

Chapter 71.

[Published April 4.]

An Act to provide for taking a Census or enumeration of the people of this State.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The town clerks of the several towns in this state, under the direction of the clerk of the board of supervisors of their respective counties, are hereby authorized and required to take an enumeration of the inhabitants in their respective towns, omitting in such enumeration, Indians not entitled to the right of suffrage under the constitution and laws of the state; and in case there shall be no organized town, or shall be no town clerk, in any district composing the whole or a part of any county, then, and in every such case, the clerk of the board of supervisors of the county to which any such district may be attached for judicial purposes, shall appoint one or more assistants with power to perform the service required of town clerks by this act; and within the limits of any incorporated city or village, the said services shall be performed by the clerk of the corporation.

Duties of town clerks, &c.

SEC. 2. The secretary of state shall prepare appropriate forms, distinguishing therein persons of each sex, deaf and dumb, blind, insane, and persons of color, and shall cause a sufficient number of copies thereof to be printed and transmitted to the several clerks of the boards of supervisors, on or before the first day of May next, and immediately thereafter each of said clerks shall forward the requisite number of such forms to the town clerks and assistants appointed by him, within his county, to enable them to take said census in a uniform manner.

Secretary of state to prepare blanks, and furnish clerks.

SEC. 3. The town clerks and assistants shall severally take and subscribe an oath before some person authorized to administer oaths, previous to entering upon the discharge of the duties imposed by this act, that they will well and truly cause to be made a just and perfect enumeration of all the persons resident within their city, town or division, as the case may be, and a true return thereof make in pursuance of the provisions of this act, according to the best of their ability, which oath shall be returned with the census taken by each person respectively to the clerk of the

Clerks and assistants required to take an oath.

Required to make return to clerk of supervisors.

board of supervisors of the county, on or before the first day of August next.

Enumeration, how to be made. SEC. 4. The said enumeration shall be made by an actual enquiry, by the person taking such census, at every dwelling or by personal enquiry of the head of every family, in their several cities, towns or districts, and shall commence on the first day of June next, and shall be completed and closed in two months thereafter, and said enumeration shall include only those whose place of residence shall be in said cities, towns or districts, on the first day of June aforesaid, and the several clerks and assistants shall deliver to the clerk of the board of supervisors a true and accurate enumeration of all persons within their respective cities, towns and districts, which enumeration shall be set forth in schedule, according to the form prescribed by the secretary of state, designating the city, town or district, and shall embrace the several families by the name of the head thereof, and the aggregate population therein.

Duties of clerks of supervisors. SEC. 5. The several clerks of the boards of supervisors shall on the first day of August or sooner, if all the returns shall be received by him from the clerks and assistants, prepare duplicate copies of the enumeration of the inhabitants of their respective counties, and transmit one of said copies to the secretary of state and deliver the other together with the returns received from the clerks and assistants to the register of deeds of the county, and the said register shall preserve the same on file in his office.

Fees. SEC. 6. The persons appointed to take said census shall be allowed compensation for the service to be performed in taking the same, as follows: Clerks of incorporated cities and villages shall be paid at the rate of one dollar for every one hundred persons enumerated by them respectively; town clerks and assistants appointed by the clerks of the board of supervisors shall be paid at the rate of one dollar and fifty cents for every one hundred persons enumerated by them respectively: *Provided*, That in those counties not organized for judicial purposes, and in districts not included in any town organization there may be allowed to persons taking said census additional compensation at the rate of one dollar and fifty cents for every one hundred persons enumerated therein; And *provided further*, That each clerk of the board of supervisors shall be allowed for making his returns five dollars, in case the schedules returned by him shall contain one thousand persons or less, and one dollar for every one thousand the schedules returned shall

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Proviso.

contain exceeding that number. The accounts for taking the census as herein provided, shall be certified by the clerks of the boards of supervisors respectively, and shall be paid out of the State Treasury.

SEC. 7. Every clerk of the board of supervisors, town clerk or assistant appointed, and who shall have accepted said appointment, who shall neglect or refuse to perform the duties required by them in taking or returning the census as herein directed, shall forfeit and pay the sum of ^{Fine for negl^t} Two Hundred and Fifty Dollars, to be recovered in the ^{of duty.} manner provided by law for the collection of fines and forfeitures.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 31, 1855.

Chapter 72.

[Published April 14.]

An Act to enable assignees of choses in actions to maintain suits in their own names in certain cases.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

SECTION 1. The assignee or assignees of any note which is not negotiable, or any bond or chose in action, which has been or may hereafter be assigned, if the assignor be dead, and there be no executor or administrator upon his estate appointed in this state, may sue thereon, and recover in his, her or their own name.

SEC. 2. The defendant in any suit brought under this act may set up and avail himself of any set-off or defence existing, or which arose before notice of such assignment, to the same extent and with like effect as if the assignor were still living, and such suit were brought in his own name.

SEC. 3. This act shall take effect from and after its passage.

Approved, March 31, 1855.