

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
8th August, 1877.*

(Hon. D. Pollen.)

Census.

ANALYSIS.

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A BILL INTITULED

AN ACT for taking an Account of the Population of New Zealand, and for collecting Statistical Information relating thereto. Title.

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

- 1. The Short Title of this Act shall be "The Census Act, 1877." Short Title.
- 5 2. The several Acts enumerated in the *First* Schedule to this Act are hereby repealed. Acts repealed.
- 3. In the construction of this Act, and unless there be something in the context repugnant thereto or inconsistent therewith, the following words and expressions shall have the meanings herein given to Construction.
- 10 them :—
- "Dwelling " means any house, building, booth, tent, hut, or other erection in or under which any person usually sleeps, and every ship or other vessel in any port or harbour of New Zealand.
- 15 "Occupier or person in charge" includes every master, keeper, chief officer, or other person in actual charge of any gaol, prison, hospital, lunatic asylum, and of every public or charitable institution.

“Maori” means any person of the aboriginal native race, and includes half-caste persons of that race living as members of any tribe.

“Gazette” means the *New Zealand Gazette*.

AS TO THE GENERAL CENSUS.

Periods at which general Census to be taken.

4. An account shall be taken in the year one thousand eight hundred and seventy-eight, and again in the year one thousand eight hundred and eighty-one, 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 thereto, according to such forms and instructions as the Registrar-General shall cause to be prepared, for the purpose of obtaining information with respect to the subjects specified in the *Second* and *Third* Schedules to this Act annexed.

After the year one thousand eight hundred and eighty-one such account shall be taken in every fifth year succeeding.

Every such account shall be taken in such month and on such day or days not being later than the first day of April in each of such years as the Governor shall, by Proclamation published in the *Gazette*, from time to time appoint.

Appointment of Enumerators.

5. For the taking of such account the Governor may appoint and remove Enumerators, and define the districts for which they shall respectively act, and determine the number of Sub-Enumerators to be appointed by such Enumerators respectively.

Appointment of Sub-Enumerators.

6. Every Enumerator shall, subject to the approval of the Governor, appoint Sub-Enumerators for his district, and assign sub-districts to such Sub-Enumerators, and, subject to such approval as aforesaid, may remove any such Sub-Enumerator and appoint another in his place.

Sub-Enumerators to cause forms of returns to be delivered.

7. Every Sub-Enumerator shall, within fourteen days ending on the day immediately preceding that fixed for taking the account herein provided for, leave at every dwelling within his sub-district one of the forms prepared as aforesaid, or where such dwelling is let in different storeys or apartments, and occupied distinctly by different persons or families, a separate form for the occupier or person in charge of each such distinct storey or apartment.

Returns to be filled up and signed by occupier or person in charge of dwelling-house.

8. Every occupier or person in charge of such dwelling-house or distinct storey or apartment 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 form with his name, and deliver or cause to be delivered the said forms so filled up and signed to the Sub-Enumerator authorized to receive the same.

Sub-Enumerators to collect forms.

9. Every Sub-Enumerator shall on the day next following that fixed for taking the Census as aforesaid, or as soon thereafter as practicable, demand and receive the said form at every dwelling as aforesaid within his sub-district, and shall satisfy himself, by inquiries of the occupier or person in charge of the dwelling, or of persons in or near such dwelling, that such form is fully, truly, and correctly filled up; or if not so, either in the whole or any particular, shall himself, according to the best information which he shall be able to obtain, fill up the said form or make the same complete and correct, and in such case shall then and there sign the said form with his own name.

Sub-Enumerators to deliver forms with declaration to Enumerators.

10. Every Sub-Enumerator shall, within seven days after all the forms within his sub-district shall have been completed and received by him, deliver or transmit them, and all other forms required to be filled in by him according to instructions issued by the Registrar-General, to the Enumerator of his district, together with a declaration in the form or to the effect set forth in the *Fifth* Schedule to this Act, made and

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subscribed by himself either before the Enumerator or before some Justice of the Peace, who are hereby respectively authorized to take the same.

5 If the declaration be made before a Justice, such Justice is hereby required to ascertain that the forms referred to in the declaration are securely made up in a packet for transmission to the Enumerator, and he shall seal the same and notify thereon that it is the packet referred to in the declaration made before him, and such declaration and packet shall be thereupon transmitted to the Enumerator.

10 Any Enumerator shall, in the case of any defect or deficiency in any form so delivered, require the Sub-Enumerator delivering the same to make further inquiries, and to correct such defect or supply such deficiency at his own cost.

