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*Hon. Geo. James Reid*

AN

*from J. S. Allen Jr*

**A C T**

**FOR TAKING THE  
CENSUS OF THE INHABITANTS**

OF

**LOWER CANADA,**

**AND FOR OBTAINING CERTAIN STATISTICAL  
INFORMATION THEREIN MENTIONED.**

**CAP. XXIV. 7 VICTORIÆ, 1843.**

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Sir C. C. Metcalfe, Baronet, G. C. B., Governor-General,  
Et. Et. &c.

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**Kingston:**

**PRINTED BY S. DERBISHIRE & G. DESBARATS,  
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**1843.**

1843  
(10)



CAP. XXIV.

An Act for taking the Census of the Inhabitants of Lower Canada, and for obtaining certain statistical information therein mentioned.

[9th December, 1843.]

Preamble.

Chap. 22.

**W**HEREAS the Census of the Inhabitants of Lower Canada, for the year one thousand eight hundred and forty-two, as required by an Act of this Legislature, passed in the fourth and fifth years of Her Majesty's Reign, intituled, *An Act to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical Census of the Inhabitants of this Province, and for obtaining the other statistical information therein mentioned*, hath not been duly taken, nor the other statistical information thereby also, required, duly obtained; and whereas it is of the greatest importance that such Census should be taken, and such statistical information obtained as early as possible; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that from and after the passing of this Act, it shall be lawful for the Governor of this Province, with the consent and

advice of the Executive Council thereof, to nominate and appoint one or more competent persons, residing within each of the Counties of Lower Canada, to be Commissioners for the execution of this Act.

II. And be it enacted, that the Commissioners so appointed, and each of them, shall be furnished without delay, by the Provincial Secretary for Lower Canada, with a sufficient number of Copies of this Act, and of the Schedule A., thereunto annexed, and shall before the first day of the month of May next, in the year one thousand eight hundred and forty-four, make or cause to be made an exact Census of the population of the Counties in Lower Canada, or Places therein, for which they shall be respectively appointed, and shall obtain the information requisite to fill up correctly the several columns in their returns, which shall be made in the form of the Schedule A., hereunto annexed, and sworn to before one of Her Majesty's Justices of the Peace for the District, City or Town corporate in which such Census shall be taken in the form annexed to the above-mentioned Schedule A., by the said Commissioners, respectively, or the persons employed by them for the said service, as hereinafter provided.

Blank returns and copies of this Act to be furnished to them. &c.

Returns to be certified under Oath.

III. And be it enacted, that it shall be lawful for each and every Commissioner so appointed, for the purposes of this Act, to require the assistance of and to employ any professional man, Officer of Militia, Church Warden, or any other competent person whatsoever, within the County or place for which such Commissioner shall have been appointed, and it shall be lawful for such Commissioner and the persons by him employed for that purpose, to visit every house within such County or place, and to require of all persons, (those in actual service in Her Majesty's Army or Navy alone excepted) such information as may be necessary for filling up accurately the several columns in his Returns, according to the said Schedule.

Assistants to Commissioners may be appointed.

Persons re-  
fusing to give  
information  
fined.

IV. And be it enacted, that any person being above the age of twenty-one years, who shall refuse to give to any such Commissioner or to any person employed for the purposes of this Act by such Commissioner, the assistance so required, or the information so demanded by them or by any of them, or shall wilfully give false information to such Commissioner, or to such person concerning the same, shall for every such offence forfeit and pay a penalty of two pounds ten shillings, currency, to be sued for and recovered in a summary manner, on the oath of at least one credible witness other than the informer before any one of the nearest Justices of the Peace, and to be levied by distress and sale of the offenders' goods, under a warrant signed by the Justice before whom the offender shall have been convicted; and one half of the said penalty shall belong to Her Majesty, Her Heirs and Successors, and the other half to the person who shall have sued for the same.

Returns to be  
made by As-  
sistant within  
fifty days.

V. And be it enacted, that every person so appointed by such Commissioners, respectively, shall, within fifty days next ensuing the date of his appointment, make his return certified under oath as aforesaid, in the form of the said Schedule A., for the place for which he shall have been appointed to act, to the Commissioners by whom he shall have been so appointed.

Copies of re-  
turns to be de-  
posited in the  
hands of cer-  
tain persons.

VI. And be it enacted, that the said Secretary shall, with the shortest delay possible after the reception by the Executive Government of the Return so ordered to be made by this Act, transmit certified copies of the Return for each County to be deposited with every Rector or Curate or Minister, and with the Municipal Clerk of each Parish, extra-Parochial Place, or Township comprised within the limits of such County, or if there be no such Rector, Curate or Minister or Municipal Clerk, then with the Senior Militia Officer therein, to be by him, them and their successors in office, res-







pectively, kept for the use and inspection of all persons concerned.

VII. And be it enacted, that on or before the first day of June next, the said Commissioners shall transmit under their signature and in triplicate, and in the form of the said Schedule, the returns to be made by them under this Act, to the Governor of this Province, and one copy of every such Return shall be laid before each of the Branches of the Legislature within fifteen days after the opening of the then next Session, and the remaining copy shall be deposited in the Archives of this Province.

Returns to be transmitted by Commissioners within a certain period.

