

Census (1851).

No. XVIII.

CENSUS
(1851).An Act for taking an account of the population
of New South Wales. [19th September, 1850.]

Preamble.

Justices to cause
notices to be fixed in
conspicuous places
calling on house-
holders &c. to give
the information
required by this Act.

WHEREAS it is expedient to take an account of the total number of persons within the Colony of New South Wales 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 February in the year one thousand eight hundred and fifty-one the Police Magistrates for the several and respective Police Districts the boundaries whereof are set forth in a certain Government Notice published by order of His Excellency the Governor in the *New South Wales Government Gazette* and bearing date the seventeenth day of January one thousand eight hundred and fifty and in any such Police District where there is no Police Magistrate the Justices of the Peace assembled in Petty Sessions at the chief place of Petty Sessions within the same 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 first day of March 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 in manner hereinafter mentioned to collect the same.

Crown Commis-
sioners to make
Returns for Districts
not included in Police
Districts.

2. Provided always and be it enacted That in respect to every Commissioner's District (if any) or portion of a Commissioner's District not comprised in any of the said Police Districts the notices by this Act required to be affixed as aforesaid may and shall be so affixed by the respective Commissioners of Crown Lands appointed to act within such District.

Justices to appoint
persons to collect the
information hereby
required.

3. And be it enacted That the said Police Magistrates Justices in Petty Sessions and Commissioners in the cases aforesaid shall on or before the fifteenth day of February next appoint one or more fit and proper person or persons for each district to collect the information hereby required and the said person or persons shall on the said first day of March 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 his or their respective districts and inform himself or themselves of the several particulars specified in the said Schedule distinguishing the county or reputed county if within the Settled Districts the parish (if in the County of Cumberland) and the city town or reputed town and if in the City of Sydney or the City of Melbourne or the Town of Geelong the ward of the said city or town respectively in which each such person shall be or reside and the Commissioner's District if beyond the Settled Districts 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 sex age quality class education religion place of birth and trade or calling of the persons constituting their respective families or sojourning with them and all such other particulars 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 and every person in any way wilfully obstructing such Collectors in the execution of the duties required

Census (1851).

required of them under this Act shall for every such refusal or neglect false answer or wilful obstruction forfeit and pay a sum not exceeding five pounds nor less than forty shillings at the discretion of the Justices before whom complaint thereof shall be made. Provided always that nothing in this Act contained shall be deemed to authorize any person appointed to collect information under the provisions of the same 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.

4. And be it enacted That the Visiting Magistrates of every public Gaol (or if there be no Visiting Magistrate then the Gaoler or Keeper of such Gaol) the Visiting Magistrates of Cockatoo Island the Superintendent of the Stockade at Newcastle the Visiting Magistrates of the Lunatic and Invalid Establishment at Parramatta the Superintendents of the Lunatic Asylums at Tarban Creek and at or near Melbourne and the Surgeon Superintendent Steward Matron or other officer or person by what name soever known in charge of any Hospital School Asylum or other the like establishment or institution shall by virtue of such their office be deemed to be persons appointed for taking the account required by this Act in respect of the inmates of any such Goal Stockade Hospital Asylum School or other establishment or institution as aforesaid and they shall respectively be liable to the penalties to which by this Act persons so appointed are subjected for wilful default in the instances therein specified. Provided always that no allowance as is hereinafter provided shall be made to any such Visiting Magistrate Gaoler Superintendent Surgeon Steward Matron or other officer or person in charge of any such establishment or institution as aforesaid.

As to returns for
Gaols Lunatic
Asylum Orphan
Schools &c.

5. And be it enacted That the persons so to be appointed as aforesaid shall within fourteen days after the said first day of March next deposit with the respective Police Magistrates Justices in Petty Sessions or Commissioners in cases aforesaid the several original accounts so taken in writing and subscribed by them and shall make solemn affirmation in the form contained in the Schedule hereunto annexed marked B before any Justice of the Peace acting in and for the Territory of New South Wales or for any part thereof and shall answer all such questions as shall be put to them concerning such accounts by the said Police Magistrates Justices or 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 five pounds nor less than forty shillings.

