

C A P . XLII.

An Act to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical Census of the Inhabitants of this Province, and for obtaining the other statistical information therein mentioned.

[18th September, 1841.]

WHEREAS it is expedient to make more effectual provision for taking a periodical Census and Enumeration of the Inhabitants of this Province, and for obtaining other statistical information hereinafter mentioned; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to Re-write the Provinces of Upper and Lower Canada, and for the Government of Canada*; and it is hereby enacted by the authority of the same, that so much of an Act of the Legislature of that part of this Province, formerly called Upper Canada, passed in the fifth year of the Reign of His late Majesty, King William the Fourth, and intituled *An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the Reign of William the Fourth, chapter twelve, intituled An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty third year of the Reign of His late Majesty, King George the Third, intituled An Act to provide for the nomination and appointment of Parish and Town Officers within this Province, as relates to the office of Fence Viewers, being discharged by Overseers of Highways and Roads*, as is contained in the nineteenth, twentieth and twenty-first Sections of the said Act, and so much of any Act or Law in force in this Province, or any part thereof as may be inconsistent with or repugnant to the provisions of this Act, or may assign any of the duties hereinafter assigned to certain officers or persons, to any other Officers or persons, shall be and the same is hereby repealed.

Preamble.

19th, 20th and 21st. sections of the Act of Upper Canada, 5 Will. 4 cap. 8. and other laws inconsistent with this Act repealed.

II. And be it enacted, that a Census of the Inhabitants of this Province, shall be taken and the other statistical information hereinafter mentioned, obtained in the year of our Lord, one thousand eight hundred and forty two, and in every fifth year thereafter.

A Census of the Province to be taken in the year 1842 and in every fifth year thereafter.

III. And be it enacted, that the Secretary of the Province, shall cause to be printed

The Secretary of the Province to cause copies of this Act and of the Schedule to be transmitted to the Warden of each Municipal District and the Mayor or Chief Magistrate of each City or Town Corporate in the Province, at certain times.

printed uniform blank Returns in conformity with the Schedule hereunto annexed and the provisions hereinafter contained, together with copies of this Act in the English and French languages, and shall on or before the second Monday of January in the said year one thousand eight hundred and forty two, and on or before the said day and month in every fifth year thereafter, transmit to the Warden of each Municipal District within the Province, three times as many of such blank Returns and Abstracts, and Copies of this Act, as there shall be Townships and Parishes within such District wherein there shall be separate Assessors, and to the Mayor or Chief Magistrate of each City or Town Corporate within this Province, three times as many of the said Returns and Copies as there shall be Wards having separate Assessors in such City or Town Corporate.

The Wardens Mayors and Chief Magistrates to distribute such Returns and copies among the Assessors, in the Districts, Cities or Corporate Towns.

IV. And be it enacted, that it shall be the duty of each of the said Wardens and of the Mayor or Chief Magistrates of the said Cities and Towns Corporate, respectively, to distribute such blank Returns and Copies on or before the first day of February in each and every year in which a Census shall be taken, amongst the Assessors for the said Townships or Parishes in the said Municipal Districts, or for the said Wards, respectively.

The Assessors may demand certain information within the locality for which they Act.

V. And be it enacted, that it shall be lawful for such Assessors, and it shall be their duty within their respective Townships, Parishes or Wards, to demand and receive at every dwelling house, or from the head of every family residing therein, or from any member of such family more than twenty one years of age, an enumeration of the persons composing such family, and of all and every the particular matters and things specified in the Schedule hereunto annexed; and any person being the head of a family or a member thereof above the age of twenty one years, who shall refuse to give to any Assessor the information so demanded by him, or shall wilfully give false information to such Assessor, concerning the same, shall forfeit and pay a penalty of fifty shillings, currency, to be sued for and recovered with costs in any Court of competent civil jurisdiction, by the Clerk of the District Council for the District within which such person is resident, for the benefit of the District Fund, or by the City or Town Clerk, for the benefit of the funds of the Corporation, as the case may be.

Penalty on persons of lawful age, refusing such information or giving it falsely.

Penalty how recovered and applied.

The Assessors shall enter the information so obtained on two of the Returns aforesaid, and transmit the same to the Warden, Mayor, or Chief Magistrate.

VI. And be it enacted, that the said Assessors, respectively, shall enter in two of the printed forms of Returns received by them, the particulars of the enumeration so made, and of the statistical information so obtained, in the manner and form specified in the Schedule to this Act annexed, and shall return to the Warden or Mayor, as the case may be, two of the printed forms aforesaid, filled up with the said enumeration and the statistical information so obtained, as aforesaid, and sworn to before one of Her Majesty's Justices of the Peace for the District, City or Town

Town Corporate in which such Census shall be taken; and one of the said Returns shall be transmitted to the Governor of this Province by the Warden, Mayor or Chief Magistrate, and the other shall be retained among the Public records of the District, City or Town Corporate.

