



1987

## "The Old Northwest Under British Control, 1763-1783" and "Indiana A Part of the Old Northwest, 1783-1800"

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### Recommended Citation

Geib, George W., ""The Old Northwest Under British Control, 1763-1783" and "Indiana A Part of the Old Northwest, 1783-1800"" *Indiana: A Handbook for U. S. History Teachers* / (1987): 29-42.  
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## Chapter 5: The Old Northwest Under British Control, 1763-1783

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*To the teacher: After the long struggle between Britain and France, Britain took control of the territory west of the Appalachian Mountains.*

Corollary to U.S. History

- The Treaty of Paris, 1763
- Aftermath of the French and Indian War and future colonial problems
- Beginning of the road to the War of Independence

### GENERAL COMMENTS

The British period in the Old Northwest was a temporary interlude. Much of its importance arises from the fact that it prepared the way for American title to the region in 1783 at the end of the American Revolution. Hence, the British interlude prepared the way for the Old Northwest to become a part of the United States, for the establishment of English and American practices and ideas about government, and for Protestantism rather than Roman Catholicism as the dominant religion of the area. The period also saw the continued erosion of Indian culture by European trade goods, and the first serious attempts to end Indian land title in the west.

British influence:  
impact on the  
Old Northwest

The early population of the Old Northwest consisted mostly of Indians and small, scattered French settlements located at Detroit, Kaskaskia, Vincennes, Miami, Ouiatenon, and elsewhere. Only a limited number of English colonists moved west of the Appalachians during the period 1763-1783, and almost all of them settled south of the Ohio River or in western Pennsylvania. There were no English settlements in the Old Northwest in this period, though of course a few individual Englishmen appeared here and there. The fact that most of the white population was French is an important factor in explaining the terms of the Quebec Act of 1774.

Early population  
of the Old  
Northwest

It is useful to speculate what the relations between American colonists and England might have been in the years 1763-1783 if France had retained Canada and Spain had retained Florida. Removing France and Spain as near neighbors doubtless caused the colonists to feel less need for the support and protection of the Mother Country. Moreover, if in 1763 the French had retained the Old Northwest, the French rather than the Mother Country might have been regarded as the principal rival of the advancing English colonists. Since, however, the English had gained title to the Ohio Valley and the Old Northwest, they had to make decisions about Indians, land cessions, fur trade, and the like; naturally, criticisms about such policies were directed at the English. Though it is well to speculate about such matters, it is essential to note that there remains much diversity of opinion among historians regarding the role of these western factors in producing the American Revolution.

What if France had retained control of the Old Northwest

Although the importance of the west in the War for Independence and the ensuing Peace of Paris (1783) is uncertain, there is no doubt that Indians caused considerable loss of life in the West during and after the American Revolution. In fact, peace with the Indians of the Ohio Valley was delayed until the Treaty of Greenville, 1795. George Rogers Clark's campaign, 1778-1779, was important in upsetting British military plans for the west. The persons who made the Treaty of Paris in 1783 knew of Clark's achievements and may have been influenced by them when it was decided to give the new nation title to the trans-Appalachian west.

Treaty of Greenville, 1795

#### POINTS TO EMPHASIZE

The English held title to the region now known as the Old Northwest for only two decades, and during this short period almost no Englishmen settled in the area. The Indians remained the most numerous residents of the region, while the French settlers outnumbered the English. The English faced three major problems: (1) What policies should they establish regarding the Indians? (2) How should they control and regulate the fur trade? (3) What policies should they establish regarding land speculation and settlement? The English were also concerned about how to govern this remote area, how to garrison and defend it, and how to fund the costs of defense, government, Indian relations, and other responsibilities of the government. Many of the English lacked experience for dealing with these vexing problems.

Major problems facing the English in the Old Northwest

The English presence contributed in several ways to the decline of the traditional Woodland Indian cultures. The fur and skin trade depleted much of the game and made the Indians dependent upon trade goods and even food supplies brought by the traders. Many Indians were worried by these changes in their culture and alarmed by the increase in the number of the American colonists. Far-sighted Indian leaders urged maintenance of their traditional ways of life. These general concerns, combined with specific grievances against the new English garrisons at the old French forts, led to widespread Indian rebellion in 1763. Called Pontiac's Rebellion, after the Ottawa leader who unsuccessfully attacked and besieged Detroit, it was actually an uprising of a number of tribes. Every English post west of Pittsburgh (Fort Pitt) except Detroit fell to the attackers. But the rebellion gradually fell apart and by 1765 the English had re-established a measure of control throughout the area.

