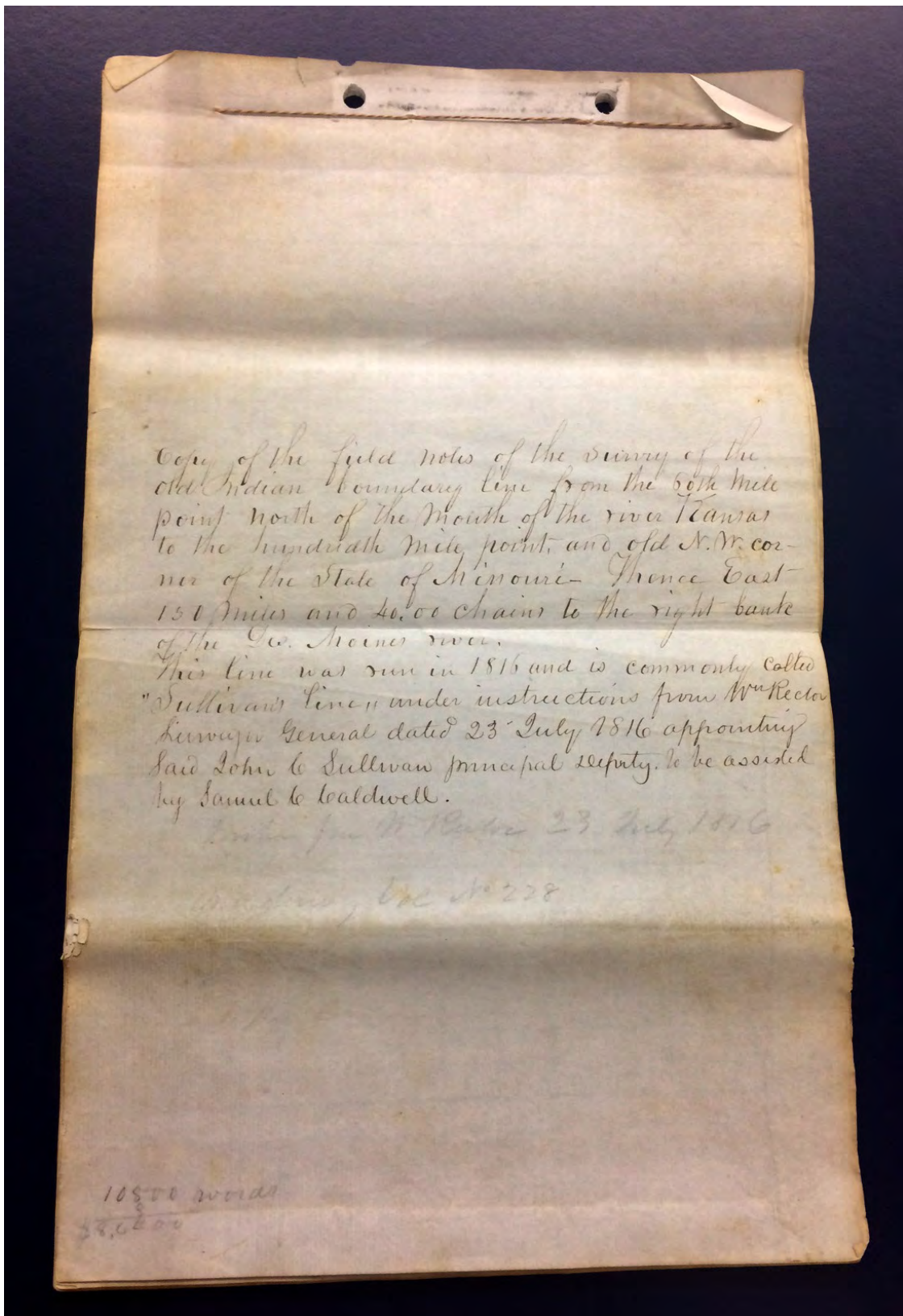


Field Notes of Surveyor John Sullivan, 1816 (Pg.1)



Copy of the field notes of the survey of the
old Indian boundary line from the 60th mile
point north of the mouth of the river Kansas
to the hundredth mile point, and old N.W. cor-
ner of the State of Missouri - Thence East
150 miles and 40.00 chains to the right bank
of the Gr. Meines river.

This line was run in 1816 and is commonly called
"Sullivan's Line" under instructions from W^m Rector
Surveyor General dated 23 July 1816 appointing
said John C. Sullivan principal deputy, to be assisted
by Samuel C. Caldwell.

Order for W. Rector 23 July 1816

Survey, line No 228

10800 words

38,000

Field Notes of Surveyor John Sullivan, 1816 (Pg.2)

80.00	along mile N ^o 94. set post corner to mile N ^o 94. from which a W oak timber diam. 6. N 19 ^o 6' 40" the This mile same as last.
North	along mile N ^o 95.
10.00	the prairie.
50.00	the woods.
55.50	the prairie.
80.00	Erected mound corner to mile N ^o 95. This mile rich land, timber oak & hickory, maple, Sugar corn &c.
North	along mile N ^o 96.
42.50	a stream, said to be the little river La Platte, timber along the bank, width 100 ths. runs S. W.
48.00	same stream width 150 ths. runs East.
53.00	same " " 100 " " S. W.
72.50	prairie
80.00	Erected mound, corner to mile N ^o 96. This mile rich bottom, timber Walnut, hickory, Ash, & Maple.
North	along mile N ^o 97.
12.00	the same stream width 125 ths. runs East.
34.50	" same " " 100 " " S. W.
41.00	" same " " 150 " " East.
52.00	" same " " 100 " " S. W.
61.00	" same " " 150 " " East.
68.50	" same " " 150 " " N. W.
80.00	set post corner to mile N ^o 97. from which an Elm timber diam. 4. S. 41 ^o E. 129 1/2' & a " " " " N 15 ^o E. 138 "
	This mile rich bottom. timber Walnut, Elm & Elm. 14 th September 1816.

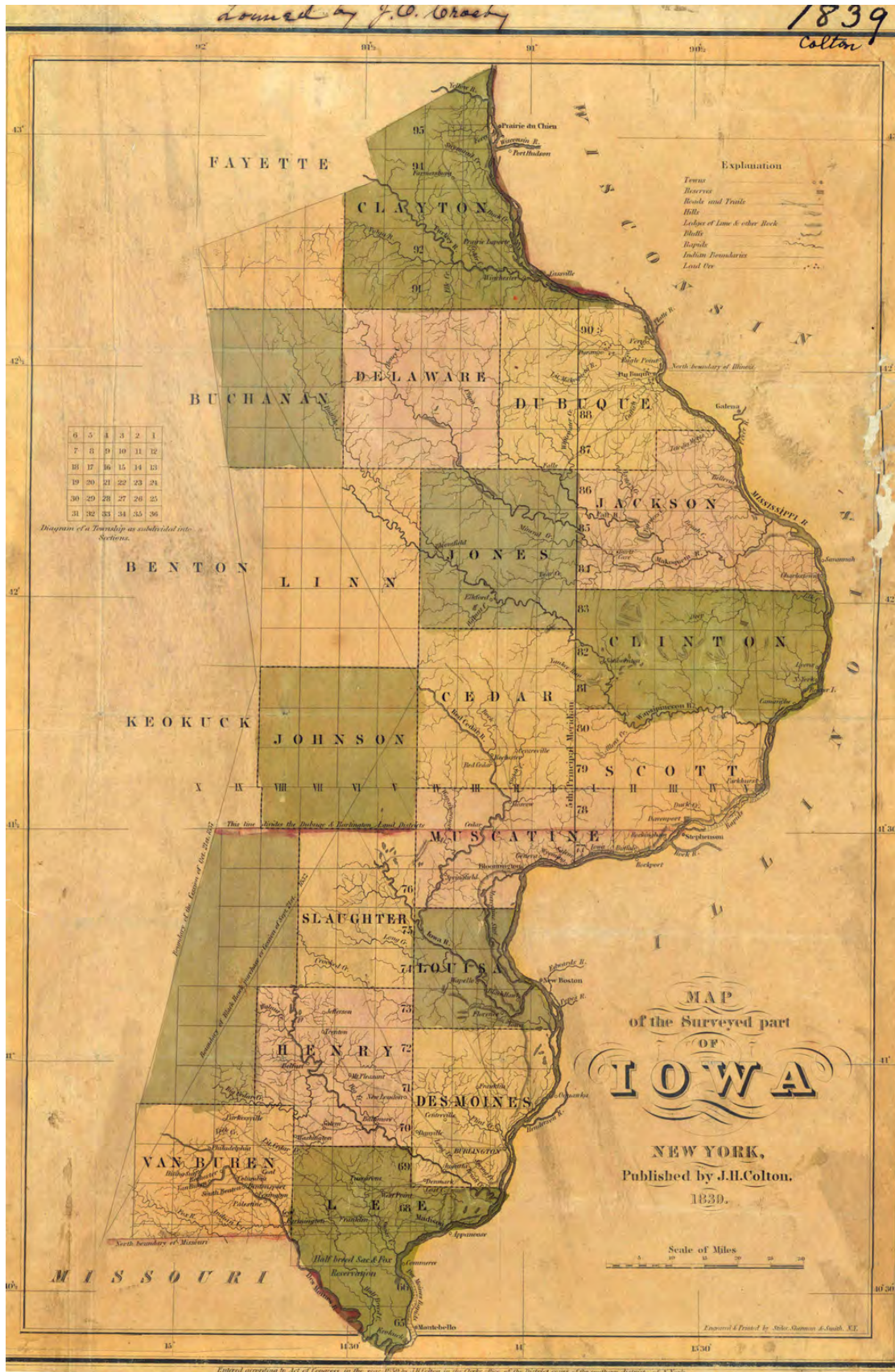
Field Notes of Surveyor John Sullivan, 1816 (Pg.3)

