

ARTHUR ST. CLAIR AND THE STRUGGLE FOR POWER IN THE OLD  
NORTHWEST, 1763 -1803

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## PROLOGUE

### Father of a Country?

Approaching the end of his life, an elderly and impoverished Arthur St. Clair reflected on his decision to accept the governorship of the Northwest Territory. He maintained that his contemporaries had persuaded him to take the position because it would provide the means by which he could support his large family, but in addition to mere subsistence, the general believed he had the opportunity to chart the course of his adopted country and to leave an important legacy as the leader of America's first colony. He recalled, "A new course to my ambition opened to me, and I am free to confess, I was not exempt from that vice, if it be a vice, and I was attracted by it. Mine was, however, a laudable ambition; that of becoming the father of a country, and laying the foundation for the happiness of millions then unborn."<sup>1</sup> When St. Clair arrived in Marietta, the Ohio Company settlement on the Muskingum River, in 1788, onlookers chanted, "Long live our Governor," but within fifteen years, segments of the population of the region and Democratic Republicans in government turned against the "father" of the Northwest Territory because he was a relic of an earlier age and the proponent of an antiquated political philosophy. On the eve of his ouster, citizens

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<sup>1</sup> Arthur St. Clair, *A Narrative of the Manner in which the Campaign Against the Indians, in the Year One Thousand Seven Hundred and Ninety-One, was Conducted, Under the Command of Major General St. Clair, With His Observations on the Statements of the Secretary of War and the Quarter Master General, Relative Thereto, and the Reports of the Committees Appointed to Inquire Into the Causes of the Failure Thereof* (Philadelphia: Jane Aitken, 1812, reprint, Arno Press Inc, 1971), 250.

in Chillicothe burned his effigy, led toasts that criticized him, and drafted petitions in protest against his decisions.

St. Clair is the lens through which to examine the competing interests that fought for power and authority on the early national frontier.<sup>2</sup> A study of his administration is crucial to understanding the forces at work during the formative years of the Old Northwest. Most frontier studies focus on squatters, Indians, and large proprietors without taking into consideration the important roles that administrators played. An examination of frontier administration offers valuable information concerning the forces at work in the West. The governor, representing the Federalist national government, was under siege by diverse groups during his tenure in office: Indians, squatters, large proprietors, small land owners, Kentuckians, French settlers, British and Spanish agents, and slave owners. Also, the rise of the Democratic Republican Party in the Old Northwest is illustrated in the study of St. Clair's administration. The success of America's first political movement led to the first removal of an American governor. The study of St. Clair's career is crucial to understanding expansion and the political

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<sup>2</sup> Frazier Wilson's *Arthur St. Clair: Rugged Ruler of the Old Northwest, An Epic of the American Frontier* combines hero worship and Turnerian philosophy, but the work contains useful block quotations from published and manuscript sources. William H. Smith's *The St. Clair Papers: Life and Public Services of Arthur St. Clair* is an in depth treatment of his career. The work's interpretation falls short of modern expectations, but the documents included in the two-volume set represent the largest collection of edited St. Clair papers. Smith's editing and annotating are superior. Footnotes identify important individuals, provide brief biographies, and identify places, names, and locations of events. The most detailed work on the subject is Wilson's "Arthur St. Clair and the Administration of the Old Northwest, 1788-1802," but focuses on the governor without investigating the groups that sought power on the early national frontier. This dissertation fills a void because no modern, definitive work on St. Clair's governorship exists.

consequences of the Revolution of 1800. Jefferson's victory guaranteed the triumph of his vision of expansion.<sup>3</sup>

Examining the administration of St. Clair shows the process by which the region that became the state of Ohio in 1803 was transformed from a colony populated by natives to a state inhabited predominately by white agriculturalists who were connected to the world markets via the Ohio and Mississippi Rivers. The areas of the territory that were not settled by Americans during his term were mapped and surveyed, creating boundaries and leaving a lasting legacy in the region. St. Clair, working under the direction of the federal government, was the architect of this change. He implemented the Northwest Ordinance of 1787, which served as the blueprint for expansion in the approximately 250,000 square mile region that became the states of Ohio, Indiana, Illinois, Michigan, and Wisconsin.

Historians have focused on St. Clair's military failures, including the abandonment of Fort Ticonderoga in 1777 and the defeat at the hands of Little

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<sup>3</sup> Elkins and McKittrick's *The Age of Federalism* is a detailed overview of the early national period. The work focuses on the economic policies of Alexander Hamilton, the movement to relocate the nation's capital on the bank of the Potomac River, the XYZ affair, the Quasi-War with France—events that took place in the East and across the Atlantic Ocean. This dissertation, on the other hand, investigates events that occurred west of the Appalachian Mountains that influenced Indians, backcountry settlers, land speculators, great proprietors, territorial officials, and the federal government. Chronicling America's experience in the West demonstrated the pivotal role expansion played in the nation's development during the period under study. My interpretation avoids deterministic logic. America's conquest and control of the Old Northwest, like the success of its experiment in democracy, was not a foregone conclusion. Instead, it was a struggle that pitted local, national, and international players against each other. With the exception of Andrew R. L. Cayton's article on Federalists in the West, Oberg's *Federalists Reconsidered*, like *The Age of Federalism*, focuses on the East. Cayton's article supports the present thesis because it places the Federalist experience in context, discussing the origins of western interests, the influence of Virginians, and the legacy of the frontier experience. The focus on St. Clair, an immigrant with ties to Pennsylvania, complements Cayton's analysis of the role of Southerners.

Turtle's Confederacy in 1791. The evacuation of the fort is viewed as an indication of his cowardice, and the defeat on the banks of the Wabash River is believed to be the result of poor generalship. The legacy of the influential general, administrator, and politician is marked by failure, and consequently, his accomplishments as statesman are overlooked.<sup>4</sup> Conversely, St. Clair was an immigrant who served with distinction under two flags in three wars and rose to the highest ranks of American government. A western-leaning Federalist who lived in an age when many New Englanders feared the expansion of the republic and a community leader who oversaw expansion in Pennsylvania and in the Northwest Territory, St. Clair's unique attributes are worthy of study because they provide insight into divergent interpretations of the best means to promote the expansion of the country during the early republic. An examination of his administration makes a significant contribution to the study of the politics, diplomacy, warfare, settlement, and expansion in America's first territory.

St. Clair's career is worthy of study because he is the only individual to serve as chief magistrate in the backcountry during the late colonial period and chief executive during the early national period. After serving in the French and Indian War, St. Clair moved west of Pennsylvania's Appalachian Mountains and in time became the largest landholder in the region. He witnessed British and

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<sup>4</sup> In 1812, St. Clair recognized that his legacy was diminished by the defeat. He wrote, "In military affairs, blame is almost always attached to misfortune: for the greatest part of those who judge, and all will judge, have no rule to guide them but the event, and misconduct is ever inferred from want of success; and the greatest share of praise or blame, according as the event may be, will ever fall upon the principal officer." See Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, vii.

American rule in the backcountry. He was the most important Pennsylvania representative in the area, working at the behest of the colony's proprietary government, asserting that government's claims and serving as chief magistrate. St. Clair surveyed and helped to lay out counties in the Ligonier Valley and beyond, tying the land to the government in Philadelphia. Service in the late war enabled the immigrant to rise to prominence and wealth, building an estate in Ligonier and moving his family to the backcountry. He witnessed the first migrations of settlers to move west of the mountains to set up homesteads after the Treaty of Fort Stanwix and the conflict that erupted between natives and newcomers and Virginians and Pennsylvanians. Experience on the frontier between the French and Indian and Revolutionary Wars demonstrated the chaotic nature of expansion.

Land claims in the transmontane area were unsettled: Pennsylvanians, Virginians, and Indians competed for control of the land surrounding the Forks of the Ohio River, the most important waterway in the region. St. Clair demonstrated loyalty to his superiors in Philadelphia and became embroiled in the Pennsylvania and Virginian border controversy and defended his constituents' interests. The chief magistrate exhibited fearlessness when making speeches to riotous mobs in Pittsburgh and arresting individuals who defied his colony's laws. When hostilities between major players reached a fevered pitch, Dunmore's War erupted in 1774. The contest pitted Virginians against Indians, in particular Shawnees, and threatened to engulf the region in violence. St. Clair

opposed the conflict that opened Kentucky to settlement and successfully persuaded tribes to remain at peace with Pennsylvania. His participation in Indian affairs was part of an effort of the British Indian Department to isolate recalcitrant natives by preventing the formation of a pan-Indian confederacy. Dunmore's War resulted in the establishment of the Ohio River as the permanent border between settlers and Indians and set the stage for a twenty-year conflict between the two groups.

St. Clair's experience on the frontier before the War for Independence influenced his views on the backcountry. He believed that settlers needed to be controlled by laws or they would not be tied to a distant government. The government needed to go hand in hand with expansion. Furthermore, he recognized that the most effective means of dealing with natives was to try to foster disunity among the tribes. He demonstrated a paternal attitude, believing that it was his duty to oversee development in the region because settlers were unable to govern themselves. Later as governor, he did not want to replicate this ungovernable situation in the Old Northwest. Investigating his activities demonstrates how the frontier changed when America assumed power in the region.

The study of St. Clair's career provides information on the fate of members of the founding generation and those who served in the War for Independence. When the Revolution broke out, he was a reluctant rebel. He had lived under monarchical rule in Scotland, England, and in the colonies. Nearly

everything that he possessed was given to him by British officials, including land in Pittsburgh. He did not want to separate from the mother country but ultimately did cast his fate with the Americans. Once again, he demonstrated valor in war and was counted among the most important leaders at the conclusion of the conflict. Fighting west of the Appalachian Mountains was particularly brutal. The general's estate and gristmill were destroyed and his land claims in the region were in question. At the end of the conflict he was bankrupt because he had used his own money to finance his participation. Although he had risen to national prominence as a result of military service, the major general could barely provide for his family. Most of his life was characterized by service to his country, but at the age of forty-nine he was living in poverty after losing the fortune he had amassed. The region that St. Clair presided over changed as a result of the Revolution. After the Treaty of Paris in 1783, the geographic location of the frontier shifted, and the Ohio River became the border between natives and newcomers, and the land north of that waterway possessed limitless potential. After serving in national politics, St. Clair moved with the frontier, seeking fame and the esteem of his contemporaries and later generations.

A member of the Society of Cincinnati, St. Clair emerged as a conservative leader after the war. He feared that the radicalism of the Revolution went too far, and he hoped to influence politics to strengthen state and national governments. He became the President of the Confederation Congress and oversaw the most important resolutions passed by that body, the official call for

the Constitutional Convention and the passage of the Northwest Ordinance, and became the first governor of the Northwest Territory, entrusted with implementing a plan for the orderly settlement of land north and west of the Ohio River. The Ordinance of 1787 and the Constitution represented the desire of many leaders who had served in the war to strengthen governmental institutions. America did not make the same mistakes that Britain had made in the West. Instead, the government instituted an ordinance to guide the settlement of the Old Northwest and sold tracts to large proprietors who distributed parcels to immigrants.

After arriving in the first legal settlement north of the river, the governor laid the foundation for the territorial government. This dissertation analyzes the institutions of government established during the first years of St. Clair's administration and the changes that took place when the population reached 5,000 white males, and the second stage of government began. The work takes up the officials' political philosophies, their differences with and similarities to St. Clair's views, and their attempts to seize power from the administration. Enacting the provisions set forth in the Northwest Ordinance, St. Clair and judges appointed by Washington adopted laws based on those that existed in the states. The judges disagreed with the governor's views on legislation and sought to undermine his efforts. Because of the governor's frequent absences from the territory to conduct administrative and personal affairs, the role of Winthrop Sargent, the Federalist Secretary of the Northwest Territory who served as acting

governor, will be examined. Sargent presided over the legislature when his superior was out of the territory.

St. Clair believed that society could not exist unless it was guided by law. In accordance with this assertion, he appointed local judges and established courts to enforce the statutes. The governor held that laws would serve to connect the settlers of the region to the federal government and to eastern states. In 1788, the territorial legislature passed ten laws that sought to control the population and to maintain the administration's authority over the governed. The first law passed during this session placed the power to raise and regulate the militia in the hands of the governor, and the second statute created the general court of quarter sessions, county courts of common pleas, and the county office of sheriff. In time, disagreements among the governor, the judges, and the federal government led to the adoption of Maxwell's Code in 1795, the territory's first complete civil and criminal legal code. The statutes marked the triumph of the administration because it imposed thirty-seven laws on the pioneers in an attempt to take firm control of the "lawless" backcountry.

In accordance with his duties as chief administrator, the governor created counties and determined the locations of county seats. Creating Washington, Hamilton, and Knox Counties, he placed the symbolic stamp of the Federalist Party on the area, implementing the system without consulting large proprietors or settlers. By 1801, the governor had created ten counties, but the individuals who inhabited many of the districts did not adhere to the Federalist vision of

western expansion. They wanted local autonomy, distrusting the governor's power of patronage. As counties grew in population, many of the citizens began to distrust St. Clair and Sargent and to fear what they perceived to be the tyrannical control of eastern elites. These sentiments, articulated in diaries, correspondences between community leaders, and citizens' petitions, make clear the movement that led to the governor's ouster in 1802. Citizens of the territory sent petitions to the governor urging him to create new counties and to fix the locations of the county seats in areas preferred by the populace. St. Clair's decisions regarding these matters did not reflect the desires of the settlers; distrusting the wisdom of pioneers, he instituted measures that he believed served the best interests of his administration and the federal government. This issue served to erode the public support enjoyed by St. Clair during the early years of his administration.

The study of the first administration of the Northwest Territory details the settlement of the region, which was characterized by the participation of great proprietors who oversaw the development of large tracts of land. Five settlements emerged during the frontier period of Ohio's history: Seven Ranges, Ohio Company Purchase, Symmes Purchase, Virginia Military District, and Western Reserve. The proprietors and leaders of these settlements, such as John Cleves Symmes and Nathaniel Massie, represented diverse backgrounds and political views. New Englanders, Southerners, and others met in the territory, creating a veritable patchwork quilt made up of citizens from America's distinct

and variegated regions. St. Clair recalled, “I had neither taste nor genius for speculation in land; neither did I think it very consistent with the office.”<sup>5</sup> Other administration officials, such as Rufus Putnam and Sargent, possessed substantial investments in real estate. The governor disapproved of the officials’ actions and questioned their motivations. Once again, St. Clair was the exception in the West. He served the interests of the federal government. This fundamental difference is the genesis of the struggle between large proprietors and the administration over issues of governance and local autonomy that led to the movement to dismiss the chief executive.

The first fifteen years of the Northwest Territory reveal the role that slavery played in American expansion north of the Ohio River. Of particular importance to the Virginia Military District settlers and the residents of the French settlements in the Illinois Country was the status of slavery. St. Clair argued that Article Six of the Northwest Ordinance did not have retroactive power; therefore, slavery would not be abolished where it had existed. But the institution did not grow in the region. The governor’s interpretation of the ordinance fostered resistance from those who supported and those who opposed slavery. New Englanders, in particular Federalists, abhorred the institution and believed it should be outlawed. Many Virginians who settled in the military district wanted to bring their unpaid servants with them, and French settlers in the Illinois Country threatened to move to Spanish territory, where slavery was legal, if they could not keep their slaves.

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<sup>5</sup> Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, 249.

The governor took a controversial stance on the issue, believing that slavery must remain in the colony to prevent foreign intrigue from separating the region from the federal government. However, he did not permit slavery to grow.

St. Clair's role as diplomat to the Indians, charged with pacifying natives and enforcing provisions of treaties made with the federal government, influenced the continuation of a twenty-year struggle. St. Clair is remembered for the defeat of his forces against Little Turtle's Confederacy, the worst defeat of an American army by natives. War, however, was his last option. The bankrupt nation could not afford to organize and finance an expensive campaign into Indian Country. Thus, the government ordered the newly appointed governor to pacify the natives, to control the onslaught of squatters who illegally staked claims on Indian land, and to oversee the development of large settlements in the region. St. Clair is not recognized for his understanding of natives and his skill as a diplomat. Operating during the formation of the United States' Indian policy, the governor, under the direction of Secretary of War Henry Knox, orchestrated several councils in which he and his surrogates participated. Employing the approach of Great Britain during the colonial period, St. Clair attempted to prevent the tribes from creating a confederation capable of pushing white settlements south of the Ohio River. The government ordered the chief administrator to enforce the treaties of Forts Stanwix, McIntosh, and Finney, but the majority of natives living in the region did not believe that the treaties were

legitimate. He pitted rival tribes against each other, employing a divide and conquer strategy.

The border war threatened to undo the work of the territorial administration and challenged American hegemony. The government's pacification strategy failed because of the pressures of the expanding frontier. Americans and Indians led violent raids across the Ohio River that often resulted in the deaths of non-combatants. Indians obstructed commerce by attacking boats traveling the river. Escalating violence led to war, and the federal government ordered St. Clair to organize expeditions of regulars and militia to defeat the confederacy. Settlers in Kentucky and in the colony lived in mutual defense stations, and militia groups were often organized within these structures. Cooperation among settlers, the hallmark of frontier expansion during the period under study, fostered a fervent belief in local autonomy and a distrust of distant governments. Uncertainty in the region enabled the governor to rise to the highest rank in the nation's military. He was clearly the most powerful man in the territory, serving as the chief administrator and a major general. St. Clair was the individual charged with taking control of the chaotic situation. After the disastrous defeat along the Wabash River, St. Clair, who did not have amicable relations with his soldiers during the campaign, blamed the militia for the catastrophe. The Indian campaigns formed the origins of the deterioration of public support for the administration. Disgruntled as a result of the disastrous expedition, pioneers looked with suspicion at the governor and the federal government. Examining the

role of the military in America's expansion sheds light on the development of that institution. The failure of two expeditions led to the reorganization of America's army and the creation of the Legion of the United States. The government reacted forcefully to events in the territory and created a regular army to assert land claims and to dispossess natives. St. Clair's defeat led to a shift in policy that brought General "Mad" Anthony Wayne to prominence and led to the Treaty of Greenville, which opened much of the region to settlement. Wayne became the hero of the Old Northwest and the individual most associated with the formative period of the region. Defeat clouded the governor's achievements, and westerners and later historians viewed Wayne as the person most responsible for defending the westward expansion of the nation. However, St. Clair wielded far more influence on the development of the territory and should be recognized for his contributions.

When the threat of Indian attack was removed from the territory, St. Clair was confronted with managing the settlement of massive numbers of settlers and the rise in power of the region's great proprietors. As the population increased, it became necessary to organize new counties (Randolph, Wayne, Adams, Jefferson, and Ross). Large landholders and local leaders, such as Edward Tiffin, Thomas Worthington, Charles Byrd, and Nathaniel Massie, maintained that they possessed the necessary knowledge and experience to decide the best locations for county seats and the most adequate means of internal improvements within their respective landholdings. As leaders of their

communities, they argued that they knew what was best for their constituents. The land speculators wanted to position the county seats in areas that they believed would increase the values of their settlements. The governor continued to wield his influence in a manner that he believed to be in accordance with the Northwest Ordinance and in the best interest of the population, maintaining that he was responsible for choosing the sites of county seats.

After fighting a border war to extinguish Indian land claims, the governor faced new enemies: Americans who viewed him as an impediment to progress and hoped to remove him from office. When the first territorial legislature met under the second grade of government, divisions became apparent, and St. Clair's popularity continued to decline. The governor used his veto power to block actions taken by the legislature with which he disagreed. Citizens and local leaders sought to oust St. Clair, and momentum picked up when William Henry Harrison became the territory's delegate to Congress. The rise of Harrison and the creation of the Indiana Territory were directly related to the downfall of the governor. Harrison's ascent to power parallels the growing power of Republicans in the Old Northwest. Presidents Washington and Adams sympathized with the governor and reappointed him to office on several occasions. Jefferson's victory, however, removed a powerful ally in Washington, giving strength to the governor's opponents.

St. Clair's ultimate downfall occurred when he opposed the movement to create the state of Ohio and instead sought to redefine the territory's boundaries

to prevent the eastern section from meeting the criteria necessary to call a constitutional convention. The region exhibited signs of sectionalism. Towns like the Federalist stronghold of Marietta opposed statehood, but Chillicothe and other pro-state towns favored immediate admission to the union on an equal footing. Anti-administration sentiment became so pronounced that a riot broke out in Chillicothe, and a number of protestors broke into St. Clair's boarding house. The unrest was a graphic example of the anti-administration sentiment that turned violent on the eve of statehood.

St. Clair served as Governor of the Northwest Territory for fifteen years and oversaw the transformation from an Indian country to a state with settled farms. While in office he presided over the settlement of the region, negotiated Indian treaties, campaigned against the Ohio Indians, opened diplomatic relations with colonial representatives from Great Britain and Spain, determined the locations of county boundaries and county seats, implemented a government based upon the provisions of the Northwest Ordinance, created a judiciary, and put laws into operation through the territorial legislature. The general administered the territory during the formative years of U.S. expansion and set precedents for future generations. In 1802, Thomas Jefferson removed the governor from office because of his actions at the Ohio constitutional convention. He had called the Enabling Act a nullity and questioned Congress's authority to legislate for the territory without consulting the territorial government. The comments were thought by many to border on treason. His departure symbolized

the success of the Revolution of 1800—the ascendancy of a new generation of political figures who dominated the nation’s affairs and determined the fate of westward expansion. Defending the provisions of the Northwest Ordinance, St. Clair was the embodiment of the Federalist vision of the western expansion, a conservative political philosophy that was out of favor with the residents. His dismissal represented the triumph of the Democratic Republicans. St. Clair’s career sheds light on this transfer of power and the end of the Federalist influence in the territory.

Situating St. Clair as the central figure and focusing on his administration of the Northwest Territory present an accurate and cogent account of America’s first experiment in colonialism. The frontier was not static, but amorphous; it changed over time and brought new challenges to the administration. St. Clair is the instrument through which to understand this change. His life is the story of the frontier. He was an individual who always looked to the West for opportunity and advancement. The largest landholder west of the Pennsylvania Appalachians on the eve of the Revolution, he lost his fortune in the war and moved with the frontier. Throughout his life, St. Clair wanted to be the “father of a country”. But in the end, he was rejected by his “subjects” and as a result later historians overlooked his contributions to western expansion.

## **CHAPTER ONE**

### **SACRIFICE ON THE ALTAR OF PATRIOTISM**

The British Empire in North America rapidly changed during the period from the start of the French and Indian War (1754) to the conclusion of the American Revolution (1783). The Seven Years' War enabled Great Britain to seize control of France's colonial possessions on the continent, in particular the land between the Appalachian Mountains and the Mississippi River. The extension of Britain's claims led to a struggle between officials in London, colonial governors, land speculators, backcountry settlers, and Indians for control of the Ohio River Valley. Virginia and Pennsylvania engaged in a *de facto* civil war because of disagreements regarding the boundary between the two colonies. Dunmore's War of 1774 was the outgrowth of this heated rivalry, and Indians suffered the most, losing their hunting grounds to the first phase of Anglo-American expansion to the transmontane region. The war was the genesis of a twenty-year struggle between whites and natives that culminated in the Treaty of Greenville in 1795. Turmoil among Indians, Virginians, and Pennsylvanians in the Ohio Country morphed into the Revolution: the insurgency that enabled Americans to remove the yoke of colonialism and to seize control of the region that became the first American West.

Arthur St. Clair is an accurate lens through which to view these events. The Scottish immigrant took part in the wars that decided the fate of the Ohio Valley. Military and civil service defined most of his adult life. He believed that it was his solemn duty to serve his country in times of crisis and demonstrated loyalty to his superiors. St. Clair rose to prominence; he married a Boston socialite and used his newfound wealth and status to acquire land and civil appointments in the West. He surveyed and oversaw the expansion of Pennsylvania across the mountains. The frontier constable and magistrate demonstrated his loyalty to the proprietary government of his colony. Governor John Penn described his western agent, "Mr. St. Clair is a gentleman who for a long time had the honor of serving his Majesty in the regulars, and in every station of life has preserved the character of a very honest worthy man."<sup>1</sup>

On the eve of the Revolution, St. Clair was a wealthy and propertied leader in western Pennsylvania, but he cast his fate with the Americans. He commented, "Be the sacrifice ever so great, it must be yielded on the altar of patriotism."<sup>2</sup> He fought in every theater of the war, rose to the rank of major general, and gained recognition among the founders of the new republic. However, he was in dire financial straits at the conclusion of the conflict because his house and gristmill had been burned down during the war and he had

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<sup>1</sup> John Penn to Lord Dunmore, March 31, 1774, in *Minutes of the Provincial Council of Pennsylvania, From the Organization to the Termination of the Proprietary Government* Vol. 10, (Harrisburg, Pennsylvania: The Commonwealth of Pennsylvania, 1852), 161.

<sup>2</sup> William Henry Smith, ed., *The St. Clair Papers: The Life and Public Services of Arthur St. Clair, Soldier of the Revolutionary War; President of the Continental Congress; and Governor of the North-Western Territory*, Vol 1 (Cincinnati: Robert Clarke & Co., 1882), 269.

advanced his own money to support the Revolution. The niche that he had carved for his family in the West was destroyed.

Arthur St. Clair was born in 1734 in the port city of Thurso, which lies along the coastline of Scotland's northernmost county, Caithness. His father, William, possessed a noble ancestry but did not receive a substantial inheritance because he was a younger son. However, William became a merchant and was able to provide a comfortable life for his family, but he died when Arthur was a child. Arthur's mother, Margaret Balfour, played an important role in his upbringing and his early education. Upon reaching adulthood, he left Thurso and moved to Edinburgh, Scotland's capital. The southern port city was the seat of the "Scottish Enlightenment," an intellectual movement that produced influential thinkers, such as the economist Adam Smith, the philosopher David Hume, and the poet and songwriter Robert Burns. St. Clair attended the University of Edinburgh for his higher education and the opportunity to live the life of a professional Scottish citizen. Later, he became interested in medicine and eventually received an indenture to Dr. William Hunter, a well-known London physician. Well on the way to a promising career in medicine in England's largest city, his progress was interrupted by the death of his mother.<sup>3</sup>

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<sup>3</sup> Frazer Ells Wilson, *Arthur St. Clair: Rugged Ruler of the Old Northwest, An Epic of the American Frontier* (Richmond, Virginia: Garrett and Massie, Publishers, 1944), 1-3; John F. Meginness, *The Family of General Arthur St. Clair* (Harrisburg, Pennsylvania: Harrisburg Publishing Company, 1897), 2-4. For information on the Scottish Enlightenment, see Alexander Broadie, *The Scottish Enlightenment: An Anthology* (Edinburgh, Scotland: Canongate Books, 1997) and Alexander Broadie, *The Cambridge Companion to the Scottish Enlightenment* (Cambridge, New York: Cambridge University Press, 2003).

In 1757, Great Britain was engulfed in a worldwide conflict, known as the Seven Years War. A skirmish between George Washington and his Indian allies and a party of French soldiers in the Laurel Mountains, west of the colony of Pennsylvania, had spread to the high seas and to nearly all of England's colonial possessions. The conflict in North America was particularly brutal. Competition between Indian tribes, the French, and the English for control of the land surrounding the headwaters of the Ohio River unleashed a torrent of violence west of the Appalachian mountains and throughout the eastern half of the continent. British forces in North America had suffered a series of humiliating defeats at the hands of their French and Indian enemies, most notably Washington's defeat at Fort Necessity in 1754 and the rout of Edward Braddock's forces at the Battle of the Monongahela in 1755.<sup>4</sup>

The Duke of Cumberland, William Augustus, recruited four battalions of soldiers, known as the Royal American Regiment, to reverse Britain's fortunes across the Atlantic Ocean and to strengthen the country's tenuous hold on its American empire. Presented with an opportunity to serve his country, St. Clair ended his indenture to Dr. Hunter and used the inheritance he received after his

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<sup>4</sup> For an excellent account of the incident at Jumonville's Glen that started the French and Indian War, see Fred Anderson, *Crucible of War: The Seven Years' War and the Fate of Empire in British North America, 1754-1766* (New York: Alfred A. Knopf, 2000), 5-7. For information on the war in North America, see Francis Jennings, *Empire of Fortune: Crowns, Colonies, and Tribes in the Seven Years' War in America* (New York: W.W. Norton and Company, 1988); Donald H. Kent, *The French Invasion of Western Pennsylvania* (Harrisburg: Pennsylvania Historical and Museum Commission, 1954); Thomas A. Lewis, *For King and Country: George Washington, the Early Years* (New York: John Wiley & Sons, Inc., 1993); Seymour Schwartz, *The French and Indian War, 1754-1763: The Imperial Struggle for North America* (Edison, New Jersey: Castle Books, 1994); Charles Morse Stotz, *Outposts of the War for Empire, The French and English in Western Pennsylvania: Their Armies, Their Forts, Their People, 1749-1764* (Pittsburgh: University of Pittsburgh Press, 1985).

mother's death to purchase an ensign's commission in Cumberland's regiment in May of 1757. Later in life, St. Clair reflected on his decision to enter military service: "At a very early time of life I took up the profession of arms and served through the whole war of 1756 under some of the first generals in the world. I had the honor to serve under [and] to be trusted by a Wolfe, a Moncton, and a Murray."<sup>5</sup> He traveled across the Atlantic Ocean with Admiral Boscawen's Royal Navy fleet, which consisted of over ten thousand soldiers packed into not quite forty ships, and arrived at the French fortress city of Louisburg on May 28, 1758.<sup>6</sup>

Ensign St. Clair participated in the six-week siege of Louisburg, serving under the command of General Jeffery Amherst. The experience enabled the young man to become familiar with military tactics, strategies, and fortifications. His superiors probably employed the principles set forth in Sebastin Le Prestre de Vauban's *On the Attack and Defense of Fortified Places*, an important essay on military strategy that outlined the most efficient way to besiege a heavily fortified position. St. Clair's first contact with Indians and colonials occurred off the coast of Nova Scotia as well; two hundred rangers from New England participated in the siege, and Indians died defending the French fort. St. Clair's conduct during the expedition caught the attention of his superiors who, on April 17, 1759, promoted him to the rank of lieutenant.<sup>7</sup>

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<sup>5</sup> Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, 39.

<sup>6</sup> Ibid; Nesbit Willoughby Wallace, *A Regimental Chronicle and List of Officers of the 60th, or the King's Royal Rifle Corps, Formerly the 62nd, or the Royal American Regiment of Foot* (New York: Harrison, 1879), 78.

<sup>7</sup> Anderson, *Crucible of War*, 250-256; Wallace, *A Regimental Chronicle and List of Officers of the 60<sup>th</sup>*, 83.

The victory at Louisburg enabled the British to take control of the St. Lawrence River, allowing their forces to strike Quebec, the heart of French Canada. Lieutenant St. Clair and over eight thousand troops commanded by General James Wolfe sailed west on the St. Lawrence River with Admiral Charles Saunders' fleet. On September 13, 1759, Wolfe gathered an army of approximately five thousand soldiers on the Plains of Abraham outside Quebec. French General Marquis de Montcalm placed over six thousand troops in opposition, and the Battle of Quebec ensued. Wolfe was fatally injured early in the engagement, but his army rallied and forced the retreat of Montcalm's forces; the French general died the following day from wounds suffered during the retreat. St. Clair demonstrated bravery and valor during the battle; one tradition maintains that he seized a British flag from a dying soldier and carried that standard until victory was assured. The Battle of Quebec determined the tragic fate of France's colonial empire and guaranteed British ascendancy over the eastern half of North America. The Treaty of Paris in 1763 formally ended the Seven Years' War, and Britain gained title to the rich lands between the Mississippi River and the Appalachian Mountains. As an officer in the British military, St. Clair contributed to the fall of the French empire in America and the extension of his country's claim to the vast region that became the first American West.<sup>8</sup>

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<sup>8</sup> Smith, ed., *St. Clair Papers*, Vol. 1, 5-8. For an outdated but informative account of this important battle, see Francis Parkman, *Montcalm and Wolfe* (Boston: Little Brown and Company, 1898). See also *Battle of Quebec, 1759* video recording (Princeton, New Jersey: Films for the

After serving under Generals Moncton and Murray in Canada, St. Clair obtained a furlough and traveled to Boston in 1760. He probably accompanied Major William Ewing, an Aide-de-Camp to Wolfe and an influential Bostonian who almost certainly introduced him to the city's most important families. Boston's high society embraced the young lieutenant who had served with distinction under the tutelage of some of Britain's most famous generals. St. Clair married Phoebe Bayard, the niece of Massachusetts Governor James Bowdoin, at Boston's Trinity Chapel on May 15, 1760. Arthur's union to Phoebe proved to be lucrative; a dowry provided by the governor gave the newlyweds 14,000 pounds. St. Clair resigned from the military on April 16, 1762, to pursue the life of a landholder and started his life with Phoebe, who bore him a son, Daniel, that year. As a reward for his services in the army, he received a large tract of land in the Ligonier Valley in the Laurel Highlands of western Pennsylvania. The crown rewarded officers with land adjacent to forts and along military roads. He used his newfound wealth and status to purchase additional land in the Ohio Country and undoubtedly owned hundreds of acres when he moved to Bedford in 1764.<sup>9</sup>

The Ohio Valley attracted European settlers and Indians for the same reasons. Waterways teemed with several species of fish, and the temperate climate was well suited for agriculture. Much of the land was fertile, and the

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Humanities, 1991); Brian Leigh Dunnigan, *Siege – 1759: The Campaign Against Niagara* (Youngstown, New York: Old Fort Niagara Association, 1996).

