

FORTY-THIRD

CONGRESS OF THE UNITED STATES, AT THE FIRST SESSION, BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE FIRST DAY OF DECEMBER, EIGHTEEN HUNDRED AND SEVENTY-THREE.

AN ACT

To revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia, in force on the first day of December, in the year of our Lord one thousand eight hundred and seventy-three.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia is that portion of the territory of the United States ceded by the State of Maryland for the permanent seat of government of the United States, including the river Potomac in its course through the District, and the islands therein. [Sec R. S. U. S., § 1795.]

Territorial area.

16 July, 1790,
c. 28, s. 1, v. J, p.
130.

27 Feb., 1801, c. 15, s. 2, v. 2, p. 105. 21 Feb., 1871, c. 62, s. 1, v. 16, p. 419. *United States vs. Hammond*, 1 Cranch, C. C., 15; *Kendall vs. United States*, 12 Peters, 524; *Reily vs. Lamar*, 2 Cranch, 343; *Gordon vs. Lindo*, 1 Cranch, C. C., 588; *Bank of Alexandria vs. Dyer*, 14 Peters, 141; *United States vs. Simms*, 1 Cranch, 252; *Fenwick vs. Sears's Administrator*, 1 Cranch, 259; *Stelle vs. Carroll*, 12 Peters, 201; *Loughborough vs. Blake*, 5 Wheaton, 317; *Cohens vs. Virginia*, 6 Wheaton, 424; *Hepburn and Dundas vs. Ellzey*, 2 Cranch, 444; *Mutual Assurance Society vs. Watts' Executor*, 1 Wheaton, 279; *Westcott's Lessee vs. Inhabitants*, 1 Peters, C. C., 45; *O'Neill's Lessee vs. Brown*, 1 Peters, C. C., 69; *United States vs. Watkins*, 3 Peters, C. C., 441.

The District created a government and constituted a body corporate for municipal purposes.

21 Feb., 1871, c. 62, s. 1, v. 16, p. 419.

SEC. 2. The District is created a government by the name of the District of Columbia, by which name it is constituted a body-corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this title.

THE GOVERNOR.

Governor, appointment, and term of office.

Ibid., s. 2.

Qualifications.

Ibid.

Salary, how payable.

Ibid., s. 32, p. 425.

Powers and duties.

Ibid., s. 2, p. 419.

SEC. 3. The executive power is vested in a governor, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall hold office for four years, and until his successor is appointed and qualified.

SEC. 4. The governor shall be a citizen of the District, and shall have resided therein twelve months before his appointment, and shall have the qualifications of an elector.

SEC. 5. The governor shall receive an annual salary of three thousand dollars, payable quarter-yearly from the date of his appointment, at the Treasury of the United States; but no payment shall be made until he shall have entered upon the duties of his office.

SEC. 6. The governor may grant pardons and respite for offenses against the laws of the District enacted by the legislative assembly thereof. He shall commission all officers elected or appointed under the

laws of the District so enacted, and shall take care that the laws be faithfully executed.

SEC. 7. Every bill which passes the council and house of delegates shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, which shall enter the objections at large on the journal, and proceed to reconsider it.

SEC. 8. If, after reconsideration, two-thirds of all the members appointed or elected to said house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of all the members appointed or elected to that house, it shall become a law.

SEC. 9. In all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively.

SEC. 10. If any bill shall not be returned by the governor within ten days, Sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislative assembly by adjournment prevent its return; in which case it shall not be a law.

Veto power.
21 Feb., 1871, c. 62, v. 16, s. 3, p. 420.

Passage of bills over governor's veto.

Ibid.

Vote, how taken.

Ibid.

Bills not returned within ten days.

Ibid.

THE SECRETARY.

SEC. 11. There shall be appointed by the President, by and with the advice and consent of the Senate, a secretary of the District, who shall reside therein, and possess the qualifications of an elector, and who shall hold office for four years, and until his successor is appointed and qualified.

Secretary, appointment, qualifications, and term of office.

Ibid., s. 4.

SEC. 12. The secretary shall receive an annual salary of two thousand dollars, payable quarter-yearly from the date of his appointment, at the Treasury of the United States, but no payment shall be made until he shall have entered upon the duties of his office.

Salary, how payable.

