money treasury not otherwise appropriated.

in the fiscal year ending June thirtieth, eighteen hundred and fifty, and for not the whole year ending June thirtieth, eighteen hundred and fifty-one, shall be paid out of any money in the treasury not otherwise appro-

Approved, May 15, 1850.

May 23, 1850. 1850, ch. 43:

CHAP. XI. — An Act providing for the taking of the seventh and subsequent Censuses of the United States, and to fix the Number of the Members of the House of Representatives, and provide for their future Apportionment among the several States.

I. — Of the Duties, Liabilities, and Compensation of Marshals.

Marshals take a census.

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, including the District of Columbia and the Territories, are hereby required respectively to cause all the inhabitants to be enumerated, and to collect all the other statistical information within their respective districts, in the manner provided for in this act, and specified in the instructions which shall be given by the Secretary of the Interior, and in the tables annexed, and to return the same to the said Secretary on or before the first day of November next ensuing, omitting from the enumeration of the inhabitants Indians not taxed; also, at the discretion of said Secretary, any part or all the statistics of the Territories except those of population: Provided, however, And if the time assigned for making the returns shall prove inadequate for the Territories, the said Secretary may extend the same: Provided, further, If there be any district or Territory of the United States in which there is no marshal of the United States. the President shall appoint some suitable person to discharge the duties assigned by this act to marshals.

Proviso.

Further proviso.

Marshals quired to swear or affirm.

Sec. 2. And be it further enacted, That each of said marshals shall, before entering upon his duties, take and subscribe the following oath, or affirmation, before any circuit or district judge of the United States, or before any judge of any State court, to wit:

Form of oath of affirmation.

, marshal of the district , do solemnly swear (or affirm) that I will to the best of my ability enumerate, or cause to be enumerated, all the inhabitants of said district, and will collect, or cause to be collected, the other statistical information within the same, and will faithfully perform all the duties enjoined on me by the act providing for the taking of the seventh census.

And when duly authenticated by the said judge, he shall deposite a copy thereof, so authenticated, with the said Secretary of the Interior, and no marshal shall discharge any of the duties herein required, until he has taken and subscribed this oath, and forwarded a copy as aforesaid.

Each marshal visions containing not exceed-ing 20,000 persons, &c.

Proviso.

Sec. 3. And be it further enacted, That each marshal shall separate 18 required to his district into subdivisions containing not exceeding twenty thousand trict into subdi- persons in each, unless the limitation to that number causes inconvenient boundaries, in which case the number may be larger; and shall also estimate, from the best sources of information which he is able to obtain, the number of square miles in each subdivision, and transmit. the same to the Department of the Interior: Provided, however, That in bounding such subdivisions, the limits thereof shall be known civil divisions, such as county, hundred, parish, township, town, city, ward or district lines, or highways, or natural boundaries, such as rivers, lakes, &c.

Each marshal

Sec. 4. And be it further enacted, That each marshal shall to appoint and appoint an assistant for each such subdivision, who is a resident therein, to whom he shall give a commission under his hand, author-commission izing him to perform the duties herein assigned to assistants, which each subdivision. commission shall set forth the boundaries of the subdivision, of which appointment so made, and the boundaries so specified, the marshal shall keep a true and faithful record.

SEC. 5. And be it further enacted, That each marshal shall seasonably supply each assistant with the instructions issued by the quired to supply Department of the Interior, the blanks provided for the comment with Department of the Interior, the blanks provided for the enumeration needful instrucof the population, and the collection of other statistics, and give to tions and blanks him, from time to time, all such information and directions as may be tion of their dunecessary to enable him to discharge his duty. He shall carefully ties, &c. examine whether the return of each assistant marshal be made in conformity with the terms of this act, and, where discrepancies are detected, require the same to be corrected. He shall dispose of the two sets of the returns required from the assistant marshals as herein-ties defined. after provided for as follows: One set he shall transmit forthwith to the Secretary of the Interior; and the other copy thereof he shall transmit to the office of the Secretary of the State or Territory to which his district belongs. He shall classify and determine the rate of compensation to be paid to each assistant marshal according to the provisions of this act, subject to the final approval of the Secretary of the Interior. He shall, from time to time, make himself acquainted with the progress made by cach assistant marshal in the discharge of his duties, and in case of inability or neglect arising from sickness, or otherwise, appoint a substitute.

