

**CHAP. 193.**—An act granting American registry to the Canadian steam ferry-boat Geneva. March 3, 1879.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized and directed to grant an American registry to the Canadian steam ferry-boat Geneva, now owned by B. W. Folger and M. H. Folger, citizens of the United States, and residing at Cape Vincent, New York, upon the payment, into the United States Treasury, of the duties legally chargeable upon said vessel.

Approved, March 3, 1879.

**CHAP. 194.**—An act providing for an additional associate justice of the supreme court of the Territory of Dakota. March 3, 1879.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter the supreme court of the Territory of Dakota, shall consist of a chief justice and three associate justices, any three of whom shall constitute a quorum.

**SEC. 2.** It shall be the duty of the President to appoint an additional associate justice of said supreme court, in manner now provided by law, who shall hold his office for the term of four years and until his successor is appointed and qualified.

**SEC. 3.** The said Territory shall be divided into four judicial districts, and a district court shall be held in each district by one of the justices of the supreme court, at such time and place as may be prescribed by law; each judge, after assignment, shall reside in the district to which he is assigned.

**SEC. 4.** Until changed by the legislative assembly of said Territory, the fourth district of said Territory shall consist of the following counties, to wit: Clay, Union, Lincoln, Minnehaha, Moody, Brookings, Duel, Grant, Coudington, Lake, Wood, Hamlin, Clark, Greeley, Stone, Turner, and McCook, and the Sisseton and Wahpeton Indian reservation. And the second district shall consist of the remainder of the Territory which now constitutes said second district, as defined by the statutes of said Territory.

**SEC. 5.** Temporarily, and until otherwise provided by law, the additional associate justice to be appointed under this act is hereby assigned to said fourth district, and the times and places as now fixed by the statutes of said Territory for holding court therein shall remain until changed by law.

**SEC. 6.** The district court of said fourth judicial district shall have no jurisdiction to try, hear, or determine any matter or cause wherein the United States is a party, and no United States grand or petit jury shall be summoned in said court; but said fourth district is hereby attached to and made a part of the second judicial district for the purpose of hearing and determining all matters and causes arising within said fourth district in which the United States is a party.

Approved, March 3, 1879.

**CHAP. 195.**—An act to provide for taking the tenth and subsequent censuses. March 3, 1879.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a census of the population, wealth, and industry of the United States shall be taken on or for the date, June first, eighteen hundred and eighty.

**SEC. 2.** That there shall be established in the Department of the Interior an office to be denominated the Census Office, the chief officer of which shall be called the Superintendent of the Census, whose duty it shall be, under the direction of the head of the department, to superin-

tend and direct the taking of the Tenth Census of the United States, in accordance with the laws relating thereto, and to perform such other duties as may be required of him by law.

Superintendent. SEC. 3. The Superintendent of Census shall be appointed by the President, by and with the advice and consent of the Senate; and he shall receive an annual salary of five thousand dollars; and the Secretary of the Interior may appoint a chief clerk of the Census Office, six clerks of class four, ten clerks of class three, fifteen clerks of class two, with such number of clerks of class one, and of copyists and computers at salaries of not less than seven hundred dollars or more than one thousand dollars, as may be found necessary for the proper and prompt compilation and publication of the results of the enumeration of the census herein provided to be taken. And upon such compilation and publication of said census, said office of Superintendent shall cease, and the period of service of said clerks shall end.

Supervisors. SEC. 4. The Secretary of the Interior shall, on or before the first day of March, eighteen hundred and eighty, designate the number, whether one or more, of supervisors of census, to be appointed within each State or Territory, who shall be residents of the State or Territory. The supervisors shall be appointed by the President of the United States, by and with the advice and consent of the Senate. The total number of such supervisors shall not exceed one hundred and fifty. The Superintendent and the supervisors shall, before entering upon the duties of their offices, respectively, take and subscribe the following oath or affirmation: I, \_\_\_\_\_ (Superintendent or supervisor, as the case may be), do solemnly swear or affirm that I will support the Constitution of the United States, and perform and discharge the duties of the office of (Superintendent or supervisor, as the case may be), according to law, honestly and correctly, to the best of my ability; which oaths shall be filed in the office of the Secretary of the Interior.

