

[Act No.2352, February 28, 1914]

AN ACT PROVIDING FOR THE TAKING OF A NEW CENSUS OF THE PHILIPPINE ISLANDS.

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. The short title of this Act shall be "The Census Act."

SEC. 2. A census of the Philippine Islands shall be taken under the direction of the Governor-General and under the supervision of the Executive Secretary. The enumeration shall begin on a day to be fixed by the Governor-General, which shall be called Census Day, and shall proceed on consecutive days from daylight to darkness, including Sundays and holidays, until completed; and all data prescribed to be gathered by this Act or by regulations issued under it shall be gathered as of twelve o'clock of the night preceding that day: *Provided*, That if the Governor-General shall deem it necessary to require that the enumeration of any part or parts of the Philippine Islands should begin before Census Day, he is hereby authorized to fix the time when such enumeration shall begin.

SEC. 3. The persons to be enumerated shall comprise all Arsons enumerated, those persons who spent the night preceding Census Day within the jurisdiction of the Philippine Islands, including all those who have subsequently died or departed therefrom; all persons who spent said night on any ship within the jurisdiction of the Philippine Islands, or on any ship engaged in the coastwise trade in the Philippine Islands: *Provided*, That the totals of such persons as belong to the armed eluded, forces of the United States in the Philippine Islands shall be separately recorded and, except in the cases of natives of the Philippine Islands, shall not be included in any official statement of the population of the Philippine Islands when such population is given as a part of the total population of the United States: *And provided further*, That no enumeration of the persons belonging to such armed forces of the United States in the Philippine Islands shall be undertaken without the consent of the officers commanding the military and naval forces, respectively.

SEC. 4. The immediate supervision of the census operations shall be vested in one or more persons to be appointed or designated by the Governor-General and to be known as census assistants who shall perform such dtities as may be required of them.

SEC. 5. Such census assistants as may be appointed shall receive salaries in the discretion of the Governor-General not to exceed ten thousand pesos per annum each. Such census assistants as may be designated from among the officers or employees of the Government shall continue to receive the salaries of the offices or employments held by them and shall receive such honoraria, payable from census funds, as may be fixed by the Governor-General.

SEC. 6. The Governor-General is hereby authorized to do and to require to be done any and all acts or things necessary to carry out the purposes of this Act, and to delegate any and all authority in him vested by this Act to any person or persons; and for the purpose of this Act the Governor-General is authorized and empowered to divide and subdivide the territory of the Philippine Islands into such portions as

may be convenient and to appoint or designate all persons necessary to any out the provisions of this Act.

SEC. 7. Partial or complete returns, reports, and other information may be published from time to time by order of the Governor-General and the returns shall be so prepared as to show the population and other statistics by provinces, subprovinces, districts, municipalities, barrios, and other subdivisions in the discretion of the Governor-General.

SEC. 8. Every officer or employee of the Insular or of any provincial or municipal government who may be designated by the Governor-General to perform any duties governments in connection with census operations is hereby required to accept such designation and to perform such duties, and it shall be the duty of every chief of Bureau or head of office, and of all officers of any provincial or municipal government to authorize any necessary detail and to relieve any officer or employee from his regular duties for such period, if any, as may be required for the purposes of this section.

SEC. 9. The duties of all persons appointed or designated under this Act shall begin at such time as shall be fixed by the Governor-General and shall continue until such persons are relieved of such duties: *Provided, however,* That subsequent to such relief persons so appointed or designated may be required to perform such further services as may be necessary.

SEC. 10. Every officer and employee of the census shall take and subscribe an oath or affirmation to do and perform accurately and to the best of his ability such duties as may be required of him. Any oath or affirmation prescribed by this Act to be taken by any officer or employee of the census and in connection with his duties thereunder, may be taken and subscribed to before any superior officer of the census, or before any Insular, provincial or municipal official, and all such officials are hereby authorized and required to administer such oaths on request: *Provided,* That no such person shall receive any fee or compensation for the administration of such oaths.

