

revenue cutter on that station for the purpose of boarding vessels, or when the state of the weather may be such as to render it impracticable to send an officer on board any vessel bound up James river, having a cargo from a foreign port, the captain is hereby authorized and directed to deposit, with the surveyor at Hampton, a copy of the manifest of the cargo on board said vessel.

APPROVED, March 23, 1830.

In certain cases, captain of vessel may deposit copy of manifest with surveyor at Hampton.

STATUTE I.

March 23, 1830.

CHAP. XXXVI.—*An Act to continue in force "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act of the twenty-second of May, one thousand eight hundred and twenty-six, entitled "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," be, and the same is hereby, continued in force for the term of five years. And the provisions of the above recited act shall be, and are hereby, extended to those having like claims in the states of Illinois and Missouri.

APPROVED, March 23, 1830.

Act of May 22, 1826, ch. 147, authorizing, &c. continued for 5 years, and its provisions extended to, &c.

STATUTE I.

March 23, 1830.

CHAP. XL. — *An Act to provide for taking the fifth census or enumeration of the inhabitants of the United States. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the marshals of the several districts of the United States, and of the District of Columbia, and of the territories of Michigan, Arkansas, and of Florida, respectively, shall be, and are hereby, required, under the direction of the Secretary of the Department of State, and according to such instructions as he shall give, pursuant to this act, to cause the number of the inhabitants within their respective districts and territories, (omitting, in such enumeration, Indians not taxed,) to be taken according to the directions of this act. The said enumeration shall distinguish the sexes of all free white persons, and ages of the free white males and females, respectively, under five years of age; those of five and under ten years of age; those of ten years and under fifteen; those of fifteen and under twenty; those of twenty and under thirty; those of thirty and under forty; those of forty and under fifty; those of fifty and under sixty; those of sixty and under seventy; those of seventy and under eighty; those of eighty and under ninety; those of ninety and under one hundred; those of one hundred and upwards; and shall further distinguish the number of those free white persons included in such enumeration, who are deaf and dumb, under the age of fourteen years; and those of the age of fourteen years and under twenty-five, and of the age of twenty-five years and upwards; and shall further distinguish the number of those free white persons included in such enumeration, who are blind. The said enumeration shall distinguish the sexes of all free coloured persons, and of all other coloured persons bound to service for life, or for a term of years, and the ages of such free and other coloured persons, respectively, of each sex, under ten years of age; those of ten and under twenty-four; those of twenty-four and under thirty-six; those of thirty-six and under fifty-five; those of fifty-five and under one hundred; and those of one

Marshals of United States to cause inhabitants to be enumerated, &c.

Act of Feb. 3, 1831, ch. 17.

Act of May 5, 1832, ch. 74, sec. 2.

Act of May 22, 1832, ch. 91.

All free white persons enumerated to be classified according to sex and age.

Enumeration to state number of deaf and dumb between certain ages.

Also, number of blind.

All coloured persons enumerated to be classified according to sex and age.

(a) See notes of the acts providing for the enumeration of the inhabitants of the United States, vol. i. p. 101.

Enumeration to state number of deaf and dumb, and of blind.

Marshals to appoint assistants, &c.

Assistants to be residents, &c.

Portion of territory assigned to each not to exceed, &c.; to be distinctly defined.

Enumeration to be made by actual inquiry, &c.

Marshals, &c., to take oath, &c.

Oath or affirmation of marshal;

