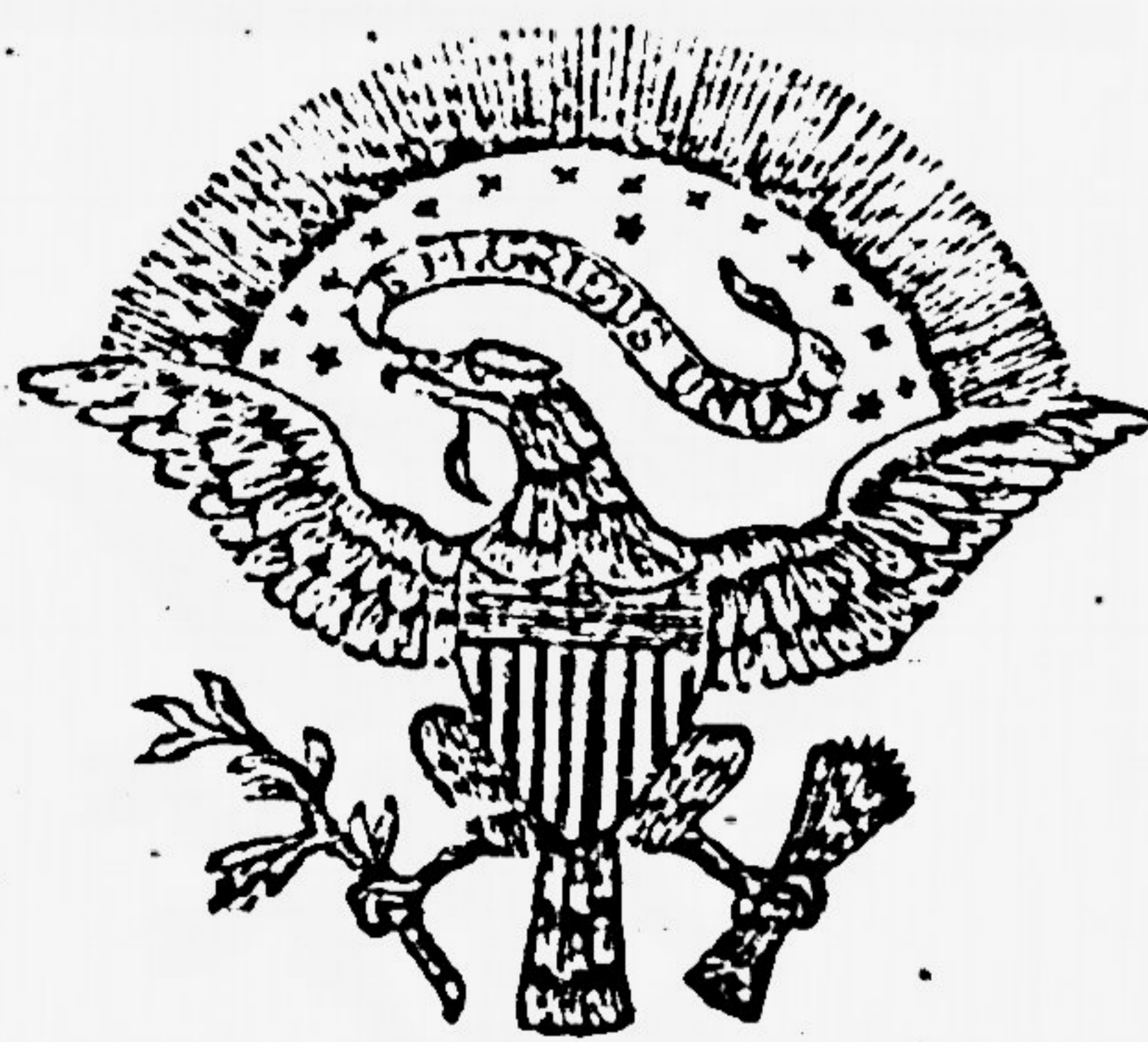


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WEDNESDAY, JULY 31, 1855.



BY AUTHORITY.