<sup>9</sup> Wilson, *Arthur St. Clair*, 7-12; Meginness, *The Family of General Arthur St. Clair*, 3-4; Smith, ed., *St. Clair Papers*, 5-8; Ellis Beals, "Arthur St. Clair: Western Pennsylvania's Leading Citizen, 1764-1818," *Western Pennsylvania Historical Magazine* 12 no. 2 (April 1929) : 76-77; Hale C. Sipe, *Fort Ligonier and Its Times* (Harrisburg: The Telegraph Press, 1932, reprint Pennsylvania: Fort Ligonier Memorial Foundation, Inc., 1975), 242.

annual rainfall was conducive to the production of crops. Corn, wheat, barley, rye, and hemp grew well. The forests produced an abundance of wildlife, and trees of many varieties flourished in the region. Oaks were used for the construction of homes and wagons, and maple trees yielded sugar. Bison, bear, and deer roamed freely, providing sustenance for the inhabitants. The Upper Ohio Valley possessed a network of rivers that connected that country to the Forks of the Ohio River and Lake Erie, making travel and trade relatively easy. The juncture of the Monongahela and Allegheny Rivers, forming the 981-mile Ohio River, was the gateway to the West. The river served as the major artery connecting the water routes of the Ohio Valley, ultimately emptying into the Mississippi River. Competition for control of the strategic waterway ignited the French and Indian War in America and led to the Seven Years' War, the first global conflict. Although the contest between two European nations and natives ended with the formality of a peace treaty, the struggle for control of the waterway continued though the players changed.<sup>10</sup>

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<sup>10</sup> Russell J. Ferguson, *Early Western Pennsylvania Politics*, (Pittsburgh: University of Pittsburgh, 1938), 5-6; Hutchins, *Topographical Description*, 1-20; Kevin Patrick Kopper, ed., *The Journals of George Washington and Christopher Gist: Mission to Fort LeBouef*, (Friends of the Old Stone House, Slippery Rock University, 2003), 4; R. Douglas Hurt, *The Ohio Frontier: Crucible of the Old Northwest, 1720-1830* (Bloomington and Indianapolis: Indiana University Press, 1996), 4-6. John P. Hale, *Trans-Allegheny Pioneers: Historical Sketches of the First White Settlement West of the Alleghenies, 1748 and After* (Cincinnati: The Graphic Press, 1886), 62-64. For a contemporary view of the West, see Thomas Hutchins, *A Topographical Description of Virginia, Pennsylvania, Maryland, and North Carolina: Comprehending the rivers Ohio, Kenhawa, Sioto, Cherokee, Wabash, Illinois, Mississippi, &c. The Climate, Soil and Produce, Whether Animal, Vegetable, or Mineral; the Mountains, Creeks, Roads, Distances, Latitudes, &c. and of Every Part, Laid Down in the Annexed Map. / Published by Thomas Hutchins, Captain in the 60th Regiment of Foot. ; With a Plan of the Rapids of the Ohio, a Plan of the Several Villages in the Illinois country, a Table of the Distances Between Fort Pitt and the Mouth of the Ohio, All Engraved Upon Copper. ; and an Appendix, Containing Mr. Patrick Kennedy's Journal up the*

Military roads opened two routes for settlers to gain access to fertile lands in the Ohio Valley. Cutting a path across Pennsylvania and constructing several fortifications, John Forbes' army, under the command of Colonel Henry Bouquet, took control of the abandoned French Fort Duquesne and renamed it Fort Pitt in 1758. From Cumberland, Maryland, Braddock's Road attracted southern settlers and speculators, and Forbes' Road across Pennsylvania opened the region to Philadelphia, allowing merchants, speculators, and settlers to exploit the western hinterland. War brought settlers to the transmontane region; taverns and homesteads appeared along military roads, and easterners set their sights on the economic benefits that could be reaped from western lands and Indian trade. In time, French and Indian War forts grew into settlements; Bedford and Ligonier provided weary travelers with a much-needed respite, and Pittsburgh grew to be the largest town west of the mountains. Fort Cumberland became Cumberland, Maryland, serving as the "gateway to the Alleghenies"<sup>11</sup>

George III forbade settlers and speculators from claiming land in the Ohio Country in the wake of the French and Indian War, recognizing that white

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*Illinois River, and a Correct List of the Different Nations and Tribes of Indians, with the Number of Fighting Men, &c.* (Boston: 1787), microfilm.

<sup>11</sup> Solon J. Buck and Elizabeth Hawthorn Buck, *The Planting of Civilization in Western Pennsylvania* (Pittsburgh: University of Pittsburgh Press, 1939), 140. For information on Braddock's road, see Winthrop Sargent, ed., *A History of an Expedition Against Fort Duquesne in 1754 under Major General Edward Braddock* (1854, reprint, New York: Arno Press, 1971), Lee McCardell, *Ill-Starred General: Braddock of the Cold Stream Guards* (Pittsburgh: University of Pittsburgh Press, 1958); *When the Forest Ran Red: Washington, Braddock & a Doomed Army* (Pittsburgh: Senator John Heinz Pittsburgh Regional History Center in Association with the Smithsonian Institution, 2001) 59 min. video recording. For information of Forbes' Road, see Alfred Proctor James, ed., *Writings of General John Forbes Relating to His Service in North America* (Menasha, Wisconsin: Collegiate Press, 1938); S.K. Stevens, Donald H. Kent and Autumn L. Leonard, ed., *The Papers of Henry Bouquet* (Harrisburg: Pennsylvania Historical and Museum Commission, Vol. 2, 1954).

settlement in the area would result in a costly and prolonged war with natives. The Proclamation Line of 1763 created an imaginary line that extended along the crest of the Appalachians. Land west of the boundary was considered to be the property of the Indians who resided and hunted in the area. The royal proclamation also prohibited individuals from purchasing land from Indians: "We do with the Advice of our Privy Council strictly enjoin and require that no private Person do presume to make any purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies."<sup>12</sup> Pontiac's Rebellion further stifled settlement of the region between 1763 and 1765, when an Ottawa chief organized a pan-Indian resistance movement to push the English east of the Appalachians. In 1763, Delaware, Shawnee, and Seneca warriors killed approximately 600 backcountry settlers in the Ohio Country. Colonel Henry Bouquet led a punitive expedition across Pennsylvania that resulted in the surrender of several tribes; the Swiss mercenary also issued a proclamation prohibiting settlement of western land. Ultimately, Pontiac and his allies in the Great Lakes Region surrendered when confronted by Colonel John Bradstreet's forces near Detroit.<sup>13</sup>

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<sup>12</sup> For the full text of the Proclamation of 1763, see [www.solon.org/Constitutions/Canada/English/PreConfederation/rp\\_1763.html](http://www.solon.org/Constitutions/Canada/English/PreConfederation/rp_1763.html).

<sup>13</sup> Volwiler, *George Croghan and the Westward Movement, 1741-1782*, 170-171. David Dixon, *Never Come to Peace Again: A History of Pontiac's War* (Norman: University of Oklahoma Press, 2005), Gregory Evans Dowd, *War Under Heaven: Pontiac, the Indian Nations, and the British Empire* (Baltimore: John Hopkins University Press, 2002). Howard H. Peckham, *Pontiac and the Indian Uprising* (Princeton: Princeton University Press, 1947), Neville B. Craig, *The Olden Time: A Monthly Publication Dedicated to the Preservation of Documents and Other Authentic Information in Relation to the Early Explorations and the Settlement and Improvement of the Country Around the Head of the Ohio River* (Cincinnati: Reprinted by Robert Clarke and Co., 1876), Vol. 1, 329.

The proclamation line failed to stem the tide of westward movement after Pontiac's War because the boundary could not be enforced. Potential settlers and land speculators protested what they believed to be George III's arbitrary use of power. Veterans of the French and Indian War believed that they deserved western lands for service in the conflict. Speculators, like George Washington, wanted to purchase vast amounts of land in the Kentucky Country in order to reap the economic benefits of repopulating the area with the King's white subjects and their African slaves. Colonial officials, land speculators, and settlers petitioned the government to revise the proclamation line to allow settlement beyond the crest of the Appalachian Mountains.<sup>14</sup>

Ultimately, the British government decided to revise the Proclamation Line of 1763. The Treaty of Fort Stanwix was the most significant agreement between British officials and the Iroquois after the French and Indian War. The Six Nations, Mohawks, Oneidas, Onondagas, Cayugas, Tuscaroras, and Senecas, claimed the Ohio River Valley by right of conquest; the tribes had initiated a violent conflict known as the Beaver Wars, which resulted in the depopulation of the region. Tribes, such as the Susquehannocks and the Eries, disappeared from their area, and at the conclusion of the conflict the region was vacant. At the start of the eighteenth century Indian tribes, such as the Shawnee and Delaware,

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<sup>14</sup> Solon J. Buck and Elizabeth Hawthorn Buck, *The Planting of Civilization in Western Pennsylvania*, 140. For information on migration to the transmontane region before the Revolution, see John P. Hale, *The Trans-Allegheny Pioneers: Historical Sketches of the First Settlements West of the Alleghenies, 1748 and After, Wonderful Experiences of Hardship and Heroism of Those Who First Braved the Dangers of the Inhospitable Wilderness, and the Savage Tribes that then inhabited it* (Cincinnati: The Graphic Press, 1886).

began to repopulate the region. In 1768, colonial officials from Pennsylvania, Virginia, and New York, under orders from Lord Hillsborough, negotiated a treaty through which the Six Nations ceded the land south of the Ohio River west to the Tennessee River in return for 10,000 pounds and title to their ancestral homeland, Iroquoia. The Treaty of Fort Stanwix established the Ohio River as the boundary between British and Indian settlements, but the tribes that lived in the region were never consulted. Colonial officials believed that they possessed a legitimate title to the region based upon the treaty<sup>15</sup>

The Confederacy relinquished its claim to a region, present-day western Pennsylvania, West Virginia, and Kentucky, that was inhabited and used as hunting grounds by several Indian nations. British officials and the Iroquois and the Cherokee nations did not consult the residents or hunters, such as the Delaware, Mingo, and Shawnee, when dividing up the land. These tribes were recent newcomers to the region. Mingoes were Iroquois, in particular Senecas, who left Iroquoia and settled in the Ohio Country after the Beaver Wars. The Algonkian-speaking Delaware or “Lenape,” which means “the original people,” migrated across Pennsylvania in order to escape white encroachments on their lands. The Quaker-dominated proprietary government overcame its egalitarian

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<sup>15</sup> Michael McConnell, *A Country Between: The Upper Ohio Valley and Its Peoples, 1724-1774* (Lincoln: University of Nebraska, 1992), 255-256, 261-262. For information on the Iroquois, consult Francis Jennings, *The Ambiguous Iroquois Empire: The Covenant Chain Confederation of Indian Tribes with English Colonies from its Beginning to the Lancaster Treaty of 1744* (New York: Norton, 1984), Jennings *Empire of Fortune: Crowns, Colonies, and Tribes in the Seven Years War in America* (New York: Norton 1988), Daniel K. Richter and James H. Merrell, *Beyond the Covenant Chain: The Iroquois and Their Neighbors in Indian North America* (Syracuse: Syracuse University Press, 1987); Richter, *Ordeal of the Longhouse: The Peoples of the Iroquois League in the Era of European Colonization* (Chapel Hill: The University of North Carolina Press, 1992).

ideals when negotiating land purchases; the 1737 “Walking Purchase” blatantly robbed the Delaware of their land. The Delaware established a number of settlements along the Allegheny River and farther west near the Muskingum River during the first half of the eighteenth century. Another Algonkian-speaking tribe, the Shawnee, moved into the region and established a large settlement at Chillicothe (the word Shawnee means “southerner,” which word origin indicates the tribe’s migratory history). The cession of the Kentucky Country negatively affected the Shawnee in particular, who used the region as a hunting ground. After learning of the treaty, the Shawnee and Delaware, who argued that the Iroquois did not have the authority to speak for them, began to organize a confederation of western Indian tribes to attack whites who crossed the “Great Mountain” and settled on what they believed to be Indian territory. Intelligence gathered at Fort Pitt indicated that “The Shawnese and Delawares have been ever since that Treaty [Stanwix] employed Negotiating with the Western & Southern Indians . . . [are] all of one Mind & determined to strike the English.”<sup>16</sup> Indian tribes in the region did not permit Britons to settle their hunting grounds. Disunity marked the internal affairs of the tribes in the region. Natives acted as individuals, and sachems employed non-coercive leadership. The imperial wars of the eighteenth century, infectious diseases, and European trade transformed Indian communities.<sup>17</sup>

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<sup>16</sup> Information Concerning an Indian Conspiracy, in Alexander C. Flick, *The Papers of Sir William Johnson* Vol. 8, (Albany: The University of the State of New York, 1933), 7.

<sup>17</sup> McConnell, *A Country Between*, 5, 9, 14-15.

Beginning in the late 1760s, settlers, mainly from Pennsylvania, Maryland, and Virginia, moved across the Appalachian Mountains to claim rich lands in the “New Purchase” west of the mountains. In 1761, the village of Pittsburgh contained 332 inhabitants excluding the troops in the garrison at the fort, but when Governor John Penn opened a land office at Pittsburgh in 1769, nearly three thousand individuals applied for land the first day it started business. In a five-year period, from 1769 to 1774, newcomers settled the region. In 1770, George Croghan commented on the influx of migrants, “What number of Families has settled since the Congress [of Fort Stanwix], to the westward of the high ridge, I cannot pretend to say positively; but last year, I am sure, there were between four and five thousand, and all this spring and summer the roads have been lined with wagons moving to the Ohio.”<sup>18</sup>

From eastern Pennsylvania, Scotch-Irish and German pioneers traveled along Forbes’ Road to make settlements in the foothills of the Allegheny Mountains. The “Scotch-Irish invasion of Southwestern Pennsylvania” started in Ulster, where a large number of immigrants embarked on a journey to Philadelphia and later to the trans-Appalachian region. In 1773, Reverend McClure remarked, “The Inhabitants west of the Appalachian Mountains are Chiefly Scotch-Irish. They are either natives of the North of Ireland, or the descendents of such and removed here from the middle colonies. There are

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<sup>18</sup> Solon J. Buck, *The Planting of Civilization in Western Pennsylvania*, 144.

some Germans, English, and Scotch.”<sup>19</sup> Germans, who had migrated from the eastern part of the colony, in particular Lancaster, moved to the west and established homesteads. Farther to the south, pioneers crossed the mountains and began to set up homesteads; the Greenbrier Valley of Virginia swelled in population, and Britons from North Carolina and Virginia moved to the watershed of the Holston River, venturing into the present-day Tennessee and Kentucky.<sup>20</sup>

Pennsylvania’s colonial officials recognized the rapid development of the colony’s western claims and needed an individual who could oversee the region’s growth. St. Clair’s distinguished career and his potential as a leader caught the attention of powerful Philadelphians, in particular the Penn family. In 1770, he was appointed surveyor of Cumberland County, the westernmost county in the colony. The following year he helped to organize and survey Bedford County, which was to be extrapolated from Cumberland County, and became Justice of the Peace on March 11, 1771. He lived at Bedford for a period of time. His conduct must have impressed his superiors because they increased his responsibilities; he became recorder of deeds, register for the probate of wills, prothonotary of the Court of Common Pleas, and clerk of the Orphan’s Court.

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<sup>19</sup> David McClure, *Ohio Country Missionary the Diary of David McClure, 1748-1820, Including His Travels in Western Pennsylvania and Ohio with Descriptions of the Indians and White Inhabitants* (Waterville, OH, 1996, reprint, 1899), 112.

<sup>20</sup> Wayland F. Dunaway, *The Scotch-Irish of Colonial Pennsylvania*, (Chapel Hill: The University of North Carolina Press, 1944), 74; Otis T. Rice, *Frontier Kentucky* (Lexington: The University Press of Kentucky, 1993), 37-38; Ferguson, *Early Western Pennsylvania Politics*, 7; Volwiler, *George Croghan and the Westward Movement*, 233; Crawford to Washington, October 13, 1769, in *Washington-Crawford Letters, Being the Correspondence between George Washington and William Crawford, from 1767-1781, Concerning Western Lands, With an Appendix, Containing Later Letters of Washington on the Same Subject, and Letters from Valentine Crawford to Washington, Written in 1774-1775* (Cincinnati: Robert Clarke and Co., 1877), 13.

The Penn family rewarded the magistrate with land in Bedford, where he watched over the construction of a jail and a courthouse. Augustine Prevost recognized the official's loyalty to his superiors; he described St. Clair as a "clear sighted sensible man, much in the interest of the Proprietors."<sup>21</sup>

St. Clair oversaw the establishment of Westmoreland County on February 26, 1773, the last county created in Pennsylvania before the Revolutionary War. He asked Governor Penn to transfer his Bedford offices to the new county, and the Provincial Council complied with his wishes. He wanted to "fix the County Town at Fort Pitt," but other magistrates argued that Hannastown was the best location for the "fix." Thus, he became involved in his first dispute over the location of a county seat. The issue divided Westmoreland County officials; Robert Hanna, Joseph Erwin, and Samuel Sloan were his chief opponents. St. Clair maintained that "the opposition to fixing the county town at Pittsburgh is chiefly owing" to Hanna and other individuals who had financial interests in Hannastown.<sup>22</sup> He explained, "It is in his [Hanna's] interest it should continue where the law had fixed the courts; he lives there; used to keep public house there; and has now, on that expectation, rented his house at an extravagant price."<sup>23</sup> St. Clair had financial interests at stake; the majority of his land holdings were located near Hannastown. Therefore, he would have benefited from allying

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<sup>21</sup> Nicholas B. Wainwright, ed., "Turmoil at Pittsburgh: Diary of Augustine Prevost, 1774," *The Pennsylvania Magazine of History and Biography*, Vol. 85 (1961), 135; Carson, Hampton L., *The Life and Times of Thomas Smith, 1745-1809* (Philadelphia: Campion & Company), 1904, 40.

<sup>22</sup> Arthur St. Clair to Joseph Shippen, Jr., July 18, 1772, in *Minutes of the Provincial Council of Pennsylvania, From the Organization to the Termination of the Proprietary Government*, (Harrisburg: Pennsylvania: Theo. Fenn & Co., 1852), Vol. 10, 77.

<sup>23</sup> *Ibid.*

himself with Hanna and his associates. Instead, he selflessly advocated a location that was beneficial to the inhabitants and the colony; Pittsburgh provided access to the Ohio River, and locating the county seat there would strengthen the colony's western land claims. Ultimately, he was in the minority, and Hannastown became the first county seat of Westmoreland. Beginning in 1773, justice was administered at Hanna's house, and St. Clair took an active role in the affairs of the new county.<sup>24</sup>

Before the age of thirty, St. Clair had served with distinction in the war that resulted in Britain's acquisition of the land between the mountains and the Mississippi River and had overseen the settlement of the "first English-speaking trans-Appalachian frontier." He built a home in the Ligonier Valley near the old fort, raised livestock, and constructed the region's first gristmill. In the prime of his life he was a wealthy and propertied man who was able to provide his growing family with more than life's necessities. The missionary Reverend David McClure dined with St. Clair in Bedford in 1772 and commented, "We preached in the house of Mrs. Cambel to the people of the settlement, who live in 20 or 30 log houses. Captain [sic] Arthur St. Clair resided there, who treated us with polite attention. Dined with him on Monday. His wife was a Miss Bethun (Bayard) of

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<sup>24</sup> Arthur St. Clair to Joseph Shippen, Jr., January 15, 1774, in Smith, ed., *St. Clair Papers*, 275; Beales, *St. Clair*, 80-81; Arthur St. Clair to Joseph Shippen, Jr., July 18, 1772, in *Minutes of the Provincial Council*, Vol. 10, 77.

Boston. They had a number of pretty children. He said that the settlement in the valley of Ligonier consisted of about 100 families.”<sup>25</sup>

On July 18, 1772, St. Clair wrote a letter to Joseph Shippen, Jr., describing conditions on the frontier and the difficulty of executing Pennsylvania’s laws: “A ridiculous story that Mr. Cressap has spread with much industry that this Province did not extend beyond the Allegheny Mountain, but that all to the westward of it was King’s Land has taken great hold of the people.”<sup>26</sup> Southern settlers along the Monongahela River drafted petitions proclaiming that their lands were within the jurisdiction of Virginia. These individuals did not defer to Pennsylvania officials and refused to pay taxes. Criminal elements were bold; a group of twelve men “armed with guns, tomahawks, pistol, and clubs” waylaid a Westmoreland County sheriff and his deputy and threatened to execute them. St. Clair described the frontier as a “country of rioters.”<sup>27</sup>

Settlers from Maryland and the Valley of Virginia traveled along a former military route, Braddock’s Road, to the fertile Monongahela River Valley and took up residence along the Monongahela and Youghiogeny Rivers and their tributaries; from 1765 to 1768 approximately two thousand pioneers settled along the Cheat River and Redstone Creek. Most of the immigrants were of Scots Irish descent, but unlike settlers in Pennsylvania, southern pioneers were usually three generations removed from the mother country. The migrants to this region

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<sup>25</sup> McClure, *Diary of David McClure*, 41; Alfred Proctor James, “The First English-Speaking Trans-Appalachian Frontier,” *Mississippi Valley Historical Review*, Vol. 17, 55-71.

<sup>26</sup> St. Clair to Joseph Shippen, Jr., September 24, 1771, in Smith, ed., *St. Clair Papers*, 260.

<sup>27</sup> *Ibid.*

maintained that they had settled in Virginia's District of West Augusta and adhered to the laws of that colony. The chaos and uncertainty that characterized the transmontane area during this period did not result from an absence of law; instead, too many laws caused the instability. Both Virginia and Pennsylvania claimed the land west of the mountains; settlers in the Laurel Mountains, where St. Clair resided, were loyal to Pennsylvania. Newcomers in the Monongahela Valley were loyal mostly to Virginia, maintaining that they resided in the western district of that colony. Pittsburgh became the center of the friction between northern and southern pioneers.<sup>28</sup>

Like Pennsylvania, Virginia claimed the important junction of the Allegheny and Monongahela Rivers, and the fertile lands of the Monongahela Valley, and Dunmore sent Dr. John Connolly, his agent, to take the region by force. On January 6, 1774, a circular issued by the colony of Virginia appeared in Pittsburgh and throughout the countryside west of the Allegheny Mountains. The advertisement announced that Lord Dunmore, governor of Virginia, had appointed Connolly "Captain Commandant of the District of West Augusta." He was ordered to take possession of Fort Pitt, which had been decommissioned in 1772, and the surrounding area for the Old Dominion. Connolly, the author of the

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<sup>28</sup> Wainwright, "Turmoil at Pittsburgh: Diary of Augustine Prevost," 11; Peter B. Caley, "Lord Dunmore and the Pennsylvania-Virginia Boundary Dispute," *Western Pennsylvania Historical Magazine* Vol. 22, 1939, 87-100.

circular, ordered “all persons in the Dependency of Pittsburg, to assemble themselves there as a Militia on the 25<sup>th</sup> Instant.”<sup>29</sup>

The circular surprised Governor John Penn, who assumed Connolly knew that Fort Pitt resided within the jurisdiction of Pennsylvania. He dispatched a copy of the Riot Act to his magistrates in the event that the crowd assembling at the forks became unruly and wrote a letter to Lord Dunmore disputing the legitimacy of Virginia’s claim of the lands around Pittsburgh and protesting Connolly’s advertisement. Hoping to prevent the militia from gathering at the rendezvous, St. Clair ordered his sheriffs to arrest Connolly. Westmoreland County officials feared that the meeting would attract “all the disaffected and vagabonds that before evaded law and justice . . . [who] will flock to the captain’s standard.”<sup>30</sup> Armed with a copy of the Riot Act, St. Clair and his men rode to Fort Pitt on the 25<sup>th</sup> to meet the crowd and to proclaim the sovereignty of the colony of Pennsylvania.<sup>31</sup>

Magistrates arrested Connolly and placed him in the county prison before the meeting, but this did not prevent the militia from gathering at the rendezvous. Nearly eighty armed settlers from the Monongahela Valley organized and paraded through the village surrounding the fort and proceeded to open a cask of rum. Fearful that a “scene of drunkenness and confusion” could result from the

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<sup>29</sup> Connolly Advertisement, in Smith, ed., *St. Clair Papers*, Vol. 1, 271-273, n; Thomas Wharton, January 31, 1774, in “Letters of Thomas Wharton, 1773-1783,” *Pennsylvania Magazine of History and Biography*, Vol. 33, 1909, 327; Doctor Connolly’s Advertisement, in *Pennsylvania Provincial Council Minutes*, Vol.10, 141.

<sup>30</sup> Eneas MacKay to Arthur St. Clair, January 11, 1774, in Smith, ed., *St. Clair Papers*, Vol. 1, 273.

<sup>31</sup> .Ibid.

lethal combination of alcohol and armed settlers, St. Clair read an address that proclaimed the sovereignty of the Quaker colony and asked the armed mob to disperse. He stated, "We do not tell you the plan of Pennsylvania is a perfect one. Such no human institution is or ever was; but the rapid progress Pennsylvania has made, the number of people that flock to it from every part of the world; evince that it is no very defective one . . . property and liberty, civil and religious is well secured."<sup>32</sup> Members of the crowd announced that they were not interested in unlawful activities but instead possessed only "peaceable intentions." After St. Clair left Pittsburgh, alcohol gave evidence of the mob's violent intentions. A group of armed men attacked an Indian settlement on the west side of the Ohio River and "wantonly or maliciously fired upon some friendly Indians in their Hutts."<sup>33</sup>

Under the direction of Dunmore, Connolly returned to Fort Pitt surrounded by a group of armed men on March 28, 1774, and in time, took possession of the dilapidated fortification, renaming the structure "Fort Dunmore." The captain put Virginia laws "in force," and the Augusta County Militia, under his command, sought to maintain order by suppressing opposition. On April 9, 1774, Connolly returned to the Westmoreland County courthouse as he promised Sheriff John

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<sup>32</sup> St. Clair, Speech at Pittsburgh, 1774, in Smith, ed., *St. Clair Papers*, Vol. 1, 281-282.

<sup>33</sup>; Samuel Hazard, ed., *Pennsylvania Archives*, Vol. 9, 484; Paper Enclosed in Arthur St. Clair's Letter to the Governor, February 2, 1774, in Craig, *Olden Time*, Vol 1, 473; Edward G. Williams, "Fort Pitt and the Revolution," *The Western Pennsylvania Historical Magazine* Vol 1, no 59:1976): 18-20; Thomas Smith to Joseph Shippen, April 4, 1774, in Force, *American Archives: Fourth Series, Containing a Documentary History of the English Colonies in North America From the King's Message to Parliament of March 7, 1774 to the Declaration of Independence of the United States* (Washington D.C.: U.S. Congress, 1837-1846), Vol. 1, 267-268.

Proctor upon his release on bail; he was at the head of nearly two hundred armed men carrying “Fire arms” and “drawn swords.” The courthouse was not in session. So, Connolly ordered the militia to surround it and posted sentries to prevent magistrates from entering the premises. When the magistrates arrived, Connolly met the officials in a private room. He proclaimed, “I can not apprehend that you have a right to remain here as justices of the peace,” but he permitted the court to continue to act in that capacity until explicit orders were received from Virginia.<sup>34</sup> The confrontation ended without violence, but the animosity between Pennsylvania and Virginia continued unabated.<sup>35</sup>

Virginia issued a proclamation in April that escalated hostilities in the backcountry. Connolly drafted a letter that was sent throughout Virginia’s western claims informing the inhabitants that hostilities existed between frontier settlers and the Shawnee. Settlers interpreted the announcement as a declaration of war, and the issuance of the proclamation led to the commencement of an Indian war. Dunmore announced, “The settlement [Pittsburgh] is in danger of annoyance from Indians” and ordered the officers of militias to organize to repel potential raiding parties.<sup>36</sup>

Instances of retaliatory violence began to occur along the Ohio River following the issuance of Dunmore’s proclamation and Connolly’s letter. On two occasions, natives waylaid and plundered canoes filled with trade goods traveling

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<sup>34</sup> Connolly Address in Force, *American Archives, Fourth Series*, Vol. 1, 263.

<sup>35</sup> William Crawford to Governor Penn, April 8, 1774, in Smith, ed., *St. Clair Papers*, Vol. 1, 294; Hazard, ed., *Pennsylvania Archives*, 492.

<sup>36</sup> Connolly’s Advertisement is printed in Force, *American Archives, Fourth Series*, Vol. 1, 288.

downriver from Pittsburgh. On April 15, 1774, a party of Cherokee attacked canoes traveling on the Ohio River, killed a trader, and wounded his partner. The most notable incident of violence along the trans-Appalachian frontier, known as the Yellow Creek Massacre, occurred on April 30, 1774. On that day, Daniel Greathouse and a group of approximately twenty frontier settlers invited a group of peaceful Mingo and Shawnee to a tavern adjacent to Yellow Creek, a tributary of the Ohio River located fifty miles southwest of Pittsburgh. Five men, a woman, and her infant child joined the settlers at the pub. The settlers shot and killed the unsuspecting Indians, after an evening of drinking with their victims. One account maintains that the dying woman begged the murderers to spare her baby's life because its father was a white man: the baby was "Kin to themselves." The angry settlers spared the child's life but tomahawked and scalped the other victims of their savagery. Mingo Chief Logan's family was among the slain. The massacre and the subsequent retaliatory raids undertaken by Logan and his Mingo and Shawnee allies were not the causes of Dunmore's War, however. Logan engaged in a mourning war to avenge the death of his family. His actions were not predicated on tribal affairs, but rather, he was motivated by personal reasons.<sup>37</sup>

Chief Logan's fiery oratory expressed the emotion of a man, a tribe, and a people who experienced injustice. Logan wrote a letter to Michael Cresap, whom

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<sup>37</sup> Reminiscences of Judge Henry Jolly, Information Given to Dr. Draper by Michael Cresap, Recollections Bazaleel Wells, Recollections of George Edgington of West Liberty, PA, Recollections of Capt. Michael Myers, in Thwaites and Kellogg, ed., *Documentary History of Dunmore's War, 1774* (Madison: Wisconsin Historical Society, 1905), 9-19.

he believed to be the murderer of his family, in which he asked, “What did you kill my people on Yellow Creek for. The white People killed my kin at Coneestoga a great while ago, & I though[t] nothing of that. But you killed my kin again on Yellow Creek, and took m[y nephew prisoner] then I thought I must kill too and I have been out to three time[s to war since.]”<sup>38</sup> Logan explained that his actions did not represent all natives living in the Ohio Country and maintained, “the Indians is not Angry only myself.”<sup>39</sup> Thus, the chief’s letter clearly makes a distinction between his retaliatory attacks and the actions of other Indians.

A lesser-known violent confrontation between Pennsylvanians and natives occurred in Westmoreland County. Two settlers, John Hinckston and James Cooper, ruthlessly murdered Joseph Wipey, a peaceful Delaware, and left his body in a creek bed, covered by stones. The “Wipey Affair” caught the attention of St. Clair who believed that the homicide was particularly heinous because Wipey was a well-liked elderly man who for many years lived among settlers. The magistrate had learned of the perpetrators’ intentions prior to the crime, but he was unable to prevent it. St. Clair stated, “It is the most astonishing thing in the world, the Disposition of the common people of this Country, actuated by the most savage cruelty, they wantonly perpetrate Crimes that are a disgrace to humanity.”<sup>40</sup> He issued a warrant for the arrest of the perpetrators, offering a substantial reward for their capture, but the men were never punished for their

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<sup>38</sup> Logan to Michael Cresap, in *Ibid*, 246-247.

<sup>39</sup> *Ibid*.

<sup>40</sup> Arthur St. Clair to Governor Penn, May 29, 1774, in Smith, ed., *St. Clair Papers*, Vol. 1, 301.

crime. The affair provides insight into St. Clair's view of Indians; he demonstrated compassion for natives and acknowledged that whites often initiated violence in the backcountry. Unlike most of his contemporaries, he believed Britons should be punished for murdering natives.<sup>41</sup>

As news of the murders spread, alarmed settlers began to prepare for an Indian war. Inhabitants of the West attempted to escape to the safety of eastern cities. Describing the fear and disorder that prevailed in the Ohio Valley, one settler remarked, "An Indian War is commenced and the inhabitants are all Forting or fleeing."<sup>42</sup> On May 29, 1774, St. Clair wrote to Governor Penn relating the distress of backcountry residents: "The panic that has struck this country, threatening an entire depopulation thereof."<sup>43</sup> He believed the "appearance of some protection" was the only way to prevent settlers from abandoning their homes. Westmoreland county magistrates organized a ranger force consisting of one hundred volunteers to prevent a devastating Indian attack and to reassure terrified settlers. At Pittsburgh, Croghan informed Dunmore that St. Clair's measures were intended to "stay the pople from runing over the mountins."<sup>44</sup>

Connolly further defied Pennsylvania officials when he suspended Indian trade at Pittsburgh, and the situation worsened when he arrested Richard Butler,

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<sup>41</sup> Force, *American Archives*, Fourth Series, Vol. 1, 644; Clarence D. Stephenson, "The Wipey Affair: An Incident Illustrating Pennsylvania's Attitude During Dunmore's War," *Pennsylvania History*. (15) 1954.

<sup>42</sup> Abraham Hites to Col. William Preston, June 3, 1774, in Thwaites and Kellogg, ed., *Documentary History of Dunmore's War*, 32.

<sup>43</sup> Arthur St. Clair to Governor Penn, May 29, 1774, in, Smith, ed., *St Clair Papers*, Vol. 1, 297.

<sup>44</sup> *Ibid*, 302; Thwaites and Kellogg, ed., *Documentary History of Dunmore's War*, 28-32, 151. George Croghan to Lord Dunmore, September 15, 1774, in Wainwright, ed., "Turmoil at Pittsburgh: Diary of Augustine Prevost, 1774," 160.

a Pennsylvania Indian trader. The Virginian believed the measure was necessary to prevent natives from obtaining weapons and supplies that could be used to wage war against backcountry settlers. Based on Croghan's recommendation, St. Clair proposed that trade towns be built at Kittanning and Kuskuskies because Pennsylvania's Indian trade network was threatened by Virginia's actions. He asserted, "The Virginians are determined to put a stop to the Indian trade with this Province."<sup>45</sup> He traveled to the former Indian village along the Allegheny River to determine the viability of opening a center there and recommended the location to the governor. The plan never went into effect, but St. Clair's suggestion reveals his intimate knowledge of the area's geography and his determination to preserve Pennsylvania's financial interests in Indian trade.<sup>46</sup>

Events west of the mountains threatened to escalate into a "general War," and Pennsylvania and Virginia reacted to the potential hostilities in several ways. Both sought to isolate the Shawnee, who adamantly expressed their disapproval of expansion into the Kentucky Country, and to prevent them from gaining alliances. Governor Penn sent a letter to Sir William Johnson, Deputy Agent of Indian Affairs in the Northern Colonies, stating his fear that the events in the west could result in a pan-Indian war. He wanted Johnson to persuade the Six Nations to "become Mediators between us and the Shawnee and Delaware." Penn emphasized the importance of Iroquois intervention. Informed by intelligence

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<sup>45</sup> Arthur St. Clair to Governor Penn, July 17, 1774, in, Smith, ed., *St Clair Papers*, Vol. 1, 326.

