## An ORDINANCE for the GOVERNMENT of the TERRITO-RY of the UNITED STATES, North-West of the RIVER OHIO.

BEIT ORDAINED by the United States in Congress affembled, That the faid territory, for the purposes of tempo-rary government, be one diffrict; subject, however, to be divided into two diffricts; as suture circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforefaid, That the effates both of refident and non-refident proprietors in the faid ter-ritory, dying interfate, fhall defcend to, and be diffributed among their children, and the defcendants of a deceafed child in equal parts; the delcendants of a deceased child or grand-child, to take the share of their deceased parent in equal parts among them : And where there thall be no children or defcendants, then in equal parts to the next of kin, in equal degree ; and among collaterals, the children of a deceased brother or fifter of the intestate, shall have in equal parts among them their deceased parents share; and there shall in no case be a difficition between kindred of the whole and half blood; fatheir deceased parents fhare; and there fhall in no cafe be a diffinction between kindred of the whole and half blood; fa-ving in all cafes to the widow of the inteftate, her third part of the real eftate for life, and one third part of the perfonal effate; and this law relative to defcents and dower, fhall remain in full force until altered by the legiflature of the dif-effate; and this law relative to defcents and dower, fhall remain in full force until altered by the legiflature of the dif-effate; and this law relative to defcents and dower, fhall remain in full force until altered by the legiflature of the dif-effate; and this law relative to defcents and dower, fhall remain in full force until altered by the legiflature of the dif-effate; and this law relative to defcents and dower, fhall remain in full force until altered by the legiflature of the dif-effate; and this law relative to defcents and dower, fragment and part of the second and feates in the fait territory may be devifed or bequeathed by wills in writing, figned and feated by him or her, in whom the effate may be, (being of full age) and attefted by three witneffes; — and real effates may be conveyed by leafe and releafe, or bargain and fale, figned, fealed, and delivered by the perfon being of full age, in whom the effate may be, and atteffed by two wit-neffes, provided fuch wills be duly proved, and fuch conveyances be acknowledged, or the execution thereof duly pro-neffes, provided fuch wills be duly proved, and fuch conveyances be acknowledged, or the execution thereof duly pro-neffes and perfonal property may be transferred by delivery, faving, however, to the French and Canadian inhabitants, and other fettlers of the Kaskaskies, Saint V incent's, and the neighbouring villages, who have heretofore profeffed themfelves citizens of Virginia, their laws and cuftoms now in force among them, relative to the defcent and conveyance of pro-perty.

perty. Be it ordained by the authority aforefaid, That there fhall be appointed from time to time, by Congrefs, a governor, whole commiffion fhall continue in force for the term of three years, unlefs fooner revoked by Congrefs; he fhall refide in the diffrit, and have a freehold eftate therein, in one thoufand acres of land, while in the exercise of his office.

in the diffrict, and have a freehold effate therein, in one thou fand acres of land, while in the exercise of his office. There shall be appointed from time to time, by Congress, a fecretary, whose commission shall continue in force for four years, unless fooner revoked, he shall refide in the district, and have a freehold effate therein, in five hundred acres of land, while in the exercise of his office; it shall be his duty to keep and preferve the acts and laws passed by the le-gission of the district, and the proceedings of the governor in his executive department; and transmit authentic copies of fuch acts and proceedings, every fix months, to the fecretary of Congress: There shall al-fo be appointed a court to confist of three judges, any two of whom to form a court, who shall have a common law ju-rifdiction, and refide in the district, and have each therein a freehold effate in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behaviour. The governor and judges, or a majority of them, shall adopt and publiss in the district, fuch laws of the original fates, criminal and civil, as may be necessary, and best fuicted to the circumfances of the district, and report them to Congress, from time to time, which laws shall be in force in the district until the organization of the general affembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall that fit.

The governor for the time being, fhall be commander in chief of the militia, appoint and commiffion all officers in the fame, below the rank of general officers; all general officers fhall be appointed and commiffioned by Congrefs.

Tame, below the faint of general officers, all general officers than be appointed and commission by Congress. Previous to the organization of the general affembly, the governor fhall appoint fuch magiftrates and other civil of-ficers, in each county or townfhip, as he fhall find neceffary for the prefervation of the peace and good order in the fame. After the general affembly fhall be organized, the powers and duties of magiftrates and other civil officers shall be regu-lated and defined by the faid affembly; but all magiftrates and other civil officers, not herein otherwife directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the diffrict, and for the execution of procefs, criminal and civil, the governor fhall make proper divisions thereof---and he fhall proceed from time to time, as circumftances may require, to lay out the parts of the diffrict in which the Indian titles fhall have been extinguished, into counties and townships, fubject, however, to fuch alterations as may thereafter be made by the

