MONDAY, MAY 7, 1804.

No. 238

By Authority.

AN ACT

Trecting Louisiana into two territories, and providing for the temporary government thereof.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi territory, and of au east and west line to commence shall constitute a territory of the United States, under the name of the territory of Crleans; the government whereof shall be organized and administered as follows:

Sec. 2. The executive power shall be vested in a Governor, who shall reside in the said territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander in chief of the mifina of the said territory; shall have power to grant pardons for offences against the said territory, and reprieves for those againt the United States, until the decision of the President of the United States thereon shall be made known; and to appoint and commission all officers, civil, and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law. He shall take care that the

laws be faithfully executed. Sec. S. A Secretary of the territory shall also be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States, whose duty it shall be, under the direction of the Governor, to record and preserve all the papers and proceedings of the Executive, and all the acts of the Governor and Legislative Council, and transmit authentic copies of the proceedings of the Governor, in his executive department, every six months, to the President of the United States. In case of the vacancy of the office of Governor, the government of the said territory shall devolve on the Se-

Sec. 4. The legislative powers shall be vested in the Governor, and in thirteen of the most fit and discreet persons of the territory, to be called the Legislative Council, who shall be appointed annually by the President of the United States, from among tise holding real estate therein, and who stall have resided one year at least in the mid territory, and hold no office of profit under the territory, or the United States. The Covernor, by and with the advice and conent of the said Legislative Council, or of a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to l all the rightful subjects of legislation; but no law shall be valid, which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint, burthen or disability, on account or his religious opinions, professions or worship; in all which he shall be free to maintain his own, and not burthened for those of agother. The Governor shall publish throughout the said territory, all the laws which shall be made, and shall, from time to time, report the same to the President of the United States, to be laid before Congress; which if disapproved of by Congress, shall thenceforth be of no force. The Covernor, o. Legislative Council shall have no power wer the primary disposal of the soil, nor to tax the lands of the United States, nor to interiere with the claims to land within the said territory. The Governor shall convene and prorogue the Legislative Council whenever he may deem it expedient. It shall be his duty to obtain all the information in his power, in relation to the customs, havits and dispositions of the inhabitants of the ...d territory, and communicate the same, from time to time, to the President of the

Sec. 5. The judicial power shall be vested in a superior court, and in such inferior courts, and justices of the peace, as the legislature of the territory may, from time to time, establish. The judges of the superior court, and the justices of the peace, shall hold their offices for the term of four years. The superior court shall consist of three juiges, any one of whom shall constitute a court; they shall have jurisdiction in all criminal cases, and exclusive jurisdiction in all those which are capital; and original and appellate jurisdiction in all civil cases of sions shall commence on the first Monday of every month, and continue till all the business depending before them shall be disposed of. They shall appoint their own clerk. In all criminal prosecutions which are capital, the trial shall be by a jury of twelve good and lawful men of the vicinage; and in all cases, criminal and civil, in the superior court, the trial shall be by a jury, if either of the parties require it. The mhabitants of the said territory shall be entitled to the benefits of the writ of habeas corpus; they shall be bailable, unless for capital oftences, where the proof shall be evident, or the presumption great; and no cruel and unusual punishments shall be inflicted.

Sec. 6. The Governor, Secretary, Judges, District Attorney, Marshal, and all general officers of the militia, shall be appointed by the President of the United States, in the recess of the Senate; but shall be nominated at their next meeting for their advice and Chucat. The Governor, Secretary, Judges, members of the Legislative Council, Justices of the Peace, all other officers, civil and of

I ties of their respective offices, shall take an oath or affirmation, to support the Constitution of the United States, and for the faithful discharge of the duties of their office; the Governor, before the President of the United States, or before a Judge of the supreme or district court of the United States, or before such other person as the President of the United States shall authorize to administer the same, the Secretary, Judges, and members of the Legislative Council, before the Governor; and all other officers, before such persons as the Governor shall direct. The Governor shall receive an annual salary of five thousand dollars; on the Mississippi river, at the thirty-third | the Secretary, of two thousand dollars; and degree of north latitude, and to extend west | the Judges, of two thousand dollars each; to the western boundary of the said cession, | to be paid quarter yearly out of the revenues of impost and tonnage, at cruing within the said territory. The members of the Legislative Council shall receive four dollars each per day, during their attendance in council Sec. 7. And we it further enacted, That the

following acts, that is to say, An act for the punishment of certain crimes against the United States.