<sup>46</sup> Wainwright, ed., "Turmoil at Pittsburgh: Diary of Augustine Prevost, 1774," 161-162.

gathered by his agents, Johnson was intimately acquainted with the volatile situation. He blamed Virginians “who settled beyond limits proposed by Government” and believed that conflict was inevitable because “the Warriors will not sit down contended, & see themselves deprived of their Hunting, their Country, and their lives.”<sup>47</sup> Johnson sent delegates from the Six Nations, White Mingo, Captain Pipe, and Guyathusa, to the West to meet with the Great Lakes Tribes and the Wabash Confederacy in an attempt to persuade the tribes not to aid the Shawnee in their war against the “Long Knives.”<sup>48</sup>

At Fort Pitt, St. Clair gathered intelligence regarding Indian affairs and served as Pennsylvania’s representative. Under directions from the governor, he persuaded tribes in the region to maintain peaceful relations with his colony. Further, he sent letters to the Delaware and Six Nations in an attempt to foil the possibility of pan-Indian unity and later met with representatives from the tribes at Pittsburgh. The magistrate urged the natives to “do all in your power to maintain the friendship that subsists between us.”<sup>49</sup> He sought to isolate the Shawnee from other tribes in the region and to preserve amicable relations with these Indian tribes.

St. Clair urged peaceful natives to refrain from hunting close to white settlements because “our people will not distinguish between combatants and

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<sup>47</sup> Alexander C. Flick, ed., *The Papers of Sir William Johnson* (Albany: The University of the State of New York, 1167-1165.

<sup>48</sup> *Ibid.*

<sup>49</sup> John Penn, A Message to the Chiefs and Warriors of the Shawanese Indians, in Smith, ed., *St. Clair Papers*, 336.

noncombatants.”<sup>50</sup> The Delaware responded favorably to the address, declaring that they were determined to preserve peaceful relations “unshaken and unhurt from the attacks of the bad people.”<sup>51</sup> Through St. Clair, Penn forwarded a message directly to the Shawnee that warned, “The People of Virginia are like the leaves upon the trees, very numerous, and you are but a few, and although you should kill ten of their people for one that they kill of yours, they will at last wear you down and destroy you.”<sup>52</sup> By August 1774, the British Indian Department and colonial officials had completely isolated the Shawnee and Mingo living in the Ohio Country. Attempts at pan-Indian unity failed because a consensus did not exist among the inhabitants of the region. The Six Nations and Delaware acted as intermediaries and promoted peace, and because of intra-tribal dissension, the Cherokee remained idle. The Great Lakes tribes supported the British cause, and the Wabash confederacy remained neutral.<sup>53</sup>

Regardless of overtures of peace by natives and ridicule from Pennsylvania officials and the British government, Dunmore decided to invade Indian Country. On June 10, 1774, he sent a circular to county lieutenants that became the impetus for war. Believing that “pacification can be no longer entertained,” he ordered county militias to organize at the behest of the Virginia House of Burgesses. Dunmore planned to punish the Shawnee by invading the

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<sup>50</sup> Arthur St. Clair address to the Six Nations and Delawares, May 26, 1774, in Craig, *Olden Time*, 20; Hazard, ed., *Pennsylvania Archives*, Vol. 4, 500.

<sup>51</sup> *Ibid.*

<sup>52</sup> John Penn, A Message to the Chiefs and Warriors of the Delaware Indians, in Smith, ed., *St. Clair Papers*, 337.

<sup>53</sup> Alexander M’Kee’s Journal 1774 in Rupp, *Early History of Western Pennsylvania*, 209.

Ohio Country and destroying their villages. He ordered Virginia counties to organize militias that would form two divisions. The governor planned to create a “communication” down the Ohio River: he ordered the construction of two forts that, along with Fort Dunmore, created the network necessary to coordinate and provision the army, to invade Indian country, to protect the backcountry, and to pave the way for settlement of the region. Dunmore placed General Andrew Lewis in command of the Southern Division, which was comprised of regiments from southern Virginia. He ordered Lewis to build a fort at the confluence of the Kanawha and Ohio Rivers. Composed of regiments mustered in northern Virginia, Dunmore led the Northern Division to Pittsburgh where he planned to “put matters under the best Regulations to . . . give the Enemies a Blow that will Breake the Confederacy & render their plans abortive.”<sup>54</sup>

After a difficult march, Lewis’s well-armed “woodsmen” gathered at Point Pleasant located at the mouth of the Kanawha River. On the evening of October 9, 1774, the soldiers listened to a “Good Sarmon” preached by Rev. Mr. Terry and “as usual little expecting to be Attacked.” Meanwhile, a party of between eight hundred and one thousand Shawnee, Mingo, Delaware, and Ottawa warriors crossed the Ohio River on rafts and camped about two miles from the Virginians. Around 7:00 A.M. the sound of gunfire awakened the troops at Point Pleasant, and commanders ordered the men to form two columns. Native

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<sup>54</sup> Circular letter of Col. William Preston, July 20, 1744, Lord Dunmore to Andrew Lewis, July 24, 1774, John Connolly to Capt. William Harrod, in Thwaites and Kellog, ed., *Documentary History of Dunmore’s War*, 91-93, 97-98, 101. See Lord Dunmore’s Little War of 1774: His Captains and Their Men Who Opened Up Kentucky and the West to American Settlement (Bowie, MD: Heritage Books, 2002).

warriors gained the upper hand during the initial hours of the battle. Native forces combined “heavy fires” and “dismal yells and screams.” According to an eyewitness, “Their Chiefs ran continually along the line exhorting the men to ‘lye close’ and ‘shoot well’, ‘fight and be strong.’”<sup>55</sup> But at dusk, the chiefs could not persuade the warriors to continue fighting, and the Virginians took possession of the battlefield.<sup>56</sup>

Despite a gallant effort, the Shawnee could not stop the Virginians from advancing on their villages. After the battle, Cornstalk and the remainder of his battered forces crossed the Ohio River and traveled to their settlements on the Scioto River. The Shawnee chief organized a council to discuss how to confront the invasion of Dunmore’s Army. The natives decided to sue for peace and sent messengers to meet the approaching army. On October 19, 1774, Dunmore held a conference with his conquered foes; negotiations favored the governor who proposed the terms of reconciliation. The Treaty of Camp Charlotte required the Shawnee to return prisoners, slaves, and horses. The agreement established the Ohio River as the border between British and Indian settlements. The Indians were not permitted to “hunt or visit the south side of the Ohio River, except for the purposes of trading with the white people . . . [or] molest the boats of the

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<sup>55</sup> Fleming’s Account of the Battle of Point Pleasant, October 13, 1774, William Fleming to William Bowyer, n.d., William Ingles to Col. William Preston, October 14, 1774, William Christian to Col. William Preston, October 15, 1774, Capt. John Floyd to Col. William Preston, October 16, 1774, in *Ibid*, 255, 261-270.

<sup>56</sup> Natives wounded 132 soldiers and 8 officers during the engagement. Because the Indians buried or threw their dead in the Ohio River and carried the wounded to safety, it is difficult to ascertain the number of their casualties. Virginians scalped 21 dead bodies and estimated they killed and wounded 233 warriors that day. 261-265.

white people” traveling the river.<sup>57</sup> In return, the governor guaranteed that settlers would not hunt on the “Indian side” of the river. The parties agreed to the terms of the treaty and decided to meet at Fort Pitt the following spring to confirm the accords.<sup>58</sup>

In December 1774, St. Clair exclaimed, “The war betwixt the Indians and Virginians is at last over.”<sup>59</sup> The competition between Virginia and Pennsylvania for control of the Upper Ohio Valley continued as settlers flooded into the Kentucky Country. The American Revolution challenged traditional rivalries in the area. For the following eight years North Americans experienced “times that try men’s souls.” Most backcountry settlers set aside their differences in order to support the rebellion against Great Britain, and Tories west of the mountains faced brutal harassment. A common cause enabled former rivals to settle outstanding matters; representatives agreed on a permanent boundary between the Quaker colony and the Old Dominion in 1781. At first, Indians were unwilling to participate in a conflict that they believed to be a family quarrel, but in time, the fighting moved west and forced natives to wage war to defend their homeland.

While colonists proclaimed, “Give me Liberty or Give me Death,” royal governors, such as Dunmore, remained loyal to George III. Dunmore did not meet the disaffected tribes as promised at Camp Charlotte because the start of the American Revolution, on April 19, 1775, turned the world “upside down.” The

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<sup>57</sup> Virgil Anson Lewis, *History of the Battle of Point Pleasant Fought Between White Men and Indians at the Mouth of the Great Kanawha River, Monday, October 10, 1774* (Charleston, WV: The Tribune Printing Company, 1909), 53-56.

<sup>58</sup> *Ibid.*

<sup>59</sup> Arthur St. Clair to Governor Penn, December 4, 1774, Smith, ed., *St. Clair Papers*, Vol. 1, 347

governor seized a powder magazine in Williamsburg and placed it upon the ship *Magdalen*. Later, Dunmore attacked American forces at Hampton, Virginia, and burned Norfolk to the ground. Andrew Lewis, Dunmore's former second-in-command led a patriot force to defeat the governor on Gwynn's Island in the Chesapeake Bay on January 1, 1776; in defeat, Dunmore returned to England.<sup>60</sup>

James Wilkinson, a lifelong friend of St. Clair, described the magistrate's life in Pennsylvania on the eve of the American War for Independence:

The American Revolution found him, surrounded by a rising family, in the enjoyment of ease and independence, with the fairest prospects of affluent fortune, the foundation of which had been established by his intelligence, industry, and enterprise. From his peaceful abode; these sweet domestic enjoyments, and the flattering prospects which accompanied them, he was drawn by the claims of a troubled country. A man known to have been a military officer, and distinguished for knowledge and integrity, could not in those times be concealed, even by his favorite mountains, and therefore, without application or expectation on his part, he received the commission of a colonel, in the month of December, 1775, together with a letter from President Hancock, pressing him to repair immediately to Philadelphia. He obeyed the summons, and took leave not only of his wife and children, but in effect, of his fortune, to embark in the cause of liberty and the United Colonies.<sup>61</sup>

Wilkinson accurately portrayed the veteran and magistrate on the eve of the Revolution. St. Clair had risen to the rank of lieutenant and served with the finest generals in the French and Indian War. He oversaw the development of Pennsylvania's western claims and acquired a substantial quantity of land; he was the Penn family's chief representative west of the mountains. Married to a

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<sup>60</sup> For information on Lord Dunmore's activities after the campaign, consult James A. Hagemann, *Lord Dunmore: The Last Royal Governor of Virginia, 1771-1776* (Hampton, VA: Wayfarer Enterprises, 1974).

<sup>61</sup> General James Wilkinson, *Memoirs of My Own Times* (Philadelphia: Abraham Small, 1816), 84.

Boston socialite who bore him several children, he carved a niche for his family in the Laurel Mountains, where like-minded immigrants from the British Isles staked their claims. He would not have been able to accomplish these achievements without aid from Great Britain. The government brought him to America during the Seven Years' War and rewarded him with a land grant for his service; his status in the West was predicated on the desires of Pennsylvania's proprietary government, and his family lived on land given to him by the crown.

When news of the Battles of Lexington and Concord reached the inhabitants of Westmoreland County, they met at Hannastown on May 16, 1775, to form an association to muster a militia to protect against potential British aggression. Members of the association drafted several articles that outlined their protests against the mother country but did not call for independence. St. Clair wrote the fourth article, which revealed his desire to reconcile differences between Great Britain and America. The Article read in part:

That we do not wish or desire any innovation, but only that things may be restored to, and go on in the same way as before the era of the Stamp Act, when Boston grew great, and America was happy. As a proof of this disposition, we will quietly submit to the laws by which we have been accustomed to be governed before that period, and will, in our several or associate capacities, be ready when called on to assist the civil magistrates in carrying the same into execution."<sup>62</sup>

He loathed the idea of fighting a violent revolution and feared the potential civil war; he wrote, "If some conciliating plan is not adopted by congress, America has

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<sup>62</sup> Arthur St. Clair to Joseph Shippen, Jr., May 18, 1775 and Arthur St. Clair to Governor Penn, May 25, 1775, in Smith, ed., *St. Clair Papers*, Vol. 1, 353-355, 355n.

seen her golden days: they may return, but will be preceded by scenes of horror.”<sup>63</sup>

The former army officer reluctantly decided to rebel against his country despite close relationships with many of the officers, including General Thomas Gage. Several reasons compelled him to side with the Americans. Writing to a Loyalist friend, St. Clair maintained, “I hold that no man has a right to withhold his services when his country needs them. Be the sacrifice ever so great, it must be yielded on the altar of patriotism.”<sup>64</sup> He believed that revolution was the last option to be exercised but that it was justified if the mother country used foreign troops to suppress the rebellion. He recognized that if Britain put down the insurgency, the “lordly conquerors” would not distinguish “betwixt friends and foes.”<sup>65</sup>

St. Clair recalled, “My first connexion with the United States began in the year 1775. Congress had appointed commissioners to repair to Fort Pitt to treat with the Indians, and induce them to a neutrality during our contest with Great Britain.”<sup>66</sup> At the start of the Revolution, the colonel favored fighting the war in the west and paid close attention to affairs in that quarter. Congress appointed commissions to settle what had been left undone at the Treaty of Camp Charlotte in 1774 and to effect an agreement among the tribes, in particular the Shawnee,

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<sup>63</sup> Arthur St. Clair to Governor Penn, May 25, 1775, in Smith, *St. Clair Papers*, Vol. 1, 353-355; Edgar W. Hassler, *Old Westmoreland: A History of Western Pennsylvania During the Revolution* (Pittsburgh: J. R. Weldin & Co., 1900), 14-15.

<sup>64</sup> *Ibid.*

<sup>65</sup> General St. Clair to Lieutenant-Colonel Allen, September 1, 1776, in Smith, ed., *St. Clair Papers*, Vol. 1, 375.

<sup>66</sup> Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, 232.

Mingo, Seneca, Wyandot, and Pottawattomi, and Ottawa, and Delaware, and the new nation. St. Clair understood the importance of maintaining peaceful relations with Indians in the Ohio Valley: Americans could not defend the frontier against a large-scale attack by Indians and fight Britons in the east.<sup>67</sup>

The Fort Pitt Treaty of 1775 established the Ohio River as the boundary between American and Indian settlements. St. Clair served as secretary during the treaty negotiations and forwarded intelligence regarding the proceedings to Governor Penn. Tribes living north of the river relinquished hunting rights in the Kentucky Country. Indians remained neutral during the early part of the Revolutionary War, and “Kentucky fever” induced Americans to cross the Appalachians to settle in the west. The Fort Pitt treaty is the genesis of the conflict that ended in 1795 at the Treaty of Greenville. The Ohio Indians fought a twenty-year war to preserve the Ohio River boundary between native and American settlements.<sup>68</sup>

After gathering intelligence on Indian affairs in Pittsburgh, St. Clair proposed an expedition against the British in Detroit to the commissioners representing the Continental Congress. He recalled, “[I] formed the project of a volunteer expedition to surprise Detroit, which I thought very practicable . . . I engaged between four and five hundred young men, in a very short time, who

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<sup>67</sup> Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, 232.

<sup>68</sup> Arthur St. Clair to Governor Penn, September 15, 1775, in Smith, *St. Clair Papers*, Vol. 1, 360. Minutes from the Fort Pitt Indian conference are found in Reuben Gold Thwaites and Louise Phelps Kellogg, *The Revolution on the Upper Ohio, 1775-1777* (Port Washington, New York: Kennikat Press, 1970, reprint of 1909 edition), 25-126, Buck, *The Planting of Civilization in Western Pennsylvania*, 183; Otis T. Rice, *Frontier Kentucky*, 87.

were to furnish their own horses, forage, and provisions; they required nothing from the public but ammunition.”<sup>69</sup> Congress, however, disapproved of St. Clair’s plan to attack Britain’s isolated trading post, and the Revolution forced the colonel to leave his family and abandon his interests in the West to fight an enemy in the East.<sup>70</sup>

St. Clair’s actions prevented the British from launching an attack against Pittsburgh. Connolly, his chief rival in the region, remained loyal to Great Britain. Under orders from Lord Dunmore, he tried to persuade Indians to fight his country’s rebellious subjects and planned to organize Tories into a militia to combat the insurgents. He plotted a scheme in which Britons and Indians would assemble at Fort Detroit and move to take control of Forts Pitt and Fincastle in order to drive a wedge between the colonies. Connolly offered his partisans three hundred acres of land for their service and promised rewards to tribes that participated in the expedition. Governor Dunmore and General Gage approved of the plan, but it was foiled by the actions of St. Clair, who prevented the plot from reaching fruition when he ordered his magistrates to arrest the Loyalist, which they did on November 20, 1775. Writing his memoirs years later Connolly described his apprehension, “I found myself at Ligonier, fifty-four miles from Pittsburgh. I soon learnt I was in the power of my inveterate enemy [St. Clair], the commander of the militia, and principal man of the place; who had taken this

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<sup>69</sup> Buck, *Planting of Civilization in Western Pennsylvania*, 184; Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, 233.

<sup>70</sup> *Ibid.*

opportunity of wreaking his malice, under the pretense of seizing a dangerous person and a Tory.”<sup>71</sup>

Although Colonel St. Clair had demonstrated an interest in fighting west of the mountains and capturing Detroit, John Hancock, President of the Continental Congress, ordered him to Philadelphia to raise and organize a regiment to relieve Benedict Arnold’s ill-fated attempt to conquer Canada. Hancock probably chose the colonel because of his experience in the French and Indian War, in particular his participation in the Battle of Quebec, and his proven ability as a leader in the West. Delegates to the Continental Congress and colonial civil and military leaders desperately wanted Canada to join the rebel cause; two expeditions attempted to seize control of the region that many Americans hoped would become the fourteenth colony. By December of 1775, American forces under the command of General Richard Montgomery and Colonel Benedict Arnold had succeeded in taking control of the Northern Champlain Valley and Montreal and in chasing Governor Guy Carlton’s forces to the fortified city of Quebec. At Midnight on December 31, 1775, they attacked the city, but British and Canadian forces soundly defeated the undernourished and undersupplied American army.<sup>72</sup>

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<sup>71</sup> John Connolly, Proposals for Raising an Army to the Westward, and for effectually obstructing a communication between the Southern and Northern Government, in *Revolution on the Upper Ohio, 1775-1777*. 136-142. John Connolly, *A Narrative of the Transactions, Imprisonment, and Sufferings of John Connolly, An American Loyalist and Lieut. Col. in His Majesty’s Service*, 318; Otis T. Rice, *Frontier Kentucky*, 88; Reuben Gold Thwaites, ed., Alexander Scott Withers, *Chronicles of Border Warfare or, A History of the Settlement by the Whites, of North-Western Virginia, and of the Indian Wars and Massacres in that Section of the State* (Cincinnati: The Robert Clarke Company, 1908), 180-182.

St. Clair organized and served as a colonel in the Second Battalion of the Pennsylvania Line, and on March 12, 1776, his forces left Philadelphia and started a two-month march to Canada to help Arnold's war-weary troops who remained encamped in Upper Canada. St. Clair and the Pennsylvania troops joined the retreating American army under the command of General John Thomas at Saint-Joseph-de-Sorel in May. Smallpox ravaged the American ranks, and the army was in a deplorable condition. Thomas contracted the disease, and like many of his soldiers, died during the departure from Canada. On June 6, 1776, St. Clair persuaded his superior, General William Thompson, to attack the British forces at the village of Three Rivers in order to prevent British ships loaded with reinforcements from traveling freely along the St. Lawrence River. Poor coordination among the Americans removed the element of surprise. The attack was futile, and the British surrounded the main body of the army, forcing it to flee.<sup>73</sup>

The commanding officers, Thompson and William Irvine, separated from the army during the desperate retreat that crossed several swamps, and St. Clair

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<sup>72</sup> Worthington Chauncey Ford, *Journals of the Continental Congress*, (Washington: Government Printing Office, 1906), Vol. 4, 24; Colonel St. Clair to President of Congress, March 26, 1776, in Smith, ed., *St. Clair Papers*, Vol. 1, 365-366; Thomas Fleming, *Liberty: The American Revolution* (New York: Viking, 1997), 153-158. For information on the American invasion of Canada, see Harrison Bird, *Attack on Quebec: The American Invasion of Canada, 1775* (New York: Oxford, 1968); Robert M. Hatch, *Thrust for Canada: The American Attempt on Quebec in 1775-1776* (Boston: Houghton Mifflin, 1979); Brendan Morrissey and Adam Hook, *Quebec 1775: The American Invasion of Canada* (Osprey Pub Co., 2003); George A. Rawlyk, *Revolution Rejected 1775-1776* (Scarborough, Canada: Prentice-Hall, 1968); George F.G. Stanley, *Canada Invaded, 1775-1776* (Toronto, Canada: Hakkett, 1973).

<sup>73</sup> General Thompson to Colonel St. Clair, June 2, 1776, in Smith, ed., *St. Clair Papers*, Vol. 1, 367-369. For information on the Pennsylvania Line, see John B. B. Trussell, Jr., *The Pennsylvania Line: Regimental Organization and Operations, 1776-1783* (Harrisburg: Pennsylvania Historical and Museum Commission, 1977).

became responsible for guiding the forces to safety; he recalled, “The command thus devolving upon me, I had to direct the detachment back to the landing place, where I found a large party of the enemy had got before us . . . as I knew the country, there seemed to me yet one way, and but one way to escape.”<sup>74</sup>

Surrounded by the enemy, the colonel ordered his troops to march “threw a point of woods between them and the enemy” to avoid engaging in combat with Guy Carlton’s superior force. The colonel, however, could not join the retreat because he had been “severely wounded by a snag running quite through one of my feet.” In time, St. Clair and the Pennsylvania soldiers made it to safety, escaping disaster. The decision to retreat through the woods saved the smallpox-stricken army from certain defeat, and eventually the Americans made their way to Fort Ticonderoga. On July 28, 1776, St. Clair read the newly drafted Declaration of Independence to the soldiers at the fort, proclaiming “God save the free [and] independent States of America.”<sup>75</sup> The soldiers responded with three cheers. An observer remarked, “It was remarkably pleasing to see the spirits of the soldiers so raised, after all of their calamities.”<sup>76</sup>

The Continental Congress recognized St. Clair’s conduct during the retreat from Canada, and on August 9, 1776, that body promoted him to the rank of brigadier-general. He was transferred to General George Washington’s army

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<sup>74</sup> Arthur St. Clair, *A Narrative of the Campaign Against the Indians*, 238.

<sup>75</sup> *Ibid*, 239.

<sup>76</sup> St. Clair, *A Narrative of the Campaign Against the Indians*, 235-242; Speech at Ticonderoga, July 28, 1776, in Force, *American Archives*, Fifth Series, Vol. 1, 630;

in New Jersey.<sup>77</sup> Washington befriended the promising brigadier, and St. Clair remained steadfast in his determination to defend America's independence despite the misfortunes experienced by continental forces. With the approximately 2,400 troops under Washington, he participated in the crossing of the icy Delaware River on December 26, 1776, and fought in the Battle of Trenton. The American success resulted in the capture or wounding of over 900 Hessian mercenaries, and most importantly, it was Washington's first victory in the war. His army safely crossed the Delaware River into Pennsylvania with minimum casualties. St. Clair recalled, "[I] had my full share in the business at Trenton, which gave the first turn to our affairs."<sup>78</sup>

Washington led a second expedition into New Jersey and became outgunned and outnumbered by Cornwallis's redcoats at Trenton. St. Clair described his recommendation to Washington on this occasion: "Lord Cornwallis met us, and an action the next morning seemed unavoidable. I had the fortune to suggest the idea of turning left of the enemy in the night; gaining a march upon him, and proceeding with all possible expedition to Brunswick . . . and general Washington highly approved."<sup>79</sup> The general ordered his troops to light fires to give the appearance of an encamped army and to withdraw from the area while

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<sup>77</sup> Force, *American Archives*, Fifth Series, Vol. I., 630; Frazer, *Arthur St. Clair*, 26; *Journals of the Continental Congress*, Vol. 5, 641. At Fort Ticonderoga, Colonel Matthew Odgen recognized St. Clair's ability: "I sincerely wish [St. Clair] was appointed a Brigadier by Congress. There is no better man." in Force, *American Archives*, Vol. I, Series 5, 604. Colonel Hartly agreed with Odgen's sentiments: "Colonel St. Clair, an old and experienced officer, would be exceedingly acceptable [with the rank of brigadier], and every one would act with confidence under him." in Force, *American Archives*, Fourth Series, Vol. 1, 176.

<sup>78</sup> St. Clair, *A Narrative of the Campaign Against the Indians*, 242.

<sup>79</sup> *Ibid*, 243.

maintaining absolute silence. On January 3, 1777, the American army moved against the rear of the British forces located at Princeton and effected another important victory; St. Clair's forces repelled several attacks at Stony Brook bridge and bravely advanced against soldiers who had taken refuge inside the town's college buildings. Victorious, the fatigued American forces could not continue on to capture the British supply depot at Brunswick. It became necessary to retreat to winter quarters. St. Clair suggested moving the army to Morristown: "[I] mentioned . . . Morris Town and its vicinity as a place where the army could be cantoned. He [Washington] quickly decided, and the army had orders to take the route to that place."<sup>80</sup> The Continental Army arrived safely at the hills of northern New Jersey; the successful campaign enabled the revolution to continue.

On February 22, 1777, Congress promoted St. Clair to the rank of major general for his "gallantry" at Trenton and Princeton and ordered him to defend Fort Ticonderoga, the "Gibraltar of America." On June 12, 1777, he arrived at the dilapidated fort at the command of approximately 2000 soldiers. Many of his troops were sick, undernourished, and unarmed. From the north, General "Gentleman" Johnny Burgoyne at the head of an army of over 8,000 Britons, Canadians, and Indians advanced toward St. Clair's desperately undermanned garrison. After much deliberation, he ordered the evacuation of the fort without a shot fired on July 6, 1777, and led a retreat south to Skeneboro. He sent 1200 soldiers to Hubbardton to cover his escape southward. The rearguard action

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<sup>80</sup> St. Clair, *A Narrative of the Campaign Against the Indians*, 244.

was successful; Colonel Seth Warner's Green Mountain Boys and the troops from Ticonderoga prevented General Simon Fraser from attacking the retreating army at the Battle of Hubbardton on July 7, 1777.<sup>81</sup>

With the remnants of his army, St. Clair eventually reached the safety of Fort Edward, but he met a storm of criticism from his contemporaries. He justified his decision to retreat, claiming that he wanted to save the lives of his soldiers. The military leveled court-martial charges against him for abandoning Fort Ticonderoga, but he was eventually exonerated on all counts. He maintained that his action contributed to Burgoyne's defeat at the Battle of Saratoga: "Although I have lost a post, I have eventually saved a State."<sup>82</sup> St. Clair served as a voluntary aid to Washington during the court-martial proceeding. He wrote, "Although I was, for a considerable time, suspended from command, I never left general Washington nor the army."<sup>83</sup> He had a horse shot from under him during the American defeat in the Battle of Brandywine on September 11, 1777. That winter, he endured the privations of the army at Valley Forge. In 1780, Washington sent the major general to take charge of West Point in the wake of

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<sup>81</sup> St. Clair Promoted for Gallantry at Trenton and Princeton, February 22, 1777, in St. Clair, *Papers*, 40-41. *Journals of the Continental Congress*, Vol. 7, 133; Frazer, *Arthur St. Clair*, 31. Fleming, *Liberty*, 238-245. President Hancock to General St. Clair, April 30, 1777, in Smith, *St. Clair Papers*, 393. Council of General Officers, Held at Ticonderoga, June 20, 1777, in Smith, *St. Clair Papers*, For information on the Battle of Hubbardton, see John A Williams, *The Battle of Hubbardton: The American Rebels Stem the Tide* (Montpelier: Vermont Division for Historic Preservation, 1988). See also Edward P. Hamilton, *Fort Ticonderoga: Key to a Continent* (Boston: Little, Brown, Co., 1964),

<sup>82</sup> General St. Clair to John Jay, July 25, 1777, in Smith, *St. Clair Papers*, 433. Ellis Beales, "St. Clair," 183.

<sup>83</sup> St. Clair, *A Narrative of the Campaign Against the Indians*, 245.

the discovery of Benedict Arnold's treachery; he served on the court that sentenced Major John Andre to the gallows for his participation in the affair. In 1781, St. Clair led Pennsylvania and Maryland soldiers to reinforce General Nathaniel Greene's troops in the Carolinas. He wrote, "I was sent with six regiments and ten pieces of artillery, to the aid of General Greene in South Carolina, with orders to sweep, in my way, all the British posts in North Carolina . . . they abandoned that place [Wilmington, North Carolina] and every other post that they had in that country, and left me at liberty to pursue the march."<sup>84</sup> The regiments under his command arrived at Jacksonburg, South Carolina, on December 27, 1781, after a grueling two-month march. After the expedition to the Carolinas, St. Clair returned to his family.<sup>85</sup>

While St. Clair fought in the Continental Army east of the Appalachian Mountains, Virginia sponsored a brutal war in the west that resulted in the nation's acquisition of what would become the Northwest Territory. George Rodgers Clark, a veteran of Dunmore's War, was at the forefront of expansion into Kentucky and what became the Northwest Territory. On July 4, 1778, he led a force of 175 backcountry militiamen that captured the French settlement of Kaskaskia, and that winter he surprised the British garrison at Vincennes and sent the chief officer, Henry Hamilton, to a Virginia prison. Clark's successful expeditions extended America's claim to the region and prevented the British from retaking the area. When Benjamin Franklin, John Adams, and John Jay,

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<sup>84</sup> Ibid.

<sup>85</sup> Ibid. 248.

American diplomats in Paris, negotiated the treaty that ended the Revolutionary War, they gained title to Kentucky and the Old Northwest. The Treaty of Paris of 1783 was a diplomatic triumph for the United States; in addition to recognizing American independence, Great Britain ceded the land between the Mississippi River and the Appalachian Mountains to its former colony. The 31<sup>st</sup> parallel formed the southern border, and the present border with Canada marked the northern boundary. Hence, the United States gained title to nearly all of Britain's North American Empire.<sup>86</sup>

Military service enabled St. Clair to rise to national prominence and to be considered an equal among the founders of the new republic. He became particularly close to George Washington and Alexander Hamilton. The Continental Congress recognized his contribution to the American cause; the major general was the highest-ranking Pennsylvanian in the Continental Army. But he also earned a reputation as a leader and gained the respect of common soldiers. He defended his decision to evacuate Fort Ticonderoga based on his reluctant to sacrifice the lives of the soldiers under his command. At Morristown in 1781 and at Philadelphia in 1783, he helped to quell uprisings led by disgruntled Pennsylvania soldiers. At Philadelphia congressional officials asked for St. Clair's help in the negotiations, and the major general was able to persuade the mutineers to return to Lancaster without incident.<sup>87</sup>

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<sup>86</sup> For information on Clark's exploits in the West, see Kathrine Wagner Seineke, *The George Rodgers Clark Adventure in the Illinois Country and Selected Documents of the American Revolution at Frontier Posts* (New Orleans: Polyanthos, 1981).

<sup>87</sup> Smith, ed., *St. Clair Papers*, Vol. 1, 114-115.

Admiration from peers, however, did not translate into financial success. The Revolutionary War devastated the West, and the prosperous life St. Clair had created for his family in the Laurel Mountains was gone. After the conflict, he suffered bankruptcy and financial ruin. The house and gristmill that he built west of the mountains had burned during the conflict. Writing to General Washington, he lamented, "I am in debt, and my credit exhausted, and were it not for the rations I receive, my family would actually starve." He was particularly upset by his situation because he had used his own money to support the patriot cause, and he had sacrificed the "best part" of his life in serving America. He moved his family to Pottstown, Philadelphia County, where he sought employment opportunities to reverse his fortunes and to rebuild his estate in Ligonier. At the age of forty-nine, the poverty-stricken general could not retire to his comfortable western estate; instead, he was forced to create a new life in a newly independent republic.<sup>88</sup>

St. Clair had spent the majority of his time in America overseeing the development of the West, playing a fundamental role in Pennsylvania's expansion across the Appalachian Mountains prior to the outbreak of the Revolutionary War. Experience as the chief magistrate in Pennsylvania's backcountry influenced his views on American Indians, frontier settlers, and the importance of establishing law and order. Dedication to the American cause in the War for Independence consumed eight years of his life and removed him

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<sup>88</sup> General St. Clair to General George Washington, November 26, 1782, *Ibid*, 572.

from the estate he had built for his family in the Ligonier Valley. At the conclusion of the conflict, St. Clair could not return to his home. His property, including the gristmill he had constructed for the benefit of the community, had been destroyed during the hostilities, and his estate was in a dilapidated condition. The Revolution changed Western Pennsylvania, the region in which St. Clair spent decades administering justice and facilitating settlement at the behest of the proprietary Penn family. Although he had risen to national prominence, he could barely provide sustenance for his growing family. Most of his life was characterized by service to his country, but at the age of forty-nine he was living in poverty after losing the fortune he had amassed. He opted to move to Philadelphia, and during the Confederation Period, he tried in vain to recreate the life he had lived before the war.

## CHAPTER TWO

### **“[What if] All That We Have Done and Suffered in the Contest with Great Britain Has Been in Vain”?**

In 1772, St. Clair candidly wrote, “I am no politician.”<sup>1</sup> Yet, by the end of the Confederation Period, he reached the highest rank in civil society, serving as President of Congress and being appointed chief administrator of the Northwest Territory. He sought to effect change by participating in politics, hopeful that he could influence the course of the nation. Under the Articles of Confederation power rested with the states; therefore, conservatives had no choice but to try to influence state constitutions. St. Clair served as a member of Pennsylvania’s Council of Censors. A member of the anti-constitutional party, he wrote the majority report that outlined the shortcomings of Pennsylvania’s government. These writings provide insight into his conservative political philosophy and his views on constitutional government. He believed in the efficacy of a strong central authority and argued that the executive branch needed to be strengthened by creating the office of governor.