legillature. So foon as there fhall be five thousand free male inhabitants, of full age, in the diffrict, upon giving proof thereof to the governor, they fhall receive authority, with time and place, to elect representatives from their counties or town-fhips, to represent them in the general alfembly ; provided that for every five hundred free male inhabitants there shall be one representative, and so on progressively with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five, after which the number and proportion of re-presentative and her the legillature : provided that no perfore her eligible or quelified to solve on the presentatives shall be regulated by the legislature; provided that no perfon be eligible or qualified to act as a repre-fentative, unless he shall have been a citizen of one of the United States three years and be a resident in the district, or ientative, unlets he main nave been a citizen of one of the Onited States three years and be a rendent in the children of unlefs he shall have resided in the district three years, and in either cafe shall likewife hold in his own right, in see sim-ple, two hundred acres of land within the same :---Provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district; or the like freehold and two years resi-

dence in the diffrict fhall be neceffary to qualify a man as an elector of a reprefentative. The reprefentatives thus elected, thall ferve for the term of two years, and in cafe of the death of a reprefentative, or removal from office, the governor shall fill a writ to the county or township for which he was a member, to elect

another in his flead, to ferve for the refidue of the term. The general affembly, or legiflature, fhall confit of the governor, legiflative council, and a houfe of reprefentatives. The legiflative council thall confit of five members, to continue in office five years, unlefs fooner removed by Congrets, any three of whom to be a quorum, and the members of the council shall be nominated and appointed in the following manner, to wit: As foon as reprefentatives fhall be elected, the governor fhall appoint a time and place for them to meet together, and, when met, they fhall nominate ten perfons, refidents in the district, and each possible of a freehold meet together, and, when met, they mail nominate ten perions, relidents in the diffrict, and each poliefied of a freehold in five hundred acres of land, and return their names to Congrefs; five of whom Congrefs fhall appoint and commiffice to ferve as aforefaid; and whenever a vacancy fhall happen in the council, by death or removal from office, the houfe of reprefentatives fhall nominate two perions, qualified as aforefaid, for each vacancy, and return their names to Con-grefs; one of whom Congrefs fhall appoint and commiffion for the refidue of the term; and every five years, four months at least before the expiration of the time of fervice of the members of council, the faid houfs thall apping ten perform at leaft before the expiration of the time of fervice of the members of council, the faid house shall nominate ten perfors, qualified as aforefaid, and return their names to Congrefs, five of whom Congrefs thall appoint and committion to ferve as members of the council five years, unlefs fooner removed. And the governor, legislative council, and house of reprefentatives, fhall have authority to make laws in all cafes for the good government of the diffife, not repugnant to the principles and articles in this ordinance effablished and declared. And all bills having passed by a majority in the house, and by a majority in the council, stafferred to the governor for his affent; but no bill or legislative act whatever, shall be of any force without his affent. The governor shall have power to convene, prorogue and diffolve the general affembly, when in his opinion it shall be expedient.

The general allempty, when in his opinion it hall be expedient. The governor, judges, legillative council, fecretary, and fuch other officers as Congrefs fhall appoint in the diffric, fhall take an oath or affirmation of fidelity, and of office, the governor before the prefident of Congrefs, and all other officers before the governor. As foon as a legiflature fhall be formed in the diffrict, the council and houfe, affembled in one room, fhall have authority by joint ballot to elect a delegate to Congrefs, who fhall have a feat in Congrefs, with a right of debating, but not of voting, during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the bafis whereon thefe repub-lics, their laws and conflictutions are creded; to fix and eftablish those principles as the bafis of all laws, conflictutions and governments, which for ever hereafter shall be formed in the faid territory ;---to provide allo for the establishment of flates, and permanent government therein, and for their admiffion to a fhare in the federal councils on an equal footing with the original ftates, at as early periods as may be confiftent with the general intereft :

It is hereby ordained and declared by the authority aforefaid, That the following articles thall be confidered as articles of compact between the original flates and the people and flates in the faid territory, and forever remain unalterable, unlefs by common confent, to wit:

Article the First. No perfon, demeaning himfelf in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious fentiments in the faid territory. Article the Second. The inhabitants of the faid territory shall always be entitled to the benefits of the writ of ha-

beas corpus, and of the trial by jury; of a proportionate reprefentation of the people in the legislature, and of judicial proceedings according to the courfe of the common law; all perfons shall be bailable unless for capital offences, where the proof thail be evident, or the prefumption great; all fines thall be moderate, and no cruel or unufual punithments, shall be inflicted; no man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land; and fhould the public exigencies make it neceffary for the common prefervation to take any perfon's property, or tc demand his particular fervices, full compensation shall be made for the fame; — and in the just prefervation of rights and property it is understood and declared, that no law ought ever to be made, or have force in the faid territory, that Thall in any manner whatever interfere with, or affect private contracts or engagements, bona fide and without fraud previoufly formed. Article the Third.