Ibid., s. 32, p. 425.

SEC. 13. The secretary shall record and preserve all laws and proceedings of the legislative assembly, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and journals of the legislative assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semi-annually, on the first days of January and July in each year, to the President of the United States, and four copies of the laws to the President of the Senate, and to the Speaker of the House of Representatives, for the use of Congress.

Duties of secretary.

Ibid., s. 4, p. 420.

SEC. 14. In case of the death, removal, resignation, disability, or absence from the District of the governor, the secretary shall execute and perform all the powers and duties of the governor during such vacancy, disability, or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

When to act as governor.

Ibid.

SEC. 15. In case the offices of governor and secretary shall both become vacant, the powers, duties, and emoluments of the office of governor shall devolve upon the presiding officer of the council, and in case that office shall also be vacant, upon the presiding officer of the house of delegates, until the office shall be filled by a new appointment.

Provision in case of vacancy in offices of governor and secretary.

Ibid.

THE LEGISLATIVE ASSEMBLY.

SEC. 16. The legislative power is vested in a legislative assembly, which shall consist of a council and house of delegates.

Legislative assembly.

Ibid., s. 5.

SEC. 17. The council shall consist of eleven members, of whom two shall be residents of Georgetown, and two residents of the District outside of Washington and Georgetown, and they shall have the qualifications of voters and shall reside in and be inhabitants of the districts from which they are appointed. [See § 86.]

Council: number and qualifications of members.

Ibid.

Appointment and term of office.

21 Feb., 1871, c. 62, s. 5, v. 16, p. 420.

House of delegates: term of service and qualifications of members.

Ibid.

Apportionment of council and delegate districts.

Ibid.

Formation of districts, how prescribed.

Ibid., p. 421.

Salaries of members of the legislative assembly.

Ibid., s. 32, p. 425.

Additional allowance to the presiding officers.

Ibid.

Officers of the legislative assembly.

Ibid.

Salaries.

Ibid., p. 426.

Time of meeting.

Ibid., s. 5, p. 421.

Length of sessions.

Ibid.

Limitation of sessions.

Ibid., s. 32, p. 426.

Restrictions upon members.

Ibid., s. 19, p. 423.

United States officers prohibited from being members.

Ibid.

Oath of members.

Ibid., s. 9, p. 421.

SEC. 18. Members of the council shall be appointed by the President, by and with the advice and consent of the Senate, for the term of two years, in such manner that five shall be appointed one year, six the succeeding year, and so on alternately.

SEC. 19. The house of delegates shall consist of twenty-two members, whose term of service shall continue one year. They shall have the qualifications of voters, and reside in and be inhabitants of the districts from which they are elected. [See § 86.]

SEC. 20. An apportionment shall be made as nearly equal as practicable, into eleven districts, for the appointment of the council, and into twenty-two districts for the election of delegates, giving to each section of the District representation in the ratio of its population as nearly as may be.

SEC. 21. The formation of districts for members of the council and house of delegates shall be prescribed by law.

SEC. 22. Members of the legislative assembly shall be entitled to receive four dollars each per day, during their actual attendance at the session thereof.

SEC. 23. An additional allowance of four dollars per day shall be paid to the presiding officer of each house for each day he shall so preside.

SEC. 24. A chief clerk, one assistant clerk, one engrossing and one enrolling clerk, and a sergeant-at-arms, may be chosen for each house.

SEC. 25. The chief clerk shall receive four dollars per day, and the other officers authorized by the preceding section three dollars per day, during the session of the legislative assembly.

SEC. 26. The day of the commencement of the regular sessions of the legislative assembly shall be prescribed by law.

SEC. 27. No session of the legislative assembly in any one year shall exceed the term of sixty days.

SEC. 28. There shall be but one session of the legislative assembly annually, unless, on an extraordinary occasion, the governor shall think proper to call the legislative assembly together.

SEC. 29. No member of the legislative assembly shall hold or be appointed to any office which is created or the salary or emoluments of which is increased while he is a member, during the term for which he is appointed or elected, and for one year after the expiration of such term.

SEC. 30. No person holding any office of trust or profit under the Government of the United States shall be a member of the legislative assembly.

