

SEC. 6. *And be it further enacted*, That until the next general census shall be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

SEC. 7. *And be it further enacted*, That the following propositions be, and the same are hereby offered to the convention of the eastern state of the said territory, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

First, That the section, number sixteen, in every township, and where such section has been sold, granted or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township, for the use of schools.

Second, That the six miles reservation, including the salt springs, commonly called the Scioto salt springs, the salt springs near the Muskingum river, and in the military tract, with the sections of land which include the same, shall be granted to the said state for the use of the people thereof, the same to be used under such terms and conditions and regulations as the legislature of the said state shall direct: *Provided*, the said legislature shall never sell nor lease the same for a longer period than ten years.

Third, That one twentieth part of the nett proceeds of the lands lying within the said state sold by Congress, from and after the thirtieth day of June next, after deducting all expenses incident to the same, shall be applied to the laying out and making public roads, leading from the navigable waters emptying into the Atlantic, to the Ohio, to the said state, and through the same, such roads to be laid out under the authority of Congress, with the consent of the several states through which the road shall pass: *Provided always*, that the three foregoing propositions herein offered, are on the conditions that the convention of the said state shall provide, by an ordinance irrevocable, without the consent of the United States, that every and each tract of land sold by Congress, from and after the thirtieth day of June next, shall be and remain exempt from any tax laid by order or under authority of the state, whether for state, county, township or any other purpose whatever, for the term of five years from and after the day of sale.

APPROVED, April 30, 1802.

To have one representative in Congress till next census.

Propositions offered to the convention.
1811, ch. 9.

STATUTE I.

May 1, 1802.

CHAP. XLI.—*An Act to abolish the Board of Commissioners in the City of Washington; and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of June next, the offices of the commissioners appointed in virtue of an act passed on the sixteenth day of July in the year seventeen hundred and ninety, intituled "An act to establish the temporary and permanent seat of the government of the United States," shall cease and determine; and the said commissioners shall deliver up unto such person as the President shall appoint, in virtue of this act, all plans, draughts, books, records, accounts, deeds, grants, contracts, bonds, obligations, securities, and other evidences of debt in their possession which relate to the city of Washington, and the affairs heretofore under their superintendence or care.

SEC. 2. *And be it further enacted*, That the affairs of the city of Washington, which have heretofore been under the care and superintendence of the said commissioners, shall hereafter be under the direction of a superintendent, to be appointed by, and to be under the control of the President of the United States; and the said superintendent is hereby invested with all powers, and shall hereafter perform all duties

Commission to cease on first of June, 1802.

Act of July 16, 1790, ch. 28.

To transfer records to a superintendent.

A superintendent to be appointed by the President.

Powers same as commissioners.

1803, ch. 29.

Commissioners shall settle accounts immediately.

Superintendent to pay all obligations contracted by his predecessor.

Lots shall be sold to pay debt to Maryland.

In default of sale, the debt to be paid from public treasury.

Lots to be re-sold which had not been paid for.

The amount of sales to be applied to the payment of a sum due to Maryland.

Provision in case of a deficiency.

After debts already contracted are discharged monies advanced out of the treasury to be reimbursed by superintendent.

Part of a former act relating to the appointment of a board of commissioners repealed.

Books of subscription to be

which the said commissioners are now vested with, or are required to perform by, or in virtue of any act of Congress, or any act of the general assembly of Maryland, or any deed or deeds of trust from the original proprietors of the lots in the said city, or in any other manner whatsoever.

SEC. 3. *And be it further enacted*, That the said commissioners shall forthwith settle with the accounting officers of the treasury their accounts for all monies received and expended by them in their capacity as commissioners, and shall immediately thereafter pay to the said superintendent any balance which may be found against them upon such settlement.

SEC. 4. *And be it further enacted*, That the said superintendent shall pay all the debts heretofore contracted by the commissioners in their capacity as such, the payments of which are not herein after specially provided for, out of any monies received by him arising out of the city funds.

