

CAP. XXI

An ACT for taking an account of the Population of this Province.
Passed 11th March, 1824.

Preamble.

WHEREAS it is expedient to take an account of the total number of persons within this Province

Justices to appoint fit persons in each Parish, to take an account of the Population.

I. Be it enacted by the President, Council, and Assembly, That the Justices of the Peace in the several Counties in this Province, shall and may, and they are hereby required at their first General Sessions to be holden after the receipt of this Act by the Clerk of the Peace for the County, as hereinafter provided, or at any Special Sessions to be for that purpose expressly convened, to appoint such and so many fit person or persons within each Town or Parish within their respective Counties, as they shall think expedient, to take an account of the Population thereof, in manner hereinafter directed; and if more than one person shall be so appointed for any Town or Parish, then to divide such Town or Parish into convenient Districts, (assigning to each person so appointed to take such account, his particular District), which persons so appointed to take such account, shall be liable in all respects to the same rules and regulations, penalties and forfeitures, as Town or Parish Officers are subject and liable to, by virtue of any Law in force for the appointment and regulation of Town or Parish Officers: *Provided,* that the Mayor, Aldermen and Commonalty, of the City of Saint John, in Common Council convened, shall as soon as conveniently may be after the passing of this Act, appoint such and

Persons appointed, to be subject to the same regulations and penalties as other Parish Officers.

Mayor, Aldermen, &c. in Saint John, to appoint persons in the City.

and so many fit person or persons as to them shall seem meet, to take such account within the said City, in like manner with the Justices of the Peace for the several Counties at their General or Special Sessions as aforesaid.

II. *And be it further enacted*, That the persons so to be appointed as aforesaid, shall at the times and in the manner hereinafter directed, severally take an account of the number of persons who shall be actually found at the time of taking such account, within the limits of the Parish, City or District, for which they may be respectively appointed, and shall set down the several particulars respecting the same, according to the form prescribed in the Schedule annexed to this Act.

Account to be taken as herein after prescribed.

III. And for the more speedy and effectual obtaining of such accounts: *Be it further enacted*, That a sufficient number of printed copies of this Act, and of the Schedule thereto, (such number to be regulated and determined by order of the President or Commander-in-Chief for the time being) shall on or before the first day of April next after the passing of this Act, be transmitted by the King's Printer, to the Clerks of the Peace in the several Counties, and the said several Clerks of the Peace shall, and they are hereby required with all convenient speed, to cause the said Act to be distributed among the Justices of the Peace in the several Counties, so that at least one Justice in each Parish may be furnished with one of the said printed copies of the said Act, and also to cause

This Act to be sent to the Clerks of the Peace in the several Counties, and by them to the Justices.

Two printed Schedules to be delivered to the persons appointed to take account

two of the said printed Schedules to be delivered to each person appointed as aforesaid to take the account required by this Act, within the said several and respective Counties.

Persons appointed to take an account, to inform themselves by going from house to house or otherwise,

IV. *And be it further enacted*, That the persons so appointed to take such account as aforesaid, shall with all convenient expedition after receiving the said Schedules, and within such time as will enable them to deliver or transmit their respective answers and returns to the Clerks of the Peace, by the day hereinafter limited for that purpose, proceed to take an account in writing of the number of persons at the time of taking such account, being within the limits of the Parish, City or District, for which they may be respectively appointed as aforesaid, and inform themselves of the several particulars relating to the matters specified in the questions contained in the said Schedule, by proceeding from house to house or otherwise, as they shall judge expedient, for the better execution of this Act, and from such information shall prepare duplicate answers or returns to the said questions, according to the form prescribed in the said Schedule, and shall sign and make oath to the same before a Justice of the Peace of the County, according to the said form, which oath any such Justice is hereby authorized and required to administer; and the better to enable such persons so appointed as aforesaid, to make such answers and returns, they are hereby severally and respectively authorized and empowered to ask all such questions of the

and prepare duplicate answers and returns, under oath.

the persons within the Parish, City or District, for which they may be respectively appointed as aforesaid, respecting themselves, and the number and quality of the persons constituting their respective families, as shall be necessary for stating the particulars required to be stated concerning them in the said answers and returns, and every person refusing to answer, or wilfully giving a false answer to such questions, or any of them, shall for every such refusal or false answer, forfeit a sum not exceeding Three Pounds, nor less than Twenty Shillings, at the discretion of the Justice, before whom complaint thereof shall be made; and the said persons so appointed as aforesaid, to take such account, shall deliver or transmit their several and respective answers and returns, in duplicate as aforesaid, to the Clerks of the Peace for the several and respective Counties, on or before the first day of December next after the passing of this Act.