Continued  
decline of  
Indian culture

Pontiac's War hastened the issuance of the Proclamation of 1763. This Proclamation, issued in the name of King George III, reserved to the Indians the vast area between the crest of the Appalachian Mountains and the Mississippi River, from the Great Lakes on the north to West Florida on the south. No new settlers were to enter the region, and any non-French already there were requested to leave. French residents at Vincennes were allowed to remain. Only licensed fur traders were permitted in the region; however, licenses were easy to obtain. Hence, the Proclamation of 1763 made the Indians wards of the English government, attempted to exclude both speculators and settlers from the region west of the Appalachians, and offered encouragement to the fur trade. It also left the scattered French settlers without any recognized civil government.

Pontiac's War  
and the  
Proclamation  
of 1763

The pressure mounted by land speculators and homeseekers led to modification of the Proclamation. Even before 1763, hundreds of Englishmen had settled west of the crest of the Appalachian Mountains, notably in western Pennsylvania in valleys tributary to the Ohio River. Representatives of various companies of land speculators and an increasing number of settlers moved into the upper Ohio Valley in spite of the prohibition. During the late 1760s and early 1770s the English made treaties with the Indians which opened large tracts of land for occupation by the advancing frontiersmen. These tracts were principally in present-day West Virginia and western Pennsylvania. Settlers increased in these areas, and in 1774 settlers also began arriving in Kentucky. In 1774, Parliament passed the Quebec Act which annexed the Old Northwest to the Canadian province of Quebec. This act provided civil government for the French of the area, protected them in their right to worship as Roman Catholics, and except for English criminal law, provided that French civil law should prevail. Though the Quebec Act was not intended to punish English colonists, many of them considered it as one of the odious 1774 Intolerable Acts.

Proclamation  
of 1763 soon  
modified

The efforts of the English to restrict and restrain western settlement caused objections from persons interested in land speculation. These efforts weakened the charter-grant claims of several colonies, especially Virginia, to the land west of the Appalachians; the Quebec Act added religious bias as a source of controversy. Controversy over policies toward the Old Northwest was one of the factors which produced the American Revolution, 1775-1783. Moreover, since the French had been expelled from the mainland of North America in 1763, and the Spanish had exchanged Florida (extending to the Mississippi) for Louisiana west of the Mississippi, the English colonists, lacking the French and Spanish as near neighbors, felt less need for the protection and support of the Mother Country. The advance of English colonists into western Pennsylvania, western Virginia, eastern Tennessee, and Kentucky alarmed the Indians of the Ohio Valley, resulting in Lord Dunmore's War in 1774. Each side enjoyed relatively secure bases in the west: the British at Detroit and Mackinac, the Americans in Pittsburgh and some of the Kentucky settlements. From these base areas each side bid for the support of the Indians and the French settlers north of the Ohio. Most Indian tribes sided eventually with the British, who presented less threat to Indian lands and who provided better trade arrangements than the Americans. Most French settlers showed neutrality until the Franco-American alliance of 1778 induced some, mainly in the Ohio Valley, to show more favor to the American cause. Most of the fighting in the west consisted of raids and skirmishes in which scalping and other forms of brutality were fairly common.

The American  
Revolution  
in the West

An important effort against the English-Indian-Loyalist combination in the Ohio Valley and the Old Northwest was the western campaign of George Rogers Clark in 1778-1779. Clark was an early settler of Kentucky who realized that the French at Kaskaskia and Vincennes could easily be persuaded to change their loyalty from the English to the Americans. Moreover, he hoped to seize Detroit, which was a center for organization of English and Indian attacks. In 1778, Clark's force of about 200 men, supplied and supported mainly by Virginia, came down the Ohio from the Falls of the Ohio near Louisville, marched across southern Illinois, and then captured Kaskaskia without loss of life. From there, part of his men took Vincennes, which was soon lost to Lieutenant Colonel Henry Hamilton, the English commander at Detroit. The American recapture of Vincennes early in 1779 was the result of considerable daring and much hardship on the part of Clark and his men. Warfare continued intermittently in the Ohio Valley throughout the American Revolution. Although the British and Americans made peace in 1783, and in general ceased fighting after the British surrender at Yorktown in 1781, Indian warfare continued for some time. In fact, some of the most costly warfare in the Ohio Valley occurred after the end of the serious fighting in the region east of the Appalachians.

