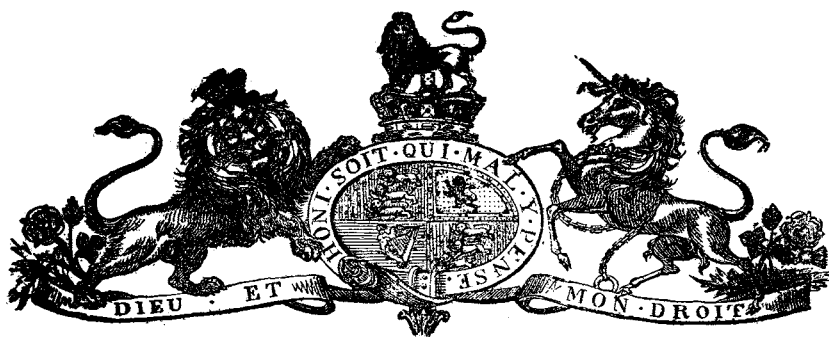


T A S M A N I A.



1890.

ANNO QUINQUAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 2.



AN ACT for taking a Census of the A.D. 1890.
Population of *Tasmania* in the Year 1891. —
[25 August, 1890.]

WHEREAS it is expedient that a Census of the Population of **PREAMBLE.**
Tasmania should be taken in the year One thousand eight hundred
and ninety-one, and that certain particulars relating to the occupation
of lands and dwellings be obtained :

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, 1891.” 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 :
“Gazette” means *The Hobart Gazette* :
“Colony” shall mean the Colony of *Tasmania* and its De-
pendencies.

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Census to be taken in 1891.

3 A Census shall be taken of the number of persons within the Colony on the night of *Sunday* the Fifth day of *April* in the year One thousand eight hundred and ninety-one, 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 Census 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 Census 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 Sub-Enumerators to be appointed and employed by such Enumerators respectively; and such appointments and other particulars shall be notified in the *Gazette*.

Mayors, Wardens, &c. to act as Enumerators if appointed.

5 The Mayor of the City of *Hobart* and the Mayor of the City of *Launceston* and the Warden of any Rural Municipality shall, if appointed an Enumerator under this Act, be and act as such Enumerator for any District within which he is Mayor or Warden, as the case may be; and every Police or 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.

Sub-Enumerators to be employed.

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

Enumerators and Sub-Enumerators 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 Sub-Enumerator, shall make and subscribe a Declaration in the form in the Schedule (2).

Every Declaration of a Sub-Enumerator shall be forwarded by him at once to the Enumerator by whom he was appointed.

All Sub-Enumerators' Declarations so forwarded, and the Declaration taken by such Enumerator under this Section, shall be forwarded by such Enumerator to the said Superintendent of the Census.

Forms and instructions to be issued.

9 The Chief Secretary shall order and supervise the taking of the said Census, 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 of the Census shall issue all such forms and instructions to the persons for

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whose use they are intended ; and all expenses incurred under this Act shall be paid out of moneys to be provided by Parliament for that purpose. A.D. 1890.

10 Every Enumerator shall, within Ten days next preceding the day fixed for taking the said Census, 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, information, and belief, all the particulars specified therein, and shall sign the said form. Forms to be delivered at every dwelling, and filled up and signed.

11 Every Sub-Enumerator shall, on the day next following the day fixed for taking the said Census, 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. Sub-Enumerators personally to receive the forms and see to their correctness.

12 Every Sub-Enumerator shall, within Three 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 Sub-Enumerator delivering the same to make further enquiries, and to correct such defect or supply such deficiency at his own cost. Sub-Enumerators to deliver all forms, &c. to Enumerators. Schedule (3.)

13 Every Enumerator shall, within Five days after receipt from his Sub-Enumerators 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 Sub-Enumerators, and together also with a Declaration made and subscribed by himself in the form in the Schedule (4). Enumerators to make collective Returns. Schedule (4.)