AN ACT

To amend the charter of Georgetown.
BE it enacted by the Senate and House of Representatives of the United States in Congress assembled, That from and after the second Monday in March current, the corporation of Georgetown, in the district of Columbia, shall be divided into two branches; the first branch to be composed of five members and a recorder, and to be called the board of aldermen; and the second branch to be composed of eleven members, and to be called the board of common council men; which said two branches shall be elected as hereafter particularly provided.

Sec. 2. And be it further enacted, That immediately after the passage of this act, and before the said day above mentioned, the present members of the said corporation shall meet at their usual place of meeting, and then and there choose by ballot, from their body, five persons to compose the said board of aldermen, which said persons, when chosen, shall compose the said board of aldermen, and be, and continue such until the fourth Monday in February, and that the present recorder of the corporation shall be the President of the said board of aldermen, until the time aforesaid; that the other members of the said corporation, (except the mayor) shall compose the said second branch, called the board of common council men, and be, and continue such, until the time aforesaid, and shall choose, out of their own body, a President to be, and continue such until the time aforesaid—and when this organization, said corporation shall have, exercise, and possess, all the powers and rights now vested in the said corporation, and to be herein and hereby vested in them.

Sec. 3. And be it further enacted, That the present mayor of the corporation of Georgetown, shall be, and continue such, until the first Monday of January next.

Sec. 4. And be it further enacted, That on the fourth Monday of February next, the free white male citizens of Georgetown, of full age, and having resided within the town aforesaid, twelve months previously, and having paid taxes to the corporation shall assemble at a place to be appointed, as hereafter directed, and then and there shall proceed to elect, by ballot, five fit and proper persons, citizens of the United States, and residents of the said town, one whole year next before the said day of election, above twenty one years of age, and having paid a tax to said corporation, to compose the said board of aldermen; and shall also at the same time proceed as aforesaid, to elect eleven fit and proper persons, having the qualifications last aforesaid, to compose the said board of common council; the said board of aldermen to continue two years, and the said board of common council to continue one year; and the said mayor, together with such other fit persons as shall be named & appointed by the said corporation, shall be judges of the election, and the five persons voted for as aldermen, who shall have the greatest number of legal votes on the final casting up of the polls, shall be declared duly elected for the board of aldermen; and the eleven persons voted for as common council, who shall have the greatest number of legal votes upon the final casting up of the polls, shall be declared duly elected for the board of common council; and that the like election for aldermen be held on the fourth Monday in February, every two years thereafter; and for the said common council, on the said fourth Monday in February annually, forever thereafter.

Sec. 5. And be it further enacted, That on the first Monday of January next, and on the same day annually, forever thereafter, the said corporation shall, by a joint ballot of the said two branches present, choose some fit and proper person to be mayor of the said corporation, and some fit and proper person learned in the law, to be the recorder of the said corporation, to continue in office one year.

Sec. 6. And be it further enacted, That the said mayor, before he acts as such, and the said recorder, before he

acts as such shall respectively make oath, before some justice of the peace, for the court of Washington aforesaid, in the presence of both branches of the said corporation, that he will well and faithfully discharge the several and respective duties of his office; and that each member of the said two branches shall, before he acts as such, in the presence of the corporation, take an oath to discharge the duties and trust reposed in him, with integrity and fidelity.

Sec. 7. And be it further enacted, That four members of the board of aldermen and seven members of the board of common council, shall form a quorum to do business—the said corporation shall hold two sessions in each year; one to commence on the first Monday in March, and the other on the first Monday in December, with power to adjourn on any day to day, to be held at such place as the mayor may designate, not otherwise provided for by ordinance: Provided, That the mayor shall have power, on urgent occasions, to convene the corporation, on application of at least five members, in writing, giving reasonable notice of such intended meeting.

