

ACTS OF THE FIRST CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of New York on Monday, the fourth day of January, 1790, and ended on the twelfth day of August, 1790.

GEORGE WASHINGTON, President, JOHN ADAMS, Vice President of the United States, and President of the Senate, FREDERICK AUGUSTUS MUHLENBERG, Speaker of the House of Representatives.

STATUTE II.

CHAPTER I.—*An Act for giving effect to the several acts therein mentioned, in respect to the state of North Carolina, and other purposes.*

Feb. 8, 1790.

[Obsolete.]

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several and respective duties specified and laid, in and by the act, intituled "An act for laying a duty on goods, wares and merchandises imported into the United States;" and in and by the act, intituled "An act imposing duties on tonnage," shall be paid and collected upon all goods, wares and merchandises, which, after the expiration of thirty days from the passing of this act, shall be imported into the state of North Carolina, from any foreign port or place, and upon the tonnage of all ships and vessels, which, after the said day, shall be entered within the said state of North Carolina, subject to the exceptions, qualifications, allowances and abatements in the said acts contained or expressed; which acts shall be deemed to have the like force and operation within the said state of North Carolina, as elsewhere within the United States.

The provisions of the acts of 1789, ch. 2, and of the act of 1789, laying duties on imports and tonnage declared in force as to the state of N. Carolina after thirty days from the passing this act.

Act of July 4, 1789, ch. 2.

Act of July 20, 1789, ch. 3.

SEC. 2. *And be it further enacted,* That for the due collection of the said duties, there shall be in the said state of North Carolina five districts; one to be called the district of Wilmington, and to comprehend all the waters, shores, bays, harbours, creeks and inlets, from Little River inlet, inclusive, to New River inlet, inclusive. Another to be called the district of Newbern, and to comprehend all the waters, shores, bays, harbours, creeks and inlets, from New River inlet, exclusive, to Occacock inlet, inclusive, together with Pamticoe Sound, (except that part of it into which the Pamticoe, or Tarr and Machapunga rivers empty themselves, and which lies between the Royal Shoal extended to Machapunga Bluff, and the shoal which projects from the mouth of Pamticoe River towards the Royal Shoal.) Another to be called the district of Washington, and to comprehend all that part of Pamticoe Sound excepted out of the district of Newbern, and the waters, shores, bays, harbours, creeks and inlets adjacent to, and communicating with the same. Another to be called the district of Edenton, and to comprehend all the waters, bays, harbours, creeks and inlets from the channel between Pampticoe Sound and Albemarle Sound, inclusive. The other to be called the district of Camdben, and to comprehend North River, Pasquotank and Little Rivers, and all the waters, shores, bays, harbours, creeks and inlets, from the junction of Currituck and Albemarle Sounds, to the northern extremity of Back Bay. That in the district of Wilmington, the town of Wilmington shall be a port of entry and delivery, and Swansborough a port of delivery only; and there shall be a collector, naval officer and surveyor to reside at the said town of

And for due collection five districts established; their limits.

Ports of entry and delivery.

Wilmington, and a surveyor to reside at Swansborough. That in the district of Newbern, the town of Newbern shall be a port of entry and delivery, and the town of Beaufort a port of delivery only; and there shall be a collector to reside at Newbern, and a surveyor to reside at Beaufort. That in the district of Washington, the town of Washington shall be the sole port of entry and delivery, and there shall be a collector to reside at the same. That in the district of Edenton, the town of Edenton shall be a port of entry and delivery; and Hartford, Murpheysborough, Plymouth, Winsor, Skewarkey, Winton, and Bennet's Creek, ports of delivery; and there shall be a collector at the town of Edenton, and a surveyor at Hartford, another surveyor at Murpheysborough, one surveyor at each of the ports of Plymouth, Winsor, Skewarkey, Winton, and Bennet's Creek. That all ships or vessels intending to proceed to Hartford, Plymouth, Winsor, Skewarkey, Winton, Bennet's Creek, or Murpheysborough, shall first come to and enter at the port of Edenton. That in the district of Cambden, Plankbridge on Sawyer's Creek, shall be the port of entry and delivery, and Nixonton, Indiantown, Newbiggin Creek, Currituck Inlet, and Pasquotank River bridge, ports of delivery; and there shall be a collector at Plankbridge on Sawyer's Creek, and a surveyor at each of the ports of Nixonton, Indiantown, Currituck Inlet, Pasquotank River bridge, and Newbiggin Creek: and that the authority of the officers of each district shall extend over all the waters, shores, bays, harbours, creeks and inlets comprehended within such district.

Extent of the authority of the officers of each district.

