poration, and to the secular affairs of said congregation, agreeable to the rules, ordinances and by-laws thereof, during their continuance in office: *Provided*, that not less than five trustees be a quorum to do business; that no by-law, rule or ordinance shall be made, repugnant to the laws of this district. Proviso.

SEC. 5. *And be it further enacted*, That there shall be an annual meeting of the members belonging to said congregation, held on the first Tuesday of April, in every year hereafter, at the church or usual place of public worship, at which time and place the said members, or such of them as may be present, shall elect, and choose, by ballot, from their own number, nine trustees, to serve for the year ensuing their election, and until others shall be elected or appointed to serve in their place. Annual meetings of the members of the congregation for the choice of trustees, &c.

SEC. 6. *And be it further enacted*, That the trustees shall keep, or cause to be kept, in suitable books for the purpose, just and proper entries of all the proceedings and accounts of said congregation and corporation, and have them laid before the members, at every annual meeting, previous to taking the votes, and shall always deliver the said books, together with all the property of said congregation and corporation, in good order to their successors in office, whenever required. Suitable books to be kept by the trustees.

APPROVED, March 28, 1806.

STATUTE I.

CHAP. XVII.—*An Act declaring the consent of Congress to an act of the state of South Carolina, passed on the twenty-first day of December, in the year one thousand eight hundred and four, so far as the same relates to authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports.* March 28, 1806. [Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and it is hereby granted and declared to the operation of an act of the general assembly of the state of South Carolina, passed the twenty-first day of December, in the year of our Lord one thousand eight hundred and four, intituled "An act to authorize the city council of Charleston, with the consent of Congress, to impose and levy a duty on the tonnage of ships and vessels, for the purposes therein mentioned," so far as the same extends to authorizing the city council of Charleston to impose and levy a duty not exceeding six cents, per ton, on all ships and vessels of the United States, which shall arrive and be entered in the port of Charleston from any foreign port or place whatever. Act of the legislature of South Carolina, laying a duty on tonnage, assented to by Congress.

SEC. 2. *And be it further enacted*, That the collector of Charleston is hereby authorized to collect the duty imposed by this act, and to pay the same to such persons as shall be authorized to receive the same by the city council of Charleston. The collector of Charleston to collect the duty and pay it over.

SEC. 3. *And be it further enacted*, That this act shall be in force for three years, and from thence to the end of the next session of Congress thereafter, and no longer. Limitation of the law. Continued 1809, ch. 5.

APPROVED, March 28, 1806.

STATUTE I.

CHAP. XIX.—*An Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.*(a) March 29, 1806.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the

(a) The acts which have been passed relating to the "Cumberland road," are:
An act to regulate the laying out and making a road from Cumberland in the state of Maryland, to the state of Ohio, March 29, 1806, chap. 19.
An act in addition to the "act to regulate the laying out and making a road from Cumberland in the state of Ohio," March 3, 1811, chap. 45.
An act in addition to the act to regulate the laying out and making a road from Cumberland in the state of Maryland, to the state of Ohio, May 6, 1812, chap. 78.

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Three disinterested persons to be appointed commissioners to lay out a road.

United States be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, three discreet and disinterested citizens of the United States, to lay out a road from Cumberland, or a point on the northern bank of the river Potomac in the state of Maryland, between Cumberland and the place where the main road leading from Gwinn's to Winchester, in Virginia, crosses the river, to the state of Ohio: whose duty it shall be, as soon as may be, after their appointment, to repair to Cumberland aforesaid, and view the ground, from the points on the river Potomac herein before designated, to the river Ohio; and to lay out in such direction as they shall judge, under all circumstances, the most proper, a road from thence to the river Ohio, to strike the same at the most convenient place, between a point on its eastern bank, opposite to the northern boundary of Steubenville, in said state of Ohio, and the mouth of Grave creek, which empties into the said river, a little below Wheeling, in Virginia.

Width, &c. of the road.

Sec. 2. *And be it further enacted*, That the aforesaid road shall be laid out four rods in width, and designated on each side by a plain and distinguishable mark on a tree, or by the erection of a stake or monument, sufficiently conspicuous, in every quarter of a mile of the distance, at least, where the road pursues a straight course so far or farther, and on each side, at every point where an angle occurs in its course.

Commissioners to present a plan of the road to the President, &c.

Sec. 3. *And be it further enacted*, That the commissioners shall, as soon as may be, after they have laid out said road, as aforesaid, present to the President an accurate plan of the same, with its several courses and distances, accompanied by a written report of their proceedings, describing the marks and monuments by which the road is designated, and the face of the country over which it passes, and pointing out the particular parts, which they shall judge require the most and immediate attention and amelioration; and the probable expense of making the same passable in the most difficult parts, and through the whole distance: designating the state or states, through which said road has been laid out, and the length of the several parts which are laid out on new ground, as well as the length of those parts laid out on the road now travelled. Which report the President is hereby authorized to accept or reject, in the whole, or in part. If he accepts, he is hereby further authorized and requested to pursue such measures, as in his opinion shall be proper, to obtain consent for making the road, of the state or states, through

President authorized to accept or reject it, and to pursue measures for having it executed.

