AN ORDINANCE for the GOVERNMENT of the TERRITORY of the UNITED STATES, North-West of the RIVER OHIO.

BE IT ORDAINED by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among their children, and the descendants of a deceased child in equal parts; the descendants of a deceased child or grand child, to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin, in equal degrees; and among collaterals, the children of a deceased brother or sister of an intestate, shall have in equal parts among them their deceased parents share; and there shall in no case be a distinction between kindred of the whole and half blood, saving in all cases to the widow of the intestate, her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the Governor and Judges shall adopt laws as herein-after mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be, (being of full age) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed sealed, and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery, however, to the French and Canadian inhabitants, and others settlers of the Kaskaskies, Saint Vincent's, and the neighbouring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time, by Congress a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time, by Congress, a Secretary, whose commission shall continue in force for four years, unless sooner revoked: he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office; it shall be his duty to keep and preserve the acts and laws passed by the legislature and the public records of the district, and the proceedings of the Governor in his executive department; and transmit authentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate 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 publish in the district, such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances 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 assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

The Governor for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same, below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the general assembly, the Governor shall appoint such Magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized, the powers and duties of Magistrates, and other civil officers, shall be regulated and defined by the said assembly; but all Magistrates and other civil officers, not herein otherwise 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 district and for the execution of process criminal and civil, the Governor shall make proper divisions thereof; and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been distinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the Governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly; 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 representatives shall be regulated by the legislature; provided, that no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years, and in either case shall likewise hold in the right, in fee-simple, 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 in one of the States, and being resident in the district, or the like freehold and two years residence in the districts, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years, and in case of the death of a representative, or removal from office, the Governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

The general assembly, or legislature, shall consist of the Governor, Legislative Council, and a House of Representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress, 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 soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid. And whenever a vacancy shall happen in the council, by death or removal from office, the House of Representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission, for the residue of the term. And every five years, four months before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the Governor, Legislative Council, and House of Representatives, shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority in the house, and by a majority in the council, shall be referred to the Governor for his assent; but no bill or legislative act whatever, shall be of any force without his assent. The Governor shall have power to convene, prorogue and dissolve the general assembly, when in his opinion it shall be expedient.

The Governor, Judges, Legislative Council, Secretary, and such other officers as Congress shall appoint in the district, shall take an oath of affirmation of fidelity and of office; the Governor before the president of Congress, and all other officers before the Governor. As soon as a Legislature shall be formed in the district, the Council and House assembled in one room, shall have authority by joint ballot to elect a Delegate to Congress, who shall have a seat in Congress, 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 basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said territory; to provide also for the establishment of States, and permanent government therein, and for their admission to share in the federal councils on an equal footing with the original States at as early periods as may be consistent with the general interest:

It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States, at the said territory, and forever remain unalterable, unless by common consent, to wit:

Article I. No person, demeaning himself in peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments in the said territory.

Art. II. The inhabitants of the said territory shall always be entitled to the benefits of the writ of HABEAS CORPUS, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law: all persons shall be bailable unless for capital offences, where the proof shall be evident, or the presumption great; all fines shall be moderate, and no cruel or unusual punishments 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 should the public exigencies make it necessary for the common preservation to take any person's property, or to demand his particular services, full compensation shall be made for the same:—and in the just preservation of rights and property it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall in any manner whatever interfere with or affect private contracts or engagements, bona fide and without fraud previously formed.

Art. III. Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools, and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians: their lands and property shall never be taken from them without their consent; and shall be invaded or disturbed, unless in just and lawful wars authorised by Congress; but have founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace & friendship with them.

Art. IV. The said territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the article, of confederation, and to such 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 settlers in the said territory, shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress, according to the same common rule and measure, by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers.—No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common highways, and forever free, as well to the inhabitants of the said 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, impost or duty therefor.

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 Vincent's 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 Vincent's to 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 bending 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 of 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 the 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 of the original states, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labour or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

Done by the United States in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the 12th.

For the HAMPSHIRE GAZETTE.

Mr. BUTLER,

By inserting the following piece, you will oblige many true friends to regulation.

To His Excellency DANIEL SHAYS, Esq.

DISTINGUISHED as you are by your noble exertions in the cause of liberty, and deeply interested in the burdens and grievances of your native country, you necessarily command the most respectful attention. Give me leave to address you and your injured companions, on the subject of Massachusetts grievances. Born to be free, the inhabitants of this once renowned state, can never submit to have their property torn from them by vile edicts, issued from a body of men whom they consider as their servants: The disposal of their own property with perfect freedom, and in a manner wholly divested of every appearance of constraint, is their indefeasible birthright. For this exalted blessing we drew the sword at Pelham, and submitted to, or rather embraced imprisonment, poverty and exile, in every stage of last winter's campaign. That there are grievances no one can deny; that they have been in some measure redressed, no honest regulator pretends to dispute: But are we to consider our grievances as redressed, when you, and our worthy leaders are driven into exile? and are we to stand tame spectators of the insults and indignities offered to your sacred persons, by every Lincolnian jackass? God forbid! that any honest regulator should brook an insult offered to your sacred persons. Permit me to assure you, that there are yet, many worthy friends in the county of Berkshire, who are determined to support with their lives and properties, that anarchy and confusion which we so happily enjoyed the last winter, and transmit it uncontaminated to the latest posterity. Give me leave just to hint to you, that you are followed by the wise and virtuous—that you have the world spectators of your conduct, and wishing you success. Go then in the glorious work you have begun, and restore that freedom to your injured countrymen, which never fails to crown her honest sons.

