

COPYRIGHTS, 1870 TO 1881.

Subject of Copyright.	Copyrights Registered.		
	Prior to 1882.	During 1882.	Total.
DESIGNS.			
Articles of manufacture, chiefly of—			
Metals	188	14	202
Wood, stone, cement, or plaster ...	44	...	44
Glass	7	1	8
Earthenware	3	...	3
Ivory, bone, papier-maché, &c. ...	25	3	28
Woven fabrics	10	2	12
Miscellaneous	15	...	15
LITERARY PRODUCTIONS.			
Literary works	967	140	1,107
Dramatic „	56	8	64
Musical „	76	4	80
WORKS OF ART.			
Paintings	4	...	4
Drawings	20	...	20
Engravings	706	47	753
Photographs	868	33	901
Sculpture	2	...	2
Total	2,991	252	3,243

Trade-marks.

875. Provision for the registration of trade-marks was established under the Trade-marks Registration Act 1876 (40 Vict. No. 539) which came into operation on the 22nd September of that year. The registration of a person as the proprietor of a trade-mark is *primâ facie* evidence of his right to its exclusive use, subject to the provisions of the Act as to its connexion with the good-will of a business. From the period of the commencement of the Act to the end of 1882, 599 trade-marks were submitted for registration, and 448 were registered. During the year 1882, the number submitted was 136, and the number registered 112.

PART VII.—LAW, CRIME, ETC.

Transfer of Land Statute.

876. 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.

877. 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.

878. 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, 1882, was £73,447, of which £50,000 had been invested in Government stock. Four claims upon the fund have been substantiated since its first formation, and £1,164 16s. 9d. has been paid to claimants.

Assurance fund.

879. A considerable increase took place in the business under the Transfer of Land Statute (29 Vict. No. 301) in 1882 as compared with 1881. The following were the transactions in the two years:—

Transactions under the Land Statute, 1881 and 1882.

TRANSFER OF LAND STATUTE, 1881 AND 1882.

	1881.	1882.
Applications to bring land under the Act ... number	1,256	1,534
Extent of land included ... acres	64,990	54,065
Value of land included ... £	1,451,193	1,793,274
Certificates of title issued ... number	13,977	16,752
Transfers, mortgages, leases, releases, surrenders, &c. ,,	23,993	25,931
Registering proprietors ... ,,	36	43
Other transactions* ... ,,	22,310	24,905
Forms sold ... ,,	369	349
Fees received ... £	34,570	39,017

880. The total quantity of land under the Transfer of Land Statute at the end of 1882 was 9,048,934 acres, the declared value of which, at the time it was placed under the Act, was £24,337,092. The land granted and sold up to the end of 1882 was 13,056,499 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.

881. The business in Equity was generally lighter in 1882 than in the previous year, as will be seen by the following figures:—

Transactions in Equity.

TRANSACTIONS IN EQUITY, 1881 AND 1882.

	1881.	1882.
Suits by bill ... number	93	65
Petitions filed ... ,,	4	10
Commissions issued ... ,,	6	4
Decrees issued ... ,,	44	47
Orders issued ... ,,	107	112
Reports issued ... ,,	27	14
Writs of injunction issued ... ,,	7	4
Writs of <i>ne exeat coloniâ</i> issued ... ,,	—	1
Conveyances settled by Master ... ,,	—	1
Recognizances entered into ... ,,	—	4
Rolls filed ... ,,	54	43

* Not including copies of documents supplied.

Probates and letters of administration.

882. In 1882, as compared with 1881, 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 1881 was £1,896, and in 1882, £2,051. The following are the figures for those years :—

PROBATES AND LETTERS OF ADMINISTRATION, 1881 AND 1882.

Year.	Probates.		Letters of Administration.*		Both.	
	Number.	Property sworn under— £	Number.	Property sworn under— £	Number.	Property sworn under— £
1881 ...	940	2,243,205	608	691,865	1,548	2,935,070
1882 ...	1,018	2,799,695	680	683,243	1,698	3,482,938
Increase	78	556,490	72	...	150	547,868
Decrease	...	...	...	8,622	...	...

Value of property bequeathed.

883. During the eighteen years ended with 1882, the value of the property respecting which probates and letters of administration were issued amounted to nearly thirty-five millions sterling (£34,880,177).

Scale of probate, &c., duties.

884. 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.

885. The amount realized by the State in 1882 from duties on estates of deceased persons differed from that in 1881, by less than £400. The amounts, however, generally fluctuate considerably from year to year, as will be observed by the following figures for the last twelve years :—

DUTIES ON ESTATES OF DECEASED PERSONS, 1871 TO 1882.

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	1882	...	...	78,547

* 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.

886. The intestate estates, respecting which administration was granted to the Curator in 1881, numbered 186, those in 1882 numbered 220. The estimated value of such estates amounted to £77,588 in the former and to £30,179 in the latter year.* The sums received by the Curator on these estates and on others remaining from former years were £62,519 in 1881 and £37,206 in 1882. In the twelve years ended with 1882 the number of intestate estates dealt with was 2,650, and their estimated value £501,545. The amount received by the Curator in respect to these estates during the twelve years was £488,831.

Intestate estates.

887. Under the head of Divorce and Matrimonial Causes there were 9 decrees for dissolution of marriage both in 1881 and in 1882. No decree for judicial separation was made in the former, but 3 such decrees were made in the latter, year. The following was the business done in the two years :—

Divorce and matrimonial.

DIVORCE AND MATRIMONIAL, 1881 AND 1882.

	1881.	1882.
Petitions for dissolution of marriage number	18	29
„ judicial separation „	10	9
„ alimony „	7	6
Decrees for dissolution of marriage „	9	9
„ judicial separation „	—	3
„ alimony „	—	2

888. 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, 152 decrees for dissolution of marriage and 38 decrees for judicial separation have been made.

Divorces in nineteen years.

889. 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.

890. The fees in Equity amounted in the aggregate to £798 in 1881, and to £1,284 in 1882; those on Probates amounted to £1,325 in 1881, and to £1,412 in 1882; those in Divorce amounted to £120 in 1881, and to £134 in 1882.

Fees in Equity, &c.

* These numbers and values are included in those given in the table following paragraph 882 ante.

Collections in Lunacy. 891. The moneys collected in the department of the Master-in-Lunacy increased from £12,133 in 1881 to £13,683 in 1882.

Insolvencies. 892. In the fifteen years ended with 1882, over eleven thousand insolvencies took place in Victoria, with liabilities amounting to over 9 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 1882.

Year.	Number of Insolvencies.	As shown by the Insolvents' Schedules.		
		Liabilities.	Assets.	Deficiency.
		£	£	£
1868	863	617,764	167,226	450,538
1869	818	653,614	194,251	459,363
1870	996	479,491	150,170	329,321
1871	631	444,117	217,841	226,276
1872	804	696,868	222,770	474,098
1873	672	330,337	188,351	141,986
1874	776	543,157	269,130	274,027
1875	773	641,390	389,330	252,060
1876	712	551,814	280,962	270,852
1877	715	462,651	272,720	189,931
1878	781	677,364	408,677	268,687
1879	1,007	1,655,485	1,204,051	451,434
1880	768	526,130	298,384	227,746
1881	620	303,892	161,386	142,506
1882	500	536,194	311,186	225,008
Total	11,436	9,120,268	4,736,435	4,383,833

Proportion of liabilities to assets. 893. 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 58 per cent. of the latter, 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 fifteen years, the declared assets were in the proportion of about 52 per cent. to the declared liabilities.

Registrar-General. 894. Important duties in connexion with the registration of deeds and other documents, public companies, bills and contracts for sale ; births, deaths, and marriages ; and patents, copyrights, and trade-marks, are performed by the Registrar-General. The business under most of these heads is increasing, 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, 1881 AND 1882.