Sec. 8. And be it further enacted, That each of the said branches shall regulate the elections, qualifications and terms of its own members, and may expel the attendance of the members of either branch by reasonable penalties: Each branch shall have power to elect its president, pro tempore, in the absence of the one duly elected as aforesaid; any ordinance may be passed in either branch, and no ordinance shall be passed, but by a majority of both branches, nor unless it shall pass in both branches during the same session, and be approved of by the mayor, who shall sign the same, unless he objects thereon within forty-eight hours from the time the same is presented to him for signature, if he does so object, he shall immediately return the same to the said corporation, with his objections in writing, and if, on reconsideration, two thirds of each branch of the corporation, shall be of opinion that the said law ought to be passed, it shall, notwithstanding the objections of the mayor, become a law: he shall sign the same; if the said mayor shall not return his objections, he shall be deemed to have assented to the same, and the law shall become a law, and shall be signed by him; the clerk of the corporation shall record, in a book to be kept by him for that purpose, all the laws and resolutions which shall be passed as aforesaid, and deliver a copy of the same to the public printer, to be printed in the name of the people.

Sec. 9. And be it further enacted, That in case the aldermen composing the said branch, shall at any time, on any question before them, be equally divided, the recorder shall have the casting vote, and determine such question to the same effect as if the same had been determined by a majority of the aldermen present, and similar power is hereby given to the president of the second branch, in case of an equal division in that body.

Sec. 10. And be it further enacted, That it shall be the duty of the mayor, to see that the laws of the corporation be duly executed, and to report the negligence or misconduct of any officer to the said corporation; who on satisfactory proof thereof, may remove from the said office any delinquent, or take such measures thereupon as shall be just and lawful: he shall lay before the said corporation from time to time, in writing, all alterations in the laws of the said corporation as he shall deem necessary and proper; he shall have and exercise all the powers of a justice of the peace in the said town; and shall receive for his services, annually, a just and reasonable compensation to be allowed and fixed by the said corporation; no person shall be eligible to the said office of mayor unless he is a citizen of the United States of the age of thirty years, a resident of the said town for five years then last past, and unless he shall have paid a tax to said corporation.

Sec. 11. And be it further enacted, That in case of a vacancy in either branch of the said corporation, by death, removal or otherwise, of either of the members, a fit person or persons qualified as aforesaid, shall be elected by the people in the manner aforesaid, to fill such vacancy immediately thereafter, the mayor giving however at least five days notice of such election; and in case of the vacancy of the mayor or recorder, the said corporation shall within five days thereafter, as herein before directed, proceed to the choice of a fit person or persons qualified as aforesaid, to fill his or their place.

Sec. 12. And be it further enacted, That the said corporation shall have power to impose a tax not exceeding in any one year fifty cents in the hundred dollars on all property within the said town; and the sessions of the said corporation shall be held as heretofore, until the said second Monday in March current; and the said corporation shall have, possess & enjoy all the rights, immunities, privileges and powers heretofore enjoyed by them; and shall be called by the same name as heretofore and shall have perpetual succession; and in addition thereto they shall have power to regulate the inspection of flour, and tobacco in said town, to prevent the introduction of contagious disease within said town and precincts, to establish night watches and patrols, & erect lamps; to regulate the staking, anchorage and mooring of vessels; to provide for regulating and increasing ordinaries, auctions and licensing ordinaries, auctions and retailers of liquors, hackney carriages, waggon, carts and drays within said town and precincts; to restrain or prohibit gambling; to provide for licensing, regulating or restraining theatrical, or other public amusements; to regulate and establish markets; to pass all laws for the regulation of weights and measures; 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 to be made and used within said town; the inspection of salted provisions, & the assize of bread, 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 erect work houses; to open, extend & regulate streets within the limits of the said town, provided they make to the person or persons who may be injured, by such opening, extension or regulation just and adequate compensation to be ascertained by the verdict of an impartial jury to be summoned, and sworn by a justice of the peace of the county of Washington, and to be formed of twenty three men who shall proceed in like manner as has been used in other cases where private property has been condemned for public use; and they shall have the power of restraining, regulating and directing the manner of building wharves and docks; also to direct the manner in which the improvements thereon to be erected shall be made, so that they may not become injurious to the health of the town; in addition to the power heretofore granted to the said corporation by the act of congress, entitled "An act additional to an amendatory of an act, entitled 'An act concerning the district of Columbia,'" of laying a tax of two dollars per foot front for paving the streets, lanes and alleys of the said town, they shall have the power upon petition in writing of a majority of the holders of the real property fronting on any street or alley, if in their judgment it shall be deemed necessary, to lay such further and additional sum on each foot front on said street or part of a street, as will be sufficient to pave said street or part of a street, lane or alley, so petitioned for; and the like remedy shall be used for the recovery thereof, as is now used for the recovery of the public county taxes in the said county of Washington; and they shall have power by ordinance to direct or order the paved streets to be cleaned and kept clean, and appoint an officer for that purpose; to make and to keep in repair all necessary sewers and drains, & to pass regulations necessary for the preservation of the same.