Serving as President of the Confederation Congress, St. Clair oversaw the passage of that body’s most significant pieces of legislation: the Northwest Ordinance and the call for state ratification of the United States Constitution. By

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<sup>1</sup> Arthur St. Clair to Joseph Shippen, July 8, 1772, in Smith, ed., *St. Clair Papers*, Vol. 1, 265.

the end of the Confederation Period, he had risen to the highest rank in civil government and continued to garner the respect of his contemporaries. He was able to use his position and influence to obtain an appointment as the governor of the nation's first territory. Within a year of his presidency, the states ratified the Constitution, and the federal government asserted sovereignty in the Old Northwest with St. Clair at the forefront of this initiative. St. Clair's activities during the Confederation Period reveal his attitudes toward constitutional government, the weakness of the Articles of Confederation, international relations, Indians, and westward expansion of the nation and foreshadow his decisions as governor of the Northwest Territory.

St. Clair had used his own money to finance the war and expected Congress to reimburse him for his generosity. When problems associated with demobilization arose after the conflict, he traveled to Philadelphia and through negotiation quelled an insurrection of the Pennsylvania Line in 1783.<sup>2</sup> During these crises he believed that Congress would reimburse him for his expenses. Yet, that body did not compensate him for the costs that he had incurred. Facing the grim reality of the post-war economic depression, he postulated, "[What if] all that we have done and suffered in the contest with Great Britain has been in

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<sup>2</sup> For information on the revolt of the Pennsylvania Line, see *Thirteen Early Ohio Political Leaders*, Roll 2, Box 2, Folder One; General St. Clair to General McDougall, Colonel Ogden, and Colonel Brooks, A Committee from the Army at West Point to Congress, December 1782, General St. Clair to the Officers of the Pennsylvania Line, March 29, 1783, General St. Clair to General Wayne, June 15, 1783, General St. Clair to General Washington, July 2, 1783, in Smith, *St. Clair Papers*, Vol. 1, 572-573, 580-582, 586, 588-590. See also, John B. B. Trussell, *Pennsylvania Line: Regimental Organization and Operations, 1775-1783* (Harrisburg: Pennsylvania Historical and Museum Commission, 1993).

vain?”<sup>3</sup> At the end of the Revolution, he was among the most powerful men in the nation. His reputation and his distinguished service in the war, however, did not translate into personal economic success. He went bankrupt and faced financial ruin. He was particularly upset because he had sacrificed the “best part” of his life in service of America. Destitute, St. Clair wrote to Washington “I am at present in the greatest want of Money.”<sup>4</sup>

After the war, St. Clair tried to reclaim lands in Western Pennsylvania and to rebuild his western world of power, property, and influence. But he was unable to do so. He never recovered the forty-five acres of land that surrounded Fort Pitt and could not fulfill his desire to become an influential proprietor in Western Pennsylvania. In 1784, he wrote a letter to John Penn asking for the title to land located at the Forks of the Ohio River that he claimed were given to him by Thomas Gage in 1772. “I had both an acquaintance, and family connection, with the General,” he remarked.<sup>5</sup> St. Clair planned to serve as the proprietor who would oversee the development of the area, but when Major Edward Ward took possession of Fort Pitt for the Americans in the Revolution, he interrupted the proprietor’s progress. St. Clair wrote, “I had a Tennant upon the land who was forcibly dislodged by Major Ward.”<sup>6</sup> He also wrote about his attachment to the

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<sup>3</sup> December 1784, *Papers of Thirteen Early Ohio Political Leaders*, Roll 2, Box 2, Folder One.

<sup>4</sup> St. Clair to General Knox, August 23, 1785, Early Ohio Political Leaders, Roll 2, Folder 2; General St. Clair to General George Washington, November 26, 1782, and George Washington to General St. Clair, February 19, 1783, in Smith, ed., *St. Clair Papers*, Vol. 1, 572, 577.

<sup>5</sup> Arthur St. Clair to John Penn, August 18, 1784, in Early Ohio Political Leaders, Roll 2, Folder 2.

<sup>6</sup> *Ibid.*

region, "I have been long accustomed to consider it [land at the forks] as mine, and . . . [have] an affection for it."<sup>7</sup>

Overwhelming debt forced St. Clair to accept civil appointments in order to make ends meet. He became the vendue master of Philadelphia, a position that enabled him to oversee land development in the commonwealth and accepted political appointments hoping to pay off his debts. Creditors harassed and filed formal charges against him. But the new nation offered avenues for advancement, and he took advantage of opportunity. St. Clair was not merely the victim of circumstances; he possessed convictions regarding the proper role of government and the expansion of the United States north and west of the Ohio River.<sup>8</sup>

At the close of active hostilities with Great Britain officers who had served in the Continental Army formed an association to preserve friendship, to promote national honor, to support officers' widows and orphans, and to "preserve inviolate those exalted rights and liberties of human nature for which they fought."<sup>9</sup> Many of the officers, like St. Clair, were popular among the nation's leaders but experienced financial difficulties. General Henry Knox drafted the constitution of the Society of Cincinnati, which was founded on May 13, 1783, and a few months later George Washington became the society's first president. The organization's members were familiar with antiquity and admired Lucius

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<sup>7</sup> Ibid.

<sup>8</sup> Arthur St. Clair to John Nicholson, January 30, 1787, and Arthur St. Clair to John Nicholson, February 13, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 79, 97.

<sup>9</sup> Smith, ed., *St. Clair Papers*, Vol. 1, 591, n,

Quintus Cincinnatus, the Roman general who led his country to victory against the Aequians in 458 B.C. When the victorious general returned to Rome, he pursued the life of a farmer and rejected the lucrative offers of his government. According to Andrew R. L. Cayton, "To the associates, Cincinnatus was a model of ideal behavior in an ideal world--for Cincinnatus, living on the land far away from the tumult and corruption of cities, and sacrificing his happiness so that the republic might survive the chaos of war and enjoy the pleasure of prosperity and peace, make a powerful comparison with their own positions."<sup>10</sup> Because many of the officers set off for home without settling their accounts with Congress or demanding political appointments, they believed their situation paralleled that of the famed Roman general. Officers who served in the Continental Army were eligible for membership, and later Navy officers could join the society.<sup>11</sup>

In December 1783, members elected St. Clair to be President of Pennsylvania's chapter, and he probably attended the first national meeting held in Philadelphia on May 4, 1784. The Society of Cincinnati included some of the most influential leaders who shaped the American Revolution: George Washington, Alexander Hamilton, and Charles Pinckney. In addition, the association embraced international members, such as Marquis de Lafayette,

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<sup>10</sup> Andrew R. L. Cayton, *The Frontier Republic: Ideology and Politics in the Ohio Country, 1780-1825* (Kent, Ohio: The Kent State University Press, 1986), 19. For information on the Society of Cincinnati, see Charles Royster, *A Revolutionary People At War: The Continental Army and American Character, 1775-1783* (New York: Norton, 1981).

<sup>11</sup> William Donohue Ellis, *The Ordinance of 1787: The Nation Begins* (Dayton, Ohio: Landfall Press, 1987), 59-60.; Smith, *St. Clair Papers*, Vol. 1, 591, n; North Callahan, *Henry Knox: General Washington's General* (New York: Rinehart & Company, Inc., 1958), 210; John Fiske, *The Critical Period of American History, 1783-1789* (Boston: Houghton Mifflin Company 1916), 114-118.

Baron Von Steuben, and Count de Rochambeau. The society established chapters in all thirteen states and in Paris, France. St. Clair had been a reluctant rebel on the eve of the Revolution and feared that revolutionary sentiment could go to an extreme. He and other members of the society advocated a strong central authority and hoped to revise state constitutions and the Articles of Confederation in order to remove the influence of the radicalism that marked the early years of the war.<sup>12</sup>

Many Americans opposed the formation of the society, believing that its existence was bad for the nation. Citizens feared a powerful standing army and believed that civil authority needed to prevent the tyranny of military rule. Historian Merrill Jensen remarks, "The struggle over the Society of Cincinnati was evidence of a basic political division in Patriot forces."<sup>13</sup> Editorials that criticized the organization appeared in papers around the country, and state legislatures denounced the society. Critics complained that foreign influence on the American government would result from the association's close connection with France. Discussion of the popular uproar over the formation of the society and a provision that based membership on heredity dominated the first convention. Members of the organization, including St. Clair, advocated a strong national government and believed that officers who led the continental army to

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<sup>12</sup> Elias Boudinot to Elias Dayton, November 6, 1783, and Elbridge Gerry to Stephen Higginson, March 4, 1784, in P. Smith, *Letters of Delegates to Congress*, Vol. 21, 147, 407-409. Rufus King to Elbridge Gerry, July 4, 1786, in P. Smith, ed., *Letters of Delegates*, Vol. 23, 387-388.

<sup>13</sup> Merrill Jensen, *The New Nation: A History of the United States During the Confederation, 1781-1789* (New York: Alfred A. Knopf, 1958), 261-265.

victory should also lead the nation. Opponents of the society, like Thomas Jefferson, supported states' rights and local control.<sup>14</sup>

In response to the popular outcry against the society, the organization made several changes to its constitution. St. Clair helped to implement several amendments, which included the repeal of the heredity requirement, and he communicated the changes to the president of the association. Washington wrote to him and approved the alterations to the society's constitution: "I am perfectly convinced that if the first institution of this society had not been parted with, 'ere this we should have had the Country in an uproar, & a line of separation drawn between this society & their fellow citizens."<sup>15</sup> Controversy over the society subsided, but the association endured: Its members influenced the course of the new nation. St. Clair emerged as a political leader who was allied with the country's conservatives.

As a member of the anti-constitutionalist or "conservative" party, St. Clair was elected to the Pennsylvania Council of Censors from the county of Philadelphia in October of 1783. The council was set up under the Pennsylvania Constitution of 1776 to meet every seven years to determine if that document had been "persevered inviolate in every part, and whether the legislative branches of government have performed their duty as guardians of the people, or

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<sup>14</sup> Thomas Jefferson to George Washington, April. 16. 1784, in P. Smith, *Letters of Delegates*, Vol. 21, 521-524; Mary-Jo Kline, ed., *The Founding Fathers: Alexander Hamilton, A Biography in His Own Words* (New York: Newsweek, 1973), 157-158; James Thomas Flexner, *George Washington and the New Nation, 1783-1793* (Boston: Little, Brown and Company, 1970), 63-68.

<sup>15</sup> Arthur St. Clair to George Washington, July 9, 1784, and George Washington to Arthur St. Clair, August 31, 1785, in W. W. Abbot, ed., *The Papers of George Washington*, Vol. 3, (Charlottesville: University Press of Virginia, 1994), 212-213.

assumed to themselves, or exercised greater powers that they are entitled to by the constitution.”<sup>16</sup> This body was to critique Pennsylvania’s government, analyzing whether or not taxes were properly collected and determining if the laws were enforced. If the council found that the constitution needed to be amended, it could “pass public censors, order impeachments, and recommend laws which the assembly should repeal.”<sup>17</sup> With the approval of two-thirds of the members, the council had the power to call a constitutional convention in order to amend the document.

According to Robert L. Brunhouse, “The Constitution [of Pennsylvania] became the center of political warfare which filled the annals of Pennsylvania . . . for fourteen years.”<sup>18</sup> Drafted by the constitutional or “radical” party during the Revolution, the constitution represented the anti-monarchical and anti-British thought of the period. For instance, the authors did not implement a position for a chief executive or governor. The document called for a unicameral legislature to be elected by taxpaying freemen who had lived in the commonwealth for a minimum of one year. Initially, members of the legislature consisted of six representatives from each county; after two years, however, a census was taken and thereafter representation would be based on population. The assemblymen

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<sup>16</sup> *Journal of the Council of Censors: Convened at Philadelphia, on Monday, the Tenth Day of November, One Thousand Seven Hundred Eighty Three* (Philadelphia: Hall and Sellers, 1784), 69.

<sup>17</sup> Minutes of the General Assembly, 1784, in Hazard, ed., *Pennsylvania Archives*, Vol. 10, (Philadelphia: Joseph Severn & Company, 1854) 206; William Bingham to Richard Price, December 1, 1786, in P. Smith, *Letters of Delegates*, Vol. 24, 38.

<sup>18</sup> Brunhouse, *The Counter-Revolution in Pennsylvania*, 14-15.

were required to take oaths of office, promising to uphold the principles of the constitution and declaring their belief in a Christian God.<sup>19</sup>

Fearful of creating an “inconvenient Aristocracy” resulting from the office of a chief executive, the drafters created the Supreme Executive Council. This body consisted of representatives from Philadelphia and each of the counties that elected a president and vice president. Furthermore, it appointed judges who were to serve for seven years. Despite Pennsylvania radicals heralding the document as an example of democracy, the first state constitution contained several weaknesses. The Supreme Executive Council did not have the authority to veto legislation, and the distribution of power among its many members became confused and inadequate.<sup>20</sup>

Displeased with the original constitution and believing the “government of Pennsylvania to be the most expensive and the least beneficial one on the continent,” the conservatives eagerly awaited the creation of the Council of Censors.<sup>21</sup> The election of October 1783 yielded a majority of conservatives but not the requisite two-thirds needed to call for a constitutional convention. The count stood at thirteen anti-constitutionalists and twelve radicals. Conservatives hoped to influence their opponents to make what they believed to be the necessary changes to the document. Maintaining, “Some articles of the

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<sup>19</sup> Ibid; E. Bruce Thomas, “Political Tendencies in Pennsylvania, 1783-1794” Dissertation, Temple University, 1935, 45-46.

<sup>20</sup> Douglas M. Arnold, *A Republican Revolution: Ideology and Politics in Pennsylvania, 1776-1790* (New York: Garland Publishing Inc., 1989), 152-153; Daniel of St. Thomas Jenifer to Thomas Stone, July 23, 1781, in P. Smith, ed., *Letters of Delegates*, Vol. 17, July 23, 1781, 426-432.

<sup>21</sup> *Freeman’s Journal or the North American Intelligencer*, Printed by Francis Baily, March 3, 1784.

constitution of this commonwealth, are materially defective, and absolutely require attention and amendment,” a committee consisting of five anti-constitutionalists was appointed to outline their objections to the current system on January 3, 1783.<sup>22</sup> St. Clair took a leadership position during the proceedings, writing the committee’s report on the constitution’s defects. His writings reveal his conservative political philosophy and his fervent belief in the efficacy of a strong central authority.<sup>23</sup>

Committeemen presented the report to the council on January 19, 1784. The document provides insight into St. Clair’s views on constitutional government. In the Constitution of 1776, the House of Representatives, which was elected tax-paying freemen, possessed legislative power. He believed this system was defective because of the possibility of a tyrannical faction taking control of the legislature and enacting unjust laws. The legislature had the power to usurp the authority of the executive branch and the judiciary, determining the direction of the government. St. Clair reasoned that the citizenry would out of necessity resort to violent revolution in order to have their voices heard.<sup>24</sup>

To replace the unicameral system, the report called for a bicameral legislature consisting of the Legislative Council and the House of Assembly to be known collectively as the General Assembly of Pennsylvania. When implemented, the Legislative Council or Senate consisted of elected officials from

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<sup>22</sup> *Journal of the Council of Censors*, 69

<sup>23</sup> *Ibid*; *Freeman’s Journal or the North American Intelligencer*, March 3, 1784; William Bingham to Richard Price, December 1, 1786, in P. Smith, *Letters of Delegates*, Vol. 24, 38.

<sup>24</sup> *Journal of the Council of Censors*, 67-70.

every county in the commonwealth. This body voted on bills proposed by the House of Assembly, and if the legislation met the approval of the majority in the Senate, the Speaker of the House could sign it into law.

The Senate elected a president responsible for casting votes in debates and taking over the duties of the governor in the event of the official's absence, resignation, or death. The House of Assembly would consist of individuals noted for "wisdom and virtue" to be elected by freemen of the commonwealth. Unlike the Senate, the electorate could "choose representatives from any part of the state," St. Clair believed "the people have the undoubted right to judge who will best serve them whether they are residents of the respective county or not."<sup>25</sup> The House of the Assembly was responsible for enacting fiscal legislation, judging the qualifications of the members, and determining the legitimacy of elections.<sup>26</sup>

St. Clair disagreed with the state's radicals regarding the distribution of power among the members of the Supreme Executive Council. He expressed his sentiments freely in a note written during one of the meetings: "The executive council is a monster . . . It will do great harm, and never can do any good--it will ever want that energy and promptness that are essential to an executive body . . . All the dangers of an inconvenient aristocracy are justly to be dreaded from such a body."<sup>27</sup> His report maintained that the council was too expensive and that

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<sup>25</sup> Suggestion For a Plan of Government in Smith, ed., *St. Clair Papers*, Vol. I, 597.

<sup>26</sup> *Ibid.*

<sup>27</sup> Note by St. Clair, in Smith, ed., *St. Clair Papers*, Vol. 1, 594, n.

it lacked the power necessary to make incisive decisions in the event of an emergency. The council acted “either weakly or wickedly,” and the current system did not hold a single individual accountable. In certain cases, the president of that body would be unable to persuade the members of the council in unpopular matters.<sup>28</sup> Because the council elects the president, it is possible that a faction could place a sympathetic individual in that position who would answer only to the prevailing party: “If rapacious, they will share with him in the plunder of the country.”<sup>29</sup>

St. Clair proposed the office of governor have responsibility for the “execution of laws and the appointment of all officers, civil and military.”<sup>30</sup> Freemen of the commonwealth elected the governor annually. Thus, the governor served as the Commander-in-Chief of Pennsylvania’s military, but he could not order the armed forces to cross state boundaries without the consent of the General Assembly. The governor possessed the power to pardon criminals and to provide reprieves for the condemned. The legislature presented bills to the

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<sup>28</sup> Contemporaries were familiar with the Council of Censors’ report. Robert Morris agreed with St. Clair’s criticism of the legislative assembly. Morris asserted, “The report of the council of censors in Pennsylvania points out the many invasions of the legislative department on the executive, numerous as the latter is, within the short term of seven years, and in a state where a strong party is opposed to the constitution, and watching every occasion of turning the public resentments against it. If the executive be over-turned by the popular branch, as happened in England, the tyranny of one man will ensue.” *The Debates in the Several State Conventions, On the Adoption of the Federal Constitution, as Recommended by the General Convention in Philadelphia, in 1787*. Vol. 2, (Washington D.C.: U.S. Congress, 1836), 430.

<sup>29</sup> *Journal of the Council of Censors*, 70.

<sup>30</sup> Suggestion For a Plan of Government, in Smith, *St. Clair Papers*, Vol. I, 598.

chief executive, who possessed veto power. The legislature could overturn the governor's veto if the bill earned a majority vote in both houses.<sup>31</sup>

The report discussed the judiciary and called it "materially defective." The 1776 constitution, St. Clair wrote, provided that Supreme Court justices serve a term of seven years, but it did not place a restriction on the number of times an individual could be elected to that position. He alleged, "The lives and property of the citizens must, in a great degree depend upon the judges," but under the current system the assembly could remove judges that they believed were not acting in accordance with the office.<sup>32</sup> Therefore, if the legislature passed an unconstitutional law and a judge refused to obey it, he could be removed from office. St. Clair feared that the justices would be biased because their commission depended upon the will of the legislature. Once again, he revealed his opinions in a note written during a committee meeting: "They [Supreme Court Justices] should hold their offices during good behavior. Nothing is of more importance to the people than the able and impartial administration of justice; but this cannot happen unless judges are taken from the bar."<sup>33</sup>

St. Clair argued that state Supreme Court Justices should remain in office for life, but only if they demonstrated good behavior. Assuming that the current system dissuaded competent lawyers from taking a position on the high court, St. Clair reasoned, "Will any man who is in that train quit it for the precarious

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<sup>31</sup> Ibid.

<sup>32</sup> *Journal of the Council of Censors*, 70.

<sup>33</sup> Suggestion For a Plan of Government, in Smith, *The St. Clair Papers*, Vol. I, 598.

enjoyment of an office which must terminate in seven years—where, though he may be re-elected, he has no certainty?”<sup>34</sup> Judges could be removed from office after an impeachment court found the defendant to be in material breach of his obligations. He believed that juries should consist of twenty-five individuals and that only a majority vote could convict the accused because “a man must either be starved or damned if he happens not to be able to think as some others do.”<sup>35</sup>

Replacing one third of the members annually, the Pennsylvania Constitution of 1776 rotated Supreme Council officers, but St. Clair’s committee believed that this practice removed the influence of qualified legislators. Members of the council could potentially be motivated by efforts to achieve reappointment instead of acting at the behest of the governed. Also, the rotation of members would deprive the citizenry of the right to choose individuals that they feel are the most qualified for the position. Thus, the conservatives wanted to abolish this practice.<sup>36</sup>

After considering the proposal drafted by the committee, the Council of Censors voted on the issue of whether or not to hold a constitutional convention in order to amend portions of the document deemed to be in violation of the rights of the citizenry. The anti-constitutionalists comprised the majority of council, but not the requisite two-thirds needed to enact a provision for the creation of a convention; therefore, the measure was defeated, and the council

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<sup>34</sup> Ibid, 597.

<sup>35</sup> Suggestion For a Plan of Government, in Smith, *The St. Clair Papers*, Vol. I, 598.

<sup>36</sup> *Journal of the Council of Censors*, 71.

decided to meet the following June to continue the proceedings. Thus, the radicals prevailed and prevented the conservatives from calling a convention to revise the constitution.<sup>37</sup>

Incensed by the decision not to hold a convention, St. Clair and other members of the conservative party wrote editorials, pamphlets, and broadsides in an attempt to sway public opinion in favor of calling a convention. Writing under the name "One of the Majority," St. Clair drafted a series of articles entitled "A Candid Examination of the Address of the Minority of the Council of Censors" that appeared in the *Freeman's Journal* in February and March of 1784. "A plain account of what happened," he intended his work to appeal to the "good sense and integrity of the People of Pennsylvania," and responded to the opinions set forth by the constitutionalists.<sup>38</sup> He questioned the motives of his opponents, stating, "The devil at times deceives his best friends, that is, he allows them to speak truths that cannot be mistaken, when they very religiously mean a lie."<sup>39</sup> Accordingly, the radicals sought to deceive the public by using scare tactics, such as accusing the anti-constitutionalists of being monarchists.<sup>40</sup>

He complained about the system under which his Council of Censors operated. "It is necessary two thirds of the whole council should agree to enable them to call a convention, [thus] the alteration or amendment of the constitution

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<sup>37</sup> Brunhouse, *The Counter Revolution in Pennsylvania*, 160; *Journal of the Council of Censors*, 73-75.

<sup>38</sup> *Freeman's Journal or the North American Intelligencer*, February 18, 1784. St. Clair is identified as "One of the Majority" in a letter from Benjamin Rush to John Arndt, March 31, 1784.

<sup>39</sup> *Ibid.*

<sup>40</sup> Thomas, "Political Tendencies in Pennsylvania," 63.

became no longer a proper object of our deliberations,” he said.<sup>41</sup> St. Clair defended the efficacy of creating the office of governor, warning readers: “Unless you would prefer becoming savages, to that State of Society, a chief magistrate you must have.”<sup>42</sup> He attacked the character of the constitutionalists accusing them of avoiding service in the Revolution because they were too enlightened to fight for their country. The writer argued in favor of a balanced government. “Power,” he insisted, “must be delegated and if that power is not balanced, give your government what name you please, you will find but a name, and you are slaves.”<sup>43</sup>

When radicals accused the anti-constitutionalists of planning to create a ruling aristocracy in Pennsylvania, St. Clair, born of noble ancestry and witness to monarchical rule in Scotland, insisted that his opponents did not “understand the meaning of the word ‘aristocracy.’” Conversely, he asserted that the current system supported an entrenched ruling elite. His proposals sought to provide the citizenry with the power to elect a governor on an annual basis and the right to vote for candidates outside of their counties. “Why,” he asked, “would the men who fought in the Revolution and expelled monarchy from the country be friends of tyranny?”<sup>44</sup>

Accusing the constitutionalists of impeding the development of the commonwealth, St. Clair stated, “This country is already a commercial one, and

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<sup>41</sup> *Freeman’s Journal or the North American Intelligencer*, February 18, 1784.

<sup>42</sup> *Ibid.*

<sup>43</sup> *Freeman’s Journal or the North American Intelligencer*, February 18, 1784 and February 25, 1784; Arnold, *A Republican Revolution*, 167.

<sup>44</sup> *Freeman’s Journal or the North American Intelligencer*, March 3, 1784.

will every day become more and more so. If by any false step the commercial spirit should be checked, its importance, and the wealth of individual inhabitants . . . decrease from that moment.”<sup>45</sup> Stirring the emotions of his audience, he asserted that the constitutionalists sought to take advantage of the citizens they viewed to be ignorant. Immodestly, St. Clair compared his proposals to the ideas expressed by the greatest thinkers of his time and antiquity, “The wisest legislators have approved of and recommended similar forms of republican government,” including “Locke, Montesquieu, Addison, and many others.”<sup>46</sup>

St. Clair’s first attempt to influence Pennsylvania politics after the Revolution was unsuccessful. Participation in the commonwealth’s government served as a catalyst to a career on the national level. The popular ex-general demonstrated a conservative political philosophy when he pushed for a convention to remove “radical” components from the state’s original charter. Pennsylvania officials, many of whom were anticonstitutionalists, appointed him to be a delegate to the Confederation Congress on November 11, 1785. Thus, he turned his attention to national politics.

St. Clair attended his first session on February 20, 1786, and immediately assessed the activities and intuited the problems of the Confederation. The Congress, he observed, was ineffective because of a lack of attendance. Asserting that non-attendance was a “breach of the Confederation,” he wrote to delegates urging them to participate in the meetings, but this effort did not yield

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<sup>45</sup> Ibid.

<sup>46</sup> *Freeman’s Journal or the North American Intelligencer*, March 3, 1784.

the intended results.<sup>47</sup> He complained on March 3, 1786, “We have not any time had more than seven States and in that Case one dissenting Voice stops all proceedings.”<sup>48</sup>

On August 8, 1786, St. Clair spoke eloquently in favor of the Jay-Gardoqui Treaty, arguing that the proposal would be advantageous to the United States because it would yield favorable trade relations with Spain. If the treaty was not accepted, this relationship could not develop. Commercial interaction between the two nations would foster political benefits as well. America, largely engaged in agricultural pursuits, needed the manufacturing centers of Europe to import raw materials. He stated, “Treaties of Amity and Commerce Sir have a happy effect upon Mankind. They greatly tend to remove . . . that Distrust and Jealousy . . . [and] begets a friendly disposition [and] dipses them to peace.”<sup>49</sup>

America needed to encourage shipbuilding to promote trade and create a navy in order to be taken seriously by foreign powers, the Pennsylvania delegate argued. Furthermore, increasing the number of seamen in New England enabled the U.S. to exploit fisheries in the region, which provided a new staple for the new nation. He understood that relinquishing navigation of the Mississippi River benefited New England’s economy: however, he did not view the progress of the

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<sup>47</sup> Arthur St. Clair to James Wilson, March 2, 1786, in P. Smith, *Letters of Delegates*, Vol. 23, 147.

<sup>48</sup> Treaty with Spain, August 16-22, 1786, and James Monroe to James Madison, August 11, 1786, in P. Smith, *Letters of Delegates*, Vol. 23, 478, 461.

<sup>49</sup> Arthur St. Clair’s Speech, in P. Smith, *Letters of Delegates to Congress*, vol. 23, 492. Charles Thomson Minutes of Proceedings, in Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* Vol. 8 (Washington D. C.: Carnegie Institution of Washington, 1936), 439. St. Clair took copious notes on the proceedings in Congress. See Arthur St. Clair’s Notes, in P. Smith, *Letters of Delegates*, Vol. 23, 478-486, 490-492, 515-518.

nation as based on sectional interests. A nationalist and an expansionist, he claimed, "The benefits reaped by one member will redound to the advantage of the whole Union."<sup>50</sup>

He wrote a letter that outlined his opinions on the proposed treaty with Spain to James Monroe, who, representing a southern perspective, disagreed with his sentiments. St. Clair discussed with Monroe several factors that he omitted during his speech to Congress. He opposed moving the negotiations to Madrid, a proposition endorsed by most southerners who felt that Thomas Jefferson would better represent their interests. Spain offered friendship to the United States, and this commercial and political relationship would only strengthen the union. Acceptance of the treaty would maintain favorable relations between Spain and the United States, but should the issue of navigation become acute in the future, after the western settlements had grown in population and the infrastructure was developed, the country could wage a decisive war against the Spanish inhabitants of the Mississippi Region. Thus, giving up navigation rights would allow America to be "better prepared" in the event of war.<sup>51</sup>

In addition to emphasizing the importance of relations with Europe and the benefits of commercial relations with foreign powers, St. Clair used his time as a Congressional delegate to urge his government to implement an orderly approach to western expansion. St. Clair advocated relinquishing navigation

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<sup>50</sup> The Comee. of the Whole Sat Again, November 5, 1786, in P. Smith, ed., *Letters of Delegates*, Vol. 23, 498.

<sup>51</sup> *Ibid.*

rights on the Mississippi River for a limited time to slow migration into the Northwest Territory. He pointed out that the settlement of Kentucky did not benefit Virginia; the reduction of labor forced that state to consider repealing the provision against the importation of African slaves. He asked, "Can it be advantageous to any Country to send out industrious freemen to make room for Slaves?"<sup>52</sup> Western settlers could become very dangerous to the union: "Collected together from every part of America with various views and different causes they find themselves a distinct People that had little connection with and no defence upon any of the Atlantic states."<sup>53</sup> He asserted that the states along the eastern seaboard were not overpopulated. In fact, St. Clair claimed that agriculture was not yet sufficiently developed in the East, and manufacturing was in its infancy.<sup>54</sup>

He feared that with little regard for the concerns of eastern states, the settlers would develop a separate identity. "They acquire," the speaker warned, "a turbulence and ferocity of Disposition that renders them but indifferent Citizens at best."<sup>55</sup> The former judge's experience in the western parts of Pennsylvania helped fashion his opinion: "Sir I am well acquainted with the Manners of our Frontier People and it was the employment of a great part of my Life to improve

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<sup>52</sup> Charles Thomson, Minutes of the Proceedings, in Burnett, ed., *Letters of Members of the Continental Congress*, 439-440.

<sup>53</sup> Arthur St. Clair's Speech, November 5, 1786, in P. Smith, *Letters of Delegates to Congress*, vol. 23, 492.

<sup>54</sup> Arthur St. Clair to Benjamin Rush, August 22, 1786, in P. Smith, *Letters of Delegates*, Vol. 23, 515. For a detailed discussion of the importance of the Mississippi River navigation rights, see The North Carolina Assembly, December 16th 1786, in P. Smith, *Letters of Delegates*, Vol. 24, 50.

<sup>55</sup> Arthur St. Clair's Speech, November 5, 1786, in P. Smith, *Letters of Delegates to Congress*, vol. 23, 492.

and civilize them.”<sup>56</sup> His familiarity with the administration of justice on the frontier led him to believe that government “should go hand in hand” with expansion. Accordingly, controlled settlement was necessary to preserve American institutions and to maintain law and order.

St. Clair attacked the idea that the sale of public lands would relieve the country of debt, believing this notion to be a “chimera;” conversely, western expansion could worsen the country’s finances and create additional debt. He warned, “If the public Credit had no better foundation it rests upon the baseless Fabric of a Vision,” to paraphrase Shakespeare’s Prospero. Instead, the states could provide regular payments toward the debt, while the government solicited foreign investments, which would strengthen international relations.<sup>57</sup>

Emigration to the western territory, St. Clair warned, will cause an Indian war that would be detrimental to the union. In fact, he believed that hostilities with the Ohio Indians had already begun; this assertion was correct. He had witnessed Shawnee resistance to Virginia’s expansion into the Kentucky Country leading to the Battle of Point Pleasant, and he had served as secretary during the Fort Pitt Treaty of 1775, which established the Ohio River as the boundary between Indian and American settlements. Furthermore, he followed events in the west closely and feared that the British, who retained posts in the Great

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<sup>56</sup> Ibid.

<sup>57</sup> Arthur St. Clair’s Speech, November 6, 1786, in P. Smith, *Letters of Delegates to Congress*, Vol. 23, 494.

Lakes Region after the war, planned to incite natives to attack the “thirteen fires” when the country was extremely vulnerable.

While participating in national affairs and arguing in favor of a slow and controlled settlement of the West in order to maintain law and order and to prevent the onslaught of an Indian War, the St. Clair continued to monitor Western Pennsylvania’s development. The delegate hoped to continue to influence and benefit from the region but feared that speculators and settlers who possessed constitutionalist ideas could seize his landholdings and dominate the politics of that part of the commonwealth. St. Clair left New York disenchanted with the inefficiency of the national government, and traveled to Pennsylvania to reclaim property in the vicinity of Fort Pitt. Newcomers threatened to undo the groundwork he had laid as chief magistrate of the western counties during their formative years and to influence the politics of the region.<sup>58</sup>

Despite St. Clair’s prestigious appointments and high standing in state and national politics, creditors continued to harass him for debts he had incurred during the War for Independence and as the vendue master of Philadelphia. John Nicholson, the comptroller of Pennsylvania and a radical opponent of his, filed legal proceedings against St. Clair. The ex-general claimed that he was unaware that he owed money and expressed his disappointment that charges had been leveled against him without his being informed in advance. He argued,

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<sup>58</sup> Arthur St. Clair to James Wilson, March 2, 1786, in P. Smith, ed., *Letters of Delegates to Congress*, Vol. 23, 173; Arthur St. Clair to John Dickinson, July 16, 1785, in Smith, *St. Clair Papers*, Vol. 1, 599.

“I am not ashamed of--for discharging Debts contracted during the progress of the Revolution—which cost me a great part of my Property when many others were making their Fortunes.”<sup>59</sup> He wrote to the Pennsylvania Council, lamenting the fact that he was unable to pay his debts. The position of auctioneer had not proved profitable. It failed to provide money necessary for the subsistence of his family. He asked for “further indulgences” because the suit brought against him would surely lead to the ruin of his family. In response, the council removed him from the position of auctioneer on April 13, 1787. It is not known whether or not he ever repaid his debts.<sup>60</sup>

St. Clair espoused conservative views regarding issues in Pennsylvania and feared the growth of radical sentiments west of the Appalachians. Keeping a close eye on affairs in the commonwealth, St. Clair believed the government of Westmoreland County should be situated at Loyal Hanning, near the site of Fort Ligonier. The alternative locations were too close to the boundaries of the county and therefore would be inconvenient for the administration of governmental affairs. The site was near the ruins of his burned home, and he hoped to benefit financially from the growth that would result from the transaction. His presence could influence the population; familiar with the politics of the region, he claimed, “I know that country well. . . . The Presbyterian Interest is the prevailing interest in all the western counties, and they and the Constitutionals have made almost

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<sup>59</sup> Arthur St. Clair to John Nicholson, February 13, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 97.

