

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