have been within that time charged with any tax upon the public books, and shall have paid such tax, shall be qualified to vote for members to serve in the common council of the said town, and no other person shall exercise the right of suffrage; and the persons qualified as aforesaid to vote shall meet at some convenient place in the ward in which they respectively reside, and elect by ballot four persons for the representatives of such ward in the common council, out of the free white male citizens who shall have arrived to the age of twenty one years, and shall have resided in the town of Alexandria three years, and in the ward for which he shall be elected, for the space of three months immediately preceding the election, and shall moreover be seized of an estate of freehold in the said ward of the value of five hundred dollars, and be a housekeeper therein. And that the said election shall be held on the first Tuesday of March in every year, by three commissioners to be appointed in each ward for that purpose by the mayor and commonalty for the ensuing election, and afterwards by the common council, which appointment shall be at least ten days before the day of each election, except in regard to the first election to be held under this act. The election for the ensuing year, shall be held at such place in each ward as shall be fixed on by the mayor and commonalty, and thereafter shall be held at such place as shall be appointed by the common council, of which public notice shall be given.

Sec. 3. *Be it further enacted*, That the members of the common council, elected as aforesaid, or any twelve of them, shall within seven days after their election, in each year assemble themselves at the court house, or any other place which shall be hereafter fixed for their meeting, and shall choose one of their body to be president of the said common council to whom shall be administered by any justice of the peace in the county of Alexandria, an oath or affirmation for the faithful discharge of the duties of his office; whereupon the President of the said common council shall administer the oath of office to the other members of the said council, and shall have while the council is in session the same power which is at present exercised by the mayor upon the like occasion, and he shall convene the council whenever in the opinion of four of the members expressed to him in writing, or whenever in his opinion the good of the town may require it: and the authority of the said common council shall continue one year from the day of their election, and until others are chosen and qualified in their stead, and no longer. That the common council so elected, and those thereafter to be elected, and their successors, shall be and hereby are made a body politic and corporate, by the name of the common council of Alexandria; and by the said name shall have perpetual succession with capacity to purchase, possess and enjoy lands and tenements, and goods and chattels either in fee or lesser estate, therein, and the same to give, grant, let, sell, assign or transfer; and to plead and be impleaded, prosecute and defend all causes, complaints, actions real, personal or mixed, and to have one common seal, and perpetual succession. And all the estate, rights, and credits, now vested in the mayor and commonalty of the town of Alexandria shall be vested in the said common council when elected, and may be recovered in their name for the use of the said town; and in like manner all claims and demands against the mayor and commonalty of Alexandria, prior to the operation of the present act, may be prosecuted and recovered against the aforesaid common council; and process served upon the president of the common council shall be deemed sufficient.

Sect. 4. *Be it further enacted*, That the jurisdiction of the said common council shall extend to the limits heretofore prescribed by law, and exercised by the mayor and commonalty.— The concurrence of a majority of the whole number of members elected into the common council, shall be necessary for the passing of any law, order, or resolution, or for repealing, altering, or revoking the same.

Sect. 5. *Be it further enacted*, That the said common council shall have power to erect and repair work houses, houses of correction, and other public buildings, for the benefit of the said town; to pave, make and repair the streets and highways; to make all laws which they shall conceive requisite for the preservation of the health of the inhabitants, and for the regulation of the morals and police of the said town, and to enforce the observance of their said laws, by reasonable penalties and forfeitures, to be levied upon the goods and chattels of the offender; and they shall have power to raise money by taxes, for the use and benefit of the said town: *Provided*, That such laws shall not be repugnant to, or inconsistent with the laws and constitution of the United States. The said common council shall, whenever they deem it proper, have power to open, extend, regulate, pave, and improve the streets, within the limits of the said town: *Provided*, They make to the person or persons who may be injured by such extension, just and adequate compensation out of the funds of the corporation, to be ascertained by the verdict of an impartial jury, as like manner as has been usual in other cases where private property has been condemned for public use. They shall have power to hold and keep within the said town, market days in every week, and from time to time to appoint a clerk of the market, who shall do and perform all things belonging to the office of clerk of the market, within the said town, according to the rules and regulations which they shall prescribe.— They shall have power to pass all laws, not inconsistent with the laws of the United States, which they may conceive requisite for the prevention and removal of nuisances, and to appoint a superintendant of police, commissioners, and surveyors of the streets, constables, collectors of the taxes, and all other officers who may be deemed necessary for the execution of their laws, who shall be paid for their services, a reasonable compensation, and whose duties and powers shall be prescribed in such manner as the common council shall deem fit, for carrying into execution the powers hereby granted.