Oath of office.

Duties of supervisors. SEC. 5. Each supervisor of census shall be charged with the performance, within his own district, of the following duties: To propose to the Superintendent of Census the apportionment of his district into subdivisions most convenient for the purpose of enumeration; To designate to the Superintendent of Census suitable persons, and, with the consent of said Superintendent, to employ such persons as enumerators within his district, one for each subdivision, and resident therein, who shall be selected solely with reference to their fitness, and without reference to their political or party affiliations, according to the apportionment approved by the Superintendent of Census; To transmit to enumerators the printed forms and schedules issued from the Census Office, in quantities suited to the requirements of each subdivision;

To communicate to enumerators the necessary instructions and directions relating to their duties, and to the methods of conducting the census, and to advise with and counsel enumerators in person and by letter, as freely and fully as may be required to secure the purposes of this act; and under the direction of the Superintendent of Census, and to facilitate the taking of the census with as little delay as possible, he may cause to be distributed by the enumerators, prior to the taking of the enumeration, schedules to be filled up by householders and others; To provide for the early and safe transmission to his office of the returns of enumerators, embracing all the schedules filled by them in the course of enumeration, and for the due receipt and custody of such returns pending their transmission to the Census Office; To examine and scrutinize the returns of enumerators, in order to ascertain whether the work has been performed in all respects in compliance with the provisions of law, and whether any town or village or integral portion of the district has been omitted from enumeration; To forward to the Superintendent of Census the completed returns of his district in such time and manner as shall be prescribed by the said Superintendent, and in the event of discrepancies or deficiencies appearing in the returns from his district, to use all diligence in causing the same to be corrected

or supplied; To make up and forward to the Superintendent of Census the accounts required for ascertaining the amount of compensation due under the provisions of this act to each enumerator of his district. Duties of supervisors, continued.

SEC. 6. Each supervisor of census shall, upon the completion of his duties to the satisfaction of the Secretary of the Interior, receive the sum of five hundred dollars in full compensation for all services rendered and expenses incurred by him, except an allowance for clerk hire may be made, at the discretion of the Superintendent of Census. Pay of supervisors.

SEC. 7. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of census of the district to which he belongs a commission, under his hand, authorizing him to perform the duties of an enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed by him. He shall, moreover, take and subscribe the following oath or affirmation: Enumerators.

“I, \_\_\_\_\_, an enumerator for taking the \_\_\_\_\_ census of the United States, do solemnly swear (or affirm) that I will make a true and exact enumeration of all the inhabitants within the subdivision assigned to me, and will also faithfully collect all other statistics therein, as provided for in the act for taking the \_\_\_\_\_ census, and in conformity with all lawful instructions which I may receive, and will make due and correct returns thereof as required by said act, and will not disclose any information contained in the schedules, lists, or statements obtained by me to any person or persons, except to my superior officers. Oath of office.

(Signed) \_\_\_\_\_.”

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 supervisor of census before the date fixed herein for the commencement of the enumeration.

SEC. 8. It shall be the duty of each enumerator, after being qualified in the manner aforesaid, to visit personally each dwelling-house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of such family, or of the member thereof deemed most credible and worthy of trust, or of such individual living out of a family, to obtain each and every item of information and all the particulars required by this act, as of date June first, eighteen hundred and eighty. And in case no person shall be found at the usual place of abode of such family or individual living out of a family competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information, as nearly as may be practicable, from the family or families or person or persons living nearest to such place of abode: *Provided*, That Indians not taxed shall be omitted from the enumeration; but the Superintendent of Census may employ special agents or other means to make an enumeration of all Indians not taxed, within the jurisdiction of the United States, with such information as to their condition as may be obtainable. Duties of enumerators.

SEC. 9. And it shall be further the duty of each enumerator to forward the original schedules, duly certified, to the supervisor of census of his district, as his returns under the provisions of this act. Original schedules.

