

of Columbia;" the other passed the third day of March, one thousand eight hundred and one, supplementary to the aforesaid act, as provides for the compensation to be made to certain justices of the peace thereby created, and for compensation to jurors attending the courts within said district, except so much thereof as relates to their travelling expenses attending the same, shall be, and is hereby repealed: and jurors, in future, shall serve in the said courts, and be summoned to attend the same in like manner as jurors serve and were summoned in the courts of Virginia, prior to the passage of the above-recited act.

SEC. 9. *And be it further enacted*, That ordinary licenses, retailers' licenses, and hawkers and pedlers' licenses, shall be granted by the circuit court of the said district, in the respective counties, as the same were heretofore granted by the courts of Maryland and Virginia, respectively. And the several judges of the said circuit court shall have like authority to grant such licenses in vacation, as the justices of the courts of Maryland and Virginia heretofore possessed; and the money arising from such licenses shall be applied to the use and benefit of the said counties, respectively, in such manner, and to such purposes, as the justices of the levy courts in the same shall appoint and direct.

SEC. 10. *And be it further enacted*, That the marshal of the district of Columbia be, and he hereby is authorized and directed, with the approbation of the President of the United States, to cause a good and sufficient jail to be built within the city of Washington, and that a sum not exceeding eight thousand dollars be, and the same hereby is appropriated to that purpose, to be paid out of any unappropriated monies in the treasury.

SEC. 11. *And be it further enacted*, That the corporation of Georgetown, in the district of Columbia, shall have full power and authority to tax any particular part or district of the town, for paving the streets, lanes or alleys therein, or for sinking wells, or erecting pumps which may appear for the benefit of such particular part or district: *Provided*, that the rate of tax so to be levied shall not exceed two dollars per foot front, and that the same shall be enforced and collected in the same manner that the taxes which the said corporation had heretofore been authorized to lay and collect.

SEC. 12. *And be it further enacted*, That articles inspected at one port in the said district shall not be subject to a second inspection, at any other port in the said district.

SEC. 13. *And be it further enacted*, That the President of the United States be authorized to cause the militia, of the respective counties of Washington and Alexandria to be formed into regiments and other corps, conformably, as nearly as may be, to the laws of Maryland and Virginia, as they stood in force in the said counties, respectively, on the first Monday in December, in the year one thousand eight hundred; and that he appoint and commission, during pleasure, all such officers of the militia of the said district, as he may think proper; that he be authorized to call them into service, in like manner as the executive of Maryland and Virginia were authorized in the counties of Washington and Alexandria respectively, on the first Monday of December, one thousand eight hundred. And that such militia, when in actual service, be entitled to the same pay and emoluments as the militia of the United States, when called out by the President.

APPROVED, May 3, 1802.

pensation to justices of the peace and jurors abolished.

Except as to the travelling expenses of jurors.

Jurors to be summoned, &c.

Certain licenses to be granted in the same way as they have been granted by the courts of Maryland and Virginia.

Judges of the circuit court may grant such licenses in vacation.

Marshal authorized to cause a jail to be built in the city of Washington with the President's approbation.

A limitation of expense and appropriation of money.

Corporation of Georgetown to lay a tax.

For what purpose.

Limitation of the rate of tax and the manner to be enforced and collected.

Articles inspected in one port of the district exempt from further inspection in the district.

President of the U. States to cause the militia of Washington and Alexandria counties to be organized.

To appoint and commission officers, &c.

To call them into service.

Their pay and emoluments while in service.

#### STATUTE I.

May 3, 1802.

CHAP. LIII.—*An Act to incorporate the inhabitants of the City of Washington, in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the inhabitants

Act of February 24, 1804, ch. 14. Act

of May 4, 1812, ch. 75, repealed.  
Act of Feb. 20, 1819, ch. 34, repealed.

Act of Feb. 25, 1820, ch. 15.

Act of May 15, 1820, ch. 103, repealed.

Act of May 26, 1824, ch. 191.

The inhabitants of the city of Washington made a body politic.

Their powers as such.

The city to be divided into wards.

City council to consist of twelve members.

To be divided into two chambers, in what manner.

Council to be annually elected, and by whom.

Judges of elections.

Times of holding the elections.

How long the polls are to be kept open.

When and how the votes are to be counted.

Persons having the greatest number to be notified thereof by the judges, and a return made to the mayor of the city.

How the mayor is to be appointed.

His continuance in office and qualifications.

Where the city council is to hold its sessions, and when.

The mayor may convene it on extra occasions.

What number shall make a quorum to do business in each council.

The two councils may appoint their own officers, &c., and make their own rules and regulations.

of the city of Washington be constituted a body politic and corporate, by the name of a mayor and council of the city of Washington, and by their corporate name, may sue and be sued, implead and be impleaded, grant, receive, and do all other acts as natural persons, and may purchase and hold real, personal and mixed property, or dispose of the same for the benefit of the said city; and may have and use a city seal, which may be broken or altered at pleasure; the city of Washington shall be divided into three divisions or wards, as now divided by the levy court for the county, for the purpose of assessment; but the number may be increased hereafter, as in the wisdom of the city council shall seem most conducive to the general interest and convenience.

SEC. 2. *And be it further enacted*, That the council of the city of Washington shall consist of twelve members, residents of the city, and upwards of twenty-five years of age, to be divided into two chambers, the first chamber to consist of seven members, and the second chamber of five members; the second chamber to be chosen from the whole number of councillors elected, by their joint ballot. The city council to be elected annually, by ballot, in a general ticket, by the free white male inhabitants of full age, who have resided twelve months in the city, and paid taxes therein the year preceding the election's being held: the justices of the county of Washington, resident in the city, or any three of them, to preside as judges of election, with such associates as the council may, from time to time, appoint.

