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

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

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 on persons for wilful default.

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. Penalty for refusing information or giving false answers.

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. Recovery of penalties.

19. In this Act— Interpretation of terms.

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.

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

CHAPTER 38.

An Act for taking the Census of Scotland. [7th September 1880.]

WHEREAS it is expedient to take the census of Scotland 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:

Secretary of State to superintend census.

1. One of Her Majesty's Principal Secretaries of State (herein-after called the Secretary of State) shall have the care of superintending the taking of the census of Scotland, 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 he shall deem necessary, and the Registrar General for Scotland 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 such Secretary of State, with the consent of the Commissioners of Her Majesty's Treasury, under this Act, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

Copy of this Act to be sent to every sheriff and the chief magistrate of Edinburgh, &c.

2. The Registrar General for Scotland shall send a printed copy of this Act to the sheriff of every county in Scotland, and to the chief magistrate of the burghs of Edinburgh, Glasgow, Dundee, Aberdeen, Greenock, Paisley, Leith, and Perth.

Registrars districts to be formed into enumerators divisions.

3. Every registrar's district in Scotland shall be formed into enumerators divisions according to instructions to be prepared by or under the direction of such Secretary of State, who shall cause a sufficient number of copies of such instructions to be sent to every registrar of births, deaths, and marriages in Scotland; and the registrars, with all convenient speed, shall divide the several districts into enumerators divisions according to such instructions, and subject in each case to be revised by the sheriff of the county or the chief magistrate of the burgh, being one of the burghs mentioned in the second section hereof, as the case may be.

Enumerators to be appointed.

4. The several registrars of births, deaths, and marriages in Scotland shall make and return, in the case of the burghs mentioned in the second section hereof to the chief magistrate of the burgh, and in the case of every other burgh and of every county to the sheriff of the county, 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 Secretary of State, to act as enumerators within their several districts, and such persons, when approved of by the sheriff or chief magistrate, shall be appointed by the registrar, by any writing under his hand, enumerators for taking the census; and the registrar, with the like approval, shall assign a division to each enumerator, and shall distribute to the several enumerators in his district the forms and instructions which shall have been issued for that purpose by the Registrar General for Scotland, 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.

5. Schedules shall be prepared by or under the direction of the Secretary of State for the purpose of being filled up by or on behalf of the several occupiers in dwelling-houses as herein-after provided, with particulars of the name, sex, age, rank, profession or occupation, condition, 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 Scotland shall in the course of the week ending on Saturday the second day of April in the year one thousand eight hundred and eighty-one leave or cause to be left at every dwelling-house within their respective 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 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; and 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; and 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

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

Penalty for neglect.

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.

6. 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 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 and burghs.

7. 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, stating the number of rooms, including the kitchen, if any, as a room, having a window or windows, not being windows with a borrowed light, in each dwelling-house, and shall also take an account of all the particulars herein-before mentioned, and none other, 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 parishes and school board districts within his division, or such parts thereof as shall be within his division, and shall also distinguish those parishes or parts of parishes within his division which are within the limits of any city or burgh returning or contributing to return a member or members to serve in Parliament, or any royal burgh or any place in which either of the General Police and Improvement Acts, thirteenth and fourteenth Victoria, chapter thirty-three, or twenty-fifth and twenty-sixth Victoria, chapter one hundred and one, has been adopted, and shall deliver such book to the registrar of the 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 such Secretary of State, and issued by the Registrar General for Scotland with the forms and instructions aforesaid.

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

Registrars to verify the enumerators books and deliver them to the sheriff, &c.

8. The registrar to whom such enumerators books shall be delivered shall examine the same, and shall satisfy himself that the instructions in each case have been punctually fulfilled, and if not shall cause any defect or inaccuracy in the said books 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 sheriff of the county or the chief magistrate of the burgh, being one of the burghs mentioned in the second section hereof, as the case may be, as herein-after provided, and thereafter shall transmit the householders schedules to the Registrar General for Scotland.

Returns to be given to the sheriffs of counties and chief magistrates of Edinburgh, &c.

9. The sheriff of every county and the chief magistrate of each of the burghs mentioned in the second section hereof shall appoint a time or times, which shall not be earlier than the ninth nor later than the twenty-third day of April one thousand eight hundred and eighty-one, for the registrars of districts within their respective jurisdictions to attend at such places as they may appoint, with the books filled up under this Act, of which times and places intimation shall be given to the registrars in such manner as shall be directed by the sheriffs and chief magistrates respectively, who shall then and there receive from the registrars the said books, and cause every registrar to make a declaration to the effect that to the best of his knowledge the same are correct; and the sheriffs and chief magistrates, if they see cause, may examine the registrars touching any of the matters to which the books relate, and shall cause any inaccuracies which they shall discover in such books to be corrected so far as may be possible, and shall thereafter direct the sheriff clerk of the county or the town clerk of the burgh, being one of the burghs mentioned in the second section hereof, as the case may be, to indorse the same (if not previously indorsed) with the name of the county wherein the parish or place therein mentioned is situate, or other-

wise (where any of the said sheriffs shall think proper) they shall direct the registrar to verify the said books before any justice of the peace of their respective counties, and thereafter to transmit the same previously to the said twenty-third day of April in any convenient manner to the said sheriffs, who shall direct the same to be indorsed as aforesaid.

