



ANNO SEPTIMO

Sec. 9 V. No. 3
" 20 V. No. 11

VICTORIÆ REGINÆ,

No. 5.

Repd. by 44 V. No. 1



By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT,
Baronet, Lieutenant-Governor of the Island of Van Diemen's
Land and its Dependencies.

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.

(Sec. 9 Vict. No. 3.
Consent to be taken
at each time as
the Act shall appoint
Amended by 20 V. No. 11)

WHEREAS an Act was passed in the Fifth Year of the Reign of Her present Majesty intituled *An Act for taking an Annual Account of the Population of the Island of Van Diemen's Land*—AND WHEREAS it has been deemed expedient to repeal the said Act and to make provision for an Account of the Population of the said Island to be taken triennially—BE IT THEREFORE ENACTED by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that from and after the passing of this Act the said recited Act shall be and the same is hereby repealed.

PREAMBLE.
(5 Vict. No. 7)

5 Vict. No. 7 re-
pealed.

II. AND BE IT ENACTED that at the time and in the manner and according to the parochial division of this Island hereinafter directed

Account of the
Population to be
taken.

prescribed and made an Account shall be taken of the number of Persons who at the time of taking such Account shall be within the Island of Van Diemen's Land and the Persons employed in taking such Account shall set down the several particulars respecting the same according to the form in the Schedule to this Act annexed marked A.

Definition of
Parishes under
this Act.

*This Sec. is repealed
by 28 Vic. 11. 52*

III. AND WHEREAS by the Second Section of the said recited Act the Lieutenant-Governor was authorised within three months from the passing thereof to cause Letters Patent to be issued under the Public Seal of this Colony dividing this Island into Parishes as in that Section is mentioned—AND WHEREAS such Letters Patent under date the Twenty-seventh day of September One thousand eight hundred and forty-one have been accordingly issued—AND WHEREAS it is intended that the Parishes as thereby defined should be deemed and it is hereby declared that the same shall be and be deemed and taken to be Parishes for the purposes of this Act.

Commissioners
under this Act.

IV. AND BE IT ENACTED that the Police and Assistant Police Magistrates throughout this Island with such other person or persons as shall be by His Excellency the Lieutenant-Governor of this Island for the time being for that purpose appointed shall be Commissioners for taking account of the Population within the several Parishes in this Island.

Extent of their
authority and pay-
ment of their ex-
penses.

V. AND BE IT ENACTED that it shall be lawful for the Lieutenant-Governor to nominate some one of such Commissioners who shall have the care of superintending the taking of the Account of the Population within such and so many Parishes as His Excellency may by Proclamation under his hand prescribe and all reasonable Expenses which shall be incurred by the Commissioners in performing the duties assigned to them by this Act and taking the said Account shall be defrayed out of the Ordinary Revenue of this Island and its Dependencies.

Commissioners to
appoint persons to
collect the infor-
mation required
by the Act.

VI. AND BE IT ENACTED that the said Commissioners shall on or before the First day of December in the year One thousand eight hundred and forty-five and on or before the First day of December in the year One thousand eight hundred and forty-eight and on or before the First day of December terminating every succeeding period of three years appoint one or more fit and proper person or persons for taking the Account hereby required and the said person or persons shall on the First day of January then following unless that day should happen to be a Sunday in which case then on the day next following and on the days immediately subsequent thereto if one day shall not be sufficient proceed to take an Account in writing of the number of Persons at that time being within the limits of their respective Parishes and inform themselves of the several Particulars required by the said Schedule and the better to enable such persons to take such Accounts they are hereby authorised and empowered to ask such questions of the persons residing or being within their respective Parishes concerning themselves and the number quality class age and trade or calling of the persons constituting their respective families and shall also take an Account in writing of the name age sex occupation and religious denomination of every living person who abode in every house within their Parish except as hereinafter provided on the night of

the Thirty-first day of the month of December immediately preceding and all such other particulars as shall be necessary to fill up the said Schedule and every such person refusing avoiding or neglecting to answer or wilfully giving a false answer to any such question shall for every such refusal avoidance or neglect or false answer forfeit and pay a sum not exceeding Fifty Pounds at the discretion of the Justice or Justices before whom complaint thereof shall be made.

Penalty for refusing information or giving false answers.

VII. AND BE IT ENACTED that the persons to be appointed as aforesaid shall within fourteen days after the said First day of January in each succeeding three years as aforesaid deposit with the respective Commissioners as aforesaid the several Original Accounts so taken in writing and subscribed by them and shall make a declaration according to the Act of this Island intituled *An Act for the Abolition of Extrajudicial Oaths* and shall answer all such questions as shall be put to them concerning such Accounts by the said Commissioners and if any such person shall fail or neglect to take such Accounts or shall omit to deposit the same in manner hereby required or shall refuse to answer or wilfully give a false answer to any such question he shall on conviction forfeit and pay for every such offence a sum not exceeding Ten Pounds.