SEC. 3. *And be it further enacted*, That the first election of members for the city council shall be held on the first Monday in June next, and in every year afterwards, at such place in each ward as the judges of the election may prescribe.

SEC. 4. *And be it further enacted*, That the polls shall be kept open from eight o'clock in the morning till seven o'clock in the evening, and no longer, for the reception of ballots. On the closing of the poll, the judges shall close and seal their ballot-boxes, and meet on the day following in the presence of the marshal of the district, on the first election, and the council afterwards, when the seals shall be broken, and the votes counted: within three days after such election, they shall give notice to the persons having the greatest number of legal votes, that they are duly elected, and shall make their return to the mayor of the city.

SEC. 5. *And be it further enacted*, That the mayor of the city shall be appointed, annually, by the President of the United States. He must be a citizen of the United States, and a resident of the city, prior to his appointment.

SEC. 6. *And be it further enacted*, That the city council shall hold their sessions in the city hall, or, until such building is erected, in such place as the mayor may provide for that purpose, on the second Monday in June, in every year; but the mayor may convene them oftener, if the public good require their deliberations. Three fourths of the members of each council may be a quorum to do business, but a smaller number may adjourn from day to day: they may compel the attendance of absent members, in such manner, and under such penalties, as they may, by ordinance, provide: they shall appoint their respective presidents, who shall preside during their sessions, and shall vote on all questions where there is an equal division; they shall settle their rules of proceedings, appoint their own officers, regulate their respective fees, and remove them at pleasure: they shall judge of the elections, returns and qualifications of their own members, and may, with the concurrence of three fourths of the whole, expel any member for disorderly behaviour, or mal-conduct in office, but not a second time for the same offence: they shall keep a journal of their proceedings, and enter the yeas and nays on any question, resolve or ordinance, at the request of any member, and their deliberations shall be public. The mayor shall appoint

to all offices under the corporation. All ordinances or acts passed by the city council shall be sent to the mayor, for his approbation, and when approved by him, shall then be obligatory as such. But if the said mayor shall not approve of such ordinance or act, he shall return the same within five days, with his reasons in writing therefor; and if three fourths of both branches of the city council, on reconsideration thereof, approve of the same, it shall be in force in like manner as if he had approved it, unless the city council, by their adjournment, prevent its return.

The mayor to appoint to all offices under the corporation.

Ordinances to be binding must be approved by him, but in certain cases.

Powers of the corporation prescribed.

SEC. 7. *And be it further enacted*, That the corporation aforesaid shall have full power and authority to pass all by-laws and ordinances; to prevent and remove nuisances; to prevent the introduction of contagious diseases within the city; to establish night watches or patrols, and erect lamps; to regulate the stationing, anchorage and mooring of vessels; to provide for licensing and regulating auctions, retailers of liquors, hackney carriages, wagons, carts and drays, and pawnbrokers within the city; to restrain or prohibit gambling, and to provide for licensing, regulating or restraining theatrical or other public amusements within the city; to regulate and establish markets; to erect and repair bridges; to keep in repair all necessary streets, avenues, drains and sewers, and to pass regulations necessary for the preservation of the same, agreeably to the plan of the said city; to provide for the safe keeping of the standard of weights and measures fixed by Congress, and for the regulation of all weights and measures used in the city; to provide for the licensing and regulating the sweeping of chimneys and fixing the rates thereof; to establish and regulate fire wards and fire companies; to regulate and establish the size of bricks that are to be made and used in the city; to sink wells, and erect and repair pumps in the streets; to impose and appropriate fines, penalties and forfeitures for breach of their ordinances; to lay and collect taxes; to enact by-laws for the prevention and extinguishment of fire; and to pass all ordinances necessary to give effect and operation to all the powers vested in the corporation of the city of Washington: *Provided*, that the by-laws or ordinances of the said corporation, shall be, in no wise, obligatory upon the persons of non-residents of the said city, unless in cases of intentional violation of by-laws or ordinances previously promulgated. All the fines, penalties and forfeitures, imposed by the corporation of the city of Washington, if not exceeding twenty dollars, shall be recovered before a single magistrate, as small debts are, by law, recoverable; and if such fines, penalties and forfeitures exceed the sum of twenty dollars, the same shall be recovered by action of debt in the district court of Columbia, for the county of Washington, in the name of the corporation, and for the use of the city of Washington.

Ordinances and by-laws not to be obligatory upon strangers but in certain cases.

How fines, &c. may be recovered.

Taxes may be collected by distress and sale of personal property in certain cases.

No sale but upon previous notice.

No law to be passed subjecting vacant lots to sale.

City council to provide for the support of the poor.

Limitation of the rate of taxation on real property.

Commencement of this act and how long to be in force.

SEC. 8. *And be it further enacted*, That the person or persons appointed to collect any tax imposed in virtue of the powers granted by this act, shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith: no sale shall be made unless ten days previous notice thereof be given; no law shall be passed by the city council subjecting vacant or unimproved city lots, or parts of lots, to be sold for taxes.

SEC. 9. *And be it further enacted*, That the city council shall provide for the support of the poor, infirm and diseased of the city.

SEC. 10. *Provided always, and be it further enacted*, That no tax shall be imposed by the city council on real property in the said city, at any higher rate than three quarters of one per centum on the assessment valuation of such property.

SEC. 11. *And be it further enacted*, That this act shall be in force for two years, from the passing thereof, and from thence to the end of the next session of Congress thereafter, and no longer.

APPROVED, May 3, 1802.