George Rogers  
Clark's contribution  
to the success  
of the  
American Revolution

In the Treaty of Paris, 1783, the British recognized the independence of the Americans. Of great significance was the ceding of the huge land region between the Appalachians and the Mississippi (the Old Northwest) to the new United States. Thus the Old Northwest passed from the English to the Americans in 1783. In addition, the English promised to evacuate Detroit and several other forts located on the American side of the border, and it was agreed that both countries could freely navigate the Mississippi to its mouth. Unfortunately, however, the British delayed and then refused to evacuate the border posts. The Spanish, who recovered Florida in 1783, contended that since they owned both banks of the mouth of the Mississippi, they held control over vessels using the outlet to this important river.

Treaty of  
Paris added  
the Old  
Northwest to  
the new nation

## Chapter 6: Indiana A Part of the Old Northwest, 1783-1800

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*To the teacher: Indiana and several other states are carved from the Old Northwest Territory. See Chapter 7 as a companion to this chapter.*

### Corollary to U.S. History

- Treaty of Paris 1783 ends the War of Independence
- Americans push westward
- Articles of Confederation—a government for the new nation
- Ordinance of 1785 and Northwest Ordinance of 1787
- Constitutional Convention at Philadelphia

### GENERAL COMMENTS

Developments in the region north of the Ohio—in what later became known as the Old Northwest—are of particular importance to an understanding of Indiana History. This is true not only because Indiana was carved from the Old Northwest but also because the basic policies which the United States applied to the Old Northwest as a whole were applied to Indiana, though with some amendments. Thus the period, 1783-1800, is the period of American beginnings in the Old Northwest as well as the years which established important precedents and roots for the development of Indiana during its pioneer period, 1800-1850.

American  
beginnings in  
the Old  
Northwest

The Old Northwest was—and is—an area of considerable extent and great importance. Ohio, Indiana, Illinois, Michigan, Wisconsin, and the eastern part of Minnesota were carved from it. Each of these states is larger than several major countries of the world. The region is bounded by Pennsylvania on the east, the Mississippi on the west, the Ohio River on the south, and the Great Lakes on the north. Geographically it is not a unit because the continental divide between the St.

Importance of  
the Old  
Northwest

Lawrence-Great Lakes Basin and the Mississippi Basin cuts across Wisconsin, Illinois, Indiana and Ohio. Thus, part of the rainfall at Gary and Fort Wayne flows into the Great Lakes and out the St.

Lawrence, while part flows into tributaries of the Mississippi. The French used the the portages across this continental divide to explore into Indiana territory. Geographically the upper part of the area, that part which drains into the Great Lakes-St. Lawrence area, belongs more to Canada than to the United States. An awareness of this fact helps explain the continued importance of English fur traders in the Old Northwest after 1783, and the delay in American settlement of the upper part of the Old Northwest.

Indiana's  
continental  
divide

See map  
page 206

Unlike the French, the Americans approached the Old Northwest by way of the Ohio Valley. A small number of settlers had crossed the Appalachians into the upper Ohio Valley preceding 1763. Quite a number came into the area during the next two decades (the English interlude). Still more settlers entered before 1800, although most of them settled south of the Ohio. By 1800, Kentucky (1792) and Tennessee (1796) had both become states, western Pennsylvania had a large population, and many persons lived in the present West Virginia area.

Americans enter  
the Ohio Valley

In 1781 the Confederation Congress established by the terms of the Articles of Confederation became the national government, and continued until the organization of a new Congress under the federal government in 1789. Hence, most of the basic policies of the United States regarding the Old Northwest were first evolved by the Confederation Congress, including the policies set forth in the justly famous and important Ordinance of 1787. It was to this Confederation Congress that most of the states surrendered their claims to the West. The achievements of this Congress regarding the Old Northwest were indeed substantial.

Articles of  
Confederation  
established

The vast majority of the settlers moving into the west came in search of land: for lumbering, mining, grazing, and above all, farming. The Indian trade meant little to them, and even Indian claim to the land of the west was often ignored or treated as an impediment to be eliminated by war or treaty at the earliest opportunity. Little wonder, then, that the western Indian wars continued, or that questions of land policy were so often central in public discourse.

The growth of the Ohio Valley raised a fundamental question: What should be the relationship between the areas east and west of the Appalachians? Some persons thought that even the thirteen original states could not establish a permanent Union, hence it was absurd to think of adding states to the Union from the Appalachian hinterland. Yet, just as the Revolution of 1776 was ended, the Continental Congress promised the states and citizens alike that if the west were ceded to Congress, it would be carved into equal states. The Confederation Congress redeemed this pledge. This promise of statehood to western

Relationship  
to areas west  
of the  
Appalachians



territories (or colonies) was the principal difference between American and English territorial or colonial policies. Without equal statehood for the area west of the Appalachians, it is uncertain whether the Union of the states would ever have extended westward to the Pacific and then to Alaska and Hawaii.

