

Petitions Regarding the Ohio Territory, 1786-87

Introduction

The Articles of Confederation remained the governing document of the United States in the years immediately following the end of the Revolutionary War in 1781. The Articles quickly proved ineffective for any of the major responsibilities of a federal government: raising taxes, drafting and enforcing law, organizing a peacetime military, etc.

Organizing the Ohio Territory was one of the few accomplishments of the Articles of Confederation government, although it also raised many important questions about how, if, and when the country would expand west. In 1787, the Confederation government passed the Northwest Ordinance, dissolved the federal government, and called a Constitutional Convention with the purpose of creating a more powerful, centralized federal government.

Ohio Territory constituted the heart of the Northwest Territories and was home to several powerful Indian Nations as well as dozens of mixed-race communities dating back to New France (this should be in your notes). New Englanders started emigrating in large numbers to the Ohio Territory during and after the Revolutionary War, often squatting on land claimed by Native Americans. The new settlers immediately demanded the newly formed United States government grant them land deeds and protection. Violent clashes between Native Americans (and other Ohioans) and the new emigrants escalated while the Confederation Congress debated the future of the territory. Political leaders believed the economic health of the new country depended on expansion. Many believed individual land ownership promoted civic virtue and increased the productiveness of the country.

The Confederation government struggled to pay its war debts and had no mechanism to tax states or individuals, leaving the new country in a precarious position. Many political leaders, like Thomas Jefferson who authored the Northwest Ordinance, saw land sales in Ohio as a potential source of revenue. Land companies lobbied Congress vigorously, hoping to profit by purchasing real estate and reselling it to settlers. The government, they insisted, should allow private groups to take control of settlement in Ohio. Jefferson, George Washington, and many other political leaders who established the laws governing westward expansion were also deeply invested in the land companies. As conflicts between Indians, white Americans, and federal agents escalated during 1785, leading a group of white settlers to petition Congress for help.

In 1787, half a year before the Constitutional Convention, a collection of Native American leaders gathered on the banks of the Detroit River to offer a unified message to the Congress of the United States. Despite this proposal, American surveyors, settlers, and others continued to cross the Ohio River¹.

¹ Full sources believed to be in the public domain. [Petition of the Inhabitants of West of the Ohio River 1785](#) and [Speech of the United Indian Nations at Their Confederate Council, 1787](#).

Primary Source

Petition of the Inhabitants West of the Ohio River, 1785²

To the Honorable the President of the Honorable Congress of the United States of America:

The petition, of us the subscribers now residing on the western side of the Ohio, humbly show our grateful acknowledgments to those patriots of our country who under Divine Providence so wisely directed and steered the helm of government: in that great and unparalleled conflict for liberty bringing to a happy period the troubles of the states laying the foundation (by the most Salutary means) of the most glorious form of government any people on Earth could ever yet boast of.

Notwithstanding when the joyful sound of peace had reached our ears; we had scarce enough left us to support the crying distresses of our families occasioned wholly by being exposed to the ravages of a cruel and savage enemy; on an open frontier where the most of us had the misfortune to reside through the whole continuance of the war where the only recourse was to sit confined in forts for the preservation of our lives, by which we were reduced almost to the lowest ebb of poverty, the greatest part of us having no property in lands, our stocks reduced almost to nothing, our case seemed desperate.

But viewing as it appeared to us an advantage offering of vacant lands which with the alarming necessities we were under Joined with the future prospect of bettering our circumstances, invited us to enter on those Lands fully determined to comply with every requisition of the legislature...with hopes of future happiness we sat content in the enjoyment of our scanty morsel, thinking ourselves safe under the protection of government, when on the fifth of this instant we were visited by a command of men sent by the Commandant at Fort McIntosh³ with orders from Government...to dispossess us and to destroy our dwellings...by which order it now appears our conduct in settling here is considered by the legislature to be prejudicial to the common good, of which we had not the least conception till now. We are greatly distressed in

² Archer Butler Hulbert, ed., "Petition of Inhabitants West of the Ohio River (1785)" in *Marietta College Historical Collections*, Vol. 3 (Marietta, Ohio: Marietta Historical Commission, 1918), 103.