<p>North 9.50 24.50 36.00 50.00</p>	<p>along mile N: 98. a stream, same as above, width 150 lbs. runs East a same width 100 lbs. runs West. prairie Erected mound, corner to mile N: 98. This mile rich land, timber Elm & Walnut.</p>
<p>North 79.50 80.00</p>	<p>along mile N: 99. stream width 10 lbs. runs East. set post, corner to mile N: 99. from which a $\frac{1}{2}$ Linn 15 miles diam. 62° N. 83 E. 21 lbs. a Walnut 9 " " " N. 85 W. 9 lbs. This mile level rich prairie.</p>
<p>North 53.00 58.58 80.00</p>	<p>along mile N: 100. Timber. a Cottonwood 18 inches diameter. set post corner to mile N: 100. from the mouth of the Kansas River, and the North West corner of the public lands North of the Missouri river, from which a $\frac{1}{2}$ B. oak 18 inches diam. 62° S. 46 E. 45 lbs. a B. oak 12 " " " N. 23 E. 68. This mile broken 2nd rate prairie. John C. Sullivan.</p>
<p>East. 11.00 50.00</p>	<p>From the North West corner of the public lands North of the Missouri river, and 100 miles North from the mouth of the River Kansas. along the mile N: 1. the prairie set post, corner to mile N: 1. from which a $\frac{1}{2}$ W. oak 3 inches diam. 62° N. 40 W. 104 lbs. a Linn 10 " " " N. 84 E. 730. This mile poor broken barrens, timber Hazel & vines.</p>

Field Notes of Surveyor John Sullivan, 1816 (Pg.4)

<p>East 15.00 26.00 39.50 50.00</p>	<p style="text-align: center;">8</p> <p>along mile N^o 2. a stream with 25 lbs. run S. E. prairie a stream with 25 lbs. S. E. Timber along the banks of both streams set post, corner to mile N^o 2. from which a W. oak 10 inches diam. b. N. 18° W. 113 lbs. a Hickory 2 " " " N. 25° W. 124 " This mile rich land, timber oak, Elm & Hickory.</p>
<p>East 60.00 75.00 80.00</p>	<p>along mile N^o 3. Entered woods prairie at post, corner to mile N^o 3. from which a B. oak 18 inch diam. b. N. 21° W. 297 lbs. a B. oak 10 " " " N. 5° W. 359 " This mile 2nd rate land, timber oak, undergrowth Hazel, Plum, & Vines.</p>
<p>East 45.00 49.50 54.00 55.50 80.00</p>	<p>along mile N^o 4. timber a stream with 100 lbs. run S. same " 100 " N. W. same " 100 " S. E. Entered woods, corner to mile N^o 4. This mile rich land, timber on the banks of the creek, oak, hickory & Maple undergrowth vines.</p>
<p>East 80.00</p>	<p>along mile N^o 5. Entered woods, corner to mile N^o 5. This mile rich prairie</p>
<p>East 80.00</p>	<p>along mile N^o 6. set post, corner to mile N^o 6. from which a W. oak 18 inches diam. b. N. 27° W. 226 lbs. a W. oak 15 " " " N. 45° W. 285 " This mile broken 2nd rate prairie. September 15th 1816.</p>

Map of Surveyed Part of Iowa by J.H. Colton, 1839



Courtesy of State Historical Society of Iowa, Colton, J.H., 1839

Act of Congress to Define Iowa's State Boundaries, August 4, 1845 (Pg.1)

52

TWENTY-NINTH CONGRESS. Sess. I. Ch. 82. 1846.

of the President, all lands of the second class, though heretofore unproclaimed and unoffered, and such other isolated or disconnected tracts or parcels of unoffered lands, which, in his judgment, it would be proper to expose to sale in like manner: *Provided*, That public notice of at least thirty days shall be given by the land officers of the district in which such lands may be situated, pursuant to the directions of the Commissioner aforesaid.

APPROVED, August 3, 1846.

Aug. 4, 1846.
1845, ch. 48.

CHAP. LXXXII. — *An Act to define the Boundaries of the State of Iowa, and to repeal so much of the Act of the third of March, one thousand eight hundred and forty-five as relates to the Boundaries of Iowa.*

Boundaries de-
clared.
1845, ch. 48.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following shall be, and they are hereby, declared to be the boundaries of the State of Iowa, in lieu of those prescribed by the second section of the act of the third of March, eighteen hundred and forty-five, entitled "An Act for the Admission of the States of Iowa and Florida into the Union," viz. Beginning in the middle of the main channel of the Mississippi River, at a point due east of the middle of the mouth of the main channel of the Des Moines River; thence up the middle of the main channel of the said Des Moines River, to a point on said river where the northern boundary line of the State of Missouri, as established by the constitution of that State, adopted June twelfth, eighteen hundred and twenty, crosses the said middle of the main channel of the said Des Moines River; thence, westwardly, along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersect the middle of the main channel of the Missouri River; thence, up the middle of the main channel of the said Missouri River, to a point opposite the middle of the main channel of the Big Sioux River, according to Nicollet's map; thence, up the main channel of the said Big Sioux River, according to said map, until it is intersected by the parallel of forty-three degrees and thirty minutes north latitude; thence east, along said parallel of forty-three degrees and thirty minutes, until said parallel intersect the middle of the main channel of the Mississippi River; thence, down the middle of the main channel of said Mississippi River, to the place of beginning.

Question in
controversy be-
tween Missouri
and Iowa referred
to the Supreme
Court.

SEC. 2. *And be it further enacted*, That the question which has heretofore been the subject-matter of controversy and dispute between the State of Missouri and the Territory of Iowa, respecting the precise location of the northern boundary line of the State of Missouri, shall be, and the same is hereby, referred to the Supreme Court of the United States for adjudication and settlement, in accordance with the act of the Legislature of Missouri, approved March twenty-five, eighteen hundred and forty-five, and the memorial of the Council and House of Representatives of the Territory of the Iowa, approved January seventeenth, eighteen hundred and forty-six, by which both parties have agreed to "the commencement and speedy determination of such suit as may be necessary to procure a final decision by the Supreme Court of the United States upon the true location of the northern boundary of that State;" and the said Supreme Court is hereby invested with all the power and authority necessary to the performance of the duty imposed by this section.

Supreme Court
invested with
necessary author-
ity.

To be entitled
to two represen-
tatives.

SEC. 3. *And be it further enacted*, That, until the next census and apportionment shall be made, the State of Iowa shall be entitled to two representatives in the House of Representatives of the United States.

Act of Congress to Define Iowa's State Boundaries, August 4, 1845 (Pg.2)

TWENTY-NINTH CONGRESS. SESS. I. CH. 84. 1846.

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SEC 4. *And be it further enacted*, That so much of the act of the third of March, eighteen hundred and forty-five, entitled "An Act for the Admission of the States of Iowa and Florida into the Union," relating to the said State of Iowa, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

Repeal of so much of the act of 1845, ch. 48, as is inconsistent herewith.

APPROVED, August 4, 1846.

CHAP. LXXXIV. — *An Act to establish a Warehousing System, and to amend an Act entitled "An Act to provide Revenue from Imports, and to change and modify existing Laws imposing Duties on Imports, and for other Purposes."*

Aug. 6, 1846.

1842, ch. 270.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the twelfth section of the act entitled "An Act to provide Revenue from Imports, and to change and modify existing Laws imposing Duties on Imports, and for other Purposes," approved the thirtieth day of August, one thousand eight hundred and forty-two, is hereby amended so as hereafter to read as follows:—[SEC. 12.] *And be it further enacted*, That, on and after the day this act goes into operation, the duties on all imported goods, wares, or merchandise, shall be paid in cash: *Provided*, That in all cases of failure or neglect to pay the duties within the period allowed by law to the importer to make entry thereof, or whenever the owner, importer, or consignee, shall make entry for warehousing the same, in writing, in such form and supported by such proof as shall be prescribed by the Secretary of the Treasury, the said goods, wares, or merchandise, shall be taken possession of by the collector, and deposited in the public stores, or in other stores to be agreed on by the collector or chief revenue officer of the port and the importer, owner, or consignee, the said stores to be secured in the manner provided for by the first section of the act of the twentieth day of April, one thousand eight hundred and eighteen, entitled "An Act providing for the Deposit of Wines and distilled Spirits in public Warehouses, and for other Purposes," there to be kept with due and reasonable care, at the charge and risk of the owner, importer, consignee, or agent, and subject at all times to their order, upon payment of the proper duties and expenses, to be ascertained on due entry thereof for warehousing, and to be secured by a bond of the owner, importer, or consignee, with surety or sureties, to the satisfaction of the collector, in double the amount of the said duties, and in such form as the Secretary of the Treasury shall prescribe: *Provided*, That no merchandise shall be withdrawn from any warehouse in which it may be deposited, in a less quantity than in an entire package, bale, cask, or box, unless in bulk; nor shall merchandise so imported in bulk be delivered, except in the whole quantity of each parcel, or in a quantity not less than one ton weight, unless by special authority of the Secretary of the Treasury. And in case the owner, importer, consignee, or agent, of any goods on which the duties have not been paid, shall give to the collector satisfactory security that the said goods shall be landed out of the jurisdiction of the United States, in the manner now required by existing laws relating to exportations for the benefit of drawback, the collector and naval officer, if any, on an entry to reexport the same, shall, upon payment of the appropriate expenses, permit the said goods, under the inspection of the proper officers, to be shipped without the payment of any duties thereon. And in case any goods, wares, or merchandise, deposited as aforesaid, shall remain in public store beyond one year, without payment of the duties and charges thereon, then said goods, wares, or merchandise, shall be ap-

Act of 1842, ch. 270, § 12, amended. Ante, p. 43, § 7.

Duties to be paid in cash. Proviso.

1818, ch. 129

Proviso.

Collector to permit goods to be shipped for reexportation in certain cases.

Goods remaining in store beyond one year to be appraised and sold.

