

NEW ZEALAND.



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 20.

ANALYSIS :

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**AN ACT for taking an account of the Population of New Zealand, and for collecting Statistical information relating thereto.** Title  
*[3rd July, 1858.]*

**W**HEREAS it is expedient that an Account be taken, at the times and in the manner hereinafter directed, of the number and condition of the Population of New Zealand, and of the Live Stock, and of the Cultivations therein, respectively, Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, in Parliament assembled, and by the authority of the same, as follows :

I. An Account shall be taken in the month of December, in the year One thousand eight hundred and fifty-eight, and in the same month in every third year succeeding, of the number and condition of Persons, and of the Live Stock, and of the Land in Cultivation, within New Zealand, and of other particulars relating Census to be taken.

*Census.*

thereto, according to such Forms of returns and instructions as the Colonial Secretary shall cause to be prepared, for the purpose of obtaining information with respect to the Subjects specified in Schedules A and B to this Act annexed.

Appointment of Enumerators.

II. For the purpose of taking such Account, the Governor shall from time to time appoint as many persons as may be necessary, who shall be, and be called, Enumerators, and shall define the Districts for which they shall respectively act, and shall prescribe the number of Sub-enumerators to be employed by each Enumerator as herein mentioned, and the rates of remuneration of such Enumerators and Sub-enumerators.

Appointment of Sub-enumerators.

III. Every Enumerator shall with all convenient speed after his own appointment, select and appoint, subject to the approval of the Governor, the Sub-enumerators to be employed by him, and shall assign a sub-district to each Sub-enumerator, and shall deliver to him a sufficient number of the said Forms.

Masters, &c., of Gaols, &c., to be Sub-enumerators of inmates thereof.

IV. The Master or Keeper of any Gaol, Prison, Hospital, or Lunatic Asylum, shall be the Sub-enumerator of the Inmates thereof, and shall conform to such instructions as the Colonial Secretary shall cause to be sent to him for obtaining the information required by this Act, so far as may relate to such Inmates.

Enumerators and Sub-enumerators to make declaration.

V. Every person who shall act as Enumerator shall make and subscribe the declaration contained in Schedule C to this Act, before some Justice of the Peace, which declaration such Justice is hereby authorised and required to take ; and every person who shall act as Sub-enumerator shall make and subscribe before the Enumerator by whom he shall have been appointed, the like declaration, which declaration such Enumerator is hereby authorised and required to take.

Penalty for neglecting or refusing to perform duties.

VI. Every person who shall accept the office of Enumerator or Sub-enumerator, and shall afterwards neglect or refuse to do or perform any act or duty by this Act required to be done or performed by him, shall, unless prevented by sickness or other unavoidable accident, forfeit a sum not exceeding fifty pounds.

Enumerators to cause forms of returns to be delivered.

VII. Every Sub-Enumerator shall, between the first and twenty-fourth days of December, (both inclusive) in the years appointed, leave at every Dwelling-House within his sub-district, one or more of the said Forms of returns to be made by the occupier or person in charge of such Dwelling-House ; and every such occupier or person shall fill up and supply in the said Forms to the best of his knowledge and belief, the matters and particulars which may by the said Forms and any instructions accompanying the same be required ; and shall sign the said Forms with his name, and deliver or cause to be delivered the said Forms so filled up and signed to the Sub-enumerator authorised to receive the same.

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VIII. Every Sub-enumerator shall, within his sub-district, on the twenty-sixth day of December, or as soon after as practicable, demand and receive the said Forms at the Dwelling-Houses where the same shall have been left, and in case such Forms from any cause shall not have been filled up, or shall appear to have been insufficiently or erroneously filled up, such Sub-enumerator shall forthwith proceed to ascertain, from the occupiers or persons in charge of such Dwelling-Houses, such matters and particulars as may be necessary to enable him to correct any errors, or supply any deficiencies, in such Forms; and shall then and there, in case he fill up the Form entirely himself, sign the same with his own name, or in case he make corrections or supply deficiencies only, shall mark such corrections and additions with his initials.

Sub-enumerators to collect forms.

IX. The several Enumerators and Sub-enumerators are hereby authorised and required to make all such Inquiries of all persons whatsoever respecting those persons themselves, and all other persons, with reference to all such matters and particulars, as may be necessary for filling up the said forms; and every person who shall wilfully refuse, or without lawful excuse, neglect, to fill up the said forms to the best of his knowledge or belief, or to sign and deliver the same as herein required, or who shall wilfully refuse or neglect to answer, or shall wilfully and untruly answer any such Inquiries as aforesaid, or who shall wilfully make, sign, or deliver, or cause to be made, signed, or delivered, any false Return of all or any of the matters or particulars aforesaid, or who shall obstruct any person in the performance of any duties imposed on him by or under the authority of this Act, shall forfeit a sum not exceeding twenty pounds.

Inquiries may be made for filling up forms.

X. The several Sub-enumerators within seven days after all the said Forms so filled up shall have been received by them shall cause all the said Forms to be delivered or transmitted to their respective Enumerators, and shall make Affirmation before such Enumerators, (which Affirmation the said Enumerators are hereby authorised and required to administer) that the said Forms, so filled by the occupier or person in charge of any Dwelling-House, or corrected or amended as aforesaid, are in the same state in which they were received by such Sub-enumerators, or have been truly corrected and amended, respectively, in accordance with the provisions hereof and the information received by them in answer to their Inquiries, and shall also make true answer to all such Inquiries as the said Enumerators shall make of them, as to the manner in which they have performed their duties; and it shall be lawful for the said Enumerators to direct the Sub-enumerators to make further Inquiries as to any matter respecting which in the opinion of such Enumerators further or more accurate information ought to be obtained, and such Sub-enumerators may make such further Returns signed by themselves in relation thereto, with the like Liabilities in themselves, and in persons refusing or neglecting to give information, or giving untrue information, as are hereinbefore enacted as to their original Inquiries.