SEC. 5. *And be it further enacted*, That the said superintendent shall, under the direction of the President of the United States, sell so many of those lots in the city of Washington which are pledged for the repayment of a loan of two hundred thousand dollars, made by the state of Maryland, in the years one thousand seven hundred and ninety-six and one thousand seven hundred and ninety-seven, to the commissioners for the use of the said city, as may be sufficient to pay the interest already accrued on the said loan, and the interest and instalments thereof, as they may respectively become due: *Provided*, that if in the opinion of the President of the United States, the sale of a sufficient number of the said lots, to meet the objects aforesaid, cannot be made without an unwarrantable sacrifice of the property, then so much money as may be necessary to provide for the deficiency is hereby appropriated and shall be paid out of any money in the treasury of the United States not otherwise appropriated.

SEC. 6. *And be it further enacted*, That the said superintendent shall, prior to the first day of November next, sell, under the directions of the President of the United States, all the lots in the said city, which were sold antecedent to the sixth day of May, in the year one thousand seven hundred and ninety-six, and which the said commissioners are authorized by law to re-sell, in consequence of a failure on the part of the purchasers, to comply with their contracts; and the monies arising thereupon shall be applied, on or before the first day of November next, to the payment of the sum of fifty thousand dollars and the interest thereon to the state of Maryland, which said sum was formerly loaned by the said state to the commissioners for the use of the city of Washington: *Provided*, that if a sufficient sum to meet the objects last aforesaid, shall not be produced by the sale of the whole of the lots aforesaid, then so much money as may be necessary to provide for the deficiency is hereby appropriated, and shall be paid out of any money in the treasury of the United States, not otherwise appropriated.

SEC. 7. *And be it further enacted*, That after the debts already contracted by the commissioners shall have been discharged, all monies advanced out of the treasury in pursuance of this act, shall be reimbursed by the said superintendent, by paying into the treasury all monies arising from the city funds, until the whole sum advanced, with the interest thereon, shall be repaid.

SEC. 8. *And be it further enacted*, That so much of the act, intituled "An act to establish the temporary and permanent seat of government of the United States," passed on the sixteenth day of July, in the year seventeen hundred and ninety, as relates to the appointment of commissioners shall be, and the same is hereby repealed.

SEC. 9. *And be it further enacted*, That it shall and may be lawful to open books in the city of Washington, for receiving and entering

subscriptions for opening the canal to communicate from the Potomac river to the Eastern Branch thereof, through a part of the city of Washington, under the management of Thomas Tingey, Daniel Carroll of Duddington, Thomas Law, and Daniel Carroll Brent, which subscriptions shall be made personally, or by power of attorney; the said books shall be opened for receiving subscriptions, and continue open until the sum of eighty thousand dollars shall be filled up, in shares of one hundred dollars each; and that each person shall, at the time of subscribing, pay down ten dollars, being one tenth of each share; and after fourteen days previous notice, by advertisement, there shall be a meeting of the subscribers, and they are hereby declared to be incorporated into a company, by the name of the "Washington Canal Company," and may sue and be sued, as such, and make all necessary by-laws and regulations for the proper management of the business thereof. And such of the subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and four directors for conducting the said undertaking, and managing the said company's business for, and during such time not exceeding three years, as the said subscribers, or a majority of them, shall think fit. Each member shall be allowed one vote for every share, by him or her held at the time in the said company, and any proprietor by a writing under his or her hand, executed in presence of two witnesses, may depute any other member or proprietor to vote and act as proxy for him or her, at any general meeting.

SEC. 10. *And be it further enacted*, That the shares in said company shall be deemed personal, and not real property, and transferable in such manner as the company shall direct.

SEC. 11. *And be it further enacted*, That the president and directors so elected, and their successors, or a majority of them, shall have full power and authority to agree with any person or persons, on behalf of the said company, to cut such canals, erect such locks, and perform such other works as they shall judge necessary for opening the canal aforesaid, and the forks thereof;—and out of the monies arising from the subscriptions, wharfage and tolls, to pay for the same, and to repair and improve the said canal, locks, and other works necessary thereto, and to defray all incidental charges, and also to appoint a treasurer, clerk, and such other officers, toll gatherers, managers and servants, as they shall judge requisite, and to settle their respective wages.

SEC. 12. *And be it further enacted*, That the treasurer of the company shall give bond, with such penalty and such security as the said president and directors, or a majority of them, shall direct.

SEC. 13. *And be it further enacted*, That the said president and directors, so elected, and their successors, or a majority of them assembled, shall have full power and authority to demand and receive of the proprietors, the remaining nine tenths of the shares, from time to time, as they may be required, by previous advertisement at least one month in the Washington, Georgetown, and Alexandria gazettes; and if any of the said proprietors shall refuse or neglect to pay their proportions within one month after the same so ordered and advertised, as aforesaid, the said shares of defaulters shall be forfeited.