Religion, morality and knowledge, being neceffary to good government and the happinels of mankind, fchools and the means of education shall forever be encouraged. The utmost good faith shall always be obferved towards the Indians; their lands and property shall never be taken from them without their confent; and in their property, rights and liberty, they never shall be invaded or diffurbed, unlefs in just and lawful wars authorifed by Congress ; but laws founded in juffice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preferving peace and friendfhip with them. Article the Fourth. The faid territory, and the flates which may be formed therein, fhall forever remain a part of

this confederacy of the United States of America, fubject to the articles of confederation, and to fuch alterations therein as shall be constitutionally made ; and to all the acts and ordinances of the United states in Congress assembled, conformable thereto. The inhabitants and fettlers in the faid territory, fhall be subject to pay a part of the sederal debts conable thereto. The inhabitants and tettlers in the faid territory, that be tubject to pay a part of the iederal debts con-tracted or to be contracted, and a proportional part of the expences of government, to be apportioned on them by Con-grefs, according to the fame common rule and meafure by which apportionments thereof fhall be made on the other flates; and the taxes for paying their proportion, fhall be laid and levied by the authority asd direction of the legislatures of the diffrict or diffricts or new flates, as in the original flates, within the time agreed upon by the United States in Con-grefs affembled. The legislatures of those diffricts, or new flates, fhall never interfere with the primary difforal of the feil by the United States in Congrefs affembled, nor with any regulations Congrefs are indeaded from the time agreed for a for the fourier of the foil by the United States in Congress affembled, nor with any regulations Congress may find necessary for fecuring the title in fuch foil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no cafe shall non-refident proprietors be taxed higher than residents. The navigable waters leading into the Misfifippi and St. Lawrence, and the carrying places between the fame fhall be common highways, and forever free, as well to the inhabitants of the faid territory, as to the citizens of the United States, and those of any other states that may be admitted into the confederacy, without any tax, impolt or duty therefor.

Articls the Fifth. There shall be formed in the faid territory, not less than three nor more than five flates; and the boundaries of the flates, as foon as Virginia fhall alter her act of cellion and content to the tame, that become inco and eftablished as follows, to wit: The weftern flate in the faid territory, shall be bounded by the Miflispi, the Ohio and Wabash rivers; a direct line drawn from the Wabash and Post Vincent's due north to the territorial line between the United States and Canada, and by the faid territorial line to the lake of the Woods and Miflispi. The middle flate fhall be bounded by the faid direct line, the Wabash from Post Vincent's to the Ohio; by the Ohio, by a direct line the flate from the mouth of the Great Miami to the faid territorial line, and by the faid territorial line. The that be bounded by the taid direct line, the waban from Polt vincent's to the Ohio; by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the faid territorial line, and by the faid territorial line. The eaftern flate fhall be bounded by the laft mentioned direct line, the Ohio, Pennfylvania, and the faid territorial line: Provided however, and it is further underflood and declared, that the boundaries of thefe three flates, fhall be fubj.cc fo far to be altered, that if Congress fhall hereafter find it expedient, they fhall have authority to form one or two flates in that part of the faid territory which lies north of an eaft and weft line drawn through the foutherly bend or extreme of late Michigan t and whenever, any of the faid flates thell have first through flate here through the four through the faid territory to find one or two flates of late Michigan t and whenever any of the faid flates thell have first through flate in behiever through the faits through the fait through the fait through the fait of the fait flates through the fait through through through through through through through the fait through throug of lake Michigan : and whenever any of the faid states shall have fixty thousand free inhabitants therein, fuch fate fhall be admitted by its delegates into the Congress of the United flates, on an equal footing with the original flates in all refpects whatever; and thall be at liberty to form a permanent conflitution and flate government : Provided the confitution and government fo to be formed, shall be republican, and in conformity to the principles contained in these articles; and fo far as it can be confiftent with the general intereft of the confederacy, fuch admiffion fhall be cllowed

atteres, and oral as the are be connected with the general increase of the connectacy, fuch administration in the showed at an earlier period, and when there may be a lefs number of free inhabitants in the flate than fixty thousand. Article the Sixth. There fhall be neither flavery nor involuntary fervitude in the faid territory, otherwife than in punishment of crimes whereof the party shall have been duly conviced: Provided always, that any perfon efcaping in-to the fame, from whom labor or fervice is lawfully claimed in any one of the original flates, fuch fugitive may be law 4 fully reclaimed and conveyed to the perfon claiming his or her labor or fervice as aforefaid.

Be it ordained by the authority aforefaid, That the refolutions of the 23d of April, 1784, relative to the fubject of is ordinance, be, and the fame are hereby repealed and declared null and void. DONE by the UNITED STATES in CONGRESS affembled, the 13th day of July, in the year of our Lord 1787, and of their fovereignty and independence the 12th. this ordinance,

Cha thomson fur

Northwest Ordinance, July 13, 1787; (National Archives and Records Microfilm Publication M332, roll 9); Miscellaneous Papers of the Continental Congress, 1774-1789; Records of the Continental and Confederation Congresses and the Constitutional Convention, 1774-1789, Record Group 360; National Archives.