

By-Laws
of the City of Annapolis.

To which are prefixed
The Charter of the said City,

And several
Acts of Assembly
Relating thereto.

1792.

Wm Barwood Clerk

John

The
 Charter,
 Granted by her late Majesty
 Queen Anne,
 To the City of
 Annapolis.

Anne, by the Grace of God, of Great Britain, France and Ireland, and the Dominions thereunto belonging, Queen, Defender of the Faith, &c. To all and singular our faithful Subjects within our Province of Maryland, Greeting. Whereas there is a very pleasant, healthful, and commodious place for trade, by Act of the General Assembly of this our Province laid out for a town and port, and called Annapolis, in honour of Us; which said Town and port hath, in few Years, (especially since the accession of our trusty

and well beloved John Srymoure, Esquire, our
 Captain - General and Governour in chief of this
 our Province, to the government thereof, very
 considerably increased in the Number of its inha-
 bitants, as well as buildings both public
 and private, so that it excelleth all other
 Towns and Ports in our said Province, and for
 that our present seat of Government within our
 Province aforesaid is fixed at the Said port
 and Town, whereby the same is become the
 chief Mart of the whole Country;

WE, being willing to encourage
 all our good and faithful subjects, as well
 at present residing and inhabiting, or which
 hereafter shall or may inhabit or reside, within
 the same port of Amnapolis, of our royal grace,
 good will and mere motion, with the advice
 of our Council in our said Province, have thought
 fit, and do, by these our Letters patent, constitute
 and erect the said Town and port of Amnapolis,
 together

Together with the Circuits and Precincts thereof, including the Lands heretofore laid out for the said Town and Port of Annapolis, public Pasture and Town common, together with the River and creeks adjacent, into a City, by the name of the City of Annapolis; and do grant to the Inhabitants of the said City, that the same City shall be an Incorporate City, consisting of a Mayor, one person learned in the law, styled and bearing the Office of Recorder of the said City, and six Aldermen, and ten other persons to be Common-Council-Men of the said City; which said Mayor, Recorder, Aldermen and Common-Council-Men, shall be a body incorporate, and one community forever, in right and by the name of Mayor, Recorder, Aldermen and Common-Council, of the said City of Annapolis; shall be able and capable to sue and be sued at law, and to act and execute, do and perform, as a body incorporate, which shall have succession for ever, and, to that end, to have a common Seal; and that Amos

Garrett

4. Garrett, Esquire, one of the inhabitants of the said City, shall for the present be and be named mayor of the said City for the ensuing Year, and Wornell Hunt, Esquire, recorder thereof, and William Bladen, John Freeman, Benjamin Fordham, Evan Jones, Thomas Bordley, and Josiah Willson, Esquires, inhabitants of the said City, shall be aldermen thereof so long as they shall well behave themselves therein, having first taken and subscribed the test and several Oaths for security of the government, as by law established, and also the oath appointed by Us, or our present Governor, to be taken by the Mayor, Recorder and Aldermen of the City of Annapolis aforesaid, which shall be administered to them by our governor in chief, or keeper of the great seal of this our province for the time being, or by such other person or persons as we, our heirs and successors, or our governor aforesaid for the time being, shall from time to time authorize and appoint to administer the same; and we grant that the said Mayor, Recorder and Aldermen, or

5. The major part of them, shall elect and choose ten other of the most sufficient of the inhabitants of the said City, being freemen thereof, to be of the common-council of the said City for so long time as they shall well behave themselves.