### POINTS TO EMPHASIZE

Until 1815, when the War of 1812 ended, it remained uncertain whether the United States would make good its title to the Old Northwest which was obtained at the Treaty of Paris, 1783. In various ways, the odds seemed unfavorable to American success in the 1780s, but the United States gradually increased its control over the area so that by 1815 it had a strong hold on the Old Northwest. During the 1780s, Americans faced the same three major problems regarding the Old Northwest which the English had faced during the 1760s: (1) What Indian policies should they establish? (2) How should they control and regulate the fur trade? and (3) What policies should they establish regarding land speculation and settlement? The Americans were also concerned how they might best govern the area, how it could best be garrisoned and defended, and how they could fund the defense, government, Indian relations, and other costs. Americans lacked experience in dealing with these vexing problems, but they were familiar with English policies for the Old Northwest and were much more aggressive in seeking to eliminate Indian land titles and claim.

Major problems facing Americans in the Old Northwest

Just as with the English two decades earlier, conflict with the Indians was an urgent and immediate problem. Indian resistance to the Americans increased during the late 1780s as various tribes sought to prevent Americans from settling north of the Ohio River. In 1790, Brigadier General Josiah Harmar was defeated by the Indians within the limits of present-day Fort Wayne. The next year Major General Arthur St. Clair, who was governor of the Northwest Territory, was defeated near the present Ohio-Indiana border southeast of Fort Wayne.

The Indian victories reflected the excellent leadership of a confederation of Indian tribes who received substantial British help. Little Turtle of the Miami and Blue Jacket of the Shawnee played important roles in leading the Indian resistance in the region. Such defeats disturbed President Washington, who placed General "Mad" Anthony Wayne in charge of a larger than usual expedition and charged him to make peace—by diplomacy if possible, but by force if necessary. Peace efforts failing, Wayne's troops in 1794 defeated the Indians at the Battle of Fallen Timbers in the Maumee Valley of northwestern Ohio.

Indian warfare continues in Ohio Valley

The next year at the Treaty of Greenville, the Indians ceded to the United States most of Ohio, a slice from what is now the eastern border of Indiana (the Gore), and tracts of land at various town sites within Indiana. No serious armed Indian resistance occurred within the Ohio Valley thereafter until about 1807.

See map pages  
196 and 197

Before the United States could establish policies regarding the Indians, the fur trade, and occupation of the land by Americans, questions of ownership of the land west of the Appalachians had to be settled. Six of the original 13 states claimed portions of this land on the basis of colonial charters while another, New York, claimed land on the basis of an Indian treaty. The remaining six states lacked any claims. Some persons thought the Treaty of Paris had established that all western land belonged to Congress, but others argued that the treaty had not superseded the claims of the states. This question of ownership was vigorously discussed during and immediately after the Revolution, but fortunately the states gradually surrendered their individual claims in favor of those of the United States. Virginia played an important role in this decision; her land cessions in 1781 and 1784 set a pattern most states followed. Two states retained some lands, called "reserves" in the Old Northwest, particularly in Ohio. Moreover, the West Virginia and Kentucky areas remained a part of Virginia until statehood. Hence Ohio and Indiana became the areas in which the United States established most of its early policies regarding: (1) the survey and sale of land, and (2) how a territory might progress to statehood.

Surrender of  
original claims  
to the Old  
Northwest

Though its basis for land acquisition was never concisely stated in any single document during the 1780s, the United States, through the Confederation Congress, established a four-step pattern by which title to Indian lands could be acquired by American settlers: (1) Obtaining of land by the United States through treaties with Indian tribes; (2) Survey of land so obtained by the United States; (3) Sale of land to individuals or land companies by the United States; and (4) Settlement by purchasers of land, or by persons who purchased, rented, or leased land from such purchasers. These basic steps were expected to occur in the order listed, but both squatters and speculators often interfered at any stage and even before the Indians had surrendered their claims.

Steps by  
which land  
passed from  
Indians to  
Americans.

The Land Ordinance of 1785 was a very important act passed by the Confederation Congress. It established the congressional township (6 mile square) as the basic unit for surveying land, and it established a section (640 acres) as the minimum amount which would be sold to purchasers. This law set \$1 per acre as the minimum price and required cash with purchase. Many historians have noted that such features as rectilinear survey, survey in advance of sale, and use of township units reflects a strong New England influence in the legisla-

tion, as opposed to the Southern practice of irregular plots, survey after sale, and use of smaller farm units. This suggested the important effect of regional cultures upon the early vision of what the Old Northwest might become. Though first applied only to the Seven Ranges in eastern Ohio next to the Pennsylvania border, the rectangular survey system was later extended to almost all of the public domain in the United States. The terms of sale were of course frequently modified. Not much land was sold by the United States to individuals before 1796, partly because few could provide \$640 in cash and partly because land could be obtained from the "reserves" or in one of the southern states (including the large area south of the Ohio River which remained a part of Virginia or North Carolina). Large tracts of land, however, were sold at bargain prices to land companies in this period. The Ohio Company, which bought much land in southeastern Ohio, became the founder of Marietta, Ohio, in the spring of 1788.