An act, in addition to an act for the punishment of certain crimes against the Uni-

An act to prevent citizens of the United States from privateering against nations in amity with, or against citizens of the United

An act for the punishment of certain crimes therein specified.

An act respecting fugitives from justice, and persons escaping from service of their

An act to prohibit the carrying on the slave trade from the United States to any foreign place or country.

tain persons into certain States, where by the laws thereof, their admission is pro-An act to establish the post-office of the

United States. An act further to alter and establish cer-

tain post roads, and for the more secure carriage of the mail of the United States.

An act for the more general promulgation of the laws of the United States. An act, in addition to an act, entitled,

An act for the more general promulgation of the laws of the United States. An act to promote the progress of useful

arts, and to repeal the act heretofore made for that purpose.

An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees.

An act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies, during the time therein men-

An act, supplementary to an act, entitled, An act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies, during the times therein mentioned, and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.

An act providing for salvage in cases of

An act respecting alien enemies.

An act to prescribe the mode in which the public acts, records, and judicial proceedings in each state shall be authenticated, so as to take effect in every other state.

An act for establishing trading houses with the Indian tribes.

An act for continuing in force a law, entitled, An act for establishing trading houses with the Indian tribes. And

An act making provision relative to rations for Indians, and to their visits to the seat of government, shall extend to, and have full force and effect in the above mentioned territories.

Sec. 8. There shall be established in the said territory a district court, to consist of one Judge, who shall reside therein, and be called the District Judge, and who shall hold, in the city of Orleans, four sessions annually; the first to commence on the third Monday in October next, and the three other sessions, progressively, on the third Monday of every third calendar month thereafter. He shall in all things have and exercise the same jurisdiction and powers, which are by law given to, or may be exercised by the Judge of Kentucky district; and shall be allowed an annual compensation of two thousand dollars, to be pald quarter. yearly out of the revenues of impost and tounage accruing within the said territory. He shall appoint a clerk for the said district, who shall reside, and keep the records of venience of the settlements shall require, session of Congress which may happen the value of one hundred dollars. Its ses- the court, in the city of Orleans, and shall subject to such alterations hereafter as exreceive for the services performed by him, the same fees to which the clerk of Ken-

tucky district is entitled for similar services. There shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid six hundred dollars annually, as a full compensation for all extra services. There shall also be appointed a marshal for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees to which marshals in other districts are entitled for similar services; and shall moreover be paid two hundred dollars annually, as a compen-

sation for all extra services. Sec 9. All free male white persons, who are house-keepers, and who shall have resided one year at least in the said territory, shall be qualified to serve as grand or petit jurors, in the courts of the said territory; and they shall, until the legislature thereof shall otherwise direct, be selected in such It talled, before they enter upon the du. | pectively shall prescribe, so as to be most | dealt with according to law. manner as the judges of the said courts res-

conducive to an impartial trial, and to be least burthensome the inhabitants of the

Sec. 10. It shall not be lawful for any person or persons to import or bring into the said territory, from any port or place without the limits of the United States, or cause or procure to be so imported or brought, or knowingly to arl or assist in so importing or bringing any slave or slaves. And every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought, the sum of three hundred dollars; one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and every slave so imported or brought, shall thereupon become entitled to and receive his or her freedom. It shall not be lawful for any person or persons to import or bring into the said territory, from any port or place within the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or or slaves, which shall have been imported since the first day of May, one thousand seven hundred and ninety-eight, into any port or place within the limits of the United States, or which may hereafter be so imported from any port or place without the limits of the United States; and every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought, the sum of three hundred dollars, one moiety for the use of the United States, and the other moiety for the use An act to prevent the importation of cer- | of the person or persons who shall sue for the same; and no slave or slaves shall directly or indirectly be introduced into said territory, except by a citizen of the United States, removing into said territory for actual settlement, and being at the time of or slaves; and every slave imported or brought into the said territory, contrary to the provisions of this act, shall thereupon be entitled to, and receive his or her freedom.