<sup>60</sup> Arthur St. Clair to John Nicholson, January 30, 1787, and Arthur St. Clair to John Nicholson, February 13, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 79, 97.

every a common Cause.”<sup>61</sup> He supported the proposal to move the state capital to Harrisburg. St. Clair thought the Susquehanna Land Company’s claim to portions of the Wyoming Valley to be of a dubious nature, advocating the arrest of the ringleaders who he believed were practicing seditious acts against the government of Pennsylvania and the Confederation Congress.<sup>62</sup>

The trans-Appalachian region no longer represented the frontier of Great Britain’s North American Empire. The Ohio River became the border between natives and Americans, and the land north and west of that waterway became the focal point of a new nation interested in expansion and a proud indigenous confederacy determined to hold on to its ancestral homeland. St. Clair was unable to recreate the life he had lived before the Revolution because the conflict changed the region. He witnessed the burgeoning of radical/constitutionalist sentiment within the population of Pennsylvania’s hinterland. As speculators and settlers clamored for land in Pennsylvania and other eastern states, the nation turned its attention to the West, to the land between the Appalachian Mountains and the Mississippi River.

The vast area north and west of the Ohio River possessed limitless potential for wealth, and the United States’ control of the region had strategic benefits. An American population would serve as a buffer between American Indians and eastern population centers, and the new nation’s foothold in the

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<sup>61</sup> Ibid.

<sup>62</sup> Arthur St. Clair to Thomas Fitzsimons, March 10, 1787, and Arthur St. Clair to Thomas Fitzsimons, September 20 1787, in Smith, ed., *Letters of Delegates*, Vol. 24, 135-137, 433-434. Arthur St. Clair to Benjamin Franklin, in Smith, ed., *St. Clair Papers*, Vol. I, 606-609.

territory would prevent the imperial nations of Spain and Great Britain from settling there and benefiting from the lucrative Indian trade in furs. Congress needed to act swiftly because squatters flooded the region and claimed land without title, and speculators toured the area seeking to make a profit from the “vacant” land. On a tour of the territory in 1784, George Washington noted that squatters were settling illegally on the north side of the Ohio River. With the influx of illegal settlers, the likelihood of an Indian war increased, and this migration threatened the country’s jurisdiction over the territory.<sup>63</sup>

Volatile conditions in the old Northwest forced Congress to confront the issue of settlement. A tenuous peace between natives and newcomers existed. Squatters and speculators poured into the region, and land companies wanted to make purchases of large tracts of land. Several proposals for the westward expansion of the nation reached the floor of the Congress during the “critical period,” and these initiatives culminated in the passage of the Northwest Ordinance on July 13, 1787. In 1784, Jefferson, the “American Sphinx,” had drafted an ordinance that called for the creation of ten states in the region and emphasized the importance of local control. Originally, his proposition advocated the elimination of involuntary servitude in the territory, but southern Congressmen forced that provision to be removed. The Land Ordinance of 1785 passed through the legislature the following year. The proposal called for the

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<sup>63</sup> Cayton, *Frontier Republic*, 7. For information on state cessions of western lands to the federal government, see “History of the Cessions, by the Different States, of Their Claims to the North Western Territory,” in Craig, *Olden Times*, Vol., I, 557-571.

orderly settlement of the territory and served as the genesis of the grid system that determined the nature of settlement in the American West. Aspects of the 1784 and 1785 ordinances and James Monroe's plan for a territorial government in 1786 were incorporated into the Northwest Ordinance.<sup>64</sup>

On January 2, 1787, St. Clair became President of the Confederation Congress, and over the following year he helped to enact that body's most significant legislation: the Northwest Ordinance and the call for the ratification of the Constitution. During his tenure, he used his position to fight for a stronger central authority, and he acted on his desire to strengthen the federal government when on February 21, 1787, the legislature approved a resolution that called for a convention to meet in Philadelphia in order to discuss defects in the Articles of Confederation. He viewed the inability of the nation's legislature to act to meet the pressing needs of the country as an indication of the weakness of the new nation under the Articles of Confederation: "The confederation is a very imperfect one. The grand committees of the nation are without power, and the individual members may adopt the little local policy of their respective States."<sup>65</sup>

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<sup>64</sup> Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington: Indiana University Press, 1987), 46-50; Lindley, *History of the Ordinance of 1787*, 30; Edward Watts, ed., *The First West: Writing from the American Frontier, 1776-1860* (New York: Oxford University Press, 2002), 116-122; James Monroe to James Madison, May 5, 1785, in P. Smith, *Letters of Delegates*, Vol. 22, 380. The ordinance is regarded as the third most important document of 18<sup>th</sup> century America. Only the Declaration of Independence and the Constitution have wielded more influence in America's development. For additional information on the land ordinances, see Jay Amos Barrett, *Evolution of the Ordinance* (New York: Arno Press, 1971), Edward Coles, *History of the Ordinance of 1781* (Philadelphia: Historical Society of Pennsylvania, 1856), Frederick D. Williams, ed., *The Northwest Ordinance: Essays on Its Formulation, Provisions, and Legacy* (East Lansing, Michigan: Michigan State University Press, 1988).

<sup>65</sup> General St. Clair to General McDougall, Colonel Ogden, and Colonel Brooks, December 1782, in Smith, ed., *St. Clair Papers*, Vol. 1, 575.

Actions taken outside of Congress by a number of Revolutionary War veterans, many of whom, like St. Clair, were members of the Society of Cincinnati, helped to determine the westward expansion of the United States. On March 1, 1786, a group of New Englanders met at the *Bunch and Grapes* tavern in Boston and formed the Ohio Company of Associates to purchase a large tract of land from Congress. Six of the eleven organizers of the company belonged to the secret order, and members of the society occupied most of the leadership positions. Each associate purchased a \$1000 share, and the company hoped to raise \$1,000,000 over the course of a year in order to purchase a substantial tract of land in the Ohio Country.<sup>66</sup>

The shareholders met in March of 1787 and decided to send Samuel Parsons to New York to present the proposal. On May 9, 1787, under the watch of President St. Clair, he submitted a request to purchase, “a Track of Country within the Western Territories of the United States . . . at a reasonable price . . . not exceeding One Million Dollars.”<sup>67</sup> The assembly planned to recess two days after Parsons made his request; thus, the purchase could not be debated until Congress reconvened in July. Empty-handed, Parsons returned to New England. The Ohio Company decided to place Manasseh Cutler in charge of

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<sup>66</sup> Ellis, *The Ordinance of 1787*, 60-61. For information of the Ohio Company of Associates, see Alfred Proctor James, *The Ohio Company, Its Inner History*, Pittsburgh: University of Pittsburgh Press, 1959), Dwight L. Smith, ed., *The Western Journals of John May, Ohio Company Agent and Business Adventurer* (Cincinnati: Historical and Philosophical Society of Ohio, 1961), William Parker Cutler and Julia Perkins Cutler, *Life, Journals, and Correspondence of Rev. Manasseh Cutler, LL.D.* (Cincinnati: R. Clarke and Co., 1888), Rowena Buell, *The Memoirs of Rufus Putnam and Certain Official Papers and Correspondence* (Boston: Houghton and Mifflin, 1903).

<sup>67</sup> Cutler and Cutler, *Correspondence of Rev. Manasseh Cutler*, Vol. 1, 202-203.

future consultations, and he played a pivotal role in promoting the company's plan to purchase western land. Contemporaries noted his sophistication and social grace, qualities that made him a skilled negotiator and the natural leader of the company. On June 24, 1787, he left New England and embarked on an historic trip to New York in order to "make a private purchase of lands for the Honorable Congress" in the name of the Ohio Company.<sup>68</sup>

For over five years the government was unable to articulate a coherent policy for the expansion west of the Ohio River, the Confederation Congress drafted and passed the Northwest Ordinance in eight days. Cutler became the chief mediator for the Ohio Company, and negotiations for the purchase began. When St. Clair was on leave from Congress between mid-May and mid-July because of "pressing business in a distant part of Pennsylvania," the Confederation enacted the most significant legislation regarding western expansion: "An Ordinance for the Government of the Territory of the United States North West of the River Ohio." As the Constitutional Convention got underway in Philadelphia, St. Clair believed that his presence in New York was unnecessary, "as there seems little probability that Congress will be fuller."<sup>69</sup> He recommended that the legislature elect a chairman in the event that a quorum was reached and bestowed upon Charles Thomson, Secretary of Congress, the presidential duties until his return. This request was peculiar because Thomson

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<sup>68</sup> Ellis, *The Ordinance of 1787*, 60-61; Cutler and Cutler, *Correspondence of Rev. Manasseh Cutler*, Vol. 1, 202-203; Lindley, *History of the Ordinance of 1787*.

<sup>69</sup> President St. Clair to Governor Huntington, 1787, in Smith, ed., *St. Clair Papers*, Vol. 1, 603.

was not in New York at that time and did not return for nearly a month. Therefore, it is unclear who was responsible for governance during this time.<sup>70</sup>

Contrary to St. Clair's prediction of non-attendance because of the Constitutional Convention in Philadelphia, the legislature met the requisite number of delegates to achieve a quorum. In the president's absence, Secretary Thomson appointed William Grayson, who had served with St. Clair in Virginia during the Revolution, temporary president of that body, and he oversaw the selection of a committee to debate the proposition. The committee represented Northern and Southern interests and consisted of influential individuals. Edward Carrington of Virginia became the chairperson; as Quartermaster-General for Greene's army, he had befriended St. Clair while serving in the Carolinas.<sup>71</sup>

The committee responsible for debating the proposal of the Ohio Company of Associates drafted one of the most important documents in American history: the Northwest Ordinance. The document served as the constitution of the territory, guiding the region through several stages of development. The ordinance was divided into two parts. The first half of the document detailed the type of government, the division and sale of land, and the requirements necessary for states to be created from the territory and entered into the union on an equal footing with other states. At first, the territory was considered to be one district that was subject to change.

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<sup>70</sup> The President of Congress to the Secretary of Congress, May 18, 1787, in Burnett, *Letters of Members of the Continental Congress* Vol. 8, 598-599; Chronology of Congress, in P. Smith, *Letters of Delegates*, Vol. 25, np.

<sup>71</sup> Richard Henry Lee to Francis Lightfoot Lee, July 14, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 354-356.

Government in territory was to undergo two stages of government prior to being admitted to the union on an equal footing. The first stage of colonial government consisted of a governor, a secretary, and three judges. The chief executive was to be appointed by Congress and permitted to serve three years in that position. Selected in the same manner, the secretary served a four-year term, and judges served for life, providing that they exemplified good behavior. The governor was vested with extensive powers, in charge of organizing the militia and selecting officers to lead the region's military. Further, the ordinance stipulated that the chief executive appoint magistrates and civil officials. These prerogatives gave St. Clair the supreme power of patronage in the territory. The document called on the "governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district."<sup>72</sup>

The second stage of territorial government created a General Assembly, which was composed of a house of representatives and a legislative council. When the territory reached a population of 5,000 white males, citizens were given the right to elect representatives to the house. The legislative council consisted of five individuals appointed by the President from a list of ten nominees forwarded by the representatives. The ordinance instructed the governor and the legislative assembly to make laws to meet the needs of the

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<sup>72</sup> Ellis, *The Ordinance of 1787*, 19; An Ordinance for the Government of the Territory of the United States North West of the River Ohio, July 13, 1787, in Hill, *Journals of the Continental Congress*, vol. 22., 336; also in Pease, *The Laws of the Northwest Territory, 1787-1800*, 522.

citizenry. The second grade of government increased the power of the chief executive. It stipulated that the governor must consent to all acts passed by the legislature in order for them to become law. In addition, the ordinance stated, "The governor shall have the power to convene, prorogue and dissolve the general assembly, when in his opinion it shall be expedient."<sup>73</sup> Lastly, when the district possessed a population of sixty thousand "free inhabitants," it was empowered to apply for statehood,

The second section of the Northwest Ordinance consisted of six articles of compact that outline the rights of citizens. Article One provides religious freedom for the inhabitants of the territory. The second article dealt with administration of justice and entitles the residents to "the benefits of the writ of Habeas Corpus, and of trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of common law." Article Three stressed the importance of education, asserting that an educated citizenry is necessary for the preservation of "good" government, and stipulated that each county in the territory reserve a township for the construction of a school. Further, this article maintained "the utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent."<sup>74</sup> Article Four asserted that the inhabitants of the Northwest Territory will be citizens of the United States and that the waterways leading to the St. Lawrence and Mississippi Rivers "shall be common highways

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<sup>73</sup> Pease, *The Laws of the Northwest Territory, 1787-1800*, 522.

<sup>74</sup> *Ibid.*

and forever free.” Article Five set out the boundaries of the territory and stipulates that the area will become “not less than three nor more than five states.” The sixth article prohibited “involuntary servitude” in the territory but provided that, “fugitive [slaves] may be lawfully reclaimed.”<sup>75</sup>

St. Clair returned to New York two days after the passage of the Northwest Ordinance. On July 18, 1787, he met with Cutler and expressed his desire to become the territorial governor. The representative of the Ohio Company found the President of Congress to be “much interested [in the governorship] and very friendly.”<sup>76</sup> Initially, Cutler wanted Samuel Parsons to fill that position, but “suspecting this might be some impediment,” he proposed a compromise. If Parsons was appointed judge and Winthrop Sargent appointed secretary, St. Clair could fill the position of governor, and the interests of the Ohio Company would still be represented. Furthermore, southerners, who feared that New Englanders dominated the proposed appointments, supported the choice of a Pennsylvanian. It is plausible that if not selected to be the chief executive, St. Clair would have attempted to prevent the company’s land purchase. This was not the case, and on July 27, 1787, Congress approved the sale.<sup>77</sup>

On September 17, 1787, George Washington wrote a letter to President St. Clair about the new federal Constitution: “The Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and

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<sup>75</sup> Ellis, *The Ordinance of 1787*, 19.

<sup>76</sup> Cutler and Cutler, *Correspondence of Rev. Manasseh Cutler*, vol. 1, 235;

<sup>77</sup> Arthur St. Clair to John Wendell, July 25, 1787, in P. Smith, *Letters of Delegates*, Vol. 24, 373; Chronology of Congress, in P. Smith, *Letters of Delegates*, Vol. 25, np

concession which the peculiarity of our political situation rendered indispensable.”<sup>78</sup> On September 26-27, 1787, Congress debated the product of the secretive Philadelphia Convention, and on September 28<sup>th</sup>, that body resolved to submit the document to the states for ratification. St. Clair’s papers do not mention his thoughts on the new Constitution, but he probably felt vindicated when Congress sent the document to the states. He failed to achieve reform of Pennsylvania’s constitution when a member of the Council of Censors, but he was successful on a national level. Nationalists’ efforts to strengthen the federal government, however, succeeded, and in time the Constitution replaced the Articles of Confederation as the guiding document of the nation.<sup>79</sup>

A staunch advocate of strong central government, St. Clair sent letters to some of the states outlining his objections to the Articles of Confederation and asking delegates to attend meetings in order to decide the important matters that confronted the nation. He lamented, “The want of due representation in Congress, so frequently as it has happened, and for a length of time together, has very greatly embarrassed the Affairs of the Union, and given much dissatisfaction to the States which in general keep their Representations up.”<sup>80</sup> In the course of almost a year, the legislature achieved a quorum fewer than thirty-five times, and St. Clair believed that foreign nations viewed this

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<sup>78</sup> George Washington to the President of Congress, September 17, 1787, in Max Farrand, ed., *The Records of the Federal Convention of 1787* (New Haven: Yale University Press 1911), 667.

<sup>79</sup> Stanley L. Klos, *President Who?: Forgotten Founders* (Estoric.com: Carnegie, Pennsylvania, 2004), 154.

<sup>80</sup> Arthur St. Clair to Certain States, August 13, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 403.

phenomenon as an indication of the weakness of the new nation. He asked, “What must the Nations of the World think of when they shall be informed that we have appointed an Assembly and invested it with the power of Peace and War . . . [but] it has not been capable for want of sufficient number of members.”<sup>81</sup> Thus, the preservation of the union depended upon the willingness of the states to act in unity regarding issues testing the validity of the nation. His letters to the states were probably intended to influence debates over the ratification of the Constitution.<sup>82</sup>

On October 5, 1787, Congress appointed its president to be governor of the Northwest Territory and ordered St. Clair to implement and enforce the provisions of the Northwest Ordinance. He believed the document to be “unquestionably the constitution or charter of this colony” and embraced the plan for government outlined in the ordinance. As a member of the Council of Censors, he abhorred Pennsylvania’s Supreme Executive Council, calling that body a “monster,” and fought for the creation of a chief executive. He also believed that judges should serve for life rather than be constrained by term limits. Therefore, he probably supported similar provisions in the Northwest Ordinance. Congress appointed Winthrop Sargent, a partner in the Ohio Company of Associates, to be secretary of the territorial government, and John

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<sup>81</sup> Ibid.

<sup>82</sup> Arthur St. Clair to Certain States, August 13, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 404. Early Ohio Political Leaders, Roll 2, Folder 2.

Armstrong Jr., Samuel Holden Parsons, and James Mitchell became the territory's first judges.<sup>83</sup>

Government officials maintained that the Old Northwest was the property of the nation and that the indigenous inhabitants needed to be punished for their conduct in the late war. The Articles of Confederation gave the federal government the power to negotiate Indian treaties, and during the post-war period officials struggled to create a policy to deal with the "Indian problem." Historian Reginald Horsman maintains that the new nation's Indian policy "made the mistake of assuming that the Indians would accept punishment (in the form of cession of lands) for fighting on the British side in the Revolution and ignored the consideration that, for the Indians, the Revolution had been only one episode in a long struggle of resistance to European farmers."<sup>84</sup>

The status of Indians in the Old Northwest was not settled during the negotiations surrounding the Treaty of Paris in 1783. In fact, diplomats from the United States and Great Britain did not consult the inhabitants of the land north of the Ohio River when they determined that the region would be ceded to America. Most Indians in the region sided with Great Britain during the Revolutionary struggle because they believed it was in their best interest to do so. Tribes hoped that a British victory would put an end to encroachments on their homelands. But after the war their ally had abandoned them to the Americans

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<sup>83</sup> Judges of the Northwest Territory, November 7, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 546; Chronology of Congress, in P. Smith, ed., *Letters of Delegates*, Vol. 25, np.

<sup>84</sup> Reginald Horsman, *Expansion and American Indian Policy, 1783-1812* (Norman: University of Oklahoma Press, 1967), 12.

who sought vengeance for the deaths of their comrades and the destruction of their properties during the war.<sup>85</sup> National leaders, including George Washington, realized that the country could not endure a prolonged and bloody war with natives; an empty treasury and a war-weary populace could ill-afford a war in a remote and unexplored region of the nation. Many government officials, like St. Clair, believed that government must go “hand in hand” with expansion. Therefore, the presence of Indians would slow settlement of the Old Northwest and allow for a regulated settlement pattern.<sup>86</sup>

Faced with these realities Congress decided to treat with the disaffected tribes in an attempt to purchase their lands. Richard Butler, who became the Superintendent of Indian Affairs in the Northern Department, and other commissioners set about to hold conferences with the Six Nations and the tribes living north of the Ohio River. Government officials instituted a “divide and conquer” strategy that had been implemented during the colonial period; in an attempt to prevent the formation of a pan-Indian confederation, representatives decided to meet with the tribes separately. The first conference between U.S. officials and representatives of the Iroquois nations took place at Fort Stanwix in New York. Marquis de Lafayette attended the council and used his influence to persuade the natives to accept the terms offered by the Americans, and they did. Americans dictated the terms of the Treaty of Fort Stanwix, which favored the

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<sup>85</sup> Ibid, 5,

<sup>86</sup> Walter H. Mohr, *Federal Indian Relations, 1774-1788* (Philadelphia: University of Pennsylvania Press, 1933), 93-103; David Howell to Jabez Bowen, March 7, 1785, in P. Smith, ed., *Letters of Delegates*, Vol. 22, 252.

victors in the war, and the agreement in which the Six Nations surrendered much of their land was signed on October 22, 1784.<sup>87</sup>

From Iroquoia, two commissioners traveled west to Fort McIntosh, located on the Ohio River south of Pittsburgh, and met with sachems from the Wyandots, Delawares, Chipawawas, and Ottawas. Once again, government representatives treated the natives as a defeated people who needed to be reprimanded for their support of the British in the Revolution and dictated the terms of the Treaty of Fort McIntosh, which was signed on January 21, 1785. The agreement demanded that the tribes give up their claims to present-day eastern and southern Ohio. The Fort McIntosh Treaty was the genesis of the reservation system in the United States. Tribes that signed the document agreed to live in areas determined by the government.<sup>88</sup>

When word of the Treaty of Fort McIntosh reached Shawnee Country along the Miami River, sachems and warriors refused to abide by the terms and claimed that all land north of the river was the property of Indians.

Commissioners Butler and Samuel Holden Parsons negotiated with the Shawnee

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<sup>87</sup> Richard Henry Lee to James Madison, August 11, 1785, in P. Smith, ed., *Letters of Delegates*, Vol. 22, 24-27; Charles Thomson to Richard Butler, August 15th, 1786, in P. Smith, ed., *Letters of Delegates*, Vol. 23, 587; The Secretary of the United States for the department of war to whom was referred sundry papers relative to Scotosh a Wiandot warrior, July 13, 1786, in *Journals of the Continental Congress*, Vol. 30, 401; Jacob Read's motion, December 2, 1784, in *Journals of the Continental Congress*, Vol. 27, 658. The Stanwix Treaty is printed in Christopher Densmore, *Red Jacket: Iroquois Diplomat and Orator* (Syracuse: Syracuse University Press, 1999).

<sup>88</sup> Articles of a Treaty concluded at Fort McIntosh, the twenty-first day of January, one thousand seven hundred and eighty-five, between the commissioners plenipotentiary of the United States of America, of one part, and the sachems and warriors of the Wyandot, Delaware, Chippewa, and Ottawa Nations, of the other, in *American State Papers: Indian Affairs*, Vol. 1, 11; The Senate Executive Journal, May 25, 1789, *Journal of the Executive Proceedings of the Senate of the United States of America, 1789-1805*, Vol. 30, 3-7.

at the mouth of the Great Miami River in January 1786. At the meeting a Shawnee chief eloquently expressed the dissatisfaction of the natives living in the region, "God gave us this country. We do not understand measuring out the lands, it is all ours."<sup>89</sup> His appeal, however, fell on deaf ears. Butler and Parsons asserted the authority of the United States and threatened an invasion of Indian Country if they did not comply with their demands. Thus, the Shawnee signed the Treaty of Fort Finney, also known as the Treaty at the Mouth of the Great Miami, on January 31, 1786. The tribe gave up its claim to present-day southwestern Ohio and southern Indiana.<sup>90</sup>

By February of 1786, some members of Congress believed that their efforts had succeeded and that the Indians of the Old Northwest had accepted the terms of the three treaties. This belief could not have been further from the truth, however. The Indians who agreed to the terms of the treaties did not represent their tribes; in fact, most natives living in the region demanded that the Ohio River, the boundary agreed to at the Treaty of Fort Pitt in 1775, be the permanent border between Indians and Americans. In November the tribes of the Old Northwest convened a council at Detroit to discuss the treaties and the state of affairs. The tribes formed a confederation and argued that the treaties

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<sup>89</sup> The Secretary of the United States for the department of war to whom was referred sundry papers relative to Scotosh a Wiandot warrior, July 13, 1786, in *Journals of the Continental Congress*, Vol. 30, 401.

<sup>90</sup> Articles of a Treaty concluded at the mouth of the Great Miami, on the Northwestern bank of the Ohio, the thirty-first day of January, one thousand seven hundred eighty-six, between the commissioners plenipotentiary of the United States of America, of one part, and the chiefs and warriors of the Shawnee Nation, of the other part, in *American State Papers: Indian Affairs*, Vol. 1, 11; *Morh, Federal Indian Relations*, 111-113. Horsmen, *Expansion and American Indian Policy*, 22. For insight into the impact of the Treaty of Fort Finney, see Paul Wehr, "The Treaty of Fort Finney, 1786: Prelude to the Indian Wars" M.A. Thesis, Miami University, 1958.

were null and void because the government officials did not meet with the confederation but instead with individual tribes who did not have the authority to cede land. The Indian confederation repudiated the treaties and petitioned the government for a new council to discuss new terms. Fearful of a pan-Indian war Congress complied with the Ohio tribes and promised to send a representative the following spring. One observer remarked, "If a confederacy of Indian tribes to the westward should take place, of which there is a prospect, they will become very formidable from their numbers."<sup>91</sup> Natives in the region had rejected the Stanwix, McIntosh, and Finney treaties and demanded to meet with a representative of the government.

Congress ordered St. Clair, the chief United States diplomat to the Indians of the Old Northwest, to hold a council "so that peace and harmony may continue between the United States and the Indian tribes."<sup>92</sup> Because the government stipulated, "the treaties which have been made may be examined, but must not be departed from, unless a change of boundary beneficial to the United States can be obtained," the governor was given an impossible task. Hence, in order to facilitate settlement and to establish governmental institutions in the territory, St. Clair needed to enforce treaties that had been rejected by the tribes in the region.<sup>93</sup>

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<sup>91</sup> Captain John Doughty to the Secretary of War, October 21, 1785, in Smith, ed., *St. Clair Papers*, vol. 2, 9-10.

<sup>92</sup> Instructions to the Governor of the Territory of the United States North-West of the River Ohio, Relative to an Indian Treaty in the Northern Department, in Smith, ed., *St. Clair Papers*, vol. II, 36-37.

<sup>93</sup> *Ibid.*

After serving in the Revolution, St. Clair became financially destitute because he had used his own money to finance the war, and his estate in the Ligonier Valley had been destroyed during the hostilities. Nonetheless, he had advanced to the rank of major general in Washington's army, reaching the highest rank of any Pennsylvanian to serve in the conflict. The veteran of two wars was respected and admired throughout the new nation and used his status to advance his political objectives. After serving as a member of the Council of Censors in Pennsylvania, he turned his attention to national politics. He argued in favor of a controlled settlement of the West and believed that backcountry inhabitants needed the rule of law or they would become a liability for the government. The solution he urged upon Congress was a strong central authority that could keep expansion in check. St. Clair used his influence as President to convince Manasseh Cutler of the Ohio Company of Associates that he was the best candidate for the job, and in October 1787, Congress appointed the nation's chief executive to the governorship of the Northwest Territory.

By 1787, the geographic location of the frontier had shifted from the trans-Appalachian region to the area north and west of the Ohio River; Indians believed that waterway should be the permanent boundary between natives and Americans. St. Clair moved with the frontier and became the chief administrator of his country's first colony. Throughout his political and civil career, he had fought for orderly and controlled western settlement. At the age of 53, he became the most powerful man in the American west, charged with implementing

an ordinance to facilitate growth and enforcing a reservation system that dictated where recalcitrant Indian nations could reside. Without precedents to guide him, St. Clair was determined to chart the western expansion of the United States.

## CHAPTER THREE

**“I have come as the ambassador of peace to all the people who dwell in this land”**

Judge Jacob Burnet recalled:

During the continuance of the first grade of that imperfect government, he enjoyed the respect and confidence of every class of people. He was plain and simple in his dress and equipage, open and frank in his manners, and accessible to persons of every rank. In these respects, he exhibited a striking contrast with the Secretary, Colonel Sargent; and that contrast, in some measure, increased his popularity; which he retained, unimpaired, till after the commencement of the first session of the legislature.<sup>1</sup>

The judge’s assessment was correct. St. Clair was successful during his first years in office, earning the respect and admiration of the residents. When the governor arrived in the Northwest Territory he was greeted with accolades and praises from the settlers who embraced the most powerful man in the colony and hoped that he could solve the region’s many problems. Without haste, he set out to assert America’s sovereignty over the territory and to create an administrative and military structure to facilitate growth and development.

St. Clair, with the help of Secretary Winthrop Sargent and the territorial judges, installed governmental institutions without haste, erecting counties, appointing officials, and passing statutes to facilitate the administration of justice

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<sup>1</sup> Jacob Burnet, *Notes on the Early Settlement of the North-Western Territory* (New York: D. Appleton & Co., Publishers, 1847) reprint, New York: Arno Press, 1975, 374-375.

in each jurisdiction. The officials held the first territorial legislature, and although the members did not agree on every issue, they were able to pass ten laws that met the needs of the residents. The seeds of discord evidenced in the disagreements between the governor and the judges augur to a much larger rift between the chief administrator and future legislatures. The governor assessed the most pressing issues facing the territory: He sought to squelch separatist movements and to remove Britain's influence on the region's inhabitants, American and Indian. Because of the unsettled security situation, he organized militias in each of the counties in an effort to combat recalcitrant natives and oversaw the establishment of military institutions in the territory.

Colonization of the region continued unimpeded during the governor's first years in office; population centers appeared at Marietta, Cincinnati, Gallipolis, and Manchester. The Ohio Indians, however, believed that the Ohio River should serve as the permanent boundary between native and American settlements and vowed to fight expansion into their homelands. Secretary Henry Knox ordered St. Clair to hold a council with the natives in order to enforce earlier treaties that had been rejected. Throughout the negotiations St. Clair exhibited contempt for natives, unwilling to compromise and unsympathetic to their plight. The Treaty of Fort Harmar failed to bring about a peaceful resolution because the Indian delegates who agreed to the terms did not represent their constituencies. An Indian war loomed, and the presence of an Indian Confederacy threatened to prevent the governor from carrying out his orders. Faced with the difficulties

associated with establishing governmental and military institutions in the Old Northwest, St. Clair described his reservations and apprehensions: "It was always my fear that our Western Territory, instead of proving a fund for paying our national debt, would be a source of mischief and increasing expense."<sup>2</sup>

Congress divided the territory north of the Ohio River into large tracts in accordance with the Ordinance of 1785 and the Northwest Ordinance. Unlike in Kentucky where uncontrolled settlement led to conflicting claims based on the metes and bounds system, the Old Northwest became a speculator's frontier as great proprietors secured massive tracts of land in order to sell small parcels to immigrants in the territory. The peopling of the tracts brought migrants from around the country and represented America's diversity. The Ohio Company of Associates purchase enticed haughty New Englanders, predominately from Connecticut, bent on recreating their Puritanical past in the West. The secretive Scioto Company sought to import Europeans, in particular Frenchmen, to the territory and to benefit economically from the endeavor. John Cleves Symmes, a New Jersey Supreme Court Judge, founded the Miami Purchase, which was populated by immigrants from the Middle Atlantic States. The land between the Little Miami River and the Scioto River became the Virginia Military District, a large tract of land that was given to that commonwealth in exchange for the quittance of its claims in the West in 1781.<sup>3</sup> The district was to be populated by

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<sup>2</sup> Governor St. Clair to John Jay, December 13, 1788, in Smith, ed., *St. Clair Papers*, Vol., 2,103.

<sup>3</sup> This agreement led to the ratification of the Articles of Confederation.

veterans of the sixteen Revolutionary War regiments from the commonwealth that served in the Continental Army.<sup>4</sup>

Land companies offered generous deals to would-be settlers, and America's infrastructure and transportation networks improved in order to facilitate migrations. From Philadelphia, pioneers from New England and the Mid-Atlantic traveled along the old Forbes' Road, which became the Pennsylvania State Road, to gain access to rich lands in the Old Northwest. Southern pioneers traveled along the Braddock's Road, which became known as the Cumberland Road, and took up residence in western Virginia and in the Kentucky Country. Pittsburgh grew to facilitate immigration, serving as the gateway to the West. Waterways became the most important transportation routes. The mighty Ohio River and its tributaries brought scores of settlers to the region.<sup>5</sup>

The Ohio Company was the first private investment corporation to purchase a large tract of land in the Old Northwest. Led by Revolutionary War

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<sup>4</sup> For information on the peopling of Ohio during the territorial period, see Burnet, *Notes on the Early Settlement of the North-Western Territory*, Frazer Ells Wilson, *Advancing the Ohio Frontier: A Saga of the Old Northwest* (Columbus, Ohio: Long's College Book Co., 1953), James H. Perkins, *Annals of the West: Embracing a Concise Account of Principal Events, Which Have Occurred in the Western States and Territories, From the Discovery of the Mississippi Valley to the Year Eighteen Hundred and Fifty* (St. Louis: J.R. Albach, 1851), James Baldwin, *The Conquest of the Old Northwest and Its Settlement by Americans* (New York: American Book Company, 1901), Rufus Blanchard, *Discovery and Conquests of the North-West, With the History of Chicago* (Wheaton, Illinois, R. Blanchard and Co., 1881); Frederic Austin Ogg, *The Old Northwest: A Chronicle of the Ohio Valley and Beyond* (New Haven: Yale University Press, 1921). Walter Havighurst, *Wilderness For Sale: The Story of the First Western Land Rush* (New York: Hastings House, 1956), Theodore Roosevelt, *The Winning of the West* (New York: G.P. Putnam's Sons, 1900), Vols. 3-5.