SEC. 31. Members of the legislative assembly, before they enter upon their official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and will faithfully discharge the duties of the office upon which I am about to enter; and that I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office, and have not accepted, nor will I accept, or receive, directly or indirectly, any money or other valuable thing for any vote or influence that I may give or withhold on any bill, resolution, or appropriation, or for any other official act."

SEC. 32. Any member of the legislative assembly who refuses to take the oath prescribed in the preceding section shall forfeit his office.

Forfeiture of office for refusal to take oath.

21 Feb., 1871, c.

62, s. 9, v. 16, p. 421.

SEC. 33. Every person who shall be convicted of having sworn falsely to or of violating the oath prescribed in section thirty-one, shall forfeit his office and be disqualified thereafter from holding any office of profit or trust in the district, and shall be deemed guilty of perjury, and upon conviction shall be punished accordingly.

Penalty for false swearing.

Ibid.

SEC. 34. A majority of the legislative assembly appointed or elected to each house shall constitute a quorum.

Quorum of legislative assembly.

Ibid., s. 10, p. 422.

SEC. 35. The house of delegates shall be the judge of the election returns and qualifications of its members.

House to determine qualifications of its members.

Ibid.

SEC. 36. Each house shall determine the rules of its proceedings, and shall choose its own officers.

Rules of each house and choice of officers.

Ibid.

SEC. 37. The governor shall call the council to order at the opening of each new assembly.

Opening of council.

Ibid.

SEC. 38. The secretary of the District shall call the house of delegates to order at the opening of each new assembly, and shall preside over it until a temporary presiding officer shall have been chosen and shall have taken his seat.

Opening of house.

Ibid.

SEC. 39. No member shall be expelled by either house except by a vote of two-thirds of all the members appointed or elected to that house.

Expulsion of members.

Ibid.

SEC. 40. Each house may punish by imprisonment any person not a member who shall be guilty of disrespect to the house by disorderly or contemptuous behavior in its presence; but no such imprisonment shall extend beyond twenty-four hours at one time.

Punishment of non-members for contempt.

Ibid.

SEC. 41. Neither house shall, without the consent of the other, adjourn for more than two days, or to any other place than that in which such house shall be sitting.

Adjournment.

Ibid.

SEC. 42. At the request of any member the yeas and nays shall be taken upon any question and entered upon the journal.

Yeas and nays.

Ibid.

SEC. 43. Bills may originate in either house, but may be altered, amended, or rejected by the other.

Where bills may originate.

Ibid., s. 11.

SEC. 44. On the final passage of all bills the vote shall be by yeas and nays upon each bill separately, and shall be entered upon the journal, and no bill shall become a law without the concurrence of a majority of the members elected to each house.

Vote on final passage.

Ibid.

SEC. 45. Every bill shall be read at large on three different days in each house.

Bills to be read at large.

Ibid., s. 12.

SEC. 46. No act shall embrace more than one subject, and that shall be expressed in its title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

Subject of act to be embraced in title.

Ibid.

SEC. 47. No bill making appropriations for the pay or salaries of the officers of the District government shall contain any provisions on any other subject.

Restrictions upon legislation in appropriation bills.

Ibid., s. 13.

SEC. 48. No act of the legislative assembly shall take effect until thirty days after its passage, unless, in case of emergency, which emergency shall be expressed in the preamble or body of the act, the legislative assembly shall, by a vote of two-thirds of all the members appointed or elected to each house, otherwise direct.

When acts take effect. Emergency clause.

Ibid., s. 12.

SEC. 49. The legislative power of the District shall extend to all rightful subjects of legislation within the District, consistent with the Constitution of the United States and the provisions of this title, subject to all the restrictions and limitations imposed upon States by the tenth section of the first article of the Constitution of the United States.

Extent and limitation of legislative power.

Ibid., s. 18, p. 423.

All acts subject to repeal, &c., by Congress.

21 Feb., 1871, c. 62, s. 18, v. 16, p. 423.

Extra allowance to officers or contractors, &c., prohibited.

Ibid., s. 15, p. 423.
Unauthorized contracts void.

Ibid.

District not to give its credit, &c., to corporations or individuals.

Ibid., s. 16.
Special laws; in what cases shall not be passed.

Ibid., s. 17.

Legislative assembly not to release indebtedness to the District.

Ibid.
Nor to establish banks of circulation or authorize issue of currency.