Sec. 11. The laws in force in the said territory at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force, until altered, modified, or repealed by the legislature.

Sec. 12. The residue of the province of Louisiana, ceded to the United States, shall be called the District of Louisiana, the government whereof shall be organized and administered as follows:

The Executive Power now vested in the Governor of the Indiana territory, shall exof the Indiana territory shall have power to establish, in the said district of Louisiana, inferior courts, and prescribe the jurisdiction and duties, and to make all laws which they may deem conducive to the good government of the inhabitants thereof: Provided bowever, That no law shall be valid which is inconsistent with the constitution shall lay any person under restraint or disability on account of his religious opinions, shall be free to maintain his own, and not burthened for those of another: And provided also That in all criminal prosecutions, the trial shall be by a jury of twelve good and the trial shall be by jury, if either of the parties require it. The judges of the Indiana territory, or any two of them, shall hold annually two courts within the said district, at such place as will be most convenient to the inhabitants thereof in general, and shall possess the same jurisdiction they now pos-Indiana territory, to record and preserve all effect the object expressed in this section. the papers and proceedings of the Governor, copies thereof every six months to the Preshall publish throughout the said district, all the laws which may be made as aforesaid, and shall, from time to time, report the same to the President of the United States, to be laid before Congress, which, if disapproved of by Congress, shall thenceforth

cease, and be of no effect. The said district of Louisiana shall be divided into districts by the Governor, under the direction of the President, as the conperience may prove more convenient. The inhabitants of each district, between the ages of eighteen and forty-five, shall be formed into a militia; with proper officers, according to their numbers, to be appointed by the Governor, except the commanding officer, who shall be appointed by the President, and who, whether a captain, a major, or a colonel, shall be the commanding officer of the district, and as such shall, under the Governor, have command of the regular officers and troops in his district, as well as of the militia, for which he shall have a brevet commission, giving him such command, and the pay and emoluments of an officer of the same grade in the regular army; he shall be specially charged with the employment of the military and militia of his district, in cases of sudden invasion or insurrection, and until the orders of the Governor can be received, and at all times with the duty of ordering a military patrole, aided by militia if necessary, to arrest unanthorized settlers in any part of his district and to commit such offenders to jail to be

Sec. 13. The laws in force in the said district of Louisiana, at the commencement of this act, and not inconsistent with any of the provisions thereof, shall continue in force until altered, modified or repealed by the Governor and Judges of the Indiana

territory, as aforesaid.

Sec. 14. And be it further enacted, That all grants for lands within the territory ceded by the French Republic to the United States, by the treaty of the thirtieth of April, in the year one thousand eight hundred and three, the title whereof was, at the date of the treaty of St. Ildefonso, in the crown, government or nation of Spain, and every act and proceeding subsequent thereto, of whatsoever nature, towards the obtaining any grant, title or claim to such lands, and under whatsoever authority transacted, or pretended, be, and the same are hereby declared to be, and to have been from the beginning, null, void, and of no effect in law or equity: Provided nevertheless, That any thing in this section contained shall not be construed to make null and void any bona fide grant made agreeably to the laws, ilsages and customs assist in so importing or bringing any slave of the Spanish government to an actual settler on the lands so granted for himself, and for his wife and family; or to make null and void any bona fide act or proceeding done by an actual settler, to obtain a grant for lands actually settled on by the person or persons claiming title thereto, if such settlement in either case was actually made prior to the twentieth day of December, one thousand eight hundred and three: And provided further, That such grant shall not secure to the grantee, or his assigns, more than one mile square of land, together with such other and further quantity as heretofore hath been allowed for the wife and family of such actual settler, agreeably to the laws, usages and customs of the Spanish government; and that if any citizen of the United States, or other person, shall make a settlement on any lands belonging to the United States, within the limits of Louisiana, such removal bona fide owner of such slave | or shall survey, or attempt to survey, such lands, or to designate boundaries by marking trees, or otherwise, such offender shall, on conviction thereof, in any court of record of the United States, or the territories of the United States, forfeit a sum not exceeding one thousand dollars, and suffer imprisonment not exceeding twelve months; and it shall, moreover, be lawful for the President of the United States to eniploy such military force as he may judge necessary to remove from lands belonging to the United States, any such citizen, or other person who shall attement a settlement