³ Fort McIntosh, located in western Pennsylvania, was built during the Revolutionary War and served as a central hub for expansion into Ohio after the War. In 1785, the Confederation Congress sent agents to Ohio to negotiate a treaty with several of Ohio's Indian nations: the Wyandot, the Lenape (Delaware), the Ottawa, and the Ojibwa (Chippewa). The treaty negotiations took place at Fort McIntosh. The destabilization and conflict caused by decades of displacement and conflict left most Indian communities fractured and without clear political leadership. During the treaty negotiations, most of the Indian representatives lacked authority to negotiate on behalf of the tribe. The Americans took advantage of the situation, plying the representatives with alcohol and general debauchery. In the end, the Indian representatives agreed to recognize they lived under the US government and could not form alliances with other powers. They also ceded millions of acres of land in southern and eastern Ohio and agreed to relocate to the western corner of modern-day Ohio with a border consisting roughly of the Cuyahoga River on the east. Most Indians living in Ohio did not recognize the treaty, especially the Shawnee, who lost all of their land in southwestern Ohio. The Treaty caused even more internal conflict among Indian Nation and led to increased chaos and violence for everyone living in Ohio.

For those interested in military history: Fort McIntosh is home to the 3rd U.S. Infantry Regiment, the oldest active duty regiment in the US, sometimes called the "Old Guard."

our present circumstances, and humbly pray if you in your wisdom think proper to grant us liberty, to rest where we are and to grant us the preference to our actual settlements when the land is to be settled by order of government.

Speech of the United Indian Nations, at their Confederate Council held near the mouth of the Detroit River between the 28th November and 18th December, 1786⁴

Present The Five Nations, the Hurons, Delewares, Shawnese, Ottawas, Chippewas, Pottawatomies, Twichtwees, Cherokees, and the Wabash Confederated

To the Congress of the United States of America

Brethren of the United States of America:

It is now more than three years since peace was made between the King of Great Britain and you, but we the Indians, were disappointed finding ourselves not included in that peace according to our expectations, for we thought that it's conclusion would have promoted a friendship between the United States and Indians, & that we might enjoy that happiness that formerly subsisted between us and our elder brethren. We have received two very agreeable messages from the Thirteen United States. We also received a message from the King, whose war we were engaged in desiring us to remain quiet, which we accordingly complied with. During the time of this tranquility we were deliberating the best method we could to form a lasting reconciliation with the Thirteen United States. Pleased at the same time we thought that we were entering upon a reconciliation and friendship with a set of people born on the same continent with ourselves, certain that the quarrel between us was not of our own making. In the course of our Councils we imagined we hit upon an expedient that would promote a lasting Peace between us.

Brothers,

We still are of the same opinion as to the means which may tend to reconcile us to each other. We are sorry to find although we had the best thoughts in our minds during the before mentioned period mischief has nevertheless happened between you and us. We are still anxious of putting our plan of accommodation into execution and we shall briefly inform you of the means that seem most probable to us of effecting a firm and lasting peace and reconciliation. The first step towards which should in our opinion be that all treaties carried on with the United States on our part, should be with the general voice of the whole Confederacy and carried on in the most open manner without any restraint on either side. And especially as landed matters are often the subject of our councils with you, a matter of the greatest importance & of general concern to us

⁴ Speech of the United Indian Nations at their Confederate Council; 12/18/1786; Letters from Major General Henry Knox, Secretary at War; Papers of the Continental Congress, 1774 - 1789; Records of the Continental and Confederation Congresses and the Constitutional Convention, ; National Archives Building, Washington, DC. [Online Version, <https://www.docsteach.org/documents/document/united-indian-nations>, September 26, 2019]

in this case we hold in indispensably necessary that any cession of our lands should be made in the most public manner & by the united voice of the confederacy. Holding all partial treaties as void and of no effect⁵.

