

Notes:

1. Note that the word “necessary” is used in relation to the regulations of Congress which are adopted for the purpose of disposing of the public lands. This word is the same as in the Property Clause. Recall the principle of *pari materia*.
  
2. Note that the enabling acts for states that were established out of the NW Territories stated that the new state constitutions were not to be “repugnant” to the NW Ordinance. This, of course, means among other things that the state could not “interfere” with primary disposal of the public lands by Congress which disposal is expressly provided for under the Ordinance. When a new state is **not** among those established out of the NW territories, their enabling acts generally incorporate the words of the Ordinance directly. The acts for these states refer, generally, to “never interfere” (eg. Missouri) or “forever disclaim” (eg. Louisiana). These are words directly from the Ordinance or words to the same effect.
  
3. The enabling act for Florida and Iowa were combined. Insofar as Florida is concerned, this act served not only as an enabling act compact but also as an authorization of actual admission.

State	Disposal Text	Date of Act	5 year tax exemption
<p>Ohio  <a href="http://publications.ohiohistory.org/ohstemplate.cfm?action=detail&amp;Page=000578.html&amp;StartPage=74&amp;EndPage=80&amp;volume=5&amp;newtitle=Volume%205%20Page%2074">http://publications.ohiohistory.org/ohstemplate.cfm?action=detail&amp;Page=000578.html&amp;StartPage=74&amp;EndPage=80&amp;volume=5&amp;newtitle=Volume%205%20Page%2074</a></p>	<p>Sec. 5: And be it further enacted, ... and shall form for the people of the said State a constitution and State government, provided the same shall be republican, and <b>not repugnant to the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven</b>, between the original States and the people and States of the territory northwest of the river Ohio.</p> <p>NW Ordinance of July 13, 1787, Art. 4: The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers.</p>	<p>Apr. 30, 1802</p>	<p>Sec. 7 the Third: That the three foregoing propositions herein offered are on the conditions that the convention of the said State shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by Congress from and after the thirtieth day of June next, shall be and remain exempt from any tax laid by order or under authority of the State, whether for State, county, township, or any other purpose whatever, for the term of <b>five years</b> from and after the day of sale.</p>

<p>Louisiana Statutes at Large p. 641 11<sup>th</sup> Congress, Session III,</p>	<p>Sec. 3: And be it further resolved, ... that the said convention shall provide by an ordinance, irrevocable without the consent of the United States, that the people inhabiting the said territory do agree and declare, that they forever disclaim all right and title to the waste or unappropriated lands, lying within said territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, (see last column)</p>	<p>Feb. 20, 1811</p>	<p>and, moreover, that each and every tract of land, sold by Congress, shall be and remain exempt from any tax laid by the order or under the authority of the state, whether for state, county, township, parish or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof;</p>
<p>Indiana <a href="http://www.in.gov/history/2458.htm">http://www.in.gov/history/2458.htm</a></p>	<p>Sec. 4. And be it further enacted, That the members of the convention ... shall then form, for the people of said territory, a constitution and state government: Provided, That the same, whenever formed, shall be republican, and <b>not repugnant to those articles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven</b>, which are declared to be irrevocable between the original states, and the people and states of the territory northwest of the river Ohio;</p> <p>NW Ordinance of July 13, 1787, <b>Art. 4:</b> The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers.</p>	<p>Apr. 19, 1816</p>	<p>Sec. 6 the Fifth: That the five foregoing propositions, herein offered, are, on the conditions that the convention of the said state shall provide by an ordinance irrevocable, without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the state, whether for state, county or township, or any other purpose whatever, for the term of <b>five years</b>, from and after the day of sale.</p>

<p>Mississippi Statutes at Large p. 348, 14<sup>th</sup> Congress, Session II</p>	<p>Sec. 4: And be it further enacted, That the members of the convention, thus duly elected, be, and they hereby are authorized to meet at the town of Washington ... to form a constitution and state government ...; and if it be determined to be expedient ... form a constitution and state government: Provided, That the same, when formed, shall be republican, and not repugnant to the principles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven ..., so far as the same has been extended to the said territory by the articles of agreement between the United States and the state of Georgia or of the constitution of the United States: And provided also, That the said convention shall provide, by ordinance irrevocable without the consent of the United States, that the people inhabiting the said territory do agree and declare that they, forever disclaim all right and title to the waste and unappropriated lands lying within the said territory, and that the same shall be and remain at the sole and entire disposition of the United States; and moreover ... (see last column)</p>	<p>March 1, 1817</p>	<p>and moreover, that each and every tract of land sold by Congress, shall be and remain exempt from any tax laid by the order, or under the authority, of the state, whether for state, county, township, parish or any other purpose whatever, for the term of five years, from and after the respective days of the sales thereof, ....</p>
<p>Illinois Statutes at Large p 428, 15<sup>th</sup> Congress, 1<sup>st</sup> Session</p>	<p>Sec. 4: And be it further enacted, That the members o the convention ... shall then form for the people of the said territory a constitution and state government: Provided, That the same, whenever formed, shall be republican and <b>not repugnant to the ordinance of the thirteenth of July, seventeen hundred and eighty-seven</b>, between the original states and the people and states of the territory north-west of the river Ohio.</p> <p>NW Ordinance of July 13, 1787, Art. 4: The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers.</p>	<p>Apr. 18, 1818</p>	<p>Sec. 6, the Fourth: Provided always, That the four foregoing propositions, herein offered, are on the conditions that the convention of the said state shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January, one thousand eight hundred and nineteen, shall remain exempt from any tax laid by ordinance, or under any authority, of the state, whether for state, county, or township, or any other purpose whatever, for a term of <b>five years</b> from and after the day of sale.</p>

<p>Alabama  <a href="http://www.stateconstitutions.org/Alabama/enabling_act_for_alabama.htm">http://www.stateconstitutions.org/Alabama/enabling_act_for_alabama.htm</a></p>	<p><i>And provided always</i>, That the said convention shall provide, by an ordinal irrevocable without the consent of the United States, that the people inhabiting the said Territory, do agree and declare that they forever disclaim all right and title to the waste or unappropriated lands lying within the said Territory; and that the same shall be and remain the sole and entire disposition of the United States; and, moreover, (see last column)</p>	<p>March 2, 1819</p>	<p>and, moreover, that each and every tract of land sold by the United States, after the first day of September, in the year one thousand eight hundred and nineteen, shall be and remain exempt from any tax laid by the order or under the authority, of the State, whether for State, county, township, parish, or any other purpose whatever, for the term of <b>five years</b> from and after the respective days of the sales thereof;</p>
<p>Missouri  Statutes at Large  p 545,  16<sup>th</sup> Cong.  Session 1, Ch. 22,  1820</p>	<p>Sec. 4: And be it further enacted, ... and shall then form for the people of said territory, within the boundaries aforesaid, a constitution and state government: Provided, That the same, whenever formed, shall be republican, and not repugnant to the constitution of the United States; and that the legislature of said state shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers;</p>	<p>March 6, 1820</p>	<p>Sec. 6, the Fourth: Provided always, That the four foregoing propositions, herein offered, are on the conditions that the convention of the said state shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from any tax laid by ordinance, or under any authority, of the state, whether for state, county, or township, or any other purpose whatever, for a term of <b>five years</b> from and after the day of sale.</p>

