

States not locally inapplicable.

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

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

Ibid., s. 40, p. 428.

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

Ibid.

District of Columbia the successor of the former corporations.

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

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

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.

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:

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.

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.]

## 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.

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

Qualifications of voters; eligibility to office.

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

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

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-

ately preceding such election, and shall be eligible to any office within the District. [Sec §§ 58, 56; R. S. U. S., §§ 1992, 2004.]

21 Feb., 1871, c. 62, s. 7, v. 16, p. 421.

Hepburn *vs.* Ellzey, 2 Cranch, 445; Westcott *vs.* Fairfield, Peters, C. C., 45; Spencer *vs.* Board of Registration, and Webster *vs.* Superintendent of Elections, Wash. Law Rep., v. 1, No. 18, p. 85.

SEC. 99. At any election for Delegate to the House of Representatives of the United States the person having the greatest number of legal votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

Election of Delegate to Congress.

*Ibid.*, s. 34, p. 426.

SEC. 100. In all elections for members of the house of delegates the persons having the highest number of legal votes shall be declared by the governor duly elected members of said house.

Election of members of house of delegates.

*Ibid.*, s. 5, p. 421.

New election, when.

SEC. 101. In case two or more persons voted for shall have an equal number of votes for the same office, or if a vacancy shall occur in the house of delegates, the governor shall order a new election.

SEC. 102. All township officers shall be elected by the people of the townships respectively.

*Ibid.*  
Election of township officers.

*Ibid.*, s. 6.

SEC. 103. It shall be a misdemeanor, punishable by imprisonment in the District jail or penitentiary, not exceeding two years, or by a fine not exceeding five hundred dollars, for any person, without justifiable or excusable cause, to use personal violence upon any elector in the District.

Penalty for using personal violence upon an elector.

6 Aug., 1861, c. 62, s. 21, v. 12, p. 324.

SEC. 104. If any person willfully interrupts or disturbs any elector in the District in the exercise of the elective franchise he shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not exceeding one thousand dollars, or be imprisoned in the District jail not exceeding thirty days, or both.

Penalty for interrupting a voter.

8 Jan., 1867, c. 6, s. 3, v. 14, p. 375.

SEC. 105. If, at any election held in the District, any person shall knowingly personate and vote, or attempt to vote—

Illegal voting and illegal conduct at elections; penalty.

First, In the name of any other person, whether living, dead, or fictitious;

Second, Or vote more than once at the same election for any candidate for the same office;

8 Jan., 1867, c. 6, s. 2, v. 14, pp. 375, 376.

Third, Or vote at a place where he may not be entitled to vote;

Fourth, Or vote without having a lawful right to vote;

21 Feb., 1871, c. 62, s. 39, v. 16, pp. 427, 428.

Fifth, Or do any unlawful act to secure a right or opportunity to vote for himself or any other person;

Sixth, Or by force, threats, menace, or intimidation, bribery, reward, or offer, or promise thereof, or otherwise unlawfully prevent any qualified voter of the District from freely exercising the right of suffrage;

Seventh, Or by any such means induce any voter to refuse to exercise such right;

Eighth, Or compel or induce, by any such means, or otherwise, any officer of any election in the District to receive a vote from a person not legally qualified or entitled to vote;

Ninth, Or interfere in any manner with any officer of elections in the discharge of his duties;

Tenth, Or by any unlawful means induce any officer of an election, or officer whose duty it is to ascertain, announce, or declare the result of any such election, or give or make any certificate, document, or evidence in relation thereto, to violate or refuse to comply with his duty, or any law regulating the same;

Eleventh, Or knowingly or willfully receive the vote of any person not entitled to vote;

Twelfth, Or refuse to receive the vote of any person entitled to vote;

Thirteenth, Or aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime;

Fourteenth, Or to omit to do any duty the omission of which is hereby made a crime, or attempt to do so—

Every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution, and, on conviction, shall be punished by

a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or both, in the discretion of the court, and shall pay the costs of prosecution. [See R. S. U. S., § 5506 et seq.]

Voter to have right of action when vote is unlawfully refused.

8 Jan., 1867, c. 6, s. 2, v. 14, p. 375.

Bribing voters; penalty.

Ibid., s. 8, p. 376.

Voter accepting bribe; penalty.

Ibid., s. 9, p. 376.

Certain persons not to be officers of election.

21 June, 1870, c. 16, v. 16, p. 159.

5 Feb., 1867, c. 31, v. 14, p. 390.

29 Mar., 1867, Res. No. 26, v. 15, p. 27.

SEC. 106. Any person whose duty it shall be to receive votes at any election within the District who shall willfully refuse to receive, or who shall willfully reject, the vote of any person entitled to vote in said District, shall be also liable to an action of tort by the person injured. [See R. S. U. S., § 2005 et seq.]

SEC. 107. If any persons shall, directly or indirectly, promise, offer, or give, or procure or cause to be promised, offered, or given, any money, goods, right in action, bribe, present, or reward, or any promise, understanding, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to any person, with intent to influence his vote to be given at any election held within the District, every person so offending shall, on conviction, be fined in any sum not exceeding two thousand dollars, or imprisoned not exceeding two years, or both, at the discretion of the court.

SEC. 108. Any person who shall accept, directly or indirectly, any money, goods, right in action, bribe, present, or reward, or any promise, understanding, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present or reward, or any other valuable thing whatever, to influence his vote at any election held in the District, shall, on conviction, be imprisoned not less than one year and be forever disfranchised.

SEC. 109. No person holding any other office or employment under the District government, and no person who is a candidate for office, shall serve as an officer of election in Washington or Georgetown, either in the preparation of lists of persons qualified to vote or in the reception, deposit, counting, declaration, or return of votes at any election in said District.

## CHAPTER THREE.

### APPROPRIATION AND DISBURSEMENT OF PUBLIC MONEY.

Sec.

110. Appropriations for expenditures of District government; restrictions.

111. When appropriations expire.

112. No money to be drawn from the treasury except by law.

113. Disbursements by governor and secretary.

114. Restrictions upon expenditures of congressional appropriations.

Sec.

115. School money, how to be appropriated.

116. Money received from taxes not to be diverted from its legitimate objects.

117. Taxes to be kept separate; no transfer of one fund to another; unlawful payments prohibited.

118. Penalty for violation of two preceding sections.

Appropriations for expenditures of District government; restrictions.

21 Feb., 1871, c. 62, s. 14, v. 16, p. 422.

When appropriations expire.

Ibid.

No money to be drawn from the treasury except by law.

SEC. 110. Each legislative assembly shall provide for all the appropriations necessary for the ordinary and contingent expenses of the government of the District until the expiration of the first fiscal quarter after the adjournment of the next regular session, the aggregate amount of which shall not be increased without a vote of two-thirds of the members elected or appointed to each house, nor exceed the amount of revenue authorized by law to be raised in such time.

SEC. 111. All appropriations, general or special, requiring money to be paid out of the District treasury, from funds belonging to the District, shall end with the fiscal quarter mentioned in the preceding section.

SEC. 112. No money shall be drawn from the treasury of the District, except in pursuance of an appropriation made by law.

Ibid., s. 13.