We think it is owing to you that the tranquility which since the peace between us has not lasted and that essential good, has been followed by mischief and confusion having managed everything respecting your own way. You kindled your council fires where you thought proper, without consulting us, at which you held separate treaties, and have entirely neglected our plan of having a general conference with the different nations of the confederacy. Had this happened we have reason to believe everything would now have been settled between us in a most friendly manner. We did everything in our power at the Treaty of Fort Stanwix⁶ to induce you to follow this Plan, as our real intentions were at that very time to promote peace and concord between us, and that we might look upon each other as friends, having given you no cause or provocation to be otherwise —

Brothers.

Notwithstanding the mischief that has happened we are still sincere in our wishes to have peace and tranquility established between us, earnestly hoping to find the same inclinations in you. We wish therefore you would take it into consideration and let us speak to you in the manner we proposed. Let us have a treaty with you early in the spring. Let us pursue reasonable steps. Let us meet halfway for our mutual convenience. We shall then bury in oblivion the misfortunes that have happened and meet each other on a footing of friendship.

Brothers,

We say let us meet halfway and let us pursue such steps as become upright and honest men, we beg that you will prevent your surveyors and other people from coming upon our side of the Ohio River. We have told you before we wished to pursue just steps, and we are determined they shall appear just and reasonable in the eyes of the world. This is the determination of all the chiefs of our Confederacy now assembled here, notwithstanding the accidents that have happened in our villages, even when in council, where several imminent chiefs were killed when absolutely engaged in promoting a peace with you the Thirteen United States. Although then interrupted the chiefs here present still wish to meet you in the spring for the before mentioned good purpose, when we hope to speak to each other without either haughtiness or menace.

Brothers.

We again request of you in the most earnest manner, to order your surveyors and others that mark out land to cease from crossing the Ohio until we shall have spoken to you because the

⁵ Clearly referring to the recent negotiations with unauthorized representatives of the Ohio Tribes.

⁶ There were actually two treaties signed at Fort Stanwix, located in present-day Rome, New York. The petition refers to the second Treaty of Fort Stanwix between the United States and the Haudenosaunee (Iroquois Confederacy) in 1784. It was crucial to opening Ohio for land speculators and companies. The Iroquois gained control of Ohio Country during the “Beaver Wars” of the late seventeenth century. The Iroquois signed the first Treaty of Fort Stanwix with Great Britain in 1768, following the Seven Years War, securing Ohio for Native Americans (a sort of addendum to the Proclamation of 1763). With the second treaty in 1784, the Iroquois gave almost all of the land they claimed in Ohio to the US, which the government desperately needed to raise revenue to pay off the war debt. In exchange, the US promised the Iroquois sovereignty and protection. Many Iroquois rejected the Treaty as did every Indian Nation living in Ohio. This petition addressed the immediate impact of the Treaty.

mischief that has recently happened has originated in that quarter, we shall likewise prevent our people from going over until that time.

Brothers.

It shall not be our fault if the plan which we have suggested to you should not be carried into execution. In that case the event will be very precarious, and if fresh ruptures ensue we hope to be able to exultate⁷ ourselves, and shall most assuredly with our limited force be obliged to defend those rights and privileges which have been transmitted to us.... And if we should be thereby reduced to misfortune, the world will pity us when they think of the amiable proposals we now make to prevent the unnecessary effusion of blood. These are our thoughts and firm resolves and we earnestly desire that you will transmit to us, as soon as possible, your answer, be it what it may.

Done at our Confederate Council Fire at the Huron Village, near the mouth of the Detroit River
December 18, 1786

The Five Nations

Cherokee

Huron

Shawnee

Delaware

Ottawa

Pottawattomi

Twitchee

Joseph Brant

The Wabash Confederation

⁷ Adapt.