Surveyor Letter from Messers, Hendershott and Minor in Keokuk, Iowa, September 30, 1850 (Pg. 1)

Keokuk Sept 30th 1850

Messrs Hendershott & Minor,
Commissioners of the Boundary Survey,
Sullivan,

Having been appointed by you on the part of the States of Iowa & Missouri severally, to locate & survey the Boundary between those States, under the decree of the Supreme Court of the U.S. we met, according to your appointment, on the 28th of April last, near the supposed site of the old N.W. Corner, for the purpose of commencing operations in the field -

We proceeded to search for the old Corner, which was to be the basis of our future operations. Having a certified copy of Sullivan's field notes, from the Surveyor General's Office at St Louis, we knew that the Corner had been originally located in timber, and designated by two writing trees. Aided by a view of the topography of the locality, as indicated in the notes, and especially by the manner in which Sullivan's north line crossed the Platte river, near its terminus, we were able to determine the locality of the Corner approximately; and on inspection of the ground satisfied us that every evidence of its exact position had long since disappeared - since the fires that annually spread over the prairie had destroyed the writing trees & every trace of both lines near the Corner -

This point, known familiarly as the "old N.W. Corner", was the termination of the line surveyed by Sullivan in 1816 from the mouth of the Kansas river north one hundred miles, & was the point at which he turned east in running to the Des Moines river; his miles being numbered north from the Kansas, & east commencing again at the Corner -

Having no direct evidence of the exact date of the required point, it became necessary to find determinate points in the two lines, as near the Corner as possible - Prolonging the lines severally from such points, their intersection would be the point to be assumed

Surveyor Letter from Messers, Hendershott and Minor in Keokuk, Iowa, September 30, 1850 (Pg.2)

the corner, if Sullivan's measurement was correct, would be the place spot
where he established it -
Near the supposed locality of the 99th mile course on the north line we found
a decayed tree & a stump, which correspond in course, distance, & description
with the witness trees to that corner; & cutting into the log we saw what was
supposed to be the remains of an old block upon which was preserved a mark,
apparently, of the title M. This supposition was verified by measuring with
two miles to a point which we found to be Sullivan's 97th mile course, from one
witness tree which was perfectly sound - The marks upon it were then marked
beneath the bark, were plain & legible -
On the east line we found the witness tree to the 3rd mile course - The wood upon
which the marks had been inscribed was decayed, but there remained impression upon
upon the new growth which covered the old block, & which was cut out in a
solid block -
Prolonging the lines 3 miles each from the points thus determined, their intersection
was assumed as the required corner, & at that point was planted the monument specified
in the Deed - Re-measurements made from the surveyed lines, we found the corner
to be in the S.E. quarter of section 33, Township 67 North, Range 33 West. The exact position
in reference to these lines can be seen in the diagram prefixed to the field notes -
The latitude of the corner, determined by a series of observations taken on the
ground, we found to be $40^{\circ} 34' 40''$ north - While employed upon these observations,
we were delayed by unfavourable weather, & it was not till the 24th of May that we
were in readiness to commence the survey of the west line from the corner to the 11th
This portion of the Boundary being required to be a parallel of latitude, we used
Burt's solar compass, the use of which requires the longitude of the place
observation to be at least approximately known - Not having the exact
means of ascertaining the longitude of the corner, we calculated it for
to be about $94^{\circ} 30'$ west from Greenwich, which was sufficiently accurate
purpose - The instrument used being an untried one, some delay was
in its adjustment - To ensure accuracy in the work a telescope was attached
The principle upon which this line was run involves a mathematical
which it begins

Surveyor Letter from Messers, Hendershott and Minor in Keokuk, Iowa, September 30, 1850 (Pg.3)

prolonged in the plane of the prime vertical passing through its beginning.
The direction indicated by the instrument stationed at the beginning of a mile
is in the plane of the prime vertical passing through that point, & that direction
was continued through the mile by means of fore & back sights. At the
end of the mile an offset north was made to compensate for the spurious
of the earth. This offset, it will be seen by the note, is 6,855 inches for
a mile. The instrument was every second at the end of each mile the
proper distance north, & a new direction given & continued as before the
parallel passing through the initial point was continued throughout the
line. In some instances however it became convenient, whenever the nature
of the ground admitted of it, to continue the same direction through several
miles, instead of offsetting at the end of each. It will be seen by the
note that the offsets increase as the squares of the distance run, being for
one mile, 6855 inches - for two miles, four times that distance &c. Thus it
appears that the offsets rapidly increase with the distance run, & that
by continuing the direction of the prime vertical from the base to the terminus
on the Missouri river, the southing would have been over 2000 feet.

At the western terminus of the line the observations for
latitude were repeated. Having established that point, we returned
to the N.W. Corner, & commenced retracing Sullivan's east line on the
13th of August.

It is thirty four years since this line was run, & every vestige of
the mounds & pits established in the prairie has disappeared. Much of the
Country through which it passes, consists of brushy barrens, or high rolling
prairies, dotted with detached groves, or covered with a thin growth of
dwarf timber. Much of this description of timber has been destroyed
by fire, forming in some instances prairie, & in others brushy barrens
detached of trees; while in some places an entirely new growth of young timber,
principally hickory, has sprung up. In all such cases the upright trees & other
marks mentioned in Sullivan's field notes, were gone, & thus it occurred that we
frequently ran several miles without finding any trace of the line.

But in heavy bodies of timber no difficulty was experienced in discovering
evidence of the precise location of the line, not only by blazes, but by tall
& upright trees, many of which are found & the marks in good preservation.

Surveyor Letter from Messers, Hendershott and Minor in Keokuk, Iowa, September 30, 1850 (Pg.4)

The general topography of the Country, & especially the crooping, of the
streams, greatly facilitated us in following the line, & in some instances, when
convinced by the old lines, enabled us to establish it with sufficient certainty -
In the absence of any trace of the line between two known points, distant from
each other more than one mile, we assumed the line to be straight between
such points & established our posts accordingly - This was done by running
a run down line from the last found corner, in a course as near that pursued
by Sullivan as we could determine, until another point was found then
connecting back - No notice however is taken of these run down lines, in the
field notes, which relate to the true line only.

We soon satisfied ourselves that the line run by Sullivan was not only
not due east, but that it was not straight. That more or by writing
should have been made in the old line, was to have been expected from the fact
that Sullivan ran the whole line with one variation of the needle, & that variation
too great - This would account for the fact that the writings increase as
he progressed east - But there are great irregularities in the line, for which
it is difficult to find a cause - Sudden deviations, amounting to four
one to three degrees, frequently occur, & it rarely happens that any two
consecutive miles pursue the same direction -

A survey of the line between the 9th & 134th miles was made in
the year 1845, & we found the writings true in that part of the line exposed
& others substituted - We succeeded however in identifying Sullivan's true, &
we destroyed the marks of that survey as far as they related to the old line
in all instances when a corner on Sullivan's line is mentioned in our field
notes, one or both writings were found, & we did not always think it
necessary to report the fact in the notes -

Accompanying this report are the field notes & work of the Boundary
The former of which are sufficiently explained by the note proposed & there -
On the west line the 10 mile monuments were deemed sufficient -
On the east line with posts on established marks & writings as deemed
in the field notes -

Surveyor Letter from Messers, Hendershott and Minor in Keokuk, Iowa, September 30, 1850 (Pg.5)

It will be perceived that the measurement of this line is run by us,
as ends that of Saline by $11 \frac{50}{100}$ chains, & that this increase
although gradual, is not regular. Some portions of the old line
agree very nearly with our measurement, while others differ materially,
& the greatest difference is found in broken & brushy land.

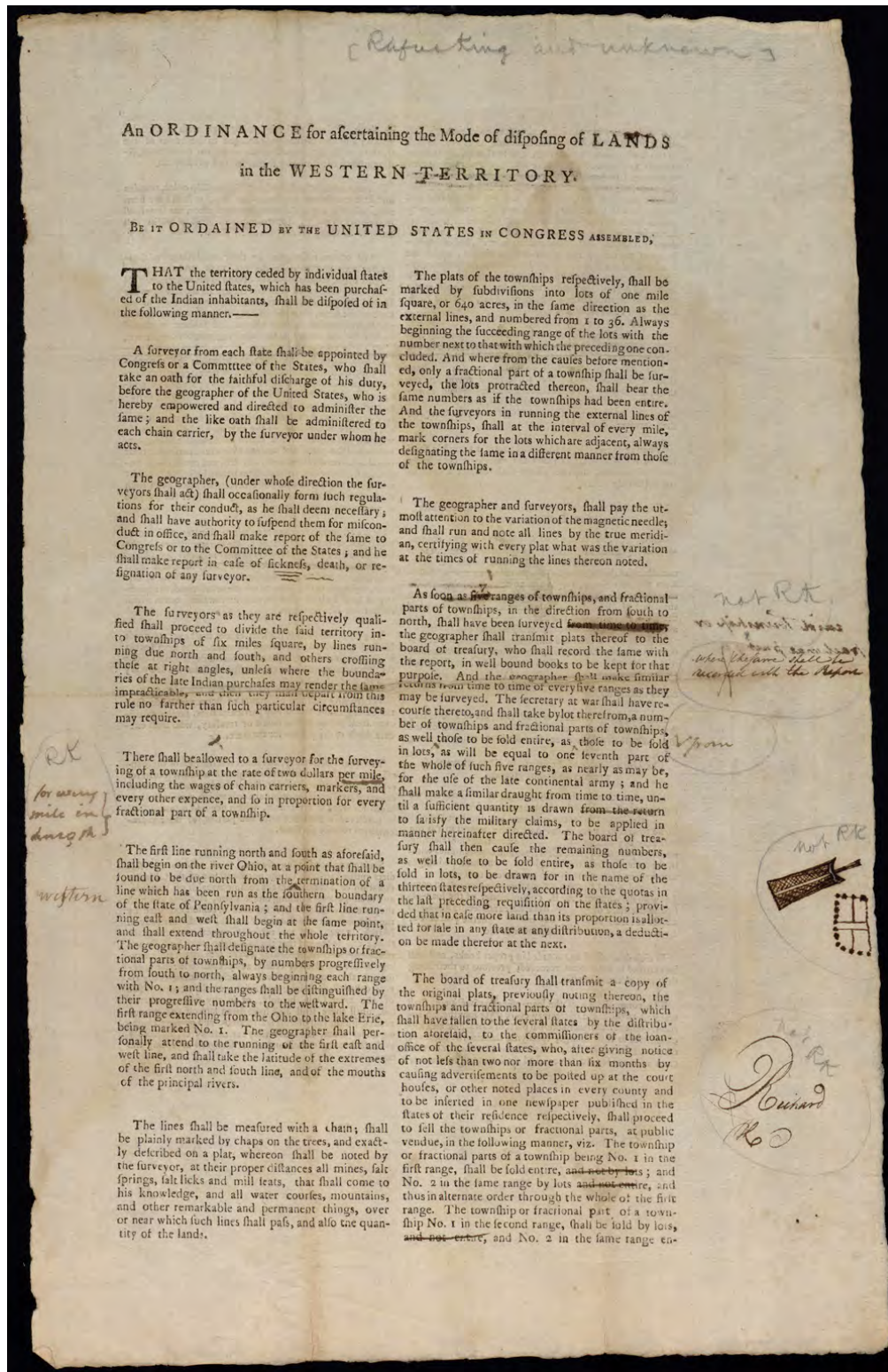
For the convenience of estimating distances, & that the length of the
line might be indicated by the mile posts they were established
by our measurement, taking care in every instance to note the distance
of the posts set by us, from the corresponding corners on the old
line whenever found. The different courses being extended from
one known point to another, the line was not obtained at those points
being made to pass through them, but only its length
corrected.