Sub-enumerators to deliver forms to Enumerators.

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Penalty for omission.

XI. Any Sub-enumerator who shall wilfully omit to deliver or transmit, to his Enumerator all the Forms which shall have been so filled up as aforesaid, or who shall knowingly and wilfully sign, deliver, or transmit any untrue Form or Return, or alter any Form, save as aforesaid, or wilfully and designedly omit to deliver or transmit any Form which by the term of this Act he ought to have delivered or transmitted, shall forfeit a sum not exceeding fifty pounds.

Enumerators to make out lists.

XII. Every Enumerator within one month after he shall have received the said Forms from the Sub-enumerators appointed by him, shall, from the information thereby furnished, make out, according to such instructions as he may receive from the Colonial Secretary, Returns of the several matters and particulars specified in such Forms; and shall sign the said returns, and shall make affirmation before some Justice of the Peace (which affirmation such Justice is hereby authorised and required to administer) that the said Returns are correctly and truly made out to the best of his knowledge, information, and belief, and shall transmit all such Returns and other particulars which he may have been required to furnish, to the Registrar-General.

False delaration or affirmation.

XIII. Any Enumerator or Sub-enumerator who shall knowingly and wilfully make a false declaration or affirmation under this Act, shall be guilty of a Misdemeanour, and, being convicted thereof, shall be liable to be punished by fine or imprisonment, or both.

Inquiries may be addressed to certain persons by Colonial Secretary.

XIV. For the purpose of obtaining important statistical information not included in the Returns which may be received from the Enumerators, the Colonial Secretary may cause Inquiries, to be approved of by the Governor in Council, to be addressed to the Persons having or reputed to have the superintendence of Establishments or Institutions of the character described in Schedule B to this Act, and all such Persons shall be bound to answer such Inquiries to the best of their knowledge and belief; and every person who shall refuse or neglect to answer any such Inquiry, or wilfully give any false answer thereto, shall forfeit a sum not exceeding twenty pounds,

Penalty for refusal or neglect.

Recovery and application of penalties.

XV. All Fines, Penalties, and Forfeitures imposed by this Act, shall be recovered in a summary manner before any two Justices of the Peace, and shall be paid to Her Majesty for the public uses of the Colony: Provided always that it shall be lawful for the Governor when any person shall appear to have been active in or towards the procuring of any conviction under this Act, to award to such person any portion of the fine or penalty recovered not exceeding one half thereof.

Abstracts to be printed and laid before General Assembly.

XVI. The Colonial Secretary shall cause abstracts to be made of the Returns and other particulars of information obtained under the authority of this Act; and such abstracts shall be printed, and laid before both Houses of the General Assembly,

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in the Session next ensuing after such Returns and information have been obtained.

XVII. This Act shall not apply to the Aboriginal Native Race, except only at such time, in such places, and in such manner as the Governor in Council shall from time to time direct.

Act not to apply to Natives.

XVIII. An Ordinance of the Governor-in-Chief and Legislative Council of New Zealand, Session XI., No. 8, intituled "An Ordinance for taking a Census of the Colony of New Zealand" is hereby repealed.

Census Ordinance, Session 11, No. 8, repealed.

XIX. In the construction of this Act the word "Dwelling-House," shall include any House, Building, Booth, Tent, or other Erection in or under which any person usually sleeps, and also all Ships or Vessels in any Port of New Zealand.

Interpretation Clause.

XX. The Short Title of this Act shall be "The Census Act, 1858."

Short Title.

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**SCHEDULE A.**

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**I.—DOMESTIC AND SOCIAL CONDITION OF POPULATION.**

The number and description of Houses or Buildings.  
The Names and Surnames of the People.  
Their Relation to Heads of Households—as Wife, Son, Daughter, or other Relative; Visitor, Lodger, or Servant.  
Their condition as Married or Single; Widower or Widow.  
Their Sex and Age.  
Their Rank, Profession, or usual Occupation.\*  
Their Extraction and Place of Birth.  
Their Religious Denomination.  
The Date of their Entering the Colony.  
Whether British Subjects or Aliens.

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**II.—EDUCATION.**

The Number of Persons able or not to Read or Write.  
The Number at School (distinguishing between Schools supported by Government or Public Aid, and Private Schools; and between Day and Sunday Schools).

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**III.—CULTIVATION AND CROPS.**

The Number of Acres in Wheat, Oats, Barley, Maize, Potatoes, Garden or Orchard, Sown Grasses and other Crops, ; the Total Number of Acres in Cultivation; and the Total Number of Acres Fenced.

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**IV.—LIVE STOCK.**

The Numbers of Horses, Mules and Asses, Cattle, Sheep, Goats and Pigs.

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SCHEDULE B.

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Churches, Chapels, and other Places of Worship; the Situation of each, and the Religious Denomination to which it belongs, the Number of Persons it will contain, and the Number generally attending.

Hospitals, Lunatic Asylums, Dispensaries, and other Charitable Institutions.

Savings Banks.

Friendly and Benevolent Societies.

Land and Building Societies, and similar Associations.

Mechanics Institutes, and other Literary or Scientific Institutions.

Manufactories, Mills, Works, Mines and Quarries.

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SCHEDULE C.

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I, \_\_\_\_\_ do hereby declare that I will act as Enumerator (or *Sub-enumerator, as the case may be*), for the District for which I have been appointed; and do solemnly declare that I will faithfully perform the duties of the said office, to the best of my knowledge and ability.

Taken before me

The

day of