Ibid.
Legislative assembly not to pass certain laws.

Ibid., s. 20.

Right of suffrage not to be abridged.

Ibid., s. 7, p. 421.
Free schools to be maintained.

Ibid., s. 23, p. 424.
Paupers.

Ibid., s. 29, p. 425.

Practice and jurisdiction of judicial courts.

Ibid., s. 25, p. 424.

SEC. 50. All acts of the legislative assembly shall at all times be subject to repeal or modification by the Congress of the United States, and nothing shall be construed to deprive Congress of the power of legislation over the District in as ample manner as if this chapter had not been enacted.

SEC. 51. The legislative assembly shall never grant or authorize extra compensation, fee, or allowance to any public officer, agent, servant, or contractor, after service has been rendered or a contract made.

SEC. 52. The legislative assembly shall never authorize the payment of any claim, or part thereof, created against the District under any contract or agreement made without express authority of law; and all such unauthorized agreements or contracts shall be null and void.

SEC. 53. The District shall never pay, assume, or become responsible for the debts or liabilities of, or in any manner give, loan, or extend its credit to, or in aid of, any public or other corporation, association, or individual.

SEC. 54. The legislative assembly shall not pass special laws in any of the following cases, that is to say:

First. For granting divorces;

Second. Regulating the practice in courts of justice;

Third. Regulating the jurisdiction or duties of justices of the peace or constables;

Fourth. Providing for changes of venue in civil or criminal cases, or swearing and impaneling jurors;

Fifth. Remitting fines, penalties, or forfeitures;

Sixth. The sale or mortgage of real estate belonging to minors or others under disability;

Seventh. Changing the law of descent;

Eighth. Increasing or decreasing the fees of public officers during the term for which such officers are elected or appointed;

Ninth. Granting to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise whatsoever.

SEC. 55. The legislative assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or individual to the District or to any municipal corporation therein.

SEC. 56. The legislative assembly shall have no power to establish any bank of circulation, nor to authorize any company or individual to issue notes for circulation as money or currency.

SEC. 57. The legislative assembly shall not have power to pass any ex post facto law;

Nor law impairing the obligation of contracts;

Nor to tax the property of the United States;

Nor to tax the lands or other property of non-residents higher than the lands or other property of residents.

SEC. 58. The legislative assembly shall have no right to abridge or limit the right of suffrage.

SEC. 59. It shall be the duty of the legislative assembly to maintain a system of free schools for the education of the youth of the District.

SEC. 60. The legislative assembly shall define by law who shall be entitled to relief as paupers, and shall provide by law for the support and maintenance of such paupers, and for that purpose shall raise the money necessary by taxation.

SEC. 61. The legislative assembly shall have power to pass laws modifying the practice of the judicial courts of the District, and conferring such additional jurisdiction as may be necessary to the due execution and enforcement of the laws of the District.

SEC. 62. The legislative assembly shall have power to provide for the appointment of as many justices of the peace and notaries public for the District as may be deemed necessary, to define their jurisdiction, and prescribe their duties. Justices of the peace and notaries public.

SEC. 63. The legislative assembly shall have power to impose such additional duties upon the register of wills, recorder of deeds, United States attorney, and United States marshal for the District, respectively, as may be necessary to the due enforcement of the laws of the District. 21 Feb., 1871, c. 62, s. 24, v. 16, p. 424.
Power to impose additional duties upon certain United States officers.

SEC. 64. The legislative assembly shall have power to provide by law for the election or appointment of such ministerial officers as may be deemed necessary to carry into effect the laws of the District, to prescribe their duties, their terms of office, and the rate and manner of their compensation. Ibid., s. 27, p. 425.
Ministerial officers.

SEC. 65. The legislative assembly shall have power to create by general law, modify, repeal, or amend, within the District, corporations aggregate for religious, charitable, educational, industrial, or commercial purposes, and to define their powers and liabilities; but the powers of corporations so created shall be limited to the District. Creation of corporations by general law.

SEC. 66. The legislative assembly shall have power to divide that portion of the District not included in the limits of Washington or Georgetown into townships, not exceeding three, and create township officers, and prescribe the duties thereof. Ibid., s. 30, p. 425.

SEC. 67. The legislative assembly may make appropriations for the repair of roads, or for the construction or repair of bridges within the District outside the limits of the cities of Washington and Georgetown. Townships.

