

Act of Congress, 7 May, 1800.

ACT OF CONGRESS, 7 AUG. 1789.

1 Stat. at Large, 50.

For the government of the territory north-west of the river Ohio.

Whereas, in order that the ordinance of the United States in congress assembled, for the government of the territory north-west of the river Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present constitution of the United States :

§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases in which, by the said ordinance, any information is to be given, or communication made, by the governor of the said territory, to the United States in congress assembled, or to any of their officers, it shall be the duty of the said governor to give such information and to make such communication to the president of the United States ; and the president shall nominate, and by and with the consent of the senate, shall appoint all

officers, which, by the said ordinance, were to have been appointed by the United States in congress assembled, and all officers, so appointed, shall be commissioned by him ; and in all cases where the United States in congress assembled might, by the said ordinance, revoke any commission, or remove from any office, the president is hereby declared to have the same powers of revocation and removal.

§ 2. *And be it further enacted,* That in a case of the death, removal, resignation, or necessary absence of the governor of the said territory, the secretary thereof shall be and he is hereby authorized and required to execute all the powers, and perform all the duties of the governor during the vacancy occasioned by the removal, resignation, or necessary absence of the said governor.

ACT OF VIRGINIA, 18 DEC. 1789.

xiii Hen. Stat. Va. 19.

Concerning the erection of the district of Kentucky into an independent state.

§ 11. The use and navigation of the river Ohio, so far as the territory of the proposed state, or the territory which shall remain within the limits of this commonwealth lies therein, shall be free and common to the citizens of the United

States ; and the respective jurisdictions of this commonwealth and of the proposed state, on the river as aforesaid, shall be concurrent only with the states which may possess the opposite shores of the said river.

ACT OF CONGRESS, 7 MAY, 1800.

2 Stat. at Large, 58.

To divide the territory of the United States, north-west of the Ohio into two separate governments.

§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the fourth day of July next, all that part of the territory of the United States north-west of the Ohio river, which lies westward of the line beginning at the Ohio, opposite to the mouth of Kentucky river, and running thence to Fort Recovery, and thence north, until it shall intersect the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called the Indiana territory.

§ 2. *And be it further enacted,* That there shall be established within the said territory a government, in all respects similar to that provided by the ordinance of congress, passed on the 13th day of July, 1787, for the government of the territory of the United States north-west of the river Ohio ; and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges, and advantages granted and secured to the people by the said ordinance.

§ 3. *And be it further enacted,* That the offi-

cers for the said territory, who, by virtue of this act, shall be appointed by the president of the United States, by and with the advice and consent of the senate, shall respectively exercise the same powers, perform the same duties, and receive for their services the same compensations, as by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers, in the territory of the United States north-west of the river Ohio : And the duties and emoluments of superintendent of Indian affairs shall be united with those of governor : *Provided,* That the president of the United States shall have full power, in the recess of congress, to appoint and commission all officers herein authorized ; and their commissions shall continue in force until the end of the next session of congress.

§ 4. *And be it further enacted,* That so much of the ordinance for the government of the territory of the United States north-west of the Ohio river, as relates to the organization of a general assembly therein, and prescribes the powers thereof, shall be in force and operate in the

Act of Congress, 3 Feb. 1809.

Indiana territory, whenever satisfactory evidence shall be given to the governor thereof, that such is the wish of a majority of the freeholders, notwithstanding there may not be therein 5,000 free male inhabitants of the age of 21 years and upward: *Provided*, That until there shall be 5,000 free male inhabitants of 21 years and upward, in said territory, the whole number of representatives to the general assembly shall not be less than seven nor more than nine, to be apportioned by the governor to the several counties in said territory, agreeably to the number of free males, of the age of 21 years and upward, which they may respectively contain.

§ 5. *And be it further enacted*, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the territory of the United States north-west of the Ohio river, further than to prohibit the exercise thereof within the Indiana territory, from and after the aforesaid fourth day of July

next: *Provided*, That whenever that part of the territory of the United States which lies to the eastward of a line beginning at the mouth of the Great Miami river, running thence due north to the territorial line between the United States and Canada, shall be erected into an independent state, and admitted into the union on an equal footing with the original states, thenceforth said line shall become and remain permanently the boundary line between such state and the Indiana territory; anything in this act contained to the contrary notwithstanding.

§ 6. *And be it further enacted*, That until it shall be otherwise ordered by the legislatures of the said territories, respectively, Chillicothe, on the Scioto river, shall be the seat of the government of the territory of the United States; north-west of the Ohio river; and that Saint Vincennes on the Wabash river, shall be the seat of government for the Indiana territory

ACT OF CONGRESS, 3 FEB. 1809.

2 Stat. at Large, 514.

Dividing the Indiana territory into two separate governments, and establishing the territory of Illinois.—Michigan was formed 11 Jan. 1805: 2 Stat. at Large, 309. Wisconsin was formed 20 April, 1836: 5 Id. 10.

§ 1. *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 March next, all that part of the Indiana territory which lies west of the Wabash river, and a direct line drawn from the said Wabash river and Post Vincennes due north, to the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called Illinois.

§ 2. *And be it further enacted*, That there shall be established within the said territory a government in all respects similar to that provided by the ordinance of congress, passed on the 13th day of July, 1787, for the government of the territory of the United States north-west of the river Ohio, and by an act passed on the 7th day of August, 1789, entitled "An act to provide for the government of the territory north-west of the river Ohio;" and the inhabitants thereof shall be entitled to and enjoy all and singular the rights, privileges, and advantages, granted and secured to the people of the territory of the United States north-west of the river Ohio, by the said ordinance.

§ 3. *And be it further enacted*, That the officers for the said territory who, by virtue of this act, shall be appointed by the president of the United States, by and with the advice and consent of the senate, shall, respectively, exercise the same powers, perform the same duties, and receive for their services the same compensations, as, by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers in the Indiana territory. And the duties and emoluments of superintendent of Indian affairs shall be united with those of governor. *Provided*, That the presi-

dent of the United States shall have full power, in the recess of congress, to appoint and commission all officers herein authorized, and their commissions shall continue in force until the end of the next session of congress.

§ 4. *And be it further enacted*, That so much of the ordinance for the government of the territory of the United States north-west of the river Ohio, as relates to the organization of a general assembly therein, and prescribes the powers thereof, shall be in force and operate in the Illinois territory, whenever satisfactory evidence shall be given to the governor thereof that such is the wish of a majority of the freeholders, notwithstanding there may not be therein 5,000 free male inhabitants of the age of 21 years and upward: *Provided*, That until there shall be 5,000 free male inhabitants of 21 years and upward in said territory, the whole number of representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor to the several counties in the said territory, agreeably to the number of free males of the age of 21 years and upward, which they may respectively contain.

§ 5. *And be it further enacted*, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the Indiana territory, further than to prohibit the exercise thereof within the Illinois territory, from and after the aforesaid first day of March next.

§ 6. *And be it further enacted*, That all suits, process, and proceedings, which, on the first day of March next, shall be pending in the court of any county which shall be included within the said territory of Illinois, and also all suits, process, and proceedings, which, on the said first day of March next, shall be pending in the general