The length of the entire line is 211 miles & $52 \frac{80}{100}$ chains, embracing
 $4^{\circ} 1' 7.29$ of longitude. The length of a second of
longitude is calculated in note C, and the longitude of
any point of the line being known, that of any other
point can be easily deduced.

The map is plotted from the field notes on a scale
of half an inch to the mile, & is intended to represent
only the general features in the topography of the
line. The scale upon which it is made is much too
small to show the angles in the east line, to do
which would require it to be extended to a length that
would render it inconvenient. All the purposes for
which it can be used, will be attained by its present
form.

W. Hensley
Surveyor on the part of Messrs
B. Walker
The part of

Land Ordinance of 1785, May 18, 1785 (Pg.1)



An ORDINANCE for ascertaining the Mode of disposing of LANDS in the WESTERN TERRITORY.

BE IT ORDAINED BY THE UNITED STATES IN CONGRESS ASSEMBLED,

THAT the territory ceded by individual states to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner.—

A surveyor from each state shall be appointed by Congress or a Committee of the States, who shall take an oath for the faithful discharge of his duty, before the geographer of the United States, who is hereby empowered and directed to administer the same; and the like oath shall be administered to each chain carrier, by the surveyor under whom he acts.

The geographers, (under whose direction the surveyors shall act) shall occasionally form such regulations for their conduct, as he shall deem necessary; and shall have authority to suspend them for misconduct in office, and shall make report of the same to Congress or to the Committee of the States; and he shall make report in case of sickness, death, or resignation of any surveyor.

The surveyors as they are respectively qualified shall proceed to divide the said territory into townships of six miles square, by lines running due north and south, and others crossing these at right angles, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they may depart from this rule no farther than such particular circumstances may require.

There shall be allowed to a surveyor for the surveying of a township at the rate of two dollars per mile, including the wages of chain carriers, markers, and every other expence, and so in proportion for every fractional part of a township.

The first line running north and south as aforesaid, shall begin on the river Ohio, at a point that shall be found to be due north from the termination of a line which has been run as the southern boundary of the state of Pennsylvania; and the first line running east and west shall begin at the same point, and shall extend throughout the whole territory. The geographer shall designate the townships or fractional parts of townships, by numbers progressively from south to north, always beginning each range with No. 1, and the ranges shall be distinguished by their progressive numbers to the westward. The first range extending from the Ohio to the lake Erie, being marked No. 1. The geographer shall personally attend to the running of the first east and west line, and shall take the latitude of the extremes of the first north and south line, and of the mouths of the principal rivers.

The lines shall be measured with a chain; shall be plainly marked by chaps on the trees, and exactly described on a plat, whereon shall be noted by the surveyor, at their proper distances all mines, salt springs, salt licks and mill seats, that shall come to his knowledge, and all water courses, mountains, and other remarkable and permanent things, over or near which such lines shall pass, and also the quantity of the lands.

The plats of the townships respectively, shall be marked by subdivisions into lots of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36. Always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded. And where from the causes before mentioned, only a fractional part of a township shall be surveyed, the lots protracted thereon, shall bear the same numbers as if the townships had been entire. And the surveyors in running the external lines of the townships, shall at the interval of every mile, mark corners for the lots which are adjacent, always designating the same in a different manner from those of the townships.

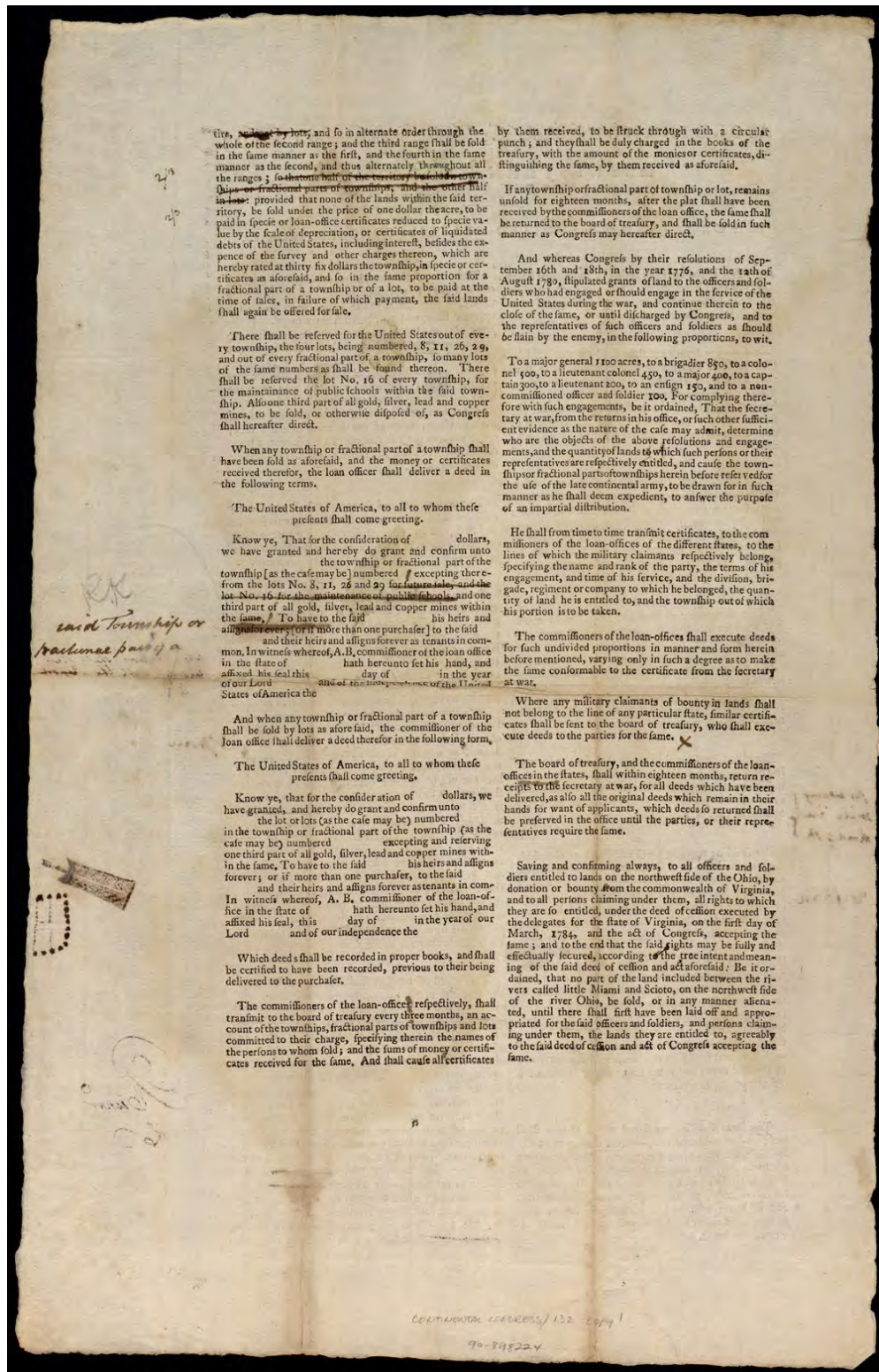
The geographer and surveyors, shall pay the utmost attention to the variation of the magnetic needles, and shall run and note all lines by the true meridian, certifying with every plat what was the variation at the times of running the lines thereon noted.

As soon as five ranges of townships, and fractional parts of townships, in the direction from south to north, shall have been surveyed, the geographer shall transmit plats thereof to the board of treasury, who shall record the same with the report, in well bound books to be kept for that purpose. And the geographer shall make similar plats from time to time of every five ranges as they may be surveyed. The secretary at war shall have recourse thereto, and shall take by lot therefrom, a number of townships and fractional parts of townships, as well those to be sold entire, as those to be sold in lots, as will be equal to one seventh part of the whole of such five ranges, as nearly as may be for the use of the late continental army; and he shall make a similar draught from time to time, until a sufficient quantity is drawn from the return to satisfy the military claims, to be applied in manner hereinafter directed. The board of treasury shall then cause the remaining numbers, as well those to be sold entire, as those to be sold in lots, to be drawn for in the name of the thirteen states respectively, according to the quotas in the last preceding requisition on the states; provided that in case more land than its proportion is allotted for sale in any state at any distribution, a deduction be made therefor at the next.