hundred and upwards; and shall further distinguish the number of those free coloured and other coloured persons, included in the foregoing, who are deaf and dumb, without regard to age, and those who are blind. For effecting which, the marshals aforesaid shall have power, and are hereby required, to appoint one or more assistants in each city and county in their respective districts and territories, residents of such city or county for which they shall be appointed, and shall assign to each of the said assistants a certain division of territory, which division shall not consist, in any case, of more than one county, but may include one or more towns, townships, wards, hundreds, precincts, or parishes, and shall be plainly and distinctly bounded; the said enumeration shall be made by an actual inquiry by such marshals or assistants, at every dwelling-house, or by personal inquiry of the head of every family. The marshals and their assistants shall respectively, before entering on the performance of their duty under this act, take and subscribe an oath or affirmation, before some judge or justice of the peace, resident within their respective districts or territories, for the faithful performance of their duties. The oath or affirmation of the marshal shall be as follows: "I, A. B., marshal of the district (or territory) of \_\_\_\_\_, do solemnly swear, (or affirm,) that I will truly and faithfully cause to be made, a full and perfect enumeration and description of all persons resident within my district, (or territory,) and return the same to the Secretary of State, agreeably to the directions of an act of Congress, entitled 'An act to provide for taking the fifth census, or enumeration of the inhabitants of the United States,' according to the best of my ability." The oath or affirmation of an assistant shall be as follows: "I, A. B., appointed an assistant to the marshal of the district (or territory) of \_\_\_\_\_, do solemnly swear, (or affirm,) that I will make a just, faithful, and perfect enumeration and description of all persons, resident within the division assigned to me for that purpose, by the marshal of the district, (or territory,) of \_\_\_\_\_, and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, entitled 'An act to provide for the taking the fifth census or enumeration of the inhabitants of the United States,' according to the best of my ability, and that I will take the said enumeration and description, by actual inquiry at every dwelling-house within said division, or personal inquiry of the head of every family, and not otherwise." The enumeration shall commence on the first day in June, in the year one thousand eight hundred and thirty, and shall be completed and closed within six calendar months thereafter; the several assistants shall, within the said six months, and on or before the first day of December, one thousand eight hundred and thirty, deliver to the marshals, by whom they shall be appointed, respectively, two copies of the accurate returns of all persons, except Indians not taxed, to be enumerated, as aforesaid, within their respective divisions; which returns shall be made in a schedule, the form of which is annexed to this act, and which shall distinguish, in each county, city, town, township, ward, precinct, hundred, district, or parish, according to the civil divisions of the states or territories, respectively, the several families, by the name of their master, mistress, steward, overseer, or other principal persons therein.

Of assistants.

Enumeration to commence June 1st, 1830. Close within six months.

Assistants on or before Dec. 1, 1830, to deliver two copies of returns, &c.

Returns to be made in certain form, &c.

Penalty on assistants, for failing, &c.

Marshals to file one copy of returns, &c. with the clerks of district or superior courts.

SEC. 2. *And be it further enacted*, That every assistant failing or neglecting to make a proper return, or making a false return, of the enumeration, to the marshal, within the time limited by this act, shall forfeit the sum of two hundred dollars, recoverable in the manner pointed out in the next section of this act.

SEC. 3. *And be it further enacted*, That the marshal shall file one copy of each of the several returns aforesaid, and, also, an attested copy of the aggregate amount hereinafter directed, to be transmitted by them respectively, to the Secretary of State, with the clerks of their respective district or superior courts, as the case may be, who are hereby directed

to receive, and carefully to preserve, the same: and the marshals, respectively, shall, on or before the first day of February, in the year one thousand eight hundred and thirty-one, transmit to the Secretary of State, one copy of the several returns received from each assistant, and, also, the aggregate amount of each description of persons within their respective districts or territories; and every marshal failing to file the returns of his assistants, or the returns of any of them, with the clerks of the respective courts, as aforesaid, or failing to return one copy of the several returns received from each assistant, and, also, the aggregate amount of each description of persons, in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the Secretary of State, within the time limited by this act, shall, for every such offence, forfeit the sum of one thousand dollars; which forfeiture shall be recoverable in the courts of the districts or territories where the said offences shall be committed, or within the circuit courts held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but, where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use; and, for the more effectual discovery of such offences, the judges of the several district courts, in the several districts, and of the Supreme Courts in the territories of the United States, as aforesaid, at their next session, to be held after the expiration of the time allowed for making the returns of the enumeration, hereby directed, to the Secretary of State, shall give this act in charge to the grand juries, in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount, to be laid before them for their inspection. And the respective clerks of the said courts shall, within thirty days after the said original returns shall have been laid before the grand juries aforesaid, transmit and deliver all such original returns, so filed, to the Department of State.

