

Northwest Ordinance

The Confederation of the United States



OVERVIEW

Under the Articles of Confederation, the United States became a nation. The boundaries of the new republic stretched west to the Mississippi River, north to the Great Lakes, and south to the Gulf of Mexico. The government worked out a plan for administering this large territory and providing for its future development into states. Excerpts from this plan, the Northwest Ordinance of 1787, follow.

GUIDED READING As you read, consider the following questions:

- What mark of social status must one have to be appointed to a state's legislative council?
 - How did the ordinance handle the issue of slavery?
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Sec. 3. *Be it ordained* . . . That there shall be appointed . . . by Congress, a governor, whose commission shall continue in force for the term of three years . . .; 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.

Sec. 4. There shall be appointed . . ., by Congress, a secretary, whose commission shall continue in force for four years . . .; 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. . . . 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. . . .

Sec. 5. 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, . . . which laws shall be in force . . . 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. . . .

Sec. 9. So soon as there shall be five thousand free male inhabitants, of full age, in the district, . . . they shall receive authority . . . to elect representatives from their counties or townships, to represent them in the general assembly: . . . *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 feesimple, 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.

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Sec. 11. 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; . . . and the members of the council shall be . . . appointed in the following manner, to wit: As soon as representatives shall be elected . . . they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, . . . five of whom Congress shall . . . commission to serve as aforesaid. . . . And the governor, legislative council, and house of representatives shall have authority to make laws in all cases. . . . 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 . . . shall be of any force without his assent.

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Sec. 12. . . . 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. . . .

Sec. 14. It is hereby ordained . . . 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 I.

No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship.

Article II.

The inhabitants . . . 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 common law. . . .

Article III.

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. . . .

Article IV.

The said territory, and the States which may be formed therein, shall forever remain a part of . . . the United States of America. . . .

Article V.

. . . 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. . . .

Article VI.

There shall be neither slavery nor involuntary servitude in the said territory. . .