review the aggregate amount sued for in County Courts was £2,480,389, and the aggregate amount awarded was £916,466, or 37 per cent. of the amount sued for. County Courts.

857. 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 1881 numbered 21, and the courts held numbered 59, occupying 38 days. The total number of suits was 19, and the aggregate amount or value of demand, £7,080. The amount of costs awarded to the plaintiff was £213, and to the defendant, £87. 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 goldfields. In the ten years prior to 1881 the value sued for in Courts of Mines amounted in the aggregate to £379,826. The business has fallen off very considerably for several years past. Courts of Mines.

858. The cases of indictable offences heard at Petty Sessions during 1881 numbered 1,486, which resulted in 656 commitments for trial. Commitments were thus obtained in 44 per cent. of the cases. The offences summarily dealt with numbered 43,244, in 29,131 of which, or 67 per cent., the offender was convicted. Courts of Petty Sessions, indictable offences.

859. Courts of Petty Sessions have jurisdiction in ordinary civil cases up to £20, and in master and servant cases up to £50. Such courts were held at 214 places during the year. The civil cases heard numbered 17,212, in which the total amount of debts or damages claimed was £70,878, and the total amount awarded was £44,714, or 64 per cent. of the amount claimed. In the ten years ended with 1880 the debts or damages claimed in these courts amounted in all to £1,144,472, and the sums awarded to £693,420, or to 61 per cent. of the amounts claimed. Courts of Petty Sessions, civil cases.

860. The net results of the civil cases tried in 1881 may be gathered from the following table, which shows the total amount of debts and damages sued for in the various courts, and the aggregate value of the awards, also the percentage of the latter to the former, in 1881 and Debts sued for and awarded.

the previous decenniad. It will be noticed that the whole amount at stake was more than a third of a million sterling, and that less than two-fifths was recovered; also that the proportion recovered in 1881 was the same as the average:—

#### DEBTS AND DAMAGES CLAIMED AND AWARDED.

Name of Court.	Amount of Debts and Damages, 1881.		Proportion of Debts and Damages recovered.	
	Claimed.	Awarded.	1881.	Average of Previous 10 Years.
	£	£	Per cent.	Per cent.
Supreme Court ... ..	102,097	18,676	18	23
County Courts ... ..	200,898	73,800	37	37
Courts of Petty Sessions ..	70,878	44,714	64	61
<b>Total</b> ... ..	<b>373,873</b>	<b>137,190</b>	<b>37</b>	<b>37</b>

Writs.

861. Writs were issued during 1881 in six places. The number of writs issued was 1,321, of which 12 were Queen's writs against both person and property, 56 were subjects' writs against the person alone, and 1,253 were subjects' writs against property alone. In the three years 1878, 1879, and 1880, the writs issued were unusually numerous, but in 1881 they were less so than in any of the previous ten years.

Gaols and penal establishments.

862. 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.

863. The total and average number of males and females detained in each of these descriptions of prison during 1881, and the numbers transferred from one institution to another in the same year, will be found in the following table:—

#### GAOLS AND PENAL ESTABLISHMENTS, 1881.

Description of Prison.	Number of Institutions.	Prisoners detained during the Year.						Prisoners transferred from one institution to another during the Year.		
		Total Number.			Average at One Time.			M.	F.	Total.
		M.	F.	Total.	M.	F.	Total.			
Gaols ... ..	9	6,862	2,691	9,553	638	303	941	2,265	504	2,769
Police gaols ... ..	12	517	93	610	18	3	21	149	40	189
Penal establishments	2	1,226	...	1,226	637	...	637	115	...	115
<b>Total</b> ... ..	<b>23</b>	<b>8,605</b>	<b>2,784</b>	<b>11,389</b>	<b>1,293</b>	<b>306</b>	<b>1,599</b>	<b>2,529</b>	<b>544</b>	<b>3,073</b>

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

864. The mean population of the colony during 1881 was 868,942, consisting of 456,107 males and 412,835 females, which figures being compared with those in the table showing the average number of prisoners, it follows that 1 person in every 543 persons living was constantly in prison during the year ; or, distinguishing the sexes, that, during the same period, 1 male in every 353 males living, and 1 female in every 1,349 females living, were constantly in detention. These figures, and those for the five previous years, are given in the following table. It will be observed that the proportion of males constantly in prison has been tolerably uniform throughout the sexenniad, but the proportion of females in prison has fluctuated considerably, it having been lowest in the first two years of the period, highest in 1878, and next highest in 1881 :—

Proportion of prisoners to population.

PROPORTION OF PRISONERS TO POPULATION, 1876 TO 1881.