Penalty for wilful default in the persons appointed to take Accounts.

VIII. AND BE IT ENACTED that the said Commissioners shall on or before the First day of March immediately succeeding the taking of such Accounts appoint a convenient time for examining the said Original Accounts at which the several persons appointed to collect the information required by this Act shall attend to answer all such questions as shall be put to them touching such Accounts and the correctness thereof and such Commissioners shall make a note of any apparent error therein and shall cause an Abstract of such Accounts to be made according to the form contained in the Schedule hereunto annexed marked B and shall subscribe a certificate in the terms therein set forth and such Commissioners shall on or before the Tenth day of the said last-mentioned month of March transmit to the Colonial Secretary of this Island for publication in the Government Gazette the said Abstracts together with the said Original Accounts and the notes of apparent error (if any) as aforesaid and if any Commissioner shall fail or neglect to perform the duties required in the premises he shall forfeit and pay a sum not exceeding Fifty Pounds.

Commissioners to examine Population Accounts and transmit an Abstract thereof to the Colonial Secretary for publication in the Gazette.

IX. AND BE IT ENACTED that the Commandant of Tasman's Peninsula the Head Master of the Queen's Orphan Schools the Superintendents of the Hospitals of Hobart Town Launceston and New Norfolk and of all other Hospitals and the Master or Keeper of every Gaol Prison or House of Correction within this Island shall by virtue of such his occupation be deemed and taken to be a person appointed by the Commissioners for taking the Account required by this Act and shall be liable to the penalties to which by the Seventh Section of this Act persons so appointed are subjected for wilful defaults in the instances therein specified—PROVIDED ALWAYS that no allowance as is hereinafter provided shall be made to such Superintendents Masters or Keepers of Gaol for rendering such Accounts as aforesaid.

Other Officers for taking Accounts.

No remuneration.

X. AND BE IT ENACTED that the Comptroller-General of Convicts in this Island shall on or before the Tenth day of March succeeding the taking of the said Accounts make a Return to the Colonial

Return of Convicts in Public Works.

Secretary showing the number of Convicts who were employed in the Public Works of this Island (other than those who are already directed to be returned under the Ninth Section of this Act) on the Thirty-first day of December preceding the day on which the said Return shall be made.

Allowances to persons employed by the Commissioners.

XI. AND BE IT ENACTED that it shall be lawful for the said Commissioners as aforesaid to cause an Allowance for the number of days which any person appointed under this Act to collect information as aforesaid shall be actually employed in taking such Account at a rate not exceeding Ten Shillings a day if employed on foot and Twenty Shillings a day if employed on horseback to be paid to the persons so to be employed as aforesaid.

Returns from Parish Registers and from Registrar-General's Office.

XII. AND WHEREAS it is expedient that a Return should be made of the number of Baptisms Burials and Marriages entered in the several Parish Registers in this Island as well as in all such Registers of a like kind as are kept by the officiating Clergymen of the several religious denominations within this Island—BE IT THEREFORE ENACTED that the Colonial Secretary of this Island shall cause to be printed a sufficient number of the Schedules annexed to this Act marked C and shall cause two copies thereof to be delivered to every Clergyman of the Church of England Scotland and Rome officiating within any Parish in this Island and also to every Minister in charge of any Congregation of the various religious denominations within this Island on or before the Twenty-fifth day of January One thousand eight hundred and forty-six and on or before the Twenty-fifth day of January One thousand eight hundred and forty-nine and on or before the Twenty-fifth day of January at the end of every succeeding three years and every such Clergyman of the Churches of England Scotland and Rome respectively and every officiating Minister as aforesaid to whom such Schedules shall have been delivered and having in his custody any such Register shall forthwith prepare answers to the questions relative to Baptisms Burials and Marriages in the said Schedules set forth and shall on or before the First day of the month of March following in each of the said years duly send such answers to the Colonial Secretary to be laid before the Legislative Council at its next sitting to that on which such Returns shall have been made.

Fineshow recoverable.

XIII. AND BE IT ENACTED that all fines imposed under and by virtue of this Act shall be sued for recovered and levied before any one or more Justice or Justices of the Peace for the said Island of Van Diemen's Land in the same manner and form and mode of procedure and subject to the same right of appeal and form of conviction as are enacted and authorised in and by a certain Act of Council and the Schedule thereunto annexed marked A made and passed in the Ninth Year of King George the Fourth intituled *An Act to regulate Summary Proceedings before Justices of the Peace.*

Application of penalties.

XIV. AND BE IT ENACTED that all fines imposed by this Act when recovered shall be applied one half to the person who shall sue for the same and the other half towards defraying the expenses of carrying this Act into execution.

