

CHAP. LVII.—*An Act to enable the people of the Indiana Territory 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. (a)*

STATUTE I.  
April 19, 1816.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of the territory of Indiana be, and they are hereby authorized to form for themselves a constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the union upon the same footing with the original states, in all respects whatever.*

Inhabitants authorized to form a government with such name as they please—to be admitted into the union.

SEC. 2. *And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: bounded on the east, by the meridian line which forms the western boundary of the state of Ohio; on the South, by the river Ohio, from the mouth of the Great Miami river, to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash, from its mouth to a point, where a due north line drawn from the town of Vincennes, would last touch the north western shore of the said river; and from thence by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of lake Michigan; on the north, by the said east and west line, until the same shall intersect the first mentioned meridian line which forms the western boundary of the state of Ohio: Provided, That the convention herein-after provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory northwest of the river Ohio: Provided, also, That the said state shall have concurrent jurisdiction on the river Wabash, with the state to be formed west thereof, so far as the said river shall form a common boundary to both.*

Limits.

SEC. 3. *And be it further enacted, That all male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory, at least one year previous to the day of election, and shall have paid a county or territorial tax; and all persons having in other respects the legal qualifications to vote for representatives in the general assembly of the said territory be, and they are hereby authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties within the said territory, according to the apportionment made by the legislature thereof, at their last session, to wit: from the county of Wayne, four representatives; from the county of Franklin, five representatives; from the county of Dearborn, three representatives; from the county of Switzerland, one representative; from the county of Jefferson, three representatives; from the county of Clark, five representatives; from the county of Harrison, five representatives; from the county of Washington, five representatives; from the county of Knox, five representatives; from the county of Gibson, four representatives; from the county of Posey, one representative; from the county of Warrick, one representative; and from the county of Perry, one representative. And the election for the representatives aforesaid, shall be holden on the second Monday of May, one thousand eight hundred and sixteen, throughout the several counties in the said territory; and shall be conducted in the same manner, and under the same penalties, as prescribed by the laws of the said territory, regulating elections therein for members of the House of representatives.*

Proviso.

Qualifications of electors of members of the convention.

Apportionment among the counties of the members.

SEC. 4. *And be it further enacted, That the members of the convention, thus duly elected be, and they are hereby authorized to meet at the*

(a) Indiana was admitted into the Union by resolution of December 11, 1816.

Time and place of the meeting of the convention.

seat of the government of the said territory, on the second Monday of June next, which convention, when met, shall first determine, by a majority of the whole number elected, whether it be, or be not expedient, at that time, to form a constitution and state government, for the people within the said territory, and if it be determined to be expedient, the convention shall be, and hereby are authorized, to form a constitution and state government: or if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution, or frame of government; which said representatives shall be chosen in such manner, and in such proportion, and shall meet at such time and place, as shall be prescribed by the said ordinance, and shall then form, for the people of said territory, a constitution and state government: *Provided*, That the same, whenever formed, shall be republican, and not repugnant to those articles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, which are declared to be irrevocable between the original states, and the people and states of the territory northwest of the river Ohio; excepting so much of said articles as relate to the boundaries of the states therein to be formed.

Proviso.

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Representative until another census.

Propositions on the part of the United States, offered to the convention of the territory. If accepted, to be obligatory upon the United States.

Grant of land for schools.

Salt springs.

Five per cent. of the proceeds of the public lands reserved for roads and canals.

Act of April 11, 1818, ch. 49.

An additional township for a seminary of learning.

Act of March 3, 1819, ch. 83.

Four sections for the seat of government.

Proviso.

SEC. 5. *And be it further enacted*, That until the next general census shall be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby offered to the convention of the said territory of Indiana, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

*First.* That the section numbered sixteen, in every township, and when such section has been sold, granted or disposed of, other lands, equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township for the use of schools.

*Second.* That all salt springs within the said territory, and the land reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding, in the whole, the quantity contained in thirty-six entire sections, shall be granted to the said state, for the use of the people of the said state, the same to be used under such terms, conditions, and regulations as the legislature of the said state shall direct: provided the said legislature shall never sell nor lease the same, for a longer period than ten years at any one time.