SEC. 6. And be it further enacted, That if any marshal shall, by any arrangement or understanding whatever, secure to himself any fee, fee, reward, reward, or compensation for the appointment of an assistant, or shall compensation in any way secure to himself any part of the compensation provided from an assistby this act for the services of assistants, or if he shall knowingly neglect or refuse to perform the duties herein assigned to him, he shall, in any such case, be deemed guilty of a misdemeanor, and if convicted in any such case, shall, for such offence, forfeit and pay not less than one thousand dollars.

Sec. 7. And be it further enacted, That any marshal of the United States may, for any purposes not inconsistent with the duties of the assistants herein provided for, appoint a deputy or deputies, to act in his behalf; but for all official acts of such deputy or deputies the marshal shall be responsible: Provided, however, An appointment to collect the social statistics shall not be deemed an interference with the duties of the assistants.

Sec. 8. And be it further enacted, That whenever the population returned in any district shall exceed one million, the marshal thereof shall be entitled to receive as a compensation for all his services in executing this act, after the rate of one dollar for each thousand persons; but if the number returned shall be less than a million in any district, the marshal thereof shall be allowed for his services at the rate of one dollar and twenty-five cents for each thousand persons: Provided, however, That no marshal shall receive less than two hundred and fifty dollars: and when the compensation does not in the whole exceed the sum of five hundred dollars, a reasonable allowance for clerk hire shall be made, the amount whereof shall be determined by the Secretary of the Interior. And provided, further, That the marshal of any district may, at his discretion, perform the duties of an soassistant in any subdivision in which he may reside; and when he shall personally perform the duties assigned by this act to assistants, he shall receive therefor the compensation allowed to assistants for like services.

Marshal's du-

Marshal forbidden to secure

Penalty.

Marshal may

Proviso.

Marshal's fees.

Further provi-

II. — Of Assistants, their Duties, Liabilities, and Compensation,

Assistant to be the marshal.

SEC. 9. And be it further enacted, That no assistant shall be commissioned by deemed qualified to enter upon his duties, until he has received from the marshal, under his hand, such a commission as is provided for in this act, and shall take and subscribe the following oath, or affirmation, which shall be thereon endorsed, to wit:

Form of oath or affirmation.

, an assistant to the marshal of the district of do solemnly swear (or affirm) that I will make a true and exact enumeration of all the inhabitants within the district assigned to me, and will also faithfully collect the other statistics therein, in the manner provided for in the act for taking the seventh census, and in conformity with all lawful instructions which I may receive, and will make du and correct returns thereof, as required in said act. Which said oath, or affirmation, may be administered by any judge of a court of record, or any justice of the peace empowered to administer oaths, and a copy thereof duly authenticated shall be forwarded to the marshal by such assistant before he proceeds to the business of the appointment.

Duties of as-

SEC. 10. And be it further enacted, That each assistant, when sistants defined. duly qualified in manner aforesaid, shall perform the service required of him, by a personal visit to each dwelling-house, and to each family, in the subdivision assigned to him, and shall ascertain, by inquiries made of some member of each family, if any one can be found capable of giving the information, but if not, then of the agent of such family, the name of each member thereof, the age and place of birth of each, and all the other particulars specified in this act, the tables thereto subjoined, and the instructions of the Secretary of the Interior; and shall also visit personally the farms, mills, shops, mines, and other places respecting which information is required, as above specified, in his district, and shall obtain all such information from the best and most reliable sources; and when, in either case, the information is obtained and entered on the tables, as obtained, till the same is complete, then such memoranda shall be immediately read to the person or persons furnishing the facts, to correct errors and supply omissions, if any shall exist.

Each assistant to furnish returns within one month after the time specified.

Sec. 11. And be it further enacted, That each assistant shall, within one month after the time specified for the completion of the enumeration, furnish the original census returns to the clerk of the county court of their respective counties, and two copies, duly compared and corrected, to the marshal of the district. He shall affix his signature to each page of the schedules before he returns them to his marshal, and, on the last page thereof, shall state the whole number of pages in each return, and certify that they were well and truly made according to the tenor of his oath of office.

