ANNO VICESIMO OCTAVO ET VICESIMO NONO

VICTORIÆ REGINÆ.

A.D. 1865.

No. 4.

An Act for taking a Census of South Australia in the year one thousand eight hundred and sixty-six.

[Assented to, 4th August, 1865.]

WHEREAS it is expedient that provision should be made for taking a census of South Australia in the year one thousand eight hundred and sixty-six—Be it therefore Enacted by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows: _{Preamble.}

1. On or before such day in the year one thousand eight hundred and sixty-six, as shall hereafter be appointed by Proclamation of the Governor-in-Chief, published in the *Government Gazette*, the Mayor and Councillors of every Municipality within the limits of such Municipality, the Justices of the Peace beyond the limits of the district of any District Council, and the District Council of every district within the limits of such district, shall, and they are hereby required and directed to cause general notices to be affixed on the several Court Houses, Police Stations, and such other conspicuous places as they shall deem proper, within the said Province, requiring every householder, employer of servants, and proprietor or occupier of land therein, to be prepared, upon a certain day, to be also appointed by such Proclamation, or on the days immediately subsequent thereto, to give all such information as may be required by any form or forms to be hereafter determined on and published by the Governor with the advice and consent of the Executive Council in the said *Gazette*, at least thirty days before the day or days fixed for taking the said census. _{Justices and others cause notices to be fixed in conspicuous places, calling on householders, &c., to give the information required by this Act.}

2. The

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Governor to appoint persons to collect the information required by this Act.

2. The Governor shall divide the whole Province into such number of districts as may be deemed most suitable for the purposes of this Act, and shall appoint, by notice in the *Government Gazette*, one or more proper persons in each district to collect the information required; and the said persons shall, on the day proclaimed for taking the census as aforesaid, and on the days immediately subsequent thereto, if one day shall not be sufficient, proceed to take an account, in writing, of the number of persons at that time being within the limits of their respective districts, and inform themselves of the several particulars specified in the said form or forms, distinguishing the County or reputed County, in which each such person shall be and reside; and the better to enable the persons appointed as aforesaid to take such accounts, they are hereby authorized and empowered to ask such questions of the persons residing or being within their respective districts, concerning themselves, and the number, quality, age, and trade or calling of the persons constituting their respective families, and all such other particulars as shall be necessary to fill up the said form or forms, and every such person refusing or neglecting to answer, or wilfully giving a false answer to any such question, shall, for every such refusal or neglect, or false answer, forfeit and pay a sum not exceeding Five Pounds nor less than Forty Shillings, at the discretion of the Justice or Justices before whom complaint thereof shall be made.

Persons appointed as aforesaid, to deliver over their accounts of inhabitants to the Chief Secretary within a certain time.

3. The persons so to be appointed as aforesaid shall, within fourteen days after the time proclaimed for taking the Census as aforesaid, appear before some Justice of the Peace for the said Province, and produce the original accounts taken in writing and subscribed by them, and shall make a declaration of the truth of the same in the form contained in the Schedule hereunto annexed, marked A, before the said Justice of the Peace, who is hereby authorized to take such declaration, and shall answer all such questions concerning such accounts as shall be put to them by the said Justice of the Peace; and the persons so to be appointed as aforesaid, shall, within fourteen days of making such declaration as aforesaid, transmit to the Chief Secretary of the said Province, the original accounts so taken in writing and verified by their declaration, as aforesaid, and if any such person shall fail or neglect to take such accounts, or shall knowingly make any false statement therein, or shall omit to verify or transmit the same in manner hereby required, or shall refuse to answer, or wilfully give a false answer to any question, he shall, on conviction, forfeit and pay for every such offence, a sum not exceeding Five Pounds nor less than Forty Shillings, at the discretion of the Justice or Justices before whom complaint thereof shall be made.

Allowance to the person appointed by the Governor.

4. It shall be lawful for the Governor to cause an allowance for the number of days which any such person, appointed as aforesaid, shall be actually employed in taking such account as aforesaid, at a rate not exceeding Thirty Shillings per day.

5. All

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5. All fines imposed under and by virtue of this Act shall be Fines to be recovered recovered in a summary manner, before any two or more Justices in a summary way. of the Peace ; and all such fines, when recovered, shall be paid, one half to the informer or person who shall sue for the same, and the other moiety to the Treasurer, on behalf of Her Majesty, Her heirs, and successors, for the public uses of the said Province.

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.

SCHEDULE

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SCHEDULE REFERRED TO.

A

Form of Declaration.

I do hereby solemnly and sincerely declare, that the returns, numbered from to inclusive, severally signed by me, contain a true statement of the several particulars therein specified, to the best of my knowledge and belief.

Declared before me at

this   day of   (Signed)

18   .

J.P.