CHAPTER 37.

An Act for taking the Census of England.

A.D. 1880.

[7th September 1880.]

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

Local Government Board to superintend the taking of the census.

1. The Local Government Board shall have the care of superintending the taking of the census, and shall cause to be prepared and printed, for the use of the persons to be employed in taking it, such forms and instructions as the said Board shall deem necessary, and the Registrar General shall issue all such forms and instructions to the persons for whose use they shall be intended; and all the expenses which shall be incurred by authority of the said Board, with the consent of the Treasury, under this Act, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

Registrars sub-districts to be formed into enumerators divisions.

2. Every registrar's sub-district in England shall be formed into enumerators divisions according to instructions to be prepared by or under the direction of the said Board, who shall cause a sufficient number of copies of such instructions to be sent to every registrar of births and deaths in England; and the registrars, with all convenient speed, shall divide the several sub-districts into enumerators divisions according to such instructions, and subject in each case to the revision of the superintendent registrar, and to the final revision and approval of the Registrar General.

Enumerators to be appointed.

3. The several registrars of births and deaths in England shall make and return to their respective superintendent registrars a list containing the names and places of abode of a sufficient number of persons, duly qualified according to instructions to be prepared by or under the direction of the said Board, to act as enumerators within

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their several sub-districts, and such persons, when approved of by the superintendent registrar, shall be appointed by him enumerators for taking the census, subject nevertheless to the approval of the Registrar General; and the registrar, with the approval of the superintendent registrar, shall assign a division to each enumerator, and shall distribute to the several enumerators in his sub-district the forms and instructions which shall have been issued for that purpose by the Registrar General, and shall personally ascertain that each enumerator thoroughly understands the manner in which the duties required of him are to be performed.

Householders schedules to be left at dwelling-houses.

4. Schedules shall be prepared by or under the direction of the said Board for the purpose of being filled up by or on behalf of the several occupiers of dwelling-houses as herein-after provided, with particulars of the name, sex, age, rank, profession or occupation, condition as to marriage, relation to head of family, and birthplace of every living person who abode in every house on the night of Sunday the third day of April one thousand eight hundred and eighty-one, and also whether any were blind, or deaf and dumb, or imbecile or lunatic; and the registrars in England shall in the course of the week ending on Saturday the second day of April in the said year one thousand eight hundred and eighty-one leave or cause to be left at every dwelling-house within their respective sub-districts one or more of the said schedules for the occupier or occupiers thereof or of any part thereof, and upon every such schedule shall be plainly expressed that it is to be filled up by the occupier of such dwelling-house, (or where such dwelling-house is let or sub-let in different stories or apartments, and occupied distinctly by different persons or families, by the occupier of each such distinct story or apartment,) and that the enumerator will collect all such schedules within his division on the Monday then next following.

Occupiers to fill up the schedules and sign and deliver them to the enumerator.

Every occupier of any dwelling-house, or of any distinct story or apartment in any dwelling-house, with or for whom any such schedule shall have been left as aforesaid, shall fill up the said schedule to the best of his or her knowledge and belief, so far as relates to all persons dwelling in the house, story, or apartment occupied by him or her, and shall sign his or her name thereunto, and shall deliver the schedule so filled up, or cause the same to be delivered, to the enumerator when required so to do.

Penalty for neglect.

Every such occupier who shall wilfully refuse or without lawful excuse neglect to fill up the said schedule to the best of his or her knowledge and belief, or to sign and deliver the same as herein required, 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 specified in the said schedule, shall forfeit a sum not more than five pounds nor less than twenty shillings.

Schedules to be collected from house to house, and corrected if found to be erroneous.

5. The enumerators shall visit every house in their respective divisions, and shall collect all the schedules so left within their division from house to house, so far as may be possible, on Monday the fourth day of April in the said year one thousand eight hundred and eighty-one, and shall complete such of the schedules as upon delivery thereof to them shall appear to be defective, and correct such as they shall find to be erroneous, and shall copy the schedules, when completed and corrected, into books to be provided them for that purpose, and shall add thereunto an account, according to the best information which they shall be able to obtain, of all the other persons living within their division who shall not be included in the schedules so collected by them.

Enumerators to take an account of houses, &c., and to distinguish the boundaries of parishes, boroughs, &c.