*Third.* That five per cent. of the net proceeds of the lands lying within the said territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three-fifths shall be applied to those objects within the said state, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said state under the direction of Congress.

*Fourth.* That one entire township, which shall be designated by the President of the United States, in addition to the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said state, to be appropriated solely to the use of such seminary by the said legislature.

*Fifth.* That four sections of land be, and the same are hereby granted to the said state, for the purpose of fixing their seat of government thereon, which four sections shall, under the direction of the legislature of said state, be located at any time, in such township and range, as the legislature aforesaid may select, on such lands as may hereafter be acquired by the United States, from the Indian tribes within the said territory: *Provided*, That such locations shall be made prior to the public

sale of the lands of the United States, surrounding such location : *And provided always*, That the five foregoing provisions, herein offered, are on the conditions that the convention of the said state shall provide by an ordinance irrevocable, without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the state, whether for state, county or township, or any other purpose whatever, for the term of five years, from and after the day of sale.

APPROVED, April 19, 1816.

Proviso.

**CHAP. LVIII.—*An Act to abolish the existing duties on spirits distilled within the United States, and to lay other duties, in lieu of those at present imposed, on licenses to distillers of spirituous liquors.***

April 19, 1816.

[Repealed.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the thirtieth day of June next, the act entitled "An act, to provide additional revenues for defraying the expenses of government, and maintaining the public credit by laying duties on spirits distilled within the United States and territories thereof, and by amending the act, laying duties on licenses to distillers of spirituous liquors, passed the twenty-first day of December, one thousand eight hundred and fourteen, shall cease and determine, excepting insomuch as the same is applicable to the duty payable for licenses for stills or boilers granted previously to the first day of July next: *Provided*, That the provisions of the aforesaid act shall remain in full force and virtue, so far as the same may relate to the rendering of the accounts of spirits distilled previous to the first day of July next, and to the collection and recovery of all duties laid by the said act, that may have accrued previous thereto, and which shall then remain outstanding, and to the recovery, distribution, and remission of fines, penalties and forfeitures, which may be incurred in relation to the said duties.

Act of Dec. 23, 1817, ch. 1.  
Act of Dec. 21, 1814, ch. 15, cease after June 30, 1816.  
Exceptions.

**SEC. 2. *And be it further enacted*,** That every person who, after the thirtieth day of June next, shall be the owner of any still or stills, or other implements in lieu of stills, used for the purpose of distilling spirituous liquors, or who shall have such still or stills, or implements as aforesaid, under his superintendence, either as agent for the owner, or on his own account, and for which a license extending beyond said day shall not have been previously obtained, and every person who, having such license, shall after its expiration, use or intend to use any still or stills, or implements as aforesaid, either as owner, agent, or otherwise, shall, before he shall so begin to use such still or stills, or other implements in lieu thereof, for the purpose of distilling spirituous liquors, apply for, and obtain from the collector appointed by virtue of the act, entitled "An act, for the assessment and collection of direct taxes, and internal duties," for the collection district in which such person resides (or to the deputy of such collector duly authorized) a license for using the said still or stills, or other implements as aforesaid; which licenses respectively shall be granted at the option of the proprietor or possessor of such still or stills, for any or either of the terms mentioned in this act, upon the payment in money by such proprietor or possessor, of the duties payable on the said license or licenses, according to the provisions of this act, if the said duties upon such still or stills, or other implements, when added together, if there be more than one still or other implement for distilling spirits shall not exceed twenty dollars; and if they shall exceed twenty dollars, on such proprietor or possessor executing and delivering to the collector, or to his deputy as aforesaid, a bond with two or more sureties, to the satisfaction of such collector or deputy, conditioned

Repeal of a former act.

Proviso as to spirits distilled.

Licenses to be obtained for using stills, &c.

Owners of stills or superintendents to obtain licenses.

Act of July 22, 1813, ch. 16.

These duties are to be paid or secured.