

# The Northwest Ordinance of 1787

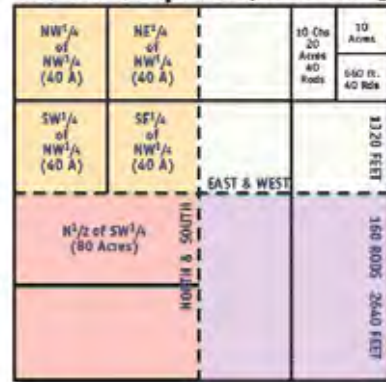
Establishing government in the

Northwest Territory was important to the new nation for many reasons. First, the frontier had to be strong enough to withstand any attempt by England, France, or Spain to retake the land for themselves. America's organized territories needed to have organized fighting units, or militia, for protection. British troops were still close by, and they weren't sure the new government would really last. The British wanted to control the land to help their Ohio Indian allies. The new American nation would have to prove it was strong enough to keep the territories that the Treaty of Paris had given it.

The new government also had some serious financial problems. Organizing new territories so land could be easily sold gave the leaders a way to raise money for the national treasury. Similarly, soldiers who were getting more and more upset about not being paid for their service during the war could be given land. War leaders, like George Washington, were especially concerned about these angry soldiers. He wanted them to be rewarded for their sacrifices during the war. Free land and a new beginning were all the government could afford to give them.

Finally, establishing new territories would be a way to strengthen a federal government that seemed to be getting weaker all the time. The thirteen states (formerly

**A Section of Land, 640 Acres**



Each section contained 640 acres. A section was divided into 160-acre quarters. More surveying divided the quarters into farms and town lots.

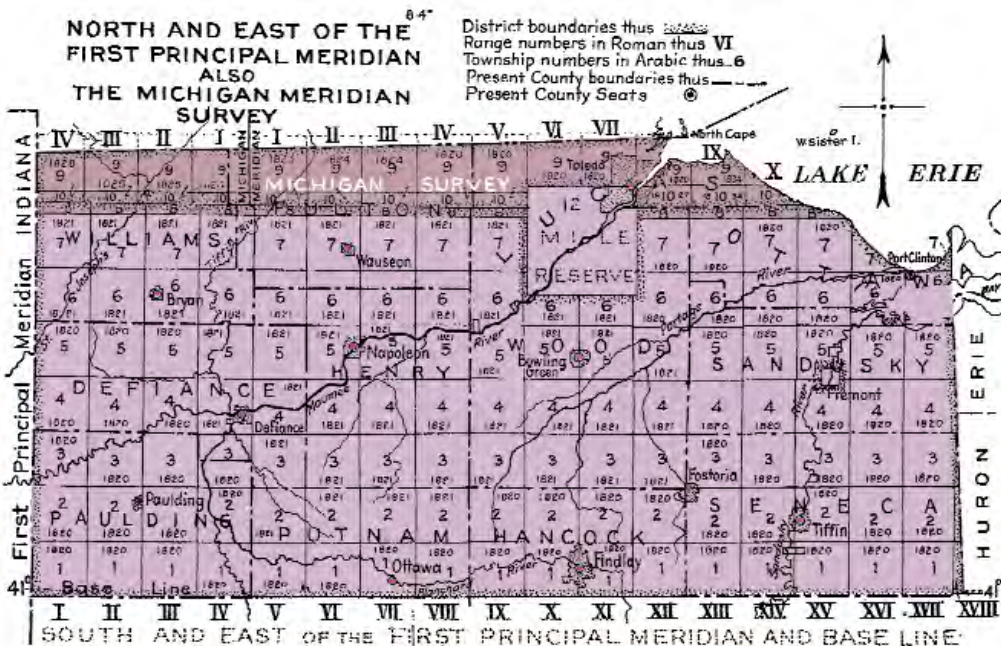
*Graphic (PP)*

colonies) were squabbling with each other. They acted as if they were separate little countries. This could not continue if the United States of America was to survive. The states and federal government needed to work together to grow a new nation.

As you have read in the previous section, parts of the western territory were ceded to the federal government by the states that had claimed the land. Therefore, the Northwest Territory became public domain, meaning it was owned by the people of the United States through their federal government. As public domain, this territory would be governed by the Congress. The Congress would decide the best way to divide the land, to settle the land, and to govern the land. The federal survey system (36-square-mile grid) was adopted as the method of surveying and charting public domain lands.

# The Importance of the Northwest Ordinance

It is said that the three greatest documents in American history are the Declaration of Independence, the Constitution, and the Northwest Ordinance of 1787. In fact, much of the Constitution came about as a direct result of writings in the Northwest Ordinance. The Bill of Rights (the first 10 amendments of the Constitution) actually had its beginning in the six articles of the Northwest Ordinance.



The survey of Northwest Ohio used the Ohio-Indiana state line as a "First Principal Meridian." The 41st parallel of north latitude became an intersecting, east-west base line used in surveying.