<sup>5</sup> Carl Wittke, ed., *The History of the State of Ohio* vol. I, Beverly W. Bond, Jr., *The Foundations of Ohio* (Columbus, Ohio: Ohio State Archaeological and Historical Society), 1941), 275-279.

veterans who had experienced financial difficulties following the conflict, the company sought to introduce the first model of controlled settlement in the territory. Associates had played an important role in convincing Congress to pass the Northwest Ordinance, a document that encompassed the members' beliefs. The group's pioneering spirit enabled them to become the first company to purchase land north of the Ohio River, and in accordance with this determination, the first corporation to colonize the territory.<sup>6</sup>

Prominent members of the Ohio Company, including Cutler, Sargent, and Putnam engaged in a clandestine private speculative venture, known as the Scioto Purchase. When Cutler was negotiating with Congress to purchase land in the Ohio Country, Colonel William Duer, Secretary of the Treasury Board, approached the representative of the company with a proposition to engage in land speculation in the territory. Cutler wrote, "Colonel Duer came to me with proposals from a number of principal characters in the city, to extend our contract, and take in another Company, but that it should be kept a profound secret."<sup>7</sup> At the time, he was wrangling with Congress over the terms of his company's purchase, and Duer offered to serve as a liaison between the associate and Congress. The two men with other participants in the scheme met at the Stone House Tavern on July 20, 1787, and Cutler agreed to purchase additional land with another company under the same contract. He believed that it was necessary to comply with Duer's requests in order to receive the acreage

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<sup>6</sup> Cutler and Cutler, ed., *Life, Journals and Correspondence of Rev. Manasseh Cutler*, 295,

<sup>7</sup> *Ibid.*

at a reduced cost, and the Scioto speculator offered Cutler a substantial sum of money toward the down payment. He and Sargent purchased six million acres in two contracts. The first contract was awarded to the Ohio Company, and the second contract was turned over to Duer and the Scioto Company on October 27, 1787. Cutler referred to the compromise as “the greatest private contract ever to be made in America.”<sup>8</sup>

The goal of the Scioto speculation was to sell land in the recently acquired tract to European, in particular French, settlers. Duer, Cutler, and Sargent each owned thirteen shares of the company. Cutler and Sargent distributed some of their shares to prominent members of the Ohio Company, including Richard Platt, Rufus Putnam, and Samuel H. Parsons. Joel Barlow, a Connecticut lawyer, became the company’s agent in France and stepped ashore at Le Havre in June 1788 with orders to entice prospective French emigrants to settle in the West. Unfortunately, Barlow did not have the power to sell land titles, only the right of preemption. Nonetheless, the project went forward with the goal of creating a French city along the Ohio River opposite the mouth of the Kanawha River, and Gallipolis was established at that site in 1790.<sup>9</sup>

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<sup>8</sup> Cutler and Cutler, ed., *Life, Journals and Correspondence of Rev. Manasseh Cutler*, 295, 326; Indenture Between the Board of Treasury and the Agents of the Ohio Company, October 27, 1787, and Indenture Between The Board of Treasury and Manassah Cutler and Winthrop Sargent, October 27, 1787, in Carter, ed., *Territorial Papers*, 80-88.

<sup>9</sup> Theodore Thomas Belote, *The Scioto Speculation and the French Settlement at Gallipolis* (New York: Burt Franklin, 1907), 14-23. For more information, see Archer B. Hulbert, *Andrew Craigie and the Scioto Associates* (Worcester, MA: American Antiquarian Society, 1913), John McGovern, *The Gallipolis Colony in Ohio, 1788-1795* (Philadelphia: Records of the American Catholic Historical Society, 1926).

After hearing about the favorable outcome of the Ohio Company's request to purchase land in the Old Northwest, John Cleves Symmes, a New Jersey Supreme Court Judge with Federalist leanings, petitioned the government to purchase two million acres of land between the Great and Little Miami Rivers for one dollar per acre. A descendent of Puritans who migrated to New Jersey, Symmes was a veteran of the Revolutionary War who had participated in the partisan fighting in New York and in his own state. He became a leading patriot in the war with Great Britain and used his prestige to obtain civil appointments during and after the conflict. The former schoolteacher served as a delegate to the Confederation Congress and took an active interest in settling the lands north of the Ohio River. In 1787, he traveled to the Ohio Country in search of a tract to establish a colony. Initially, he wanted the site to be in the Illinois Country along the Wabash River, but after learning of the hostile disposition of natives living in the region, he decided on the area between the Miami and Little Miami Rivers.<sup>10</sup>

Working with Elias Boudinot and Jonathan Dayton, Symmes obtained a tentative agreement from the Treasury Board, known as the Miami Purchase, to purchase two million acres between the rivers. In June 1788, he asked Congress to reduce his purchase by one million acres and paid \$83, 333 in Continental certificates as a down payment. Enthusiastic to settle the region and

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<sup>10</sup> Petition of John Cleves Symmes for A Grant of Land, August 29, 1787, in Carter, ed., *Territorial Papers*, vol., II, 70-71. Beverley W. Bond, Jr., ed., *The Correspondence of John Cleves Symmes: Founder of the Miami Purchase* (New York: The Macmillan Company, 1926), 5-10, Bond, *The Foundations of Ohio*, 290-293; Beverley W. Bond, *The Intimate Letters of John Cleves Symmes and His Family, including Those of his Daughter Mrs. William Henry Harrison, Wife of the Ninth President of the United States* (Cincinnati: Historical and Philosophical Society of Ohio, 1956), xvii-xix.

to reap the economic benefits, the judge placed advertisements in New Jersey newspapers to recruit industrious pioneers and began to sell land in the purchase before he paid for it. Symmes did not always engage in sound business practices. He traveled to his purchase and continued to sell tracts without a contract with the federal government that outlined the boundaries of his settlement, and as a result, the proprietor began to retail land to which he did not possess title.<sup>11</sup>

The Ohio Company took the lead in settling the land northwest of the Ohio River. Rufus Putnam, a veteran of the Revolution and a shareholder in the company, led the first settlement expedition and established Adelphia<sup>12</sup> on April 7, 1788. Putnam and his companions looked to the past and compared their actions to those of the Separatists who founded Plymouth, Massachusetts, in 1620; the travelers dubbed their transport boat, “the *Mayflower*.” The pioneers endured difficult weather conditions and the threat of Indian attacks and erected the first legal settlement in the territory. Interested in trade, Wyandot and Delaware Indians greeted the new arrivals with friendship and visited the settlement daily. Natives and newcomers alike anticipated the arrival of Governor St. Clair in the hope that he could broker an agreement between hostile Indian nations and the United States. Company planners used the New England town

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<sup>11</sup> Ibid; John Cleves Symmes to Jonathan Dayton, July 22, 1788 in Bond, ed., *The Correspondence of John Cleves Symmes*, 29-30;

<sup>12</sup> The settlement on the Muskingum was originally called “Adelphia.” According to Cutler, “it strictly means *brethren*, and I wish it may ever be characteristic of the Ohio Company.” The name was changed to “Marietta” in July 2, 1788. See minutes of the first meeting of the Associates at Marietta in Archer Butler Hulbert, ed., *The Records of the Original Proceedings of the Ohio Company* Vol. I, (Marietta, Ohio: Marietta Historical Commission, 1917), 50.

model of compact settlement and provided land for the establishment of religious and educational structures. The resilient pioneers immediately went to work under the direction of company leaders to create their western colony, and over time “Putnam’s Paradise” became a bustling town that served as the gateway to settlements along the Ohio River.<sup>13</sup>

In 1788, the settlers on the Muskingum River celebrated the territory’s first Independence Day and eagerly awaited the arrival of their leader, St. Clair. The troops at Fort Harmar fired cannons in celebration, and a procession of citizens and soldiers marched to a public dinner and enjoyed a feast that included a one hundred pound pike. As the crowd gathered under a “bowery” along the banks of the Muskingum, a heavy rain commenced, but the storm did not dampen the spirit of the occasion. The citizens made patriotic toasts that honored the United States, Congress, George Washington, and “his excellency Governor St. Clair and the Western Territory.”<sup>14</sup> James M. Varnum gave a moving speech that bemoaned the absence of the governor, hoping that he would arrive soon. An observer called the oration, “the first seeds of Western eloquence.”<sup>15</sup>

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<sup>13</sup> Dr. Cutler to General Putnam, December 3, 1787, and General Putnam to Dr. Cutler, May 16, 1788, in Cutler and Cutler, ed., *Life and Correspondence of Rev. Manasseh Cutler*, 376-380; John May Journal, May 27, 1788, in Smith, ed., *The Western Journal of John May*, 48; Buell, *Memoirs of Rufus Putnam*, 104-105.

<sup>14</sup> John May recalled eating with a Delaware chief during the July 4<sup>th</sup> celebration. He wrote, “When they fired the cannon on the toast of Governor St. Clair—etc. it made him start[led]—the noise of Cannon is disagreeable to an Indians [sic] ears.” Beyond the sound of exploding gunpowder, the natives had reason to fear the arrival of the governor who was charged with implementing a reservation system.

<sup>15</sup> *Western Journals of John May*, 60; Charles S. Hall, ed., *Life and Letters of Samuel Holden Parsons: Major General in the Continental Army and Chief Judge of the Northwestern Territory, 1737-1789* (New York: Archives of James Pugliese, 1968), 523.

As settlers poured into the western territory, St. Clair spent the winter and spring of 1788 preparing for his job as governor. He assessed the most pressing problems in the region through dispatches sent to him from the West, and before his arrival, he focused on Indian affairs. The federal government had placed the responsibility on the governor of quelling the escalating violence between natives and Americans. The outcome of his endeavor was unknown but followed closely in New York. Secretary of War Henry Knox wrote, "It may not be improper for me to intimate to you the anxiety of Congress to hear from you in the present state of affairs, and of the dependence they place on your abilities."<sup>16</sup>

The Ohio Indians had formed a loose confederation to combat Americans during the Revolution, but the organization became emboldened after the treaties held at Forts Stanwix, McIntosh, and Finney. The tribes met near Detroit in November 1786 and declared the treaties to be invalid because the delegates who negotiated the agreement did not speak for the confederation. A spirit of pan-Indianism spread throughout the Ohio Country, and many natives believed in collective ownership of land. Intertribal disunity hampered the effort to present a united front, and American officials sought to exploit those differences. Tribes living close to American settlements, such as Delawares, Wyandots, and Iroquois, wanted peace with the United States, but tribes that lived farther to the west, such as the Shawnees and the Miamis, desired war. Joseph Brant, an educated Mohawk chief, spoke at the council near Detroit and led the effort to

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<sup>16</sup> The Secretary of War to Governor St. Clair, July 3, 1788, in Carter, ed., *Territorial Papers*, Vol. 2, 118.

negotiate a permanent border that met the approval of the confederation. He stated, "The interests of any one nation should be the welfare of all others."<sup>17</sup>

The tribes petitioned Congress to hold a council at the falls of the Muskingum River to determine a permanent border between the two groups.<sup>18</sup>

Congress forwarded instructions to the governor regarding an Indian treaty to be finalized with natives living in the Northern Indian Department. That body ordered St. Clair to hold a treaty with Indians and to author an agreement between the two groups that fostered peace in the region, settled boundaries, and regulated trade. The chief negotiator was placed in a difficult position because he was ordered to enforce the provisions established at the Treaties of Forts Stanwix, McIntosh, and Finney. Most natives believed these agreements were null and void because the Indian representatives did not speak for the affected tribes. Many native leaders thought that the Ohio River must be the permanent border between Americans and Indians. Congress believed that destroying unity among Indian nations was the best way to effect an agreement

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<sup>17</sup> Brant Speech quoted in Hurt, *The Ohio Frontier*, 101. For information on Brant, see Isabel Thompson Kelsay, *Joseph Brant: Man of Two Worlds, 1743-1807* (Syracuse, NY: Syracuse University Press, 1984), Edward Eggleston and Lillie Eggleston Seelye, *Brant and Red Jacket, Including an Account of the Early Wars of the Six Nations, and the Border Warfare of the Revolution* (New York: Dodd, Mead & Company, 1879), William L. Stone, *Life of Joseph Brant, Thayendangea, Including the Border Wars of the American Revolution, and Sketches of the Indian Campaigns of Generals Harmar, St. Clair, and Wayne, and Other Matters Connected With the Indians Relations of the United States and Great Britain, From the Peace of 1783 to the Indian Peace of 1795* (Albany, NY: J. Munsell, 1865), William E. Palmer, ed., *Memoir of the Distinguished Mohawk Indian Chief, Sachem, and Warrior, Captain Joseph Brant* (Brantford, ON: C.E. Steward, 1872).

<sup>18</sup> Hurt, *The Ohio Frontier*, 101.

favorable to the United States. Secretary of Congress Charles Thomson wrote, “Every exertion must be made to defeat all confederations among the tribes.”<sup>19</sup>

St. Clair traveled to Pittsburgh to receive intelligence from the territory and to communicate his findings to the Secretary of War. He believed that the most effective way to impose peace on Indian nations was to prevent the formation of a pan-Indian confederacy: “Any opportunity that may present itself . . . to sow the seeds of discord among them . . . will be embraced.”<sup>20</sup> In addition to the “divide and conquer” strategy advocated by the federal government, the governor believed that natives must be made aware that their land had been ceded to the United States by Great Britain in 1783 and that refusal to abide by the terms of the government would result in severe punishment. St. Clair, however, understood that the natives would not give up their land without objection. He wrote, “The idea of being ultimately obliged to abandon their country rankles in their minds.”<sup>21</sup>

The situation was particularly precarious because immigration to the territory continued unabated, and the presence of larger numbers of Americans

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<sup>19</sup> Instructions to the Governor of the Territory North-West of the River Ohio, Relative to an Indian Treaty in the Northern Department, in Smith, ed., *St. Clair Papers*, Vol. 2, 36-37; Additional Instructions to the Governor of the Territory of the United States Northwest of the River Ohio, relative to the treaty to be held with the Western Indians, in pursuance of the Resolutions of Congress, passed in October last, July 2, 1789, in *American State Papers: Indian Affairs*, Vol. 1, 9.

<sup>20</sup> Governor St. Clair to the Secretary of War, July 5, 1788, in Carter, ed., *Territorial Papers*, Vol. 2, 118-120; Governor St. Clair to the Secretary of War, January 27, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 40-42.

<sup>21</sup> The Secretary of War to Governor St. Clair, July 3, 1788, and Governor St. Clair to the Secretary of War, July 5, 1788, in Carter, ed., *Territorial Papers*, Vol. 2, 118-120; Harmar to Secretary of War, June 15, 1788, in Thornbrough, ed., *Outpost on the Wabash*, 84-85; Journal, May 23, 1788, in Smith, ed., *The Western Journal of John May*, 44.

in the region served to strengthen the resolve of the native inhabitants who were determined to retain their ancestral homelands. Brigadier General Josiah Harmar served as the highest-ranking military official in the West prior to the arrival of St. Clair, and the government used his reports to assess the rapidly changing situation in the backcountry. At Fort Harmar, the general took note of the influx of newcomers to the region: "From the 1<sup>st</sup> June to this day [December 9, 1787], there have passed this garrison, bound for Kentucky, one hundred and forty-six boats, three thousand one hundred and ninety-six souls, one thousand three hundred and eighty-one horses, one hundred and sixty-five wagons, one hundred and seventy-one cattle, two hundred and forty-five sheep, and twenty-four hogs."<sup>22</sup> The rapid population increase threatened to undo the fragile peace that existed between the United States and the Ohio Indians.<sup>23</sup>

The governor arrived at Marietta on July 9, 1788, and the soldiers at the fort fired a fourteen-gun salute to honor the much-anticipated appearance of the chief administrator. Three days later, St. Clair was exposed to the violent and unsettled conditions in the territory when he received a disturbing dispatch from the officer in charge of securing provisions for the upcoming treaty with the Ohio Indians to be held at the falls of the Muskingum River. Armed with spears a band of Ojibwas attacked the officer's party and killed two men, wounded two others,

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<sup>22</sup> Harmar to Secretary of War, June 15, 1788, in Thornbrough, ed., *Outpost on the Wabash*, 84-85.

<sup>23</sup> Brigadier-General Harmar to Secretary of War, December 9, 1787, in Smith, *St. Clair Papers*, Vol. 2, 37-38. Harmar also estimated that 177 boats, 2,689 individuals, 1,333 horses, 766 cattle, and 102 wagons passed Fort Harmar en route to the Kentucky Country, in Thornbrough, *Outpost on the Wabash*, 85n.

and took several hostages. The incident sent shockwaves throughout the region and introduced St. Clair to the volatile situation along the border between Americans and Indians. The governor thus spent his first six months in the territory attempting to broker an agreement between the Ohio Indians and the United States.<sup>24</sup>

Angered by the episode, the governor ordered the council to be moved from the falls of the Muskingum River to Fort Harmar. The governor penned an angry dispatch to the tribes and announced that the treaty would take place at an American site, not on neutral ground. He wrote, "The Flag of the United States has been fired upon; and (what is perfidious beyond comparison) when a small party of Soldiers were sent to watch the Council Fire, kindled at your request . . . you have fallen upon them, and killed them."<sup>25</sup>

This decision angered the tribes who believed that they were being punished for an isolated occurrence perpetrated by individuals who did not represent the confederation. Backcountry residents began to panic when learning of the attack, but the governor believed that accounts of the incident had been exaggerated and hoped that the *Pittsburgh Gazette* would print an article that would alleviate the anxiety experienced by the pioneers. He described the feelings of many backcountry settlers, "The alternative of peace or war hangs so

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<sup>24</sup> Governor St. Clair to the Secretary at War, July 13, 1788, in Carter, ed., *Territorial Papers*, Vol. 2, 125-127.

<sup>25</sup> Governor St. Clair to the Indians in Council, July 13, 1788, *ibid.*

nearly in equilibrium that no man can tell which side of the balance will kick the beam.”<sup>26</sup>

On July 15, 1788, St. Clair installed government in the Northwest Territory; at Marietta, he officially replaced the code of laws established by the settlers (the Marietta Code) with the new territorial constitution (the Northwest Ordinance). The first phase of government consisted of a governor, a secretary, and three judges. Sargent read the Northwest Ordinance to the citizens, and the governor commissioned judges Samuel H. Parsons and James M. Varnum. Congress appointed Symmes to be the third judge, but he was unable to attend the ceremony because he was preparing to establish his settlement in the Miami Purchase. St. Clair used the occasion to address the inhabitants of the colony and to describe his role as chief administrator. The speech was informative and optimistic; in addition to introducing the new government to the settlers, the oration identified critical issues in the colony while maintaining a positive and assertive tone. “A good government, well administered, is the first of blessings to the people,” he stated. “From the operation of wholesome and equal laws that passions of men are restrained within due bounds; their actions receive a proper direction; their virtues are cultivated.”<sup>27</sup>

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<sup>26</sup> *Western Journals of John May*, 63; *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, Hall, ed., *Life and Letters of Samuel Holden Parsons*, 523. Governor St. Clair to the Secretary of War, July 13, 1788, and Governor St. Clair to General Butler, July 15, 1788, in *St. Clair Papers*, II, 50-51.

<sup>27</sup> *Journal of Executive Proceedings in the Territory Northwest of the River Ohio*, in Carter, ed., *Territorial Papers*, Vol. 3, 263-264; Governor St. Clair’s Address at Marietta, July 15, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 54.

The governor emphasized the importance of law and complimented the judges appointed by Congress to oversee its execution. He assured the crowd that the system of government in place in the territory was only temporary and argued that its existence was necessary because of the infant situation of the colony. The task laid before the inhabitants living north of the Ohio River was difficult and comparable to “reducing a country from a state of nature to a state of civilization,” the speaker warned.<sup>28</sup> Patience and perseverance, he believed, were the driving forces behind the colony’s success: in time, forests would become arable fields and cities would rise in areas formerly inhabited by Indians. These changes, he likened to the hand of God and the act of creation.<sup>29</sup>

St. Clair discussed the unsettled relationship with the native inhabitants of the territory and warned the settlers of potential attacks from hostile nations. He urged actions that would pacify Indians and encouraged the residents to “treat them on all occasions with kindness . . . run not into their customs and habits . . . but endeavor to induce them to adopt yours.”<sup>30</sup> He argued that the natives would recognize the superiority of American civilization when introduced to Christianity and law and as a result would abandon their traditional practices. Lastly, St. Clair told the audience that administering affairs in the extensive territory would require long absences by governor, secretary, and judges.<sup>31</sup>

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<sup>28</sup> Governor St. Clair’s Address at Marietta, July 15, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 55.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*

Rufus Putnam welcomed the governor to Marietta and read an address on behalf of the citizens. He stressed the inhabitants' support for the new government and the approval of the Northwest Ordinance. The citizens willingly placed themselves under the authority of the colonial government and promised to share in the burdens and hardships as well as the prosperity that the abundant natural resources would one day yield. Putman asserted, "We are equally ravished with the thought that the great Governor of the universe hath raised up your Excellency, as an instrument to open the way to this transcendently glorious event, and in your life you will anticipate the joys of Paradise."<sup>32</sup>

On July 17, 1788, St. Clair established Washington County as the first county north of the Ohio River. The boundaries were as follows:

Beginning on the bank of the Ohio where the western boundary line of Pennsylvania crosses it; with that line to Lake Erie; along the southern shore of said Lake to the mouth of the Cuyahoga; up said river to portage between that and the Tuscarawas branch of the Muskingum; down the branch to the forks at the crossing place above Fort Lawrence [Laurens]; with a line to be drawn western to the portage on the branch of the Big Miami . . . south to the Scioto; down to its mouth; up the Ohio to place of beginning.<sup>33</sup>

The chief administrator followed the example of New England's Pilgrims and issued a Thanksgiving Proclamation in an attempt to impose his strict religious convictions on the people of the territory, including natives. He declared December 25th to be observed as a day of thanksgiving and praise. The governor's devout Christian beliefs influenced the way in which he viewed

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<sup>32</sup> Reply of the Citizens of Marietta, July 15, 1788, in *St. Clair Papers*, 56-57 n; Inhabitants on the Muskingum to Governor St. Clair, July 16, 1788, in Carter, ed., *Territorial Papers*, Vol. 2, 132-133.

<sup>33</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 278-279.

Indians, who he believed would become civilized when introduced to the precepts of his faith. He believed it was the duty of Christians to promote the “true Religion amongst all the Nations of the Earth.”<sup>34</sup> When the citizens gathered at Marietta to listen to the first Thanksgiving sermon preached in the territory on December 25, 1788, Judge Parson’s eulogy stressed the role of natives who “have hitherto quietly submitted to our possessing their country.”<sup>35</sup> Americans, however, did not understand their indigenous neighbors; most Indians rejected Christianity and held on to their traditional beliefs and practices. Furthermore, tribes did not want to be dispossessed of their lands. These differences contributed to the outbreak of a border war that stifled the territory’s development until 1795.<sup>36</sup>

The governor had difficulty with the judges who made up the territorial legislature, which met at Marietta in July 1788 and continued its session until the end of the year. Under the first stage of government, St. Clair and Judges Parson and Varnum formed the legislature. The governor and the territorial legislators experienced tensions from the outset. The first disagreements centered on varying interpretations of the Northwest Ordinance, in particular the section outlining the passage of legislation. The governor was a strict constructionist and maintained that the ordinance must be followed verbatim. Conversely, the judges were broad constructionists and believed that document had implied powers.

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<sup>34</sup> Mark 28:19 likely inspired St. Clair’s comments: “Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost.”

<sup>35</sup> *Life and Letters of Samuel Holden Parsons*, 537

<sup>36</sup> Thanksgiving Proclamation, December 17, 1788, in Smith, ed. *St. Clair Papers*, Vol. 2, 107.

The judges sought to increase their power, arguing over the wording of the ordinance. That document stated, “The governor, and judges or a majority of them shall adopt laws.”<sup>37</sup> Varnum and Parsons believed that a majority of judges could overrule the governor. St. Clair, on the other hand, asserted that he had absolute veto power over proposed legislation. He argued, “that the Governor and the Judges, or the Governor with any two of the Judges shall have power to adopt and publish Laws, but the Judges without the Governor shall not have those powers.”<sup>38</sup>

The Northwest Ordinance instructed the governor and judges to “adopt and publish . . . such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district.”<sup>39</sup> The body was to adopt statutes from the states but possessed a copy of only Pennsylvania’s laws. Many states did not have updated copies of laws to provide to the officials. The judges maintained that the territory’s laws should differ from those in the states to meet the unique needs of the colony, but the governor argued that the statutes must be taken from the states as stipulated in the ordinance. The judges asked, “Whether in adoption and publication of laws, were we literally confined to the laws of the old States?”<sup>40</sup> St. Clair was unwavering in his

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<sup>37</sup> Northwest Ordinance, in Pease, *The Laws of the Northwest Territory, 1787-1800*, 522.

<sup>38</sup> Governor St. Clair to Judges Parsons and Varnum, July 30, 1788, Judges Parsons and Varnum to Governor St. Clair, July 31, 1788, and Governor St. Clair to Judges Parsons and Varnum, August 7, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 64-78.

<sup>39</sup> Northwest Ordinance, in Pease, *The Laws of the Northwest Territory, 1787-1800*, 522.

<sup>40</sup> Governor St. Clair to Judges Parsons and Varnum, July 30, 1788, Judges Parsons and Varnum to Governor St. Clair, July 31, 1788, and Governor St. Clair to Judges Parsons and Varnum, August 7, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 64-78.

interpretation of the ordinance, but he realized that the territory desperately needed laws to guarantee its development. So, he acquiesced and permitted the judges to draft statutes that did not comply with state laws.

By December 1788, St. Clair and Judges Parsons and Varnum had overcome their differences in order to enact ten laws. The first law created and regulated the militia; it is likely that the administration chose to address the military situation in the territory because of the threat of attacks by Indians. The second law, dealing with civil affairs, established the General Courts of Quarter Sessions and County Courts of Common Pleas and created the office of sheriff. The third, fourth, and fifth statutes determined when and where the courts would hold sessions and constructed the oaths of office.<sup>41</sup>

The sixth law outlined crimes and punishments in the territory; offenses such as treason, murder, and arson (which resulted in a fatality) were to be punished by death. Burglars faced whippings, fines, and imprisonment for their behavior, and perjurers were forced to spend time in the pillory in addition to being fined and whipped. Those convicted of forgery suffered “disfranchisement” and up to three hours in the stocks. The territorial government instituted rigid social control; drunkards were fined for the first offense and placed in stocks for additional transgressions. The administration urged the citizens to refrain from

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<sup>41</sup> Territorial Laws, in John B. Dillon, *A History of Indiana from its Earliest Exploration by Europeans to the Close of the Territorial Government, in 1816; Comprehending A History of the Discovery, Settlement, and Civil and Military Affairs of the Territory of the U.S. Northwest of the River Ohio, and a General View of the Progress of Public Affairs in Indiana from 1816 to 1856* (Indianapolis: Bigham & Doughty, 1859), 212-217; Pease, *The Laws of the Northwest Territory, 1787-1800*, 1-26; Governor St. Clair to Judges Parsons and Varnum, July 18, 1788, in Smith, ed., *St. Clair Papers*, 61-62.

“vain and obscene conversation, profane cursing and swearing, and . . . calling upon, or invoking the Sacred and Supreme Being.”<sup>42</sup> The remaining laws established marriage regulations, appointed coroners, and set up times of “commencing civil actions and instituting criminal prosecutions.”<sup>43</sup>

While presiding over the legislature, St. Clair met with and sent messages to Indian leaders to urge them to attend a council to be held at Fort Harmar. He planned to hold the meeting in December 1788. The governor received intelligence that indicated that Brant favored a compromise border that allowed Americans to settle on the east side of the Muskingum River but rejected any land concession based on orders from the government. St. Clair rejected the overtures from Brant who spoke on behalf of the confederation and instead sought to divide the Ohio Indians by negotiating with individual tribes. Many members of the confederation refused to attend the meeting because the site was not a neutral location as promised before the incident at the falls of the Muskingum River and because St. Clair did not indicate that he was willing to compromise. Representatives from the Delawares, Senecas, Chippewas, Pottawatomies, Sacs, and Wyandots began to arrive at Marietta, but members of other tribes in the region refused to attend the council. The tribes that did not participate, in particular the Shawnees and Miamis, led the confederacy, refused

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<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

to cede their lands, and organized a resistance movement to combat expansion.<sup>44</sup>

The grand council was held at Fort Harmar on December 29, 1788, on an extremely cold day that witnessed the rivers packed with ice. Shandotto, an elderly Wyandot chief, spoke on behalf of the nations assembled at the meeting and reminded the governor of the Treaty of Fort Pitt in 1775 that ceded the land south of the Ohio River to the United States and preserved the land north of the waterway for natives. Shandotto said “that all the nations present had determined to grant no more of the country, but were willing to abide by the treaty which established the Ohio River as the boundary line.”<sup>45</sup> St. Clair replied in a stern manner to the tribes assembled and refused to negotiate the boundaries that had been established in earlier treaties.<sup>46</sup>

The negotiations ended in an impasse, and days passed: “Indians powwowing [and] the Ohio rising and driving with ice.”<sup>47</sup> When the council reassembled a week later, St. Clair threatened the delegates with war if they did not accept the boundaries outlined in earlier treaties. He asserted that the United States planned to wage war against them if they did not accept the government’s

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<sup>44</sup> Treaty of Fort Harmar, January 9, 1789, and Governor St. Clair to the President, May 2, 1789, in Carter, ed., *Territorial Papers*, Vol. 2, 174-186; Governor St. Clair to Secretary of War, September 14, 1788, and Governor St. Clair to Secretary of War, September 2, 1788, Governor St. Clair to Secretary of War, December 13, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 85-87, 87-91, 106.

<sup>45</sup> Account of Indian Treaties From the Diary of Major Ebenezer Denny, in Smith, ed., *St. Clair Papers*, Vol. 2, 109.

<sup>46</sup> The Governor of the Western Territory to the President of the United States, May 2, 1788, in *American State Papers: Indian Affairs*, Vol. 2, 10.

<sup>47</sup> Account of Indian Treaties From the Diary of Major Ebenezer Denny, in Smith, ed., *St. Clair Papers*, Vol. 2, 109.

terms. Once again the meeting ended without a resolution. Three days later the parties reassembled. Shandotto stated that he regretted the governor's threat of war and promised to do everything in his power to accommodate the United States and to maintain peace. Two treaties were signed, one between the U.S. and the Wyandot and the Western Tribes, and another between the U.S. and the Iroquois, on January 9, 1789. Known collectively as the Treaty of Fort Harmar, the agreement enforced the provisions set forth in the treaties of Forts Stanwix, McIntosh, and Finney. In exchange for \$3,000 the Indian representatives accepted the reservation system proposed in the McIntosh treaty.<sup>48</sup>

After the council, St. Clair traveled to New York briefly in the spring of 1789 to report on the affairs of the territory to the government and on the success of the treaty negotiations. He maintained that he had broken the confederacy, reduced the influence of Brant, and succeeded in bringing peace to the territory. The governor conversed with the president, the secretary of war, and members of Congress and discussed the accord. In a letter to Washington, St. Clair described his approach to the proceedings, "The Reason why the Treaties were made separately with the six Nations and the Wyandots & more westerly Tribes was the Jealousy that subsisted between them, which I was not willing to lessen

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<sup>48</sup> Horseman, *Expansion and American Indian Policy*, 44-49; James Madison to Edmund Randolph, October 7, 1787, in P. Smith, ed., *Letters of Delegates*, Vol. 24, 470 n; Account of Indian Treaties From the Diary of Major Ebenezer Denny, in Smith, ed., *St. Clair Papers*, Vol. 2, 109-111. See Joyce G. Williams and Jill E. Farrelly, *Diplomacy On the Indiana-Ohio Frontier, 1783-1791* (Bloomington: Indiana University Press, 1976).

by appearing to consider them as one People.”<sup>49</sup> The treaties, however, did not bring peace to the region because the majority of the native inhabitants rejected them and vowed to fight to preserve the Ohio River border. St. Clair believed his heavy-handed tactics worked to subjugate the Ohio Indians to implement the reservation system. His assessment could not have been farther from the truth.<sup>50</sup>

Foreign powers, Great Britain and Spain, surrounded the Northwest Territory when St. Clair arrived to administer the region. After his return from New York, he served as an ambassador to representatives from the two colonies. Britain had ceded the area to the United States as a result of the Treaty of Paris on September 3, 1783, which formally ended the Revolutionary War. The agreement stated that the land south of the middle of the Great Lakes was to be the property of the United States. The British retained possession of several posts in the region that they were obligated to abandon when the treaty was put into effect. The English had occupied these fortifications and trading posts since the French and Indian War. The French defeat at the Battle of Quebec in 1759 ended that country’s long colonial history in North America and paved the way for British ascendancy over the eastern half of the continent. The Treaty of Paris did not end England’s influence in the region; instead, English troops remained stationed at the most important posts, including Detroit and Michilimackinac, until

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<sup>49</sup> Treaty of Fort Harmar, January 9, 1789, and Governor St. Clair to the President, May 2, 1789, in Carter, ed., *Territorial Papers*, Vol. 2, 174-186, 193.

<sup>50</sup> Report from H. Knox, Secretary of War, to the President of the United States, Relative to the Northwestern Indians, June 15, 1789, in *American State Papers: Indian Affairs*, Vol. 1, 12-14; *Journal of the Executive Proceedings of the Senate*, May 25, 1789, Vol. 1, 1-5; Hugh Williamson to Samuel Johnston, March 1, 1789, in P. Smith, ed., *Letters of Delegates*, Vol. 25, 505.

after the ratification of the Jay Treaty in 1795. Retention of posts in the Great Lakes Region served strategic and economic purposes. If America's experiment in democracy failed, England could easily regain control of the Old Northwest through expansion. Thus, British officials played a major role in western affairs before 1796 and served as the principal suppliers of arms and ammunition to Indians.<sup>51</sup>

Natives served as a buffer between English and American settlements, and the Indian population prevented the United States from taking the Great Lakes posts by force. Several tribes maintained that the Old Northwest was their ancestral homeland, and these groups felt betrayed when the British government ceded their country to the land-hungry Americans. The crown maintained a lucrative trade with natives, and the exchange was mutually beneficial. Indians depended on European trade goods, including guns, black powder, and alcohol, that they could not produce on their own. In 1787, the British government gave Indians in Canada and the Old Northwest 18,985 pounds in trade goods, and the following year, as St. Clair was attempting to install civil institutions in the territory, Parliament raised the allotment to 25,013 pounds. Indians used weapons acquired through trade to attack American settlements.

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<sup>51</sup> Nelson Vance Russell, *The British Regime in Michigan and the Old Northwest, 1760-1796* (Northfield, Minnesota: Carleton College, 1936), 230. See also, Louise Phelps Kellogg, *The British Regime in Wisconsin and the Northwest* (Madison: State Historical Society of Wisconsin, 1935); Milo Milton, *Chicago and the Old Northwest: 1673-1835, A Study of the Evolution of the Northwestern Frontier* (Chicago: University of Chicago Press, 1913). For information on sources dealing with the French and the British in the region, see Henry Putney Beers, *The French and British in the Old Northwest* (Detroit: Wayne State University Press, 1964).