Sole ports of entry for ships or vessels not registered or licensed, or ships &c. beyond the Cape of Good Hope.

Regulations, provisions, &c. for due collection.

Act of July 31, 1789, ch. 5.

Operation of laws of former laws declared to cease.

Act of Sept. 16, 1789, ch. 15.

Act for regulating the coasting trade, declared in force as to N. Carolina after thirty days from the passing this act.

Act of Sept. 16, 1789, ch. 11.

Part of another act revived as to R. Island and N. Carolina until the 1st of April.

SEC. 3. *And be it further enacted*, That the ports of Wilmington, Newbern, Washington, and Edenton, shall be the sole ports of entry within the said state of North Carolina, for ships or vessels not registered or licensed within the United States, according to law, and for all ships or vessels whatsoever, which shall arrive from the Cape of Good Hope, or any place beyond the same.

SEC. 4. *And be it further enacted*, That all the regulations, provisions, exceptions, allowances, compensations, directions, authorities, penalties, forfeitures, and other matters whatsoever, contained or expressed in the act, intituled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandises imported into the United States," and not locally inapplicable, shall have the like force and effect within the said state of North Carolina, for the collection of the said duties, as elsewhere within the United States, and as if the same were repeated and re-enacted in this present act.

SEC. 5. *Provided always, and be it declared*, That the thirty-ninth section of the said act, and the third section of an act, intituled "An act to suspend part of an act, intituled An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandises imported into the United States, and for other purposes," did, by virtue of the adoption of the Constitution of the United States, by the said state of North Carolina, cease to operate in respect to the same.

SEC. 6. *And be it further enacted and declared*, That the act intituled "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," shall, after the expiration of thirty days from the passing of this act, have the like force and operation within the said state of North Carolina, as elsewhere within the United States, and as if the several clauses thereof were repeated and re-enacted in this present act.

SEC. 7. *And be it further enacted*, That the second section of the act, intituled "An act to suspend part of an act, intituled An act to regulate the collection of duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandises imported into the United States,

and for other purposes," passed the sixteenth day of September last, shall, with respect to the inhabitants and citizens of the state of Rhode Island and Providence Plantations, be revived, and also that the fourth section of the said act shall be revived, and both continue in force until the first day of April next, and no longer.

APPROVED, February 8, 1790.

Act of Sept.
16, 1789, ch. 15.

CHAP. II.—*An Act providing for the enumeration of the Inhabitants of the United States.* (a)

STATUTE II.

March 1, 1790.

[Obsolete.]

Marshals in the several districts of the U. States to take the enumeration.

Mode of enumeration.

May appoint assistants.

Marshals and assistants to take an oath.

Form of the oath.

SECTION 1. *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 shall be, and they are hereby authorized and required to cause the number of the inhabitants within their respective districts 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 of sixteen years and upwards from those under that age; for effecting which purpose the marshals shall have power to appoint as many assistants within their respective districts as to them shall appear necessary; assigning to each assistant a certain division of his district, 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 and their assistants shall respectively take an oath or affirmation, before some judge or justice of the peace, resident within their respective districts, previous to their entering on the discharge of the duties by this act required. The oath or affirmation of the marshal shall be, "I, A. B. marshal of the district of _____ 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, and return the same to the President of the United States, agreeably to the directions of an act of Congress, intituled '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 _____ and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, intituled 'An act providing for the enumeration of the inhabitants of the United States,' according to the best of my ability." The enumeration shall commence on the first Monday in August next, and shall close within nine calendar months thereafter. The several assistants shall, within the said nine months, transmit to the marshals 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 the several families by the names of their master, mistress, steward, overseer, or other principal person therein, in manner following, that is to say:

The enumeration, to commence on the first Monday in August, 1790, and close in nine months.

Returns to be by schedule.

The number of persons within my division, consisting of _____ appears in a schedule hereto annexed, subscribed by me this day of _____ 179

A. B. assistant to the marshal of _____

(a) The acts providing for taking a census of the inhabitants of the United States, subsequent to this act, have been: 1800.—Act of February 28, 1800, chap. 12; act of April 12, 1800, chap. 23. 1810.—Act of March 26, 1810, chap. 17; act of May 1, 1810; act of March 2, 1811, chap. 34; act of March 3, 1811, chap. 44. 1820.—Act of March 14, 1820. 1830.—Act of March 23, 1830, chap. 39. 1840.—Act of March 3, 1839, chap. 79; act of February 26, 1840, chap. 3; act of Jan. 14, 1841, chap. 3; act of September 1, 1841, chap. 15; resolution September 1, 1841.