

T A S M A N I A.

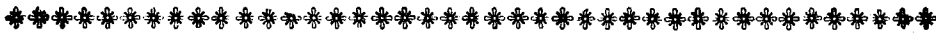


1880.

ANNO QUADRAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 1.



AN ACT for taking an Account of the Popu- A.D. 1880.
lation of *Tasmania* in the Year 1881.

[20 October, 1880.]

WHEREAS it is expedient that an account of the Population of **PREAMBLE.**
Tasmania should be taken in the year 1881, on the same day in that year
on which the like account is taken of the Population of the United
Kingdom :

Be it therefore enacted by His Excellency the Governor of *Tasmania*,
by and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as “The Census Act, 1881.”

Short title.

2 For the purposes of this Act—

Interpretation.

“Dwelling” shall mean any house, building, booth, tent, hut, or
other erection in or under which any person usually sleeps,
or if jointly occupied, the part so occupied by each person,
and every ship or other vessel in any port or harbour of the
Colony :

“Census” shall mean the said “account :”

“Colony” shall mean the Colony of *Tasmania* and its De-
pendencies.

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Census to be taken in 1881.

3 An account shall be taken of the number of persons within the Colony on the Third day of *April* in the year 1881, or on such other day on which a Census of the population of the United Kingdom is appointed to be taken, as the Governor in Council may fix by Proclamation published in the *Gazette*; and the form to be used in the taking of such account shall, unless the Governor in Council otherwise directs, contain the several particulars specified in the Schedule (1) to this Act.

Superintendent and Enumerators to be appointed.

4 For the taking of such account the Governor in Council shall appoint a Superintendent of the Census, and Enumerators, and define the Districts being Electoral Districts of the House of Assembly, for which such Enumerators shall respectively act; and the Governor in Council shall determine the number of Collectors to be appointed and employed by such Enumerators respectively; and such appointments and other particulars shall be notified in the *Gazette*.

Mayors, Wardens, and Stipendiary Magistrates to act as Enumerators appointed.

5 The Mayor of a Municipal Corporation and the Warden of a Rural Municipality shall, if appointed an Enumerator under this Act, be and act as such Enumerator for any District within which he is a Mayor or Warden, as the case may be; and every Stipendiary Magistrate shall, if appointed an Enumerator under this Act, be and act as such Enumerator for the District for which he is appointed.

Persons in charge of certain Establishments to be Enumerators.

6 The persons hereinafter mentioned shall be and act, without any fee or remuneration therefor, as Enumerators of the inmates of the Establishments or Institutions under their respective charge or in which they are respectively concerned; that is to say,—

The principal officer in charge of every Gaol, Hospital, Hospital for the Insane, and of every Public Charitable Institution:

The person in charge, or (if the Governor in Council shall so appoint) one of the Governors of every certified Training or Industrial School:

The Head Master, Mistress, or Principal of every School in which there are pupils at board.

Collectors to be employed.

7 The Enumerators shall, subject to approval by the Governor in Council, appoint in like manner the Collectors to be employed by them respectively, and assign Sub-Districts to such Collectors.

Enumerators and Collectors to make Declarations. Schedule (2).

8 Every Enumerator other than the officers and persons mentioned in the Fifth and Sixth Sections of this Act, and every Collector, shall make and subscribe a Declaration in the form in the Schedule (2), and shall retain the same until delivered or transmitted as hereinafter mentioned.

Forms and instructions to be issued.

9 The Colonial Secretary shall order and supervise the taking of the said account, and shall cause to be prepared and printed for the use of the persons to be employed in taking the same such forms and instructions as he deems necessary, and the said Superintendent shall issue all such forms and instructions to the persons for whose use they are intended; and all expenses which are incurred under this Act shall be paid out of such moneys as may be provided by the Parliament of *Tasmania* for that purpose.

