

The Provincial Statutes of Lower-Canada, Being the first session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 1

An Act for ascertaining the Population of the several Counties in this Province, and for obtaining certain Statistical information therein mentioned. (31st March, 1831.)

MOST GRACIOUS SOVEREIGN,

Whereas the provisions and enactments of an Act passed in the ninth year of His late Majesty's Reign, chapter seventy-three, intituled, "An Act to make a new and more convenient subdivision of the Province into Counties, for the purpose of effecting a more equal representation thereof in the Assembly than heretofore," have rendered it necessary that a new Census of the population of the Province should be forthwith taken;—May it therefore please Your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North-America,' and to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that it shall be lawful from and after the passing of this Act, for the Governor, Lieutenant Governor or Person administering the Government, to nominate and appoint one or more persons residing within each of the Counties of this Province, to be Commissioners for the execution of this Act.

II. And be it further enacted by the authority aforesaid, that the Commissioners so appointed, shall be furnished without delay, with a sufficient number of copies of this Act, and of the Schedule thereunto annexed, and shall, between the first day of June, and the first day of October, in the present year, make or cause to be made, an exact Census of the population of the Counties for which they shall be respectively appointed, and shall obtain the information requisite to fill up correctly, the several columns in their Returns, which shall be made in the form of a Schedule (A) hereunto annexed.

III. And be it further enacted by the authority aforesaid, that it shall be lawful for each and every Commissioner so appointed, to require the assistance of, and to employ for the purpose of obtaining the information requisite for enabling him to make his return in the form aforesaid, any Captain or Subaltern officer of Militia, or Church-Warden, within the County for which such Commissioner may have been, appointed, and it shall be lawful for such Commissioner and the persons by him employed for that purpose, to visit every house within the County or place for which he shall have been appointed, and to require of all persons (those in actual service in his Majesty's Army or Navy alone excepted,) such

information as may be necessary for filling up accurately the several columns in his Returns, according to the form hereunto annexed.

IV. And be it further enacted by the authority aforesaid, that every person above the age of twenty-one years, who shall refuse to answer or shall knowingly answer falsely to any question put by any such Commissioner or person appointed by any Commissioner, for the purposes of obtaining the information aforesaid, shall incur a penalty of five shillings currency, for every offence, which penalty shall go to the person giving information of such offence, and shall be recoverable in a summary manner, before any one of the nearest Justices of the Peace, and shall be levied by distress and sale of the Offender's goods, under a Warrant signed by the Justice before whom the Offender shall have been convicted.

V. And be it further enacted by the authority aforesaid, that every person so appointed by such Commissioners respectively, shall within thirty days next ensuing the date of his appointment make his Return, (certified under his hand in the form of a Schedule (A), hereunto annexed, for the place for which he shall have been appointed to act, to the Commissioner or Commissioners by whom he shall have been so appointed; and the persons or Commissioners who shall have personally taken the Census and obtained the information necessary for making the Returns for any Parish, Seigniorie [Seigneurie], Township, or extra-Parochial place, shall respectively deposit a copy of such Return with the Rector, or Curate or Minister of such Parish, extra-Parochial place or Township, or if there be no such Rector, Curate, or Minister, then with the Senior Officer of Militia therein, to be by him and his successors in office respectively kept for the use and inspection of all persons concerned, and within ten days after the time fixed for the transmission of such Returns by the persons so appointed as aforesaid, the said Commissioners shall, on or before the first day of November following, transmit County Returns signed and certified in triplicate, and in the form of the Schedule (A.), hereunto annexed, to the Governor, Lieutenant-Governor, or person administering the Government of the Province, and one copy of every such Return shall be laid before each of the other Branches of the Legislature within fifteen days after the opening of the then next Session, and the remaining copy shall be deposited in the Archives of the Province.

VI. And be it further enacted by the authority aforesaid, that the Commissioners so appointed, shall respectively on the receipt of their Returns as aforesaid, receive out of any unappropriated monies in the hands of the Receiver General by warrant under the hand of the Governor, Lieutenant Governor, or Person administering the Government as a remuneration for their respective services the following sums, that is to say;—For every inhabited house mentioned in the return, and situate in the Cities of Quebec or of Montreal, or in the Town of Three Rivers [Trois-Rivières], or in any Village containing upwards of thirty houses, five pence currency; for every such house in the Country Parishes or Townships, ten pence currency; and the said Commissioners shall pay out of the monies so received to the Militia officer or Church-Warden, who shall have assisted personally in making the Returns for any Parish, Seigniorie, Township, Extra Parochial Place, Ward or Division of a City or Town, one third of the sum so received for every house mentioned in such Return; and to the