Assistants' compensation for enumerating inhabitants.

Sec. 12. And be it further enacted, That each assistant shall be allowed, as compensation for his services, after the rate of two cents for each person enumerated, and ten cents a mile for necessary travel, to be ascertained by multiplying the square root of the number of dwelling-houses in the division by the square root of the number of square miles in each division, and the product shall be taken as the number of miles travelled for all purposes in taking this census.

Additional compensation specified duties.

SEC. 13. And be it further enacted, That, in addition to the comfor pensation allowed for the enumeration of the inhabitants, there shall be paid for each farm, fully returned, ten cents; for each establishment of productive industry, fully taken and returned, fifteen cents; for the social statistics, two-per cent, upon the amount allowed for the enumeration of population, and for each name of a deceased person returned, two cents: Provided, however, That, in making returns of farms and establishments of productive industry, the instructions given by the Secretary of the Interior must be strictly observed, and no allowance shall be made for any return not authorized by such instructions, or for any returns not limited to the year next preceding the first of June next.

SEC. 14. And be it further enacted, That any assistant who, Non-perform-having accepted the appointment, shall, without justifiable cause, negacelated a mislect or refuse to perform the duties enjoined on him by this act, shall demeanor. be guilty of a misdemeanor, and, upon conviction, be liable to a forfeiture of five hundred dollars; or if he shall wilfully make a false oath, it shall be deemed perjury; or if he shall wilfully make a false marshals and ascertificate, it shall be deemed a misdemeanor, and if convicted or found oaths and false guilty of either of the last-named offences, he shall forfeit and pay not certificates. exceeding five thousand dollars, and be imprisoned not less than two years. And each marshal shall be alike punishable for the two lastnamed offences when committed by him.

SEC. 15. And be it further enacted, That each and every free per- Persons refusson more than twenty years of age, belonging to any family residing in formation subany subdivision, and in case of the absence of the heads and other ject to a forfeit members of any such family, then any agent of such family shall be, and of thirty dollars. each of them hereby is, required, if thereto requested by the marshal or his assistant, to render a true account, to the best of his or her knowledge, of every person belonging to such family, in the various particulars required in and by this act, and the tables thereto subjoined, on pain of forfeiting thirty dollars, to be sued for and recovered in an action of debt by the assistant to the use of the United States.

SEC. 16. And be it further enacted, That all fines and penalties Fines and pennerein provided for may be enforced in the courts of the United alties to be enforced in the U. States within the States or Territories where such offence shall have States courts. been committed, or forfeiture incurred.

SEC. 17. And be it further enacted, That the marshals and their Marshals and assistants are hereby authorized to transmit, through the post-office, any assistants thorized papers or documents relating to the census, by writing thereon, transmit papers "Official business, census," and subscribing the same with the addition and documents to his name of marshal, or assistant, as the case may be; but this census through privilege shall extend to nothing but documents and papers relating to the Post-Office, the census, which shall pass free; and the sum of twelve thousand free; for trans-dollars is hereby appropriated out of any money in the treasury not &c., an appropriotherwise appropriated, for the purpose of covering the expense of ation of \$12,000 transmitting the blanks and other matter through the mail, to be paid is made. to the Post-Office Department.

SEC. 18. And be it further enacted, That if, in any of the Territories or places where the population is sparse, the officers of the army, sparse, officers or any persons thereto belonging, can be usefully employed in taking and others bethe census, the Secretary of War is hereby directed to afford such aid, longing to the if it can be given without prejudice to the public service.

rior is hereby required to carry into effect the provisions of this act, of the Interior and to provide blanks and distribute the same rior is hereby required to carry into enect the provisions of this act, it required to pro-and to provide blanks and distribute the same among the marshals, so vide blanks, and that the enumeration may commence on the first day of June next, distribute them and be taken with reference to that day in each and every district and to the marshals. subdivision of districts; to draw up and distribute, at the same time, printed instructions, defining and explaining the duties of such as collect the statistics, and the limits by which such duties are circumscribed, in a clear and intelligible manner; to see, also, that all due diligence is employed by the marshals and assistants to make return of their respective doings completed, at the times herein prescribed; and further, as the returns are so made, to cause the same to be classified and arranged in the best and most convenient manner for use, and lay

Proviso.