Sheriffs of counties and chief magistrates of Edinburgh, &c. to receive the returns and transmit them to the Registrar General.

10. The sheriffs of counties and the chief magistrates of each of the burghs mentioned in the second section hereof shall, on or before the fourth day of May one thousand eight hundred and eighty-one, transmit all the books by them received from the registrars (together with a list of the parishes and places, including the burghs not mentioned in the second section hereof, within their respective counties and burghs, being burghs mentioned in the said section, from whence no returns have been made to them,) to the office of the Registrar General for Scotland for the use of the Secretary of State: Provided always, that such Registrar General may empower the said sheriffs or chief magistrates, or any of them, on a special application to that effect, to retain the said books for any period not later than the sixteenth day of May of the said year.

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

11. The Secretary of State shall cause an abstract to be made of the said returns; and such abstract shall be printed, and laid before both Houses of Parliament within twelve 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.

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

12. The governor, master, or keeper of every gaol, prison, or house of correction, poor-house, hospital, or lunatic asylum, and of every public or charitable institution, which shall be determined upon by the said 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 Secretary of State for obtaining the returns required by this Act, so far as may be practicable, with respect to such inmates.

Inspectors of poor, &c. bound to act as enumerators.

13. The inspectors and assistant inspectors of poor in every parish or combination in Scotland shall be bound to act as enumerators under this Act within their respective parishes and combinations, if required so to act by the authority of the Secretary of State, and when they shall so act shall be entitled to allowances as enumerators under the provisions of this Act; and every such inspector or assistant inspector of poor 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 houseless poor and of persons travelling or on shipboard.

14. The Secretary of State shall obtain, by such ways and means as shall appear to him best adapted for the purpose, returns of the particulars required by this Act with respect to all houseless persons, and 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 him as aforesaid.

Table of allowances to enumerators and other persons employed.

15. The Secretary of State shall cause to be prepared a table of allowances to be made to the several enumerators, registrars, sheriff clerks, town clerks of burghs mentioned in the second section hereof, and other persons in Scotland employed in the execution of this Act; and such table, when approved by the Commissioners of Her Majesty's 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.

16. The sheriff of every county and the chief magistrate of each of the burghs mentioned in the second section hereof shall, within one calendar month next after the taking of the census, certify to the Registrar General for Scotland the total amount of the allowances to which the registrars, enumerators, sheriff clerks, town clerks of the said burghs, and other persons are respectively entitled according to the said table.

17. The sheriffs of counties and the chief magistrates of the burghs mentioned in the second section hereof shall grant to the sheriff clerks and town clerks of the said burghs respectively, and the several registrars, enumerators, or other persons employed in the execution of this Act, such allowances as shall have been certified as herein-before provided, together with any necessary expenses incurred by them or any of them in the execution of this Act, and shall order payment thereof to be made by the Queen's and Lord Treasurer's Remembrancer out of the moneys provided by Parliament for that purpose, and he shall pay the same accordingly; and the receipts to be given by the registrars, enumerators, and other persons for payment of their said allowances shall be delivered to the sheriff clerk or such town clerk, as the case may be, who shall transmit the same, together with the receipt for his own allowance, to the Registrar General for Scotland: Provided always, that no such payment shall be made to any enumerator or other person who shall be required to act as an enumerator under 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 sheriff or such chief magistrate, as the case may be, with respect to the registrar, before any payment shall be made to him.

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

18. Every registrar, and every enumerator and other person who shall be required to act as enumerator, so appointed as aforesaid, 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 wilful default.

19. 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 Secretary of State 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.

Penalty for refusing information or giving false answers.

20. All offences committed in contravention of this Act shall be prosecuted, and all penalties imposed by this Act shall be recovered before the sheriff in a summary manner, under the provisions of the Summary Procedure Act, 1864; and every such penalty shall be paid, one half to the informer, and the other half to the Queen's and Lord Treasurer's Remembrancer on behalf of Her Majesty.

Recovery and application of penalties. 27 & 28 Vict. c. 53.

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

Interpretation of terms.

22. This Act may be cited as the Census (Scotland) Act, 1880.

Short title.

CHAPTER 39.

An Act to confer jurisdiction in Lunacy upon the County Courts in Ireland in certain cases. [7th September 1880.]

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:

1. This Act may be cited for all purposes as the County Court Jurisdiction in Lunacy (Ireland) Act, 1880.

Short title.