SEC. 11. There shall be in each province a census advisory board, which shall be composed of any or all members of the provincial board, and of such other persons as may be appointed by the Governor-General: *Provided,* That in those divisions corresponding to the city of Manila and to non-Christian provinces or portions thereof, the establishment of such boards shall not be obligatory. The members of census advisory boards shall serve as such ex officio and shall receive formal appointments. There shall be a president of every such board who shall be an elective member of the provincial board, and one or more vice-presidents. The president, or in his absence the ranking vice-president, shall, subject to general regulations to be prescribed by the Governor-General, call the meetings of the board and regulate its business. It shall be the duty of such boards to assist and advise the officer in charge of census operations in the province, and to use all authority and influence which they may possess, collectively or individually, with the people of the province and with the local officials, to secure active and hearty cooperation with the census officers.

SEC. 12. If, in the judgment of the Governor-General, it shall appear that a more complete, accurate, and economical census of the inhabitants of any of the areas,

institutions, or establishments enumerated in the following section of this Act, can be secured by the owners, occupiers, or persons in charge thereof than by the regular enumerators, he may direct that the census of such areas, institutions, or establishments shall be made by such owners, occupiers, or persons in charge, who shall take the oath prescribed for enumerators, or a modified form thereof, in the discretion of the Governor-General, and shall be subject to the penalties provided in this Act for the nonperformance or improper performance of the duties required of enumerators, and shall have the powers conferred upon enumerators; and such owners, occupiers, or persons in charge shall be required to complete such enumeration in a satisfactory manner and in accordance with the instructions given them, and to deliver the schedules within the time prescribed; for which service as enumerators they shall receive no compensation : *Provided*, That when such areas, institutions, or establishments are the property of, or when the persons in charge of them are the employees of, the Government of the United States or the Philippine Islands, such service as enumerator shall not be required except with the prior approval of the chief of the Bureau or Department concerned, of the commanding general of the Philippines Division, or the commandants of naval stations, or other persons who have power to authorize such service: *And provided further*, That if any officer or employee of the census is charged with the collection of such schedules, he shall revise them and require the correction of all errors, and cause all data and information omitted to be supplied; and if there be reasonable ground for belief that such enumeration is incomplete or inaccurate, he may, if specifically authorized by his superior officer, re-enumerate the residents of such area, institution, or establishment and in such case the owner, occupier, or person in charge thereof shall be liable to prosecution, under sections twenty-six and twenty-nine of this Act; and he also may, if such proceeding would facilitate the work of re-enumeration, and if he is specifically authorized by his superior officer, demand that the residents of the premises be assembled for the verification of such enumeration.

SEC. 13. The special areas, institutions, and establishments which the owner, occupier, or other person in charge may be required to enumerate without compensation under the provisions of the preceding section of this Act may include any or all of the following, together with the premises attached to them: Private dwelling houses occupied by literate persons who for any reason can be more efficiently enumerated in such manner, to be enumerated by the householder, landlord, or other person in charge; military and naval reservations, to be enumerated by persons detailed by the commanding officers; public and ie private hospitals, asylums, and charitable institutions, to asylums, be enumerated by the persons in charge; prisons, jails, prisons,jails,etc. lockups, reform schools, and other penal institutions, to be enumerated by the warden or other person in charge; Constabulary and any other police barracks or quarters, to be enumerated by persons detailed for such service by the commanding officer; agricultural experiment stations and public works in operation or under construction, to be enumerated by the persons in charge; convents and religious schools and seminaries, to be enumerated by persons selected by the ecclesiastical authorities; boarding or other schools, to be enumerated by the persons in charge; hotels, boarding rehouses, lodging houses, cooperative messes and clubs having members residing on the premises, or other such places or establishments, to be enumerated by the proprietor, landlord, manager, managing director, or person in charge; public civil reservations, to be enumerated by the person in charge; ships in harbor and other boats, vessels, or craft, to be enumerated by the master or other person in charge; landed estates, forest concessions, private workshops and construction

works, to be enumerated by the person in charge; and any other area, institution or establishment of whatsoever character, to be enumerated by the person in charge: *Provided, however,* That any person in this section required to perform any of the duties indicated may delegate such duties to another, but shall himself subscribe, take oath or otherwise certify to the correctness of the enumeration made and shall be responsible for such errors and omissions as may appear therein, and shall be subject to the penalties imposed in this Act.