15 **11.** Every Enumerator shall, within twenty-one days after receipt from his Sub-Enumerators of all such forms, make out therefrom returns containing such particulars as may be required of him by the Registrar-General, and shall sign and transmit the same to the Registrar-General, together with all the forms and the declarations
20 aforesaid as received from the several Sub-Enumerators, and together also with a declaration in the form or to the effect set forth in the *Sixth* Schedule to this Act made and subscribed by himself before some Justice of the Peace, who is hereby authorized and required to receive the same.

Enumerators to make out returns and transmit same to Registrar-General.

25 **12.** On receipt from the Enumerators of all returns and of all forms required to be filled up as before provided, the Registrar-General shall examine the same, and cause any defect or inaccuracy therein to be supplied or corrected as far as may be possible, and shall, with all convenient speed, prepare abstracts therefrom, and such abstracts
30 shall be printed and laid before both Houses of the General Assembly.

Abstracts therefrom to be printed and laid before General Assembly.

13. If any occupier or person in charge of any dwelling, distinct storey, or apartment refuse or wilfully neglect to fill up, to the best of his knowledge or belief, the form or forms so left at his dwelling, storey, or apartment, or to sign and deliver the same, or refuse or wilfully neglect to answer or untruly answer any inquiry made by a Sub-
35 Enumerator, or wilfully make, sign, or deliver, or cause to be made, signed, or delivered, any false return or statement of any particular in such form or forms, or obstruct any person in the performance of any duty under this Act, the person so offending shall be liable to a penalty
40 not exceeding twenty pounds :

Penalty for refusal or neglect to fill up forms.

But such penalty shall not be enforced against any person who from conscientious scruples shall omit to state the religious denomination or sect to which he may belong, and the proof of such conscientious scruple shall be the filling up of the column set apart for that purpose with the word "Object."

14. If any Sub-Enumerator fail to return to the Enumerator of his district all the forms received by him, or wilfully sign or deliver any untrue form, or alter any form except as aforesaid, or otherwise
50 wilfully violate any provision of this Act, he shall for every such offence be liable to a penalty not exceeding fifty pounds.

Penalty for failure or neglect of duty by Sub-Enumerator.

15. If any Enumerator or Sub-Enumerator make and subscribe a false declaration under this Act before any Enumerator or Justice, he shall be deemed guilty of perjury.

False declaration by Enumerator or Sub-Enumerator to be perjury.

55 **16.** If any person accept the office of Enumerator or Sub-Enumerator under this Act, and afterwards, without lawful excuse from sickness or unavoidable accident, neglect or refuse to perform any duty required by this Act to be done or performed by him, the person so offending shall be liable to a penalty not exceeding fifty
60 pounds.

Penalty for neglect or refusal to perform duty of Enumerator or Sub-Enumerator.

Penalty for divulging information or contents of form.

17. If any Enumerator, Sub-Enumerator, or clerk shall divulge or make use of any information required by the Act to be given, or the contents of any form required by this Act to be filled up, except for the purposes required by this Act, he shall for every such offence be liable to a penalty not exceeding twenty pounds.

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AS TO STATISTICAL INFORMATION.

Inquiries respecting statistical information to be addressed to persons having charge of certain establishments and industries.

18. For the purpose of obtaining statistical information, the Registrar-General may, in any year in which a general account is taken as hereinbefore provided, cause inquiries, to be approved of by the Governor in Council, to be addressed to the person or persons having or reputed to have the control, management or superintendence of establishments, institutions, or industries of the character described in the *Fourth* Schedule to this Act, and all such persons shall be bound to answer such inquiries to the best of their knowledge and belief.

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Penalty for refusal to answer such inquiry.

Every person who shall refuse or neglect to answer any such inquiry, or wilfully give any false answer thereto, shall be liable to a penalty not exceeding twenty pounds.

Account to be taken of land in cultivation and produce thereof.

19. An account shall be taken in the month of February in each and every year of the land in cultivation in New Zealand, and of the agricultural produce thereof.

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But in any year in which a general census is taken such account may be taken at the time the account of the said census is taken.

Appointment of persons to take such accounts.

20. It shall be lawful for the Governor from time to time to appoint such persons as may be found necessary for the purpose of taking the accounts specified in the last preceding section, and of making up the returns to be compiled therefrom.

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Return to be compiled from account taken under nineteenth section of this Act.

21. From the account to be taken under the *nineteenth* section of this Act, a return shall be compiled with as little delay as possible of the land in cultivation in the colony, and of the agricultural produce thereof, and shall be published in the *Gazette*, and in such local papers, not exceeding nine in the aggregate, as the Governor shall decide upon.

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Powers, &c., to apply to person appointed under nineteenth section of this Act.

22. All the powers, duties, and functions, given to and imposed upon the several Enumerators and Sub-Enumerators appointed under the provisions of this Act, and the persons of whom they are authorized to require information, and all penalties imposed upon any such Enumerator, Sub-Enumerator or person as aforesaid, shall, so far as they shall be applicable, apply to the person or persons employed to take the account directed by the *nineteenth* section of this Act, and to the person or persons required to fill up any form or forms, or to give any information necessary for the purposes of the said account.