Nature of Transaction.	Transactions.		Fees.	
	1881.	1882.	1881.	1882.
Registry	16,330	20,089	£ 5,370	£ 5,713
Companies Statute	5,120	6,060	1,357	1,463
Bills and contracts of sale	7,777	7,018	389	351
Births, deaths, and marriages certificates	1,520	1,565	377	390
Patents	430	572	1,584	1,760
Copyrights	276	265	35	36
Trade-marks	256	387	282	403
Searches in connexion with the above	22,637	22,820	1,580	1,606
Miscellaneous fees ... ..	...	...	30	182
Total	54,346	58,776	11,004	11,904

895. The number of offences reported to the police or magistrates during 1881 and 1882 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 nearly 6 per cent. more in 1882 than in 1881:—

OFFENCES, 1881 AND 1882.

Offences in respect to which—	1881.	1882.	Increase.
1. Persons were brought before magistrates on summons	19,384	20,811	1,427
2. „ „ apprehended by the police ...	25,346	26,423	1,077
3. The offenders were still at large †	4,631	4,985	354
Total	49,361	52,219	2,858

896. About two-fifths of the total number of offences in 1881 and 1882 consisted of those in respect to which persons were brought before magistrates on summons but were not taken into custody. These must

* 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.

obviously be of a lighter character than those for which arrests are made, and therefore do not demand lengthened consideration. The offences in this category classed as against the person are principally assault cases resulting from petty quarrels; those against property are chiefly cases of wilful damage to or illegal detention of property; and the remainder consist for the most part of breaches of the Education Act, the clause in the Public Works Statute relating to railways and water supply, the Local Government Act or municipal by-laws, the Masters and Servants or Wines and Spirits Statute, &c. The following are the particulars given respecting those which were dealt with in 1881 and 1882:—

OFFENCES DEALT WITH BY SUMMONS,* 1881 AND 1882.

	1881.	1882.	Increase.	Decrease.
Offences against the person	2,468	2,213	...	255
" " property	998	1,402	404	...
Other offences	15,918	17,196	1,278	...
Total	19,384	20,811	1,427	...
Cases dismissed by magistrates	6,701	6,330	...	371
Offender summarily convicted or held to bail	12,683	14,481	1,798	...

Charges
counted as
persons.

897. 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.

Arrests, 1872,
1877, and
1882.

898. The persons † who were taken in charge by the Victorian police in 1882, and in the first year of each of the two previous quinquennials, were as follow:—

PERSONS † ARRESTED, 1872, 1877, AND 1882. ‡

Number of Persons—	1872.	1877.	1882.
Taken into custody	23,705	26,532	26,423
Discharged by magistrates... ..	7,473	8,106	8,746
Summarily convicted or held to bail	15,544	17,832	17,061
Committed for trial	688	594	616

* 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*.

899. At the last period, it will be observed, arrests were slightly less numerous than at the middle period; and, if the numbers of the population be taken into account, they were less numerous than at either of the other periods. The estimated average population in 1872 was 753,198; in 1877, 808,605; and in 1882, 890,470. The arrests were, therefore, in the proportion of 1 to every 32 persons living at the first period, of 1 to every 30 persons living at the second period, and of 1 to every 34 persons living at the third period. In considering the arrests in connexion with the numbers of the population, it should, however, be remembered that persons, and especially males, at an age to commit crime now bear a much smaller proportion to the inhabitants of the colony than they did formerly.

Arrests, proportion to population.

900. The persons summarily convicted, held to bail, or committed for trial, were, to the whole number arrested, in the proportion of 69 per cent. at the first and second periods, and of 67 per cent. at the third period.

Proportion of times charge was sustained.

901. 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 45 arrests at the middle period, and of 1 to every 43 arrests at the third period.

Diminution of serious offences.

902. 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, 1872, 1877, AND 1882.

	1872.		1877.		1882.	
	Males.	Females.	Males.	Females.	Males.	Females.
Taken into custody ...	19,031	4,674	20,652	5,880	20,903	5,520
Discharged by magistrates ...	5,956	1,517	6,131	1,975	6,860	1,886
Summarily convicted or held to bail	12,442	3,102	13,985	3,847	13,502	3,559
Committed for trial ...	633	55	536	58	541	75

903. 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 69 per cent. and 68 per cent. in 1872; of 70 per cent. and 66 per cent. in 1877; and of 67 per cent. and 66 per cent. in 1881.

Cases in which charge was sustained.

904. 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.

* See paragraph 897 ante.

MALES AND FEMALES.—RELATIVE PROPORTIONS ARRESTED,
1872, 1877, AND 1882.

	Number of Females to 100 Males.		
	1872.	1877.	1882.
Taken into custody	24·56	28·47	26·41
Discharged by magistrates	25·47	32·21	27·50
Summarily convicted or held to bail	24·93	27·51	26·35
Committed for trial	8·69	10·82	13·86

Relative proportions of male and female criminals at three periods.

905. 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 was also higher at the last than at the middle period, as well as very much higher than at the first period. At all the periods, the proportion of female to male criminals was much lower than the proportion that females bore to males in the total population; at the first period the females in the colony were in the proportion of 84, and at the second of 89, and at the third of 90, to every 100 males.

Causes of arrest.

906. 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, 1872, 1877, AND 1882.

Offence.	1872.	1877.	1882.
Murder and attempt at murder	34	20	22
Manslaughter	29	30	11
Shooting at or wounding with intent to do bodily harm	67	53	81
Assault	1,460	1,614	1,913
Rape and indecent assault on females	75	48	66
Unnatural offence, and assault with intent to commit	23	14	9
Other offences against the person	93	95	124
Robbery with violence, burglary, &c.	175	157	206
Horse, sheep, and cattle stealing, &c.	150	195	219
Other offences against property	3,650	3,492	3,401
Forgery and offences against the currency	57	120	63
Drunkenness	10,566	12,447	11,749
Other offences against good order	5,329	6,272	6,709
Offences relating to carrying out laws	647	442	303
Smuggling and other offences against the revenue	62	74	41
Offences against public welfare	1,288	1,459	1,506
Total	23,705	26,532	26,423

907. 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; miscellaneous offences against the person; robbery with violence, and burglary; horse, sheep, and cattle stealing; miscellaneous offences against good order; and offences against public welfare. But, for manslaughter, unnatural offence, miscellaneous offences against property, 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 forgery and drunkenness occurred at the middle period, and most arrests for murder and rape at the first period.

Offences at last period.

908. Drunkenness, if not accompanied with disorderly conduct, is seldom taken cognizance of by the police; therefore, the arrests for this offence do not nearly represent the full extent to which it prevails in the community. Notwithstanding this, the number of arrests for drunkenness afford 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—

Drunkenness.

In 1874, one person in every 71 living in Victoria.

„ 1875,	„	„	68	„	„
„ 1876,	„	„	69	„	„
„ 1877,	„	„	65	„	„
„ 1878,	„	„	69	„	„
„ 1879,	„	„	77	„	„
„ 1880,	„	„	85	„	„
„ 1881,	„	„	79	„	„
„ 1882,	„	„	76	„	„

909. Drunkenness, “other offences against property,” “other offences against good order,” and “offences against public welfare,” may be considered as, comparatively speaking, minor offences, not amounting to crimes. Arrests for these numbered 20,833 in 1872, 23,670 in 1877, and 23,365 in 1882; 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 88 per cent. at the third. Thus only 12 per cent. of the arrests at the first and last periods, and 11 per cent. at the middle period, were for crimes in the strict sense of the word.

Minor offences.

910. 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. Only 41 persons were taken into custody for smuggling in 1882, which is little more than half the number in 1877, and a third less than the number in 1872.

Smuggling.

