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Law of the United States.

AN ACT,

Providing for the second census or enumeration of the inhabitants of the United States.

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 the Secretaries of the territory of the United States, north west of the river Ohio, and of the Mississippi territory, respectively, shall be, and

be, and according to such instructions as he shall give pursuant to this act, to cause the number of inhabitants within their respective districts and territories to be taken; omitting in such enumeration, Indians not taxed, and distinguishing free persons, including those bound to service for a term of years from all others; distinguishing also the sexes and colours of free persons, and the free males under ten years of age; those of ten years and under sixteen, those of sixteen and under twenty-six, those of twenty-six and under forty-five, those of forty-five and upwards. And distinguishing free females under ten years of age, those of ten years and under sixteen, those of sixteen and under twenty-six, those of twenty-six and under forty-five, those of forty-five and upwards; for effecting which purpose, the Marshals and Secretaries aforesaid, shall have power to appoint as many assistants within their respective districts and territories, as aforesaid, as to them shall appear necessary; assigning to each assistant a certain division of his district or territory, which division shall consist of one or more counties, cities, towns, townships, hundreds or parishes, or of a territory plainly and distinctly bounded by water courses, mountains, or public roads; the Marshals, or Secretaries, as the case may be, and their assistants, shall, respectively, take an oath or affirmation, before some Judge or Justice of the peace, resident within their respective districts or territories, previous to their entering on the discharge of the duties by this act required. The oath or affirmation of the Marshal or Secretary shall be,—"I, A. B. Marshal of the district of _____ or Secretary of the territory of _____ (as the case may be) do solemnly swear or affirm, that I will, well and truly cause to be made, a just 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, intitled "an act providing for the enumeration of the inhabitants of the United States," according to the best of my ability." The oath or affirmation of an assistant shall be "I, A. B. do solemnly swear (or affirm) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me by the Marshal of the district of _____ or the Secretary of the territory of _____ (as the case may be) and make due return thereof to the said Marshal, or Secretary, agreeably to the directions of an act of Congress, intitled "an act providing for the enumeration of the inhabitants of the United States," according to the best of my abilities." The enumeration shall commence on the first Monday of August next, and shall close within nine calendar months thereafter. The several assistants shall, within the said nine months transmit to the Marshal or Secretaries, by whom they shall be, respectively appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions, which returns shall be made in a Schedule, distinguishing in each county, parish, township, town or city, the several families, by the names of their master mistresses, steward, overseer or other principal person therein, in the manner following, that is to say:—The number of persons within my division, consisting of _____ appears in a Schedule hereto annexed, subscribed by me this _____ day of _____ A. B. assistant to the Marshal of _____ or to the Secretary of _____

[Here follows the Schedule.]

Sec. 2. *And be it further enacted,* That every assistant, failing to make a proper return, or making a false return of the enumeration to the Marshal, or the Secretary (as the case may be) within the time by this act limited, shall forfeit the sum of two hundred dollars.

Sec. 3. *And be it further enacted,* That the Marshal and Secretaries shall file the several returns aforesaid, with the clerks of their respective district or superior courts (as the case may be) who are hereby directed to receive and carefully preserve the same: And the Marshals, or Secretaries, respectively, shall on or before the first day of September, one thousand eight hundred and one, transmit to the Secretary of State, the aggregate amount of each description of persons within their respective districts or territories. And every Marshal or Secretary failing to file the returns of his assistants, or any of them, with the clerks of their re-

spective courts as aforesaid, or failing to return the aggregate amount of each description of persons in their respective districts or territories, 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 eight hundred dollars; all which forfeitures, shall be recoverable in the courts of the districts or territories where the offences shall be committed, or in the circuit courts to be 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 the treasury. And for the more effectual discovery of 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 sessions, 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 to be laid before them for their inspection.