SEC. 14. If, in the judgment of the Governor-General, it shall appear practicable and desirable to collect, in addition to any prescribed facts and statistics relating to the population as individuals, further information relating to corporate bodies, partnerships, associations, social and economic institutions, industrial and commercial enterprises, and agricultural and other forms of property of whatsoever class, kind, or character, he may direct that such information shall be collected and it shall be obligatory on all proprietors, officers, partners, associates, directors, administrators, managers, and legal representatives of such corporations, partnerships, associations, institutions, enterprises, and properties, to furnish such information in the manner and within the time which may be prescribed. The collection of the information may be secured by mailing or delivering the necessary forms and explanatory matter to the persons best qualified to furnish it, in which cases such proprietors, officers, partners, associates, directors, administrators, managers, or legal representatives shall be required to complete the schedules or forms themselves, or cause them to be completed, on their own responsibility, by their delegates, as provided in the preceding section. The persons required to complete such schedules may also be required to mail or deliver them on completion, and within such time as may be prescribed to a designated census officer.

No information obtained during the taking of this census from any corporation, association, partnership, institution, or business enterprise howsoever established or constituted, shall be used in any court or in any public office either as evidence for or against the corporation, association, partnership, institution, or enterprise, from which such information emanates, or for the purpose of basing thereon any assessment or collection of taxes or public contributions; nor shall any such information be divulged to any person except to authorized census officers acting in the performance of their duties; and no census officer or employee of the Government shall make known to any other person not properly authorized any information contemplated in this section, which may have been secured during the census operations; nor shall any report or publication issued under the provisions of this Act contain any information indicated in this section which would serve to identify the corporation, association, partnership, institution, enterprise, or property from which it was secured, without the special consent in writing of such corporation, association, partnership, institution, enterprise, or property. The receipt by any officer, partner, associate, member, or stockholder of any corporation, association, partnership, institution, or business enterprise, of any schedule or form contemplated in this section shall constitute delivery to the corporation, association, partnership, or business enterprise, and the fact that such officer, partner, associate, member, or stockholder is not the person who would ordinarily complete such schedule or form shall not relieve him of responsibility for the redelivery of such schedule or form to the proper person, nor shall it relieve such proper person from the responsibility for the completion thereof.

SEC. 15. Whenever it shall appear to the Governor-General that any portion of the enumeration and census provided for in this Act is incomplete or erroneous, he may cause such incomplete and unsatisfactory enumeration and census to be amended or retaken under such methods as may, in his discretion, be practicable.

SEC. 16. No officer or employee of the census shall, in that capacity as distinguished from any other public employment which he may hold at the same time, be subject to the provisions of Act Numbered Sixteen hundred and ninety-eight, known as the Civil Service Act, and the amendments thereto: *Provided*, That the Governor-General may in any or all cases require the intervention of the Director of Civil Service and may apply any of the provisions of said Act or of the regulations issued thereunder.

SEC. 17. Preference in appointments under the provisions of this Act shall be given to natives of the Philippine Islands. No person shall be debarred from employment under the census on account of age or sex.

SEC. 18. No officer or employee of the census shall be accompanied or assisted in the performance of his duties by and employees, any person other than another duly appointed officer or employee of the census who has been specifically instructed to accompany or to assist him, or by an officer or enlisted man of the Army or Navy of the United States or of the Philippine Constabulary, or some other peace officer, whose presence is necessary to protect or assert the authority of such officer or employee of the census.

SEC. 19. No chief of Bureau or head of office shall order the transfer of any officer or employee of his Bureau or office detailed to the census in any locality to another locality until the work of such person in connection with the census is completed, or without advising the Governor-General of such proposed transfer at least fifteen days before such proposed transfer is to become effective.

SEC. 20. All Insular, provincial and municipal officers and employees, if required, shall render such assistance to any municipal officers and officer of the census as may be necessary and proper to enable the latter to execute the provisions of this Act. Recesses from their ordinary duties may be granted by the Governor-General to persons in the public service detailed to the census; and such official business as is not of an urgent nature may be intermitted during Census Day and the six days immediately following.

SEC. 21. All residents of the Philippine Islands shall give -from residents, any required assistance to the officers and employees of the census in executing the provisions of this Act.

SEC. 22. In the event of the death of any officer or employee of the census, after his appointment and entrance on his duties, the Governor-General is empowered to authorize to be paid to the person whom in his discretion he shall deem to be the legal representative of such deceased officer or employee such sum as he may deem to be just and fair for the services rendered by said officer or employee, not exceeding such proportion of any total compensation agreed to be paid him as shall correspond to such portion of the estimated total period of his detail or appointment as he may have served, or any daily or monthly allowance provided for the position held by him, for the days during which he was actually employed.