A Friend to Regulation.

Pittsfield, August 24, 1787.

KINGSTON, (Jamaica) June 13.

We learn from Martinico, that the Hippotame, a French man of war of 64 guns, was lost in a hurricane in endeavouring to get into that harbour, and all on board perished, except the Captain, his First Lieutenant, and ten of his men; and at the same time a great deal of damage was done to several ships in the harbour, which were loaded for Europe.

NEWBERN, July 19.

Extract of a letter from Wilmington, dated July 12.

"On Wednesday, late in the afternoon a duel was fought behind the church, by Samuel Swann, Esq. and Mr. John Bradley, merchant, in which the former was killed on the spot. Mr. Bradley received the first shot, which passed thro' his petticoat, going in at one side and coming out at the other. He almost instantly returned the fire, and the ball entered the right breast of Mr. Swann and went out under his left shoulder. Mr. Swann fell, and without uttering a word, expired in a few minutes.—The coroner's inquest have found him slaughter.

"It is said the difference between the contending parties, was about a trifling affair of some standing, in which Mr. Swann was not originally concerned—Thus he was then deprived of his life, and his wife and children of a husband, a father and protector. The public have lost a worthy member of society, and his connexions and more intimate acquaintances, a firm and inflexible friend: And though Mr. Bradley is a single man, if this affair should eventually prove fatal to him, a mother and sisters will be deprived of a principal friend and protector.

"The reflection naturally occuring is, that a ridiculous point of honour, contrary to all laws, human and divine, and even degrading to men in a state of civilization, has plunged two families into the deepest distress."

BENNINGTON, August 6.

We are informed that Gideon Dunham, and George Baker, the two notorious *Shaysites*, alias *public robbers*, who were convicted lately last week from this state to Berkshire county, Massachusetts, have made a very ample confession of their guilt, and signed the same before proper authority. They confess that themselves and four others (now in the state of New-York) were the persons who robbed a number of houses in that county, and fired on the person of Col. Bailey's and other places. They gave information where Mr. Stark's mother's watch and some other matters were, and orders for obtaining them for the owners, but deny taking any considerable sum of money from Mr. Stark's house. They are exceedingly bold in their confession, and appear to make no scruple to acknowledge the most atrocious of their villainies.—The amazing scenes of determined villainy, though which they have passed in so short a time, would exceed belief, were not for a crowd of sufferers, witnesses to the truth of them.—Our correspondent queries, whether it is not surprising, that any gentleman of the clerical order (elder, in Arlington, White-Creek, or elsewhere, should give support to the Hear Men of the nefarious tribe, while the conduct of their inferiors, and the proclamations of the states forbid their harbouring or concealing them.

BOSTON, August 16.

Saturday last, arrived here in 31 days from Cape Francois, the following ships, belonging to His Most Christian Majesty's Fleet, being the division under the command of the Viscount de Beaumont.

Ships of the line.	Commanders.	Guns.
Le Patriote,	Viscount de Beaumont,	74
Le Reflechi,	Viscount de Vimimille,	64
Frigates.		
L'Aigle,	Chevalier de la Regie,	48
La Badinne,	Chev. du Quesne,	24
La Batette,	Chev. de Boube,	24
La Seine, a bark,	Chev. de Pontevert,	9

The ship Cheopatre, of 40 guns, commanded by M. de la Bouchesiere, has put into Cape-Ann, having lost her rudder.

We have the pleasure to congratulate the public, on the arrival of the above squadron. This pleasing event has received those agreeable sensations which we shall ever have to a nation, whose exertions in support of our liberty and independence, have been universally felt and acknowledged by every true friend to America; especially when we have the lively recollection, that there are gentlemen in the fleet, who have distinguished by their personal attachment to this country, and have bled in defence of it.

NORTHAMPTON, August 22.

We are informed, that on Wednesday last, about three o'clock in the afternoon, a terrible hurricane or tornado, happened in the vicinity of Woodstock, in Connecticut—it passed in the same direction of the one which happened last year at that place, about seven days later in the season, doing little damage until it shifted its course more to the northward; which direction brought it through the center of the town of Thompson, where it tore up almost every thing in its way,—a large barn, belonging to the Rev. Mr. Russell of that town, well filled with hay and grain, was entirely taken about six feet from the foundation, and torn to pieces; some of the spars were carried as much as twenty rods from the spot where the barn stood;—an orchard and an excellent grove of wood, belonging to the said Mr. Russell, was entirely torn up by the roots. It continued its course through the town of Gloucester with the same ferocity, taking up groves of wood, orchards, and buildings of every kind which came in its way.