Who shall transmit one to the Governor and retain the other among the records of the Place.

VII. And be it enacted, that certified copies of all such returns of Census, shall be laid before both Houses of the Provincial Parliament, at the next Session after the Census shall be taken.

Copies of the Returns, to be laid before the Legislature.

VIII. And be it enacted, that any Assessor who shall be convicted upon Indictment of having wilfully neglected to make any Return by this Act required, or of having made a negligently false Return, shall be liable to pay a fine to Her Majesty not exceeding twenty five pounds of lawful money of this Province, and shall be further liable to imprisonment in the Common Gaol or Prison of the District, City or Town Corporate in which the same Census ought to be taken, or in which the same shall be so falsely taken, for a space of time not exceeding three Calendar Months; and that any Assessor or Assessors, who shall wilfully make a false Return of such Census, upon oath, as aforesaid, shall, upon conviction thereof, be liable to all the pains and penalties of wilful and corrupt perjury.

Penalty on Assessors neglecting to make the required returns or through negligence making them erroneously.

Any Assessor wilfully making a false return under oath, to be guilty of perjury.

IX. And be it enacted, that the Assessors, aforesaid, shall be respectively entitled to receive, for taking such Census, out of the Public Funds of each District, City or Town Corporate in which such Census shall be taken, a sum of money equal in amount to one fourth of the sum which such Assessor or Assessors shall be entitled to receive for making the Assessment for the same year in which the Census aforesaid, shall be taken.

Each Assessor to receive for making such Returns one fourth of the sum he shall receive in the same year for making the assessment.

X. And be it enacted, that the words "Parishes" and "Townships" whenever they occur in this Act, shall, for the purposes thereof, be held to mean and include reputed Parishes and Townships, and Unions of Parishes and Townships and of reputed Parishes and Townships, in and for which Assessors have been and may hereafter be chosen or appointed in the manner and for the purposes prescribed by Law.

Interpretation of certain words.

XI. And be it enacted, that whenever there shall be more than one Assessor in and for the same place, the Warden, Mayor or Chief Magistrate thereof, may assign to each of the Assessors, the Locality within which he shall obtain the information by this Act required, and each Assessor shall act accordingly as if he had been appointed for such locality, exclusively, and shall be paid such proportion of the allowance aforesaid, as the Warden, Mayor or Chief Magistrate may direct.

When there is more than one Assessor in any place, each shall have a certain locality assigned to him for the purposes of this Act.

SCHEDULE

SCHEDULE.

Returns of the enumeration of the Inhabitants of _____ with the other statistical information to be obtained in such _____, by an Act intituled, "An Act to repeal certain parts of an Act therein mentioned, and to provide for taking a Periodical Census of the Inhabitants of this Province, and for obtaining other statistical information therein mentioned."

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| Total, | Houses inhabited. | Houses with their local situations in any Range, Concession, Street, &c. |
| | Houses Vacant. | |
| | Houses Building | |
| | Name of the head of each family. | |
| | Proprietor of Real Property. | |
| | New Proprietor of Real Property. | |
| | Tenant entitled to Vote at any Election in City, Town, &c. | |
| | Trade or Profession. | |
| | Total number of inmates in each family, Male and Female, not resident. | |
| | Number of persons belonging to the family, Male or Female, now temporarily absent. | |
| | Number of natives of England belonging to each family. | |
| | do. of Ireland, do. do. | |
| | do. of Scotland, do. do. | |
| | do. of Canada, do. do. of French origin | |
| | do. of Canada, do. do. of British origin. | |
| | do. of the Continent of Europe, or otherwise specifying the same separately. | |
| | do. of the United States of America. | |
| | Number of years each person has been in the Province, when not Natives thereof. | |
| | Number of Aliens not naturalized. | |
| | Male. | Number of persons in the family, five years of age and under. |
| | Female. | |
| | Male. | Number of persons in the family above five and under fourteen years of age. |
| | Female. | |
| | Married. | 14 and under 18. |
| | Single. | |
| | Married. | 18 and not 21. |
| | Single. | |
| | Married. | 21 and not 30. |
| | Single. | |
| | Married. | 30 and not 60. |
| | Single. | |
| | Married. | 60 and upwards. |
| | Single. | |
| | Married. | 14 and not 45. |
| | Single. | |
| | Married. | 45 and upwards. |
| | Single. | |
| | Males. | Number of Deaf and Dumb persons in each family and the occupation for which they show the greatest aptitude. |
| | Females. | |
| | Males. | Number of Blind persons in each family. |
| | Females. | |