Age and
education
of arrested
persons.

911. The ages of those taken into custody in 1882, and the degree of instruction possessed by them, are shown in the following table :—

DEGREE OF INSTRUCTION AND AGE OF PERSONS* ARRESTED, 1882.

Ages.		Superior Instruction.	Read and Write well.	Read only, or Read and Write imperfectly.	Unable to Read.	Total.
Under 10 years	...	...	1	80	416	497
10 „ 15 „	...	...	34	415	108	557
15 „ 20 „	...	3	456	1,416	124	1,999
20 „ 25 „	...	15	1,067	2,450	248	3,780
25 „ 30 „	...	31	883	2,150	215	3,279
30 „ 40 „	...	59	1,270	3,346	556	5,231
40 „ 50 „	...	55	1,042	3,656	804	5,557
50 „ 60 „	...	44	557	2,337	489	3,427
60 years and upwards		17	262	1,445	369	2,093
Unknown age	...	...	...	...	3	3
Total	...	224	5,572	17,295	3,332	26,423

Education of
children
arrested.

912. 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 1882, according to the table, was 1,054, and of these not one was possessed of superior instruction ; only 35, or 1 in 30, could read and write well ; and 524, or about half, were unable to read. The number of children under 15 committed for trial was 14, viz., 11 males and 3 females, all of whom could read, but only two could also write.

Education of
adults.

913. Those over 15 years arrested numbered 25,369, and of these, 5,761, or less than a fourth (including those possessed of superior instruction), could read and write well, and 2,808, or about a ninth, could not read. Those over 15 years of age committed for trial numbered 602, of whom 186, or 31 per cent., could read and write well, or were possessed of superior instruction, and 55, 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.

Birthplaces
and reli-
gions of
criminals.

914. The following table shows the birthplaces and religions of the persons taken into custody and of those committed for trial in 1882, also the ratio of those of each country and sect to the estimated numbers of the same country and sect in the population :—

* See paragraph 897 *ante*.

**BIRTHPLACES AND RELIGIONS OF PERSONS * ARRESTED AND
COMMITTED FOR TRIAL, 1882.**

Birthplace and Religion.	Persons Arrested.		Persons Committed for Trial.	
	Number.	Proportion per 1,000 in the Population. †	Number.	Proportion per 1,000 in the Population. †
BIRTHPLACE.				
Victoria ‡	6,674	12·95	226	·44
Other Australian colonies ‡	1,349	32·78	50	1·22
Australian Aborigines ...	52	...	5	...
England and Wales ...	6,648	43·64	127	·83
Scotland	2,322	46·69	39	·78
Ireland	7,449	83·20	89	·99
China	221	18·07	9	·74
Other countries	1,708	...	71	...
Total	26,423	29·67	616	·69
RELIGION.				
Protestants	14,471	22·66	363	·57
Roman Catholics ...	11,280	53·70	223	1·06
Jews	99	22·14	1	·22
Pagans	226	19·55	8	·69
Others	347	...	21	...

915. 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 1872, only 2,312 persons of Victorian birth were taken into custody, whereas in the year under review the number had risen to 6,674. The country which supplies the largest number of arrested persons is Ireland. In 1882, those arrested of this nationality exceeded the English and Welsh arrested by 801, and this although natives of England and Wales in the population outnumbered the Irish by 62,795, or 70 per cent. Moreover, the offences with which the Irish were charged must have been of a more serious nature than those in respect to which the members of any other nationality were arrested, except natives of Australasian colonies outside Victoria, as, with this exception, the number of the former committed for trial was, in proportion to population, higher than that of any other birthplace. 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 and Chinese. The Chinese arrested and committed for trial were below

Relative numbers of each birthplace.

* See paragraph 897 *ante*.

† The estimated population of each birthplace and religion with which these calculations have been made will be found in the tables following paragraphs 53 and 59 *ante*.

‡ Exclusive of Aborigines.

persons of any other 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 for trial were more numerous than those of persons of any other nationality.

Relative numbers of each religion.

916. In proportion to their numbers in the community, the Roman Catholics supplied nearly two and a half times as many arrested persons as the Protestants or Jews, and about two and three-quarter times as many as the Pagans. In view of a similar proportion, the Roman Catholics committed for trial were nearly twice as numerous as the Protestants, nearly five times as numerous as the Jews, and more than one and a half times as numerous as the Pagans. A statement of the offences which formed the grounds for arrest will be found in the next table but one.

Religions of persons convicted and sentenced.

917. 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 or awaiting trial and the number convicted during 1882, together with the percentage of convictions obtained—that of those whose religious belief is stated, a larger proportion of Jews were unjustly committed than of Protestants, that more of the latter were unjustly committed than Roman Catholics, and that Pagans were the most 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, 1882.

Religions.	Commitments for Trial.*	Convictions and Sentences.	
		Total Number.	Percentage of Commitments.
Protestants	376	222	59·05
Roman Catholics	257	163	63·43
Jews	2	1	50·00
Pagans	8	3	37·50
Others	19	13	...
Total	662	402	60·73

* This column includes the numbers committed for trial in 1882 added to the numbers who had been committed, but who had not been tried, in the previous year; but less the numbers who were awaiting trial at the end of 1882.

918. The religions of the persons taken into custody in 1882 are given in the following table in connexion with their offences:—

Causes of arrest and religions.

CAUSES OF ARREST AND RELIGIONS, 1882.

Offence.	Religions.					Total.
	Protestants.	Roman Catholics.	Jews.	Pagans.	Others.	
Murder and attempt at murder	11	9	...	2	...	22
Manslaughter	9	2	...	...	...	11
Shooting at or wounding with intent to do bodily harm	47	21	...	10	3	81
Assault	981	884	6	21	21	1,913
Rape and indecent assault on females	36	23	...	2	5	66
Unnatural offence, and assault with intent to commit	7	1	...	1	...	9
Other offences against the person	75	42	3	2	2	124
Robbery with violence, burglary, &c.	107	95	1	3	...	206
Horse, sheep, and cattle stealing, &c.	138	75	...	...	6	219
Other offences against property	1,869	1,409	26	66	31	3,401
Forgery and offences against the currency	41	20	...	...	2	63
Drunkenness	6,448	5,121	13	18	149	11,749
Other offences against good order	3,589	2,912	40	80	88	6,709
Offences relating to the carrying out of laws	185	107	3	4	4	303
Smuggling and other offences against the revenue	16	10	1	9	5	41
Offences against public welfare	912	549	6	8	31	1,506
Total	14,471	11,280	99	226	347	26,423

919. It will be observed that 11 Protestants and 9 Roman Catholics were arrested for murder and attempts at murder; 56 Protestants, 23 Roman Catholics, and 10 Pagans were arrested for manslaughter, shooting, or serious wounding; 43 Protestants, 24 Roman Catholics, and 3 Pagans were arrested for sexual offences. Nearly 6,500 Protestants, over 5,000 Roman Catholics, 13 Jews, and 18 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.

920. Arrests for drunkenness and other offences against good order were in the proportion of 69 per cent. of the total arrests of Protestants, of 71 per cent. of those of Roman Catholics, of 54 per cent. of those of Jews, of 44 per cent. of those of Pagans, and of 68 per cent. of those of

Religions of drunkards.

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

Occupations
of persons
arrested.

921. The next table shows the occupations of the males and females taken into custody in 1882 :—

OCCUPATIONS OF MALES AND FEMALES ARRESTED, 1882.