And, to perpetuate the succession of the said mayor, recorder, aldermen and common council, in all time to come, we do grant, that for the future they shall assemble in some convenient place in the said city upon the feast day of St. Michael, the archangel, in every year, and shall elect and choose, by the major vote of such of them as shall be then present, one other of the aldermen of the said City for the time being to be mayor of the said City for the ensuing year; and, upon decease or removal of the said mayor of the said City for the time being, or upon any decease or deceases, removal or removals, of the said recorder or aldermen, or any of them, or within one month after such respective decease or deceases, removal or removals, the residue of the said aldermen, together with the said Mayor if he shall be living, or the major part of them, shall, at a set time by them

(to)

6.

to be appointed, within the said City and precincts
elect and nominate some other person or persons to be
mayor, recorder, alderman or aldermen, of the said
City, in the place and places of such person or
persons so deceased or removed respectively, as
the case shall require, so as the said mayor
so to be elected and nominated, be at the time
of such election and nomination actually one of
the aldermen of the said City, and so as the
said recorder, so to be elected and nominated,
be a person learned in the law, and so as
the said alderman or aldermen, so to be
elected and nominated, be actually at the
time of such election and nomination of the
common council of the said City, the said
mayor, recorder, alderman or aldermen, so to be
elected and nominated, first taking the several
and respective Oaths before mentioned, to be appointed
as aforesaid; and shall likewise then fill up, by
the election of the free Voters of the said City,
out of and from among the inhabitants and freeholders
of the said City, the full number of ten persons to
be common-council-men; and that the said
persons hereby appointed and named, or hereafter
to be elected and nominated, mayor, recorder,
or aldermen, be justices of the peace within
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7. the City, Precincts and Liberties thereof, having first taken the Oaths usually appointed to be taken by the Justices of the Peace.

And the said mayor, recorder & aldermen hereby named and appointed, or hereafter to be elected and nominated, or any three of them, whereof the said Mayor or Recorder for the time being shall be one, shall have, within the precincts of the said City, full power and authority to make Constables, and other necessary Officers, and to rule, order & govern the inhabitants thereof, as Justices of the Peace are or shall be authorised to do, and shall have power to execute all the laws, ordinances and statutes, in that behalf made, as fully and amply as if they were authorised thereto by express commission named therein, willing and commanding, that no other Justices of Peace or Quorum, within our said County or Province, do, at any time hereafter, take upon them, or any of them, to execute the Office of a Justice of Peace within the said City, or in the precincts thereof, notwithstanding any commission at large authorising them therunto, saving the authority and Jurisdiction of her Majesty's justices of Oyer and terminer and jail delivery, now or hereafter to be assigned, during the time of their holding their several respective courts in the said City.

(And)

And further, We will and grant unto the said mayor, recorder, aldermen and common-council, of the said City for the time being, full power and authority, after the space of six years, to elect a Sheriff for the said city, / but that, until then, the Sheriff of Anne Arundel County for the time being shall be Sheriff of the said City, / and to make, order and appoint, such by laws and Ordinances among themselves, for the regulation and good government of trade and other matters exigencies and things, within the said city and precincts, as to them, or the major part of them, shall seem meet, to be consonant to reason, and not contrary, but, as near as conveniently may be, agreeable to the laws and statutes now in force; which said by-laws shall be observed, kept and performed, by all manner of persons trading and residing within the said City, under such reasonable pains, penalties and forfeitures, as shall be imposed by the said mayor, recorder, aldermen and common-council-men, or the major part of them, then assembled, from time to time, not exceeding forty shillings sterling; the said pains, penalties, and forfeitures, to

9. be raised by distress and sale of the goods of such person so offending and to be employed for the public benefit of the said City at their discretion. And further, we do grant and give full power, licence, privilege and authority, to the Mayor, recorder, aldermen and common-council-men, of the said City, for the time being, and their successors for ever, and also all freeholders of the said City, that is to say, all persons owning a whole lot of land, with an house built thereon according to law, and all persons actually residing and inhabiting in the said City, having a visible estate of the value of twenty pounds sterling at the least, and likewise all persons that hereafter shall serve five years to any trade within this city, and shall after the expiration of their time, be actually housekeepers and inhabitants in the same, to send two citizens and delegates to every of our assembly or assemblies hereafter to be held, or at any time or times hereafter to be called to be held, for this our said province of Maryland, to be elected and chosen out of the inhabitants actually being and residing within the said city, having a freehold or visible estate of the value of twenty pounds sterling therein,