Penalties

Superintendthorized. Franking privi-

Salaries.

Proviso,

Blanks printing.

marshal The certify that the assistant has performed duty.

Tables annexpart of the

If no other law be passed for the of the the U.S., then the census to be taken according to this act.

House of Representatives to consist of two hundred and thirty-three

Enumeration apportionment declared, under the direction of the Interior.

To be laid be- the same before Congress at the next session thereof. And to enable him the better to discharge these duties, he is hereby authorized and required to appoint a suitable and competent person as superintending superintena-ing clerk and clerk, who shall, under his direction, have the general management of other officers au-matters appertaining thereto, with the privilege of franking and receiving, free of charge, all official documents and letters connected therewith; and the said Secretary shall also appoint such clerks and other officers as may be necessary, from time to time, for the efficient management of said service. And the compensation to be allowed and paid to the officers connected with the census office, shall be as follows: For the superintending clerk, two thousand five hundred dollars percannum in full for his services; and for other assistants and clerks, the compensation usually paid for similar services, to be fixed and allowed by the Secretary of the Interior. Provided, That no salary to a subordinate clerk under this section shall exceed the sum of and one thousand dollars per annum. The blanks and preparatory printing for taking the census shall be prepared and executed under the direction of the Census Board; the other printing hereafter to be executed as Congress shall direct.

SEC. 20. And be it further enacted, That for the purpose of carry-Appropriation. ing into effect this act, and defraying the preliminary expenses, there Salary of the is hereby appropriated, out of any money in the treasury not otherwise Census Board.

Appropriation. ing into effect this act, and defraying the preliminary expenses, there secretary of the is hereby appropriated, out of any money in the treasury not otherwise Census Board. appropriated, one hundred and fifty thousand dollars; out of which the said Secretary of the Interior may allow, to the person employed as secretary of the Census Board, a compensation after the rate of three thousand dollars per annum during the period he has been in their employ.

SEC. 21. And be it further enacted, That whenever a marshal shall certify that an assistant has completed to his satisfaction, and made his return of the subdivision confided to him, and shall also certify the amount of compensation to which, under the provisions of this act, such assistant is entitled, designating how much for each kind of service, the Secretary of the Interior shall thereupon cause one half of the sum so due to be paid to such assistant, and when the returns have been carefully examined for classification, if found executed in a manner satisfactory, then he shall also cause the other half to be paid. And he shall make payments in the manner and upon like conditions to the several marshals for their services.

SEC. 22. And be it further enacted, That the tables hereto annexed, and made part of this act, are numbered from one to six, inclusive.

SEC. 23. And be it further enacted, That if no other law be passed providing for the taking of the eighth, or any subsequent census of the United States, on or before the first day of January of any year, when, of sanuary of sanuary of the inhabitants thereof is required to be taken, such census shall, in quired by the all things, be taken and completed according to the provisions of the state of the transfer of t

SEC. 24. And be it further enacted, That from and after the third day of March, one thousand eight hundred and fifty-three, the House of Representatives shall be composed of two hundred and thirty-three members, to be apportioned among the several States in the manner

directed in the next section of this act.

SEC. 25. And be it further enacted, That so soon as the next and each subsequent enumeration of the inhabitants of the several States, directed by the Constitution of the United States to be taken, shall to be made, and be completed and returned to the office of the Department of the Interior, it shall be the duty of the Secretary of the Interior to ascertain the aggregate representative population of the United States, by the Secretary of adding to the whole number of free persons in all the States, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons; which aggregate population he shall divide by the number two hundred and thirty-three, and the product of such division, rejecting any fraction of an unit, if any such happen to remain, shall be the ratio, or rule of apportionment, of representatives among the several States under such enumeration; and the said Secretary of the Department of the Inferior shall then proceed, in the same manner, to ascertain the representative population of each State, and to divide the whole number of the representative population of each State by the ratio already determined by him as above directed; and the product of this last division shall be the number of representatives apportioned to such State under the then last enumeration: Provided, That the loss in the number of members caused by the fractions remaining in the several States, on the division of the population thereof, shall be compensated for by assigning to so many States having the largest fractions, one additional member each for its fraction as may be necessary to make the whole number of representatives two hundred and thirty-three. And provided, also, That if, Further proviso, after the apportionment of the representatives under the next, or any subsequent census, a new State or States shall be admitted into the Union, the representative or representatives assigned to such new State or States shall be in addition to the number of representatives herein above limited; which excess of representatives over two hundred and thirty-three shall only continue until the next succeeding apportionment of representatives under the next succeeding census.