Occupations.	Males.	Females.
CLASS I.—PROFESSIONAL.		
Ministering to government, defence, or protection ...	19	...
Clergy, church officers ...	5	...
Medical men, dentists, druggists ...	71	...
Lawyers, law-court officers ...	40	...
Authors, editors, reporters ...	52	...
Ministering to science ...	7	...
Teachers ...	39	...
Artists ...	11	1
Photographers ...	13	...
Musicians, teachers of music ...	40	...
Actors and others connected with exhibitions ...	36	...
CLASS II.—DOMESTIC.		
Hotel, boarding-house keepers, servants, &c. ...	114	3
Domestic servants ...	250	463
CLASS III.—COMMERCIAL.		
Merchants, agents, auctioneers, brokers, &c. ...	90	...
Commercial clerks, accountants, travellers, salesmen ...	429	...
Shopkeepers, pawnbrokers, general dealers ...	280	...
Hawkers, pedlers ...	233	...
Railway service ...	18	...
Coach, omnibus, cab—proprietors, drivers ...	230	...
Draymen, carriers, carters ...	260	...
Ship—masters, officers, seamen, stokers ...	1,592	...
Boatmen, watermen ...	3	...
Messengers, porters ...	24	...
Telegraph service ...	2	...
CLASS IV.—AGRICULTURAL, PASTORAL, ETC.		
Farmers, market gardeners, farm servants ...	839	1
Squatters, station labourers, herdsmen, and others engaged about animals	92	...
Land surveyors and assistants ...	26	...
Veterinary surgeons, farriers ...	8	...
Horsebreakers, grooms, jockeys ...	289	...
Fishermen ...	36	...
Drovers and cattle dealers ...	23	...
CLASS V.—INDUSTRIAL.		
Booksellers, bookbinders, printers, news agents ...	120	...
Musical instrument makers, dealers, &c. ...	2	...
Watch, clock, philosophical instrument makers, dealers...	37	...

OCCUPATIONS OF MALES AND FEMALES ARRESTED, 1882—*continued.*

Occupations.	Males.	Females.
CLASS V.—INDUSTRIAL—<i>continued.</i>		
Mechanical engineers, enginedrivers (not railway or ship), toolmakers, cutlers	254	...
Coachmakers, dealers, wheelwrights	65	...
Saddlers, harnessmakers, dealers	92	...
Shipwrights, riggers, boatbuilders	52	...
Builders, bricklayers, carpenters, masons, plasterers, painters, plumbers, glaziers, building contractors	1,225	...
Cabinetmakers, furniture dealers, undertakers ...	81	...
Drapers and assistants	67	...
Wool staplers, classers	29	...
Hairdressers, hatters, tailors, milliners, shoemakers, &c.	918	96
Washerwomen, charwomen, manglers ... ..	...	65
Rope, tent, tarpaulin makers, and dealers	14	...
Butchers, bakers, grocers, millers, brewers, dairymen, and others dealing in food	548	...
Tobacco manufacturers, tobacconists	42	...
Soapboilers, fellmongers, tanners, &c....	44	...
Brush and broom makers	3	...
Firewood dealers, coopers, sawyers, and others working or dealing in vegetable matters	160	...
Miners	785	...
Brickmakers, potters, glass workers	74	...
Rag and bottle gatherers, sweeps, nightmen, &c. ...	118	...
Goldsmiths, jewellers, &c.,	11	...
Blacksmiths, ironfounders, &c.	553	...
Ironmongers, &c.	7	...
CLASS VI.—INDEFINITE AND NON-PRODUCTIVE.		
Laborers	8,713	...
Independent means	10	...
Criminal and pauper classes	14	1,574
No occupation, unspecified (adults)	970	3,008
" " (children under 15)... ..	724	309
Total	20,903	5,520

922. It will be observed that, of the males arrested, about two-fifths were labourers, and that of other occupations those most frequently arrested were sailors, persons engaged in houses and buildings, persons engaged in dress, farmers, miners, blacksmiths, and dealers in food and drinks; but that only 14 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 nearly three-fourths were domestic servants, and the bulk of the remainder were dressmakers, tailoresses, and washerwomen.

Chief occupations of persons arrested.

Results of
summary
disposal.

923. The results of summary disposal of cases by magistrates in the year 1882 were as follow :—

SUMMARY DISPOSAL BY MAGISTRATES OF ARRESTED PERSONS,* 1882.

Sentence.					Males.	Females.
Imprisonment for 2 years	...	...	...	...	28	...
” 1 year and under 2 years	...	...	...	...	180	74
” 6 months and under 1 year	...	...	...	...	275	161
” 4 months	...	...	...	...	16	9
” 3 months	...	...	...	...	762	316
” 2 months and under 3 months	...	...	...	...	225	57
” 1 month and under 2 months	...	...	...	...	896	291
” 15 days and under 1 month	...	...	...	...	39	2
” 8 days and under 15 days	...	...	...	...	588	220
” 7 days and under	...	...	...	...	3,720	1,241
Fined	...	...	...	...	5,909	776
Ordered to find bail	...	...	...	...	253	42
Sent to lunatic asylum	...	...	...	...	218	142
Sent to industrial school or reformatory	...	...	...	...	321	224
Otherwise dealt with	...	...	...	...	72	4
Total sentenced					13,502	3,559
Discharged					6,860	1,886
Total summarily disposed of					20,362	5,445

Sentences by
magistrates.

924. Of the persons sentenced by magistrates during 1882, 44 per cent. of the males, and 21 per cent. of the females, were fined ; 32 per cent. of the former, and 41 per cent. of the latter, were imprisoned for various terms under a month, and 16 and 23 per cent., respectively, for periods varying from 1 to 12 months ; about 1½ per cent. of the males, and 2 per cent. of the females, were sentenced to more than 1 year's imprisonment ; the balance, or 6½ per cent. of the males, and 13 per cent. of the females, were sent to Lunatic Asylums, Industrial and Reformatory Schools, or were otherwise disposed of.

Whipping
ordered by
magistrates.

925. 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, has been so sentenced during the last three years. In the previous six years there was an average of 4 per annum.

Results of
commitments
for trial.

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

* See paragraph 897 *ante*.

RESULTS OF COMMITMENTS FOR TRIAL, 1872, 1877, AND 1882.

	1872.	1877.	1882.
Number for trial	688	675*	718*
Convicted and sentenced...	407	340	402
Acquitted	203	131	184
Not prosecuted	78	98	76
Awaiting trial ... ..	...	106	56

927. Of those committed for trial in 1872, 610 were eventually tried. Including those remaining for trial from the previous year, 471 were tried in 1877, and 586 in 1882. At the first period 67 per cent., at the second 72 per cent., and at the third period 69 per cent. of the trials resulted in convictions.

Proportion of convictions obtained.

928. 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, 1882.

Sentence.	Males.	Females.
Death	1	...
Death recorded	2	...
Hard labour on roads or public works for 7 years and under 10 years	3	...
" " " 4 years and under 7 years	28	1
Imprisonment for 2 years and under 4 years	116	3
" 1 year and under 2 years	91	3
" 6 months and under 1 year	58	9
" 1 month and under 6 months	49	16
" under 1 month	12	...
Fined	4	...
Sent to lunatic asylum	1	...
To find bail to appear when called upon	4	1
Total tried and convicted	369	33

929. Of males convicted in superior courts, 3 were sentenced to death, and 97 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 11 to more than four years. Of the females, 7 were sentenced to over one and 25 to under one year's imprisonment. No male was sentenced to be imprisoned for a longer period than ten years, and no female to a longer period than seven years.

Length of sentences in superior courts.

* The figures for 1877 include 81, and those for 1882 include 102, 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.

Whippings
ordered by
superior
courts.

930. 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 8 were ordered to be whipped. Rape or indecent assaults on females were the crimes of five of these, for three of whom 2 whippings, and for two 1 whipping, were ordered. Of the three first mentioned, one was to receive 25, one 15, and the other 12 lashes on each occasion; of the others, one was to receive 25 and the other 15 lashes. Unnatural offence was the crime of two, one of whom was ordered two whippings of 10 lashes each, and the other, a youth 16 years old, was ordered to receive 16 strokes of a cane. Robbery with violence was the crime of the remaining offender, who was sentenced to receive two whippings of 20 lashes on each occasion. 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,
1874-1882.