Sec. 4. *And be it further enacted,* That every assistant shall receive at the rate of one dollar, for every hundred persons by them returned, where such persons reside in the county, and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons, but where, from the dispersed situation of the inhabitants in some divisions, one dollar for every hundred persons shall be insufficient, the Marshals or Secretaries, 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,* that the same does not exceed one dollar for every fifty persons by them returned. The several Marshals and Secretaries shall receive as follows: The Marshal of the district of Maine, two hundred dollars; the Marshal of the district of New Hampshire, two hundred dollars; the Marshal of the district of Massachusetts, three hundred dollars; the Marshal of the district of Rhode Island, one hundred and fifty dollars; the Marshal of the district of Connecticut, two hundred dollars; the Marshal of the district of Vermont, two hundred dollars; the Marshal of the district of New York, three hundred dollars; the Marshal of the district of New Jersey, two hundred dollars; the Marshal of the district of Pennsylvania, three hundred dollars; the Marshal of the district of Delaware, one hundred dollars; the Marshal of the district of Maryland, three hundred dollars; the Marshal of the district of Virginia, five hundred dollars; the Marshal of the district of Kentucky, two 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 dollars; the Marshal of the district of Georgia, two hundred and fifty dollars; the Marshal of the district of Tennessee, two hundred dollars; the Secretary of the territory of the United States north west of the Ohio, two hundred dollars; the Secretary of the Mississippi territory, one hundred dollars.

Sec. 5. *And be it further enacted,* That every person whose usual place of abode shall be in any family on the aforesaid first Monday in August next, shall be returned as of such family and the name of every person who shall be an inhabitant of any district or territory but without a settled place of residence shall be inserted in the column of the aforesaid Schedule which is allotted for the heads of families in that division where he or she shall be on the said first Monday in August next, and every person occasionally absent at the time of the enumeration as belonging to that 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 with any division, district or territory made or established within the United States, shall be and hereby is obliged to render to such assistant of the division, a true account, if required, to the best of his or her knowledge, of all and every person belong to such family respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered by such assistant, the one half for his own use and the other half to the use of the United States.

Sec. 7. *And be it further enacted,* That each assistant shall, previous to making his returns to the Marshal or Secretary (as the case may be) 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 2 dollars; *Provided,* proof of the Schedule having been so set up and suffered to remain, shall be transmitted to the Marshal or Secretary (as the case may be) with the return of the number of persons, and in case any assistant shall fail to make such proof to the Marshal or Secretary, as aforesaid, he shall forfeit the compensation by this act allowed him.

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 states and to the secretaries aforesaid, regulations and instructions pursuant to this act, for carrying the same into effect, and also the forms contained therein of Schedule to be returned, and proper interrogatories to be administered by the several persons who shall be employed therein.

THEODORE SEDGWICK.

Speaker of the House of Representatives.

THOMAS JEFFERSON,

Vice-President of the United States, and President of the Senate.

Approved, February 28, 1800.

JOHN ADAMS,

President of the United States.

The Thorough High-Bred Horse

DOLON,

Whose Colts are in such high estimation, are no less valuable for their beautiful form than for their size, few of which that were sold last spring, are under four feet five, and many are four feet seven inches high:

WILL Stand at my Stable, about three miles north-east of Chatham court-house, at ten dollars the season, and three and an half for the single leap; the leap money to be paid down when the mare is covered; that for the season, the owners of the mares to give their notes payable, on or before the 15th of November next—as the number of mares are to be limited, it will behoove those who intend to send their mares to Dolon, to send them as early in the season as possible. The season to begin the week of March, and end the first of August.

DOLON is a beautiful chestnut sorrel, rising twelve years old, and fifteen and an half hands high; "in point of figure, strength and beauty, judges allow him to be equalled by few, and excelled by none."

DOLON was got by Tippecoib, who was got by Delancey's Lath, out of the Brandon mare, dam of Pilgrim, Clodius, Buckskin, and Col. Ogleby's Cellar, who was the sire of M Duke Johnston's celebrated running gelding that was lately sold for 1500 dollars, to Col. Wade Hampton. DOLON's dam was got by Old Partner, his grand dam by the old imported Valiant, his great grand dam by the old imported Jolly Roger, out of an imported mare, the property of the late Hon. Peter Randolph. DOLON's dam was also dam to the late Andrew Mead's running mare, Stella, and grand dam to Oracle, that distanced the field at New-Market races, in May 1793.

Good and extensive pasturage, and all possible care taken of mares, but I will not be answerable for accidents, or any kind of escapes.

JAMES HOWARD.

ADVERTISEMENT.

THE subscribers beg leave to inform the public in general, and his friends in particular, that he has taken that large and commodious house in Green-street, just above the well known ancient dwelling of Robert Cochran, Esq. where he intends to establish himself for the reception of such genteel boarders and travellers as may honor him with their company.—His accommodations being equal to any in the place, and being determined to use every exertion to give satisfaction, he flatters himself to merit the encouragement of the public.

WILLIAM DICK.

Fayetteville March, 10th 1800.

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Raleigh, March 11.

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