An act in addition to the act to regulate the laying out a road from Cumberland in the state of Maryland, to the state of Ohio, February 14, 1815, chap. 43.

An act to authorize the appointment of commissioners to lay out the road therein mentioned, May 15, 1820, chap. 122.

An act for the preservation of the Cumberland road, March 2, 1827, chap. 44.

An act for the construction of the Cumberland road, westwardly of Zanesville, March 2, 1829, chap. 30.

An act for the continuation of the Cumberland road, March 2, 1829, chap. 31.

An act for the preservation and repair of the Cumberland road, March 2, 1829, chap. 52.

An act for the continuation of the Cumberland road in the states of Ohio, Indiana, and Illinois, March 2, 1831, chap. 63.

An act declaring the assent of Congress to an act of the general assembly of the state of Ohio, hereinafter recited, March 2, 1831, chap. 97.—[The act of the state of Ohio provides for the erection of toll gates, the appointment of toll gatherers and rates of toll on the part of the Cumberland road, which is in the state of Ohio.]

An act declaring the assent of Congress to an act of the general assembly, hereinafter recited, March 2, 1833, chap. 79.—[This act provides for the erection of toll gates, and the collection of tolls in that part of the road which passes through the state of Virginia.]

An act for the continuation and repair of the Cumberland road, June 24, 1834, chap. 68.—[By the 4th section of this act the road is surrendered to the states respectively, through which it passes.]

An act for the continuation and repair of the Cumberland road, in the states of Ohio, Indiana, and Illinois, March 3, 1835, chap. 29.

An act amendatory of the act for the continuation of the Cumberland road, March 3, 1835, chap. 30.

An act for the continuation of the Cumberland road in the states of Ohio, Indiana, and Illinois, July 2, 1836, chap. 264.

An act to provide for the continuing the construction, and for the repairs of certain roads, and for other purposes, during the year 1837, March 3, 1837, chap. 44.

An act making appropriations for the continuation of the Cumberland road in Ohio, Indiana, and Illinois, and for other purposes, May 25, 1838, chap. 84.

which the same has been laid out. Which consent being obtained, he is further authorized to take prompt and effectual measures to cause said road to be made through the whole distance, or in any part or parts of the same as he shall judge most conducive to the public good, having reference to the sum appropriated for the purpose.

Mode in which the road is to be made.

Sec. 4. *And be it further enacted*, That all parts of the road which the President shall direct to be made, in case the trees are standing, shall be cleared the whole width of four rods; and the road shall be raised in the middle of the carriage way with stone, earth, or gravel and sand, or a combination of some or all of them, leaving or making, as the case may be, a ditch or water-course on each side, and contiguous to said carriage way: and in no instance shall there be an elevation in said road, when finished, greater than an angle of five degrees with the horizon. But the manner of making said road, in every other particular, is left to the direction of the President.

Compensation of the commissioners.

Commissioners authorized to employ surveyor, chainmen, &c. &c.

Their compensation.

Sec. 5. *And be it further enacted*, That said commissioners shall each receive four dollars per day, while employed as aforesaid, in full for their compensation, including all expenses. And they are hereby authorized to employ one surveyor, two chainmen, and one marker, for whose faithfulness and accuracy, they, the said commissioners, shall be responsible, to attend them in laying out said road, who shall receive in full satisfaction for their wages, including all expenses, the surveyor three dollars per day, and each chainman and the marker, one dollar per day, while they shall be employed in said business; of which fact, a certificate signed by said commissioners shall be deemed sufficient evidence.

Specific appropriation.

President authorized to draw for the whole or a part of the sum appropriated.

Out of what fund the money is to be paid.

1802, ch. 40.

Sec. 6. *And be it further enacted*, That the sum of thirty thousand dollars be, and the same is hereby appropriated, to defray the expense of laying out and making said road. And the President is hereby authorized to draw, from time to time, on the treasury, for such parts, or at any one time, for the whole of said sum, as he shall judge the service requires. Which sum of thirty thousand dollars, shall be paid, first, out of the fund of two per cent. reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act passed on the thirtieth day of April, one thousand eight hundred and two, intituled "An act to enable the people of the eastern division of the territory northwest of the river Ohio, to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes." Three per cent. of the appropriation contained in said seventh section, being directed by a subsequent law, to the laying out, opening, and making roads within the said state of Ohio. And secondly, out of any money in the treasury not otherwise appropriated, chargeable upon, and reimbursable at the treasury by said fund of two per cent. as the same shall accrue.

President to make a statement to Congress of the proceedings under this act.

Sec. 7. *And be it further enacted*, That the President be, and he is hereby requested, to cause to be laid before Congress, as soon as convenience will permit, after the commencement of each session, a statement of the proceedings under this act, that Congress may be enabled to adopt such further measures, as may, from time to time, be proper, under existing circumstances.

Approved, March 29, 1806.

Statute I.

April 10, 1806.

Chap. XX.—*An Act for establishing Rules and Articles for the government of the Armies of the United States.*(a)

Armies of the U. S. to be go-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the pass-

(a) The acts for establishing rules and articles for the government of the army of the United States. An act for the better organization of the troops of the United States, and for other purposes, March 3, 1799, repealed.