Militia officer or Church-Warden, who shall unassisted by any Commissioner have made and certified the Returns of any Parish, Seignior, Township, Extra Parochial Place, Ward or Division of a Town or City, two thirds of the sum so received for every house mentioned in such Return: Provided always, that such Militia officer or Church-Warden shall have been furnished by the Commissioner by whom he shall have been appointed, with a copy of this Act, and of the Schedules (A.) and (B.) thereunto annexed, and a certificate in the form of the Schedule (C.) hereunto annexed, distinctly describing the limits of the place for which he is to make such Return, unassisted by such Commissioner or Commissioners.

VII. And be it further enacted by the authority aforesaid, that any Commissioner or any Militia officer or Church-Warden, appointed by any Commissioner, who shall, in so far as he may be concerned, refuse or neglect to make, or assist in making the Returns hereby required, or who shall negligently or wilfully make a false Return, shall incur a penalty of Twenty-five pounds currency, and shall forfeit any remuneration to which he might otherwise have been entitled, under this Act; and the person incurring such penalty (or such other person as the Governor, Lieutenant Governor or person administering the Government shall appoint,) shall forthwith proceed to make a true Return, according to the provisions of this Act.

VIII. And be it further enacted by the authority aforesaid, that the Commissioners appointed under this Act, shall fifteen days at least before they proceed to take the census and to procure the information hereby required, cause a Notice in the form of Schedule (B.) hereunto annexed, to be publicly read immediately after Divine Service in the forenoon, on two successive Sundays, at the Church door of the Parish or other place in which such census is to be taken, and to be posted thereon during the said time, and in case there shall be no Church therein, then the said Commissioners shall post such written notice at the most public place in such Parish or other place.

IX. And be it further enacted by the authority aforesaid, that the fines incurred under this Act, shall (except in cases otherwise provided by this Act) be recovered by Civil action in the Court of King's Bench for the District in which the offence shall have been committed, by any person suing for the same; and one moiety of every such fine shall be paid to the Receiver General, and shall be at the disposal of the Provincial Legislature, for the public uses of the Province, and shall as well as all monies which may be expended under this Act, be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall direct, and the other moiety, with the costs incurred in the recovery thereof, shall go to the person suing for the same: Provided always that every action brought for the recovery of a fine imposed by this Act, shall be commenced within six months after the commission of the offence and not afterwards.

X. And be it further enacted by the authority aforesaid, that whenever it shall appear from the census so taken by any Commissioner or Commissioners so appointed as aforesaid, that any County not represented in the Assembly is entitled by its population to be represented

by one or by two Members, or that any County represented therein by only one Member is entitled by its population to be represented therein by two Members, it shall be lawful for the Governor, Lieutenant Governor or Person administering the Government, upon an address of the House of Assembly to issue a writ for the election of one or two Members, (as the case may be,) in order that such County may be duly represented in the Assembly according to the provisions of the Act hereinbefore cited.

SCHEDULE. (A.)

Form of a Return to be used by the Commissioners, and by the Persons by them Employed.

Name of each Parish, Seigniori, Township, Extra Parochial Place, Ward or Division of a Town, &c., and date of its first Settlement.		Houses with their local Situation in any Concession, range, Street, &c.
Houses inhabited.		
Houses vacant.		
Houses building.		
Name of the head of Each Family		
Proprietor of real property.		
Not Proprietor of real property.		
Trade or Profession.		
Total number of inmates in each Family.		
Proprietor of real property.		
Number of Persons belonging to the Family, temporarily absent from the Province.		
Number of Persons in the Family, five years of age, and under.		
Do. Do. Above five and under 14 Do.		
Married.	14 and not 18.	Males
Single.		
Married.	18 and not 21.	
Single.		
Married.	21 and not 30.	
Single.		
Married.	30 and not 60.	Females
Single.		
Married.	60 and upwards.	
Single.		
Under 14 years of age.		
Married.	14 and not 45.	
Single.		
Married.	45 and upwards.	
Single.		
Number of Deaf and Dumb Persons in each Family, and the occupation for which they shew the greatest aptitude.		
Number of Bling Persons in each Family.		
Number of Insane Persons in each Family.		
Number of Persons in each Family, in connexion with the Church of England.		
Number of Persons in each Family, in connexion with the Church of Scotland.		
Number of Roman Catholics in each Family.		
Number of Methodists in each Family.		
Number of Presbyterians and Congregationalists not in connexion with the Church of Scotland in each Family.		
Number of Baptists in each family.		
Number of Jews in each Family.		
Number of Persons of all other Denominations in each Family.		
Number of Families earning their subsistence by Agricultural employments.		
Number of Male Farm servants employed in each Family. h		
Number of Families engaged in Commerce and Trade.		
Number of Persons in each Family subsisting on Alms.		