Sect. 6. *Be it further enacted*, That the jurisdiction of the said common council shall extend over the harbor of Alexandria, and over vessels of every description, which may arrive and be in the harbor, or be at anchor in any part of the river Potomac below Pearson's island, and within the district of Columbia, for the purpose of preventing and removing all nuisances, and such other subjects or things being on board any such vessel, as may be prejudicial to the health of the town, and for no other purpose. And also, their jurisdiction shall extend over the house lately built in the vicinity of the town, for the accommodation of the poor and others, and over the ten acres of ground thereto belonging, and over all persons who may be sent or placed there by the consent or authority of the common council, and on their way to and from the same, until they be regularly discharged: *Provided*, That paupers and other persons shall not be considered as having thereby gained a residence in the county, so as to become chargeable thereto.

Sect. 7. *Be it further enacted*, That the common council shall annually, at their first meeting after their own election and qualification, choose by ballot, a fit and able man, having the qualifications herein after directed, to be mayor of the town, which choice shall be made by a majority of the whole number of members of the said common council, unless the whole number of members be equally divided between two persons, in which case one of those two persons shall be immediately, by the vote of the president of the council, elected. The mayor shall hold his office for one year, from the time of his election, and until a successor is chosen and qualified in his stead. At the expiration of which period he may be re-elected for two years thereafter in succession, and no longer until he shall have been out of office for one year.— He shall, before he enters upon the duties of his office, take an oath or affirmation, in the presence of the council, faithfully to execute his said office, which shall be recorded in their book of proceedings. He shall see that the laws of the corporation be duly executed, and shall report the negligence or misconduct of any officer to the common council, who on satisfactory proof thereof, may remove from office the said delinquent, or take such other measures thereupon as shall be just and lawful. He shall have power to convene the common council, when in his opinion the good of the community may require it, and he shall lay before the council, from time to time, in writing, such alterations in the laws of the corporation, as he shall deem necessary or proper. He shall have, and exercise all the powers of a justice of the peace within the said town, and shall receive for his services, annually, a just and reasonable compensation, to be allowed and fixed by the common council, which shall not be encreased or diminished during the period for which he shall have been elected. Any person shall be eligible to the office of mayor, who is a white male citizen of the United States, who shall have attained to the age of thirty years, and who shall be the bona fide owner of a freehold estate in the said town, and shall have been a resident in the town of Alexandria five years immediately preceding his election, and no other person shall be eligible to the said office.

Sec. 8. *Be it further enacted*, That in case of the refusal of any person to accept the office of mayor upon his election thereto, or of his death, resignation, inability or removal, the common council shall elect another in his place to serve the remainder of the year. The common council shall have power to supply vacancies in their own body, by causing elections to be made in manner herein before directed out of the citizens qualified to fill the said office in the ward in which such vacancies shall have happened; and may in the absence of the president, elect a president pro tempore. In case of the temporary inability or absence of the mayor, the president of the common council shall perform all the duties of the mayor that may be required to be performed during his absence or inability, and in case of vacancy in the said office he shall perform the duties thereof until a new election shall be made.

Sec. 9. *And be it further enacted*, That the acts of the common council shall be signed by the president of the common council and shall be presented to the mayor for his approbation, who, if he objects thereto, shall within three days after it shall be presented to him for his assent return it to the common council with his objections in writing, and if a majority of the whole council shall be of opinion that the law ought to be passed, it shall, notwithstanding the objections of the mayor, become a law and he shall sign the same; but if the mayor shall not return his objections to the same within three days to the said council, it shall become a law and shall be signed by him. The clerk of the council shall record in a book to be kept by him for that purpose, all the laws orders and resolutions which shall be passed as aforesaid, and deliver a copy of them to the public printer to be printed for the information of the people.

Sec. 10. *Be it further enacted*, That the commissioners to superintend the election in each ward, shall before they receive any vote, take severally the following oath or affirmation, to be administered by the mayor or any justice of the peace, "I A. B. do solemnly swear or affirm (as the case may be) that I will truly and faithfully receive and return the votes of such persons as are by law entitled to vote for members of council in ward No.   and that I will not knowingly receive or return the vote of any who is not legally entitled to the same, so help me God;" the said election shall be closed on the day it is begun, and the poll shall be kept open until sun set and no longer. The said commissioners in each ward or a majority of them shall, on the next day after the election, make a list of all the votes received at said election; and the four persons having the greatest number of votes, shall be duly elected; and in all cases of an equality of votes, the commissioners shall decide, and shall make a return of the persons so elected, under their hands and seals, to the mayor, who shall cause the same to be published in the newspapers of the town; the said commissioners shall also send a dublicate return, under their hands and seals, of the persons elected, to the clerk of the common council, who shall preserve and record the same; the said common council shall judge of the legality of the election of any person who shall be returned as a member thereof, and shall have full power to pass all laws to enable them to come to a just decision upon a contested election. They shall have power to compel the attendance of the members of the council by reasonable penalties, and to pass all laws for the orderly and regular conduct of business. They may punish any member for disorderly behavior, and with consent of three fourths of the whole council expel a member.