SEC. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar and twenty-five cents for every hundred persons by him returned, where such persons reside in the country; and, where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the same rate for three thousand, and at the rate of one dollar and twenty-five cents for every three hundred persons over three thousand, residing in such city or town; but where, from the dispersed situation of the inhabitants, in some divisions, one dollar and twenty-five cents will not be sufficient for one hundred persons, the marshals, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants, in such divisions, as shall be deemed an adequate compensation; *Provided*, The same does not exceed one dollar and seventy-five cents for every fifty persons by them returned: *Provided, further*, That, before any assistant, as aforesaid, shall, in any case, be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorized to administer the same, to wit: "I, A. B., do solemnly swear (or affirm) that the number of persons set forth in the return made by me, agreeably to the provisions of the act, entitled 'An act to provide for taking the fifth census or enumeration of the inhabitants of the United States,' have been ascertained by an actual inquiry at every dwelling-house, or a personal inquiry of the head of every family, in exact conformity with the provisions of said act; and that I have, in every respect, fulfilled the duties required of me by said act, to the best of my abilities; and that the return aforesaid is correct and true, according to the best of my knowledge and belief." The compensation of the several marshals shall be as follows:

Marshals on or before Feb. 1, 1831, to transmit to Secretary of State, one copy of each return from every assistant, and also, &c.

Penalty on marshals for neglecting to perform the requirements of this act.

United States judges to give this act in charge to grand juries, &c.

Clerks of courts to transmit to Dept. of State, the returns, &c.

Compensation of assistants.

Extraordinary compensation of assistants.

Proviso.

Proviso: Oath to be taken by assistants, before receiving compensation.

Compensation  
of marshals.

The marshal of the district of Maine, three hundred dollars.  
 The marshal of the district of New Hampshire, three hundred dollars.  
 The marshal of the district of Massachusetts, three hundred and fifty dollars.  
 The marshal of the district of Rhode Island, two hundred dollars.  
 The marshal of the district of Vermont, three hundred dollars.  
 The marshal of the district of Connecticut, two hundred and fifty dollars.  
 The marshal of the southern district of New York, three hundred dollars.  
 The marshal of the northern district of New York, three hundred dollars.  
 The marshal of the district of New Jersey, two hundred and fifty dollars.  
 The marshal of the eastern district of Pennsylvania, three hundred dollars.  
 The marshal of the western district of Pennsylvania, three hundred dollars.  
 The marshal of the district of Delaware, one hundred and fifty dollars.  
 The marshal of the district of Maryland, three hundred and fifty dollars.  
 The marshal of the eastern district of Virginia, three hundred dollars.  
 The marshal of the western district of Virginia, three hundred dollars.  
 The marshal of the district of Kentucky, three hundred and fifty dollars.  
 The marshal of the district of North Carolina, three hundred and fifty dollars.  
 The marshal of the district of South Carolina, three hundred and fifty dollars.  
 The marshal of the district of Georgia, three hundred and fifty dollars.  
 The marshal of the district of east Tennessee, two hundred dollars.  
 The marshal of the district of west Tennessee, two hundred dollars.  
 The marshal of the district of Ohio, four hundred dollars.  
 The marshal of the district of Indiana, two hundred and fifty dollars.  
 The marshal of the district of Illinois, two hundred dollars.  
 The marshal of the district of Mississippi, two hundred dollars.  
 The marshals of the districts of Louisiana, one hundred and twenty-five dollars each.  
 The marshal of the district of Alabama, two hundred and fifty dollars.  
 The marshal of the district of Missouri, two hundred dollars.  
 The marshal of the district of Columbia, one hundred dollars.  
 The marshal of the Michigan Territory, one hundred and fifty dollars.  
 The marshal of the Arkansas Territory, one hundred and fifty dollars.  
 The marshals of the territory of Florida, respectively, one hundred dollars.

Mode of re-  
turning certain  
descriptions of  
persons.

Every free per-  
son over six-  
teen to render  
to assistant a  
true statement  
of, &c.

SEC. 5. *And be it further enacted*, That every person whose usual place of abode shall be in any family, on the said first day in June, one thousand eight hundred and thirty, shall be returned as of such family; and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families, in the division where he or she shall be, on the said first day in June; and every person occasionally absent at the time of enumeration, as belonging to the place in which he or she usually resides in the United States.

SEC. 6. *And be it further enacted*, That each and every free person, more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district or territory, made or established within the United States, shall be, and hereby is, obliged to render to the assistant of the division, if required, a true account, to the

best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in any action of debt, by such assistant: the one half to his own use, and the other half to the use of the United States.

SEC. 7. *And be it further enacted*, That each and every assistant, previous to making his return to the marshal, shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies, the said assistant shall be entitled to receive five dollars: *Provided*, proof of the schedule having been set up, shall be transmitted to the marshal, with the return of the number of persons; and, in case any assistant shall fail to make such proof to the marshal, with the return of the number of persons, as aforesaid, he shall forfeit the compensation allowed him by this act.