thereon. Sec. 15. The President of the United States is hereby authorized to stipulate with tend to, and be exessised in the said district | any Indian tribes owning lands on the east of Louisiana. The Governor and Judges side of the Mississippi, and residing thereon, for an exchange of lands, the property of the United States, on the west side of the Mississippi, in case the said tribes shall renieve and settle thereon; but in such atipulation, the said tribes shall acknowledge themselves to be under the protection of the United States, and shall agree that they will not hold any treaty with any fereign power, and laws of the United States, or which | individual state, or with the individuals of any state or power; and that they will not sell or dispose of the said lands, or any part profession, or worship; in all of which he | thereof, to any sovereign power, except the United States, nor to the subjects or citizens of any other sovereign power, nor to the citizens of the United States. And in order to maintain peace and tranquility with the lawful men of the vicinage, and in all civil Indian tribes who reside within the limits of cases of the value of one hundred dollars, | Louisiana, as ceded by France to the United States, the act of Congress, passed on the thirtieth day of Match, one thousand eight hundred and two, entitled " An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," is hereby extended to the territories erected and established by this act; and the sess in the Indiana territory, and shall con- sum of fifteen thousand dollars, of any motinue in session until all the business de- ney in the treasury not otherwise appropripending before them shall be disposed of. ated by law, is hereby appropriated to ena-It shall be the duty of the Secretary of the ble the President of the United States to

Sec. 16. The act, passed on the thirtyof an executive nature, relative to the dis- first day of October, one thousand eight trict of Louisiana, and transmit authentic hundred and three, entitled, " An act to enable the President of the United States sident of the United States. The Covernor to take possession of the territory ceded by France to the United States, by the treaty concluded at Paris on the thirtieth day of April last, and for the temporary government thereof," shall continue in force until the first day of October next, any thing therein to the contrary notwithstanding; on which said first day of October, this act shall commence, and have full force, and shall continue in force for and during the term of one year, and to the end of the next

> NATHL. MACON. Speaker of the House of Representatives JESSE FRANKLIN, President of the Senate pro tempore Approved, March 26, 1804. TH: JEFFERSON.

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Tennessee Lands for Sale. 12,80 Acres fituate on Jones's Creekthe Waters of big Harpsih, as lam informenabout s miles from Nafhylile, and the fame diftance or thereabouts from Clarksville, in the neighbourhood of the Iron-works and newly discovered Salt-wells. This Land is the one half of my military fervice-right. One other Trad of 640 Acres lying in Smith County, faid to be good Land, on the Waters of Stone's River. Thefe Lands I will fell or Calle, Neggoes, or exchange for Landed Property in this State on good terms. They are free from the common inconveniences of Lands belonging to non-refidents, of sncum. brances by fales for Taxes, &c. and an unquestionable little will be given to the Pur-ROSERT BELL

ADVERTISEMENT

THE Subscriber takes this Method to inform his Friends and the Public that he still keeps

A Public House of Entertainment

For decent Travellers and others who may be pleased to call on him in that Line. He has always Plenty of Fodder, Oats, and Corn, with a Stable equal to, if not better than any in the State, and the best Liquora that the Country can afford. He returns his sincere Thanks for the Patronage he has received, and hopes, by his assiduous Attention, to merit a Continuance thereof. With these Sentiments, he is respectfully.

> The Public's most humble, obedient Servant PETER CASSO.