SEC. 10. The compensation of enumerators shall be ascertained and fixed as follows: In subdivisions where the Superintendent of Census shall deem such an allowance sufficient, an allowance not exceeding two cents for each living inhabitant, two cents for each death reported, ten cents for each farm, and fifteen cents for each establishment of productive industry enumerated and returned, may be given in full compensation for all services; and no claim for mileage or traveling expenses shall be allowed in such subdivisions: *Provided*, That the subdivisions to which the above rate of compensation shall apply must be designated Pay of enumerators.

*Provido.*

Pay of enumerators, continued.	by the Superintendent of Census at least one month in advance of the enumeration; and no account of the time occupied in enumeration shall be required for the purpose of ascertaining and determining the compensation of enumerators in such subdivisions. For all other subdivisions, rates of compensation shall be fixed in advance of the enumeration by the Superintendent of Census, with the approval of the Secretary of the Interior, according to the difficulty of enumeration, having reference to the nature of the region to be canvassed, and the density or sparseness of settlement, or other considerations pertinent thereto; but the compensation allowed to any enumerator in any district east of the one hundredth meridian shall not exceed an average of four dollars per day of ten hours actual field-work each; and the compensation allowed to any enumerator in any district west of the one hundredth meridian shall not exceed six dollars per working day of equal length. And the Superintendent of Census may prescribe a uniform method and suitable forms for keeping account of the time occupied in field-work, for the purpose of ascertaining the amounts due to enumerators, severally, under the provisions of this act.
Limit.	
Account.	
Subdivisions.	SEC. 11. The subdivision assigned to any enumerator shall not exceed four thousand inhabitants, according to the census of eighteen hundred and seventy: <i>Provided</i> , That in the Territories and in the States admitted into the Union since eighteen hundred and seventy, the supervisors of census may appoint additional enumerators in cases where, in his judgment, the census cannot be properly taken in thirty days by reason of the increase of population or the physical features of the said district. The boundaries of all subdivisions shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguished lines.
<i>Proviso.</i>	
Boundaries.	
Neglect of duty, etc.	SEC. 12. That any supervisor or enumerator, who, having taken and subscribed the oath required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act, or shall, without the authority of the Superintendent, communicate to any person not authorized to receive the same, any statistics of property or business included in his return, shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit a sum not exceeding five hundred dollars; or, if he shall willfully and knowingly swear or affirm falsely, he shall be deemed guilty of perjury, and, on conviction thereof, shall be imprisoned not exceeding three years or by fine not exceeding eight hundred dollars; or, if he shall willfully and knowingly make false certificates or fictitious returns, he shall be deemed guilty of a misdemeanor, and, upon conviction of either of the last named offenses, he shall forfeit and pay a sum not exceeding five thousand dollars and be imprisoned not exceeding two years.
Penalty.	
False swearing.	
Penalty.	
Fictitious returns.	
Penalty.	
Fees or rewards.	SEC. 13. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the employment of any person as enumerator or clerk, or shall in any way receive or secure to himself any part of the compensation provided in this act for the services of any enumerator or clerk, he shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than five hundred dollars nor more than three thousand dollars, in the discretion of the court.
Penalty.	
Information by members of families.	SEC. 14. That each and every person more than twenty years of age, belonging to any family residing in any enumeration district, and in case of the absence of the heads and other members of any such family, then any agent of such family, shall be, and each of them hereby is, required, if thereto requested by the superintendent, supervisor, or enumerator 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 by law, and whoever shall willfully fail or refuse shall be guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay a sum not exceeding one hundred dollars. And every president, treasurer, secretary, general agent, or managing director of every corporation from which
Penalty.	
Information by officers of corporations.	

answers to any of the schedules provided for by this act are herein required, who shall, if thereto requested by the superintendent, supervisor or enumerator, willfully neglect or refuse to give true and complete answers to any inquiries authorized by this act, such officer or agent shall forfeit and pay a sum not less than five hundred dollars, nor more than ten thousand dollars, to be recovered in an action of debt in any court of competent jurisdiction, in the name and to the use of the United States, and in addition thereto shall be guilty of a misdemeanor, and on conviction thereof shall be imprisoned for a term not exceeding one year.