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- 10** Every Enumerator shall, within Ten days next preceding the day fixed for taking the said account, cause to be left at every dwelling within his district one of the forms to be prescribed by the Governor in Council for the purpose; or where such dwelling is the principal dwelling upon any farm, station, or estate upon which there are persons resident in other dwellings, a separate form for the occupier or person in charge of each such distinct dwelling; and the occupier or person in charge of every such dwelling shall fill up and supply in such form, to the best of his knowledge and belief, all the particulars specified therein, and shall sign the said form. A.D. 1880.
Forms to be delivered at every dwelling, and filled up and signed.
- 11** Every Collector shall, on the day next following the day fixed for taking the said account, or as soon thereafter as practicable, demand and receive the said form at every dwelling within his sub-district, and shall satisfy himself by the best means of information in his power that such form is fully, truly, and correctly filled up, or if not so in any particular, shall himself by like means make the same complete and correct, and in either such case shall then and there countersign the said form with his own name. Collectors personally to receive the forms and see to their correctness.
- 12** Every Collector shall, within Seven days after all the forms within his sub-district have been completed and received by him, deliver them to his Enumerator, together with a Declaration made and subscribed by himself in the form in the Schedule (3); and any Enumerator may, in the case of any defect or deficiency in any form so delivered to him, require the Collector delivering the same to make further enquiries, and to correct such defect or supply such deficiency at his own cost. Collectors to deliver all forms, &c. to Enumerator.
- 13** Every Enumerator shall, within Fourteen days after receipt from his Collectors of all such forms, make out therefrom One collective Return of all the several particulars therein respectively contained, and shall sign and transmit the same to the said Superintendent, together with all the said forms and the Declarations aforesaid received from the several Collectors, and together also with a Declaration made and subscribed by himself in the form in the Schedule (4). Enumerators to make collective Returns.
- 14** The said Superintendent shall with all convenient speed prepare Abstracts of the said Returns in like form to that which may be determined on by the Imperial Government for tabulating the Census of the United Kingdom, or as nearly resembling such form as circumstances will admit; and such Abstracts shall be published in the *Gazette* and laid before both Houses of the Parliament of *Tasmania*. Completion of Census by Superintendent.
- 15** The Inspector of Police, all Members of Municipal Councils, Road Trustees, Justices of the Peace, Clerks of Petty Sessions, and the Registrar and all Deputy Registrars of Births, Deaths, and Marriages shall, on every request in writing from the Colonial Secretary or the said Superintendent, supply them or either of them with all the information in their power respecting fit persons to be appointed Enumerators or Collectors as aforesaid, together with such information, advice, and assistance upon any and every other point tending to the effectual carrying out of the provisions of this Act as may be in their power; and if any such person refuses or neglects to do so, he shall be liable to a penalty not exceeding Twenty Pounds. Local authorities to aid in carrying Act into effect.

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Letters or packets
free of postage.

16 All letters or packets on the subject of this Act transmitted within the Colony to or from the Colonial Secretary or the Superintendent of the Census, or any Enumerator or Collector, or any person or body of persons mentioned in the next preceding Section, if marked on the outside with the word "Census," shall be delivered free of postage: Provided that every such letter or packet shall be signed by the person sending the same under the said word.

Penalty for not
filling up and
delivering forms.

17 Any occupier or person in charge of any dwelling who refuses or wilfully neglects to fill up, to the best of his knowledge or information and belief, the form so left at his dwelling or place of abode, or to sign and deliver the same to a Collector, or who refuses or wilfully neglects to answer, or untruly answers any inquiry made by a Collector, or wilfully makes, signs, or delivers, or causes to be delivered any false return or statement of any particular in such form, or who obstructs any person in the performance of any duty under this Act, shall be liable to a penalty not exceeding Twenty Pounds.

Penalty for
wilful default of
Collector.

18 Any Collector who before countersigning any form neglects to see that all the particulars required by such form have been entered therein, or who fails to return to his Enumerator all the forms which have been received by him, or who wilfully signs or delivers any untrue form, or who otherwise wilfully violates any provision of this Act shall for every such offence be liable to a penalty not exceeding Fifty Pounds.

How Declaration
to be made, and
if false to be
perjury.

19 Every Declaration under this Act may be made and subscribed before any Justice of the Peace; and any person making and subscribing a false Declaration shall be deemed guilty of perjury.

Penalty on
Enumerator or
Collector failing
to act.