14 The said Superintendent on receipt of such Returns and forms shall examine the same and cause any defect or inaccuracy therein to be supplied or corrected so far as may be possible, and shall with all convenient speed prepare Abstracts of the said Returns ; 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 and Town Boards, 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 Chief 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 Sub-Enumerators as aforesaid, together with Local authorities to aid in carrying Act into effect.

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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.

Letters or packets free of postage.

16 All letters or packets and all telegraphic messages on the subject of this Act transmitted by post or electric telegraph within the Colony to or from the Superintendent of the Census, or any Enumerator or Sub-Enumerator, 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 or charges until such day in the year One thousand eight hundred and ninety-one, as the Governor in Council may appoint.

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, information, and belief, the form so left at his dwelling or place of abode, or to sign and deliver the same to a Sub-Enumerator, or who refuses or wilfully neglects to answer, or untruly answers any inquiry made by a Sub-Enumerator, 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.

If any person refuses or wilfully neglects to answer or untruly answers any inquiry made by any occupier or person in charge of any dwelling for any of the purposes of this Act, or wilfully makes or causes to be made any false return or statement of any particular in such form, or obstructs any person in the performance of any duty under this Act, the person so offending shall on conviction be liable to a penalty not exceeding Twenty Pounds.

No penalty shall be enforced against any person who from conscientious scruples shall omit to state the religious denomination or sect to which he may adhere or belong, and the proof of such conscientious scruple shall be the filling up of the column set apart for that purpose with the word "object."

Penalty for wilful default of Sub-Enumerators.

18 Any Sub-Enumerator 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 Twenty Pounds.

How declaration to be made, and penalty if false.

19 Every Declaration under this Act shall be made and subscribed before any Justice of the Peace, and such Justice of the Peace is hereby authorised and required to take every such Declaration ; and any person making and subscribing a false Declaration shall be liable to a penalty not exceeding Twenty Pounds.

Penalty on Enumerator or Sub-Enumerator 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 Sub-Enumerator 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

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Twenty Pounds ; and the Governor in Council may forthwith appoint another Enumerator, or the Enumerator may appoint another Sub-Enumerator approved as aforesaid, as the case may be. A.D. 1890.

21 Any officer, Enumerator, Sub-Enumerator, 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. Contents of forms not to be divulged.

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*. Recovery of penalties. 19 Vict. No. 8.

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

24 The Governor in Council may from time to time make and alter Regulations for the execution of all matters and things arising under the provisions of this Act, and not herein expressly provided for, and for the more fully carrying out the objects and purposes of this Act, and in and by such Regulations may add to or alter any of the particulars set forth in the Schedule (1.) ; and such Regulations, when published in the *Gazette*, shall have the full force of Law. Regulations may be made by Governor in Council. Schedule (1.).

25 "The Census Act, 1881," is 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.
Profession or Occupation.
Physical and Mental Condition, whether Deaf and Dumb, Blind, Lunatic or Idiot, &c.
Where born.
Education.
Religious Denomination.
Description of Dwelling.
Land in occupation.

(2.)

I, _____ do hereby accept the office of Enumerator [*or* Sub-Enumerator] under "The Census Act, 1891," for the District [*or* Sub-District] of _____ 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 _____ 1891.

Justice of the Peace.

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(3.)

I, _____ a Sub-Enumerator appointed for the Sub-District
of _____ under "The Census Act, 1891," 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
of _____; and that the whole contents of all the said forms are
true, to the best of my knowledge, information, and belief. And I further declare
that I have distributed all necessary forms, and that I have collected all the forms so
distributed.

[Signature.]

Made and subscribed before me at _____
this _____ day of _____ 1891.

Justice of the Peace.

(4.)

I, _____ an Enumerator appointed for the District
of _____ under "The Census Act, 1891," 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 Sub-Enumerators for his District] Sub-Enumerators
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 result of all the
particulars contained in all the said forms.

[Signature.]

Made and subscribed before me at _____
this _____ day of _____ 1891.

Justice of the Peace.