Penalty.

SEC. 15. That all fines and penalties imposed by this act may be enforced by indictment or appropriate action at law in any court of competent jurisdiction where such offenses shall have been committed or forfeitures incurred.

Recovery of fines, etc.

SEC. 16. That the Superintendent, his chief clerk, supervisors, and enumerators are hereby authorized to transmit through the post-office any paper or document relating to the census, by writing thereon "Official business—Census", and subscribing the same, with the addition to his name of his official title. But this privilege shall extend to nothing but documents and papers relating to the census, which shall pass free. And any superintendent, supervisor, enumerator, or clerk who shall use or exercise this privilege for any purpose other than the legitimate discharge of the duties of his office shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit for each offense a sum not exceeding one hundred dollars.

Documents by mail free.

Penalty for mis-use of privilege.

SEC. 17. The schedules of inquiries at the tenth census shall be the same as those contained in section number twenty-two hundred and six of the Revised Statutes of the United States, of eighteen hundred and seventy-eight, with the following exceptions, to wit:

Inquiries.  
R. S. 2206.

Schedule number one shall contain inquiries as to the relation of each person enumerated to the head of the family, whether wife, son, daughter servant, boarder, or other; as to the civil conditions of each person enumerated, whether married, widowed, or single; as to the place of birth of the parents of each person enumerated; as to all foreign-born, whether alien or naturalized persons; and as to the physical and mental health of each person enumerated whether active or disabled, maimed, crippled, bed-ridden, deaf, dumb, blind, insane, or idiotic, and whether employed or unemployed, and if unemployed during what portion of the year. From the same schedule the inquiries as to the value of real and personal estate owned shall be stricken out.

Schedule number one.

To schedule number two, the Superintendent of the Census may, with the approval of the Secretary of the Interior, add inquiries relating to the acreage of the several crops reported; and, with a like approval, may drop from the schedule such of the minor crops as it may be deemed expedient to omit from the enumeration.

Schedule number two.

Schedule number three shall contain inquiries respecting the kind and amount of power employed in establishments of productive industry, and the kind and number of machines in use, together with the maximum capacity of such establishment, where the Superintendent of Census shall deem such inquiry appropriate; and the said superintendent may, when he shall regard it expedient, prepare special blank forms for separate industries.

Schedule number three.

Schedule number four shall contain inquiries relating to the public indebtedness of cities, counties, incorporated villages, and towns, and school districts; and of the ownership of the public debt of the United States, by whom owned and the respective amounts; and such additional inquiries respecting the same, as well as respecting the public paupers and criminals, as the Superintendent of Census shall deem necessary to secure full information respecting the numbers and condition of these classes.

Schedule number four.

Schedule number five shall contain inquiries as to the birthplace of the father and mother of each person reported as having died during the year, and as to the usual occupation of each such person.

Schedule number five.

Railway companies.

