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A bill to enable the people of the Mississippi Territory to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states

United States. Congress (11th, 3rd session : 1810-1811). House

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No. 50.

FEBRUARY 4th, 1811.

Read the first and second time, and committed to a committee of the whole House, on Thursday next.

A Bill

To enable the people of the Mississippi Territory, to form a constitution and state government, and for the admission of such State into the Union, on an equal footing with the original States.

1 *BE it enacted by the Senate and House of Representatives of*
2 *the United States of America, in Congress assembled, That*
3 *the inhabitants of the Mississippi territory be, and they are here-*
4 *by authorised to form for themselves, a constitution and state*
5 *government, and to assume such name as they shall deem pro-*
6 *per; and the said state when formed, shall be admitted into the*
7 *Union, upon the same footing with the original states, in all re-*
8 *spects whatever.*

1 *Sec. 2. And be it further enacted, That the said state shall con-*
2 *sist of all the territory ceded to the United States, by the state of*

3 Georgia, and contained within the boundaries of the United
 4 States, south of the state of Tennessee, and west of a line, be-
 5 ginning on the western bank of the Chatahouchy river, where
 6 the same crosses the boundary line between the United States
 7 and Spain; running thence up the said river Chatahouchy, and
 8 along the western bank thereof, next above the place where a
 9 certain creek or river called "Uche" (being the first considera-
 10 ble stream on the western side, above the Cussetas and Coweta
 11 towns) empties into the said Chatahouchy river; thence in a
 12 direct line to Nukajack on the Tennessee river; then crossing
 13 the last mentioned river, and thence running up the same, and
 14 along the western bank thereof to the southern boundary line
 15 of the state of Tennessee.

1 Sec. 3. *And be it further enacted,* That all male citizens of the
 2 United States, who shall have arrived at full age, and resided
 3 within the said territory at least one year previous to the day of
 4 election, and shall have paid a territorial or county tax, be and
 5 they are hereby authorised to choose representatives to form a
 6 convention, who shall be apportioned among the several counties
 7 within the territory, at the discretion of the general assembly
 8 thereof, in a ratio of one representative to every twelve hundred
 9 inhabitants of each county, according to the enumeration taken
 10 under the authority of the United States; and the election for
 11 representatives aforesaid, shall take place on the _____ day
 12 of _____ next, and shall be held and conducted in the

13 same manner, as is provided by the aforesaid act, except that
14 the qualifications of electors shall be as herein specified.

1 Sec. 4. *And be it further enacted,* That the members of the
2 convention thus duly elected, be and they are hereby authorised
3 to meet at the town of Washington, on the day of
4 September next; which convention when met, shall determine
5 by a majority of the whole number elected, whether it be or be
6 not expedient at that time to form a constitution and state govern-
7 ment, for the people within said territory, and if it be determined
8 to be expedient, the convention shall be and are hereby authoris-
9 ed to proceed to form a constitution: *Provided,* The same shall
10 be republican, and not repugnant to the principles of the consti-
11 tution of the United States; which constitution so formed, shall
12 be presented to the Congress of the United States, at their next
13 session, and if not disapproved during that session, the same
14 shall be valid as the constitution or form of government, to be
15 erected in said territory.

1 Sec. 5. *And be it further enacted,* That the legislature of said
2 state, shall never interfere with the primary disposal of the lands
3 of the United States in said territory, nor with any regulations
4 Congress may find necessary for securing the title in such lands
5 to bona fide purchasers; and each and every tract of land sold
6 by the United States, shall be, and the same is hereby exempt
7 from taxation, by or under the authority of said state, for any

8 purpose whatever, for the term of five years, from and after the
9 day of sale.

1 Sec. 6. *And be it further enacted*, That of the net proceeds of
2 the lands, laying within the said state, sold by the United States
3 after the passing of this act, after deducting all expenses inci-
4 dent to the same, shall be applied to the laying out and making
5 public roads within the same, to be laid out under the authority
6 of the legislature of said state.

1 Sec. 7. *And be it further enacted*, That until the next gene-
2 ral census shall be taken, the said state shall be entitled to one
3 representative in the House of Representatives of the United
4 States.