SEC. 68. The legislative assembly shall have power to levy a special tax upon property, except the property of the Government of the United States, within the city of Washington, for the payment of the debts of said city; and upon property, except the property of the Government of the United States, within the limits of the city of Georgetown for the payment of the debts of said city; and upon property, except the property of the Government of the United States, within the District not included within the limits of either of said cities, to pay any debts owing by that portion of the District. Roads and bridges.
Ibid., s. 22, p. 424.
Payment of the debts of the old corporations.
Ibid., s. 40, p. 428.

DELEGATE TO CONGRESS.

SEC. 69. A Delegate to the House of Representatives of the United States, to serve for the term of two years, may be elected by the voters of the District qualified to elect members of the legislative assembly. Delegate to Congress may be elected.

SEC. 70. The Delegate to the House of Representatives shall be a citizen of the United States and of the District of Columbia, and shall have the qualifications of a voter. Ibid., s. 34, p. 426.
Qualifications.
Ibid.

SEC. 71. He shall be entitled to the same rights and privileges as are exercised and enjoyed by the Delegates from the several Territories of the United States to the House of Representatives, and shall also be a member of the Committee for the District of Columbia. Rights and privileges.
Ibid.

BOARD OF HEALTH.

SEC. 72. There shall be appointed by the President, by and with the advice and consent of the Senate, a board of health for the District, to consist of five persons, whose duty it shall be to declare what shall be deemed nuisances injurious to health, and to provide for the removal thereof; to make and enforce regulations to prevent domestic animals from running at large in the cities of Washington and Georgetown; to prevent the sale of unwholesome food in said cities; and to perform such other duties as shall be imposed upon said board by the legislative assembly. Board of health; appointment, powers, and duties.
Ibid., s. 26, pp. 424, 425.
Barnes vs. Dist. of Col., Wash. Law Rep., v. 1, No. 40, p. 261.

Salaries.

17 Dec., 1872, c. 5, v. 17, p. 400; 8 May, 1872, c. 140, s. 1, v. 17, p. 74; 3 Mar., 1873, c. 226, s. 1, v. 17, pp. 499, 500.

SEC. 73. The members of the board of health shall be paid a salary of two thousand dollars each, annually, but no salary shall be paid to any member of such board who shall hold any other Federal office.

BOARD OF PUBLIC WORKS.

Board of public works; appointment and qualifications of members.

21 Feb., 1871, c. 62, s. 37, v. 16, pp. 426, 427.

SEC. 74. There shall be in the District a board of public works, to consist of the governor, who shall be president of the board; four persons, to be appointed by the President of the United States by and with the advice and consent of the Senate, one of whom shall be a civil engineer, and the others citizens and residents of the District, having the qualifications of an elector therein. One of said board shall be a citizen and resident of Georgetown; and one of said board shall be a citizen and resident of the county outside of the cities of Washington and Georgetown.

Term of office.

Ibid.

SEC. 75. The members of the board of public works shall hold office for the term of four years, unless sooner removed by the President of the United States.

Salaries.

Feb. 21, 1871, c. 62, ss. 37, 38, v. 16, p. 427; 20 Apr., 1871, c. 21, s. 3, v. 17, p. 7; 8 May, 1872, c. 140, s. 1, v. 17, p. 74; 3 Mar., 1873, c. 226, s. 1, v. 17, pp. 499, 500.

SEC. 76. They shall be paid the sum of two thousand five hundred dollars each annually, but no salary shall be paid to the governor as a member of the board of public works in addition to his salary as governor; nor shall any officer of the Army appointed upon said board receive any increase of pay for such service; nor shall any person be entitled to draw a salary as a member of said board who shall hold any other Federal office, or who is paid a salary for the discharge of the duties of any other officer under the Government of the United States.

General powers.

21 Feb., 1871, c. 62, s. 37, v. 16, p. 427.

Barnes vs. Dist. of Col., Wash., Law Rep., v. 1, No. 32, p. 197.

SEC. 77. The board of public works shall have entire control of and make all regulations which they shall deem necessary for keeping in repair the streets, avenues, alleys, and sewers of the city, and all other works which may be intrusted to their charge by the legislative assembly or Congress. [See §§ 233-245.]