The board of treasury shall transmit a copy of the original plats, previously noted thereon, the townships and fractional parts of townships, which shall have fallen to the several states by the distribution aforesaid, to the commissioners of the loan-office of the several states, who, after giving notice of not less than two nor more than six months by causing advertisements to be posted up at the court houses, or other noted places in every county and to be inserted in one newspaper published in the states of their residence respectively, shall proceed to sell the townships or fractional parts, at public vendue, in the following manner, viz. The township or fractional parts of a township being No. 1 in the first range, shall be sold entire, and not by lots; and No. 2 in the same range by lots and not entire, and thus in alternate order through the whole of the first range. The township or fractional part of a township No. 1 in the second range, shall be sold by lots, and not entire, and No. 2 in the same range en-

United States Continental Congress, King, Rufus & William Samuel Johnson, "An ordinance for ascertaining the mode of disposing of lands in the Western Territory: Be it ordained by the United States in Congress assembled, that the territory ceded by individual states to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner," 18 May 1785. [Courtesy of Library of Congress](#)

Land Ordinance of 1785, May 18, 1785 (Pg.2)



United States Continental Congress, King, Rufus & William Samuel Johnson, "An ordinance for ascertaining the mode of disposing of lands in the Western Territory: Be it ordained by the United States in Congress assembled, that the territory ceded by individual states to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner," 18 May 1785. [Courtesy of Library of Congress](#)

Act of Congress to Admit Iowa and Florida into the Union, March 3, 1845 (Pg.1)

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TWENTY-EIGHTH CONGRESS. SESS.II. CH. 47, 48. 1845.

STATUTE II.

March 3, 1845.

CHAP. XLVII. — *An Act making appropriations for the support of the Military Academy for the year ending the thirtieth June, eighteen hundred and forty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated out of any money in the treasury not otherwise appropriated, for the support of the Military Academy, for the year ending on the thirtieth of June, eighteen hundred and forty-six:

Appropriations. For the pay of officers, instructors, cadets, and musicians, seventy-nine thousand four hundred and sixty dollars;

Pay. For commutation of subsistence, three thousand five hundred and seventy-seven dollars;

Subsistence. For commutation of forage for officers' horses, two thousand five hundred and ninety-two dollars;

Forage of officers' horses. For clothing for their servants, four hundred and twenty dollars;

Clothing of officers' servants. For repairs and improvements, fuel and apparatus, forage of public horses and oxen, stationery, printing and other incidental and contingent expenses, twenty-two thousand dollars;

Incidental and contingent expenses. For the building of barracks for cadets, thirty thousand dollars: *Provided,* That this appropriation, and the unexpended balance of the one heretofore made for this object, shall be applied exclusively to the completion of that portion of the barracks which is designed to accommodate the cadets usually quartered in the "old south barracks."

Barracks. SEC. 2. *And be it further enacted,* That from and after the thirtieth June, eighteen hundred and forty-five, the pay of a cadet shall be twenty-four dollars per month, in lieu of the present pay and emoluments.

Pay of a cadet. APPROVED, March 3, 1845.

STATUTE II.

March 3, 1845.

CHAP. XLVIII.—*An Act for the admission of the States of Iowa and Florida into the Union. (a)*

Preamble. Whereas, the people of the Territory of Iowa did, on the seventh day of October, eighteen hundred and forty-four, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government; and whereas, the people of the Territory of Florida did, in like manner, by their delegates, on the eleventh day of January, eighteen hundred and thirty-nine, form for themselves a constitution and State government, both of which said constitutions are republican; and said conventions having asked the admission of their respective Territories into the Union as States, on equal footing with the original States:

Act of March 3, 1845, ch. 75, and ch. 76. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the States of Iowa and Florida be, and the same are hereby, declared to be States of the United States of America, and are hereby admitted into the Union on equal footing with the original States, in all respects whatsoever.

Iowa and Florida declared to be States, on an equal footing with the original States. SEC. 2. *And be it further enacted,* That the following shall be the boundaries of the said State of Iowa, to wit: Beginning at the mouth of the Des Moines river, at the middle of the Mississippi, thence by the middle of the channel of that river to a parallel of latitude passing through the mouth of the Mankato, or Blue-Earth river, thence west along the said parallel of latitude to a point where it is intersected by a meridian line, seventeen degrees and thirty minutes west of the meridian of Washington city, thence due south to the northern boundary line of the State of Missouri, thence eastwardly following that boundary to the

Boundaries of Iowa. 1846, ch. 82.

(a) Notes to the act of June 12, 1838, ch. 96.

Act of Congress to Admit Iowa and Florida into the Union, March 3, 1845 (Pg.2)

TWENTY-EIGHTH CONGRESS. SESS. II. CH. 63. 1845.

743

point at which the same intersects the Des Moines river, thence by the middle of the channel of that river to the place of beginning.

SEC. 3. *And be it further enacted*, That the said State of Iowa shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said State of Iowa, so far as the said rivers shall form a common boundary to said State, and any other State or States now or hereafter to be formed or bounded by the same: Such rivers to be common to both: And that the said river Mississippi, and the navigable waters leading into the same, shall be common highways, and forever free as well to the inhabitants of said State, as to all other citizens of the United States, without any tax, duty, impost, or toll therefor, imposed by the said State of Iowa.

Iowa to have concurrent jurisdiction on the Mississippi and other rivers.

SEC. 4. *And be it further enacted*, That it is made and declared to be a fundamental condition of the admission of said State of Iowa into the Union, that so much of this act as relates to the said State of Iowa shall be assented to by a majority of the qualified electors at their township elections, in the manner and at the time prescribed in the sixth section of the thirteenth article of the constitution adopted at Iowa city the first day of November, anno Domini eighteen hundred and forty-four, or by the legislature of said State. And as soon as such assent shall be given, the President of the United States shall announce the same by proclamation; and therefrom and without further proceedings on the part of Congress the admission of the said State of Iowa into the Union, on an equal footing in all respects whatever with the original States, shall be considered as complete.

Assent of people of Iowa to this act necessary.

SEC. 5. *And be it further enacted*, That said State of Florida shall embrace the territories of East and West Florida, which by the treaty of amity, settlement and limits between the United States and Spain, on the twenty-second day of February, eighteen hundred and nineteen, were ceded to the United States.

Boundaries of Florida.

SEC. 6. *And be it further enacted*, That until the next census and apportionment shall be made, each of said States of Iowa and Florida shall be entitled to one representative in the House of Representatives of the United States.

Iowa and Florida each to have one representative in Congress.

SEC. 7. *And be it further enacted*, That said States of Iowa and Florida are admitted into the Union on the express condition that they shall never interfere with the primary disposal of the public lands lying within them, nor levy any tax on the same whilst remaining the property of the United States: *Provided*, That the ordinance of the convention that formed the constitution of Iowa, and which is appended to the said constitution, shall not be deemed or taken to have any effect or validity, or to be recognised as in any manner obligatory upon the Government of the United States.

Iowa and Florida not to interfere with, or tax the public lands.

Ordinance of the convention of Iowa not obligatory on U.S.

APPROVED, March 3, 1845.

STATUTE II.

March 3, 1845.

[Obsolete.]

CHAP. LXIII. — *An Act making appropriations for certain fortifications of the United States, for the year ending on the thirtieth of June, eighteen hundred and forty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, to be paid out of any unappropriated money in the Treasury for the preservation, repairs, and construction of certain fortifications for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-five, and ending on the thirtieth day of June, one thousand eight hundred and forty-six:

Appropriations.

For defensive works and barracks near Detroit, Michigan, thirty-five thousand dollars;

Detroit.

Final Act of Congress to Admit the State of Iowa into the Union, December 28, 1846

PUBLIC ACTS OF THE TWENTY-NINTH CONGRESS

OF THE

UNITED STATES,

Passed at the second Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the 7th Day of December, 1846, and ended on the 3d Day of March, 1847.

JAMES K. POLK, President; GEORGE M. DALLAS, Vice-President, and President of the Senate; JOHN W. DAVIS, Speaker of the House of Representatives.

CHAPTER I. — *An Act for the Admission of the State of Iowa into the Union.*

STATUTE II
Dec. 28, 1846.

WHEREAS the people of the Territory of Iowa did, on the eighteenth day of May, anno Domini eighteen hundred and forty-six, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government — which constitution is republican in its character and features — and said convention has asked admission of the said Territory into the Union as a State, on an equal footing with the original States, in obedience to “An Act for the Admission of the States of Iowa and Florida into the Union,” approved March third, eighteen hundred and forty-five, and “An Act to define the Boundaries of the State of Iowa, and to repeal so much of the Act of the third of March, one thousand eight hundred and forty-five as relates to the Boundaries of Iowa,” which said last act was approved August fourth, anno Domini eighteen hundred and forty-six: Therefore —

1849, ch. 78.
Preamble.

1845, ch. 43.

1846, ch. 82.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Iowa shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatsoever.

Iowa admitted into the Union.

SEC. 2. *And be it further enacted,* That all the provisions of “An Act supplemental to the Act for the Admission of the States of Iowa and Florida into the Union,” approved March third, eighteen hundred and forty-five, be, and the same are hereby declared to continue and remain in full force as applicable to the State of Iowa, as hereby admitted and received into the Union.

Former act continued in force.

1845, ch. 76.

APPROVED, December 28, 1846.