931. 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, in 1881, 17, and in 1882, 8—all by superior courts. The total number of whippings directed to be administered in the nine years was 151, of which 25 were ordered by magistrates and 126 by superior courts. The number of persons sentenced to be whipped in 1882 was thus smaller than in any other year of the previous octenniad, except 1875 and 1880. The average number of whippings per individual in the nine years was 2.

Executions.

932. Since the first settlement of Port Phillip, 133 criminals have been executed within the colony, of whom only one was a female. No execution took place during the year under review, 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 birthplace of the persons executed, the religions they professed, and the crimes they expiated on the scaffold:—

CRIMINALS EXECUTED, 1842 TO 1882.

Birthplace, Religion, and Offence.								Number.
Total number executed								133
Birthplace—Victoria								4
" Other Australian colonies								5
" England								56
" Wales								2
" Ireland								38
" Scotland								7
" West Indies								2
" Belgium								1
" France								1
" Switzerland								1
" Germany								1
" Sweden								1
" Sicily								1
" United States of America								4
" China								8
" At sea								1
Religion—Church of England...								28
" Presbyterian								4
" Wesleyan								7
" Baptist								1
" Lutheran								2
" Protestant undefined								30
" Roman Catholic								50
" Pagan								6
" No Religion								5*
Offence—Murder								98
" Attempt to murder								16
" Rape								9
" Unnatural offence on a child								1
" Robbery with violence								9

933. The offences in respect to which no person was apprehended numbered 4,985 in 1882, or 354 more than in the previous year. Those against the person increased by 111, those against property by 210, and other offences by 33. The following are the undetected offences in the last eight years. It will be noticed that the total number in 1882 was exceeded in 1877, but in no other year:—

UNDETECTED CRIME, 1875 TO 1882.

Year.	Number of Offences.			
	Against the Person.	Against Property.	Other Offences.	Total.
1875	321	3,830	493	4,644
1876	381	3,968	378	4,727
1877	457	4,431	463	5,351
1878	496	4,011	385	4,892
1879	503	3,763	364	4,630
1880	613	3,935	350	4,898
1881	461	3,770	400	4,631
1882	572	3,980	433	4,985

* Aborigines.

Offender perhaps arrested on other grounds.

934. 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.

935. 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 six years 1876 to 1881, 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 1881.

Name of Colony.				Number of Offences for which Persons were—			
				Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.
Victoria ...	...	...	1876	42,297	27,505	680	384
			1877	45,844	29,528	594	340
			1878	44,742	29,452	658	458
			1879	43,936	28,266	628	397
			1880	41,778	26,950	680	398
			1881	44,730	29,131	591	332
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
			1881	66,600	51,130	1,636	1,058
Queensland†	...	...	1876	10,180	6,126	285	132
			1877	9,929	6,444	312	177
			1878	9,563	6,153	344	197
			1879	9,058	5,762	377	185
			1880	9,133	6,051	316	170
			1881	10,063	7,253	264	126

* 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, and 867 during 1881; and in the latter, 320 during 1876, 288 during 1877, 384 during 1878, 317 during 1879, 387 during 1880, and 357 during 1881, were admitted to asylums. Probably four-fifths of these were apprehended by the police.

CRIME IN AUSTRALASIAN COLONIES, 1876 TO 1881—*continued.*

Name of Colony.	Number of Offences for which Persons were—				
	Apprehended or Summoned.*	Summarily Convicted or held to Bail.	Committed for Trial.	Convicted after Commitment.	
South Australia ...	1876	9,375	7,929	239	129
	1877	10,314	8,696	240	156
	1878	13,682	11,685	369	229
	1879	12,843	10,970	384	223
	1880	15,063	12,814	353	199
	1881	15,347	13,258	342	213
Western Australia...	1876	7,509	5,847	95	47
	1877	6,855	5,272	83	27
	1878	6,126	4,552	102	45
	1879	6,471	4,853	85	53
	1880	5,577	4,221	50	25
	1881	5,460	4,134	109	61
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
	1881	7,566	5,950	90	51
New Zealand † ...	1876	22,141	16,100	414	249
	1877	21,953	16,293	405	250
	1878	22,237	16,370	415	292
	1879	22,492	16,088	734‡	296
	1880	21,181	15,025	592	370
	1881	19,796	14,079	474	235
Australasia ...	1876	145,814	101,119	3,200	1,814
	1877	150,253	105,328	3,253	1,828
	1878	157,576	112,396	3,804	2,234
	1879	157,379	111,828	4,061	2,311
	1880	158,852	113,951	3,790	2,383
	1881	169,562	124,935	3,506	2,076

936. 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 1881, the apprehensions and summonses exceeded those in Victoria by 49 per cent., and the summary convictions by 75 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 1881, the number of cases in which they were concerned was 499—in 284 of which summary convictions were obtained, in 150 cases the prisoner was discharged, and in 65 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.

937. 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 six 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 1881.

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
	1881	51·48	33·52	6·80	3·82	65·13	56·18
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
	1881	87·29	67·01	21·44	13·87	76·77	64·67
Queensland	1876	55·27	33·26	15·47	7·17	60·18	46·32
	1877	50·89	33·03	15·99	9·07	64·90	56·73
	1878	46·24	29·75	16·63	9·53	64·34	57·27
	1879	42·29	26·90	17·60	8·64	63·61	49·07
	1880	41·15	27·26	14·24	7·66	66·25	53·80
	1881	45·53	32·82	11·95	5·70	72·08	47·73
South Australia	1876	42·99	36·36	10·96	5·92	84·58	53·97
	1877	44·60	37·60	10·38	6·75	84·31	65·00
	1878	56·34	48·12	15·20	9·43	85·40	62·06
	1879	50·50	43·17	15·11	8·77	85·48	58·07
	1880	57·16	48·63	13·40	7·55	85·07	56·43
	1881	53·18	45·94	11·81	7·38	86·39	62·28
Western Australia	1876	277·95	216·43	35·17	17·40	77·87	49·47
	1877	248·55	191·16	30·09	9·79	76·90	32·53
	1878	218·77	162·56	36·43	16·07	74·31	44·11
	1879	227·72	170·78	29·91	18·65	75·00	62·35
	1880	193·35	146·34	17·33	8·67	75·69	50·00
	1881	182·93	138·50	36·52	20·44	75·71	55·96
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
	1881	64·49	50·72	7·67	4·35	78·64	56·67

* Not including civil cases.

PROPORTION OF ARRESTS, COMMITMENTS, AND CONVICTIONS IN AUSTRALASIAN COLONIES TO POPULATION, ETC., 1876 TO 1881 —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
	1881	40.11	28.52	9.60	4.76	71.12	49.58
Total Australasia	1876	61.52	42.66	13.50	7.77	69.35	56.70
	1877	60.97	42.74	13.20	7.54	70.10	56.19
	1878	61.67	43.98	14.89	8.91	71.32	58.73
	1879	59.19	42.06	15.28	8.93	71.06	56.91
	1880	59.41	42.62	16.04	8.91	71.73	62.88
	1881	60.94	44.90	12.60	7.46	73.68	59.21

938. Judging from the number of offences for which apprehensions were made or summonses issued during the six 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, the returns showing the latter to have been the colony in which, relatively to population, the fewest arrests were made. Over the six years Victoria occupied the fourth place, showing a larger proportion of arrests than South Australia, but improved in 1881, so as to fall below that colony. The following is the order of the various colonies in this respect in 1881, the colony with the highest proportion of persons apprehended or summoned on criminal charges being placed first, and that with the lowest last: —

Order of colonies in respect to apprehensions, &c.