Disbursement of moneys.

Ibid.

SEC. 78. They shall disburse upon their warrant all moneys appropriated by the United States, or the District of Columbia, or collected from property-holders, in pursuance of law, for the improvement of streets, avenues, alleys, and sewers, and roads and bridges. [See §§ 110-118.]

Building-regulations.

Ibid.

SEC. 79. They shall make all necessary regulations respecting the construction of private buildings in the District, subject to the supervision of the legislative assembly.

Contracts to be in writing, and copies filed in office of secretary of the District.

Ibid.

SEC. 80. All contracts made by the board of public works shall be in writing, and shall be signed by the parties making the same, and a copy thereof shall be filed in the office of the secretary of the District. [See § 52.]

Restrictions upon contracts.

Ibid.

SEC. 81. The board of public works have no power to make contracts to bind said District to the payment of any sums of money except in pursuance of appropriations made by law, and not until such appropriations shall have been made. [See §§ 52, 112.]

Contracts in which members of board are interested void. Payments on such contracts prohibited.

Ibid.

Restrictions upon making contracts or incurring liabilities on account of the United States.

SEC. 82. All contracts made by the board of public works in which any member of the board shall be personally interested shall be void, and no payment shall be made thereon by the District or any officers thereof.

SEC. 83. The board of public works are prohibited from incurring or contracting further liabilities on behalf of the United States in the improvement of streets, avenues, and reservations beyond the amount of appropriations previously made by Congress, and from entering into

any contract touching such improvements on behalf of the United States, except in pursuance of appropriations made by Congress.

8 Jan., 1873, c. 18, v. 17, pp. 405, 406.

[See R. S. U. S., § 1813.]

SEC. 84. On or before the first Monday in November of each year, the board of public works shall submit to each branch of the legislative assembly a report of their transactions during the preceding year, and also furnish duplicates of the same to the governor, to be by him laid before the President of the United States for transmission to the two Houses of Congress.

Annual report, how and to whom made and transmitted.

21 Feb., 1871, c. 62, s. 37, v. 16, p. 427.

GENERAL PROVISIONS OF OFFICERS.

SEC. 85. The governor, secretary, and other officers, appointed pursuant to this Title, and all civil officers in the District shall, before they act as such, respectively take and subscribe an oath or affirmation to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices; and the oath or affirmation provided for by this section, shall be taken and subscribed, certified and recorded, in such manner and form as may be prescribed by law.

Oath of District officers.

Ibid., s. 31, p. 425.
Derr *et al. vs.* Lube-
y, Wash. Law
Rep., v. 1, No. 20,
p. 101.

SEC. 86. No person convicted of bribery, perjury, or other infamous crime, nor any person who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, upon final judgment, duly recovered according to law, all such moneys due from him, shall be eligible to the legislative assembly or to any office of profit or trust in the District.

Disqualification for crime.

Ibid., s. 8, p. 421.

SEC. 87. All officers appointed by the President for the District, who, by virtue of the provisions of any law of Congress, are required to give security for moneys that may be intrusted to them for disbursement, shall give such security at such time and in such manner as the Secretary of the Treasury may prescribe.

Disbursing officers to give security.

Ibid., s. 35, p. 426.

SEC. 88. All officers provided for in this Title who shall be appointed by the President, shall be paid by the United States by appropriations to be made by law; and all other officers of the District, provided for by this Title, shall be paid by the District.

Salaries of District officers, how paid.

Ibid., s. 38, p. 427.

CERTAIN COURTS, OFFICERS, AND POWERS CONTINUED.

SEC. 89. The judicial courts of the District remain as organized on the twenty-first day of February, eighteen hundred and seventy-one, until abolished or changed by act of Congress.

Judicial courts, how continued.

Ibid., s. 25, p. 424.

SEC. 90. The offices and duties of register of wills, recorder of deeds, United States attorney, and United States marshal for the District, remain as under laws existing on the twenty-first day of February, eighteen hundred and seventy-one, till modified by act of Congress.

Register of wills, recorder of deeds, attorney, and marshal.

Ibid., s. 27, p. 425.

SEC. 91. All laws and ordinances of the cities of Washington and Georgetown, respectively, and of the levy court of the District of Columbia, not inconsistent with this chapter, and except as modified or repealed by Congress or the legislative assembly of the District since the first day of June, eighteen hundred and seventy-one, or until so modified or repealed, remain in full force.

