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AN ORDINANCE FOR REGULATING THE INDIAN DEPARTMENT.

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:

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 northern which shall comprehend the Six Nations, and all other residing South-East of Lake Erie, within the limits of the United States, from French Creek, a branch of the Ohio on the west, to the Susquehannah on the south.

The western or middle department which shall comprehend the nations within the limits of the United States, North-West to the Ohio, west to the Mississippi.

The southern which shall include all the nations south of the Ohio within the limits of the United States to the Mississippi also.

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That a superintendant be appointed for each of the said districts, who shall reside on the frontiers, and as near the district for which he shall be so appointed as may be convenient to the management of its concerns.

That it be their duty to superintend the political conduct of the nations over whom they are placed, to make themselves acquainted with their most secret councils, to counteract and prevent as far as they can, all measures which they may attempt to the prejudice or annoyance of the inhabitants of the frontiers, to discourage all combinations of Indians, and persuade the several tribes to keep and act as much independent of each other as possible, to promote hunting, and discourage war, and if war should be necessary at any time or unavoidable, to give it such direction as to keep it at a distance from the citizens of the United States, and employed against proper objects, to advise the tribes to the establishment of some kind of order of police, and to punish among themselves all such as disturb or injure the citizens of the United States—to ingratiate themselves with the chiefs, and people generally, so as to obtain their confidence and respect. They shall superintend such regulations as Congress shall from time to time establish, respecting the Indian trade—they shall have authority to place deputies among the several tribes, and to remove all or either of them for misbehaviour—to grant licenses to the traders;—to regulate the advance on articles of the first necessity, such as powder, lead, shrouds, blankets, coarse cloathing, and tools for husbandry, and to prohibit in times of scarcity of provisions the sale or use of all spirituous liquors.

All communications respecting the said departments shall in the first instance be made to the said superintendants, and in case of murder, robbery or any capital crime being committed by any Indian or Indians, and on a demand being made to the tribe to which he or they may belong, they shall refuse to surrender him or them to justice, on such refusal the superintendant of the district, shall and he is hereby empowered to require the officer in command at the nearest post of the United States to detach such troops under proper officers from the nearest garrison or garrisons, as may be necessary to seize the

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person or persons of the aggressors or to punish the offenders or offending tribe in case of resistance.

There shall be regular communications of all matters relative to the business of the Indian departments, kept up between the said superintendants, and from each to Congress, or such officer as Congress may direct them to communicate to—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 be obliged to render an annual account of the expenditures of the same; and the said superintendant shall once in every visit the nations over whom they may respectively have charge:

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 with the territory of the United States.

That no persons, citizen or other, 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, under the penalty of for which licence he shall pay the sum of 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, or 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 shall give bond and security in to the superintendant of the district for the use of the United

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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 licence (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 him or them to trade at.)

That no trader or other person for him, shall give or sell spirituous liquors to any Indian or Indians at any garrison or post of trade, in such quantity as to intoxicate them while there, or shall any trade, or person for him, deliver liquor purchased by an Indian within miles of a garrison, or post of trade.

Any trader or other person employed by a trader, treating an Indian in an unjust or cruel manner, shall on due proof thereof being made before the superintendant, be deprived of his licence, or fined by the judgment of the said superintendant according to the nature of his offence in any sum not exceeding dollars. All sums to be received by the said superintendants either for licenses or fines shall be annually accounted for by them, with and they shall each of them be entitled to receive dollars per annum salary in full of their services, and be obliged to give bond with security to the commissioners of the treasury in trust for the United States in the sum of for the faithful discharge of the duties of their office.

All traders assistants and labourers by them employed, shall give information to the commanding officer of the nearest post, or to of any appearance which may come to his or their knowledge, of war, or of any injury intended to the citizens of the United States, also of any person trading or passing through the Indians country with or without a pass or permit, who may be found tampering with the Indians, or advising them to any act or measure prejudicial to the interest of the United States, and in case of a rupture with the

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Indians, or intended attack on any of the garrisons or posts of trade, all traders, assistants, or their labourers shall be obliged to perform military duty in defence of said garrison or posts until relieved, for which service the United States shall furnish them with rations of provisions in the same proportion as the troops of the United States, and pay in the grade or character of service which they perform for the full time they may be necessarily engaged.

And be it further ordained, That all officers civil and military acting under the authority of the United States, are hereby required to be aiding and assisting in the execution of this ordinance, which shall in all courts instituted under the authority aforesaid, be taken and allowed as a public act, and all judges and justices shall take notice of it without special pleading.

And it is hereby recommended to the several states of North-Carolina, South-Carolina and Georgia, to pass legislative acts in conformity therewith, and for the trial and punishment of any person or persons who may be found violating the same in the southern district, the superintendant for which shall from time to time correspond with the executives of the said states, touching the business of his department.

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