ORDER OF COLONIES IN REFERENCE TO NUMBERS APPREHENDED OR SUMMONED IN PROPORTION TO POPULATION, 1881.

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

* Not including civil cases.

† See footnote (§) on page 413 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.

939. As regards the persons summarily convicted, in proportion to population, the position of the colonies have usually differed somewhat from those they assumed in reference to the apprehensions and summonses as just shown, but in 1881 the order was precisely the same in both these respects, Western Australia, New South Wales, and Tasmania being the colonies in which summary convictions were most frequent, and Victoria, Queensland, and New Zealand those in which they were least so.

Order of colonies in respect to commitments for trial.

940. 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 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, 1881.

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

Order of colonies in respect to convictions in superior courts.

941. 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 bottom of the list. South Australia rises above 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, 1881.

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

Order of colonies in respect to summary convictions obtained.

942. 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, 1881.

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

943. In regard to the proportion of convictions to commitments for trial, New South Wales was, in 1881, at the top of the list; South Australia stood next, and Tasmania and Victoria, where the proportions were nearly equal, followed. 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 respect to convictions obtained in superior courts.

ORDER OF COLONIES IN REFERENCE TO PROPORTION OF CONVICTIONS
IN SUPERIOR COURTS TO COMMITMENTS FOR TRIAL, 1881.

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

944. 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.

945. 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 1881, arrests for homicide in New South Wales numbered 68 against only 32 in Victoria; arrests for rape and other sexual offences numbered 104 against 71; arrests for other offences against the person numbered 9,031 against 4,526; arrests for offences against property numbered 6,237 against 4,553; and arrests for drunkenness numbered 22,560 against 11,065. The following table shows the offences for which apprehensions were made or summonses issued in the various Australasian colonies during the six years 1876 to 1881, so far as the information can be gathered from their respective *Statistical Registers* :—

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

APPREHENSIONS AND SUMMONSES FOR VARIOUS OFFENCES IN THE
AUSTRALASIAN COLONIES, 1876 TO 1881.

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
	1881	32	71	4,526	195	183	4,553	11,065	24,305
New South Wales	1876	7,578			5,898			16,171	15,458
	1877	8,539			6,130			16,696	16,374
	1878	9,398			6,807			17,224	19,896
	1879	63	85	9,102	266	472	6,126	17,713	20,043
	1880	75	95	9,364	245	469	6,154	18,777	22,605
	1881	68	104	9,031	231	465	6,237	22,560	27,904
Queensland	1876	1,226			1,238			3,679	4,037
	1877	1,550			1,201			3,019	4,159
	1878	1,273			1,191			3,215	3,884
	1879	1,238			1,175			2,997	3,648
	1880	1,320			1,186			2,867	3,760
	1881	1,304			1,146			3,275	4,338
South Australia	1876	5	19	735	30	27	544	2,837	5,178
	1877	11	31	810	24	31	636	2,890	5,881
	1878	10	32	941	50	12	824	4,166	7,647
	1879	5	29	857	46	15	890	3,840	7,161
	1880	13	37	1,026	52	51	971	4,325	8,588
	1881	7	33	862	45	23	1,009	5,298	8,070
Western Australia	1876	515			537			6,457	
	1877	470			493			5,892	
	1878	619			515			4,992	
	1879	462			387			5,622	
	1880	331			355			4,891	
	1881	418			354			4,688	
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
	1881	5	8	528	35	17	691	1,446	4,836
New Zealand	1876	31	51	1,743	54	43	1,776	7,153	11,290
	1877	18	41	1,899	66	61	1,855	7,429	10,564
	1878	16	43	1,890	38	44	1,684	7,105	11,417
	1879	14	51	1,869	100	67	2,563	6,672	11,156
	1880	29	56	1,909	99	65	2,272	6,371	10,380
	1881	13	59	1,937	73	85	2,146	5,770	9,713

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

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

PROPORTION OF VARIOUS OFFENCES TO POPULATION IN EACH AUSTRALASIAN COLONY, 1876 TO 1881.

Colony.	Year.	Arrests or Summonses per 1,000 of the Population for—			
		Offences against the Person.	Offences against Property.	Drunkenness.	Other Offences.
Victoria ...	1876	5.28	5.36	14.60	27.87
	1877	5.46	5.59	15.39	30.26
	1878	5.53	5.64	14.40	28.90
	1879	5.11	5.42	13.02	29.13
	1880	5.28	5.05	11.83	26.97
	1881	5.33	5.67	12.73	27.97
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
	1881	11.99	9.09	29.57	36.57
Queensland ...	1876	6.66	6.72	19.97	21.92
	1877	7.94	6.16	15.47	21.32
	1878	6.16	5.76	15.55	18.78
	1879	5.78	5.49	13.99	17.03
	1880	5.95	5.34	12.92	16.94
	1881	5.90	5.19	14.82	19.63
South Australia ...	1876	3.48	2.76	13.01	23.75
	1877	3.68	2.99	12.50	25.43
	1878	4.05	3.65	17.16	31.49
	1879	3.54	3.74	15.11	28.14
	1880	4.08	4.08	16.41	32.59
	1881	3.12	3.66	18.36	27.97
Western Australia ...	1876	19.06	19.88	239.01	
	1877	17.04	17.87	213.63	
	1878	22.13	18.39	178.27	
	1879	16.26	13.62	197.84	
	1880	11.48	12.31	169.57	
	1881	14.00	11.86	157.06	
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
	1881	4.61	6.33	12.32	41.21
New Zealand ...	1876	4.70	4.84	18.46	29.14
	1877	4.79	4.85	18.19	25.87
	1878	4.62	4.19	16.85	27.08
	1879	4.32	6.09	14.88	24.89
	1880	4.20	5.13	13.41	21.86
	1881	4.07	4.67	11.68	19.68

Order of colonies as to offences against the person.

947. 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 1881 more than twice, and in the latter more than two and three-quarter times as numerous as in Victoria. The following is the order of the colonies in this respect during 1881, 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, 1881.

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

Order of colonies as to offences against property.

948. In 1881, arrests for offences against property in Western Australia were more than twice 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, 1881.

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

Order of colonies as to drunkenness.

949. 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 1881 having been proportionately more than twice as numerous as in Victoria. In South Australia, a remarkable increase during the last four 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. 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, 1881.

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

Order of colonies as to "other offences."

950. "Other offences," which embrace breaches of corporation by-laws, Wines and Spirits Statute, &c., are rather violations of good order than actual crimes, and are consequently generally dealt with by

summons. In 1881, they were relatively to population most numerous in Tasmania, and were 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,” 1881.

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

951. 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 six years ended with 1881:—

CRIME IN THE UNITED KINGDOM, 1876 TO 1881.