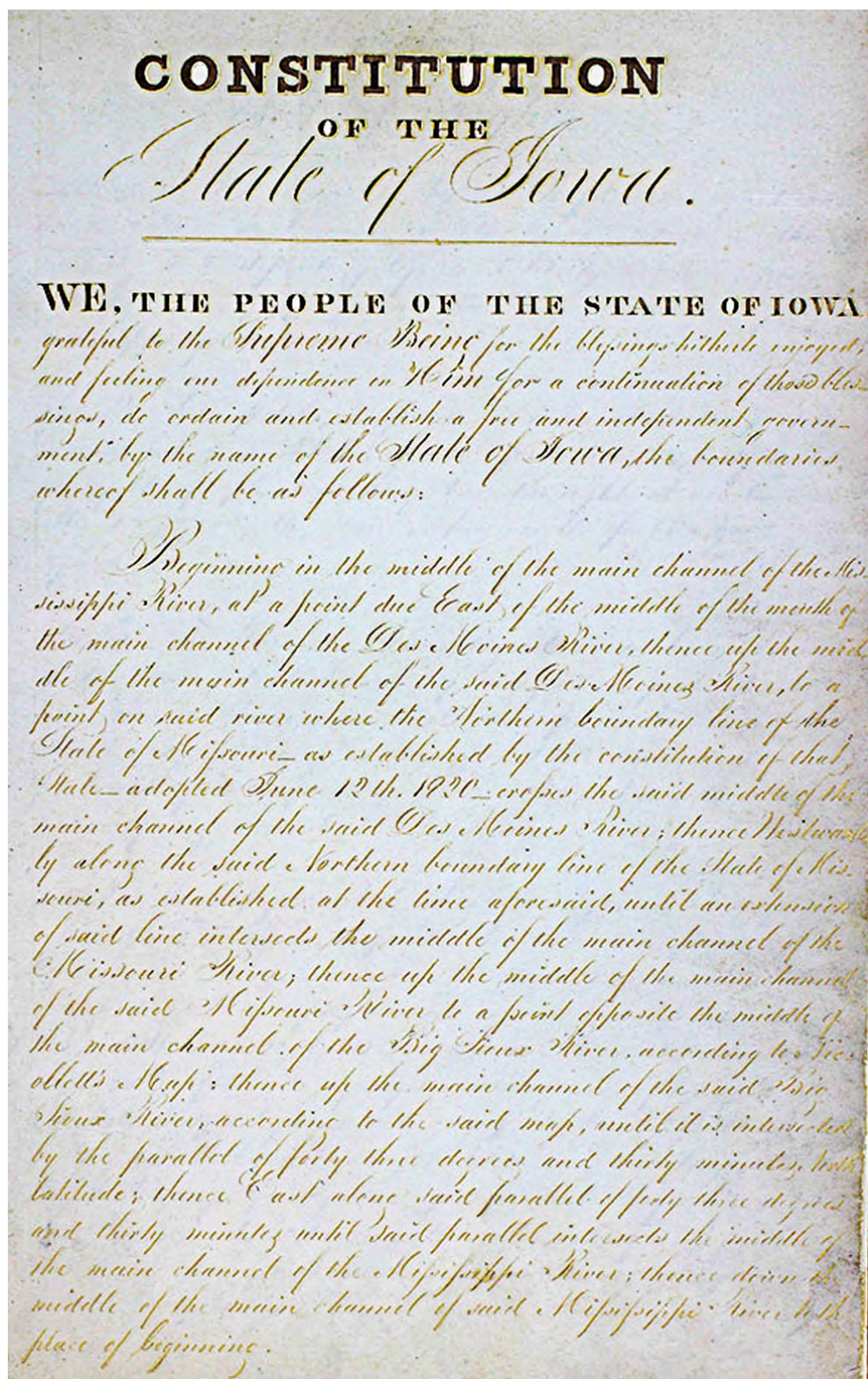
CHAP. II. — *An Act to encourage Enlistments in the regular Army.*

Jan. 12, 1847.

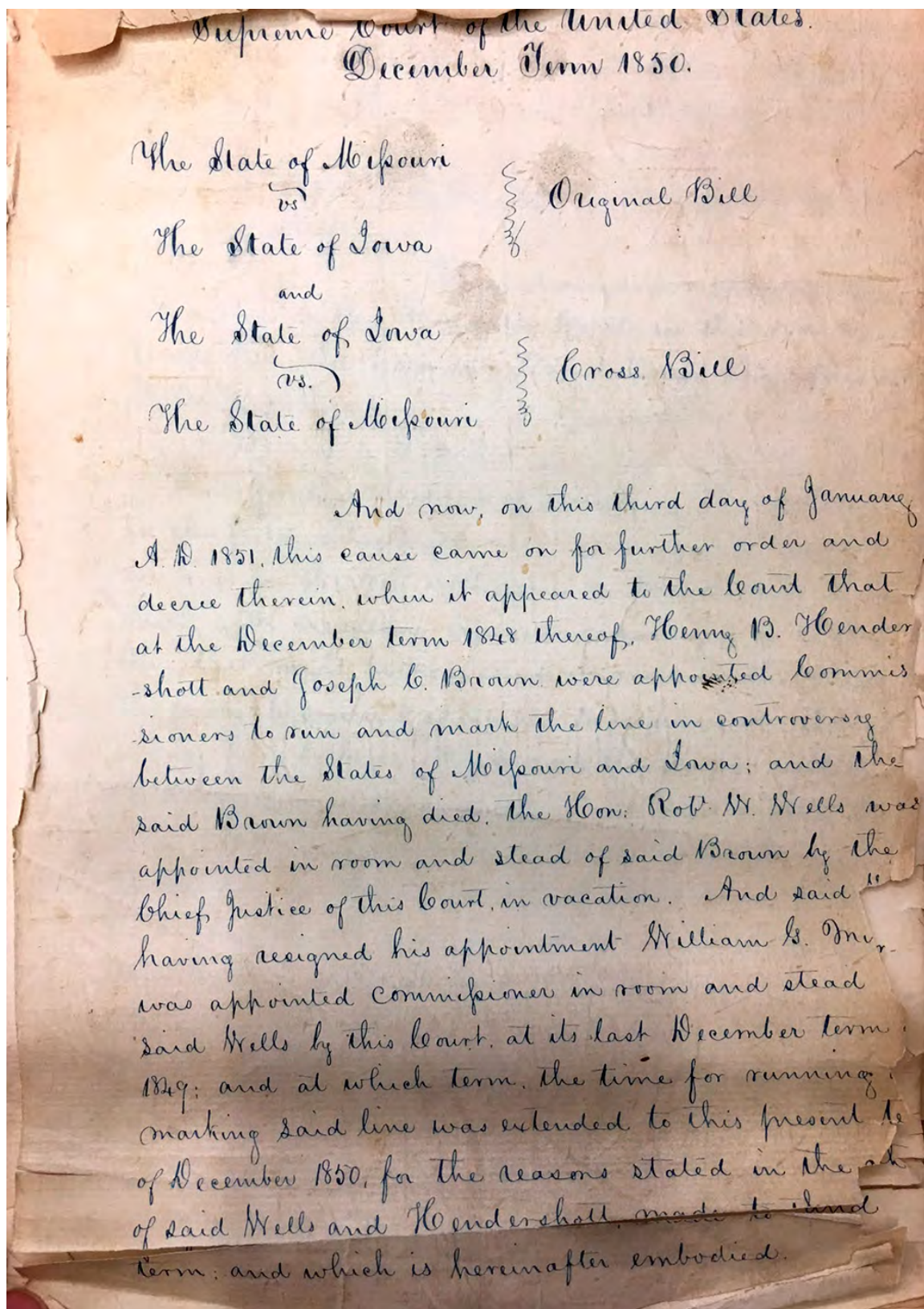
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the continuance of the war with Mexico, the term of enlistment of the men to be recruited for the regiments of dragoons, artillery, infantry, and riflemen of the present military establishment, shall “be during

Enlistments to be for the war.

Iowa Boundaries as Defined by the State Constitution, 1857



U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.1)



U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.2)

2.
And the present Commissioners, Henry B. Henderson and William S. Minor, have made their report in the premises to this term; and which report is as follows:

" To the Hon. the Supreme Court of the United States.

The undersigned appointed Commissioners by this Honorable Court, in the above cases, to establish the boundary line between the aforesaid States respectfully

Report

That for the purpose of arranging the operations in the field, so as to combine economy with speed, we met in the City of St. Louis in March last, and there, after consulting experienced surveyors as to the time that might be consumed in running the line, the probable amount of expense to be incurred, the necessary force to be employed and the proper outfit, we determined a plan of operations, and agreed to meet at the supposed site of Sullivan's "North West Corner" between the 1st and 20th of April last. While in St. Louis we obtained from Mayor M. L. Clark Surveyor General of the State of Missouri and Illinois a copy of the field notes of the survey made by John C. Sullivan in the year 1816, of a line beginning on the East bank of the Missouri River, opposite the middle of the mouth of the Kansas River and extending North one hundred miles, where he made a corner, and also of the line run by him in an Easterly course

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.3)

2.

to the Des Moines River.

We were also furnished by Major Clark, with several charts, diagrams and copies of surveys, which had, at various times, been made of portions of Sullivan's line, and which were of much service in the prosecution of the work.

The surveyors severally appointed by us were William Dewey Esq. of Iowa, and Robert Walker Esq. of Missouri. Both these gentlemen had been connected with the public works of their respective states and enjoy a high professional reputation.

According to our agreement we left our respective homes on the 10th of April last, and soon after reaching the point of meeting - in view of the increased prices of transportation, provisions &c. caused by the immense emigration through Southern Iowa and Northern Missouri, to California, we altered our plan of work and reduced our force.

No precise trace of the "old North West Corner" remained. The witness trees to it were on the margin of a vast prairie, and had apparently been destroyed by fire years ago. Consequently its exact position could not be ascertained, yet from the running of many experimental lines, diligently examining the evidences before us, together with the reports of the Surveyors, we became satisfied of its proper position and accordingly established it.

Its latitude taken resulted as follows -
40° 34' 40" N.

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.4)

4.

