

An ordinance, &c.

AN ORDINANCE, &c.

WHEREAS the safety and tranquility of the frontiers of the United States, do in some measure depend on the maintaining a good correspondence between their citizens and the several nations of Indians in amity with them: And whereas the United States in Congress assembled, under the 9th of the articles of confederation and perpetual union have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits, be not infringed or violated.

Be it ordained by the United States in Congress assembled, That from and after the passing of this ordinance, the Indian department be divided into three districts, viz. The *eastern* which shall comprehend all the tribes residing within the district of country lying south and east of the lakes Ontario and Erie, as far westerly as Presquise, French Creek and the Allegheny river, below the mouth of French Creek, and as far southerly as the Kittaning, and from thence northeasterly as the lakes George and Champlain, and notherly to 45° north latitude: The *western or middle department*, which shall comprehend the nations within the limits of the United States, north-west of the Ohio, and west of the Mississippi: The *Southern*, which shall include all the nations south of the Ohio within the limits of the United States.

That a superintendant be appointed for each of the said districts, who shall reside within or as near the district for which he shall be so appointed, as may be convenient for the management of its concerns. The said superintendants shall attend to the execution of such regulations as Congress shall from time to time establish, respecting Indian affairs. They shall have authority to place deputies among the several tribes and to remove all or any of them for misbehaviour, and also grant licenses to traders.

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There shall be communications of all matters relative to the business of the Indian departments kept up between the said superintendants, who shall regularly correspond with the Secretary at War, through whom all communications respecting the Indian departments shall be made to Congress: And the said superintendants are hereby directed to attend to all instructions which they shall from time to time receive from the said Secretary at War. And whenever they shall have reason to suspect any tribe or tribes of Indians of hostile intentions, then, and in those cases, they shall communicate with the executive of the state or states, whose territories are subject to the effects of such hostilities. All stores, provisions or other property, which Congress may think necessary for the support of, or for presents to the Indians, shall be in the custody and under the care of the said superintendants, who shall render an annual account of the expenditures of the same to the Board of Treasury.

And be it further ordained, that none but citizens of the United States shall be suffered to reside among the Indian nations, or be allowed to trade with any nation of Indians within the territory of the United States. That no person, citizen or other, under the penalty of five hundred dollars, shall reside among, or trade with any Indian or Indian nation within the territory of the United States, without a license for that purpose first obtained from the superintendant of the district, who is hereby directed to give such license to every person, who shall produce from the supreme executive of any state a certificate that he is of good character and suitably qualified and provided for that employment; for which license he shall pay the sum of fifty dollars to the said superintendant for the use of the United States. That no license to trade with the Indians shall be granted to any but citizens of the United States; nor shall any such license be in force for a longer term than one year; nor shall permits or passports be granted to any other persons than citizens of the United States to travel through the Indian nations, without their having previously made their business known to the superintendant of the district and received his special approbation: That previous to any person or persons obtaining a license to trade as aforesaid, he or they shall give bond and security in one thousand dollars, to the superintendant of the district,

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for the use of the United States, for his or their strict adherence to, and observance of such rules and regulations as Congress may from time to time establish for the government of the Indian trade: That no person or persons shall open goods for sale, or dispose of goods to any Indian, or in any Indian village or hunting camp, or other place than the post or place mentioned in his or their license, except to purchase provision, provender for horses, or to obtain such other assistance as may be necessary in passing to or from the place or places assigned for them to trade at. That no trader or other person for him, shall give or sell spirituous liquor to any Indian or Indians, at any garrison or post of trade in such quantity as to intoxicate them while there, nor shall any trader or person for him deliver liquor purchased by an Indian within five miles of a garrison or post of trade. Any trader, or other person employed by a trader, treating an Indian in an unjust manner, shall, on due proof thereof being made before the superintendant, be deprived of his license, or fined by the judgment of the said superintendant, according to the nature of his offence, in any sum not exceeding one hundred dollars. All sums to be received by the said superintendants, either for licenses or fines, shall be annually accounted for by them with the Board of Treasury.

And be it further ordained, That the said superintendants shall not be engaged either directly or indirectly in trade with the Indians, on pain of forfeiting their offices, and each of them shall take the following oath, previous to his entering on the duties of his appointment; I, A.B. do swear that I will well and faithfully serve the United States, in the office of superintendant of Indian affairs for the district—That I will carefully attend to all such orders and instructions as I shall from time to time receive from the United States in Congress assembled, or the Secretary at War—that I will not be concerned either directly or indirectly in trade with the Indians, or with any other persons whatsoever, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favour or affection. And the said superintendants shall each of them give bond with

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surety, to the Board of Treasury, in trust for the United States, in the sum of six thousand dollars, for the faithful discharge of the duties of their office.