

STATUTE II.

Jan. 30, 1809.

[Obsolete.]
Congress to
meet on the
fourth Monday
of May, 1809.

CHAP. X.—*An Act to alter the time for the next meeting of Congress.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the adjournment of the present session, the next meeting of Congress shall be on the fourth Monday of May next.

APPROVED, January 30, 1809.

STATUTE II.

Jan. 31, 1809.

[Obsolete.]
President au-
thorized to man
and fit out cer-
tain frigates.

And other
public vessels.
1809, ch. 17,
sec. 2.

President au-
thorized to em-
ploy an addi-
tional number
of seamen.

Appropriation.

CHAP. XI.—*An Act authorizing the employment of an additional naval force.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the frigates now employed in actual service, there be fitted out, officered and manned, as soon as may be, the four following frigates, to wit: the *United States*, *Essex*, *John Adams*, and *President*: and moreover the President of the United States is hereby authorized and empowered to equip, man, and employ in actual service, so many of the public armed vessels, now laid up in ordinary, and gun boats, as in his judgment the public service may require; and to cause the frigates, and other armed vessels, when prepared for actual service, respectively, to be stationed at such ports and places on the sea coast as he may deem most expedient, or to cruise on any part of the coast of the United States or the territories thereof.

SEC. 2. *And be it further enacted,* That for the purpose of carrying the foregoing provision into immediate effect, the President of the United States be, and he is hereby authorized and empowered, in addition to the number of petty officers, able seamen, ordinary seamen and boys, at present authorized by law, to appoint, and cause to be engaged and employed as soon as may be, three hundred midshipmen, three thousand six hundred able seamen, ordinary seamen and boys, who shall be engaged to serve for a period not exceeding two years; but the President may discharge the same sooner, if in his judgment their service may be dispensed with. And to satisfy the necessary expenditures to be incurred therein, a sum not exceeding four hundred thousand dollars, be, and the same is hereby appropriated, and shall be paid out of any monies in the treasury, not otherwise appropriated.

APPROVED, January 31, 1809.

STATUTE II.

Feb. 3, 1809.

Act of May
7, 1800, ch. 41.
Act of March
2, 1801, ch. 16.

CHAP. XIII.—*An Act for dividing the Indiana Territory into two separate governments.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first

(a) Acts for the establishment and government of the Indiana territory:—
An act to divide the territory of the United States northwest of the river Ohio, into two separate governments, May 7, 1800, chap. 41.
An act supplementary to "an act to divide the territory northwest of the river Ohio, into two separate governments," March 2, 1801, chap. 16.
An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes, March 26, 1804, chap. 35.
An act erecting Louisiana into two territories, and providing for the temporary government thereof, March 26, 1804, chap. 38, sec. 13.
An act extending the right of suffrage in the Indiana territory, February 26, 1808, chap. 24.
An act for dividing the Indiana territory into two separate governments, February 3, 1809, chap. 13.
An act extending the right of suffrage in the Indiana territory, and for other purposes, February 27, 1809, chap. 19.
An act to extend the right of suffrage in the Indiana territory, and for other purposes, March 3, 1811, chap. 38.
An act supplementary to the act entitled, "An act giving further time to the purchasers of public lands northwest of the river Ohio, to complete their payments," July 6, 1812, chap. 134.
An act for the regulation of the courts of justice in Indiana, February 24, 1815, chap. 54.

day of March next, all that part of the Indiana territory which lies west of the Wabash river, and a direct line drawn from the said Wabash river and Post Vincennes, due north to the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called Illinois.

SEC. 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 thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States, northwest of the river Ohio; and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, intituled "An act to provide for the government of the territory northwest 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 of the territory of the United States, northwest of the river Ohio, by the said ordinance.

SEC. 3. *And be it further enacted*, That the officers 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 Indiana territory. 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.

SEC. 4. *And be it further enacted*, That so much of the ordinance for the government of the territory of the United States northwest 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 Illinois territory, whenever satisfactory evidence shall be given to the governor thereof that such is the wish of a majority of the freeholders, notwithstanding there may not be therein five thousand free male inhabitants of the age of twenty-one years and upwards: *Provided*, that until there shall be five thousand free male inhabitants of twenty-one years and upwards in said territory, the whole number of representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor to the several counties in the said territory, agreeably to the number of free males of the age of twenty-one years and upwards, which they may respectively contain.

