CHAP. 80.

An Act for taking the Census of Ireland. [9th August 1870.]

WHEREAS it is expedient to take the census of Ireland in the year one thousand eight hundred and seventy-one:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of terms.

1. In this Act—

The term "Lord Lieutenant" shall mean the Lord Lieutenant or other chief governors of Ireland:

The terms "chief secretary" and "under secretary" shall mean respectively the chief secretary and under secretary to the Lord Lieutenant.

Account of population to be taken.

2. An account of the population of Ireland shall be taken at the time and in the manner herein-after directed.

By whom the account shall be taken.

3. Such officers and men of the police force of Dublin metropolis, and of the Royal Irish Constabulary, as the Lord Lieutenant shall direct, together with such other competent persons as the Lord Lieutenant shall appoint to assist therein, shall upon Monday, the third day of April and one or more next consecutive days in the year one thousand eight hundred and seventy-one as the said Lord Lieutenant shall fix, severally visit every house within such districts as may be assigned to them respectively, and take an account in writing according to such instructions as may be given to them by the chief or under secretary of the number of persons who abode therein on the night of Sunday the second day of April one thousand eight hundred and seventy-one, and of the sex, age, religious profession, birthplace, and occupation of all such persons; and shall also take an account of the number of inhabited houses and of uninhabited houses and of houses then building within such districts respectively; and shall also distinguish those parishes and places, or parts of parishes and places, within each district respectively, which are within the limits of any city or borough returning a member or members to serve in Parliament; and shall also take an account of all such further particulars as by such instructions they may be directed to inquire into; and all the expenses which shall be incurred by authority of such Lord Lieutenant under this Act, subject to the sanction of the Commissioners of Her Majesty's Treasury, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

Masters, &c. of gaols, &c. to be appointed enumerators of the inmates thereof.

4. The governor, master, or keeper of every gaol, prison, or house of correction, work-house, hospital, or lunatic asylum, and every barrack master, and every master or keeper of every public or charitable institution which shall be determined upon by the Lord Lieutenant, shall act as the enumerator of the inmates thereof, and shall be bound to conform to such instructionsas shall be sent to him by the authority of the Lord Lieutenant for obtaining the returns required by this Act, so far as may be practicable with respect to such inmates.

Forms, &c. to be furnished for their use.

5. For the more effectual obtaining of such accounts, the chief or under secretary shall prepare and cause to be printed such forms and instructions for the use of the several persons who shall be appointed as aforesaid to take or certify the said accounts as he shall deem necessary.

Power to make the inquiry.

6. The better to enable such persons to take the said accounts, they are hereby authorised and empowered to ask all such questions of all persons within their respective districts, respecting themselves or the persons constituting their respective families, and of all such further particulars as shall be necessary for the purpose of taking the said accounts.

Penalty for refusing to answer, or for giving false answers.

7. Every person refusing to answer or wilfully giving a false answer to any such questions, and every person in any way wilfully obstructing such persons in the execution of the duties required of them under this Act, shall for every such refusal, false answer, or wilful obstruction, on proof thereof being made before any justice or justices at petty

sessions for the district in which such person shall reside, or, if such person shall reside within the police district of Dublin metropolis, before any of the divisional justices of such district, on the testimony of one or more credible witnesses, forfeit a sum not exceeding five pounds, at the discretion of the said justice or justices before whom such complaint shall be so made.

Penalty on persons employed if guilty of wilful default or neglect.

8. Every member of the said police force or of the Royal Irish Constabulary, or other person, who shall be so appointed to take the said accounts, or to assist therein, who shall make any wilful neglect, default, or falsification in any matters relating to the said accounts, shall for every such neglect, default, or falsification, on proof thereof being made before any justice or justices at petty sessions for the district in which he shall so act, or in case such member of the police or constabulary force, or other person, shall act for the police district of Dublin metropolis, before any of the divisional justices of such district, on the testimony of one or more credible witnesses, forfeit a sum not exceeding five pounds nor less than forty shillings, at the discretion of the said justice or justices before whom such complaint shall be so made.

Proceedings how to be taken, and penalties recovered and applied.

9. All proceedings under this Act, as to compelling the appearance of such member of the said police force or of the Royal Irish Constabulary force, or other person, or of any witness, and as to the hearing and determination of such complaints, or any other matter relating thereto, and as to the application of fines, amerciaments, and forfeited recognizances, imposed or levied under this Act at petty sessions, shall be subject in all respects to the provisions of "The Petty Sessions (Ireland) Act, 1851," as the same is amended by "The Petty Sessions Clerk (Ireland) Act, 1858," (when the case shall be heard in any petty sessions district,) and to the provisions of the Acts relating to the divisional police offices (when the case shall be heard in the police district of Dublin metropolis), so far as the said provisions shall be consistent with any special provisions of this Act; and when any fine or penalty is imposed at any of the divisional police offices of Dublin metropolis, under the provisions of this Act, such fines and penalties shall be paid over to the same purposes and appropriated and applied in the same manner as is now by law authorised in respect of fines and penalties imposed at such divisional police offices respectively.

Application of fines and penalties imposed.

The persons taking the accounts to certify and affirm as to their correctness, and deliver them to the officer appointed to receive them.

Such officer to transmit them to the office of the Chief Secretary.

An abstract thereof to be laid before Parliament.

10. The said several persons so appointed to take the said accounts, or to assist therein, shall sign and certify the same, and make solemn affirmation before any justice of the peace within the county, to the effect that the said account has been truly and faithfully taken by him (or them), and that to the best of his (or their) knowledge the same is correct, so far as may be known, and shall deliver the same to such officer of the said police force of the Royal Irish Constabulary, or other person, as may be appointed by the Lord Lieutenant to receive the same, within each county, city, town, or place; and such officer or person shall examine the same, and cause any defect or inaccuracy which may be discovered therein to be supplied or corrected, so far as may be possible, and shall certify and transmit the same to the office of the chief or under secretary, in such manner and within such time as the Lord Lieutenant shall direct, and the same shall be digested and reduced into order under the direction of the chief or under secretary, by such persons as the Lord Lieutenant shall appoint for that purpose; and an abstract thereof shall be laid before both Houses of Parliament within twelve months after the day on which the said account shall be taken, or (if Parliament be not then sitting) within the first fourteen days of the session next ensuing.

Punishment of persons wilfully making false affirmation or declaration.

11. Every solemn affirmation or declaration made or signed under the authority of this Act shall be of the same force and effect as if the person making such affirmation or declaration had taken an oath in the usual form, so that if the person making such affirmation or declaration shall be convicted of having therein wilfully and falsely affirmed or declared any matter or thing, he shall be subject to the same pains, penalties, and forfeitures to which persons convicted of wilful perjury are subject.