Graphic (QQ)

Some of these similarities include:

- freedom of religion
- trial by jury
- no cruel or unusual punishment
- freedom from slavery or involuntary servitude

New states would come into the nation easily because of the ordinance. Ohio would be the first to come from the Northwest Territory. Later, four more would come from this territory (Indiana, Illinois, Michigan, and Wisconsin). One of the most important effects of the ordinance was that each new state would enter the nation completely equal to the older states. Never before in the history of the world had this been done. The Northwest Ordinance became a strengthening force in the forming and growth of this nation. The Northwest Ordinance stated some important ideas and rights. Here are

some examples:

- Ownership of the land was passed down to the owner's descendants. Some people died before their land warrants were used. The ordinance made a way for a veteran's family to keep the land that was promised to him.
- Governors would govern the territory; first by being appointed by Congress; then by being elected when enough people lived there. Today, each of the 50 states has a governor as its executive leader.
- A secretary would keep track of all legal records for the territory and would send copies to the Congress. A Secretary of State is an important office that remains in effect for all states today.
- Judges would be appointed to settle disputes between residents in the territory. This made sure that every American's rights would be protected no matter where they lived.
- Eventually a legislature would be elected for the region. The state legislature is the lawmaking part of the state government. Once the Northwest Territory had at least 5,000 free males

## Along the Ohio Trail

Who wrote the Declaration of Independence? Mostly Thomas Jefferson, of course.

The Northwest Ordinance did not have one author. It didn't even have a dozen. Over time, this document had the input of many men as it was written and rewritten and passed through committee after committee until it took its final form.

All of the writers were careful of one thing: that they didn't write anything that sounded like something the British would have written. They replaced the words "colony" and "colonial" (though the Northwest area was certainly a colony of the new government) with "territory" and "territorial."

We still use that language today. Puerto Rico, Guam, and the Virgin Islands are U.S. territories — not colonies — and we have many others. All but 20 of our 50 states were territories before becoming states. The exceptions are the 13 colonies, California, Kentucky, Maine, Texas, Vermont, Tennessee and West Virginia.



over the age of 21 living there, a legislative council was formed and a house of representatives could be elected.

- The governor would be the commander-in-chief of the militia.
- The governor would appoint (choose) sheriffs to protect the citizens. Ohio still has sheriffs in most counties, but they are now elected rather than appointed.
- The governor would arrange for surveys of the land as needed.

A constitution was the last of three steps needed for a territory to become a state. (The first was the appointment of a governor, secretary, and three judges; the second was the forming of a house of representatives.) A constitution could be drawn up (written) once a region had 60,000 inhabitants. After revisions and final approval of its constitution, the territory could apply to the federal government for statehood. Any states coming into the nation would be on "equal footing" with the original states (some of the

leaders of the original states were not especially happy about this part). Most state constitutions are similar to each other. The Northwest Ordinance tells how a state will be governed and what rights the citizens can enjoy:

- Civil and religious freedoms were to be protected. Civil rights (rights as citizens of the United States) and religious rights (freedom to worship however one wants) are among the most important parts of the ordinance.
- Every person would have rights in court.
- Waterways leading to the Mississippi River and St. Lawrence Seaway would be forever free of taxation.
- Provisions were made for no fewer than three and no more than five states in the Northwest Territory. As we know, five states were created from this territory.
- Slavery was prohibited. The ordinance stated, "There shall be neither slavery nor involuntary servitude in said territory." Nearly 100 years later, after the Civil War, the Thirteenth Amendment to the United States



## Along the Ohio Trail

Can you see how the ideas in the Northwest Ordinance have affected Ohio?

Who is the governing leader of Ohio today?

Do we have a state legislature?

Who represents your area?

Does your county have a sheriff?

On what side was Ohio during the Civil War?

Why?

Constitution would repeat almost the same words — ending slavery in the United States.

- Education was encouraged.

## The Legacy of the Ordinance

A legacy is something that is left for the future by someone or something. The legacy of the Northwest Ordinance was a nation that reached “from sea to shining sea.” Before this ordinance, there was no method by which a territory could become a state. With this ordinance, not only was a method adopted, but it was a method that worked well. As the nation grew, the method made the path smooth.

It would not run over the natives to do so. One section of the ordinance stated that:

*“The utmost good faith shall always be observed toward the Indians. Their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty, they shall never be invaded or disturbed unless in just and lawful wars authorized by Congress.”*

Unfortunately, years later, the last part of this section was used to justify (make an excuse for) taking lands from them in Ohio, but especially in the Great Plains and farther western lands.

So, with the method ready, the nation was set to go — into the Northwest Territory to grow the nation.

## Along the Ohio Trail

Most early settlers wanted to live in the woodland areas. Because these people were farmers, they believed that this was the best land for growing crops. They figured if trees grew there, then crops would, too.

Before they could plant anything, they had to clear the land. There were two ways to remove the trees: cutting them down or killing them. The settlers girdled the trees. They cut away some bark from the tree all the way around, like a belt of missing bark. Soon the tree would die.

Once the trees in an area had died, Farmers removed all the bushes and grasses (underbrush) so they could plow the land. They used axes and saws to cut down the trees, and the timber (wood) was used to build their cabins, fences, and other buildings. Logs would be dragged to the building site. Bark was removed and logs were smoothed out as much as possible. They cut notches in the ends of the logs so they could stack them to make the cabin's walls. Then they filled the cracks between the logs with mud or clay.

Inside, a finished cabin had either dirt floors or flat log boards to walk on. A fireplace kept the home warm, gave light in the evening, and provided heat for cooking. Families also used candles and lanterns for more lighting. A loft, an upstairs area reached by a homemade ladder, was built where the children usually slept.

The first crop of these early settlers was corn, because it was so versatile (able to be used many ways). Dried corn was ground up into cornmeal and used to make cornbread, mush, and johnnycakes — a corn pancake. Corn was fed to livestock. Some was saved as seed for the next year's crop.

Ohio's rich soils made farming successful. Today Ohio still produces great corn crops — and more!





## *Along the Ohio Trail: A Short History of Ohio Lands*

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