Year.	Of the Total Population one Person was constantly in Prison to every—		
	Males.	Females.	Both Sexes.
1876	323	1,142	487
1877	345	1,183	518
1878	356	1,397	549
1879	351	1,267	534
1880	348	1,274	532
1881	353	1,349	543

865. Of the 11,389 prisoners under detention in 1881, 6,267, or 55 per cent., had been previously convicted ; viz., 1,688, or 15 per cent. of the whole, once ; 869, or 8 per cent., twice ; and as many as 3,701, or 32 per cent., three times.

Prisoners previously convicted.

866. The total number of prisoners detained during the whole or any portion of 1881, exclusive of those transferred from one institution to another, viz., 8,316, was greater by 129 than, but the average number of prisoners constantly detained during the same year was the same as the corresponding numbers in 1880.

Prisoners, 1880 and 1881.

867. From the returns supplied by the Penal Department, it is not possible to determine accurately the number of distinct prisoners under detention, as, not only are some imprisoned more than once during a year, but a prisoner, on being transferred from one establishment to another, is reckoned afresh at the institution he enters. The prisoners transferred during 1881 amounted, according to the table, to 3,073, or 2,529 males and 544 females. These are certainly counted twice over, and should be deducted from the whole, which would leave 8,316, or 6,076 males and 2,240 females. Arbitrarily reducing these numbers 10 per cent. for those imprisoned two or more times during

Number of distinct prisoners.

the year, the residue would be 7,484, or 5,468 males and 2,016 females, which may express approximately the number of distinct persons incarcerated during the whole or some part of the year.

Proportion of distinct prisoners to population.

868. Supposing these figures to be correct, and comparing them with those showing the mean population, it would follow that 1 person in every 116 persons in the colony, or 1 male in every 83 males, and 1 female in every 205 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.

Grounds of imprisonment.

869. The following is a classification of the prisoners in confinement at the end of 1881, according to the grounds in respect to which they were detained. It will be noticed that more than half the males, but not quite a sixth of the females, had been convicted of felony:—

GROUND FOR DETENTION OF PRISONERS AT END OF 1881.

Grounds for Detention.	Gaols.		Police Gaols.		Penal Establishments.	Total.		
	M.	F.	M.	F.	M.	M.	F.	Total.
Felony, tried ...	190	46	...	...	458	648	46	694
"    untried ...	30	8	6	...	...	36	8	44
Misdemeanors, tried ...	115	26	9	1	95	219	27	246
"    untried ...	26	2	2	...	...	28	2	30
Other offences, tried ...	223	204	3	1	33	259	205	464
"    untried ...	16	15	...	...	...	16	15	31
Total ...	600	301	20	2	586	1,206	303	1,509

Sickness in prisons.

870. The cases of sickness in the year, which numbered 892,\* were in the proportion of 1 case to every 8 individual prisoners, or to 1.8 of the average number of prisoners detained.

Deaths in prisons.

871. Forty-two deaths in prison occurred in 1880, and 43 in 1881. These deaths were in the proportion of 1 to every 175 in the former year, and 1 to every 174 in the latter year, of the estimated individual prisoners; and in the proportion of 1 to every 38 in the former year, and 1 to every 37 in the latter year, of the average number of prisoners detained.

Prisoners absconding.

872. Seven prisoners absconded successfully in 1880, 1 male from the Geelong, 1 male from the Portland, and 1 female from the Melbourne gaol, and 4 males from the penal establishment at Pentridge. In 1881, two prisoners, both males, made good their escape from the Castlemaine gaol.

\* The cases of sickness in gaols were set down as 862 in Part Vital Statistics, paragraph 602, *ante*. In that return the sickness which occurred in police gaols was not included.

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

Ages of prisoners.

AGES OF PRISONERS, 1881.

Ages.	Enumerated Population.	Average number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
Under 20 years ...	432,398	229	5·30
20 to 30 „ ...	138,391	473	34·18
30 to 40 „ ...	89,592	312	34·82
40 to 50 „ ...	94,986	294	30·95
50 to 60 „ ...	66,820	166	24·84
60 years and upwards...	40,159	125	31·13
<b>Total ...</b>	<b>862,346</b>	<b>1,599</b>	<b>18·54</b>

874. It appears from this table that, in 1881, the proportion of prisoners constantly detained to the population was greatest between the ages of 20 and 40. Of persons over 20 years of age living in Victoria, 1 in every 314; of those between 20 and 40, 1 in every 291; and of those over 40, 1 in every 345, were constantly in prison throughout the year.

Proportion of prisoners at various ages.

875. The birthplaces and religions of the prisoners constantly detained during the year, deduced from the total numbers of each nationality and religion returned as passing through the institutions, also the enumerated totals of the same nationality and religion at the census of 1881, are compared in the following table:—

Birthplaces and religions of prisoners.

BIRTHPLACES AND RELIGIONS OF PRISONERS, 1881.

