

avoided or remedied, without an internal power, competent to establish a police and regulation fitted to their particular circumstances, wants and exigencies; therefore,

Baltimore-  
town erected  
into a city, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Baltimore-town, in Baltimore county, shall be and is hereby erected into a city, by the name of The City of Baltimore, and the inhabitants thereof constituted a body politic and corporate, by the name of The Mayor and City Council of Baltimore, and as such shall have perpetual succession, 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 Baltimore shall be divided into eight wards, each ward to contain, as nearly as may be, an equal number of inhabitants; the first division shall be made by seven respectable citizens, or a majority of them, to be appointed by the governor and council; and the corporation of the said city thereafter, from time to time, shall cause a correct division of the said city to be made into eight wards, according to the actual number of inhabitants, which divisions shall be repeated as often as the increase or decrease of inhabitants in any ward or wards shall render it necessary, in order to a just representation, and when the inhabitants shall increase to forty thousand, it shall then be divided into fifteen wards, and for any additional increase of inhabitants one new ward only shall be added for every twenty thousand, in order to preserve, as nearly as may be, an equal number of voters in each ward.

Council to consist of two branches, &c.

III. AND BE IT ENACTED, That the council of the city of Baltimore shall consist of two branches, one whereof shall be denominated The First Branch; the other The Second Branch; the first branch shall consist of two members, of the most wise, sensible and discreet of the people, from each ward, who shall be citizens of the United States, above twenty-one years of age, residents of the said town three years preceding their appointment, and assessed on the books of the assessor to the amount of one thousand dollars; and the voters for the first branch of the said city council shall have the same qualifications as voters for delegates to the general assembly of this state; and the said elections shall be made *viva voce*.

When the first election is to be held, &c.

IV. AND BE IT ENACTED, That the first election for members of the first branch of the city council shall be held on the third Monday in February, one thousand seven hundred and ninety-seven, and on the third Monday in February in each and every year thereafter, at such place in each ward as the judges of the election, in the first instance, and afterwards as the corporation by ordinance, shall direct; the election shall be held by wards, and no person shall be entitled to vote for any but the members of the ward of which he is a resident; three respectable citizens, residents in each ward, or a majority of them, in the first instance to be appointed by the commissioners of Baltimore-town, and afterwards by the mayor of said city, shall be judges of the elections in their respective wards, and they shall have power to appoint their respective clerks.

By 1797, ch. 54, the elections for members of the first branch of the city council are to be held on the first Monday in October in every year.

Polls to be kept open one day, &c.

V. AND BE IT ENACTED, That the polls in each ward shall be kept open one day, from eight o'clock in the morning till six o'clock at night, and no longer; and when closed, the several judges shall, within three days after such election, notify to the persons having the greatest number of legal votes in their respective wards that they are duly elected; and they shall make their return, and deposit their polls, in the first instance with the present clerk of the commissioners of Baltimore-town, and thereafter as shall be directed by ordinance; any vacancy happening in the first branch of the city council shall be filled up without delay from the ward where such vacancy happened, in such manner as shall be hereafter directed by ordinance.

Second branch to consist of eight members, &c.

VI. AND BE IT ENACTED, That the second branch shall consist of eight members, who shall be chosen from the several wards, and no person shall be eligible as a member of the second branch, who is not of the full age of twenty-five years, a citizen of the United States, and a resident of the said town four years previous to his election, and assessed on the books of the assessor to the amount of two thousand dollars; and the members of the second branch shall continue in office for the term of two years next succeeding the time of their election.

How the mayor, &c. are to be chosen, &c.

VII. AND BE IT ENACTED, That the mayor of the said city, and the members of the second branch of the city council, shall be chosen in the following manner, to wit: That each ward, at the time and place of electing the first branch of the city council, shall elect, *viva voce*, one person qualified