

ANNO SEPTIMO
GULIELMI IV. REGIS.

No. I.

An Act for ascertaining the Number of the Inhabitants of the Colony of New South Wales in the Year One thousand eight hundred and thirty-six. [5th July, 1836.]

CENSUS.

WHEREAS it is expedient that provision should be made for Preamble.
ascertaining the number of Inhabitants within the Colony of New South Wales as well those who are free as those who are serving under sentence of transportation Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That on or before the first day of August in this present year one thousand eight hundred and thirty-six the Justices of the Peace of the said Colony in their respective districts shall and they are hereby required and directed to cause general notices to be affixed on the several churches chapels market houses and court houses and on such other conspicuous places as they shall deem proper within the said Colony requiring every householder employer of servants and proprietor or occupier of land therein to be prepared upon the second day of September next ensuing or on the days immediately subsequent thereto to give all such information as is required by the Schedule hereunto annexed marked A to such persons as shall be appointed by the said Justices to collect the same. Justice to cause notices to be fixed in conspicuous places calling on householders &c. to give the information required by this Act.

2. And be it further enacted That the Justices of the Peace assembled in Petty Sessions in the several districts of the said Colony and in places where no Petty Sessions are held any Justice of the Peace acting singly shall on or before the fifteenth day of August next appoint one or more fit and proper person or persons for each district to collect the information hereby required and the said persons shall on the said second day of September next 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 districts the aboriginal natives alone excepted and inform themselves of the several particulars specified in the said Schedule distinguishing the County or reputed County as well as the parish in the County of Cumberland in which each such person shall be or reside or whether beyond the boundaries prescribed for location to settlers and the better to enable such persons to take such accounts they are hereby authorized and empowered to ask such questions of the persons residing or being within their respective districts concerning themselves and the number and quality of the persons constituting their respective families and the trade or calling of every person above the age of twelve years as shall be necessary to fill up the said Schedule and every such person refusing or neglecting to answer or wilfully giving a false answer to any such question shall for every

Justices to appoint persons to collect the information hereby required.

Census.

every such refusal or neglect or false answer forfeit and pay a sum not exceeding five pounds nor less than forty shillings at the discretion of the Justice or Justices before whom complaint thereof shall be made.

Persons so appointed to deliver over to the Justices their accounts of inhabitants within a certain time.

3. And be it further enacted That the persons so to be appointed by the Justices or Justice as aforesaid shall within fourteen days after the said second day of September next deposit with the Justices of the respective Petty Sessions or with the Justice acting singly as aforesaid the several original accounts so taken in writing and subscribed by them and shall make affidavit to the same in the form contained in the Schedule hereunto annexed marked B before the said Justices or Justice who are and is hereby authorized to take such affidavit and shall answer all such questions as shall be put to them concerning such accounts by the said Justices or Justice and if any such person shall fail or neglect to take such accounts or shall knowingly make any false statements therein or shall omit to deposit the same with the Justices or Justice aforesaid 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 five pounds nor less than forty shillings.

Justices to examine the accounts and to transmit an abstract thereof to the Colonial Secretary.

4. And be it further enacted That the said Justices or Justice as aforesaid shall as soon after the receipt of such original accounts as may be appoint a convenient day for examining the same at which the persons so appointed as aforesaid shall attend to answer all such questions as shall be put to them touching such accounts and the correctness thereof and such Justices or Justice 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 C and shall subscribe a certificate in the terms therein set forth and if the district for which such Justices or Justice shall act shall comprise more than one county or parish in the County of Cumberland such Justices or Justice shall transmit a separate abstract in the form before-mentioned of the persons residing or being in each such county reputed county or parish in the County of Cumberland as well as for such as reside beyond the boundaries prescribed for location to settlers and shall subscribe the same in manner aforesaid and such Justices or Justice shall on or before the first day of November next transmit to the Colonial Secretary the said abstracts together with the said original accounts and the notes of apparent error if any as aforesaid and if any Justice shall fail or neglect to perform the duties required in the premises or any of them he shall forfeit and pay the sum of fifty pounds to be sued for and recovered in the Supreme Court.