Persons so appointed
to deliver over to the
Police Magistrates
Justices or Commis-
sioners their
accounts of inhabi-
tants within a
certain time.

6. And be it enacted That the said Police Magistrates Justices in Petty Sessions and Commissioners in cases 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 Police Magistrates Justices and Commissioners respectively shall examine the same and cause any defect or inaccuracy which may be discovered therein to be supplied or corrected so far as may be possible 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 Police Magistrates Justices or Commissioners shall act shall comprise more than one county within the Settled Districts or parish in the County of Cumberland

Police Magistrates
Justices or Commis-
sioners to examine
the accounts and to
transmit an abstract
thereof to the
Colonial Secretary.

Census (1851).

land or any city town or reputed town such Police Magistrates Justices and Commissioners shall make or cause to be made a separate abstract in the form before mentioned of the persons residing or being in each such county or reputed county and parish (if in the County of Cumberland) and each city town or reputed town and in each ward of any incorporated city or town and shall subscribe the same in manner aforesaid and in respect of any district comprised within the Sydney or Middle District of the Colony such Police Magistrates Justices and Commissioners respectively shall on or before the first day of June next transmit to the Colonial Secretary of New South Wales the said abstracts together with the said original accounts as aforesaid and in respect of any such district comprised within the Southern or Port Phillip District such Police Magistrates Justices and Commissioners respectively shall transmit on or before the day aforesaid the said abstracts and original accounts to His Honor the Superintendent of Melbourne and if any Police Magistrate Justice or Commissioner 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.

Where boundaries not already proclaimed.

7. And whereas the boundaries of the County or reputed County of Stanley in the Sydney or Middle District and the boundaries of the Counties or reputed Counties of Bourke Grant and Normanby in the Southern or Port Phillip District have not yet been definitely arranged and proclaimed Be it enacted That for the purposes of this Act it shall be lawful for His Excellency the Governor to define the boundaries of the said County or reputed County of Stanley and for His Honor the Superintendent of Port Phillip to define the boundaries of the said Counties or reputed Counties of Bourke Grant and Normanby.

The City of Melbourne to be deemed to be comprised for the purposes of this Act within the Police District of Bourke.

8. Provided always and be it enacted That for the purposes of this Act the City of Melbourne shall be deemed to be comprised within the Police District of Bourke in the District of Port Phillip.

As to portions of the Territory not included within any Police District or Commissioner's District.

9. Provided always and be it enacted That with respect to any portion of the Territory of New South Wales not included within any one of the Police Districts or Commissioners' Districts as aforesaid it shall be lawful for His Excellency the Governor by Proclamation to be by him for that purpose published in the *Government Gazette* to declare within what Police District or Commissioner's District such portion of Territory shall for the purposes of this Act be comprised.

Allowance to the persons appointed by the Justices.

10. And be it enacted That it shall be lawful for the said Police Magistrates Justices in Petty Sessions or Commissioners 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 ten shillings a day if employed on foot and fifteen shillings a day if employed on horseback to be paid to the person so to be appointed as aforesaid.

Fines to be recovered in a summary way.

11. And be it enacted That all fines imposed under and by virtue of this Act shall be recovered in a summary manner before any two or more Justices of the Peace in Petty Sessions assembled 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 hands of such 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 Justices or any two Justices to commit such offender to some 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

Appropriation of fines.

be

Census (1851).

be paid one-half to the informer or person who shall sue for the same and the other to Her Majesty Her Heirs and Successors to be applied to the public uses of the said Colony and in support of the Government thereof as may be directed by any Act of the Legislature.

12. And be it enacted That every solemn affirmation or declaration made or signed under the authority of this Act shall be of the same force and effect as if the person making such affirmation or declaration had taken an oath in the usual form so that if the person making such affirmation or declaration shall be convicted of having therein wilfully and falsely affirmed or declared any matter or thing he shall be subject to the same pains penalties and forfeiture to which persons convicted of wilful perjury are subject.

Penalty for false declarations.

SCHEDULES REFERRED TO.

A.