Sec. 11. *Be it further enacted*, That whenever taxes upon real property, or other claims charged upon real property within the town, shall be due, and owing to the common council, and the proprietor shall fail to discharge the same, the said common council, after giving the party reasonable notice when he resides in the town, sixty days notice when he resides out of the town, and in the United States, and after six moths publication in the newspapers, when he resides out of the United States, shall be empowered to recover the said taxes or debts, by motion in the court of Alexandria county: *And provided*, it shall appear to the satisfaction of the court, that such taxes or claims are justly due, judgement shall be granted, and an execution shall issue thereupon, with the costs of suit, against the goods and chattels of the defaulter, if any can be found within the town; if not that the whole property upon which the tax or claim is due shall by order of the court, be leased out at public auction for the short terms of years that may be offered on condition that the lessee pay the arrearages, and also the future taxes accruing during the term, and be at liberty to remove all his improvements at the expiration of the lease: *Provided always*, That the common council may prosecute any other remedy, by action, for the recovery of the said taxes and claims which is now possessed or allowed.

Sec. 12. *And be it further enacted*, That so much of any act or acts of the general assembly of Virginia, as comes within the perview of this act shall be and the same is hereby repealed: *Provided*, That nothing herein contained shall be construed to impair or destroy any right or remedy which the mayor and commonalty of Alexandria now possess or enjoy to or concerning any debts, claims or demands against any person or persons whatsoever, or to repeal any of the laws and ordinances of the mayor and commonalty of the said town in force, which are not inconsistent with this act.

NATHL. MACON,
Speaker of the House of Representatives.
JOHN BROWN,
President of the Senate pro tempore.
February 25th, 1804.
APPROVED,
TH: JEFFERSON.

AN ACT

Relating to the recording, registering and enrolling of ships or vessels in the district of Orleans.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any ship or vessel possessed of and sailing under a Spanish or French register, and belonging, on the twentieth day of December, one thousand eight hundred and three, and continuing to belong wholly to any citizen or citizens of the United States, then residing within the territories ceded to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French republic, or to any person or persons being, on the said thirtieth day of April, an inhabitant or inhabitants of the said ceded territories, and who continue to reside therein, and of which the master is a citizen of the United States, or an inhabitant as aforesaid, may be registered, enrolled and licensed in the manner prescribed by law; and being so registered, enrolled or licensed, shall be denominated and deemed a ship or vessel of the United States, and entitled to the benefits granted by any law of the United States to ships or vessels thereof: Provided, That it shall be lawful for the collector to whom application shall be made for a certificate of registry, enrollment or license for such ship or vessel by any citizen or inhabitant as aforesaid, to make such variations in the forms of the oaths, certificates, and licenses, as shall render them applicable to the cases herein intended to be provided for: And provided also, that every such inhabitant applying as aforesaid, shall, prior to his being entitled to receive such certificate of registry, enrollment, or license, deposit with the collector, the register and other papers under which such ship or vessel had been navigated; and also take and subscribe, before the collector (who is hereby authorised to administer the same) the following oath: I. A. B. do swear (or affirm) that I will be faithful and bear true allegiance to the United States of America, and that I do entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate state or soverignty whatever, and particularly to the king of Spain and the French republic.

Sec. 2. *And be it further enacted*, That the inhabitants of the said ceded territory who were residents thereof on the thirtieth day of April, one thousand eight hundred and three, who shall take the oath aforesaid, and who continue to reside therein, or citizens of the United States residents of said ceded territory, shall be entitled to all the benefits and privileges of owning ships or vessels of the United States, to all intents and purposes, as if they were resident citizens of the United States.

NATHL. MACON,
Speaker of the House of Representatives,
JOHN BROWN.
President of the Senate pro tempore.
February 25, 1804.
APPROVED,
TH: JEFFERSON.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Debate on imposing a tax on the importation of slaves.

TUESDAY, February 14.

The following motion, offered by Mr. Bard, was taken into consideration in committee of the whole—Mr. Varnum in the chair.

Resolved, that a tax of ten dollars be imposed on every slave imported into any part of the United States.