by

10. by the said mayor, recorder, aldermen, common-
council-men freeholders and free-men, as aforesaid,
or the major part of them, being then present, by
virtue of our writ or Writs of election, to be sent to
them for that purpose; which said Writ or Writs We
do hereby grant shall be issued out and sent to the
said mayor recorder and aldermen, when and so often
as occasion shall require; provided, that all such
electors or voters as aforesaid do take an oath to be
true to the interest of the said city, before they
be admitted to such vote; and provided also,
and at all times after the end of the next gener-
ral Assembly to be held for this province, no
free man as aforesaid, not being a freeholder
as aforesaid, shall have the Liberty of such
vote as aforesaid, until three months after
such his freedom obtained.

And, when hereafter there shall happen
any General Assembly to be held, according
as Writs shall be sent for the several and
respective counties for electing deputies or
delegates for their several and respective
counties in this our province of Maryland,
We further grant, that the said citizens and
delegates, by them so as aforesaid elected and
sent, shall have full and free votes and
voices in all and every of our general assem-
blies, touching or concerning all matters
or things there to be discoursed and
(handled)

11. handled, as other the deputies or delegates of the several and respective counties formerly have had now have, or hereafter shall have.

And further, we grant and give licence to the mayor, recorder, aldermen and common-council of the said city, for the time being, and their successors for ever, to have and to hold two markets weekly within the said city, on every Wednesday and Saturday in the week, in some convenient place to be by them appointed within the precincts and liberties of the said city, and also two fairs yearly, to be kept on Monday called St. Philip and Jacob's day, and on the feast of St. Michael, the archangel, / or on the next day succeeding each or either of them in case they shall happen to fall on the Lord's day, / for the sale and vending all manner of goods, cattle, wares and merchandises, whatsoever; on which said fair days, and first two days before and after, all persons coming to the said fairs, together with their cattle, goods, wares and merchandises, and returning thence, shall be exempt and privileged from any arrest, attachments or executions, whatsoever; and that the said mayor, and aldermen shall have power to set such reasonable toll upon such goods, cattle, merchandises

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and other commodities, as shall be sold therein respectively, as shall be thought fit, not exceeding six pence on every beast sold, and the twentieth part of the Value of any commodity, and shall and may hold a court of Pypowdry, during the said fair, for the determination of all controversies and quarrels which may happen therein, according to the usual course in England in the like cases, and we grant unto them all profits and perquisites due, incident and belonging, to said market fair and court of Pypowdry.

And further, we do grant that the said mayor, recorder and aldermen, or any three or more of them, shall hold a court of hustings within the said city, where they are hereby empowered to make proper officers, and settle reasonable fees, not exceeding what are now allowed in the county court, and shall have jurisdiction, and hold plea of trespass and Ejectment for any lands or tenements within the said city, as also of all writs of dower for the same lands and tenements, and of all other actions, personal and mixed, and, as a court of record, give judgment, and award execution thereon, according to the laws and statutes of England and this Province; provided the demand in the said action personal and mixed exceed not the sum of six pounds ten shillings sterling, or seventeen hundred pounds of Tobacco.

And

13. And provided nevertheless, That any party ^(13.) or parties, plaintiffs or defendants, shall be at their liberty, on good grounds, to bring writs of habeas corpus and certiorari to remove any plaints from the said hustings to the provincial court of this province, and also to appeal from the judgment of the mayors court, or bring writs of error, at their choice, to the provincial court under such limitation and regulation as is already, by the Act of Assembly of this province, assigned for prosecuting appeals and writs of error from the county courts to the provincial.

In testimony whereof,
We have caused these our letters to be
made patent.

Given, at Annapolis, under the
great seal of our said province.

Witness our trusty and well beloved
John Seymour, Esquire, captain
general, and governor in chief, of
our said province, this twenty-second
day of November, in the seventh year
of our reign. &c. annoque domini
1700.