SEC. 8. *And be it further enacted*, That the Secretary of State shall be, and hereby is, authorized and required to transmit, to the marshals of the several districts and territories, regulations and instructions, pursuant to this act, for carrying the same into effect; and, also, the forms contained therein, of the schedule to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories, to be administered by the several persons to be employed in taking the enumeration.

SEC. 9. *And be it further enacted*, That those states composing two districts, and where a part of a county may be in each district, such county shall be considered as belonging to that district in which the courthouse of said county may be situate.

SEC. 10. *And be it further enacted*, That, in all cases where the superficial content of any county, or parish, shall exceed twenty miles square, and the number of inhabitants in said parish or county shall not exceed three thousand, the marshals or assistants shall be allowed, with the approbation of the judges of the respective districts or territories, such further compensation as shall be deemed reasonable: *Provided*, The same does not exceed four dollars for every fifty persons by them returned; and when any such county or parish shall exceed forty miles square, and the number of inhabitants in the same shall not exceed three thousand, a like allowance shall be made, not to exceed six dollars for every fifty persons so returned.

SEC. 11. *And be it further enacted*, That, when the aforesaid enumeration shall be completed, and returned to the office of the Secretary of State, by the marshals of the states and territories, he shall direct the printers to Congress to print, for the use of Congress, three thousand copies of the aggregate returns received from the marshals: *And provided*, That if any marshal, in any district within the United States or territories, shall, directly or indirectly, ask, demand or receive, or contract to receive, of any assistants to be appointed by him under this act, any fee, reward or compensation, for the appointment of such assistant to discharge the duties required of such assistant under this act, or shall retain from such assistant any portion of the compensation allowed to the assistant by this act, the said marshal shall be deemed guilty of a misdemeanor in office, and shall forfeit and pay the amount of five hundred dollars, for each offence, to be recovered by suit or indictment in any circuit or district court of the United States, or the territories thereof, one half to the use of the government, and the other half to the informer; and all contracts which may be made in violation of this law, shall be void, and all sums of money, or property, paid, may be recovered back by the party paying the same, in any court having jurisdiction of the same.

Penalty.

Assistants to set up copies of schedule, &c.

Compensation.

Proviso: Setting up of schedule to be proved, &c.

Penalty.

Secretary of State to transmit instructions, &c.

Provision regarding states composing two districts.

Compensation of marshal and assistants, in certain cases.

Proviso: Compensation not to exceed, &c.

3000 copies of the aggregate returns to be printed for use of Congress.

Proviso: Marshals shall not receive any consideration for appointment of assistant, &c.

Penalty.

Remuneration to marshals for postage.

Former statements of population to be revised.

Abstract of the aggregate in each state, &c. to be printed, and distributed as Congress shall direct.

2,000 dollars appropriated for this work.

SEC. 12. *And be it further enacted*, That there shall be allowed and paid to the marshals of the several states, territories, and the District of Columbia, the amount of postage by them respectively paid on letters relating to their duties under this act.

SEC. 13. *And be it further enacted*, That the President of the United States is hereby authorized to cause to be made a careful revision of the statements heretofore transmitted to Congress, of all former enumerations of the population of the United States and their territories, and to cause an abstract of the aggregate amount of population in each state and territory, to be printed by the printer to Congress, (designating the number of inhabitants of each description, by counties or parishes,) to the number of two thousand copies, which said copies shall be distributed as Congress shall hereafter direct, and for that purpose, the sum of two thousand dollars is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 23, 1830.

*SCHEDULE of the whole number of persons within the division allotted to A. B. by the marshal of the district (or territory) of*