Persons taking

XV. AND BE IT ENACTED that nothing in this Act contained

shall be deemed to authorise any person appointed to take an Account of the Population under its provisions to ask any other person directly any question relating to his or her civil condition or to render any person to whom such a question may have been proposed liable to any penalty under this Act for refusing to answer the same.

Account of the Population forbidden to ask certain questions.

E. EARDLEY-WILMOT.

Passed the Legislative Council, this fifteenth day of November, one thousand eight hundred and forty-three,

ADAM TURNBULL, *Clerk of the Council.*

SCHEDULES REFERRED TO.

A.

VAN DIEMEN'S LAND.

Census of the Year 184

Parish of

Name of Householder

Name of Employer of Servants

Name of Person in charge

Place of Residence and (if in a Town) the Name of the Street and
(if in Hobart Town) the Number of the House.

Questions to be proposed to every Person at the head or in charge of any House or Establishment in the Island of Van Diemen's Land by Persons appointed by the Commissioners for taking an Account of the Population under the Act. The Replies to be inserted by the Persons appointed as aforesaid and any Person refusing to reply to such Questions or giving false Answers is by the Act subjected to a Penalty not exceeding Ten Pounds.

1. What is the name of the Person at the head or in charge of this House or Establishment?

2. Who is its Occupier?

3. Is the Dwelling-house built of Stone of Brick or of Wood?

4. Is it complete or unfinished?

5. Is it inhabited or uninhabited?

6. How many Persons generally reside in this Establishment including yourself?

7. How many of these persons are Free?

8. How many of these Persons were dwelling here on the night of the thirty-first day of December last?

9. What other Person (if any) on that night was dwelling with you?

10. Give me (according to the Form annexed) a Return of these Persons distinguishing Males and Females and showing the Number of each Age Religion and Calling as therein specified.

All these Questions are to be answered by the Person at the head or in charge of the Establishment and as well as those which are made in the Numerical Return which follows to be taken down in Writing by the Person who by the Act is authorised to propose them.

NUMERICAL RETURN showing the Age Sex Religion Occupation Condition and Trade or Calling of Persons in the said House or Establishment.

		SEX.				TOTAL.
		MALE.		FEMALE.		
		Married.	Single.	Married.	Single.	
NUMBERS OF EACH AGE.	Under 2 Years					
	2 and under 7					
	7 and under 14					
	14 and under 21					
	21 and under 45					
	45 and under 60					
	60 and upwards					
	* TOTALS ..					
CIVIL CONDITION.	Free. {	Born in the Colony				
		Arrived Free				
		Other Free Persons				
	Bond. {	Holding Tickets-of-Leave ...				
		In Government Employment				
In Private Assignment.....						
	In Private Employment					
	* TOTALS ..					
RELIGION.	Church of England					
	Church of Scotland					
	Wesleyan Methodists					
	Other Protestant Dissenters					
	Roman Catholics					
	Jews					
	Mahomedans and Pagans					
	* TOTALS ..					
OCCUPATION.	Land Proprietors Merchants Bankers and Professional Persons..					
	Shopkeepers & other Retail Dealers					
	Mechanics and Artificers.....					
	Farmers					
	Market Gardeners.....					
	Shepherds and others in the care of Sheep.....					
	Gardeners Stockmen and Farm Servants.....					
	Domestic Servants					
	Boatmen.....					
	Seamen employed in the Coasting and River Craft.....					
	Whalers					
	All other Persons not included in the foregoing Classes					
	* TOTALS ..					

Dated at

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[Signature of the Person appointed by Commissioners to take Population Account.]

* N.B. These Totals if the Return be correct should correspond.

C.

PARISH REGISTER of Saint David's or Register of the Church of Saint Andrew's or of the Independent Chapel [or as the case may be].

QUESTIONS TO BE ANSWERED.

1. What was the Number of Baptisms and Burials in your Parish [or amongst the Congregation of your Parish] during the Year One thousand eight hundred and forty- distinguishing Males from Females?

2. What has been the Number of Marriages in your Parish [or amongst the Congregation of the Parish of which you are the Minister] during the Year One thousand eight hundred and forty- ?

3. Specify on the Schedule annexed for that purpose the Ages of Individuals registered in your Burial Register during the Year One thousand eight hundred and forty- distinguishing Males from Females.

Form of Answers to be given to the First and Second Questions contained in the Schedule to an Act Seventh Victoria intituled 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.

PARISH OF

[or as the case may be].

YEARS.	FIRST QUESTION.						SECOND QUESTION.	
	BAPTISMS.			BURIALS.			YEARS.	NUMBER OF MARRIAGES.
	Males.	Females.	Totals.	Males.	Females.	Totals.		

I A.B. [here specify whether Clergyman of a Parish or otherwise] do certify that the above Return contains accurate Answers to the Questions submitted to me.