John Seymour, Esquire, Governor.
Amos Garret, Esquire, Mayor.

Acts of the General Assembly.

An Act confirming and explaining
the Charter to the city of Annapolis.

Whereas this present general
Assembly have taken into their consideration
the charter lately granted to the city of Anna-
polis, and being desirous to give all due
encouragement to cohabitation, have resolved
to confirm the same charter, and to explain
and restrain some clauses and grants therein
contained, they humbly pray that it may
be enacted.

And it is hereby enacted,
by the Queen's most excellent Majesty, by and
with the advice and consent of her Majesty's
Governor, Council and Assembly, of this province,
and by the authority of the same, That the said
charter to the city of Annapolis, bearing date
at the said city, on the twenty second day of

November

November, anno 1708, in the seventh year of her Majesty's reign, sealed with the great seal of this her Majesty's province, and signed with the sign manual of his excellency John Seymour, Esquire, captain-general and governor in chief thereof, incorporating the inhabitants of Annapolis into a city and body corporate, and the several articles, clauses, grants, powers, authorities and privileges, therein contained, shall, by virtue of this act, be held, taken stand, remain, and be firm and valid, to all intents and purposes whatsoever, within the same charter mentioned and expressed, subject nevertheless to the several restrictions and explanations herein specified and declared; / that is to say, / that it shall in no wise be intended, construed, meant or taken, to infringe the liberties and privileges of the public, either in regard to the public lands and buildings by them heretofore purchased and built, but that the same shall be reserved and continued for ever to the uses and purposes to which they have already been allotted; and that all and every the judges and justices of the several courts of judicature, which have usually held their courts within the same city, in the public court-house thereof, shall and may continue so to do; and the justices, commissioners and sheriff, of Anne- Arundel county shall have, hold and exercise, their jurisdiction

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in as full and ample manner, to all intents and purposes, in the port of Annapolis, as heretofore had been usual.

3. And be it further enacted and declared, That the by laws to be made by the said corporation shall not affect, or be binding to, any other the inhabitants of this Province, but wholly restrained to the inhabitants and residents of the said city; and that the clause in the said charter, empowering the corporation to set toll on horses, cattle and other commodities to be sold on the two fair days of the first of May, and of St. Michael the archangel, yearly, shall not in anywise, enure, be construed or extended, to empowering the corporation to impose any toll or impost upon cattle, goods, wares or merchandises, whatsoever, to be sold therein, if the goods, wares or merchandises, should not amount to the value of twenty shillings current money; but if it exceed twenty shillings value, and not above five pounds current money, then the sum of six pence shall be paid for the fee or toll thereof; and for all goods, &c. exceeding in value five pounds current money, then it shall be lawful to impose the sum of twelve-pence current money for the fee or toll thereof, and no more.

4. And, whereas the citizens and burghesses of
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The several boroughs in England have formerly been allowed but half wages, in respect to the salary of the knights of the shires, Be it therefore enacted, That the citizens representing the city of Annapolis, shall only be allowed half the wages to the delegates and representatives as is and shall be allowed to the delegates of the several counties of this province, and no more

5 And, whereas Wornoll Hunt, Esquire, the present recorder of the said city, is not yet qualified for that trust, by reason he hath not been resident in this province during the term of three years, nevertheless the said Wornoll Hunt, by virtue of this Act, shall be deemed, and is hereby qualified and enabled, to hold and execute the said office of recorder of the city aforesaid, any law, statute, usage or custom, to the contrary in anywise notwithstanding.

6. And be it enacted, by the advice and consent aforesaid, That the land called the Town-Common be reserved and remain to the use of the proper Owner or Owners, unless the citizens can make it appear, to have made satisfaction for the same the next session of Assembly.

An Act for settling all disputes concerning the boundaries of the several lots within the city of Annapolis, and confirming the same to the respective takers up, improvers and purchasers thereof, and for laying out ten acres of land, out of the town pasture, into twenty lots more,