The District of Columbia Act of 1871

What did it do?

Initial review of the District of Columbia Organic Act of 1871 seems like it only sets up a local government (like Chicago or Seattle); how do you get that they formed a private corporation?

If you take the Act out of its historical context and, from the present looking to the past, imagine who the parties involved are, we might agree. However, by doing that you will never understand what happened; therefore, to best understand what really happened we follow our:

Standard for Review

Rule 1: To understand any relationship you must:

1. First understand who the parties are;
   a. Always know yourself first
   b. Discover the true nature of all other parties second
2. Then you must understand the environmental nature of the relationship; and,
3. Only then do the actual terms of the relationship begin to have meaning and bearing on the relationship.

Rule 2: To have any hope of understanding any particular situation in any relationship you must have first applied Rule 1, only then do the details of the situation in question have any meaning; therefore, review such details in accord with Rule 1 as well.

Thus, to understand the parties involved in the District of Columbia Organic Act of 1871, we must first understand who the parties are involved in the relationship described by the Act. We are not here going to delve into the Act in its entirety, suffice it to say, looking over the situation we find the Act is one made by the original jurisdiction Congress, set by the Constitution for the United States of America. The District of Columbia Organic Act of 1871 describes its venue as: “all that part of the territory of the United States included within the limits of the District of Columbia”. The District of Columbia was originally provided for in the Constitution for the United States of America (Sept. 17, 1787) at Article 1 Section 8, specifically in the last two clauses. Then, on July 16, 1790, in accord with the provisions of those clauses, the Territory was formed in the District of Columbia Act, wherein the “ten mile square” territory was permanently created and made the permanent location of the country’s government, that

is to say, the "territory" includes the actual government. Under the Act Congress also made the President the civic leader of the local government in all matters in said Territory. Then on February 27, 1801, under the second District of Columbia Act, two counties were formed and their respective officers and district judges were appointed. Further, the established town governments of Alexandria, Georgetown and Washington were recognized as constituted and placed under the laws of the District, its judges, etc. The popular names for this "Charter Act" are the, "District of Columbia Organization Act" and the "District of Columbia Act ", which Act the Supreme Court has recognized was the incorporation of the "municipality" known as the "District of Columbia". Then on March 3, 1801 a Supplementary Act to that last Act, noted here, added the authority that the Marshals appointed by the respective District Court Judges collectively form a County Commission with the authority to appoint all officers as may be needed in similarity to the respective State officials in the states whence the counties Washington and Alexandria came, those being Maryland and Virginia, respectively.

According to the United States Supreme Court those charter acts (first acts) were the official incorporation of the formal municipal government of the District of Columbia as chartered by Congress in accord with the Constitution's provision. Again, the Supreme Court called that body of government "a corporation", with the right to sue and be sued. Since 1801 The District of Columbia has been consistently recognized as a "municipal corporation" with its own government.

That sets the basics for the first rule of our Standard for Review, know the parties. What we have presented is sufficient to show the basics of who the parties are as they related to resolving the answer to the question above. We admonish everyone to prove the facts for themselves by their own research.

The second rule from our Standard for Review is: "Then you must understand the environmental nature of the relationship." With that in mind let's consider the events of the time: the Civil War had recently ended and the country was still under Lincoln's Conscription Act (Martial Law). Congress had at least three problems they could see no way to directly cure by following the laws of the land: they were out of funds, they had promised 40 acres of land to each slave that left the South to fight for the North and they had to reintegrate the south into the Union, which they could not do without controlling the appointment of the Southern States Congressional members. There were other problems but these three stand out from the rest. That is enough about the environment for the purposes of this review, however the more you study the historical events of this time the more obvious the relationships will become and the more proof you will amass to prove the facts of what actually happened. In the interest of time and space in this response we will move on.

The last step of the Standard for Review's discovery process requires a review of the actual terms of the relationship. Thus, we review the first paragraph of the District of Columbia Organic Act of 1871, which follows:

Congress wrote:

> That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, created into a government by the name of the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes … and exercise all other powers of a municipal corporation

Knowing the government of the District of Columbia was already "created into a government" and so formed into a municipal incorporation in 1801 under the District of Columbia Acts, we wonder, even with Congress' constitutional authority to pass any law within the ten mile square of the District, how do you create, or incorporate, for the first time a municipal government that has already been in existence as a municipal corporation for over 60 years? The obvious answer is, "It's impossible!" There is no way to pass an "Organic Act" when the Charter Act is already in place, because the two words (organic and charter) have the same meaning—The First Act. Even Congress cannot change history; though historians can make it appear to change by rewriting it for those unwilling to study the past from the records. The records speak for themselves only if we study them.

When you consider the historical facts, the only meaning left for the terms given in the opening paragraph of the District of Columbia Organic Act of 1871 (and that which follows) is, the "municipal corporation" that was created is a private corporation owned by the existent municipality. And the only government created in that Act was the same government any private corporation has within the operation of its own corporate construct. Thus, we call it Corp. U.S. We also note Congress reserved the right, granted them in the Constitution, to complete dictatorial authority over their Corp. U.S. construct, without regard for its internal operations or officers. Thus, Congress can use it within the ten mile square as they see fit to both govern the municipality as if it were the municipal government and to use it to do things the Constitution did not grant them the privilege of doing.

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