Justices of the Peace to communicate with the Justices of adjoining districts and fix boundaries.

5. And be it further enacted That the Justices of the Peace in each district shall and they are hereby required to communicate with the Justices of the nearest district and with any Justice acting singly in every direction around them to fix the boundaries of their respective districts in order to prevent any omission or repetition of the number of inhabitants in any district and the Justices of the Peace of the most remote districts shall and they are hereby required to consider all the country occupied by settlers or stock-keepers beyond them as forming a part of their respective districts whether the same be within the boundaries of the Colony prescribed for location to settlers or not and to take an account of the population thereof accordingly.

Allowances to the persons appointed by the Justices.

6. And be it further enacted That it shall be lawful for the Justices in Petty Sessions or any single Justice as aforesaid to cause an allowance for the number of days which any such person shall be actually employed in taking such account as aforesaid at a rate not exceeding seven shillings and sixpence a day to be paid to the persons so to be appointed as aforesaid.

Census.

7. And be it further enacted That all the fines imposed under and by virtue of this Act shall be recovered in a summary manner before any one or more Justice or Justices of the Peace unless hereinbefore otherwise provided and if not immediately paid shall be levied by distress and sale of the offender's goods and chattels by virtue of a warrant under the hand or hands and seal or seals of such Justice or Justices rendering to the said offender the overplus (if any) after the charge of such distress and sale shall be deducted and in case sufficient distress shall not be found then it shall be lawful for such Justice or Justices to commit such offender to the common gaol there to remain without bail or mainprize for a term not exceeding three months unless the said fine and charges shall be sooner paid and all fines imposed by this Act when recovered shall be paid one half to the informer or person who shall sue for the same and the other to the Treasurer of the said Colony to be applied towards defraying the expense of carrying this Act into execution.

SCHEDULES REFERRED TO.

A.

NEW SOUTH WALES.

CENSUS OF THE YEAR 1836

District _____ }
Return No. _____ }
Name of Householder or Employer of }
Servants. }
Place of Residence and Street and Number }
if in a Town. }

QUESTIONS to be proposed to every Householder Employer of Servants and Proprietor or Occupier of Land in the Colony by Persons appointed to collect the Information required by the Act by the Justices of the several Towns and Districts respectively. (7 JUL. IV. No. 1.)

REPLIES to be inserted by the Householder if able to write otherwise by one of the Collectors appointed by the Justices under a Penalty in case of failure or neglect or of giving a false answer with respect to Sex Age Trade or Calling of not less than Forty Shillings nor more than Five Pounds. (7 GUL. IV. No. 1.)

1. What is the Name of the Proprietor of this House or Establishment ?
2. In what County or if in the County of Cumberland in what Parish or if beyond the boundaries prescribed for location ?
3. How many Persons are residing in this House or Establishment including yourself ?
4. How many of those Persons are Free ?

Census.

5. Be pleased to give me a Return of those Free Persons in the annexed Form shewing the Number of each Religion and of each Trade or Calling and distinguishing Males and Females and those above and under Twelve Years of Age respectively?

SEX.	Above 12 Years.	Under 12 Years.	TOTAL.	Protes- tants.	Roman Catholics.	Jews.	Pagans.
Males...							
Females..							
TOTAL..							
Number of each Trade or Calling.							

6. How many Persons not Free Male and Female are residing here either as Assigned Servants or holding Tickets-of-leave?
7. Be pleased to give me a Return of the Name Age Ship and Year of Arrival Sentence Class Religion and Calling of each of those Assigned Servants and Persons holding Tickets in the accompanying Form? *

Dated

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Householder.

Collector.

* *Assigned Servants and Persons holding Tickets-of-Leave in the service of*

No.	Name.	Age.	Arrival.		Sentence.	Whether Assigned or Holding Ticket.	Religion.	Trade or Calling.
			Ship.	Year.				

Dated

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Householder.

Collector.