Raleigh, April 17. 1804. For the better Information of Strans

gers, they are informed that Casso's Tayern is situated on the north-east Corner of Favetteville street, adjoining the State House Square.

WILL BE SOLD,

To the highest bidder, at the Court House in Smithfield, on Monday the 23d day of July next, for prison and other charges,

Alikely Negro Man named PHILL, who has for some time been confined in Smithfield Joal, and has been advertised in Mr. Boylan's paper. He is about 23 Years of Age, 5 Feet 9 Inches high, and says he he belongs to John Haynes of the State of Georgia. Terms of Sale, cash before deli-

> NEEDHAM DAVIS. Sheriffs Deputy.

Johnston County, April 19th, 1804.

IONES COUNTY COURT.

FEBRUARY TERM, 1804. Edward Pritchard, John Maclemar Pritchard, Zebulon Pritchard, Sampfon Lane, George Lane, John Becton, Zachariah Pritchard, Ezekiel Pritchard, John Gulter and wife, John Jeffer and wife, John Pritonard, Ifaac Prichard, Zebulon Prichard, E. lizabeth Prighard, Mary Edgar, and the heirs of Robert White, - va.

The heirs of John Prichard, Saunders and Sally his wife, Keziah Prichard (which faid Keziah and Sally are two of the heirs of Edward Prichard, deceafed) and the heirsof Rachel Wingate: PETITION FOR PARTITION.

THE petitioners flate, that Clement Prichs ard, late of Jones county, having an ef. tate of inheritance of and in feveral tracts of land in Jones county, died intellate, and without Mue, and not having a brother or fifter, of the iffue of any fuch living, or either father or mother, whereby the estate of inheritance in faid lands vetted in the relations of the faid Clement, on the part of the father ; that |ere mith Prichard, father of the faid Clement, had the following brothers and fifters, viz. John Prichard, Edward Prichard, William Prichard, Ezekiel Prichard, Rachel Prichard, Mary Prichard and Elizabeth Pritchard; that the petitioners are by purchale and defcent entitled to, and fland feised in lee, of and in the lands of the faid Clement Prichard, with the decendants as tenants in commen ; that the defendants are ablent out of this State. and inhabitants of parts anknown; that the petitioners are defirous that partition of the land fotheld in common flould be made, and pray that Commissioners may be appointed to divide the fame agreeably to law, and according to the rights of the refpective parties therein. It is ordered by the Court, that publication be made in the State Gazette of the filing fuch Petition, and of the prayer thereof agrecably to law. Atteil,

WM. ORME, Clerk of Jones County Court.

Belfield Academy Lottery.

SCHEME OF A LUTTERY, athorised byan act of the General Affembly of Virginia ... Authoriting the underlighed Truffees to raife a Sum of Money, to be applied for the nie

Belfield Academy.

3	Prize of	4200 dulle	is dolls, 4000
2	100	1000	ALCOHOL: A CONTRACT MARKET PROPERTY.
10	ditto	140.	200g
-20	ditto	50	1000
	ditto	20	1004
310	Bitto	8	THE RESERVE THE PARTY OF
aft di	awn blan	k on the fevent	th day 500

1335.PRIZES. 2605 BLANKS,

4000 lickets, at five Dollars each, is 2 The fortunate Adventurers in the above Lottery, fall receive the Money to which they may beentitled, in thirty days after the drawing is closed, subject, however, to a dilcount of 121 .2 per centure, which will be applied for the binefit of the Beifield Academy, and the expences that may be incurred in conducting the Lottery .. Prizes not demand. ed in fix months after the drawing is firished, will be confidered as relinquished for the bene. fit of the Academy. The drawing will be commenced on the first day of June west, or. Somer, if the Tickets are disposed of. The equality of chance afforded by this felieme, in not having two Blanks to a Prize, the Small difcount retained from the fortunate adventarer, the purpole for which the Lottery is extabilined, warrant a conclusion, that an immediate fale of the Tickets will be effected.

Lewis Dupree. Edmunds Majon. Belfield Starke. William Purnell. Alexander Madik

February 23, 1864.