Laws and ordinances of Washington and Georgetown and of the levy court to remain in force until, &c.

Ibid, s. 40, p. 428. Mayor *vs.* Meigs, Wash. Law Rep., v. 1, No. 7, p. 25.

SEC. 92. The laws of the State of Maryland not inconsistent with this Title, as the same existed on the twenty-seventh day of February, eighteen hundred and one, except as since modified or repealed by Congress or by authority thereof, or until so modified or repealed, continue in force within the District.

Certain laws of Maryland continued in force.

27 Feb., 1801, c. 15, s. 1, v. 2, pp. 103, 104.

Forrest *vs.* Hanson, 1 Cranch, C. C., 12; Ray *vs.* Law, 1 Cranch, C. C., 349; Mason's Administrators *vs.* Lawrason & Smoot, 1 Cranch, C. C., 190.

SEC. 93. The Constitution and all the laws of the United States, Laws of United

States not locally inapplicable.

which are not locally inapplicable, shall have the same force and effect within the District as elsewhere within the United States.

21 Feb., 1871, c. 62, s. 34, v. 16, p. 426.

Former cities of Washington and Georgetown to continue to be known as such.

SEC. 94. That portion of the District included within the limits of the city of Washington, as the same existed on the twenty-first day of February, eighteen hundred and seventy-one, shall continue to be known as the city of Washington, and that portion of the District included within the limits of the city of Georgetown, as the same existed at that date, shall continue to be known as the city of Georgetown.

Ibid., s. 40, p. 428.

Charter of Washington and Georgetown, and powers of levy court continued for certain purposes.

SEC. 95. The charters of the cities of Washington and Georgetown severally, and the powers of the levy court of the District of Columbia, shall be continued for the following purposes, to wit:

Ibid.

First. For the collection of all sums of money due to said cities respectively, or to the levy court;

Second. For the enforcement of all contracts made by said cities, respectively, or by the levy court, and all taxes assessed prior to the twenty-first day of February, eighteen hundred and seventy-one, remaining unpaid;

Third. For the collection of all just claims against said cities, respectively, or against the levy court;

Fourth. For the enforcement of all legal contracts against said cities, respectively, or against the levy court, until the affairs of said cities, respectively, and of the levy court, shall have been fully closed;

And no suit in favor of or against said corporations, or either of them, shall abate by reason of the passage of the act "to provide a government for the District of Columbia," approved February 21, 1871, but the same shall be prosecuted to final judgment as if said act had not been passed.

District of Columbia the successor of the former corporations.

SEC. 96. The District of Columbia is the successor of the corporations of Washington and Georgetown, and all the property of said corporations, and of the county of Washington, is vested in the District of Columbia. [See §§ 313-316.]

Ibid., s. 41, pp. 428, 429.

CHAPTER TWO.

ELECTIONS.

Sec.

- 97. Elections, how to be held and conducted.
- 98. Qualifications of voters; eligibility to office.
- 99. Election of Delegate to Congress.
- 100. Election of members of house of delegates.
- 101. New election, when.
- 102. Election of township officers.
- 103. Penalty for using personal violence upon an elector.

Sec.

- 104. Penalty for interrupting a voter.
- 105. Illegal voting and illegal conduct at elections; penalty.
- 106. Voters to have right of action when vote is unlawfully refused.
- 107. Bribing voters; penalty.
- 108. Voters accepting bribes; penalty.
- 109. Certain persons not to be officers of election.

Elections, how to be held and conducted.

SEC. 97. The time, place, and manner of holding and conducting all elections by the people shall be prescribed by law.

21 Feb., 1871, c. 62, ss. 5, 34, v. 16, pp. 421, 426.

Qualifications of voters; eligibility to office.

SEC. 98. All male citizens of the United States above the age of twenty-one years, except such as are non compos, and persons convicted of infamous crimes, who have been actual residents of the District for twelve months prior to any election therein, shall be entitled to vote at such election, in the election district or precinct in which they shall then respectively reside, and shall have so resided for thirty days immedi-

8 Jan., 1867, c. 6, s. 1, v. 14, p. 375.
18 Mar., 1869, c. 3, v. 16, p. 3.