NEW SOUTH WALES.
(CENSUS OF THE YEAR 1851.)*Return No.*

THIS paper will be called for on the 2nd March 1851. No fees or reward to be paid to any person engaged on the Census. Your attention is particularly called to the 3rd clause of the Act 14 Victoria No. 18 wherein amongst other things it is enacted "That every such person refusing or neglecting to answer or wilfully giving a false answer to any such question and every person in any way wilfully obstructing such Collectors in the execution of the duties required of them under this Act shall for every such refusal or neglect false answer or wilful obstruction forfeit and pay a sum not exceeding five pounds nor less than forty shillings."

County
District
Parish (if in the County of Cumberland) ...
Town
Street place alley &c. if in a Town
Ward if in an incorporated Town
Place of residence if in the country ...
Name of householder employer of servants
or person in charge

Questions to be proposed to every householder employer of servants and proprietor or occupier of land in the Colony by persons appointed by the Justices of the several Towns and Districts respectively to collect the information required by the Act.

Replies to be inserted by the householder if able to write otherwise by one of the Collectors appointed by the Justices.

1. Is this house built of stone of brick or of wood?
2. Is it shingled or slated?
3. Is it completed?
4. Is it inhabited?
5. Be pleased to refer to the forms annexed and according to the particulars therein specified give me first a Numerical Return of the inmates of this house on the 2nd March 1851 including yourself family servants lodgers and sojourners and secondly a Nominal Return shewing the Country where born and the occupation of each person.

Census (1851).

Numerical Return of the several persons in the said House or Establishment on the
2nd March 1851.

							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.	{ Arrived free or born in the Colony										
			{ Other free persons										
		Bond.	{ Holding Tickets of Leave										
			{ In Government Employment										
			{ In Private Assignment										
*TOTALS													
Religion.	{	Church of England .. ..	..	..	..	..			
		Church of Scotland .. ..	..	..	..	..			
		Wesleyan Methodists .. ..	..	..	..	..			
		Other Protestants .. ..	..	..	..	..			
		Roman Catholics .. ..	..	..	..	..			
		Jews .. ..	..	..	..	..			
		Mahomedans and Pagans .. ..	..	..	..	..			
*TOTALS													
Education.	{						MALE.			FEMALE.			
							Cannot read.	Read only.	Read & write.	Cannot read.	Read only.	Read & write.	
		Under 4 years of age											
		4 years and under 7											
		7 years and under 14											
		14 years and under 21											
21 years and upwards													
*TOTALS													

Dated at

1851. }

Signature of

Householder.
Collector.

Nominal Return of persons in the said House or Establishment on 2nd March 1851.

Name
Country where born
Present occupation
Whether principal journeyman apprentice or hired or assigned
servant

Signature of Householder.
Collector.

* These Totals if the Returns be correct should correspond.

B.

Form of Affirmation.

I do hereby solemnly affirm and declare that the accounts numbered from
to inclusive severally signed and now delivered by me contain a true statement
of the number and quality of the persons residing within the of
to the best of my knowledge and belief.

Made and declared before me at

this

day of

1851. }

J. P. }

(Signed)

A. B.

C.

Census (1851).

C.
NEW SOUTH WALES.—CENSUS OF THE YEAR 1851.

ABSTRACT of the RETURNS of the POPULATION in the County of Cumberland—Town—Ward if in Sydney or Melbourne—or District—if beyond the boundaries of location as the case may be—of

NUMBER OF ESTABLISHMENT.		NUMBER OF EACH AGE.		SOCIAL CONDITION.		CIVIL CONDITION.		RELIGION.		EDUCATION.				COUNTRY WHERE BORN.				OCCUPATION.												TOTALS.		HOUSES.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							

I

Police Magistrate of

I Police Magistrate of (or We the Justices in Petty Sessions assembled or I the Commissioner as the case may be) do hereby certify that I (or We) have carefully examined the Original Accounts from which this Abstract is made out and have caused any defect or inaccuracy therein to be supplied or corrected so far as it was possible and I (or We) believe this Abstract is correctly made out according to the same.

J.P.
J.P.
J.P.

POLICE MAGISTRATE OF

COMMISSIONER.