20 Any person required by this Act to act as an Enumerator, and any person having accepted the office of Enumerator or Collector under this Act, who refuses or neglects to do anything lawfully required of him in virtue of such office, unless prevented by sickness or other unavoidable cause, shall be liable to a penalty not exceeding One hundred Pounds; and the Governor in Council may forthwith appoint another Enumerator, or the Enumerator may appoint another Collector approved as aforesaid, as the case may be.

Contents of forms
not to be divulged.

21 Any officer, Enumerator, Collector, or other person employed in or about the Census who shall divulge the contents of any form, except as required by this Act, shall be liable to a penalty not exceeding Twenty Pounds

Recovery of
penalties.

19 Vict. No. 8.

19 Vict. No. 10.

22 All penalties for offences against this Act may be recovered summarily before any Two or more Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*; and any person aggrieved by any summary conviction under this Act may appeal therefrom in the manner directed by *The Appeals Regulation Act*.

Appropriation of
penalties.

23 All penalties recovered under this Act shall be paid into the Colonial Treasury and form part of the Consolidated Revenue Fund.

Regulations may
be made by
Governor in
Council.

24 The Governor in Council may make any Regulations for carrying out any provisions of this Act not specifically enacted, and may in and by such Regulations add any other particulars to those in the Schedule

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(1), or may vary the same so as to assimilate them as nearly as circumstances will admit to those contained in the form to be adopted in taking the like account of the population of the United Kingdom; and such Regulations when published in the *Gazette* shall have the full force of law. A.D. 1880.

25 The Acts and parts of Acts set forth in the Schedule (5) are hereby repealed; but such repeal shall not affect anything duly done thereunder before the commencement of this Act. Repeal.

SCHEDULE.

(1.)

Name and Surname.
 Relation to Head of Family.
 Condition.
 Sex.
 Age.
 Rank, Profession, or Occupation.
 Physical and Mental Condition, whether Deaf and Dumb, Blind,
 Lunatic or Idiot.
 Where born.
 Education.
 Description of Dwelling.
 Land in occupation.

(2.)

I, _____ do hereby accept the office of
 Enumerator [*or* Collector] under "The Census Act, 1881," for the District [*or* Sub-District] to which I have been appointed; and I do solemnly declare that I will faithfully perform the duties of the said office to the best of my knowledge and ability.

[Signature.]

Made and subscribed before me at
 this _____ day of _____ 188

Justice of the Peace.

(3.)

I, _____ a Collector appointed under "The
 Census Act, 1881," do solemnly declare that the forms numbered from _____
 to _____ inclusive, contained in the sealed packet to which this Declaration is
 attached, are all the forms under the said Act which have been completed and received
 by me within the Sub-District to which I have been appointed; and that the whole
 contents of all the said forms are true to the best of my knowledge, information, and
 belief.

[Signature.]

Made and subscribed before me at
 this _____ day of _____ 188

Justice of the Peace.

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(4.)

I, _____ an Enumerator appointed for the District of _____ under "The Census Act, 1881," do solemnly declare that the sealed packet addressed to the Superintendent of the Census, to which this Declaration is attached, contains all the forms and Declarations transmitted to me by the [state here the number of Collectors for his District] Collectors appointed by me, and also one collective Return made out by me from the said forms; and that the said collective Return contains the full, true, and correct results of all the particulars contained in all the said forms.

[Signature.]

Made and subscribed before me at
this _____ day of _____ 188

Justice of the Peace.

(5.)

ACTS AND PARTS OF ACTS TO BE REPEALED.

Reference to Act.	Title of Act.	Extent of Repeal.
7 Vict. No. 5.	An Act to repeal an Act intituled <i>An Act for taking an Annual Account of the Population of the Island of Van Diemen's Land and to make provision for the taking an Account of the Population of the said Island Triennially.</i>	So much as is not already repealed.
9 Vict. No. 3.	An Act to amend an Act intituled <i>An Act to repeal an Act intituled An Act for taking an Annual Account of the Population of the Island of Van Diemen's Land and to make provision for the taking an Account of the Population of the said Island Triennially.</i>	So much as is not already repealed.
20 Vict. No. 11.	An Act to amend the Act of this Island intituled <i>An Act to repeal an Act intituled An Act for taking an Annual Account of the Population of the Island of Van Diemen's Land and to make provision for the taking an Account of the Population of the said Island Triennially.</i>	The whole Act.