The Superintendent of Census shall require and obtain from every railroad corporation, or the lessee or receiver thereof, the following facts, to exhibit the condition of such corporation, and the condition, characteristics, and operations of the railroad or railroads owned or controlled by such corporation, or the lessee or receiver thereof, on the first of June of the year eighteen hundred and eighty, to wit: The name of the corporation or company, with the corporate names of all leased lines; the number of miles projected or authorized by law or charter, with the several terminal points of the same; the number of miles completed, exhibiting separately the length of lines within each State; the number of miles operated during the last complete fiscal year preceding June first, eighteen hundred and eighty; the capital stock allowed by law or charter, and the amount paid up; the amount of funded and of unfunded debt, with period of funded debt, and rate of interest thereon, and the amount of all sinking funds provided for the redemption of such debts; the number of acres of land derived from public grants remaining unsold; the total cost of construction, of equipment, and of all permanent investments, including the cost of purchase of other lines of road and of telegraph lines; the amount and character of rolling stock; the number and class of employees; the receipts of such corporation or company for the last complete fiscal year preceding June first, eighteen hundred and eighty, exhibiting separately the earnings from through freight, from local freight, from passengers, from expresses, and from mails; the expenses of such corporation or company for said fiscal year, exhibiting separately the amount paid for salaries and wages, for fuel, for national, State, and municipal taxes, for interest on bonds and other debts, for dividends, for repairs, for damage to freight and personal injuries; also, the operations of said fiscal year, including mileage of freight, of passenger, and of construction and repair trains separately, the number of passengers carried, and the amount and class of freight transported each way; also, the number, character, and, so far as ascertained, the cause of all casualties by which life was lost, which occurred upon or within the trains, the tracks, or the buildings of said corporation or company during said fiscal year, and the extent of injury to life and limb resulting therefrom; also the terms of all agreements and contracts by which sleeping cars, palace and parlor cars, so called, express cars, and cars of transportation companies, not identical with the corporation or company making the return herein required, are run upon such road or roads, and the extent of such service, and the amount of all receipts therefrom during the said fiscal year. The Superintendent of the Census shall require and obtain from the owners, proprietors, or managers of every incorporated express company the following facts to wit: Name of corporation or company; capital paid up; total capital stock, and to what extent the same has been watered, and how often corners have been made on such watered stock; length of lines in miles; whether the business is conducted by rail, vessel, or otherwise; total amount paid to railroads or vessels for use of line or lines; number of officers, number of persons engaged in general administration; number of agents and messengers; total receipts, total expenditures, exhibiting separately amount paid for salaries, for repairs, and for general expenses. He shall also in like manner require and obtain, from the owners, proprietors, or managers of every telegraph company, the following facts to wit: Name of corporation or company; terminal points connected; capital and capital paid up; length of lines in miles; miles of wire; number of officers; number of persons engaged in general administration; number of persons engaged as telegraph-operators; the number of messages transmitted by officers of the United States; the number of messages transmitted for the press; the number of messages transmitted for private parties; total number of messages transmitted; total receipts from messages; total expenditures of the company, exhibiting separately the amount expended for

Express companies.

Telegraph companies.

salaries, for repairs, and for general expenses. He shall also, in like manner, require and obtain, from the officers or managers of all life-insurance companies, the following facts, to wit: Name of company; amount of capital and paid up capital; the number of persons employed in the general administration; the number employed as agents; the total gross assets of the company, exhibiting separately realized assets, deferred and unpaid premiums, and premium notes and loans; total liabilities of the company, exhibiting separately losses adjusted and unadjusted, losses resisted, scrip and other dividends, dividends to policy-holders not applied, reinsurance fund; all other claims, including capital; receipts from cash premiums; receipts from all other sources; total cash expenditures, exhibiting separately amount paid for losses and claims, dividends to stock-holders, dividends to policy-holders, commissions, officers' salaries, medical examiners' fees, national, State and local taxation, and all other cash expenditures; amount and character of deposits in each State to secure policy-holders; premium-note expenditures; the number and amount of policies issued during the year; also exhibiting policies terminating during the year, the number and amount terminated by death, by expiration, by surrender, by lapse, by change; total number and amount of policies in force, and the amount of the premiums; the amount of losses in cash and notes and the percentage of the loss to the total amount of policies in force; percentage of assets to risks in force. He shall in like manner, require and obtain, from every fire and marine insurance company, the following facts, to wit: Name of company; amount of capital stock; the amount paid up; the number of persons employed in general administration; the number employed as agents; the gross assets of company; the total liabilities, exhibiting separately the amount of losses adjusted, losses unadjusted, losses resisted, reinsurance fund; all other liabilities, including capital; also, the total receipts, exhibiting separately fire premiums, marine and inland premiums, and receipts from all other sources, including interest, dividends, and rents; also the total expenditures, exhibiting separately the number and amount of fire losses, of marine and inland losses, dividends, commissions, officers' salaries, State, national, and municipal taxes, and all other expenses. He may require such other information, as to the subjects of this section, as, in his judgment, may be necessary to secure such returns as will exhibit the transactions of said several companies.

Life-insurance companies.

Fire and marine insurance companies.

