
19th FEBRUARY, 1805.

Read the first and second time, and committed to a Committee of the whole House, to-morrow.

A N A C T,

FURTHER providing for the government of the territory of Orleans.

1 **Be it enacted**, by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That the President of the United States be, and he is hereby au-
4 thorised to establish within the territory of Orleans, a government
5 in all respects similar (except as is herein otherwise provided)
6 to that now exercised in the Mississippi territory, and shall, in the
7 recess of the Senate, but to be nominated at their next meeting,
8 for their advice and consent, appoint all the officers necessary
9 therein, in conformity with the ordinance of Congress, made on
10 the thirteenth day of July, one thousand seven hundred and eighty
11 seven, and that from and after the establishment of the said govern-
12 ment, the inhabitants of the territory of Orleans, shall be entitled
13 to and enjoy, all the rights, privileges, and advantages, secured
14 by the said ordinance, and now enjoyed by the people of the
15 Mississippi territory.

1 SEC. 2. *And be it further enacted,* That so much of the said
 2 ordinance of Congress, as relates to the organization of a general
 3 assembly, and prescribes the powers thereof, shall, from and after
 4 the fourth day of July next, be in force in the said territory of Or-
 5 leans; and in order to carry the same into operation, the gover-
 6 nor of the said territory shall cause to be elected twenty five re-
 7 presentatives, for which purpose he shall lay off the said territory
 8 into convenient election districts, on or before the first Mon-
 9 day of October next, and give due notice thereof throughout the
 10 same; and shall appoint the most convenient time and place
 11 within each of the said districts, for holding the elections: and
 12 shall nominate a proper officer or officers, to preside at and con-
 13 duct the same, and to return to him the names of the persons who
 14 may have been duly elected. All subsequent elections shall be re-
 15 gulated by the legislature; and the number of representatives
 16 shall be determined, and the apportionment made in the manner
 17 prescribed by the said ordinance.

1 SEC. 3. *And be it further enacted,* That the representatives to
 2 be chosen as aforesaid, shall be convened by the governor, in the
 3 city of Orleans, on the first Monday in November next. The
 4 General Assembly shall meet, at least, once in every year, and
 5 such meeting shall be on the first Monday in December, annually,
 6 unless they shall, by law, appoint a different day. Neither house,
 7 during the session, shall, without the consent of the other adjourn
 8 for more than three days, nor to any other place than that in which
 9 the two branches are sitting.

1 SEC. 4. *And be it further enacted,* That the laws in force in the
 2 said territory, at the commencement of this act, and not inconsis-
 3 tent with the provisions thereof, shall continue in force, until alter-
 4 ed, modified, or repealed by the legislature.

1 SEC. 5. *And be it further enacted,* That the second paragraph
 2 of the said ordinance, which regulates the descent and distribution
 3 of estates ; and also the sixth article of compact, which is annexed
 4 to, and makes part of said ordinance, are hereby declared not to ex-
 5 tend to, but are excluded from all operation within the said territo-
 6 ry of Orleans.

1 SEC. 6. *And be it further enacted,* That the governor, secretary,
 2 and judges, to be appointed by virtue of this act, shall be several-
 3 ly allowed the same compensation which is now allowed to the
 4 governor, secretary, and judges, of the territory of Orleans.
 5 And all the additional officers authorised by this act, shall respective-
 6 ly receive the same compensations for their services, as are by law
 7 established for similar offices in the Mississippi territory, to be
 8 paid quarter yearly out of the revenues of import and tonnage,
 9 accruing within the said territory of Orleans.

1 SEC. 7. *And be it further enacted,* That whenever it shall be
 2 ascertained by an actual census, or enumeration of the inhabitants
 3 of the territory of Orleans, taken by proper authority, that the
 4 number of free inhabitants included therein shall amount to sixty
 5 thousand, they shall thereupon be authorised to form for them-
 6 selves a constitution and state government, and be admitted into
 7 the Union, upon the footing of the original states, in all respects

3 whatever, conformably to the provisions of the third article of the
 9 treaty, concluded at Paris, on the thirtieth of April, one thousand
 10 eight hundred and three, between the United States and the
 11 French republic: *Provided*, That the constitution so to be estab-
 12 lished, shall be republican, and not inconsistent with the constitu-
 13 tion of the United States, nor inconsistent with the ordinance of
 14 the late Congress, passed the thirteenth day of July, one thousand
 15 seven hundred and eighty seven, so far as the same is made applica-
 16 ble to the territorial government hereby authorised to be establish-
 17 ed: *Provided however*, That Congress shall be at liberty, at any
 18 time prior to the admission of the inhabitants of the said territory
 19 to the right of a separate state, to alter the boundaries thereof, as
 20 they may judge proper: *Except only*, That no alteration shall be
 21 made, which shall procrastinate the period for the admission of the
 22 inhabitants thereof, to the rights of a state government, according
 23 to the provision of this act.

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

Passed the Senate, Feb. 18th, 1805.

ATTEST.

SAMUEL A. OTIS, *Secretary*.