Penalty for refusing to answer, or giving false answers.

V. *And be it further enacted.* That the several Clerks of the Peace shall on or before the tenth day of December next after the passing of this Act, transmit one copy of such answers and returns as they shall have received in manner aforesaid, together with a list of the Parishes, Districts or Places, within their respective Counties from which no returns may have been received, to the office of the Secretary of the Province, and shall place and keep the other copy of such answers and returns, on file, in their offices respectively, and the answers and returns which shall be so transmitted to the office of the

Clerks of the Peace, on or before 10th December next, to transmit one copy of returns, with lists of places from which no returns have been received, to the Secretary's office, and file another copy in their office.

Returns to be arranged, and an abstract laid before the General Assembly.

Secretary of the Province, shall be digested and reduced into order by such officer or person as the President or Commander-in-Chief for the time being, shall appoint for that purpose; and an abstract thereof shall be laid before the General Assembly at their next Session.

Allowance to the Clerks of the Peace.

VI. *And be it further enacted,* That there shall be allowed and paid out of the Province Treasury to each Clerk of the Peace, for the services required of him by this Act, the sum of Three Pounds, and to each and every person appointed and employed under this Act to take such account as aforesaid, who shall make and transmit to the Clerk of the Peace of the County by the day hereinbefore limited for that purpose, due answers and returns according to the Schedule to this Act annexed, the sum of Ten Shillings for each and every day that such person shall make it appear to the Justices of the Peace for the several Counties at their General Sessions, that he has been actually employed in the services required of him by this Act; the number of days to be certified by the said Justices at their General Sessions, to the President or Commander-in-Chief for the time being, which said sums in this Section mentioned, shall be paid out of any monies in the Province Treasury, by warrant of the President or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council.

Allowance to persons appointed to take account, 10s. per diem.

Days to be certified by the Sessions.

VII. *And be it further enacted,* That any person appointed under this Act to take such account as aforesaid, who shall refuse or neglect

glect to perform any of the duties required of him by this Act, shall for each and every such refusal or neglect, forfeit and pay a sum not exceeding Five Pounds, nor less than Forty Shillings, at the discretion of the Justice before whom complaint shall be made.

Penalty for refusal or neglect of duty of persons appointed to take account.

VIII. *And be it further enacted,* That the several and respective forfeitures and penalties hereinbefore mentioned, shall and may be recovered upon complaint made before any Justice of the Peace for the County where the offence may be committed, upon the oath of one or more credible witness or witnesses, and be levied by distress and sale of the goods and chattels of the offender, rendering the surplus, if any, after deducting the costs and charges of prosecution and sale, to such offender, and to be applied, one half to the use of the person who shall sue for the same, and the other half to the use of the Poor of the Parish where the offence may be committed.

Penalties to be recovered before a Justice.

SCHEDULE.

Questions, to which, by directions of an Act of Assembly, passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled, "An Act for taking an Account of the Population of this Province," written answers, in duplicate, are to be returned by the persons appointed under and by virtue of the said Act, to take such account, signed and attested upon oath, by such persons respectively.

1st.---How many Inhabited Houses are there in your City, Parish or District, and by how many Families are they occupied?

2nd.

2nd.--How many Houses are now Building, and therefore not yet Inhabited?

3rd.--How many other Houses are Uninhabited?

4th.----How many Persons (including Children of whatever age) are there actually found within the limits of your City, Parish or District, at the time of taking this account, distinguishing Males and Females, and Persons above and under sixteen years of age, and People of Colour, and exclusive of Men actually serving in His Majesty's Regular Forces, and of Seamen either in His Majesty's Service or belonging to Registered Vessels, and of Native Indians?

5th.--Are there any matters which you think it necessary to remark in explanation of your answers to either of the preceding questions?