Congress, we are informed, have been pleased to appoint commission for settling the accounts of the United States with the several individual states. And the following gentlemen are to enter on the business of their respective departments without delay, viz.

Mr. Flint, for the Eastern states. Mr. Partal, for New-York and New-Jersey. Mr. White, for Pennsylvania, Delaware and Maryland. Mr. Windsor, for Virginia and North-Carolina. Mr. Artson, for South-Carolina and Georgia.

We hear that Congress have been pleased to promote Col. Josiah Harmer, commanding the Federal troops on the frontiers, to the rank of Brigadier General.

Our Plenipotentiaries in Europe have concluded a Treaty of Amity and Commerce with the Emperor of Morocco, which was ratified in Congress the 18th of July last.—This treaty with the Emperor must be highly satisfactory to the citizens of America, as it not only gives us an important ally in the Mediterranean, but defeats the expectations of Great Britain arising from the enmity, which they hoped might perpetually subsist between that power and the United States. In another point of view, every humane mind must rejoice at the prospect it affords for the relief of our brethren who languish in slavery at Algiers, and for the removal of those terrors and dangers which have lately obstructed our commerce in that quarter of the globe.

The following events lately took place, viz. A gentleman in the clerical line, whose zeal for the government was well known, riding through Chester, was affronted by a number of drapers buzzing Shays. One in the military line, having business to transact with a man in Charlemont, was treated so—when he came in sight of the company, they buzz'd for Shays. Something similar took place at Middlefield.

Some of the insurgents express a displeasure at the election of the supreme executive Magistrate; others a pleasure. Though this proves want of union and consistency among them, it proves also want of affection to a vigorous administration. The whole taken together, teaches us that little good is to be expected from weakness rather than firmness—from the suspension rather than the execution of justice: that would our rulers be the terrors of their enemies, the comfort of their friends, the support of government, an honour to their office, as the due unto their people, and return to private life with dignity, they must promote the public welfare, though they offend their constituents and loose their suffrages.

*** *THE Members of the Society for Detecting Thieves, &c. are notified, that there is to be a meeting of the Society to-morrow evening at 6 o'clock at the house of Capt. Samuel Cook. A general attendance is requested.*

STOLEN from the Subscribers, the night of the 20 h inst. two Saddles, one nearly new, with a red cross-bar saddle cloth, and small pad; the other an old one, with a narrow blue checked saddle cloth;—likewise two new white holland Shirts, three Ditto partly worn, six checked Shirts, four pair linen Stockings, one pair cotton Ditto, two pair nankeen Overalls, two pair tow Trowsers, one pair nankeen Breeches, and two pair checked Overalls. Whoever will secure the thieves, so that they may be brought to justice, and the articles stolen, to that the owners may have them again, shall have Five Dollars reward, and three Dollars for the above articles only.—It is presumed the villains have taken horses near this town.

Ebenezer Hunt, jun.
Job White,
Samuel Stiles.

Northampton, August, 21, 1787.

Northampton, August 20, 1787

BROKE gaol in this place on Saturday night last, the following persons, viz *Silas Flamsteed*, of Wilmington in the State of Vermont, about 50 years of age, 5 feet 4 inches high, light complection, committed for cost.—*William Wy Jones*, a transient person, 32 years of age, 5 feet 4 inches high, dark complection, committed for theft:—*William Turner*, of Norwich, about 32 years of age, 5 feet 1 inch high, dark complection. Whoever will apprehend them or either of them, *within this state* and return them to gaol, shall have a suitable reward, paid by

ELISHA PORTER, Sheriff.

RUN away from the Subscriber, at the place called Eleven Thousand Acres, county of Berkshire, on the night following the 13th inst. an apprentice Boy, named SETH WARD seventeen years old, middling size, large blue eyes and black hair, wore away a white shirt, white overalls and vest. Whoever will bring back said Seth to the subscriber, shall have Six Pence reward and no charges paid.

ADONIJAH JONES.

July 14, 1787.

WHEREAS *John Chester Williams*, Esq. of Hadley, some time since, assigned and made over to Messrs *Ebenezer Miller jun. John Broom, and Daniel Phenix*, of New-York, Merchants, all his bonds, notes of hand, and book debts and the same now lodged with the subscribers for settlement—All persons therefore indebted to the said Williams, by bonds, notes of hand or on book, are desired forthwith to renew their obligations and settle their accounts, or they will be immediately lodged with an Attorney to be sued.

BENJ. PRESCOTT. SAMI. DEXTER. } Attornies to the said Miller, Broom and Phenix.

Northampton, August 1, 1787.

For Sale at this Office,
Regulations for the Order and Discipline of the Troops of the United States.
By Baron STEUBEN.