SEC. 14. *And be it further enacted*, That the said president and directors, so elected, and their successors, or a majority of them, shall not begin to collect wharfage or tolls, until the canal is made practicable for boats and scows to pass through the same from the Potomac to the Eastern Branch.

SEC. 15. *And be it further enacted*, That every president and director, before he acts as such, shall take an oath or affirmation for the faithful discharge of his office.

SEC. 16. *And be it further enacted*, That there shall be a general

opened for completing the canal from the Potomac to the Eastern Branch.

Under whose direction.

Sum to be raised, amount of shares. Act of May 31, 1832, ch. 112.

Subscribers incorporated;

Empowered to choose a president and four directors.

Shares to entitle the holders to an equal number of votes.

A proxy may act.

Shares to be personal property.

Powers of the president and directors when elected.

Treasurer to give bonds with security.

President and directors may call upon the proprietors for payments on their shares.

Defaulters forfeit their shares.

When wharfage and tolls are made demandable.

Oath of office to be taken by the president and directors.

A general meeting of the proprietors twice a year.

President and directors to make reports of their proceedings to them.

Certificates to be given by the proprietor to the president and directors.

Rates of wharfage fixed.

Rates of tolls.

Public property free from tolls and wharfage.

In what case the canal is to revert to the U. States.

meeting of the proprietors on the first Monday in June, and the first Monday in December, every year, in the city of Washington; to which meeting the president and directors shall make a report, and render distinct and just accounts of all their proceedings, and on finding them fairly and justly stated, the proprietors, then present, or a majority of them, shall give a certificate thereof, and at such half-yearly general meetings, after leaving in the hands of the treasurer such sum as shall be judged necessary for repairs, improvements or contingent charges, an equal dividend of all the nett profits arising from the wharfage and tolls hereby granted, shall be ordered and made to, and among all the proprietors of the said company, in proportion to their several shares.

SEC. 17. *And be it further enacted*, That for and in consideration of the expenses the said proprietors shall incur, not only in cutting canals, but in erecting locks, and in maintaining and keeping the same in repair, and in temporary enlargement and improvement of the same, that for the space of fifty years, when this act shall cease on repayment of the principal of the sums expended, the company is hereby authorized to collect the same rates of wharfage on all articles and materials landed on each side of the canal, as are now legally received at the wharfs at Georgetown: and it shall and may be lawful for the said president and directors, for fifty years, and as much longer as their principal sums expended remain unpaid, to demand and to receive, at the most convenient place for all commodities carried through a lock or locks, of the canal, a toll not exceeding half a dollar on each loaded boat, and a quarter of a dollar on each loaded scow; but no toll to be paid returning. But when the wharfage shall produce the annual interest of eight per cent. on the sums expended by the president and directors, exclusive of the tolls, then the tolls shall cease, and the canal and forks thereof, shall be entirely free for passage: and when the wharfage shall exceed the annual interest of twelve per cent. then the president and directors shall appropriate one half of the surplus to such public purpose as Congress may direct, or reserve the same as a fund to pay off the principal: *Provided always*, that all public property shall pass free of toll and wharfage.

SEC. 18. *Provided nevertheless, and be it further enacted*, That in case the said Washington Canal Company created by this act shall not, within the term of five years, complete said canal in such a manner as to admit boats drawing three feet of water to pass through the whole extent of said canal, that the said canal shall revert to the United States, and all right and authority hereby granted to said company shall cease and determine.

APPROVED, May 1, 1802.

STATUTE I.

May 1, 1802.

[Obsolete.]

CHAP. XLIII.—*An Act making an appropriation for the support of the Navy of the United States, for the year one thousand eight hundred and two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums, including any sum which may have been, or might be expended during the present year, by virtue of any former appropriation, be, and the same are hereby respectively appropriated, to defray the expenses of the navy of the United States during the year one thousand eight hundred and two; that is to say:

Specific appropriations.

For the pay and subsistence of the officers, the pay of the seamen, provisions and repairs, five hundred and eight thousand two hundred and twenty-six dollars.

For medicines, instruments, and hospital stores, ten thousand dollars.

For the purchase of ordnance and other military stores, twenty thousand dollars.