Country.	Estimated Population.	Commitments for Trial.	Convictions.	Proportion of—			
				Commitments to Population.	Convictions to Population.	Convictions to Commitments.	
				per 10,000.	per 10,000.	per cent.	
England and Wales	1876	24,244,010	16,078	12,195	6·63	5·03	75·85
	1877	24,547,309	15,890	11,942	6·47	4·86	75·15
	1878	24,854,397	16,372	12,473	6·59	5·02	76·18
	1879	25,165,336	16,388	12,525	6·51	4·98	76·43
	1880	25,480,161	14,770	11,214	5·80	4·40	75·92
	1881	26,055,406	14,786	11,353	5·67	4·36	76·78
Scotland	1876	3,527,811	2,716	2,051	7·70	5·81	75·51
	1877	3,560,715	2,684	2,009	7·54	5·64	74·85
	1878	3,593,929	2,922	2,273	8·13	6·32	77·79
	1879	3,627,453	2,700	2,091	7·44	5·76	77·44
	1880	3,661,292	2,583	2,046	7·05	5·59	79·21
	1881	3,744,323	2,444	1,832	6·53	4·89	74·96
Ireland	1876	5,321,618	4,146	2,343	7·79	4·40	56·54
	1877	5,338,906	3,870	2,300	7·25	4·31	59·49
	1878	5,351,060	4,183	2,293	7·82	4·28	54·81
	1879	5,362,337	4,363	2,207	8·14	4·12	50·58
	1880	5,327,099	4,716	2,383	8·85	4·47	50·53
	1881	5,129,950	5,311	2,698	10·35	5·26	50·80
Total	1876	33,093,439	22,940	16,589	6·93	5·01	72·31
	1877	33,446,930	22,444	16,251	6·71	4·86	72·44
	1878	33,799,386	23,477	17,039	6·95	5·04	72·57
	1879	34,155,126	23,451	16,823	6·87	4·93	71·74
	1880	34,468,552	22,069	15,643	6·40	4·54	70·88
	1881	34,929,679	22,541	15,883	6·45	4·55	70·46

Crime in
United
Kingdom
and
Australasia
compared.

952. Taking the mean of the six 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 has of late been 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
Australasia
compared.

953. 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 1881 in every colony of the group, except Queensland.

Supreme
Court
Criminal
Sessions.

954. The number of criminal cases tried in the Central Criminal Court, Melbourne, and in the Courts of Assize throughout the colony, in 1882, was 323, of which 227 were for felonies, and 96 for misdemeanors. The convictions for felonies numbered 159, and for misdemeanors 66. The number of places where courts were held was 18, the number of courts held was 41, and the total duration of courts was 139 days.

Supreme
Court civil
sittings.

955. Courts were held at the same number of places to try civil cases. The number of causes entered for trial during the year was 226. The number of causes tried was 147, of which 122 were tried by juries of six, and 25 by juries of twelve. All these but 19 were defended. The damages laid in the declarations amounted in the aggregate to £282,900. Verdicts were returned in 145 instances, and there were 2 nonsuits. Of the verdicts, 115, or about 79 per cent., were for the plaintiff. The aggregate amount awarded by the juries was £57,014, or 20 per cent. of the damages laid. In the ten years ended with 1881 the damages sued for in these or similar courts amounted to £1,718,804, and the sums awarded by juries to £391,807, or to about 23 per cent. of the damages sued for.

Courts of
General
Sessions.

956. 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 1882 numbered 31, and the number of courts held, 86, extending over periods amounting in the aggregate to 106 days. The number of cases tried was 211, in 146 of which, or 69 per cent., convictions were obtained. The number of appeals heard was 48. In the ten years prior to 1882, 2,755 cases were tried in Courts of General Sessions, and 1,826

convictions were obtained; thus the latter were to the former in the proportion of 66 per cent.

957. County Courts have jurisdiction in civil cases up to £250. The number of places at which they were held in 1882 was 65, and the number of courts held was 214, extending over 461 days. The total number of causes tried was 8,548, the amount sued for was £885,353, and the amount recovered, £93,443, or only 11 per cent. of the amount sued for. Whilst the number of causes was smaller than in any of the previous 10 years, the amount sued for was unusually large, being nearly $4\frac{1}{2}$ times the amount in 1881 and much more than 3 times the amount in any year of the previous decenniad. The costs awarded to the plaintiff amounted to £27,663, and the costs awarded to the defendant to £4,272. During the ten years prior to the year under review the aggregate amount sued for in County Courts was £2,305,088, and the aggregate amount awarded was £906,564, or 39 per cent. of the amount sued for.

958. 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 1882 numbered 21, and the courts held numbered 65, occupying 39 days. The total number of suits was 20, and the aggregate amount or value of demand, £6,997. The amount of costs awarded to the plaintiff was £309, and to the defendant, £121. 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 1882 the value sued for in Courts of Mines amounted in the aggregate to £362,484. The business has fallen off very considerably for several years past.

959. The cases of indictable offences heard at Petty Sessions during 1882 numbered 1,489, which resulted in 687 commitments for trial. Commitments were thus obtained in 46 per cent. of the cases. The offences summarily dealt with numbered 45,745, in 31,542 of which, or 69 per cent., the offender was convicted.

960. 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 217 places during the year. The civil cases heard numbered 14,672, in which the total amount of debts or damages claimed was £69,085, and the total amount awarded was £41,910, or 61 per cent. of the amount claimed. In the ten years ended with 1881 the debts or damages claimed in these courts amounted in all to £1,015,781, and the sums awarded to £629,742, or to 62 per cent. of the amounts claimed.

Debts sued
for and
awarded.

961. The net results of the civil cases tried in 1882 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 1882 and the previous decenniad. It will be noticed that the whole amount at stake was nearly one and a quarter million sterling, and that not quite a sixth 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 less than a third of the average:—

DEBTS AND DAMAGES CLAIMED AND AWARDED.

Name of Court.	Amount of Debts and Damages, 1882.		Proportion of Debts and Damages recovered.	
	Claimed.	Awarded.	1882.	Average of Previous 10 Years.
	£	£	Per cent.	Per cent.
Supreme Court	282,900	57,014	20	23
County Courts	885,353	93,443	11	39
Courts of Petty Sessions ..	69,085	41,910	61	62
Total	1,237,338	192,367	16	38

Writs.

962. Writs were issued during 1882 in six places. The number of writs issued was 1,137, of which 31 were Queen's writs against both person and property, 46 were subjects' writs against the person alone, and 1,060 were subjects' writs against property alone. In the three years, 1878, 1879, and 1880, the writs issued were unusually numerous, but in the last two years they were less so than in any of the previous ten years.

Gaols and
penal estab-
lishments.

963. 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.

964. The total and average number of males and females detained in each of these descriptions of prison during 1882 will be found in the following table:—

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

GAOLS AND PENAL ESTABLISHMENTS, 1882.

Description of Prison.	Number of Institutions.	Prisoners detained during the Year.					
		Total Number.*			Average at One Time.		
		M.	F.	Total.	M.	F.	Total.
Gaols	9	4,387	2,049	6,436	597	296	893
Police gaols	12	440	54	494	17	2	19
Penal establishments	2	1,262	...	1,262	583	...	583
Total	23	6,089	2,103	8,192	1,197	298	1,495

965. The total number of prisoners detained during the whole or any portion of 1882, exclusive of those transferred from one institution to another, viz., 8,192, as shown in the table, was less by 124, and the average number of prisoners constantly detained during the same year was also less by 104 than the corresponding numbers in 1881. Prisoners, 1881 and 1882.

966. The mean population of the colony during 1882 was 890,470, consisting of 468,468 males and 422,002 females, which figures being compared with those in the table showing the average number of prisoners, it follows that 1 person in every 596 persons living was constantly in prison during the year; or, distinguishing the sexes, that, during the same period, 1 male in every 391 males living, and 1 female in every 1,416 females living, were constantly in detention. These figures, and those for the six previous years, are given in the following table. It will be observed that the proportion of both males and females constantly in prison in 1882 was much lower than in any previous year shown:— Proportion of prisoners to population.

PROPORTION OF PRISONERS TO POPULATION, 1876 TO 1882.

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

967. From the returns supplied by the Penal Department, it is not possible to determine accurately from year to year the number of distinct prisoners under detention, as those imprisoned more than once during Number of distinct prisoners.

* Exclusive of prisoners transferred from one institution to another.

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 1882—already shown to have been 8,192, or 6,089 males and 2,103 females—the remainder would be 6,472, or 4,810 males and 1,662 females, which may be considered to express approximately the number of distinct persons incarcerated during the whole or some part of the year.