The British also tried to foster separatist movements west of the Appalachian Mountains, in particular in the Kentucky Country, in an attempt to wrestle the West away from the new American nation. In order to do this, Guy Carleton, Governor-General of Canada, relied on an old rival of St. Clair, John Connolly. On December 13, 1788, the governor wrote to John Jay, Minister of Foreign Affairs, and described the activities of his nemesis. St. Clair wrote, "My information is, that he [Connolly] is sent to tamper with the people of Kentucky, and induce them to throw themselves into the arms of Great Britain, and to assure them of protection and support in that measure."<sup>52</sup>

The chief administrator wrote to Major John Plasgrave Wyllys, the commander at Louisville, ordered him to spy on Connolly, and to make him prisoner if he tried to induce the residents to fight the Spanish on behalf of Great Britain or tried to foster a separatist movement. Working at the behest of Lord Dorchester, the British agent had contacted citizens in the vicinity of Pittsburgh and throughout the Kentucky Country and informed them of his upcoming visit to the region. U.S. officials believed that many backcountry residents would embrace the overtures because they were of the opinion that the government in New York did not understand the needs of westerners. The governor feared that

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<sup>52</sup> Percy B. Caley, "The Life Adventures of Lieutenant-Colonel John Connolly: the Story of a Tory," *Western Pennsylvania Historical Magazine* 11 (Oct. 1928): 245-254.

“it [the separatist movement] would spread like wildfire if any person in that country knew of it.”<sup>53</sup>

St. Clair believed that Connolly’s actions amounted to treason but feared that he could not bring him to court based on the affront: “The offense, I have no doubt, is treasonable; but whether we have any laws to punish treason against the United States, I doubt very much.”<sup>54</sup> He hoped that Virginia could arrest Connolly for the offense because his actions took place in the western part of that state. The British agent’s plot did not come to fruition, but the events were a testament to the volatile situation west of the Appalachians and a reminder of America’s tenuous foothold in the region.<sup>55</sup>

The territorial administration installed government in the colony, but escalating violence between Indians and Americans threatened to stifle the region’s development. It appeared that St. Clair’s prediction was correct: the western territory did not benefit the nation, but rather, served to drain the treasury. The governor remarked, “Our settlements are extending themselves so fast on every quarter where they can be extended---Our pretensions to the country they [Indians] inhabit has been made known to them in so unequivocal a

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<sup>53</sup> Governor St. Clair to Major Wyllus, November 28, 1788, and Governor St. Clair to John Jay, December 13, 1788, in *St. Clair Papers*, Vol. 2, 98-99, 101-105; John Jay to Arthur St. Clair, December 31, 1789, *Letters of Delegates*: Vol.25, 482.

<sup>54</sup> Governor St. Clair to Major Wyllus, November 28, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 98

<sup>55</sup> Governor St. Clair to John Jay, December 13, 1788, in *St. Clair Papers*, vol. 2, 101-105; The Secretary For Foreign Affairs to Governor St. Clair, January 28, 1789, in Carter, ed., *Territorial Papers*, vol. 2, 188.

manner, and the consequences are so certain and so dreadful to them, that there is little probability of ever being any cordiality between us.”<sup>56</sup>

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<sup>56</sup> Governor St. Clair to the Secretary at War, July 5, 1788, in Carter, ed., *Territorial Papers*, Vol. 2, 188.

## CHAPTER FOUR

### “A Great State of Uncertainly Exists”

In a letter to President Washington, St. Clair asked his advice regarding the most appropriate measures to employ to solve the nearly ungovernable situation in the western territory: “The Kentucky people will [not] . . . submit patiently to the cruelties and depredations of those savages; they are in the habit of retaliation, perhaps, without attending precisely to the nations from which the injuries were received.”<sup>1</sup> St. Clair pointed out that the United States was at peace with the natives as a result of the Treaty of Fort Harmar, but the agreement between the Indian nations and the government did not bring peace to the region. The situation on the ground threatened to undo the fragile agreement between the natives and the new nation. The numbers of troops in the territory were not substantial enough to protect the settlements from Indian attacks, and St. Clair wanted to invoke his power as governor to raise militias from Pennsylvania and Virginia to prepare an expedition against the recalcitrant nations. He asked Washington for permission to do so.<sup>2</sup>

Washington read St. Clair’s letter to the House of Representatives on September 16, 1789, and suggested that the governor’s requests be expedited.

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<sup>1</sup> Governor St. Clair to the President, September 14, 1789, in *St. Clair Papers*, Vol. 2, 123-124.

<sup>2</sup> *Ibid.*

That body complied, and Washington wrote letters to the governors of Pennsylvania and Virginia instructing the officials to call forth their militias if conditions in the territory continued to deteriorate. However, war with the Ohio Indians was the last option. The President ordered the governor to proceed to the westernmost settlements in the territory to ascertain the attitudes of the tribes living along the Wabash River and in the Illinois Country. Washington wrote, "If a peace can be established with the said Indians on reasonable terms, the interests of the United States dictate that it should be effected as soon as possible."<sup>3</sup> If a diplomatic solution could not be obtained, the chief executive assured St. Clair that he could count on reinforcements from Pennsylvania and Virginia militias and regular soldiers.

Facing harsh weather and treacherous traveling conditions, the governor left the relative safety of Marietta and set off down the Ohio River to establish the foundation of government, to organize military forces, to make peace with Indians living along the Wabash River and in the Illinois Country, to settle land claims in the French towns, and to gather intelligence on New Spain's activities. President Washington ordered the governor to pay attention to the region's geography by taking note of the waterways that empty into the Ohio River and portage roads that connect the area's infrastructure. Travel and transportation in the territory were extremely difficult and time consuming. Washington ordered the governor to travel to the French settlements in the Illinois Country to provide titles to the

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<sup>3</sup> The President to Governor St. Clair, October 6, 1789, in *Ibid*, 125-126.

inhabitants “by some known and fixed principles.”<sup>4</sup> Thus, St. Clair’s orders were extremely vague, and he was operating without precedent.<sup>5</sup>

Settlers had poured into the Miami Purchase despite the fact that Symmes’ claim to the region was not settled with Congress.<sup>6</sup> Three population centers located along the Ohio River flourished in the Miami Purchase: Columbia, Losantiville, and North Bend. On November 18, 1788, Benjamin Stites, an agent of Symmes, founded Columbia, located at the mouth of the Miami River. The majority of pioneers at Columbia were Baptists who had moved west to form a religious community. On December 28, 1788, Matthius Denman and Robert Patterson founded Losantiville, opposite the mouth of the Licking River, after purchasing 800 acres from Symmes. Israel Ludlow surveyed the town and laid out lots, but the site did not attract settlers until the construction of Fort Washington in 1789. Symmes led the expedition that established the third settlement in the Miami Purchase, founding Northbend on February 2, 1789. He wrote, “This village I have called Northbend, from its being situate in the most northerly bend of the Ohio, that there is between [the] Muskingum and the Mississippia.”<sup>7</sup>

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<sup>4</sup> Ibid.

<sup>5</sup> September 18, 1789, *History of the Proceedings and Debates of the Senate of the United States, 1st Congress, 1st Session*, 927-928; The President to Governor St. Clair, October 6, 1789, in *St. Clair Papers*, Vol. 2, 125.

<sup>6</sup> Sargent wrote, “The Governour arrived here this Morning & will probably be detained by public Business until the 4<sup>th</sup> when he expects to take his Departure for Kaskaskias.” See Secretary Sargent to the President, January 2, 1790, in Carter, ed., *Territorial Papers*, Vol. 2, 229.

<sup>7</sup> John Cleves Symmes to Elias Boudinot, July 18, 1788, and John Cleves Symmes to Jonathan Dayton, November 25, 1788, in Bond, ed., *The Correspondence of John Cleves Symmes*, 25-29, 48-53; Burnet, *Notes on the Early Settlement*, 46-49.

On January 2, 1790, St. Clair arrived at Fort Washington in the Miami Purchase and set about to organize government in the area. The fort, which was under construction when St. Clair arrived at Losantiville, was believed to be “the most solid, substantial wooden fortress . . . of any in the Western Territory.”<sup>8</sup> Fort Washington served as military headquarters in the territory. The structure was erected because of the unsettled peace between the Ohio Indians and the United States. The military installation protected settlers in the settlement and in northern Kentucky. The presence of the fort led to the development of Losantiville. St. Clair changed the name of the town surrounding the fort, and Losantiville became Cincinnati, named in honor of the association to which the governor belonged.<sup>9</sup>

St. Clair placed a Federalist stamp on the region when he created Hamilton County, which was located “on the Bank of the Ohio River at the Confluence of the little Miami & down the said River Ohio to the Mouth of the big Miami & up the said Miami to the standing Stone Forks or Branch of the said River & thence with a Line to be drawn due East to the little Miami & down said little Miami River.”<sup>10</sup> The governor installed civil and military institutions and appointed the region’s leaders to prominent positions. He created Courts of

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<sup>8</sup> Harmar to Hamtramck, January 13, 1790, in Gayle Thornbrough, ed., *Outpost on the Wabash, 1787-1791: Letters of Brigadier General Josiah Harmar and Major John Francis Hamtramck and other letters and documents selected from the Harmar Papers in the William L. Clements Library* (Indianapolis: Indiana Historical Society, 1957), 213-216.

<sup>9</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 294; Harmar to Hamtramck, January 13, 1790, in Thornbrough, ed., *Outpost on the Wabash*, 215.

<sup>10</sup> John Cleves Symmes to Jonathan Dayton, May 18-20, 1789, in Bond, ed., *The Correspondence of John Cleves Symmes*, 53-95; *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 295-296.

Common Pleas and General Quarter Sessions of the Peace and gave orders to the newly appointed courts in order to facilitate justice. He declared that the Courts of Quarter Sessions should be held at Cincinnati four times each year and the Courts of Common Pleas should be in session during two fixed periods. Justices of the peace were required to hold court on the first Tuesdays of February, May, August, and November. The governor sought to quell the unsettled security situation with the creation of a county militia, appointing officers, captains, lieutenants, and ensigns to the First Regiment of Militia of Hamilton County.<sup>11</sup>

As St. Clair organized militias in preparation for an Indian war and hoped that the fragile peace created by the Treaty of Fort Harmar would stop the escalating violence between settlers and natives, the situation along the Ohio River deteriorated rapidly. Panic and uncertainty spread throughout the backcountry, and residents increasingly looked to the governor to solve the problem. Many people believed that the Treaty of Fort Harmar had failed. In a letter to St. Clair, Colonel Benjamin Wilson described the sentiments of Kentuckians: "The people of this part of the country are much alarmed and much confused . . . if something more than treaties made with part of the Indian tribes is not done shortly" the residents would evacuate the settlements.<sup>12</sup> Residents from the frontier counties of Virginia petitioned President Washington and asked

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<sup>11</sup> Brigadier-General Harmar to Major-General Knox, January 14, 1790, in *St. Clair Papers*, Vol., 2, 129; *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 296-298.

<sup>12</sup> Colonel Benjamin Wilson to Governor St. Clair, October 4, 1789, *American State Papers: Indian Affairs*, Vol. 1, 12.

for additional defensive measures to protect their settlements. Warriors burned homes, stole horses, and wantonly kidnapped and murdered men, women, and children. Threat of Indian depredations forced pioneers to spend the majority of the time in the safety of forts or mutual defense stations, and this situation prevented residents from cultivating their crops and tending to their cattle. Indians placed a strangle hold on the residents, many of whom were either “fleeing or fort’n.” Raids into the Kentucky Country increased during the spring and summer months because harsh winters often prevented natives from attacking. Anticipation of increased violence when the weather improved pervaded frontier communities.<sup>13</sup>

Backcountry residents, mainly in western Virginia, blamed the governor for the absence of adequate defensive measures that left their homes open to attack by Indian raiding parties. In addition, St. Clair’s absence from the territory became a major bone of contention for settlers living south of the Ohio River. They believed that the governor’s prolonged absences from the territory left them defenseless and that the federal government in New York did not care about the lives and property of western citizens. One petition read, “Although we have the

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<sup>13</sup> From the Representatives of the Frontier Counties of Virginia to the President, December 12, 1789, Report from Henry Knox, secretary of War, to the President of the United States, relating to several Indian tribes, June 15, 1789, in *American State Papers: Indian Affairs*, Vol. 1, 85-86; James Piggot to Arthur St. Clair, May 23, 1790, in *American State Papers: Public Lands*, Vol. 1, 20.

highest opinion for that gentleman's [St. Clair's] integrity and goodness . . . we fear it will be out of his power to render us the necessary aid."<sup>14</sup>

At Fort Washington, Governor St. Clair further organized the expedition to the French settlements in the Illinois Country. Because of the fragile security situation, the governor requested and received an escort of fifty soldiers to accompany him down the river. On January 5, 1790, he traveled from Cincinnati to the rapids of the Ohio River and continued to organize the territory's militia when he appointed a captain and a lieutenant to oversee the forces in the vicinity of Clarksville, Kentucky. He traveled to Fort Steuben where he gathered information on the dispositions of the Ohio Indians and the inhabitants of the French towns. The governor hoped to assess the attitudes of the Wabash tribes, dispatching several messages to Indians living in the area informing them of his desire to hold a council with them and of the peaceful intentions of the United States. He planned to settle the claims of the French inhabitants and wanted to gather intelligence on Spain's activities in the region.<sup>15</sup>

Many French inhabitants feared the arrival of the governor, believing that the Northwest Ordinance prohibited slavery in the territory. A rumor had spread throughout the Illinois Country maintaining that the moment the governor entered the area all slaves would be freed. This led to a panic among the citizens who

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<sup>14</sup> From the Representatives of the Frontier Counties of Virginia to the President, December 12, 1789, in *American State Papers: Indian Affairs*, Vol. 1, 85-88.

<sup>15</sup> Hamar to Capt. Henry Vanderburgh, January 23, 1790, in Thornbrough, ed., *Outpost on the Wabash*, 217-218; B. Tardiveau to St. John de Crevecoeur, October 7, 1789, in Howard C. Rice, *Barthe'lemi Tardiveau: A French Trader in the West, Biographical Sketch, including letters from B. Tardiveau to St. John de Crevecoeur (1788-1789)* (Baltimore: The Johns Hopkins Press, 1938), 35-38.

considered moving across the Mississippi River to New Spain, where the status of slavery was not threatened. Bartholomew Tardiveau, a French trader, wrote to St. Clair in an attempt to clarify the status of slaves in the French settlements. He pointed out that Article Six of the Northwest Ordinance sought to abolish the future introduction of slavery into the territory. The document was not an “*ex post facto law*” that would serve only to “deprive a considerable number of citizens of their property.”<sup>16</sup> Tardiveau emphasized the importance of maintaining the institution of human bondage in the Illinois Country and recommended that St. Clair obtain a congressional resolution that protected slavery that existed in the region prior to the adoption of the ordinance. He warned the governor to issue a corrective before there occurred a “total desertion of the country.” Describing the panic that pervaded his region, Tardiveau wrote, “They [slave owners] have been forced to abandon their settlements in order to protect their property, their Negroes that they risked losing because of an unjust act of an ignorant and heedless Congress.”<sup>17</sup>

Tardiveau anxiously awaited the arrival of the governor, who landed at Kaskaskia the first week of March 1790. The two-month journey was treacherous and fraught with danger; the governor’s boat became wedged in ice when he was traveling up the Mississippi River, and the problem delayed his arrival by fifteen days. He described the Illinois Country, “Here is another world that has no

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<sup>16</sup> Bartholomew Tardiveau to Governor St. Clair, June 30, 1789, in *St. Clair Papers*, Vol. 1, 117-118.

<sup>17</sup> *Ibid.*

connection with the one we lately left.”<sup>18</sup> St. Clair issued a proclamation announcing his intention to implement an act of Congress passed in June 1788 to confirm the land titles of French and Canadian inhabitants in the Illinois Country. In accordance with the congressional resolution, he determined that each household at Kaskaskias, Prairie du Rocher, and Cahokia (the three principal population centers in the Illinois Country) would receive title to four hundred acres of land. To obtain the title, the claimants needed to present a title to the land from the French, English, or Virginia government. He appointed surveyors to determine the locations of properties, and the undertaking commenced almost immediately. The task of adjusting the claims in the region was more difficult than expected. Most of the inhabitants did not speak English, but rather they communicated in French and Indian languages. The governor described the inhabitants: “the most ignorant people in the world. There is not a fiftieth man that can either read or write.”<sup>19</sup> Cultural barriers made the work of the territorial government very difficult, he said. The chief administrator relied on his secretary to work with the land claims when he focused on Indian affairs and diplomacy with New Spain.<sup>20</sup>

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<sup>18</sup> Governor St. Clair to the Secretary of War, in Smith, ed., *The St. Clair Papers*, Vol. 2, 137. For information on Kaskaskia, see Kenneth C. Carsten and Nancy son Carsten, ed., *The Life of George Rogers Clair, 1752-1818* (Westport, CT: Praeger, 2004), Clarence Walworth Alvord, ed., *Kaskaskia Records, 1778-1790* (Springfield, Ill: The Trustees of the Illinois State Historical Society Library, 1909), Natalia Maree Belting, *Kaskaskia Under the French Regime* (Carbondale: Southern Illinois Press, 2003).

<sup>19</sup> *Ibid.*

<sup>20</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 24; Hamtramck to Harmor, March 17, 1790, in Thornbrough, ed., *Outpost on the Wabash*, 223.

In April, St. Clair traveled to Cahokia, gave a speech in French to Jean Baptiste Du Coigne, the community's leader, and thanked him and his people for their continued allegiance to the United States. He apologized for the government's delay in sending a representative but introduced himself as the first envoy to the region. He said, "I am come as the ambassador of peace to all the people who dwell in this land . . . If they [Indians] will not listen, they will suffer consequences."<sup>21</sup> The chief administrator organized governmental institutions in the region and issued a proclamation that forbade the inhabitants from "entertaining any Strangers, White, Indian or Negroe" without first informing a militia officer, a measure that was intended to control trade in the villages.<sup>22</sup> The governor created St. Clair County on April 27, 1790, and set the boundaries as follows:

Beginning at the Mouth of the little Michimaki-nak River, running thence Southernly in a direct Line to the Mouth of the little River above Fort Massac upon the Ohio River, thence with the said River Ohio to its Junction with the Mississippi, thence up the Mississippi to the Mouth of the Illinois River & so up the Illinois River to the Place of Beginning.<sup>23</sup>

Islands in the Mississippi and Illinois Rivers were also part of the new county, which St. Clair divided into three districts, Cahokia, Prairie du Rocher, and Kaskaskias, in order to facilitate the smooth operation of the court system. He placed important responsibilities in the hands of county sheriffs. These duties included authenticating last wills and testaments, filing bonds, and testifying in

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<sup>21</sup> Speech of Governor St. Clair to Jean Baptiste Du Coigne, May 8, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 137.

<sup>22</sup> Governor St. Clair to The Secretary of War, May 1, 1790, in Smith, ed., *St. Clair Papers*, 137, 141-144; *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 301.

<sup>23</sup> *Ibid.*

courts. The residents were determined to work with the American government and approved of the measures taken by the governor.<sup>24</sup>

St. Clair returned to Kaskaskia after instituting civil government in Cahokia. In a letter to the President, he described his activities, "My Time, since my Arrival in this Country, has been chiefly taken up with the receiving and examining the Claims of the Inhabitants, which have been presented very slowly, partly from their extreme ignorance."<sup>25</sup> He instituted several statutes, the first of which prohibited the retailing of alcohol to Indians in villages. This measure was introduced because the governor believed that natives became violent when intoxicated. He also curtailed the selling of alcohol to the White inhabitants, and another proclamation forbade the retailing of liquor without a license issued by the governor. Innkeepers were also required to obtain a license, and traders were compelled to get permission from the chief administrator or suffer a five hundred dollar fine. The governor ordered that two prisons be built, at Kaskaskia and Cahokia, to facilitate the administration of justice and to punish wrongdoers.<sup>26</sup>

The governor used his trip to the French settlements as an opportunity to assess New Spain's activities and to start a dialogue with that colony's governor,

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<sup>24</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 301-303; The Inhabitants of Cahokia to Governor St. Clair, April 28, 1790, and Memorial From Father Gibault to Governor St. Clair, May 1, 1790, in Carter, ed., *Territorial Papers*, Vol. 2, 241-244.

<sup>25</sup> Governor St. Clair to the President, May 1, 1790, *Territorial Papers*, Vol. 2, 244.

<sup>26</sup> Governor St. Clair to the President, May 1, 1790, and Orders For Erecting Prisons at Kakaskia, June 6, 1790, *Ibid*.

Estevan Miro.<sup>27</sup> West of the Mississippi River, New Spain controlled the land from St. Louis to New Orleans, but the European population in the region was sparse. Following the Revolution Spain found an ambitious new nation bordering its eastern boundary in the Great Plains. Spanish officials tried to lure American settlers to immigrate to the region, and St. Clair recognized the threat of the first imperial power to colonize the western hemisphere. In a letter to John Jay he wrote of his concerns: “It is for a considerable time that the Spaniards have been offering a thousand acres of land gratis to every American who would move into the west,” and maintained that the government of New Spain was determined to remove industrious easterners in an attempt to weaken the United States.<sup>28</sup>

Navigation of the Mississippi River had been a major issue that confronted the Confederation Congress during the 1780s. As a delegate to that body in 1786, St. Clair had favored America’s relinquishment of navigational rights on that waterway, hoping that the effort would slow migration to the West. He believed that in time the American population in the West could easily take control of the Spanish settlements, but in 1790, he thought the infant situation of the territory prevented such an undertaking. Therefore, he needed to engage in diplomacy.<sup>29</sup>

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<sup>27</sup> In a letter to General Harmar, Hamtramck wrote, “I fear that that governor will not find many people in the Illinois Country as they are dayly going on the Spanish side.” See Hamtramck to Harmar, March 28, 1789, in Thornbrough, ed., *Outpost on the Wabash*, 158.

<sup>28</sup> Governor St. Clair to John Jay, December 13, 1788, in Smith, ed., *St. Clair Papers*, Vol. 2, 103.

<sup>29</sup> Hamtramck to Harmar, January 1, 1788, and Hamtramck to Harmar, October 13, 1788, in Thornbrough, ed., *Outpost on the Wabash*, 61-61, 125. For information on Spain’s activities in the West, see Arthur Preston Whitaker, *The Spanish American Frontier: The Westward Movement and the Spanish Retreat in the Mississippi Valley, 1783-1795* (Lincoln: University of Nebraska Press, 1927), Archibald Henderson, *The Conquest of the Old Southwest* (New York: The Century Co., 1920), Grant Foreman, *Indians and Pioneers: The Story of the American Southwest Before 1830* (Norman: University of Oklahoma, 1930), Frederic Louis Billon, *Annals of St. Louis in Its*

In September 1789, the government of New Spain issued a proclamation that sent shock waves through the backcountry. Spanish officials wanted to entice prospective settlers to leave the American side of the Mississippi River and to relocate west of that body of water. Governor Miro offered generous incentives, "To all families consisting of two or three labouring persons, he will grant two hundred and forty acres of land."<sup>30</sup> Emigrants to the region would not be discriminated against based on religious convictions because the governor offered freedom of worship and promised to treat the newcomers with "mildness and lenity." Perhaps most importantly, the colony of New Spain, unlike the Northwest Territory, allowed the importation and protection of slavery. This provision threatened to depopulate America's first colony.<sup>31</sup>

The issue of slavery dominated correspondence between the governor and Spanish officials west of the Mississippi River; letters were written in French because both parties understood that language. St. Clair did not wish to abolish servitude that had existed in the region before the adoption of the Northwest Ordinance. He sought to find a solution that would satisfy the residents of the territory because he feared that the French inhabitants would desert their settlements and move to New Spain where the institution was protected. "It seems to me," he wrote to Manuel Perez at St. Louis, "that it is of importance for the inhabitants of each side that their fugitive slaves do not find asylum with the

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*Early Days Under the French and Spanish Dominations, 1764-1804* (New York: Arno Press, 1886), Louis Houck, *The Spanish Regime in Missouri* (New York: Arno Press, 1971).

<sup>30</sup> Proclamations of the Spanish Governor of Louisiana and West Florida, September 2, 1789 and September 6, 1789, in Carter, ed., *Territorial Papers*, Vol. 2, 213-215.

<sup>31</sup> *Ibid.*

others.”<sup>32</sup> St. Clair, a slave owner, asserted that the Northwest Ordinance did not have retroactive power, and he hoped his position with regard to slavery would be embraced by the French inhabitants and would prevent a depopulation of the region.

The governor served as a liaison between the French inhabitants and the Spanish settlers on the other side of the river and attempted to settle disputes involving the two parties. Disagreements centered on slavery and the status of an American boy who was taken from his Indian captors only to be enslaved by a Spaniard who demanded compensation from his parents. Competition for natural resources started conflicts as well; Spaniards timbered areas on the east side of the river and depleted the region’s game animals. These activities raised hostilities, but although contentious issues were resolved through negotiation, mutual distrust and apprehension continued to characterize American and Spanish relations in the region. In a report to President Washington, St. Clair warned, “Great numbers of people have abandoned the Illinois Country, and gone over to the Spanish Territory.”<sup>33</sup>

Prior to arriving in the Illinois Country, the governor sent messages to be dispatched to the Wabash nations to Major John Hamtramck at Post Vincennes. The major was to forward the speeches to Indians in order to assure the tribes of the pacific intentions of the United States and the country’s desire for peace. This

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<sup>32</sup> Ibid.

<sup>33</sup> Carter, ed., *Territorial Papers*, Vol. 2, 234; Governor St. Clair to the President, June 11, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 173; *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 313-311..

action was in accordance with the instructions given to St. Clair by Washington. The governor asked that the messenger chosen to bring the speech be a Frenchman and that his dispatches be translated into that language to ensure that his message was communicated correctly. Hamtramck relied on members of one of Kaskaskia's most influential families, the Gamelins. He could not send the message immediately because most Indian leaders were at their hunting camps for the season; so, he sent a dispatch that informed the natives of a speech from the governor to be delivered when the hunters returned.<sup>34</sup>

Hamtramck chose Pierre Gamelin to undertake the important mission, but he was turned back near the Vermillion River when confronted by a hostile native who had a personal grudge against him. The major sent Antoine Gamelin to deliver the message, and he traveled to Miami, Shawnee, Potawatomi, and Wea settlements but found the inhabitants to be uninterested in the message and under the influence of the British in Detroit. Furthermore, he observed that the tribes had formed a confederation to combat American expansion. Antoine's journal reported the Indians were reluctant to agree on terms because they had "resolved among them not to do any thing without a unanimous consent."<sup>35</sup> The governor's lack of tact when dealing with natives disadvantaged the messenger and contributed to the failure of the mission. The tribes overwhelmingly

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<sup>34</sup> Governor St. Clair to Major Hamtramck, January 23, 1790, in Smith, ed., *St. Clair Papers*, 2, 130-131,

<sup>35</sup> Gamelin's Journal, in Dillion, *History of Indiana*, 227, 231.

disapproved of the governor's overture because of the tone of the speech: "I do now make you the offer of peace: accept it, or reject it, as you please."<sup>36</sup>

Hamtramck reported the results of the mission to the governor: "Your excellency can have no great hopes of bringing the Indians to peace with the United States."<sup>37</sup> St. Clair believed that prospects for accommodation were remote after the failure of Gamelin's diplomatic mission because the Wabash Indians refused to meet with the United States envoy. In a letter to Harmar penned at Cahokia, the governor wrote, "The situation of things appears to be unpromising with regard to the Indians and drawing fast to a crisis."<sup>38</sup> He believed that the Wabash Indians were determined to fight American expansion. The chief executive also informed his superiors in New York about the deteriorating affairs in the territory and proposed an expedition to punish the Ohio Indians. St. Clair left Kaskaskia and ascended the Ohio River on June 11, 1790, satisfied that the effort to authenticate land claims of the French inhabitants was well underway. He planned to travel to New York after meeting with Harmar to discuss the upcoming expedition against the natives.<sup>39</sup>

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<sup>36</sup> Hamtramck to Harmar, March 17, 1790, in Thornbrough, ed., *Outpost on the Wabash*, 222-224; Mr. Gamelin's Journal, in *American State Papers: Indian Affairs*, Vol. 1, 93-94.

<sup>37</sup> Major Hamtramck to Governor St. Clair, April 19, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 135.

<sup>38</sup> Governor St. Clair to General Harmar, May 1790, in Smith, ed., Vol. 2, *St. Clair Papers*, 144-146.

<sup>39</sup> Major Hamtramck to Governor St. Clair, May 22, 1790, in Dillion, *History of Indiana*, 232. Governor St. Clair to General Harmar, May 1790, in Smith, ed., Vol. 2, *St. Clair Papers*, 144-146; For information on Harmar's activities in the West, see *Draper Manuscript Collection: Josiah Harmar Papers* (Chicago: University of Chicago Library, 1966), John Parker Huber, "General Josiah Harmar's Command: Military Policy in the Old Northwest, 1784-1791" Ph.D. Dissertation, University of Michigan, 1974, Howard Henry Peckham, *The Papers of General Josiah Harmar: A*

St. Clair placed Sargent in charge of territorial affairs as acting governor and headed to the government in New York. The situation was so urgent that he traveled straight to Fort Washington without stopping at Vincennes. Prior to leaving Kaskaskia to travel to Cincinnati, he ordered his secretary to Post Vincennes to hold a session of the general assembly, to create a county, to establish civil government and to appoint officials, to settle land claims, and to muster and organize the militia. Using his authority as acting governor Winthrop Sargent created Knox County on June 20, 1790:

Beginning at the standing Stone Forks of the great Miami River, & down the said River to its Confluence with the Ohio River, thence with the Ohio River to the small stream or Rivulet above Fort Massac – thence with the Eastern Boundary Line of St. Clair County to the Mouth of the Little Michilimakinac, thence up the Illinois River to the Forks or the Confluence of the Theakike & Chikago, thence by a Line drawn due North to the Boundary Line of the Territory of the United States . . . easterly . . . as that a due South Line may be drawn to the place of beginning.<sup>40</sup>

The acting governor and the judges passed several statutes at Vincennes, the seat of Knox County. The first law forbade the retailing of liquors to Indians and prohibited foreigners from trading in the French settlements. The officials adopted a measure that stopped the sale of alcohol to soldiers and the practice of gaming for money. The French inhabitants embraced the initiatives and thanked the administrators for their efforts. In a speech to the residents, Sargent said, “I regret exceedingly that you have been deprived of the wisdom of our

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*Collection Dealing With the Earliest Days of the Northwest Territory* (Ann Arbor, Michigan: William L. Clements Library, 1937); Thornbrough, ed., *Outpost on the Wabash*.

<sup>40</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 313.

worthy governor. His extensive abilities, and long experience in the honorable walks of life, might have more perfectly” established the system of government.<sup>41</sup>

Colonization continued despite the rising tensions between natives and Americans. En route to meet with Harmar at Fort Washington, the governor passed additional settlements on the north side of the waterway. Massie’s Station, which became Manchester, was the first settlement in the Virginia Military District. An ambitious and wealthy Virginian, Nathaniel Massie, who had served in the Revolution and worked as a surveyor and entrepreneur thereafter, led the initiative. He founded a station on the north bank of the river in the military tract in March 1790; this accomplishment was the culmination of the efforts that began during the colonial period of Virginians to take control of the region. The surveyor, however, did not adhere to the systematic method employed by the Ohio Company in accordance with Congressional ordinances. The region was not divided into townships, but instead, tracts were given to individuals who owned warrants, and decisions on the best location were based on the advice of surveyors who were paid in land. The scheme worked to benefit Massie and Duncan MacArthur, the two chief surveyors in the tract. Virginians and Kentuckians who served as a sharp contrast to the inhabitants of the Ohio Company Purchase and the Miami Purchase peopled the district. Settlers moved into the area without the protection of a large fortification, like Fort Washington at Cincinnati and Fort Harmar at Marietta. The migrants banded together to form

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<sup>41</sup> Statutes Passed at Vincennes, Inhabitants of Vincennes to Sargent, July 23, 1790, and Sargent to Citizens of Vincennes, July 25, 1790, in Dillon, *History of Indiana*, 235-238.

mutual defense stations, and local residents, like Massie and MacArthur, gained notoriety and respect for their roles as community leaders.<sup>42</sup>

The governor arrived at Fort Washington to organize an expedition against the Ohio Indians on July 13, 1790. Washington received a letter from Secretary Knox that detailed the “situation of the frontiers” based on a dispatch penned by St. Clair at Kaskaskia earlier that spring. The Secretary of War urged the chief magistrate to approve an expedition to be headed by Harmar to chastise the obstinate tribes living along the Wabash and the Miami Rivers, and Washington complied. Knox immediately sent the orders to the governor. The secretary stated that the expedition was intended to “strike terror in the minds of the Indians hostilely disposed [to the United States].”<sup>43</sup> St. Clair met with Harmar at the fort and planned the campaign. On July 15, 1790, the governor issued a circular to county lieutenants to call upon militias to serve in the campaign. He ordered 1000 militiamen from Virginia to rendezvous at Fort Steuben and Fort Washington and instructed five Pennsylvania counties to muster 500 men near Wheeling. These detachments were to proceed to Fort Washington in order to prepare for the expedition. Once organized, the army would march north along the Miami River to destroy Indian settlements and to engage the enemy. The governor ordered a second expedition of four hundred militiamen under the

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<sup>42</sup> David Meade Massie, *Nathaniel Massie: A Pioneer of Ohio, A Sketch of His Life and Selections From His Correspondence* (Cincinnati: The Robert Clarke Company, 1869), 49; John McDonald, *General Nathaniel Massie, General Duncan McArthur, Captain William Wells, and General Simon Kenton: Who Were Early Settlers in the Western Country* (Cincinnati: E Morgan and Son, 1838), 31.