On the motion of Mr. Jackson, it was agreed to add after the word "United States"—"or their territories."

Mr. LOWNDES.—I shall trespass but a very short time upon the attention of the House at this stage of the business, but as I have objections to the resolution, it may be proper that I should state them now. I will do so briefly, reserving to myself the privilege of giving my opinion more at length when the bill is before the House, should the resolution be adopted, and a bill brought in. I am sorry, Mr. Speaker, to find that the conduct of the legislature of the state of South Carolina, in repealing its law prohibitory of the importation of negroes, has excited so much dissatisfaction and resentment as I find it has done with the far greater part of this House. If gentlemen will take a dispassionate review of the circumstances under which this repeal was made, I think this dissatisfaction and resentment will be removed, and I should indulge the hope that this contemplated tax will not be imposed. Antecedent to the adoption of the constitution under which we now act, the legislature of South-Carolina passed an act prohibiting the importation of negroes from Africa, sanctioned by severe penalties. I speak from recollection, but I believe not less than the forfeiture of the negro and a hundred pounds sterling for each brought into the state, and this act has been continued in force until it was repealed by the legislature at its last session.— This long interdiction, I think manifests on the part of the government of the state a disinclination to this trade, and had we received the aid from Congress which was necessary to enforce the act, the repeal which is now complained of would never in my opinion have taken place. But, Mr. Speaker, the state was unable to enforce its law. It had given up to the government of the United States all revenue derived from foreign imposts, and was therefore necessarily divested of the means of preventing the introduction into the country from sea, of whatever the excitements to gain might allure into it. The geographical situation of our country is not unknown. With navigable rivers running into the heart of it, it was impossible with our means to prevent our eastern brethren, who in some parts of the union, in defiance of the authority of the general government, have been engaged in this trade, from introducing them into the country. The law was completely evaded, and for the last year or two, Africans were introduced into the country, in numbers little short I believe of what they would have been, had the trade been a legal one. Under these circumstances, Sir, it appears to me to have been the duty of the legislature to repeal the law, and remove from the eyes of the people the spectacle of its authority being daily violated.

I beg, Sir, that from what I have said it may not be inferred, that I am friendly to a continuation of the slave trade. So far from it that without adverting to considerations, by which I know other gentlemen are influenced, I think the period has passed when the interests of the country required and her policy dictated that an end should be put to it. I wish the time was arrived when Congress could legislate conclusively upon the subject. I should then have the satisfaction of uniting with the gentleman from Pennsylvania, who moved the resolution. Whenever it does arrive, should I then have a seat in this House, I will assure him, I will cordially support him in obtaining his object. But, Mr. Speaker, I cannot vote for this resolution, because I am sure it is not calculated to promote the object which it had in view. I am convinced that the tax of ten dollars will not prevent the introduction into the country of a single slave. Gentlemen must be sensible of the truth of this observation when they are informed, and the fact is too notorious even to be doubted, that notwithstanding the expence and risk which attend an illicit trade, they have been introduced in very great numbers. Was I friendly to the trade, I should, without any hesitation, embrace the proposition contained in the resolution, and I should consider it a point gained of no small importance, that the legislature of the general government had given a sanction to it, for I can regard the government deriving a revenue from it, in no other light than a sanction. The gentleman from Pennsylvania, and those who think with him ought, above all others, to deprecate the passing of this resolution. It appears to me to be directly calculated to defeat their own object—to give to what they wish to discountenance a legislative sanction; and farther an interest to the government in permitting this trade after the period, when it might constitutionally terminate it. When I say that I am myself unfriendly to it, I do not wish, Mr. Speaker, to be misunderstood—I do not mean to convey the idea that the people of the southern states are universally opposed to it—I know the fact to be otherwise. Many of the people in the southern states feel an interest in it, and will yield it with reluctance. Their interest will be strengthened by the immense accession of territory to the U. States by the cession of Louisiana. Gentlemen cannot foresee what the situation of the country will be when the period arrives when Congress may constitutionally interdict the trade. The finances of the country and the exgencies of the times may be such as to prevent the government from dispensing with any part of its revenue. The tax if imposed will undoubtedly produce a revenue, and in proportion to the amount of this revenue will be the interest of the government in the trade. But, Mr. Speaker, my greatest objection to this tax is, that it will fall exclusively upon the agriculture of the state, of which I am one of the Representatives. However odious it may be to some gentlemen, and however desirous they may be of discountenancing it, I think it must be evident that this tax will not effect their object;—that it will not be a discouragement to the trade, nor will the introduction of a single African into the country be prevented. The only result will be, that it will produce a revenue to the government. I trust that no gentleman is desirous of establishing the