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MISCELLANEOUS PROVISIONS.

Forms and instructions to be prepared by Registrar-General.

23. The Registrar-General shall cause to be prepared and printed for the use of and issue to the Enumerators and Sub-Enumerators, and for the use of and issue to the persons appointed to collect the account directed to be taken under the *nineteenth* section of this Act, such forms and instructions as he shall from time to time deem necessary for the purpose in taking the said account or accounts; and it shall be the duty of the said Enumerators and Sub-Enumerators and other persons to obey such instructions.

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Penalties to be recovered summarily.

24. All penalties under this Act may be recovered summarily in the manner provided by "The Justices of the Peace Act, 1866," upon the complaint of any person duly authorized in writing by the Registrar-General.

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Act not to apply to Maoris.

25. This Act shall not apply to any Maori, except only at such time and in such places and in such manner as the Governor shall from time to time direct.

Every direction so made or given by the Governor shall be gazetted.

SCHEDULES.

FIRST SCHEDULE.

- "The Census Act, 1858."
- "The Census Act Amendment Act, 1860."
- "The Census Acts Amendment Act, 1867."
- "The Census Acts Amendment Act, 1870."
- "The Census Acts Amendment Act, 1876."

SECOND SCHEDULE.

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, present and past.
- Their extraction and place of birth.
- Their religious denomination.
- Whether British subjects or aliens.
- Whether suffering from sickness, accident, or infirmity.

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).

THIRD SCHEDULE.

AGRICULTURAL AND INDUSTRIAL STATISTICS.

- Extent of holding—freehold.
- Extent of holding—leasehold.
- Extent of land enclosed by fencing.
- Extent of land broken up but not under crop.
 1. Extent of land in wheat.
 2. Extent of land in oats.
 3. Extent of land in barley.
 4. Extent of land in maize or sorghum.
 5. Extent of land in rye or beere.
 6. Extent of land in hay.
 7. Extent of land in peas, beans, &c.
 8. Extent of land in sown grasses.
 9. Extent of land in potatoes.
 10. Extent of land in turnips or rape.
 11. Extent of land in mangold, beet, carrots, parsnips, onions, &c.
 12. Extent of land in garden, orchards, &c.
 13. Extent of land in tobacco.
 14. Extent of land in any other crop.
 15. Extent of land in forest trees (plantations of).
- Horses.
- Brood mares (included in the above).
- Mules and asses.
- Cattle (including calves).
- Breeding cows (included in the above).
- Sheep (including lambs).
- Breeding cows (included in the above).
- Breeding ewes (included in the above).
- Goats.
- Pigs.
- Poultry.
- Butter. } Annual production.
- Cheese. }
- Thrashing machines (specifying motive power).
- Reaping machines.
- Steam ploughs.
- Steam harrows.
- Quantity of wheat remaining on hand when form is filled up.
- Quantity of oats remaining on hand when form is filled up.
- Quantity of barley remaining on hand when form is filled up.
- Quantity of flour remaining on hand when form is filled up.

FOURTH SCHEDULE.

- 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.

Land and building societies, and similar associations.
 Mechanics' institutes, and other literary or scientific institutions.
 Manufactories, mills, machinery, mines, quarries, and other industries.

FIFTH SCHEDULE.

I, _____, a Sub-Enumerator, appointed under "The Census Act, 1877," do solemnly declare that the forms numbered from _____ to _____ inclusive, contained in the packet to which this declaration is attached, are all the forms under the said Act which have been completed and received by me within the sub-district to which I was appointed, and that the whole contents of all the said forms are true to the best of my knowledge, information, and belief. And I further declare that I have distributed all necessary forms at every dwelling, as required by the seventh clause, and that I have collected, within the time specified in this Act, all the forms so distributed.

[Signature of Sub-Enumerator.]

Made and subscribed before me, _____, at _____,
 this _____ day of _____, 18____,
 _____ Enumerator [or Justice of the Peace.]

SIXTH SCHEDULE.

I, _____, an Enumerator, appointed for the district of _____, under "The Census Act, 1877," do solemnly declare that the packet addressed to the Registrar-General, to which this declaration is attached, contains all the forms and declarations transmitted to me by the [State here the number of Sub-Enumerators for his district], Sub-Enumerators appointed by me, and also one collective return made out by me from the said forms; and that such collective return is correctly and truly made to the best of my knowledge, information, and belief.

[Signature of Enumerator.]

Made and subscribed before me, _____, at _____,
 this _____ day of _____, 18____,
 _____ [Justice of the Peace.]