Statute II.
March 2, 1805.

Act of March 26, 1804, ch. 38.
Act of Feb. 20, 1811, ch. 21.
Act of April 18, 1812, ch. 50.

President authorized to establish a government within the territory of Orleans, similar (except in particular respects) to that of the Mississippi territory:

Officers to be appointed, &c. &c.

The rights secured to the citizens of Mississippi to be extended to those of Orleans.

Ordinance of July 13, 1787, vol. i. 51.

Ordinance of Congress in relation to a general assembly to be in force in Orleans from the 4th of July, 1805.

Representatives to be chosen.

Subsequent elections to be regulated by the legislature.

Ratio of representation.

Time of the first meeting of the legislature.

Annual meetings to be held.

Neither House to adjourn without the consent of the other.

Laws not inconsistent with this act, to continue in force.

Second paragraph of the ordinance, and 6th art. of compact not to be in force in Orleans.

Compensations of the officers.

CHAP. XXIII.—*An Act further providing for the government of the territory of Orleans.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to establish within the territory of Orleans, a government in all respects similar, (except as is herein otherwise provided,) to that now exercised in the Mississippi territory; and shall, in the recess of the Senate, but to be nominated at their next meeting, for their advice and consent, appoint all the officers necessary therein, in conformity with the ordinance of Congress, made on the thirteenth day of July, one thousand seven hundred and eighty-seven, and that from and after the establishment of the said government, the inhabitants of the territory of Orleans shall be entitled to and enjoy all the rights, privileges, and advantages secured by the said ordinance, and now enjoyed by the people of the Mississippi territory.

SEC. 2. *And be it further enacted,* That so much of the said ordinance of Congress, as relates to the organization of a general assembly, and prescribes the powers thereof, shall, from and after the fourth day of July next, be in force in the said territory of Orleans; and in order to carry the same into operation, the governor of the said territory shall cause to be elected twenty-five representatives, for which purpose he shall lay off the said territory into convenient election districts, on or before the first Monday of October next, and give due notice thereof throughout the same; and shall appoint the most convenient time and place within each of the said districts, for holding the elections; and shall nominate a proper officer or officers to preside at and conduct the same, and to return to him the names of the persons who may have been duly elected. All subsequent elections shall be regulated by the legislature; and the number of representatives shall be determined, and the apportionment made in the manner prescribed by the said ordinance.

SEC. 3. *And be it further enacted,* That the representatives to be chosen as aforesaid shall be convened by the governor, in the city of Orleans, on the first Monday in November next; and the first general assembly shall be convened by the governor as soon as may be convenient, at the city of Orleans, after the members of the legislative council shall be appointed and commissioned: and the general assembly shall meet, at least, once in every year, and such meeting shall be on the first Monday in December, annually, unless they shall, by law, appoint a different day. Neither house, during the session, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two branches are sitting.

SEC. 4. *And be it further enacted,* That the laws in force in the said territory, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force, until altered, modified, or repealed by the legislature.

SEC. 5. *And be it further enacted,* That the second paragraph of the said ordinance, which regulates the descent and distribution of estates; and also the sixth article of compact which is annexed to, and makes part of said ordinance, are hereby declared not to extend to, but are excluded from all operation within the said territory of Orleans.

SEC. 6. *And be it further enacted,* That the governor, secretary, and judges, to be appointed by virtue of this act, shall be severally allowed the same compensation which is now allowed to the governor, secretary, and judges, of the territory of Orleans. And all the additional officers authorized by this act, shall respectively receive the same compensations for their services, as are by law established for similar offices in the Mississippi territory, to be paid quarter yearly out of the revenues of impost and tonnage, accruing within the said territory of Orleans.

(a) By the act of April 8, 1812, chap. 50, Louisiana was admitted into the Union.

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People of the territory of Orleans, when the number of free inhabitants shall have amounted to 60,000, permitted to establish a government for themselves.

Must establish a republican government.

Congress to retain the privilege of altering the boundaries of the territory of Orleans, before its admission into the Union.

No alteration to be made which may defer its admission.

Part of the act erecting Louisiana into two territories, &c. repealed.

The rest to remain in force.

1804, ch. 38.

Sec. 7. *And be it further enacted*, That whenever it shall be ascertained by an actual census, or enumeration of the inhabitants of the territory of Orleans, taken by proper authority, that the number of free inhabitants included therein shall amount to sixty thousand, they shall thereupon be authorized to form for themselves a constitution and state government, and be admitted into the Union upon the footing of the original states, in all respects whatever, conformably to the provisions of the third article of the treaty, concluded at Paris, on the thirtieth of April, one thousand eight hundred and three, between the United States and the French Republic: *Provided*, that the constitution so to be established shall be republican, and not inconsistent with the constitution of the United States, nor inconsistent with the ordinance of the late Congress, passed the thirteenth day of July, one thousand seven hundred and eighty-seven, so far as the same is made applicable to the territorial government hereby authorized to be established: *Provided however*, that Congress shall be at liberty, at any time prior to the admission of the inhabitants of the said territory to the right of a separate state, to alter the boundaries thereof as they may judge proper:—*Except only*, that no alteration shall be made which shall procrastinate the period for the admission of the inhabitants thereof to the rights of a state government according to the provision of this act.

Sec. 8. *And be it further enacted*, That so much of an act, intituled "An act erecting Louisiana into two territories, and providing for the temporary government thereof," as is repugnant with this act, shall, from and after the first Monday of November next, be repealed. And the residue of the said act shall continue in full force, until repealed, any thing in the sixteenth section of the said act to the contrary notwithstanding.

Approved, March 2, 1805.

Statute II.

March 2, 1805.

Chap. XXIV.—*An Act further to amend an act, intituled "An act regulating the grants of land; and providing for the disposal of the lands of the United States, south of the state of Tennessee."*(a)

Act of March 3, 1803, ch. 27.

Act of March 27, 1804, ch. 61.

Persons obtaining certificates from the board of commissioners in the Mississippi territory, allowed a further time for entering them.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That persons who may have obtained, or shall obtain certificates from the board of commissioners appointed to ascertain the claims to lands in the Mississippi territory, shall be allowed three months after the respective date of such certificates, for entering the same with the register of the proper land-office; and certificates, thus entered, shall have the same force and effect, as if they had been duly entered with the said register, on or before the first day of January, one thousand eight hundred and five.

Commissioners appointed to ascertain the claims to land in the Mississippi territory, east of Pearl river, authorized to grant certificates for land in the island of Nannee Hubba; and persons having claims permitted to file them before the 1st May, 1805.

Sec. 2. *And be it further enacted*, That the commissioners appointed to ascertain the claims to lands, in the above-mentioned territory, east of Pearl river, shall be authorized to grant certificates for lands lying in the island known by the name of Nannee Hubba, formed by the cut off of the river Tombigbee and Alabamaha; and persons having claims for lands lying either in said island, or east of the Tombigbee and Alabamaha rivers, shall be permitted to file the same with the register of the land-office, till the first day of May, one thousand eight hundred and five; and the commissioners shall decide on the same, in the same manner as if they had been presented before the thirty-first day of March, one thousand eight hundred and four.

Per diem allowances to the

Sec. 3. *And be it further enacted*, That each of the last mentioned commissioners, shall be allowed at the rate of six dollars a day, for every day he shall attend, subsequent to the first day of April, one thousand

(a) See notes to act of March 27, 1804, chap. 61.