At the corner so determined we planted a large solid cast iron pillar, weighing between fifteen and sixteen hundred pounds, four feet six inches long, squaring twelve inches at its base and eight inches at its top. This pillar was deeply and legibly marked with the words (strongly cast into the iron) "Missouri" on its South side, "Iowa" on its North side and "State Line" on the East.

From the monument so planted at the "North West corner" aforesaid, in the said latitude, the survey of the line was commenced, running due West on said parallel of latitude to the Missouri River, as directed by this Honorable Court, and at its terminus as near the bank of said Missouri River, as the perishable nature of the soil would admit, we planted a monument similar in figure, weight, dimension and inscription to the one planted at the "North West corner" the words "State Line" facing the East.

Unexpected delays arising from a condition of the weather which prevented the surveyors from making reliable astronomical observations, together with the fact that to a great extent in the vicinity of said line there were no roads and the settlements distant and sparse, compelling us to open a track for the transportation of the monuments and baggage of the Corps, and also to construct necessary bridges and grade fords, greatly retarded the work.

Returning to the "North West corner" the survey of the line was commenced, extending Eastwardly

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.5)

5.

from said "corner" to the Des Moines River, as run and marked by said Sullivan in 1816, from said corner to said river. On this line by close examination we discovered abundant blazes and many witness trees which enabled us to find and re-mark the said line as directed by this Honorable Court.

(The survey of this portion of the line, more than one hundred and fifty miles in length, was commenced on the 13th day of August and finished on the 18th September.

Near the bank of the Des Moines river where the line terminated, we planted a cast iron pillar, similar in weight, figure, dimensions and inscriptions to those planted at the "N. W. corner" and near the bank of the Missouri River. The words "State Line" facing the West.

Solid pillars of cast iron weighing each between three and four hundred pounds and minutely described, as to figure and inscriptions, in the report heretofore made to this Honorable Court by Messrs Wells and Wendersholt, Commissioners, we caused to be planted at every ten miles in the due West line extending from said "N. W. corner" to the Missouri River, and also at every ten miles in the line extending East from the "N. W. corner" aforesaid to the Des Moines River.

No iron monument was planted at mile 150 in the line running East, because, between it and the point where the large one is planted on the bank of the Des Moines River there existed but a small fraction

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.6)

6.

of ten miles, being only fifty one chains.

For a fuller account of the said survey we respectfully refer to the report of the surveyors made to us marked A, and to the following exhibits herewith transmitted.

Field notes of said survey, accompanied by a map of the line (marked) B.

Tabular statement of the costs and charges incurred in said survey (marked) C.

All of which is most respectfully submitted.

Henry B. Wendershott
Comr. of Iowa
W. G. Meiner
Comr. Mo"

And the report of the surveyors employed by the Commissioners, and above referred to as part of said Commissioners' report, is in the words and figures following:

"Keokuk September 30th 1850

Messrs Wendershott and Meiner
Commissioners of the Boundary Survey,
Gentlemen.

Having been appointed by you, on the part of the States of Iowa and Missouri severally, to locate and survey the boundary between those States, under the decree of the Supreme Court of the U.S., we met according to your appointment, on the 28th of April last, near the supposed site of the old N.W. Corner, for the purpose of commencing operations in the field.

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.7)

We proceeded to search for the old corner, which was to be the basis of our future operations. Having a certified copy of Sullivan's field notes, from the Surveyor General's Office at St. Louis, we knew that the corner had been originally located in timber, and designated by two witness trees. Aided by a view of the topography of the locality, as indicated in the notes, and especially by the manner in which Sullivan's North line crossed the Platte River near its terminus, we were able to determine the locality of the corner approximately; and an inspection of the ground satisfied us that every evidence of its exact position had long since disappeared. Time and the fires that annually spread over the prairies, had destroyed the witness trees and every trace of both lines near the corner. This point, known familiarly as the "old N.W. corner", was the termination of the line surveyed by Sullivan in 1816 from the mouth of the Kansas River North 100 miles, and was the point at which he turned East, in running to the Des Moines River, his miles being numbered North from the Kansas, and East beginning again at the corner.

Having no direct evidence of the exact site of the required point, it became necessary to find determinate points in the two lines as near the corner as possible. Prolonging the lines severally from such points, their intersection would be the point to be assumed as the corner, and if Sullivan's measurement were correct, would be the precise spot where he established it.

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.8)

8.

Near the supposed locality of the 99th mile corner on the North line, we found a decayed tree and a stump, which correspond in course, distance and description with the witness trees to that corner, and cutting into the tree we saw what we supposed to be the remains of an old blaze upon which was preserved a part, apparently, of the letter M. This supposition was verified by measuring South two miles to a point, which we found to be Sullivan's 97th mile corner, from one witness tree, which was perfectly sound. The marks upon it two or three inches beneath the bark, were plain and legible.

On the East line we found the witness tree to the 5th mile corner. The wood upon which the marks had been inscribed was decayed, but their reversed impression appeared upon the new growth which covered the old blaze, and which was cut out in a solid block.

Prolonging the lines three miles each from the points thus determined, their intersection was assumed as the required corner, and at that point was planted the monument specified in the decree. By measurement made from the surveyed lines, we found the corner to be in the N. E. quarter of section 35, Township 67 North, Range 33 West. Its exact position with reference to these lines can be seen in the diagram in the field notes.

The latitude of the corner, determined by a series of observations taken on the ground, we found

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg.9)

9.

to be $40^{\circ} 34.40''$ North. While employed upon these observations, we were delayed by unfavorable weather, and it was not till the 24th of May, that we were in readiness to commence the survey of the West line from the corner to the Missouri River.

This portion of the boundary, being required to be a parallel of latitude, was run with Burt's solar Compass, the use of which requires the longitude of the place of observation to be at least approximately known. Not having the requisite means of ascertaining the longitude of the corner, we calculated it from maps to be about $94^{\circ} 30'$ West from Greenwich, which was sufficiently accurate for the purpose. The instrument used being an untried one, some delay was experienced in its adjustment. To ensure accuracy in the work, a telescope was attached to it.

The principles upon which this line was run involve a mathematical investigation, which will be found in Note A, accompanying this report, but the mode of running it will be briefly described here - each successive mile was prolonged in the plane of the prime vertical passing through its beginning. The direction indicated by the instrument stationed at the beginning of a mile is in the plane of the prime vertical passing through that point, and that direction was continued through the mile by means of fore and back sights. At the end of the mile, an offset North was made to compensate for the sphericity of the earth. This offset it will be seen

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg. 10)

10.

by the note is 6.855 inches for one mile. The instrument being moved at the end of the mile, the proper distance North, and a new direction given and continued as before, the parallel passing through the initial point was continued throughout the line. In some instances however, it became convenient, whenever the nature of the ground admitted of it, instead of offsetting, to continue the same direction through several miles. It will be seen by the note, that the offsets increase as the squares of the distances, being for one mile 6.855 inches; for two miles, four times that distance &c. Thus it appears that the offsets rapidly increase with the distance run, and that by continuing the direction of the prime vertical from the corner to the terminus, the southing would have been over 2000 feet.

At the Western Terminus of the line the observations for latitude were repeated. Having established that point, we returned to the N. W. corner and commenced retracing Sullivan's East line on the 15th of August.

It is thirty four years since this line was run, and every vestige of the mounds and pits established in the prairies has disappeared. Much of the country through which it passes consists of bushy barrens, or high rolling prairies, dotted with detached groves, or covered with a thin growth of dwarf timber. Much of this description of timber has been destroyed by fire, forming in some instances, prairie, and in

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg. 11)

11.

others, brushy barrens, destitute of trees; while in some places, an entirely new growth of young timber, principally hickory, has sprung up. In all such cases the witness trees and other marks, mentioned in Sullivan's field notes, were gone, and thus it occurred that we frequently ran several miles without finding any traces of the line. But in heavy bodies of timber no difficulty was experienced in discovering evidences of the precise location of the line, not only by blases, but by line and witness trees, many of which are sound and the marks in good preservation. The general topography of the Country, and especially the croppings of the streams, greatly facilitated us in following the line, and in some instances, when confirmed by the old blases, enabled us to establish it with sufficient certainty. In the absence of any traces of the line between two known points, distant from each other more than one mile, we assumed the line to be straight between such points, and established our posts accordingly. This was done by running a random line from the last found corner, in a direction as near that pursued by Sullivan as we could determine, until another point was found, and then correcting back. No notice however is taken of these random lines in the field notes, which relate to the true line only.

We soon satisfied ourselves that the line run by Sullivan, was not only not a due East line, but that it was not straight. That more or less northing should have been made in the old line, was to

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg. 12)

12.
have been expected from the fact that Sullivan ran the whole line with one variation of the needle, and that variation too great. This would account for the fact that the Northing increases as he progressed East. But there are great irregularities in the course of the line, for which it is difficult to find a cause. Sudden deviations, amounting to from one to three degrees frequently occur, and it rarely happens that any two consecutive miles pursue the same direction.

A re-survey of the line between the 91st and 134th miles was made in the year 1845, and we found the witness trees on that part of the line defaced and others substituted. We succeeded however in identifying Sullivan's trees, and we destroyed the marks of that survey as far as they related to the old line. In all instances where a corner on Sullivan's line is mentioned in our field notes, one or both witness trees were found to identify it and we did not always think it necessary to repeat the fact in the notes.

Accompanying this report are the field notes and map of the boundary, the former of which are sufficiently explained, in the note prefixed to them.

On the West line the monuments every ten miles were deemed sufficient. On the East line mile posts are established marked and witnessed as described in the field notes.

It will be perceived that the measurement of this line as run by us exceeds that of Sullivan by $11 \frac{80}{100}$ chains, and that this increase although gradual

U.S. Supreme Court Report by Surveyors about the Iowa, Missouri Border, December 17, 1850 (Pg. 13)

13.

