

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 advice and 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.

SEC. 2. *And be it further enacted*, That in 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. (a)

APPROVED, August 7, 1789.

Officers to be appointed by the President and Senate.

To be commissioned and removed by the President.

In cases of death, removal, &c., secretary to execute the power of governor during such vacancy.

CHAP. IX.—*An Act for the establishment and support of Lighthouses, Beacons, Buoys, and Public Piers.* (b)

Aug. 7, 1789.

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all expenses which shall accrue from and after the fifteenth day of August,

Act of July 22, 1790, ch. 32.

ART. V. There shall be formed in the said territory, not less than three, nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio and Wabash rivers; a direct line drawn from the Wabash and Post Vincents due north to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio; by the Ohio, by a direct line drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever; and shall be at liberty to form a permanent constitution and State government: Provided the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

ART. VI. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in punishment of crimes, whereof the party shall have been duly convicted: Provided always, that any person escaping into the same, from whom labour or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labour or service as aforesaid.

*Done by the United States in Congress assembled, the thirteenth day of July, in the year of our Lord one thousand seven hundred and eighty-seven, and of their sovereignty and independence the twelfth.*

WILLIAM GRAYSON, *Chairman.*

CHARLES THOMSON, *Secretary.*

(a) The States of Ohio, Indiana, Illinois, and Michigan, were, after the enactment of this law, formed out of part of "The Territory of the United States, northwest of the river Ohio," and became members of the federal Union.

OHIO was established as a State April 30, 1802. INDIANA was admitted into the Union December 11, 1816. ILLINOIS was admitted into the Union December 3, 1818. MICHIGAN was admitted into the Union January 26, 1837.

(b) See acts of July 22, 1790; act of March 3, 1791; act of March 2, 1793; act of March 2, 1795; act of May 30, 1796. Few acts have been specially passed since 1796 for the support &c. of lighthouses, &c. Provision for the same has been made in the general appropriation laws. By the 7th section of the act of May 15, 1820, "No lighthouse, beacon nor landmark shall be built or erected on any site previous to the cession of jurisdiction over the same being made to the United States."

Suits for pilotage on the high seas, and on waters navigable from the sea, as far as the tide ebbs and flows, are within the admiralty and maritime jurisdiction of the United States. The Thomas Jefferson, 10 Wheat. 428. Peyroux v. Howard, 7 Peters, 324. Hobart v. Drogan, 10 Peters, 108.

Expenses of support and repairs, after 15th Aug. 1789, to be defrayed out of the treasury of the U. States. Provided a cession be made within one year.

one thousand seven hundred and eighty-nine, in the necessary support, maintenance and repairs of all lighthouses, beacons, buoys and public piers erected, placed, or sunk before the passing of this act, at the entrance of, or within any bay, inlet, harbor, or port of the United States, for rendering the navigation thereof easy and safe, shall be defrayed out of the treasury of the United States: *Provided nevertheless*, That none of the said expenses shall continue to be so defrayed by the United States, after the expiration of one year from the day aforesaid, unless such lighthouses, beacons, buoys and public piers, shall in the mean time be ceded to and vested in the United States, by the state or states respectively in which the same may be, together with the lands and tenements thereunto belonging, and together with the jurisdiction of the same.

[Expired.] Lighthouse to be erected near entrance of Chesapeake Bay.

SEC. 2. *And be it further enacted*, That a lighthouse shall be erected near the entrance of the Chesapeake Bay, at such place, when ceded to the United States in manner aforesaid, as the President of the United States shall direct.

Secretary of the Treasury to contract for building, repairing, &c. when necessary.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to provide by contracts, which shall be approved by the President of the United States, for building a lighthouse near the entrance of Chesapeake Bay, and for rebuilding when necessary, and keeping in good repair, the lighthouses, beacons, buoys, and public piers in the several States, and for furnishing the same with all necessary supplies; and also to agree for the salaries, wages, or hire of the person or persons appointed by the President, for the superintendance and care of the same.

Pilots to be regulated by the existing laws of the respective States.

SEC. 4. *And be it further enacted*, That all pilots in the bays, inlets, rivers, harbors and ports of the United States, shall continue to be regulated in conformity with the existing laws of the States respectively wherein such pilots may be, or with such laws as the States may respectively hereafter enact for the purpose, until further legislative provision shall be made by Congress. (a)

APPROVED, August 7, 1789.

STATUTE I. Aug. 20, 1789.

CHAP. X.—*An Act providing for the Expenses which may attend Negotiations or Treaties with the Indian Tribes, and the appointment of Commissioners for managing the same.*

[Obsolete.]

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a sum not exceeding twenty thousand dollars, arising from the duties on imports and tonnage, shall be, and the same is hereby appropriated to defraying the expense of negotiating and treating with the Indian tribes.

Sum appropriated.

SEC. 2. *And be it further enacted*, That each of the commissioners who may be appointed for managing such negotiations and treaties, shall be entitled to an allowance, exclusive of his expenses at the place of treaty, of eight dollars per day during his actual service, to be paid out of the monies so appropriated.

Allowance to commissioners.

APPROVED, August 20, 1789.

(a) By the 2d section of the act of May 8, 1792, pilots are exempted from militia duty. By "an act concerning pilots," passed March 2, 1837, pilots on the waters which are the boundary of two States, may be licensed by either State, and may be employed by any vessel going into or out of any port situated on such waters.