Number of Acres or Arpents of Land occupied by each Family.	
Number of Acres or Arpents of improved Land occupied by each Family.	
Number of Minors of Wheat.	Produce raised by each Family during the last year.
Number of Minots of Pense.	
Number of Minots of Oats.	
Number of Minots of Barley.	
Number of Minots or Ryo.	
Number of Minots of Indian Corn.	
Number of Minots of Potatoes.	
Number of Minots of Buck Wheat.	
Under what tenure such Land is held by each Family.	
Rate of Seigneurial Rent paid for the Land held by each Family a titre de cens.	
Average money Rent of land farmed by each Family.	
Proportion of Produce allowed to the Proprietor, for Land held on Lease, or cultivated on Shares by each Family.	
Number of Near Cattle owned by each Family.	
Number of Horses owned by each Family.	
Number of Sheep owned by each Family.	
Number of Hogs owned by each Family.	
Number of Colleges, Academies, and Convents in each Parish, Seignior, Township, Extra parochial place, Ward or Division of a Town, &c.	
Number of Elementary Schools in every such place.	
Male.	Number of Scholars in each such College, Academy, Convent or Elementary School.
Female.	
Number of Taverns or Houses of Public Entertainment in every such place.	
Number of Stores where Spirituous Liquors are sold in every such place.	
Number of Grist-Mills in every such place.	
Number of Saw-Mills in every such place.	
Number of Oil-Mills in every such place.	
Number of Fulling Mills in every such place.	
Number of Carding Mills in every such place.	
Number of Iron Works in every such place.	
Number of Trip Hammers in every such place.	
Number of Distilleries in every such place.	
Number of Pot and Pearl Ash manufactories in every such place.	
Number of Manufactories of any other sort in any such place containing any Machinery moved by wind, water, steam, or animal power, specifying the purposes to which such Machinery is applied and by what power it is moved.	
Average price of Wheat in every such place since last harvest.	
Average wages paid in every such place, to servants employed in Agriculture, who are boarded by their employers, per month.	

Average wages paid in every such place to Day Labourers, per day.
Number of actual Settlers, natives of the United Kingdom, who have arrived in the Province by sea, since the first day of May, one thousand eight hundred and twenty five.
Number of actual Settlers, natives of the United Kingdom, who have come into the Province by any other way than by sea, since the first of May, one thousand eight hundred and tent five.
Number of actual Settlers from all foreign Countries, who have come into the Province since the first of May, one thousand eight hundred and twenty five.
Names of the Persons by whom the Return for each Parish, Seigniory, Township, Extra Parochial Place, Ward or Division of a Town, &c., has been made and by whom the information therein contained was personally obtained, and the date of such Return.
Place where the Duplicate of such Return has been judged, according to the requirements of the Act.
General Remarks.

SCHEDULE (B.)

Form of Notice.

Public Notice is hereby given, that the undersigned duly authorized to that effect, under an Act passed by the Provincial Legislature, in the first year of His Majesty's Reign, intituled, (Title of this Act) will on the day of proceed to take the census of the population of the (insert the name of the place within which the party giving notice is authorized to act,) and to require within the said place the information necessary to enable him (or them) to fill up the Schedules hereunto annexed, according to the provisions and requirements of the said Act, and all persons are hereby required to govern themselves accordingly, under the penalties by the said Act imposed.

Dated at This day of
(Signature.)

SCHEDULE (C.)

Form of Certificate to be given by the Commissioners, to the persons by them employed to make the return of any particular place within the Counties for which such Commissioners shall have been respectively appointed:

Know all men whom it may concern, that I (or we) have appointed (insert name, quality and place of residence), being Militia Officer or Church-warden (as the case may be) within the limits described, to make the Return for the (describe the place, its limits and boundaries), conformably to the provisions of an Act passed in the first year of His Majesty's Reign, intituled, (insert the title of this Act), of which Act and the Schedules thereunto annexed, I (or we) have furnished him with copies for the information and guidance of all whom the same may concern