|                                                                                     |                                                                     |                                      |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------|
| Slaves and coloured persons included in foregoing.                                  | Who are blind.                                                      |                                      |
|                                                                                     | Who are deaf and dumb of the age of twenty-five years and upwards.  |                                      |
|                                                                                     | Who are deaf and dumb of the age of fourteen and under twenty-five. |                                      |
|                                                                                     | Who are deaf and dumb under fourteen years of age.                  |                                      |
| White persons included in the foregoing.                                            | ALIENS—Foreigners not naturalized.                                  |                                      |
|                                                                                     | Who are blind.                                                      |                                      |
|                                                                                     | Who are deaf and dumb of twenty-five years and upwards.             |                                      |
|                                                                                     | Who are deaf and dumb of the age of fourteen and under twenty-five. |                                      |
| Who are deaf and dumb under fourteen years of age.                                  |                                                                     |                                      |
| TOTAL.                                                                              |                                                                     |                                      |
| FREE COLOURED PERSONS.                                                              | FEMALES.                                                            | Of one hundred and upwards.          |
|                                                                                     |                                                                     | Of fifty-five and under one hundred. |
|                                                                                     |                                                                     | Of thirty-six and under fifty-five.  |
|                                                                                     |                                                                     | Of twenty-four and under thirty-six. |
|                                                                                     |                                                                     | Of ten and under twenty-four.        |
|                                                                                     |                                                                     | Under ten years of age.              |
|                                                                                     | MALES.                                                              | Of one hundred and upwards.          |
|                                                                                     |                                                                     | Of fifty-five and under one hundred. |
|                                                                                     |                                                                     | Of thirty-six and under fifty-five.  |
|                                                                                     |                                                                     | Of twenty-four and under thirty-six. |
|                                                                                     |                                                                     | Of ten and under twenty-four.        |
|                                                                                     |                                                                     | Under ten years of age.              |
| SLAVES.                                                                             | FEMALES.                                                            | Of one hundred and upwards.          |
|                                                                                     |                                                                     | Of fifty-five and under one hundred. |
|                                                                                     |                                                                     | Of thirty-six and under fifty-five.  |
|                                                                                     |                                                                     | Of twenty-four and under thirty-six. |
|                                                                                     |                                                                     | Of ten and under twenty-four.        |
|                                                                                     |                                                                     | Under ten years of age.              |
|                                                                                     | MALES.                                                              | Of one hundred and upwards.          |
|                                                                                     |                                                                     | Of fifty-five and under one hundred. |
|                                                                                     |                                                                     | Of thirty-six and under fifty-five.  |
|                                                                                     |                                                                     | Of twenty-four and under thirty-six. |
|                                                                                     |                                                                     | Of ten and under twenty-four.        |
|                                                                                     |                                                                     | Under ten years of age.              |
| FREE WHITE PERSONS,<br>(INCLUDING HEADS OF FAMILIES.)                               | FEMALES.                                                            | Of one hundred and upwards.          |
|                                                                                     |                                                                     | Of ninety and under one hundred.     |
|                                                                                     |                                                                     | Of eighty and under ninety.          |
|                                                                                     |                                                                     | Of seventy and under eighty.         |
|                                                                                     |                                                                     | Of sixty and under seventy.          |
|                                                                                     |                                                                     | Of fifty and under sixty.            |
|                                                                                     |                                                                     | Of forty and under fifty.            |
|                                                                                     |                                                                     | Of thirty and under forty.           |
|                                                                                     |                                                                     | Of twenty and under thirty.          |
|                                                                                     |                                                                     | Of fifteen and under twenty.         |
|                                                                                     |                                                                     | Of ten and under fifteen.            |
|                                                                                     |                                                                     | Of five and under ten.               |
|                                                                                     |                                                                     | Under five years of age.             |
|                                                                                     | MALES.                                                              | Of one hundred and upwards.          |
|                                                                                     |                                                                     | Of ninety and under one hundred.     |
|                                                                                     |                                                                     | Of eighty and under ninety.          |
|                                                                                     |                                                                     | Of seventy and under eighty.         |
|                                                                                     |                                                                     | Of sixty and under seventy.          |
|                                                                                     |                                                                     | Of fifty and under sixty.            |
|                                                                                     |                                                                     | Of forty and under fifty.            |
|                                                                                     |                                                                     | Of thirty and under forty.           |
|                                                                                     |                                                                     | Of twenty and under thirty.          |
|                                                                                     |                                                                     | Of fifteen and under twenty.         |
|                                                                                     |                                                                     | Of ten and under fifteen.            |
|                                                                                     |                                                                     | Of five and under ten.               |
|                                                                                     |                                                                     | Under five years of age.             |
| Names of Heads of Families.                                                         |                                                                     |                                      |
| Name of County, City, Ward, Town, Township, Parish, Precinct, Hundred, or District. |                                                                     |                                      |