SEC. 18. Each enumerator in his subdivision shall be charged with the collection of the facts and statistics required by each and all the several schedules, with the following exceptions, to wit: In cities where an official registration of deaths is maintained, the Superintendent of Census may, in his discretion, withdraw the mortality schedule from the several enumerators within such cities, and may obtain the statistics required by this act through official records, paying therefor such sum as may be found necessary, not exceeding the amount which is by this act authorized to be paid to enumerators for a similar service, namely, two cents for each death thus returned. Whenever he shall deem it expedient, the Superintendent of Census may withdraw the schedules for manufacturing and social statistics from the enumerators of the several subdivisions, and may charge the collection of these statistics upon experts and special agents, to be employed without respect to locality. And said Superintendent may employ experts and special agents to investigate in their economic relations the manufacturing, railroad, fishing, mining, and other industries of the country, and the statistics of telegraph, express, transportation, and insurance companies, as he may designate and require. And the Superintendent of Census shall, with the approval of the Secretary of the Interior, prepare schedules containing such interrogatories as shall, in his judgment, be best adapted to elicit this information, with such specifications, divisions, and particulars under each head as he shall deem necessary to that end. Such experts and special agents shall take the same oath as the enumerators of the several subdivisions, and shall have equal authority with such

Duties of enumerators.

Deaths

Manufacturing and social statistics.

Experts and special agents.

Special schedules.

enumerators in respect to the subjects committed to them, and they shall receive compensation at rates to be fixed by the Superintendent of Census with the approval of the Secretary of the Interior: *Provided*, That the same shall in no case exceed six dollars per day and actual traveling expenses

*Proviso.*

Date of enumeration.

SEC. 19 The enumeration required by this act shall commence on the first Monday of June, and be taken as of that date, and each enumerator shall prosecute the canvass of his subdivision from that date forward on each week-day without intermission, except for sickness or other urgent cause; and any unnecessary cessation of his work shall be sufficient ground for his removal and the appointment of another person in his place; and any person so appointed shall take the oath required of enumerators, and shall receive compensation at the same rates. And it shall be the duty of each enumerator to complete the enumeration of his district, and to prepare the returns hereinbefore required to be made, and to forward the same to the supervisor of his district on or before the first day of July, eighteen hundred and eighty, and in any city having over ten thousand inhabitants under the census of eighteen hundred and seventy, the enumeration of population shall be taken within two weeks from the first Monday of June; and any delay beyond the dates above respectively, on the part of any enumerator, shall be sufficient cause for withholding the compensation to which he would be entitled by compliance with the provisions of this act, until proof satisfactory to the Superintendent of Census shall be furnished that such delay was by reason of causes beyond the control of such enumerator.

Completion.

Maximum cost.

SEC. 20. The sum of three millions of dollars is hereby fixed and limited as the maximum cost of the census herein provided for, exclusive of printing and engraving, and it shall not be lawful for the Secretary of the Interior or the Superintendent of Census to incur any expense or obligation whatever, in respect to said census, in excess of that sum. And the sum of two hundred and fifty thousand dollars for printing and other preliminary expenses is hereby appropriated out of any money in the Treasury not otherwise appropriated which sum shall form part of the three millions fixed as the cost of the census.

Appropriation.

Information from other departments.

SEC. 21. The Secretary of the Interior is hereby authorized whenever he may think proper, to call upon any other department or officer of the government for information pertinent to the enumeration herein required.

Semi-decennial State censuses.

SEC. 22. That if any State or Territory, through its duly appointed officers or agents, shall, during the two months beginning on the first Monday of June of the year which is the mean between the decennial censuses of the United States is by this act directed to be taken, take and complete a census in all respects according to the schedules and forms of enumeration in the census of the United States and shall deposit with the Secretary of the Interior, on or before the first of September following, a full and authentic copy of all schedules returned and reports made by the officers and agents charged with such enumeration, then the Secretary of the Treasury shall, upon receiving a certificate from the Secretary of the Interior, that such schedules and reports have been duly deposited, pay, on the requisition of the governor of such State or Territory, out of any funds in the Treasury not otherwise appropriated, a sum equal to fifty per centum of the amount which was paid to all supervisors and actual enumerators within such State or Territory at the United States census next preceding, increased by one half the percentage of gain in population in such State or Territory between the two United States censuses next preceding: *Provided*: That the blank schedules used for the purposes of the enumeration herein provided for shall be similar, in all respects of form and size of heading and ruling, to those used in the census of the United States.

