
Capital Punishment.

CHAPTER 29.

AN ACT to Amend Section Two of Chapter Nine of the Laws of 1883, entitled "Capital Punishment."

Be it enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. DESIGNATION OF PENALTY.] That section two of chapter nine of the laws of 1883, be and the same is hereby amended by adding thereto at the close thereof the following: "But upon a plea of guilty the court shall determine the same."

§ 2. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage and approval.

Approved, March 13, 1885.

Census,

CHAPTER 30

AN ACT to Provide for taking the Census of the Territory of Dakota.

Be it enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. SUPERINTENDENT.] The Governor of this Territory is hereby designated as the Superintendent of Census and is hereby empowered to employ one clerk, who shall receive such compensation for his services as the Governor shall deem adequate.

§ 2. BLANKS.] The Superintendent of Census shall cause to be prepared such blanks as are necessary for taking the census of the Territory of Dakota for the year 1885.

§ 3. SUPERVISORS OF CENSUS.] The Governor shall nominate,

and by and with the advice and consent of the Legislative Council, shall appoint two Supervisors of the Census, one of whom shall be Supervisor of the Census for North Dakota, and the other Supervisor of the Census of South Dakota. The Supervisors of Census, shall, upon entering upon the duties of their office respectively take and subscribe the following oath or affirmation: "I,, Supervisor of Census, do solemnly swear, (or affirm) that I will support the Constitution of the United States, and the Organic Act of this Territory, and perform and discharge the duties of Supervisor of Census according to law, honestly and correctly, to the best of my ability." Which oath shall be filed in the office of the Governor.

§ 4. ENUMERATORS.] Each Supervisor of Census shall divide his district into subdivisions most convenient for the purpose of enumeration, and designate and employ suitable persons as enumerators within his district, one for each subdivision, a resident therein, to transmit to the enumerators printed forms and schedules prepared by the superintendent in quantities suited to the requirements of such subdivision, to communicate to the enumerators information, instructions and directions, relative to their duties, and the methods relative to taking the census, and to advise with and counsel enumerators, in person and by letter, as fully as may be required to fulfill the purposes of this act: To provide for the early and safe transmission to his office of the returns of the enumerators, embracing all the schedules filled by them in the course of enumeration, and for the due receipt and custody of such returns, and for their transmission to the superintendent, to examine and scrutinize the returns of the enumerators in order to ascertain whether or not the work has been performed in all respects in compliance with the provisions of law, and whether any city, village or integral portion of the district has been omitted from the enumeration: To forward to the Superintendent of Census the complete returns of his district, in such time and manner as shall be prescribed by such superintendent, and in case of any error in the returns, to use all diligence in causing the same to be corrected or supplied: To make up returns to the superintendent of accounts required for ascertaining the amount due under the provisions of this act, to each enumerator in his district.

§ 5. COMPENSATION OF SUPERVISORS.] The Supervisor of Census for South Dakota, shall, upon the completion of his duties, receive the sum of eight hundred dollars, and the Supervisor of Census for North Dakota shall receive the sum of six hundred dollars, in full compensation for all services rendered and expenses incurred by them, except an allowance for clerk hire may be made, in the discretion of the Superintendent of Census.

§ 6. OATH OF ENUMERATOR.] Each enumerator, upon receiving his appointment, shall take and subscribe the following oath: "I, an enumerator for taking the census of the Territory of Dakota, do solemnly swear, 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 this 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." Which oath may be administered by any person authorized to administer oaths under the laws of this Territory, and shall be forwarded to the Supervisor of Census before the date herein fixed for the commencement of the enumeration. And the duties of the enumerators shall be the same as provided by chapter 195, of the United States statutes at large, approved March 3rd, 1879, entitled, "an act for taking the tenth and subsequent censuses." And their compensation shall be the same as provided for the compensation of enumerators under said act, and they shall be subject to the same penalties for neglect of duty as in said act provided.

§ 7. FORMS.] The blanks and forms used in taking such census shall be the same as those required by the laws of the United States for taking the tenth census, and the Superintendent of Census shall obtain such facts and information relative to railroads, express, telegraph and insurance companies within this Territory as were required to be obtained by the Superintendent of Census under the act of Congress of March 3, 1879, in relation to the tenth census.

§ 8. WHEN TO BE TAKEN—COMPENSATION.] The enumeration required by this act shall commence on the first Monday of June, and shall be taken after that date, and each enumerator shall prosecute the canvass of his subdivision from that day forward, on each week day, without intermission, except from 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 rate, and it shall be the duty of each enumerator to complete the enumeration of his district on or before the first day of July, 1885.

§ 9. REMOVALS.] The Supervisor of Census may remove any enumerator in his district, and fill any vacancy thereby caused, or otherwise occurring; and in such case but one compensation shall be allowed for the entire service, to be apportioned among the

persons performing the same, in the discretion of the Supervisor of the Census.

§ 10. APPROPRIATION.] There is hereby appropriated out of the territorial treasury a sum of money sufficient to carry out the provisions of this act; and upon the approval of any amount by the Governor, on filing the proper voucher therefor, the territorial Auditor is hereby authorized to draw his warrant upon the territorial Treasurer for the payment of the same.

§ 11. BLANKS.] The Governor, or Superintendent of Census, is hereby authorized and required to cause to be printed the necessary blanks for carrying out the provisions of this act; which printing shall be done by the lowest responsible bidder.

§ 12. GENERAL GOVERNMENT FUNDS.] The sums of money received by the Governor for taking the census as herein provided, from the United States, as provided by section 22, of chapter 195, of the Statutes at Large of the United States, approved March 5, 1879, shall be paid into the territorial treasury for the benefit of the general fund.

Approved, March 13, 1885.

Change of Names.

TOWNS AND VILLAGES.

CHAPTER 31.

AN ACT Providing a Method for Changing the Names of Towns and Villages.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. PETITION.] When any number of the inhabitants of any town or village shall desire to change the name thereof, there shall be filed in the office of the county clerk, or county auditor, a petition for that purpose which must be signed by at least two-thirds of the qualified electors of said town or village, setting forth the name by which said town or village is known; its location, as near as practicable, and giving the name which they desire the town shall thereafter be known by.

§ 2. NOTICE.] Notice of the filing of said petition, and the