Native Country and Religion.	Enumerated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
<b>NATIVE COUNTRY.</b>			
Australasian Colonies ...	539,060	584	10·84
England and Wales ...	147,453	401	27·20
Scotland ...	48,153	105	21·81
Ireland ...	86,733	378	43·58
China ...	11,799	27	22·88
Other countries ...	29,148	104	...
<b>Total ...</b>	<b>862,346</b>	<b>1,599</b>	<b>18·54</b>
<b>RELIGION.</b>			
Protestants ...	618,392	888	14·36
Roman Catholics ...	203,480	672	33·02
Jews ...	4,330	7	16·17
Pagans ...	11,159	27	24·20
Others ...	24,985	5	...

Relative numbers of each country and sect.

876. It will be observed that, in view of their respective numbers in the population, natives of the Australasian colonies contributed much less than their share to the number of inmates of prisons, but that the natives of Scotland and China contributed slightly more, natives of England and Wales 47 per cent. more, and natives of Ireland 136 per cent. more, than their share to that number. Also that of the religious denominations shown, Protestants and Jews contributed less than their share, but Pagans 31 per cent. more, and Roman Catholics 78 per cent. more, than their share to the number of such inmates.

Gaol punishments.

877. The following cases of punishment for offences committed within the prison took place in 1881. It will be observed that hard labor was prescribed in 45 instances. The "other punishments" do not include whipping, as corporal punishment is not administered in Victoria for any breach of prison regulations :—

#### PUNISHMENTS FOR OFFENCES WITHIN PRISONS, 1881.

Nature of Punishment.	Gaols.			Penal Establishments.	Total.		
	M.	F.	Total.	M.	M.	F.	Total.
Hard labor ... ..	9	...	9	36	45	...	45
Solitary confinement ...	206	85	291	380	586	85	671
Other punishments ...	43	26	69	626	669	26	695
Total ...	258	111	369	1,042	1,300	111	1,411

Proportion of prisoners punished.

878. The punishments for offences within the prison, as detailed in the last table, were in the proportion of 1 to every 5 individual prisoners, 1 punishment of a male to every 4 individual male prisoners, 1 punishment of a female to every 18 individual female prisoners. The average number of prisoners exceeded the total number of punishments by 188; the punishments of males exceeded the average number of male prisoners by 7; the average number of female prisoners exceeded the number of punishments of females by 195.

Inmates of reformatories.

879. The number of inmates of reformatories during 1881 was 308, viz., 232 males and 76 females. Of these, 116 were admitted, and 90 left, during the year. Of the latter, 10 were discharged on remission, and 19 on expiration, of sentence, 51 were sent to employment, 9 were licensed to parents on probation, and 1 died.

Birthplaces and religions in reformatories.

880. At the end of 1881, the inmates of reformatories numbered 244, of whom all but 17 were known to be Australians by birth. Of the remainder, 2 were natives of Ireland, 1 was a native of England, and

of 14 the birthplace was unknown. Of the whole number, 142, or about 59 per cent., were Protestants, 2 were Jews, and the remainder—viz., 100, or about 41 per cent.—were Roman Catholics.

881. Five of the inmates of reformatories at the end of 1881 were between 9 and 10 years of age, nine were aged 10, ten aged 11, forty-one aged 12, forty-seven aged 13, fifty-six aged 14, forty-two aged 15, and thirty-four aged 16 and upwards. Ages in reformatories.

882. The inquests held in 1881 numbered 1,536, as against 1,489 in 1880. In 782 instances the death was found to have resulted from natural causes; in 23 cases, from intemperance; in 674 cases, from violence; in 44 cases, from doubtful causes; and in 13 cases a verdict of "still-born" was returned. Of the deaths set down to violence, the verdict in 505 cases was to the effect that the death had resulted from accident; in 10 from homicide; in 101 from suicide; 1 from execution; and in 57 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, to 50 per cent.; in 1880, 52 per cent.; and in 1881, 51 per cent. Inquests in cases of death occurring under suspicious circumstances are held at the discretion of the coroner of the district within which the death takes place, subject to instructions issued by the Governor in Council under the 3rd section of the Coroners Statute 1865 (28 Vict. No. 253). Inquests.

883. Four fire inquests were held during 1881 as against 5 in 1880, 10 in 1879, 3 in 1878, and 5 in 1877. Fire inquests are not held now as often as formerly, which is shown by the fact that in the three years ended with 1868 as many as 480 such inquiries were held, but no more than 262 in the succeeding thirteen years. This change has occurred, partly because fires have of late years been less numerous than formerly, but chiefly owing to the circumstance that, since the 19th August 1869, at which date the Amending Coroners Statute (33 Vict. No. 338) came into operation, fire inquests have not been held except upon the payment of a fee of £5 5s. by or on behalf of some one applying to have the inquiry made, or in pursuance of Ministerial authority, which is only given when circumstances appear sufficiently suspicious to warrant action being taken. Fire inquests