Land  
Ordinance of  
1785 passed

See page 48

The fur trade with the Indians, which had been the most important factor in luring the French and English into the Old Northwest and other interior areas, was relatively less important for the Americans. During the 1780s, Congress regulated this trade. These regulations provided that all who traded with the Indians must be licensed and that such trade could be conducted only at established posts or other designated places. Traders, however, met the Indians at undesignated places, illegally gave or sold them whiskey, and generally cheated and corrupted them. Englishmen as well as Americans engaged in the fur trade in this period, especially since the St. Lawrence River and the Great Lakes afforded them easy access to the upper part of the Old Northwest where few Americans were as yet to be found.

Regulating  
the fur trade of  
the Old Northwest

Clarksville, on the Indiana side of the Ohio across from Louisville, became the first authorized American settlement in the Old Northwest. Because of Clark's contribution to the success of the American Revolution, Virginia donated to him and his men 150,000 acres of land in what became known as Clark's Grant. This grant was confirmed by Congress when Virginia surrendered her territory in the Old Northwest. In 1784, Clarksville became the principal settlement for Clark's Grant, though it grew slowly. Clark and some of his associates lived in this area prior to the founding of Marietta, Ohio in 1788. Some American settlers arrived at Vincennes before 1800, though the French remained in the majority there. Meanwhile, Ouiatanon had gradually disappeared during the English interlude. Fort Miami (Fort Wayne) lost population while under English control, but French and English as well as American traders continued to visit this place, some residing there for temporary periods. After the Battle of Fallen Timbers, General Wayne proceeded to the headwaters of the Maumee and established Fort Wayne; other Americans soon joined officers and men stationed at this new fort. Scattered settlers, mainly squatters, lived

Early  
American  
settlements in  
the Old Northwest

elsewhere in what is now Indiana, especially along the north shore of the Ohio. Most of those who settled north of the Ohio River, however, settled in the southern part of present-day Ohio. Meanwhile, as during the English period, 1763-1783, settlement in western Pennsylvania, western Virginia, Kentucky, and Tennessee was much heavier than in the area north of the Ohio.

The Ordinance of 1787, which established American territorial government in the Old Northwest, was one of the most important laws ever passed by an American Congress. With the surrender of state claims to the region and with the time ripe for Americans to settle therein, Congress found it necessary to establish a government for this vast area. The Ordinance of 1787 provided for a first (nonrepresentative) stage of territorial government, then for a second (representative) stage, and finally for a third stage in which a territory became a state on an equal rank with older states. It provided a bill of rights, prohibited slavery in the region, provided that the estates of persons dying without wills should be divided equally among their children, and indicated the expectation that not less than three nor more than five states be carved from the region. The Ordinance restricted the privileges of both voting and office holding to property holders. The Old Northwest entered the first stage of territorial government with the arrival of Governor Arthur St. Clair at Marietta, Ohio in 1788. St. Clair and three appointed judges adopted laws; the governor created counties, appointed local officials, and made other provisions. Under this stage of government, the people had no voice in the naming of territorial officials. St. Clair and the judges, for example, were appointed first by Congress and then by the President of the United States. This stage continued until 1799, when the first legislative assembly of the territory convened at Cincinnati. This assembly ushered in the beginning of representative government within the territory. The qualified voters, all property holders, elected members of the lower house and the President appointed the upper house members. Since most of the people in the Old Northwest then lived largely in what is now southern Ohio, the residents in that area received most of the offices and most of the benefits from the representative stage.

Ordinance of  
1787 passed

See page 60

See Chapter 7

The Old  
Northwest during  
the first stage  
of territorial  
government

Apart from some settlement in the Whitewater Valley of southeastern Indiana, population growth was slow in what was to become Indiana and the older French culture survived for a long time. Thus residents of more remote areas, including those at Vincennes and Clarksville, referred to seek the status of a separate territory. William Henry Harrison, the first territorial delegate elected by the new assembly, proceeded to Congress and helped secure passage of a law providing for a division of the Northwest Territory. The eastern area was to remain the Northwest Territory. The western part was to become Indiana Territory and return to the first stage of territorial government.