Sec. 26. And be it further enacted, That when the Department of the Interior shall have apportioned the representatives, in the manner the number of above directed, among the several States under the next or any subsectioned to be sent quent enumeration of the inhabitants of the United States, he shall, as to soon as practicable, made out and transmit, under the seal of his office. and H. of Rep. to the House of Representatives, a certificate of the number of members apportioned to each State under the then last enumeration; and shall likewise make out and transmit, without delay, to the executive of each State, a certificate, under his seal of office, of the number of members apportioned to such State, under such last enumeration.

SEC. 27. And be it further enacted, That the Secretary of the Inte-Statistics in rerior, in his instructions to the marshals, shall direct that the statistics gard to hemp, besides dew and in regard to all other descriptions of hemp not embraced in the de-water-rotted, nomination of dew and water-rotted, shall be taken and estimated in be taken in the the returns.

SCHED	ULB 1.—	Free by me,	INH.	ABITANT he d	s in lay of	,	in the (1850.	Tount	g of	. S Assis	tate of tant.
d in the order of	usual day of mily.	DE	SCRIE	TION.	ade of		State,		year.	age who	blind, in-
Dwelling-houses numbered in the order of visitation. Families numbered in the order of	Name of every person whose usual place of abode on the first day of June, 1850, was in this family.	Age.	Sex.	-muro, Maite, black, or mu-	Profession, occupation, or trade of each male person over 15 years of age.	Value of real estate owned.	Place of birth, naming the Territory, or country.	Married within the year.	Attended school within the year.	Persons over 20 years of age cannot read and write.	Whether desf and dumb, blind, in sane, idiotic, pauper, or convict.
1 2	8	4	5	6	7	8	9	10	11	12	13
1											1
2											9

SCHEDULE 2. — SLAYE INHABITANTS in , enumerated by me, on the day of

in the County of , 1850.

, State of Assistant.

		DE	SORTE	TION.	e State.	tted.			
Name of slave owners.	Number of slaves.	Age.	ge. Sex. Color.		Fugitives from the State	Number manumitted	Deaf and dumb, blind, insane, or idiotic.	REMARKS.	
1	2	8	4	5	6	7	8	9	
1								1	
2	·							2	

SCHEDULE 8.—PRODUCTIONS OF AGRICULTURE in in the County of
State of day of during the year ending June-1st, 1850, as enumerated by me on the

ager of		es of		ts and	1	Live stock on hand, June 1, 1850.					Produce during the year ending June 1st, 1850.											
Name of owner, agent, or manager of the farm.	Improved.	Unimproved.		Value of farming implements machinory.	Horses.	Mules and Asses.	Working Oxen.	Milch Cows.	Other Cattle.	Sheep.	Swine,	The value of live stock.	The value of animals slaugh- tered during the year.	낭	Rye, bushels of.	Indian Corn, bushels of.	Oats, bushels of.	E S	ı.e	12	Wool, pounds of.	Beans and Peas, busnels of.
1	2	8	4	5	В	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23

SCHEDULE 8. - Continued.

	Produce during the year ending June 1, 1850. — Continued.																							
		Potatoes.		Potatoes		dollars.		garden.							He	mp.					of 1,000 lbs.		96	ctures.
Buckwheat, bushels of	Barley, bushels of.	Irish, bushels of.	Sweet, bushels of	of orchard products in	gallons of.	f market	Butter, pounds of	Cheese, pounds of.	Hay, tons of.	Clover seed, bushels of.	Other grass seeds, bushels of	Hops, pounds of.	Dew-rotted, tons of.	Water-rotted, tons of.	Flax, pounds of	Flaxseed, bushels of.	coons, pounds	Maple Sugar, pounds of.	bds. of —	Molasses, gallons of.	Honey and Beeswax, pounds	.Value of home-made manufactures		
24	25	26	27	28	29	80	31	32	33	34	35	36	87	3 8	89	40	41	42	48	44	45	46		

SCHEDULE 4.—Products of Industry in in the County of , State of , during the year ending June 1, 1850, as enumerated by me.