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|--------|--|---|--|
| Total, | Males. | Number of Idiots in each family. | |
| | Females. | | |
| | Males. | Number of Lunatic persons in each family. | |
| | Females. | | |
| | Number of persons in each family belonging to the Church of England. | | |
| | Number of persons in each family belonging to the Church of Scotland. | | |
| | Number of persons in each family belonging to the Church of Rome. | | |
| | Number of British Wesleyan Methodists in each family. | | |
| | Number of Canadian Wesleyan Methodists in each family. | | |
| | Number of Episcopal Methodists in each family. | | |
| | Number of other Methodists in each family. | | |
| | Number of Presbyterians not in connexion with the Church of Scotland in each family. | | |
| | Number of Congregationalists or Independents in each family. | | |
| | Number of Baptists and Anabaptists in each family. | | |
| | Number of Lutherans in each family. | | |
| | Number of Quakers in each family. | | |
| | Number of Moravians and Tunkers in each family. | | |
| | Number of the Dutch Reformed Church in each family. | | |
| | Number of Jews in each family. | | |
| | Number of persons of all other Religious Denominations not herein enumerated in each family. | | |
| | Number of Male colored persons in each family. | | |
| | Number of Female colored persons in each family. | | |
| | Number of Male Farm Servants employed in each family. | | |
| | Number of other Male Servants in private families. | | |
| | Number of other Female Servants in private families. | | |
| | Number of persons engaged in Trade or Commerce. | | |
| | Number of persons in each family subsisting on alms or paupers. | | |
| | Number of acres or arpents of land occupied by each family. | | |
| | Number of acres or arpents of improved land occupied by each family. | | |
| | Wheat. | Produce raised by each family during the last year and estimated in Winchester bushels. | |
| | Barley. | | |
| | Rye. | | |
| | Oats. | | |
| | Pease. | | |
| | Indian Corn. | | |
| | Buck Wheat. | | |
| | Potatoes. | Live stock owned by each family. | |
| | Number of Hives of Bees kept by each family last season. | | |
| | Number of pounds of Maple Sugar made by each family last season. | | |
| | Neat Cattle. | | |
| | Horses. | | |
| | Sheep. | | |
| | Hogs. | | |

Return of the enumeration of the _____ with the other statistical information, &c.—Continued.

SCHEDULE.

Return of the enumeration of the _____ with the other statistical information, &c.—Continued.

SCHEDULE.

| | | |
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| Total, | Number of yards of Fulled Cloth manufactured in the domestic way in the same family. | |
| | Number of yards of Linen, Cotton or other thin Cloth manufactured in the domestic way in the same family. | |
| | Number of yards of Flannel or other Woollen Cloth, not felled, manufactured in the domestic way in the same family | |
| | Number of pounds of Wool procured during the last year in each family. | |
| | Under what tenure such land is held by each family. | |
| | Rate of Seigniorial Rent paid for land held à titre de cens. | |
| | Average money rent of farm 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 Colleges, Academies and Convents in each Parish, Township, extra-parochial place, Ward or division of Town, &c. | |
| | Number of Elementary Schools in every such place. | |
| | Male. | Number of Scholars at 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 pairs of Mill-Stones used in each Mill. | |
| | Number of Oatmeal Mills in every such place. | |
| | Number of Barley 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 Thrashing Mills in every such place. | |
| | Number of Paper Mills in every such place. | |
| | Number of Iron Works in every such place. | |
| | Number of Trip Hammers in every such place. | |
| | Number of Nail Factories in every such place. | |
| | The weight of Nails so manufactured in such place. | |
| | Number of Distilleries in every such place. | |
| | Number of Breweries in every such place. | |
| | Number of Tanneries in every such place. | |
| | Number of Pot and Pearl Ash Manufactories in each such place. | |
| | Number of Manufactories of any other sort in every 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 price of Agricultural Labor per day throughout the year. | |

I, A. B., do swear that the above Return is true and correct to the best of my knowledge and belief, that I have not willfully made any false Statement therein, and that I have used my best diligence and endeavour to obtain a true information on all matters to which it relates, — So HELP ME GOD.

(Signature)

A. B. Assessor for the _____ of _____

of _____ at _____ this _____ day of _____ 18—.

(Signature)

C. D., J. P.

Sworn before me, one of Her Majesty's Justices of the Peace, for the _____ of _____