

Case No. 7,420. JOHNSON v. WASHINGTON.
[5 Cranch, C. C. 434.]¹

Circuit Court, District of Columbia.

March Term, 1838.

TAVERN LICENSES—COLORED PEOPLE—SUITS AGAINST WOMEN.

1. The corporation of Washington has power to prohibit the granting of tavern licenses to colored persons.
2. The justices of the peace have jurisdiction in cases against women.

Appeal from the judgment of a justice of the peace who had rendered judgment against the appellant [Harriet Johnson, a negress] for a fine for keeping a tavern without license.

Mr. Dandridge, for appellant, contended that the corporation had no right to discriminate between white persons and free colored persons, by prohibiting the granting of tavern licenses to the latter; and relied upon the opinion of this court in Carey's Case, at November term, 1835. [Case No. 2,404.] He also contended that the charter did not give the corporation authority to restrain taverns, but only to license, regulate, and tax them.

Mr. Bradley, contra, relies on the same opinion to show that the corporation has authority thus to discriminate and restrain.

THE COURT (MORSELL, Circuit Judge, not giving any opinion) was of opinion that the corporation has a discretion to prohibit the granting of tavern licenses to colored persons.

THE COURT also (CRANCH, Chief Judge, giving no opinion) decided that justices of the peace have jurisdiction in suits against women, in cases not exceeding fifty dollars in value.

¹ [Reported by Hon. William Cranch, Chief Judge.]