Assistant.

Company, or ag articles to \$500.	cture, or person- ess.	Raw used in	mat d, inc ng fue	erial lud- l.	chinery,	Average of he complete	ge Nọ. ands oyed.	Wa	ges.	. P	Annual product.				
Name of Corporation, Company, Individual, producing articles the annual value of \$500.	Capital i	A Quantities.	o Kinds,	a Values.	Kind of motive power, machinery, structure, or resource.	ω Male.	o Female.	Average monthly cost of male labor.	Average monthly cost of female labor.	T Quantities.	Kinds.	Values.			

SCHEDULE 5. — Social Statistics of of , compiled by me.

, in the County of

, and State Assistant.

Name of town, county, or city.	Aggregate valua- tion of real and personal estate.	Aggregate amount of taxes assessed.	Public schools.
	Real estate \$ Person'l estate Total \$ How valued ? True valuat'n \$	State\$ County Parish Town Total\$ Road tax \$ How paid?	No. colleges. Do. academies. Do. free schools. Do. other schools. Do. school-houses. Amount of money raised by tax for schools last year, \$ Raised in other ways for schools last year, \$ Received from public funds for schools last year, \$

SCHEDULE 5. - Continued.

Public librarie	es.			P	eriodicals, in newspap		Seasons.		
	No. Vols. Name.			Class		Number of circulation.	Has this season produced average crops?		
Social. Colleges. Academies. Public schools. Sunday schools.							What crops are short?		
,	1		l				To what extent?		
							What is the average per year?		

SCHEDULE 5. - Continued.

Public paupers.	Criminals.	Cost of labor.	Religious worship.
paupers supported	of crimeduring year	Av'ge wages to farm hand per month, hired by the year and boarded, \$	No. of churches.
Number supported on the 1st day of June.	In prison on the 1st June, 1850.	Average wages of a day laborer, with- out board, \$	No. of persons each
Native { White. Black.	Native { White. Black.	Average payment to a carpenter perday, without board, \$ Average wages to	will accommodate.
Foreign.	Foreign.	a female domestic per week, without board.	
Cost of supporting paupers during last year.		Average price of board to a laboring man per week, \$	Value of church- es, \$

SCHEDULE 6. - Presons who died during the year ending 1st June, 1850, in , in the County of , and State of , enumerated by Assistant. me.

to died light light light of his		DESCR	PTION.			State,	person	trade.	
Name of every porson who during the year ending June, 1860, whose usual p of abode at the time of death was in this family.	Age.	Sex.	Coron. — White, black, or mulatto.	Free or slave.	Married or widowed.	Place of birth, naming the State, Territory, or country.	The month in which the person died.	Profession, occupation, or trade.	Disease, or cause of death.
1	2	3	4	5	в	7	8	9	10

APPROVED, May 23, 1850.

May 23, 1850. 1837, ch. 3.

CHAP. XII. — An Act supplementary to the Act entitled "An Act supplementary to the Act entitled An Act establishing a Mint, and regulating the Coins of the United States.' "

itors, etc., the President is aulic money.

Be it enacted by the Senate and House of Representatives of the To enable the United States of America in Congress assembled, That, for the purmint and branch mints to make pose of enabling the mint and branch mints of the United States to returns to depose make returns to depositors with as little delay as possible, it shall be itors, etc., the lawful for the President of the United States, when the state of the President is an thorised to direct treasury shall admit thereof, to direct transfers to be made from time transfers of pub- to time to the mint and branch mints for such sums of public money as he shall judge convenient and necessary, out of which those who bring bullion to the mint may be paid the value thereof, as soon as practicable after this value has been ascertained; that the bullion so deposited shall become the property of the United States; that no dis-