Contribution to expense of.

*Proviso.*

Removals.

SEC. 23. The Superintendent of Census, with the consent of the President, may at any time, remove any supervisor of census, and fill any vacancy thereby caused or otherwise occurring; and the supervisor of census may, with the consent of the Superintendent of Census remove

any enumerator in his district, and fill the vacancy thereby caused or otherwise occurring; and in such cases but one compensation sha'l be allowed for the entire service, to be apportioned among the persons performing the same in the discretion of the Superintendent of Census.

SEC. 24. All laws and parts of laws inconsistent with the provisions of this act are hereby repealed; and all censuses subsequent to the tenth census shall be taken in accordance with the provisions of this act unless Congress shall hereafter otherwise provide.

Repeals.

Approved, March 3, 1879.

**CHAP. 196.**—An act giving the consent of Congress to an agreement or compact entered into between the States of Virginia and Maryland respecting the boundary between said States.

March 3, 1879.

Whereas arbitrators duly appointed on the part of the State of Virginia and on the part of the State of Maryland for the purpose of ascertaining and fixing the boundary between the States of Virginia and Maryland, did proceed in the premises to examine into and ascertain the true line of said boundary, and did award as to the same in words following, to wit:

Maryland and Virginia boundary. Preamble.

“AWARD.

“And now, to wit, January sixteenth, anno Domini eighteen hundred and seventy-seven, the undersigned, being a majority of the arbitrators to whom the States of Virginia and Maryland, by acts of their respective legislatures, submitted the controversies concerning their territorial limits, with authority to ascertain and determine the true line of boundary between them, having heard the allegations of the said States, and examined the proofs on both sides, do find, declare, award, ascertain, and determine that the true line of boundary between the said States, so far as they are conterminous with one another, is as follows, to wit:

Award.

“Beginning at the point on the Potomac River where the line between Virginia and West Virginia strikes the said river at low-water mark, and thence, following the meanderings of said river, by the low-water mark, to Smith's Point, at or near the mouth of the Potomac, in the latitude thirty-seven degrees fifty-three minutes eight seconds, and longitude seventy-six degrees thirteen minutes forty-six seconds; thence crossing the waters of the Chesapeake Bay, by a line running north sixty-five degrees thirty minutes east, about nine and a half nautical miles, to a point on the western shore of Smiths Island, at the north end of Sassafras Hammock, in latitude thirty-seven degrees fifty-seven minutes thirteen seconds, longitude seventy-six degrees two minutes fifty-two seconds; thence across Smith's Island south eighty-eight degrees thirty minutes east, five thousand six hundred and twenty yards, to the center of Horse Hammock, on the eastern shore of Smith's Island, in latitude thirty-seven degrees fifty-seven minutes eight seconds, longitude seventy-five degrees fifty-nine minutes twenty seconds; thence south seventy-nine degrees thirty minutes east, four thousand eight hundred and eighty yards, to a point marked A on the accompanying map, in the middle of Tangier Sound, in latitude thirty-seven degrees fifty-six minutes forty-two seconds, longitude seventy-five degrees fifty-six minutes twenty-three seconds, said point bearing from Janes Island light south fifty-four degrees west, and distant from that light three thousand five hundred and sixty yards; thence south ten degrees thirty minutes west, four thousand seven hundred and forty yards, by a line dividing the waters of Tangier Sound, to a point where it intersects the straight line from Smith's Point to Watkin's Point said point of intersection being in latitude thirty-seven degrees fifty-four minutes twenty-one seconds, longitude seventy-five degrees fifty-six minutes fifty-five seconds, bearing from Jane's Island light south twenty-nine degrees west, and from Horse Hammock south thirty-four degrees thirty minutes east; this point of intersection is marked B on the accompanying map; thence north eighty-five degrees