VIII. And be it enacted, that the said Commissioners shall, respectively, on the receipt of their Returns as aforesaid, receive out of any unappropriated monies in the hands of the Receiver General, by warrant under the hand of the Governor, as a remuneration for their respective services, the following sums, that is to say : for every inhabited house mentioned in the return, and situate in the Cities of Quebec and Montreal, or in the Towns of Three Rivers and Sherbrooke, or in any Village containing upwards of thirty houses, five pence currency ; for every such house in the Country Parishes or Townships, ten pence currency ; and the said Commissioners shall pay out of the monies so received to any person who shall have assisted personally in making the Returns for any Parish, extra-Parochial Place or Township, Ward or division of a City or Town, one third of the sum so received for every house mentioned in such return, and to any person who shall, unassisted by any Commissioner, have made and certified the returns of any Parish, extra-Parochial Place, or Township, Ward or division of a Town or City, two-thirds of the sum so received for every inhabited house mentioned in such return : Provided always, that any such person employed by any Commissioner, for the purposes

Commissioners how to be paid.

Assistants how to be paid.

of this Act, shall have been furnished by such Commissioner, with a copy of this Act, and of the Schedules A. and B. hereunto annexed, and with a certificate in the form of the Schedule C. hereunto annexed, distinctly describing the limits of the place for which he is to make such return, unassisted by such Commissioner.

Penalty for  
false Returns  
and negli-  
gence.

**IX.** And be it enacted, that any Commissioner appointed under this Act, or any person employed by such Commissioner for the purposes of this Act, who shall be convicted upon Indictment before any Court of Quarter Sessions of having wilfully neglected to make any Return by this Act required, or of having made negligently or wilfully a false Return, shall be liable to pay a fine to Her Majesty, Her Heirs and Successors, not exceeding twenty-five pounds, currency, and shall forfeit any remuneration to which he might otherwise have been entitled under this Act, and shall be further liable to imprisonment in the Common Gaol or Prison of the District in which the said Census ought to have been taken, or in which the same shall be so falsely taken, for a space of time not exceeding three Calendar months; and if the person incurring such penalty be a Commissioner appointed under this Act, it shall then be lawful for the Governor of this Province to appoint another Commissioner in his stead and place, and such other Commissioner shall forthwith proceed to make a true Return, according to the provisions of this Act.

Notice to be  
given.

**X.** And be it enacted, that the Commissioners appointed under this Act, shall, fifteen days at least before they proceed to take the Census and to procure the statistical information hereby required, cause a notice in the form of the Schedule B. hereunto annexed, in the English and French languages, to be publicly read immediately after Divine Service in the forenoon, on two successive Sundays, at the Church door of the Parish

or other place in which such Census is to be taken, and to be posted thereon during the said time, and in case there shall be no Church therein, then the said Commissioners shall post such written notice at the most public place in such Parish or other place.

XI. And be it enacted, that the due application of the monies hereby appropriated shall be accounted for to Her Majesty, Her Heirs and Successors, through the Lords Commissioners of Her Majesty's Treasury for the time being, in such manner and form as Her Majesty, Her Heirs and Successors shall direct; and that an account of the expenditure of the said monies shall be laid before the Provincial Legislature, within the first fifteen days of the then next Session thereof.

XII. And be it enacted, that the words "Governor of this Province" wherever they occur in the foregoing enactments, are to be understood as meaning and comprehending the Governor, or the person authorized to execute the Commission of Governor within this Province, for the time being; and that the words "Lower Canada," wherever they occur in the said enactments, are to be understood as meaning and comprehending that part of this Province of Canada which formerly constituted the Province of Lower Canada.\*

I, A. B., do swear that the above Return is true and correct to the best of my knowledge and belief, that I have not wilfully made any false Statement therein, and that I have used my best diligence and endeavour to obtain true information on all matters to which it relates.

—So HELP ME GOD.

(Signature) A. B. Commissioner or Assistant Commissioner for the \_\_\_\_\_ of \_\_\_\_\_

Sworn before me, one of Her Majesty's Justices of the Peace, for the \_\_\_\_\_ of \_\_\_\_\_

at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

(Signature) C. D., J. P.

\* For Schedule A., see accompanying form.

## SCHEDULE (B.)

## FORM OF NOTICE.

Public Notice is hereby given, that the undersigned, duly authorized to that effect, under an Act passed by the Provincial Legislature, in the seventh year of Her Majesty's Reign, intituled, (*insert the Title of this Act*) will, on the day of proceed to take the Census of the population of the (*insert the name of the place within which the party giving notice is authorised to act*) and to require within the said place the information necessary to enable him (*or them*) to fill up the Schedules hereunto annexed, according to the provisions and requirements of the said Act, and all persons are hereby required to govern themselves accordingly, under the penalties by the said Act imposed.

Dated at this day of  
(Signature.)

## SCHEDULE (C.)

Form of Certificate to be given by the Commissioners, to the persons by them employed to make the return of any particular place within the Counties for which such Commissioners shall have been respectively appointed.

Know all men whom it may concern, that I, (*or we*) have appointed (*insert name, quality and place of residence*), being Militia Officer or Church-warden or professional man (*as the case may be*) within the limits described, to make the Return for the (*describe the place, its limits and boundaries,*) conformably to the provisions of an Act passed in the seventh year of Her Majesty's Reign, intituled, (*insert the Title of this Act*) of which Act and the Schedules thereunto annexed, I (*or we*) have furnished him with copies for the information and guidance of all whom the same may concern.

Dated at this day of 184

[Signature of the Commissioner.]

