

An ordinance for ascertaining the mode of disposing of lands in the Western Territory

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.—

Thirteen or more surveyors shall be appointed by Congress, who shall take an oath for the faithful discharge of their duty, to be administered by the geographer, who is hereby empowered to administer the same; and if any surveyor being appointed as aforesaid, shall decline or become incapable to discharge his duty, the geographer shall appoint another in his place.

The geographer, (under whose direction the surveyors shall act) shall 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.

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

There shall be allowed for the surveying of every township dollars, including the wages of chain carriers, markers, and every other expence, and so in proportion for a part of a township.

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The first line running north and south as aforesaid, shall begin on the 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 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 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 at their proper distances all water courses, mountains, and other remarkable and permanent things, over or near which such lines shall pass.

The plats of the districts respectively, shall be subdivided, as the case may require, into sections of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 49. Always beginning the succeeding range of sections with the number next to that with which the preceding one concluded.— And where from the causes before mentioned, only a part of a township shall be surveyed, the sections protracted thereon, shall bear the same numbers as if the township had been entire. And these sections shall be subdivided into lots of 320 acres.

The geographer and surveyors, shall pay the utmost attention to the variation of the magnetic needle—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 ranges of townships, and parts of townships, in the direction from south to north, shall have been surveyed, the geographer shall transmit plats thereof to the commissioners of the treasury, who shall record the same with the report, in well bound books to be kept for that purpose. The secretary at war shall take by lot therefrom, a

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number of townships and parts of townships, equal to one part of the whole, for the use of the late continental army, to be applied in manner hereinafter directed. The commissioners of the treasury will then cause the remaining numbers to be drawn for in the name of the thirteen states, according to the quotas in the last preceding requisition on the states; provided if more land than its proportion is allotted for sale in any state at any division, a deduction be made therefor at the next.

The commissioners shall transmit duplicates of the said original plats so drawn for, to the loan officer of the individual states respectively, who after giving proper notice, shall proceed to sell the same at public vendue excepting only such townships and parts of townships as may be hereinafter particularly reserved; provided that none of the lands within the said territory, be sold under the price of one dollar the acre, to be paid in specie or loan-office certificates reduced to specie value by the scale of depreciation, or certificates of liquidated debts of the United States, besides the expence of the survey and other proceedings thereon, which are hereby rated at dollars the townships, in specie or certificates as aforesaid, and so in the same proportion for a part thereof.

When any township or part of a township shall have been sold as aforesaid, and the money or certificates received therefor, the loan officer shall deliver a deed in the following terms.

To all to whom these presents shall come greeting, Know ye, That for the consideration of the United States of America, have granted unto **C.D.** the townships or parts of a township numbered to hold to the said **C.D.** his heirs and assigns for ever, subject nevertheless to such reservation as are contained in an ordinance, bearing date the day of in the year

In witness whereof, the said **A.B.** loan officer of the said state, hath hereunto set his hand, and affixed the seal of his office, this day of in the year and of the independence of the United States of America the Which deed shall be recorded in proper books, and shall be certified to have been recorded previous to its being delivered to the purchaser.

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The loan-officers respectively shall make returns to the commissioners of the treasury every months, of the sales of the townships, or parts of townships committed to their charge, with the persons names to whom sold; and shall transmit all sums of money or certificates as aforesaid received for the same, which shall be duly entered in the books of the treasury.

If any township or part of township remains unsold for months, after the plat shall have been received by the loan officer, the same shall be returned to the commissioners of the treasury, and shall be sold in such manner as Congress may hereafter direct.

There shall be reserved for the United States out of every township, the four corner sections, being numbered, and out of every part of a township, so many sections of the same numbers as shall be found thereon.

Also one part of all gold, silver, lead, copper and coal mine, and all salt licks and salt springs, and a square of one hundred acres of land, of which the said salt lick or salt spring shall be the centre, for the purpose of special sale, at such times and places as Congress may hereafter direct.

There shall be reserved the central section of every township, for the maintenance of public schools, and the section immediately adjoining the same to the northward, for the support of religion. The profits arising therefrom in both instances, to be applied for ever according to the will of the majority of male residents of full age within the same. And whereas Congress by their resolutions of September 16th and 18th in the year 1776, and the 12th of August 1780, stipulated grants of land to the officers and soldiers who had engaged or should engage in the service of the United States during the war, and continue therein to the close of the same, or until discharged by Congress, and to the representatives of such officers and soldiers as should be slain by the enemy, in the following proportions, to wit.

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To a major general 1100 acres, to a brigadier 850, to a colonel 450, to a major 400, to a captain 300, to a lieutenant 200, to an ensign 150, and to a noncommissioned officer and soldier 100. For complying therefore with such engagement, be it ordained, That the secretary at war, from the returns in his office, or such other sufficient evidence as the nature of the case may admit, determine who are the objects of the above resolutions, and the quantity of lands to which such persons or their representatives are respectively entitled, and cause the township or parts of townships herein before reserved for the use of the late continental army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution.

He shall from time to time transmit certificates, difficult of imitation, to the loan-officers of the different states, to the lines of which the military claimants respectively belong, specifying the name and rank of the party, the terms of his engagement, and time of his service, and the division, brigade, regiment or company to which he belonged, the quantity of land he is entitled to, and the township out of which his portion is to be taken.

The loan-officers shall execute deeds for such undivided proportions in manner and form herein before mentioned, varying only in such a degree as to make the same conformable to the certificate from the secretary at war.

Where any military claimants of bounty in lands shall not belong to the line of any particular state, similar certificates shall be sent to the commissioners of the treasury, who shall execute deeds to the parties for the same.

The commissioners of the treasury, and loan-officers in the states, shall within twelve months, return receipts to the secretary at war, for all deeds which have been delivered, as also all the original deeds which remain in their hands for want of applicants, which deeds so returned shall be preserved in the office until the parties, or their representatives require the same.

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Saving and confirming always, to all officers and soldiers entitled to lands on the northern side of the Ohio, by donation or bounty from the commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled by the laws of the said state, and the acts of Congress, accepting the session of western territory from the said state.