SEC. 5. *And be it further enacted*, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the Indiana territory, further than to prohibit the exercise thereof within the Illinois territory, from and after the aforesaid first day of March next.

SEC. 6. *And be it further enacted*, That all suits, process and proceedings, which, on the first day of March next, shall be pending in the court of any county which shall be included within the said territory of Illinois, and also all suits, process and proceedings, which, on the said first day of March next, shall be pending in the general court of the Indiana territory, in consequence of any writ of removal, or order for

Act of Feb. 26, 1808, ch. 20.

Indiana territory divided, and the Illinois formed.

A government similar to that provided for the Northwest territory provided.

1789, ch. 8.

Officers' duties, &c. &c.

Proviso.

Ordinance for the government of the Northwest territory to be in force in the Illinois.

Government of Indiana, how affected by this act.

Suits, &c. &c. how disposed of.

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, April 19, 1816, chap. 57.

An act supplemental to the act entitled, "An act defining the duties of the judges of the territory of Illinois, and for vesting in the courts of the territory of Indiana a jurisdiction in chancery cases arising in the said territory," April 29, 1816, chap. 154.

trial at bar, and which had been removed from any of the counties included within the limits of the territory of Illinois aforesaid, shall, in all things concerning the same, be proceeded on, and judgments and decrees rendered thereon, in the same manner as if the said Indiana territory had remained undivided.

Arrearages of taxes on land in the Illinois territory still to be paid.

Kaskaskia to be the seat of government.

SEC. 7. *And be it further enacted*, That nothing in this act contained shall be so construed as to prevent the collection of taxes, which may on the first day of March next, be due to the Indiana territory on lands lying in the said territory of Illinois.

SEC. 8. *And be it further enacted*, That until it shall be otherwise ordered by the legislature of the said Illinois territory, Kaskaskia on the Mississippi river, shall be the seat of government for the said Illinois territory.

APPROVED, February 3, 1809.

STATUTE II.

Feb. 4, 1809.

[Obsolete.]

Act of March 23, 1804, ch. 31.
Act of Feb. 24, 1807, ch. 16.
Act of March 22, 1808, ch. 38.
Process, how to be issued.

CHAP. XIV.—*An Act supplementary to the act, intituled "An act to amend the act, intituled An act establishing Circuit Courts, and abridging the jurisdiction of the District Courts of the districts of Kentucky, Tennessee and Ohio."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all actions or suits that were pending in the circuit courts of the United States for the district of Tennessee, established by an act, intituled "An act establishing circuit courts, and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee and Ohio," in which any judgment or decree was rendered, or any sentence passed previous to the passage of the act, intituled "An act to amend the act, intituled An act establishing circuit courts, and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee and Ohio," the clerk of the circuit court of the United States for the district of East Tennessee be, and he is hereby authorized and directed to issue executions, and all other process necessary for carrying the same into complete effect, in the same manner as if the said last mentioned act had not passed; which executions and other process shall be directed to the marshal of either of the districts of East or West Tennessee, in which the party against whom the same shall issue may reside, or his property may be found, who shall execute and return the same, in like manner he would have done if the act to which this is a supplement had not passed, and shall receive the same fees as are by law allowed for similar services in other cases.

To whom directed.

Sessions of the Kentucky district courts.

SEC. 2. *And be it further enacted*, That the next session of the district court of the United States, for the district of Kentucky, shall be holden on the second Monday in May next, and that the session of the said court heretofore holden on the first Monday in June, annually, shall thereafter be holden annually, on the second Monday in May.

Writs, &c. &c. to be continued over, &c. &c.

SEC. 3. *And be it further enacted*, That all writs and process, which shall have been issued, or may hereafter issue, and all recognizances returnable, and all suits and other proceedings of what nature or kind soever, which have been continued to the said district court on the first Monday in June next, from the last December term, shall be returned and held continued to the said second Monday in May next.

APPROVED, February 4, 1809.

STATUTE II.

Feb. 10, 1809.

[Obsolete.]

CHAP. XV.—*An Act making appropriations to complete the fortifications commenced for the security of the seaport towns and harbors of the United States, and to defray the expense of deepening and extending to the river Mississippi, the canal of Carondelet.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of com-