6. Every enumerator shall also take an account of the occupied houses, and of the houses then building and therefore uninhabited, and also of all other uninhabited houses within his division, and shall also take an account of all such particulars herein-before mentioned, and none others, according to the forms and instructions which may be issued under this Act; and in the book into which he shall have copied the householders schedules and other particulars, as herein-before directed, each enumerator shall distinguish the several civil parishes within his division, or such parts thereof as shall be within his division, and shall also distinguish those civil parishes or parts of civil parishes within his division which are within the limits of any city or borough returning or contributing to return a member or members to serve in Parliament, or of any incorporated city or borough, or of any urban sanitary district, or of any rural sanitary district, or of any ecclesiastical district or parish, or of any area prescribed in that behalf by the instructions, and shall deliver such book to the registrar of the sub-district, together with the householders schedules collected by him, and shall sign a form or declaration to the effect that the said book has been truly and faithfully filled up by him, and that to the best of his knowledge the same is correct, which form of declaration shall be prepared by or under the direction of the Local Government Board, and issued by the Registrar General with the forms and instructions aforesaid.

Enumerators to deliver their books, with the householders schedules, to the registrar.

Registrars to verify the enumerators books.

7. The registrar to whom such enumerators books shall be delivered shall examine the same, and shall satisfy himself that the

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instructions in each case have been punctually fulfilled, and if not shall cause any defect or inaccuracy in the said book to be supplied so far as may be possible; and when the books shall have been made as accurate as is possible the registrar shall deliver them to the superintendent registrar of his sub-district, and thereafter shall transmit the householders schedules to the Registrar General.

Superintendent registrars to examine the enumerators books and return them to the Registrar General.

8. The superintendent registrar shall examine all the books which shall be so delivered to him, and shall satisfy himself how far the registrars have duly performed the duties required of them by this Act, and shall cause any inaccuracies which he shall discover in such books to be corrected so far as may be possible, and shall return on or before the second day of May one thousand eight hundred and eighty-one, or such other day as may be fixed by the Registrar General, all the said books to the Registrar General for the use of the Local Government Board.

An abstract of returns to be printed and laid before Parliament.

9. The said Board shall cause a detailed abstract to be made of the said returns; and also a preliminary abstract which shall be printed and laid before both Houses of Parliament within three calendar months next after the first day of June in the year one thousand eight hundred and eighty-one, if Parliament be sitting, or if Parliament be not sitting, then within the first fourteen days of the session then next ensuing.

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

10. The master or keeper of every gaol, prison, or house of correction, workhouse, hospital, or lunatic asylum, and of every public or charitable institution, which shall be determined upon by the Registrar General, shall be the enumerator of the inmates thereof, and shall be bound to conform to such instructions as shall be sent to him by the authority of the said Board for obtaining the returns required by this Act, so far as may be practicable, with respect to such inmates.

Overseers, peace officers, and relieving officers of unions formed under 4 & 5 Will. 4. c. 76. bound to act as enumerators.

11. The overseers of the poor in every civil parish in England, and the constables or other peace officers for such civil parishes, and the relieving officers of any union or civil parish not in union having a board of guardians acting under the Poor Law Amendment Act, 1834, or the Acts amending the same, shall be bound to act as enumerators under this Act within their respective civil parishes and unions, if required so to act by the said Board; and where they shall so act shall be entitled to allowances as enumerators under the provisions of this Act; and every such overseer, relieving officer, constable, and other peace officer who shall refuse or wilfully neglect so to act, and duly to perform the duties

required of the said enumerators by this Act, shall for every such offence forfeit a sum not more than ten pounds nor less than five pounds.

Returns of persons travelling or on shipboard, or not in houses.

12. The Local Government Board shall obtain, by such ways and means as shall appear to them best adapted for the purpose, returns of the particulars required by this Act with respect to all persons who during the said night of Sunday the third day of April were travelling or on shipboard, or for any other reason were not abiding in any house of which account is to be taken by the enumerators and other persons as aforesaid, and shall include such returns in the abstract to be made by them as aforesaid.

Table of allowances to enumerators and others.

13. The said Board shall cause to be prepared a table of allowances to be made to the several enumerators, registrars, superintendent registrars, and other persons in England employed in the execution of this Act; and such table, when approved by the Treasury, shall be laid before both Houses of Parliament on or before the first day of March one thousand eight hundred and eighty-one, if Parliament be sitting, or if Parliament be not sitting, then within the first fourteen days of the session then next ensuing.

Payments to be certified to the Registrar General.

14. The superintendent registrar of every district in England shall within one calendar month next after the taking of the census certify to the Registrar General the total amount of the allowances to which he, and the registrars, enumerators, and other persons in that district, are respectively entitled according to the said table.