Sec. 13. And be it further enacted, That the duties on all licenses to be granted as aforesaid, shall be to and for the proper use and benefit of the said corporation; and the said corporation shall have power to pass all laws not inconsistent with the laws of the United States, which may be necessary to give effect and operation to all the powers vested in the said corporation; and to appoint constables and collectors of the taxes, and all other officers who may be deemed necessary for the execution of their laws, whose duties and powers shall be prescribed in such manner as the said corporation shall deem fit for the purpose aforesaid.

Sec. 14. And be it further enacted, That the jurisdiction of the said corporation shall extend to the limits of the original plan of the said town, and to such additions as are recognized by law; and that a survey as soon as conveniently may be made, under the direction of the said corporation, ascertaining said limits, and a plat thereof, made and returned to said corporation, which when approved of by them, shall be preserved, and become a record.

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should have expended on our military equipments, and more than which we shall derive in a few years from the duties at New Orleans, and the sale of public lands, we have preserved the friendship of two powerful nations, and we have acquired more than our most sanguine hopes had ever dared to aspire to. Instead of merely securing a place of deposit on the banks of the Mississippi, we have obtained the possession of this magnificent river and its numerous streams; we have removed from this important frontier an ambitious and enterprising neighbor; we have acquired a territory of inexhaustible fertility and indefinite extent. We have gained another advantage of scarcely inferior consideration. We have exalted the character of our nation in the eyes of the world: we shall transmit to our posterity an illustrious example of moderation. We have shown to the ambitious kings of Europe, how much better it is to employ justice instead of force; to exhaust every expedient of amicable negotiation, before they "let slip the dogs of war"; to spare rather than expend the blood and treasure of their unfortunate subjects. We have contributed to demonstrate the superior advantages of a republican government, where great measures take their origin and their shape from the will of the people, over a monarchy, where war and peace are at any time dependent upon the nod of an ignorant, ambitious, or unfeeling individual.

As yet then, our conduct has been recommended and rewarded by justice. As yet, we have exhibited a character which has attracted the respect and the love of foreign nations. Success we could have commanded by the sword; but we chose to deserve it by an amicable negotiation. We have placed our own rights upon an unshakable basis without having rudely disturbed the rights of others. We showed ourselves ready and prepared to encounter the horrors of war, but still more anxious to preserve the enjoyments of peace. Prudent, yet energetic, resolute in the assertion of our rights, but cool in the selection of our expedients, we have exhibited not that spirit which deals devastation in the field of battle, but one which confidently conscious of its own strength calmly waits for the moment when it shall be necessary to put itself forth. As yet then we have acquired more than we have demanded; & we have deserved all that we have acquired. But what if a case should unfortunately occur when the same system of policy should not avail our pretensions? What if after every pacific measure had been exhausted; if after having deputed the ablest ministers to vindicate our rights, if after having tried every proper expedient of negotiation to adjust them by an amicable arrangement; we should find the foreign nation perverted by a selfish policy, regardless of our claims, and unmoved by our efforts for the preservation of peace; what course then are we bound to pursue? Or is there any other expedient left to us, than the mournful office of breaking up the relations of peace, relying upon force where reason is of no avail, and "appealing to the justice of Heaven for redress, when we are no longer able to find it upon earth?"