Proportion of distinct prisoners to population.

968. Comparing these figures with those showing the mean population, it appears that 1 person in every 138 persons in the colony, or 1 male in every 97 males, and 1 female in every 254 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.

Prisoners previously convicted.

969. Out of a total of 8,551 male prisoners (including transfers) under detention in 1882, 4,601, or 54 per cent., had been previously convicted—viz., 1,152, or 14 per cent. of the whole, once; 634, or 7 per cent., twice; and as many as 2,815, or 33 per cent., three times or oftener. Similarly, out of a total of 2,699 female prisoners, 1,948, or 72 per cent., had been previously convicted—viz., 254, or 9 per cent. of the whole, once; 194, or 7 per cent., twice; and no fewer than 1,500, or 56 per cent., three times or oftener.

Grounds of imprisonment.

970. The following is a classification of the prisoners in confinement at the end of 1882, according to the grounds in respect to which they were detained. It will be noticed that 52 were untried; also 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 1882.

Grounds for Detention.	Gaols.		Police Gaols.		Penal Establishments.	Total.		
	M.	F.	M.	F.	M.	M.	F.	Total.
Felony, tried ...	169	47	1	...	444	614	47	661
" untried ...	22	2	5	1	...	27	3	30
Misdemeanors, tried ...	138	35	3	...	108	249	35	284
" untried ...	8	...	1	...	...	9	...	9
Other offences, tried ...	183	206	5	4	33	221	210	431
" untried ...	10	2	1	...	...	11	2	13
Total ...	530	292	16	5	585	1,131	297	1,428

971. The cases of sickness in the year, which numbered 778,* were in the proportion of 1 case to every 8 individual prisoners, or to 1·9 of the average number constantly detained. Sickness in prisons.

972. Forty-three deaths in prison occurred in 1881, and 31 in 1882. These deaths were in the proportion of 1 to every 174 in the former year, and 1 to every 209 in the latter year, of the estimated individual prisoners; and in the proportion of 1 to every 37 in the former year, and 1 to every 48 in the latter year, of the daily average number of prisoners detained. Deaths in prisons.

973. Two prisoners, both males, absconded successfully in 1881 from the Castlemaine gaol. In 1882, three prisoners, all males, made good their escape—1 from the Geelong, 1 from the Maryborough, and 1 from the Melbourne gaol. Prisoners absconding.

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

AGES OF PRISONERS, 1882.

Ages.	Estimated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
Under 20 years ...	446,422	203	4·55
20 to 30 „ ...	142,868	447	31·29
30 „ 40 „ ...	92,505	296	32·00
40 „ 50 „ ...	98,118	266	27·11
50 „ 60 „ ...	69,056	159	23·02
60 years and upwards...	41,501	124	29·88
Total ...	890,470	1,495	16·79

975. It appears from this table that, in 1882, 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 344; of those between 20 and 40, 1 in every 317; and of those over 40, 1 in every 380, were constantly in prison throughout the year. Proportion of prisoners at various ages.

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

* The cases of sickness in gaols were set down as 741 in Part Vital Statistics, paragraph 612, *ante*. In that return the sickness which occurred in police gaols was not included.

BIRTHPLACES AND RELIGIONS OF PRISONERS, 1882.

Native Country and Religion.	Estimated Population.	Average Number of Prisoners constantly detained.	Prisoners per 10,000 of the Population.
NATIVE COUNTRY.			
Australasian Colonies ...	556,517	551	9·90
England and Wales ...	152,324	364	23·90
Scotland ...	49,730	97	19·50
Ireland ...	89,529	356	39·76
China ...	12,227	22	17·99
Other countries ...	30,143	105	...
Total ...	890,470	1,495	16·79
RELIGION.			
Protestants ...	638,541	838	13·12
Roman Catholics ...	210,070	621	29·56
Jews ...	4,472	8	17·89
Pagans ...	11,563	21	18·16
Others ...	25,824	7	...

Relative numbers of each country and sect.

977. 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 42 per cent. more, and natives of Ireland 137 per cent. more, than their share to that number. Also that of the religious denominations shown, Protestants contributed much less than their share, but Jews 6 per cent., Pagans 8 per cent., and Roman Catholics 76 per cent. more than their share to the number of such inmates.

Gaol punishments.

978. The following cases of punishment for offences committed within the prison took place in 1882. It will be observed that hard labour was prescribed in 66 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, 1882.

Nature of Punishment.	Gaols.			Penal Establishments.	Total.		
	M.	F.	Total.	M.	M.	F.	Total.
Hard labour ...	9	1	10	23	32	1	33
Solitary confinement ...	176	168	344	474	650	168	818
Other punishments ...	34	30	64	480	514	30	544
Total ...	219	199	418	977	1,196	199	1,395

979. 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 8 individual female prisoners. The average number of prisoners exceeded the total number of punishments by 100; the average number of male prisoners exceeded the number of punishments of males by only 1; the average number of female prisoners exceeded the number of punishments of females by 99.

Proportion of
prisoners
punished.

980. The number of inmates of reformatories during 1882 was 361, viz., 260 males and 101 females. Of these, 176, all boys, were in the reformatory at Ballarat; 38, all girls, were in the reformatory at Jika; and 30, also all girls, were in the assistant reformatory school maintained under the supervision of the nuns at Abbotsford. Of the total number of inmates, 117, of whom 85 were new committals, were admitted, and 138 left during the year. Of the latter, 1 was discharged at the request of relatives, 40 were discharged on expiration of sentence, 61 were sent to employment, 12 were licensed to parents, 1 died, and 23 were discharged otherwise.

Inmates of
reforma-
tories.

981. At the end of 1882, the inmates of reformatories numbered 223, of whom all but 9 were known to be Australians by birth. Of the remainder, 4 were natives of England, 2 of Ireland, and of 3 the birthplace was unknown. Of the whole number, 129, or about 58 per cent., were Protestants—viz., 83 members of the Church of England, 14 Presbyterians, 14 Wesleyans, 3 Independents, and 15 members of other Protestant sects; 1 was a Jew, and the remainder—viz., 93, or about 41 per cent.—were Roman Catholics.

Birthplaces
and reli-
gions in re-
formatories.

982. Five of the inmates of reformatories at the end of 1882 were between 10 and 11 years of age, thirteen were aged 11, twenty aged 12, forty-six aged 13, sixty-two aged 14, forty-one aged 15, and thirty-six aged 16 and upwards.

Ages in re-
formatories.

983. The Government expenditure for the maintenance of reformatory school children amounted in 1882 to £6,811, as against which £98 was received from parents, and £136 was derived from the sale of farm produce, &c., or £234 in all, which leaves £6,577 as the net amount expended by Government. The mean number of children maintained was 233; the average cost of each to the State was thus £28 4s. 7d.

Cost of main-
tenance of
reformatory
children.

984. The inquests held in 1882 numbered 1,553, as against 1,536 in 1881. In 821 instances the death was found to have resulted from

Inquests.

disease or natural causes ; in 21 cases, from intemperance ; in 663 cases, from violence ; in 47 cases, from doubtful causes ; and in 1 case a verdict of "still-born" was returned. Of the deaths set down to violence, the verdict in 489 cases was to the effect that the death had resulted from accident ; in 7, from homicide ; in 88, from suicide ; and in 79, 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. ; and in 1882, 53 per cent. Inquests in cases of death occurring under suspicious circumstances are held at the discretion of the coroner of the district within which the death takes place, subject to instructions issued by the Governor in Council under the 3rd section of the Coroners Statute 1865 (28 Vict. No. 253).

Fire inquests.

985. Five fire inquests were held during 1882 as against 4 in 1881, 5 in 1880, 10 in 1879, and 3 in 1878. 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 267 in the succeeding fourteen 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.