Manner in which the payments shall be made to persons employed in execution of this Act in England.

15. The Treasury shall, through the Registrar General, pay to each superintendent registrar, out of the moneys provided by Parliament for that purpose, the whole amount of the allowances to which the said superintendent registrar, and the registrars, enumerators, and other persons in each district, are severally entitled according to the said table; and each superintendent registrar shall pay over to the registrars in his district the allowances to which they the said registrars are entitled, and shall also pay over or cause to be paid over to the enumerators and other persons in his district the allowances to which they are severally entitled according to the said table; and the receipts to be given by the enumerators and other persons and registrars for payment of their said allowances shall be delivered to the superintendent registrar, who shall transmit the same, together with the receipt for his own allowance, to the Registrar General.

Provided that no such payment shall be made to any enumerator or other person who shall be required to act as an enumerator under

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this Act, but upon production of a certificate under the hand of the registrar that the duties required of such enumerator or other person acting as enumerator by this Act have been faithfully performed, and the like certificate shall be required under the hand of the superintendent registrar with respect to the registrar before any payment shall be made to the registrar, and the like certificate under the hand of the Registrar General with respect to the superintendent registrar before any payment shall be made to the superintendent registrar.

Penalty on persons for wilful default.

16. Every superintendent registrar and registrar, and every enumerator and other person who is bound under this Act if required to act as enumerator, making wilful default in any of the matters required of them respectively by this Act, or making any wilfully false declaration, shall for every such wilful default or false declaration forfeit a sum not exceeding five pounds nor less than two pounds.

Penalty for refusing information or giving false answers.

17. The enumerators and other persons employed in the execution of this Act shall be authorized to ask all such questions as shall be directed in any instructions to be prepared by or under the direction of the Local Government Board, which shall be necessary for obtaining the returns required by this Act; and every person refusing to answer or wilfully giving a false answer to such questions, or any of them, shall for every such refusal or wilfully false answer forfeit a sum not exceeding five pounds nor less than twenty shillings.

Recovery of penalties.

18. All penalties imposed by this Act shall be recovered in a summary manner before two justices of the peace having jurisdiction in the county or place where the offence is committed in the manner prescribed by law in this behalf.

Interpretation of terms.

19. In this Act—

The expression "civil parish" means a place for which a separate poor rate is or can be made, and has in the metropolis the same meaning as in the Metropolis Management Act, 1855.

18 & 19 Vict. c. 120.

The expression "dwelling-house" shall include all buildings and tenements of which the whole or any part shall be used for the purpose of human habitation.

The expression "Treasury" means the Commissioners of Her Majesty's Treasury.

Title of the Act.

20. This Act may be cited as the Census Act, 1880.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1880.

Census (Scotland) Act, 1880.

[43 & 44 Vict. Ch. 38.]

ARRANGEMENT OF SECTIONS.

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Section.

1. Secretary of State to superintend census.
2. Copy of this Act to be sent to every sheriff and the chief magistrate of Edinburgh, &c.
3. Registrars districts to be formed into enumerators divisions.
4. Enumerators to be appointed.
5. Householders schedules to be left at dwelling-houses. Occupiers to fill up the schedules and sign and return them to the enumerator. Penalty for neglect.
6. Schedules to be collected from house to house, and corrected, if found to be erroneous.
7. Enumerators to take an account of houses, &c., and to distinguish the boundaries of parishes and burghs. Enumerators to deliver their books, with the householders schedules, to the registrar.
8. Registrars to verify the enumerators books, and deliver them to the sheriff, &c.
9. Returns to be given to the sheriffs of counties and chief magistrates of Edinburgh, &c.
10. Sheriffs of counties and chief magistrates of Edinburgh, &c. to receive the returns and transmit them to the Registrar General.
11. An abstract of returns to be printed and laid before Parliament.
12. Governors, &c. of gaols, &c. to be appointed enumerators of the inmates thereof.
13. Inspectors of poor, &c. bound to act as enumerators.
14. Returns of houseless poor and of persons travelling or on shipboard.
15. Table of allowances to enumerators and other persons employed.
16. Payments to be certified to the Registrar General.

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Section.

17. Manner in which the payments shall be made to persons employed in execution of this Act.
18. Penalty for wilful default.
19. Penalty for refusing information or giving false answers.
20. Recovery and application of penalties.
21. Interpretation of terms.
22. Short title.