In fact should the latest reports from Spain be correct, are we not even now reduced to this melancholy dilemma? We demand the extension of our boundaries to the banks of the Perdido river; Spain wishes to confine us to the Mississippi. We called upon Spain to satisfy the legitimate claims of our merchants for the spoils made upon their trade during the last war: We appealed to her justice for the ratification of the convention of August 1802. But Spain refuses to comply with all our requisitions. In this embarrassing state of affairs, therefore, what other dilemma seems to be offered to our election, than the surrender of our claims or the support of them by our arms? Should such be the question can there be a patriot in this country who can demand a single moment for deliberation?

Should we surrender our pretensions without a struggle, we voluntarily provoke the contemptuous criticisms of foreign nations. During the war of the revolution our heroic achievements entitled us to the character of an enterprising and unshrinking energy; are we prepared to disgrace those pretensions by a disgraceful surrender of our claims? Our national strength now holds in proud defiance the ambition or the prowess of foreign nations; shall we descend from this elevated ground; shall we prove that though strong in numbers we are deficient in spirit? Shall we expose ourselves to the contemptuous injuries and daring encroachments of foreign countries, by assuming the appearance of imbecility and cowardice? Even if these general advantages should not be sufficient to rouse us into exertion, shall we be insensible to the important objects which we have brought into jeopardy? The claims of our merchants are entitled to urgent consideration: But what then shall we say as to the extension of our frontier from the Mississippi to the Perdido.

To those, who have read Mr. Nicholson's report during the session of 1802 on the policy of acquiring the Floridas, it would be superfluous to develop the advantages of such an acquisition; an acquisition, which would secure to the people of the west the exclusive navigation

of the surrounding country the profits of that "considerable coasting trade," which according to the official documents is now carried on, "from Pensacola, Mobile, and the creeks and rivers falling into, and in the neighborhood of Lake Pontchartrain, from whence New Orleans is principally supplied with ship timber, charcoal, lime, pitch and tar, and partly with cattle, and the places before named are supplied with articles of foreign growth, and produce in the same way from New Orleans." Shall we surrender all these advantages, by sacrificing our legitimate claims to the pleasure of the court of Madrid? But shall we, it may be replied, take an ungenerous advantage of the embarrassments of Spain, and at a moment when she is involved in a war with Great Britain, when her resources are employed in a different direction, shall we make an incursion upon a defenceless frontier? Would it not be better to postpone the acquisition of our rights, and in the spirit of a romantic chivalry to wait, until Spain shall have concluded a peace with England and recruited her strength? Should destiny have determined to deprive Spain of this little slip of territory, would it be sound policy, would it even be genuine humanity, for the United States to multiply the devastations of war by allowing sufficient leisure to Spain to multiply her preparations?

But should it be found to be the interest of our country to resort to military movements for the assertion of our rights, let us confine our exertions within the circle of our demands. "War," says Martens) is that state, in which men constantly exercise the right of indeterminate violence against each other." Let us not then enter into a war. Let us not issue letters of marque or reprisals, in the operations of Spain shall compel us to retaliate. We will not extend our ravages over the colonies of Spain; but we will collect such an army only as is sufficient to accomplish the object of our pursuit. We will take possession of the E. part of Louisiana, which we have already demanded in vain. Perhaps too correct policy may impose upon us the additional necessity of crossing the Perdido, and seizing upon Pensacola as a security for paying the expenses of our equipment and the demands of our merchants.

But we cannot yet relinquish our hopes, that these remarks are scarcely more fugitive than the occasion which called them forth. That our late accounts may be authentic, we shall not pretend to deny; but that like many other reports of the day, they may have arisen from some fiction improperly created, or some fact easily misunderstood, we may still presume to hope. Should they however prove correct; should it appear at last that every expedient of diplomatic skill has in vain been exhausted by our ministers, and that Spain is determined never to comply with our requisitions; or to compel us to seek them by force, then the preceding remarks will not be altogether useless either in drawing the investigation of the people to this subject, or in exciting their national indignation and spirit. These questions will however previously occur. Has the president the power at this crisis of the transaction to direct a force to the possession of the Spanish forts to the W. of the Perdido? Would it be politic to summon congress immediately to his aid; or to prolong the subject till the regular period of its session?

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(Note) These are the very words of a pamphlet published at that time under the title of "Murco's Embassy."

See paragraph in Monday's American, copied from the Norfolk Herald.