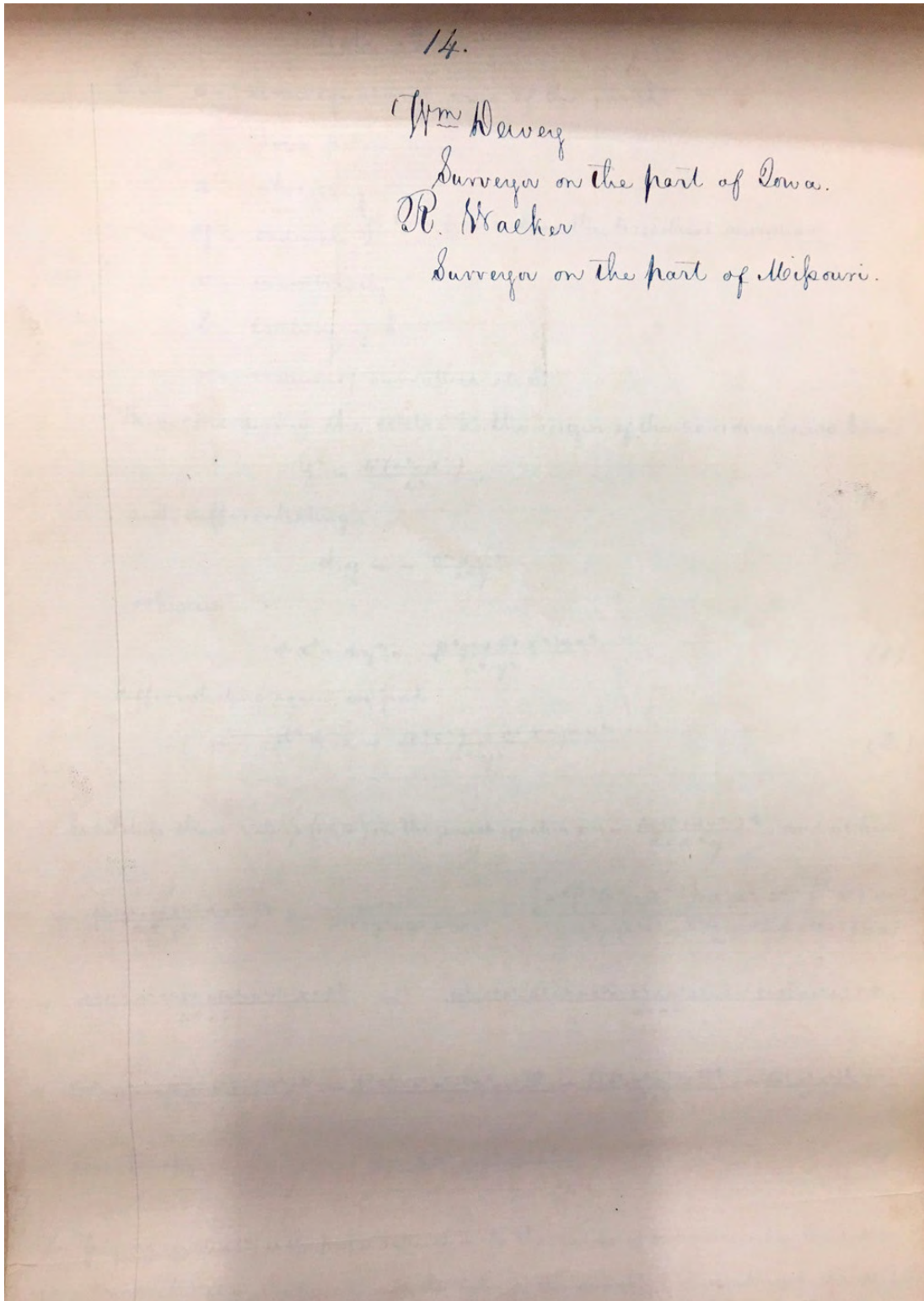
is not regular. Some portions of the old line agree very nearly with our measurement, while others differ materially, and the greatest gain is generally made in brushy and broken land.

For the convenience of estimating distances and that the true length of the line might be indicated by the mile posts, they were established by our measurement, taking care in every instance to note the distance of the posts set by us from the corresponding corners in the old line, whenever found. The different courses being extended from one known point to another, the line was not altered at those points, being made to pass through them, but only its length corrected.

The length of the entire line is 211 miles and $32 \frac{7}{100}$ chains, embracing $4^{\circ} 1' 7'' 29$ of longitude. The length of a second of longitude is calculated in note 10. and the longitude of any point of the line being known, that of any other point can be deduced.

The map is plotted from the field notes on a scale of half an inch to the mile, and is only intended to represent the general features in the topography of the line. The scale upon which it is made is much too small to show the angles in the East line, to do which would require it to be extended to a length that would render it inconvenient. All the purposes for which it can be used, will be attained by its present form.

**U.S. Supreme Court Report by Surveyors about
the Iowa, Missouri Border, December 17, 1850
(Pg. 14)**



NW Land Ordinance for Ohio River Territories, July 13, 1787 (Pg.1)

C.

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 degree; and among collaterals, the children of a deceased brother or sister of the 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 such conveyances be acknowledged, or the execution thereof 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, saving, however, to the French and Canadian inhabitants, and other 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. *[where there shall be no children of the intestate]*

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. *[above that rank]*

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 extinguished, 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 his own 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 of one of the states, and being resident in the district; or the like freehold and two years residence in the district 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 at least 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,

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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 or 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.

[to all parts of the Confederacy] 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 a 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 in the said territory, and forever remain unalterable, unless by common consent, to wit:

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

Article the Second. 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. [Provisions for the preservation of]

Article the Third. 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 in their property, rights and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them. [Carried persons while away shall be taught some useful occupations]

Article the Fourth. 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 articles 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 expences 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.

[authorize] *Article the Fifth.* 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 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.

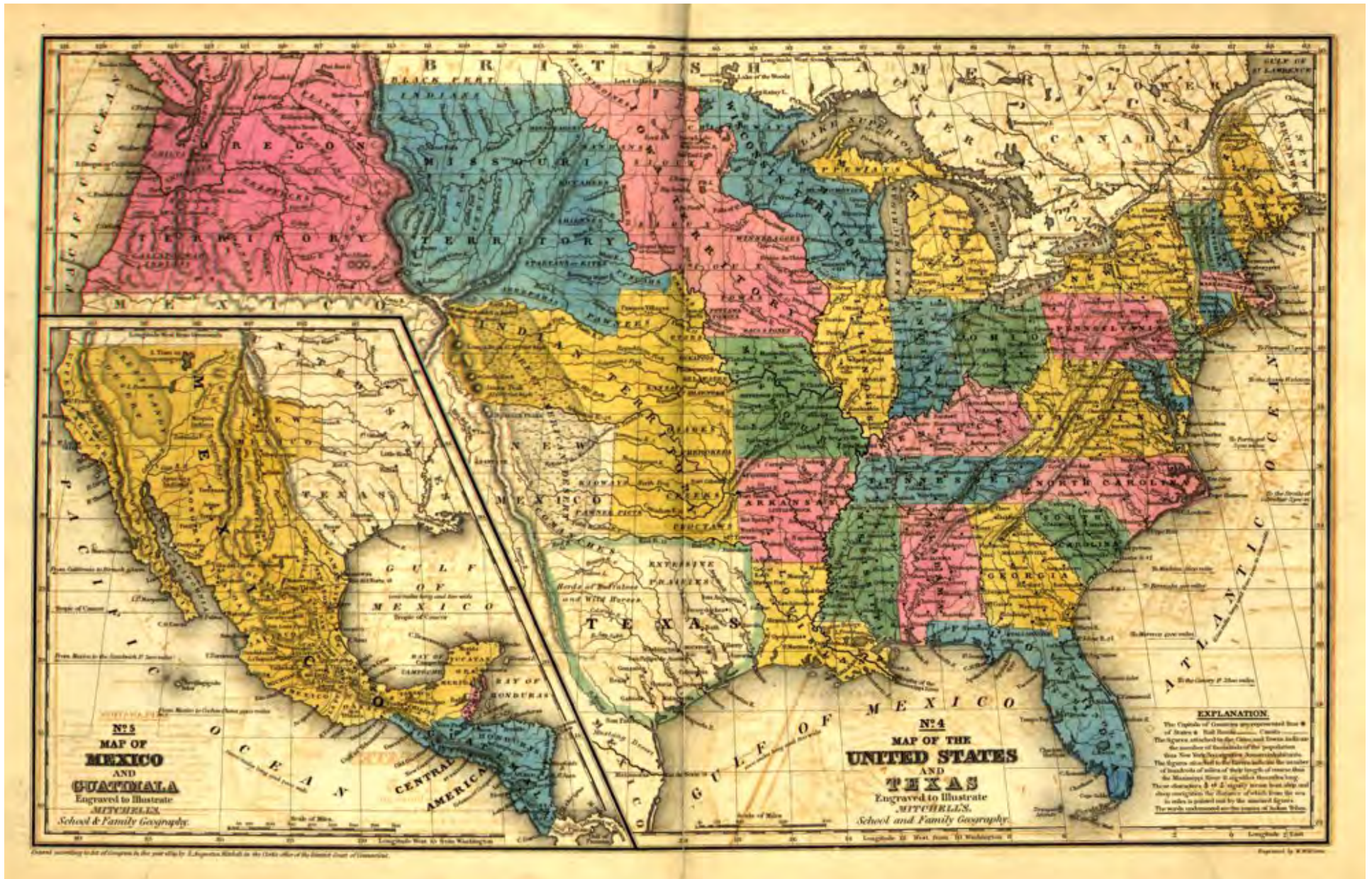
Article the Sixth. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in punishment of crimes whereof the party shall have been duly convicted: Provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one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

Charles Thomson

Mitchell's School Atlas of the United States and Mexico, 1839



Mitchell, S. Augustus, Young, J.H., & Cowperthwait & Co Thomas, "Mitchell's School Atlas," 1839. [Courtesy of Library of Congress](#)