<sup>43</sup> General Knox to Governor St. Clair, June 7, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 146-148.

command of Hamtramck to proceed from Post Vincennes north along the Wabash River to combat natives in the region and eventually to join Harmar's forces. The governor needed to confer with the secretary of war on the upcoming campaign; he hastily left Fort Washington and Harmar began to organize the expedition.<sup>44</sup>

From Cincinnati, St. Clair's boat passed the mouth of the Kanawha River en route to his government in Marietta. The Scioto Company had begun the construction of several structures at Gallipolis to house the prospective French immigrants. Putman hired fifty woodsmen to raise the foundations of the settlement, and the party left Marietta in June 1790 to clear the forest and to erect structures to house approximately one hundred settlers. The Scioto Company was mismanaged from the beginning. Agents in Europe, in particular, Joel Barlow and William Playfair, sold certificates to interested parties without informing those affected that the document guaranteed preemption rights but did not serve as title to the land. When the French immigrants arrived in Virginia on May 1, 1790, they found out that they had purchased worthless deeds to property that they did not own, and because of the company's unsound business practices, French settlers did not arrive in the West until October 1790. The party did not find what they had expected when they stepped ashore at the "city of the Gauls." Instead, they found two rows of dilapidated log cabins on a ridge

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<sup>44</sup> Summary Statement of the Situation of the Frontiers by the Secretary of War, May 27, 1790, Governor St. Clair to Secretary Sargent, July 15, 1790, and General Knox to Governor St. Clair, June 7, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 146-148; Circular Letter from Governor St. Clair to County Lieutenants, July 15, 1790, and Plan for Expedition, in *American State Papers: Indian Affairs*, Vol. 2, 92, 94-95.

that was prone to flooding. In addition to poor housing, the town did not have adequate provisions to feed the settlers during the winter months. The residents endured the difficult weather and persevered with the help of the federal government and territorial officials. After his return from New York, the governor visited Gallipolis in November 1790 and established courts, created a militia, and assured the residents that their grievances would be heard. He stated, "It is my warmest wish that you may find in the land of liberty that happiness which is the reward and the incentive to an active life."<sup>45</sup>

The governor left Marietta and traveled to New York to brief the country's leaders on the volatile situation in the territory. From Pittsburgh, he penned a letter to Richard Butler then in charge of the Northern Department of Indian Affairs. St. Clair wrote, "There is no prospect of peace with the said Indians; on the contrary, they continue to be very ill disposed towards the United States."<sup>46</sup> He ordered the general to muster Pennsylvania militiamen for the upcoming expedition against the Ohio Indians. In New York, he corresponded with Knox and sought approval for the planned campaign. He asserted that he had acted in accordance with the President's instructions and that he needed to exercise his power to chastise the tribes in opposition to the government because "there was not the smallest probability of an accommodation with the Indians."<sup>47</sup>

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<sup>45</sup> Governor St. Clair to the French Inhabitants, November 21, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 191.

<sup>46</sup> Governor St. Clair to General Butler, August 16, 1790, *Ibid*, 150.

<sup>47</sup> Governor St. Clair to the Secretary of War, August 23, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 150; Governor St. Clair to the senior officer of the Pennsylvania militia, assembled at McMahan's Creek, August 7, 1790, Circular Letter from Governor St. Clair to county Lieutenants,

Knox reported the information to Washington, and he approved the military action. The secretary informed St. Clair of the government's support of the plan. But he also made a fateful error: he ordered the governor to send a dispatch to the commanding officer of the British posts in the Great Lakes Region informing him of the upcoming expedition to assure him that British forces were not targeted. British officials refused to entertain the governor's appeal to refrain from aiding Indians in opposition to the United States. They informed natives of the expedition when the message of St. Clair arrived; this act enabled the tribes to prepare for Harmar's forces.<sup>48</sup> Little Turtle, principal war chief of the Miami Indians and the confederation, ordered the villages to be burned partially and evacuated before the Americans arrived; he wanted to take on the army on his terms. Warriors watched the army destroy and loot their habitations and prepared to ambush an isolated detachment. With the authorization of the federal government to conduct the campaign, the governor returned to Marietta on September 15, 1790, accompanied by the militia that was organized at Fort Pitt. He wrote a letter to the British commander in accordance with Knox's orders, announcing the campaign and sought assurances that the tribes "will meet with neither countenance nor assistance" from his forces. St. Clair urged the

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July 15, 1790, and Governor of the Western Territory to the Secretary of War, September 19, 1790, in *American State Papers: Indian Affairs*, Vol. 1, 94-97.

<sup>48</sup> Washington chastised Knox for ordering St. Clair to inform the commander of the British posts and questioned the governor's timing: "I am apprehensive that Governor St. Clair's communication of the object of the expedition to the Officer commanding at Detroit has been unseasonable and may have unfavorable consequences—it was certainly premature to announce the operation intended until the troops were ready to move—since the Indians, through that channel, might receive such information as would frustrate the expedition." in Carter, ed., *Territorial Papers*, Vol. 2, 308-309.

commander to restrain traders from providing supplies to natives that could be used against Americans. The chief administrator facilitated troop movements and aided the preparation efforts.<sup>49</sup>

On September 30, General Harmar departed from Fort Washington with approximately 320 regular soldiers and 1100 militiamen. Four days earlier Colonel Hardin led the militia in advance of the main body of troops, and the two forces rendezvoused on October 3, 1790, and formed the line of march. Harmar commanded approximately 1,500 regulars and militia from Pennsylvania and Virginia. The ill-fated expedition experienced difficulties from the outset. The undisciplined and unruly militia was unaccustomed to the yoke of military discipline. Most militiamen were primarily concerned with the booty that could be obtained by plundering Indian villages. On October 17, 1790, Harmar's army reached the principal Miami village. The disorderly militiamen set about to ransack the settlements in the vicinity without orders from superior officers, and the situation became almost ungovernable.<sup>50</sup>

Harmar believed that the natives were lying in wait somewhere because his forces had detected tracks made by women and children. He reasoned that the warriors were probably close by and sent Colonel Hardin on an expedition to

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<sup>49</sup> Governor St. Clair to General Butler, August 16, 1790, Governor St. Clair to the Secretary of War, August 23, 1790, Governor St. Clair to Major Murray, or Officer Commanding the British Troops at Detroit, September 19, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 150, 186-187; Governor St. Clair to the Senior Officer of the Pennsylvania Militia, assembled at McMahan's Creek, in *American State Papers: Indian Affairs*, Vol. 1, 95-96. Governor St. Clair to the Secretary of War, September 19, 1790; Governor St. Clair to Major Murray, or Officer Commanding the British Troops at Detroit, September 19, 1790, in Dillon, *History of Indiana*, 241-242.

<sup>50</sup> Governor St. Clair to the Secretary of War, October 9, 1790, in *American State Papers: Indian Affairs*, Vol. 1, 96.

locate and attack Indians in the surrounding area. The army encamped near Chillicothe, a Shawnee Indian town, in order to conduct raids and to destroy nearby villages. The colonel set out with 300 militiamen, many of whom deserted the detachment shortly after it departed from the Miami village. Little Turtle's warriors attacked Hardin's army near the Eel River on October 19, 1790. Most of Hardin's surprised militia retreated in a cowardly manner at the commencement of the battle, leaving the disciplined regulars to fend for themselves and to take the brunt of the enemy attack. The result was an overwhelming victory for Little Turtle's confederated warriors and an embarrassment of the militia. In response, Harmar ordered an army of regulars under the command of Major Wyllys to scour through the country to avenge Hardin's defeat. On October 21, 1790, Wyllys's forces separated from a support column of militia and were attacked by the natives when attempting to cross the Maumee River en route to the Indian town of Kekionga. The action became so intense that the river turned red, colored by the blood of the fallen soldiers. Enemy fire killed Wyllys, and the Indians rushed the confused American troops and engaged in unrestrained hand-to-hand combat. In time, the retreating forces regrouped at Miamitown to fend off the Indian attack, but the battered troops could not continue to fight and returned to Harmar's encampment. Nearly every detachment sent out to battle with natives met with defeat, and the disorderly and half-starved militia threatened to

mutiny if the expedition was not abandoned. Defeated, Harmar marched his beaten forces back to Fort Washington and arrived on November 3, 1790.<sup>51</sup>

Military campaigns against the Ohio Indians did not produce the intended results. Major Hamtramck's expedition up the Wabash River destroyed several Indian villages that had been deserted before his arrival. Harmar's campaign succeeded in decimating Indian settlements along the Miami River (his troops burned 20,000 bushels of corn and destroyed 300 houses and wigwams), but otherwise the initiative was a complete failure. The American forces sustained heavy losses: 12 officers and 171 soldiers died, and 31 men were wounded. The federal government lost a substantial amount of money appropriated for the doomed expedition.<sup>52</sup>

In letters to Knox, St. Clair reported that the Harmar expedition was a success because the troops destroyed Indian towns and crops. He wrote, "One thing, however, is certain, that the savages have got a most terrible stroke."<sup>53</sup> Despite the governor's optimistic account of the expedition, it became clear to officials in New York that the campaign was a complete failure. Washington was particularly upset by the outcome; he exclaimed, "I expected little from the moment I heard that he [Harmar] was a drunkard. I expected less as soon as I heard that on this account no confidence was reposed in him by the people of the

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<sup>51</sup> Court of Inquiry on General Harmar, in *American State Papers: Military Affairs*, Vol. 1, 25-27.

<sup>52</sup> Hamtramck to Harmar, November 2, 1790, and Harmar to Knox, November 6, 1790, in Thornbrough, ed., *Outpost on the Wabash*, 259-265, 268. Congress investigated Harmar's conduct, and he was exonerated of wrongdoing. See Court of Inquiry on General Harmar, in *Annals of Congress, Second Congress*, 1115-1148.

<sup>53</sup> Governor St. Clair to Secretary of War, November 6, 1790, and Governor St. Clair to Secretary of War, November 26, 1790, in Smith, ed., *St. Clair Papers*, Vol. 2, 190, 192-197.

Western Country.”<sup>54</sup> The expedition did not quell the escalating violence in the region. Instead, the Indian victories emboldened the tribes, and the confederation grew stronger and more determined to maintain the Ohio River as the border between natives and Americans. Panic spread throughout the backcountry as residents prepared for Indian attacks, knowing that their government could not protect them.<sup>55</sup>

Territorial administrators established governmental institutions in the Old Northwest, creating counties, districts, and court systems in the initial years of the colony’s existence. Officials instituted a legislature and successfully passed statutes that met the needs of the settlers and placed civil and military affairs firmly in control of the government. Newcomers poured into the region’s most important settlements, located on the north bank of the Ohio River. Governor St. Clair had tried in vain to solve the “Indian problem” through negotiation at the Treaty of Fort Harmar and on a mission to the Illinois Country, but the chief negotiator of the United States to the Indians was ordered not to make land concessions to the disaffected tribes, rendering his task impossible. A looming Indian war stifled growth and threatened to undo the difficult work accomplished by St. Clair and his subordinates. The federal government ordered a militia campaign, led by General Josiah Harmar, to punish the tribes on the Wabash River. Miami Chief Little Turtle’s confederated Indian warriors battled the

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<sup>54</sup> The President to the Secretary of War, November 19, 1790, in Carter, ed., *Territorial Papers*, Vol. 2, 310.

<sup>55</sup> Indian Depredations, January 24, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 107.

Kentucky volunteers and easily routed the undisciplined soldiers. Fear spread throughout the backcountry in the wake of Harmar's ignominious defeat.

## **CHAPTER FIVE**

### **“The blood of the slain is upon him”**

Violence between natives and newcomers stifled the growth of the territory and prevented the administration from asserting America’s sovereignty over the region. The federal government took swift action to defeat the confederation in order to bring peace to the unstable region. Secretary Knox persuaded Congress and the president to authorize a second expedition, the goal of which was to erect a chain of fortifications in Indian Country to prevent future raids and to enforce treaty obligations. The legislature increased the size of the army, adding an additional regiment, and appointed St. Clair to the rank of major general. He became the most powerful man in the American West, holding the highest civil and military positions in the territory and earning the salaries of general and governor. At last, the lifelong servant of his country experienced financial, civil, and military success.

In accordance with his instructions from Secretary Knox, the major general authorized and directed militia campaigns that targeted Indian women and children and razed villages and cornfields. The raids did not serve the intended purpose of suppressing the native uprising. Instead, warriors became emboldened and determined to avenge their losses. St. Clair’s campaign

experienced problems from the outset; an incompetent quartermaster and a negligent contractor halted preparations and forced the major general to wait to conduct the expedition until the fall of 1791. The chief officer constructed two forts (Hamilton and Jefferson) en route to his destination, but soldiers became dissatisfied and unruly as the season advanced. Equipage was inadequate to protect the men from rain, frosts, and snow, and provisions nearly ran out. On October 31, 1791, St. Clair made a critical mistake when he ordered the 1<sup>st</sup> Regiment, the best soldiers under his command, to retrieve sixty deserters who threatened to ambush the next supply train. Three days later, the exhausted army encamped along the Wabash River. That night, the major general was completely unaware that over one thousand confederated warriors led by Little Turtle and Blue Jacket had surrounded his army, planning to attack at sunrise. St. Clair had no way of knowing that the following day's tragic events would define forever his legacy and tarnish his contributions to his country.<sup>1</sup>

On January 2, 1791, confederated warriors had attacked Big Bottom, a settlement on the Muskingum River forty miles north of Marietta, killed fourteen men, women, and children, and took several hostages. A few days later, a war party of nearly two hundred natives surrounded Dunlap's Station in the Miami

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<sup>1</sup> St. Clair's defeat is one of the most written about battles in American history. For specific studies, see John A. Murphy, *Defeat of St. Clair* (Pataskala, Ohio: Brockston Publishing Company, 1991), Wilbur Edel, *Kekionga!: The Worst Defeat in the History of the U.S. Army* (Westport, CT: Praeger, 1997), John A. Murphy, *Shattered Glory* (Pataskala, Ohio: Brockston Publishing Company, 2000), William Patrick Walsh, "The Defeat of Major General Arthur St. Clair: A Study in the Nation's Response, 1791-1793" Dissertation, Loyola University of Chicago, 1977). Richard M. Lytle, *The Soldiers of America's First Army, 1791* (Lanham, MD: Scarecrow Press, 2004), William H. Guthman, *March to Massacre: A History of the First Seven Years of the United States Army, 1784-1791* (New York: McGraw Hill, 1974), Wiley Sword, *President Washington's Indian War: The Struggle for the Old Northwest, 1790-1795* (Norman: University of Oklahoma Press, 1985).

Purchase and attempted to set the primitive fortification ablaze with fire arrows. After a twenty-five hour siege, the attackers could not penetrate the cordon and retired to the forest after stealing the settlement's cattle and corn, leaving the inhabitants desperate, frightened, and hungry. Reports of the incidents panicked backcountry residents who witnessed the feeble attempt of the distant federal government to solve the region's most pressing issue, security. Inhabitants deserted their homes or fortified their communities. In correspondence with the secretary of war, Rufus Putnam described conditions in the territory in the wake of Harmar's failed punitive expedition. At Marietta, he wrote, "Instead of peace and friendship with our Indian neighbours a hored Savage war Stairs us in the face, the Indians instead of being humbled by the Destruction of the Shawone Towns . . . appear determined on a general War."<sup>2</sup>

Putnam petitioned the government for immediate action to protect settlers from the horror of Indian raids and predicted that the situation would probably worsen. As leader of the Ohio Company he had a vested interest in quelling the escalating violence in the territory. An Indian war threatened to undo the work that created "Putnam's paradise" and to force American settlers to move south of the Ohio River to the unmanageable Kentucky Country. He explained that the Treaty of Fort Harmar did not solve the border controversy because chiefs from the Shawnee and Miami refused to attend the council and did not provide their consent to the agreement. These tribes were determined to preserve the Ohio

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<sup>2</sup> Rufus Putnam to Secretary of War, January 6, 1791, and Fisher Ames to Rufus Putnam, February 22, 1791, in *Putnam Memoirs*, 247-249, 250-251.

River as the permanent boundary between natives and Americans. Twenty soldiers garrisoned Fort Harmar, a force inadequate to protect the settlement that consisted of over eighty houses spread out over several miles. The town could muster approximately 300 men to fight the enemy, but these individuals were untrained and poorly equipped. He wrote, "We are in the utmost danger of being swallowed up should the enemy push the war with vigor during the winter."<sup>3</sup> The judge informed Washington that violence in the territory threatened the sale of lands to prospective buyers and could increase the number of "private adventurers" determined to settle lands to which they did not possess title. Thus, a prolonged Indian war threatened to stifle the legal settlement of the territory and to drain the federal government of financial resources.<sup>4</sup>

Upon learning of the distressed situation in the backcountry Secretary Knox urged Washington to increase the size of the regular army to combat the western Indian nations. He hoped that the hostilities could be brought to a close through negotiation but believed that recalcitrant tribes needed to be chastised if they did not refrain from raiding settlements in the Kentucky Country and attacking boats on the Ohio River. The size of the military "is utterly inadequate to prevent the usurpation of lands of the United States, to facilitate the surveying and selling of the same, for the purpose of reducing the public debt; and for the

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<sup>3</sup> Rufus Putnam to the President of the United States, January 6, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 121.

<sup>4</sup> Judge Putnam to the President, February 28, 1791, in Carter, ed., *Territorial Papers*, Vol. 2, 337-339; Rufus Putnam to the President of the United States, January 6, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 121.

protection of the frontiers; from Georgia to Lake Erie.”<sup>5</sup> The secretary maintained that regular soldiers were far superior to militia as evidenced in the embarrassingly unmilitary actions of Harmar’s raw and undisciplined Kentucky troops.<sup>6</sup>

Secretary Knox addressed Congress on January 22, 1791, and discussed the tenuous situation in the colony based on a number of reports he had received. He maintained that the backcountry was “critically circumstanced” and urged the government to act in order to protect the region’s inhabitants from attacks by Indians. Harmar’s campaign, he argued to members of the legislature, did not serve the intended purpose of quieting disturbances in the territory. Instead, obstinate tribes became emboldened by “the number of trophies they possess” and probably planned additional incursions into defenseless American settlements. The secretary articulated the state of affairs in the colony and the imminent need for the federal government to act to bring order to the nearly-out-of-control situation. He stated, “The population of the lands lying on the Western waters is increasing rapidly. The inhabitants request and demand protection; if it not be granted, seeds of disgust will be sown; sentiments of separate interest will arise out of their local situation, which will be cherished, either by insidious, domestic, or foreign emissaries.”<sup>7</sup>

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<sup>5</sup> Secretary of War to the President, January 4, 1791, in *American State Paper: Indian Affairs*, Vol. 1, 60.

<sup>6</sup> *Ibid*, 59-61.

<sup>7</sup> Secretary of War relative to the Frontiers of the United States, in *American State Papers: Indian Affairs*, Vol. 1, 113.

On the last day of the third session of the first Congress, that body passed an act to increase the size of the regular army to combat Indians in the Old Northwest. The legislature appropriated \$312,686 for the forthcoming campaign and called for the appointment of a major general to lead the new army. The act created the 2<sup>nd</sup> Regiment of the United States, which consisted of 912 soldiers and additional officers organized in the same fashion as the 1<sup>st</sup> Regiment. The two regiments received the same pay and were subject to the same rules. Congress gave Washington the authority to raise a body of mounted militia and up to 2,000 levies (soldiers who served six month enlistments), and the government was to furnish the army with supplies and provisions, including clothing, tents, equipment, and weapons. The situation in the territory was so volatile that the nearly bankrupt U.S. legislature gave the president the authority to borrow money to finance the expedition at an interest rate of six percent.<sup>8</sup>

The day after Congress passed an act to increase the size of the military, St. Clair became major general in the newly expanded army on March 4, 1791, thus the highest-ranking officer in America's military. The government placed the veteran of two wars in charge of a formidable army consisting of regulars and militia. Unlike with his earlier experiences fighting Europeans, the "great officer of the United States on the western waters" faced a different enemy, Indians

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<sup>8</sup> An act for raising and adding another regiment to the military establishment of the United States, and for making further provision for the protection of the frontiers, March 3, 1791, in *The Debates and Proceedings in the United States Congress*, Vol. 2, 2415-2418; Statement of Troops in Service of the United States, Estimate of the modes of augmentation of the troops, Estimate of the Expanse of a Corps of Levies, A General Estimate of the Extraordinary Expenses which Would be Incurred by an Expedition Against the Wabash Indians, *American Archives: Indian Affairs*, Vol. 1, 117-121.

fighting for the preservation of their homelands. He retained his appointment as governor of the Northwest Territory and served as the major general in charge of America's largest post-Revolution army.<sup>9</sup>

Serving as chief administrator of civil affairs and as major general in America's military, St. Clair became the most powerful man in the West and one of the country's most influential civil servants. Richard Butler, an Irish immigrant, a veteran of the Revolutionary War, and a former Indian commissioner, served as second in command. Butler's experience in the backcountry and knowledge of Indian affairs qualified him for the rank of general. Winthrop Sargent, secretary of the territory, served as adjutant general in charge of the militia. Samuel Hodgdon, veteran of the War for Independence, served as quartermaster, charged with organizing the campaign's logistics and transporting supplies, weapons, and equipment. Hogdon was also responsible for moving the army to Fort Washington from the rendezvous in Pittsburgh. Knox appointed William Duer, infamous for his participation in the Scioto speculation, contractor for the army, and Israel Ludlow worked as his agent.<sup>10</sup>

On March 25, 1791, Secretary Knox issued specific instructions to St. Clair regarding the ensuing campaign and ordered the major general to provide weekly updates on his progress to be dispatched by a rider from Pittsburgh to

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<sup>9</sup> Lieutenant Denny to General Harmar, March 9, 1791, in Smith, *St. Clair Papers*, Vol. 2, 200-201, n; *Journal of the Executive Proceedings of the Senate*, March 4, 1791, Vol. 1, 82. The government paid him a \$2,473 salary for the position in the army, in addition to the \$2,000 he earned as governor.

<sup>10</sup> For information on the make-up of St. Clair's Army, see Sword, *President Washington's Indian War*, 145-155; Lytle, *Soldiers of America's First Army*, 135-420.

Philadelphia. The detailed plan covered nearly every aspect of the mission. The principal goal was to erect a fortification at the Miami village, formerly the site of Britain's Fort Miami. The instructions stated, "The post at the Miami Village is intended for the purpose of awing and curbing the Indians in that quarter, and as the only preventative of future hostilities."<sup>11</sup> Knox expressed confidence in his new commander and made it clear that the expedition was expected to crush the indigenous uprising and to engineer peace between the confederated tribes and the United States.<sup>12</sup>

Knox's plan called for the creation of a 3,000-man army to be assembled at Fort Pitt and moved to Fort Washington by July 10, 1791. The First Regiment of the United States was to be brought up to strength with troops from Maryland and New York. Colonel Darke commanded the regiment that consisted of three battalions. The newly created Second Regiment of the United States was made up of levies. The regiment was filled predominately with troops from New England, but South Carolinians served as well. General Richard Butler led the regiment. The secretary informed St. Clair that Thomas Scott was authorized to conduct an expedition against the Indian towns located along the Wabash River and that the major general had the power to order additional strikes if he deemed them to be necessary. Describing the militia campaigns, he wrote, "A considerable number of prisoners should be taken, particularly women and

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<sup>11</sup> Instructions to St. Clair, March 25, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 175.

<sup>12</sup> *Ibid.*

children, it will have the certain effect of humbling the Indians, and inducing them to sue for mercy.”<sup>13</sup>

The government decided to negotiate for peace before conducting the militia operations and organizing the army. Knox sent Thomas Proctor as an ambassador to the Miami Indians to bring matters to a resolution through a peaceful means. The envoy was to report to Fort Washington on May 10, 1791, to inform St. Clair of the outcome of the mission. The Secretary of War ordered Proctor to conduct a peace mission, serving as a representative of the United States, to bring an end to the hostilities with the tribes living along the Miami and Wabash Rivers. If the mission failed, Knox authorized St. Clair to send militias on expeditions into Indian Country and to prepare for the army’s campaign to erect several fortifications in the region. Knox instructed the emissary to travel to the Seneca settlement located at the headwaters of the Allegheny River to enlist pro-American chiefs to accompany the mission. Cornplanter had shown his willingness to work with the government when he traveled to Philadelphia during the winter of 1790, asked for farming tools, and desired a teacher to help his tribe implement American agricultural practices and to reject Indian methods. The secretary hoped that Cornplanter and other Iroquois leaders would participate in the undertaking. Proctor and his aide, Captain Michael Gabriel Houdin, carried important messages from the federal government and “General St. Clair, the

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<sup>13</sup> Washington to Colonel Darke, April 4, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 203; Instructions to St. Clair, March 25, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 173; Lieutenant Denny to General Harmar, March 9, 1791, in *Military Journal of Major Ebenezer Denny*, 151, 257.

great chief of the United States on the Ohio River” that invited the Wabash tribes to a council with the governor.<sup>14</sup>

St. Clair met with Washington to gain valuable insight on how to conduct the campaign. The president, a veteran of Braddock’s defeat, was “an old soldier, as one whose early life was particularly engaged in Indian warfare.”<sup>15</sup>

Washington told him to “beware of surprise; trust not the Indian; leave not your arms for a moment; and when you halt for the night, be sure to fortify your camp.”<sup>16</sup> Headed west to oversee preparations, the major general left Philadelphia three days after receiving the order to conduct the campaign and discussing Indian fighting with the president. From Pittsburgh, he dispatched messages to several pro-American Indian nations, including Senecas led by Cornplanter, Delawares led by Captain Pipe, and Wyandots who had participated in the Treaty of Fort Harmar. The speeches informed the natives of Proctor’s peace mission but also sought to break the confederation by separating these tribes from the Miamis and Shawnees who remained the most adamant in their opposition to the expansion of the United States.<sup>17</sup>

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<sup>14</sup> Instructions to Colonel Thomas Proctor, March 11, 1791, Message of the Secretary of War to the Miami Indians, March 11, 1791, Message from the Secretary of War to the Senecas, March 10, 1791, and Message from Governor St. Clair to the Half-King, and the Chiefs of the Wyandots, March 8, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 146-147; General Knox to General St. Clair, March 23, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 202.

<sup>15</sup> George Washington Parke Custis, *Recollections and Private Memoirs of Washington by his Adopted Son, George Washington Parke Custis with a Memoir of the Author, by his Daughter; and Illustrative and Explanatory Notes by Benson J. Lossing* (Philadelphia: J. W. Bradley, 1861), 417.

<sup>16</sup> *Ibid.*

<sup>17</sup> Message from Governor St. Clair to Captain Pipe and the other chiefs of the Delaware Nation, Message from Governor St. Clair to Half-King, and the other chiefs of the Wyandot Nation, in *American State Papers: Indian Affairs*, Vol. 1, 147-147. St. Clair and officials at the war

On March 10, 1791, Proctor and Houdin left Philadelphia and arrived at the Iroquois settlements in mid-April. The party traveled to villages in western Iroquoia and read messages from St. Clair to local leaders. They discovered that Indians in the region were dependent upon trade goods from British posts, Fort Erie and Fort Niagara. In fact, the delegates pointed out that natives living close to British posts were clothed and equipped better than tribesmen who lived near American posts. Proctor and his aide met Red Jacket and Farmer's Brother at the Great Council at Buffalo.<sup>18</sup>

St. Clair sent an additional message to the Iroquois that requested their assistance in fighting the western nations. But his dispatch weakened the government's peace initiative. He asked the Senecas to take up arms against the "people of the setting sun." This application was a departure from earlier letters that asked the natives to serve as emissaries of peace. The letter helped to undermine Proctor's mission to the Wabash Indians. Farmer's Brother recognized the discrepancies in St. Clair's speeches: "The answer of our fighting requested by St. Clair: On seeing how your troops should act against the enemy

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department probably likened the upcoming expedition to historic campaigns and looked to learn from the past. The general and his aide-de-camp, Major Ebenezer Denny, took time to visit Braddock's Field, the site of the British defeat at the hands of Indians and Frenchmen at the Battle of the Monongahela in 1755. The general had no way of knowing that a few months later he would experience a similar fate, repeating many of the same errors in Indian fighting as his predecessor had committed. St. Clair underestimated the ability of Indians to fight large armies, and he failed to employ natives as scouts to track the movements of his enemy. Like General John Forbes, who successfully conducted a campaign against the French and Indians at Fort Duquesne three years after Braddock's defeat, he planned to construct several fortifications, creating a line of supply, transport, and communication.

<sup>18</sup> Speech of the Young King of the Six Nations on my leaving Buffalo Creek, May 21, 1791, in *American State Papers: Indian Affairs*, 165; Sword, *President Washington's Indian War*, 133-135, 139; Guthman, *March to Massacre*, 199-205.

Indians . . . the answer is, that we are desirous of complying with the instructions of his first letter” that asked the Iroquois to remain idle during the hostilities.<sup>19</sup>

When Proctor and six Indian escorts reached Fort Niagara to depart for Sandusky by traveling along Lake Erie, Colonel Gordon, British commander of the fort, refused to furnish boats for the trip. Proctor’s Indian allies indicated that they would not travel the distance in canoes, and the expedition was aborted. Unsuccessful in their undertaking the emissaries left Indian Country and returned to Philadelphia. Responsibility for bringing order to the territory fell on St. Clair in the wake of Proctor’s unproductive mission.<sup>20</sup>

Braving inclement weather, the general traveled to Lexington to muster soldiers for the campaign. St. Clair recalled, “At the time I went to Kentucky about the militia, in the heaviest rains that were ever known to fall with such continuance; in an uninhabited country; in the day time, every step to the horses knees, and in the night, the bare ground to lay upon.”<sup>21</sup> The difficult journey brought on a “bilious complaint” that eventually turned into the gout, rendering the fifty seven year old commander of the army in deplorable physical condition

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<sup>19</sup> Major General St. Clair to the Chiefs and Warriors of the Seneca Nation, April 23, 1791, in *Michigan Pioneer and Historical Society: Historical Collections: Copies of Papers on File in the Dominion Archives at Ottawa Canada, Pertaining to Michigan, As Found in the Colonial Records Office Records*, Vol, 24, 239-241.

<sup>20</sup> Speech of the Young King of the Six Nations on my leaving Buffalo Creek, May 21, 1791, General St. Clair to Secretary Knox, April 21, 1791, and General St. Clair to Secretary Knox, July 21, 1791, in *American State Papers*, vol. I, 165, 175, 181; For information on Red Jacket, see Arthur Caswell Parker, *Red Jacket: Seneca Chief* (Lincoln: University of Nebraska Press, 1998, reprint, 1952).

<sup>21</sup> St. Clair, *Narrative of the Campaign Against the Indians*, 57.

on the eve of the mission. In all, he traveled to Kentucky on three occasions to make preparations for the campaign.<sup>22</sup>

From Fort Washington, the major general awaited information from Proctor's mission before authorizing Brigadier General Charles Scott to conduct an expedition against the Wea, a band of the Miami who inhabited towns located along the Wabash River. Knox had approved the action to be taken while troops were being mustered for the main campaign. He instructed Scott to raise mounted Kentucky volunteers, approximately 750, to destroy Indian towns, take prisoners, and kill warriors. St. Clair wrote, "Although the season was so far advanced as to render it proper for the party to begin their march, yet, as there was no account of Colonel Proctor, I was willing it should be delayed a little."<sup>23</sup> News of the mission did not arrive in the backcountry, and as a consequence, the major general ordered Scott to proceed with his instructions. Scott's expedition departed from Lexington on May 23, 1791, and returned in early June, "having killed thirty-two, chiefly warriors of size and figure, and taken fifty-eight prisoners (mostly women and children)."<sup>24</sup> The non-combatants were placed in the military prison at Fort Washington. The Kentucky volunteers also burned several villages and destroyed cornfields located along the Wabash. St. Clair traveled to Lexington to interview Scott and to meet with local leaders. He approved of

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<sup>22</sup> Ibid.

<sup>23</sup> Instructions to Brigadier General Charles Scott, dated, March 9, 1791, Major General St. Clair to Brigadier General Scott, May 28, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 129-133.

<sup>24</sup> List of the Indian Prisoners taken by the army under Brigadier General Scott, on the Wabash River, June 1, 1791, and Report of Brigadier General Scott, June 28, 1791, Ibid,133.

Scott's conduct and believed that militia operations were an effective way to keep the enemy at bay while the main army was being organized.<sup>25</sup>

St. Clair authorized a second militia expedition against the Wabash tribes in July. His instructions to the militia commander state, "You are to proceed to that town and assault the same and the Indians therein . . . saving all those who cease to resist, and capturing as many as possible, particularly women and children."<sup>26</sup> Wilkinson's force of 500 volunteers left Fort Washington on August 1, 1791. The party faced difficult terrain, but managed to destroy several villages, to cut down 436 acres of corn, and to take hostage non-combatants. As the season advanced, the native inhabitants would not be able to subsist because their stockpiles of food had been destroyed. The militia returned to Cincinnati in mid-August, and Wilkinson penned a message to the tribes who suffered the raid: "You may find your squaws and your children under the protection of our great chief and warrior, General St. Clair at Fort Washington. To him you will make all applications for exchange of prisoners or for peace."<sup>27</sup> The second militia campaign had commenced before the general's army completed preparations for

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<sup>25</sup> Major General St. Clair to Brigadier General Scott, May 28, 1791, General St. Clair to Secretary Knox, May 12, 1791, Report of Brigadier General Scott, June 28, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 129-133, 176; General St. Clair to Committee of Kentucky, June 16, 1791, and General St. Clair to Secretary Knox, May 26, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 213, 218.

<sup>26</sup> General St. Clair to Committee of Kentucky, June 16, 1791, and General St. Clair to Secretary Knox, May 26, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 213, 218. Harvey Lewis Carter points out that the militia campaigns mimicked Indian warfare: attacking settlements and killing or imprisoning combatants and noncombatants. See Carter, *The Life and Times of Little Turtle*, 102.

<sup>27</sup> To the Indian Nations living on the Wabash and its waters, James Wilkinson, August 9, 1791, Lieu. Colonel-commandant Wilkinson's Report, in *American State Papers: Indian Affairs*, Vol. 1, 133-135.

the expedition; thus, Wilkinson's movements could not serve as a diversion from the main body of troops.<sup>28</sup>

St. Clair became angered in early September because the main expedition had not gotten under way. He had been serving several roles: governor, major general, quartermaster, and contractor. The campaign was two months behind schedule, and Duer and his agent Ludlow had not provided the supplies necessary to conduct the mission. The army's packhorses depended on forage; this indispensable resource was disappearing quickly as the temperature became colder and leaves began to fall. Unruly soldiers stationed at Fort Washington filled the streets of Cincinnati and caused disturbances: riotous and promiscuous behavior ensued. In response, St. Clair ordered the majority of troops to Ludlow's Station, located several miles north of the town. Hodgdon, the quartermaster general, and Butler, the second in command, did not arrive at Fort Washington until September 7, 1791. An observer noted, "Preparations for the campaign are very backward."<sup>29</sup> Knox informed St. Clair that the president was "extremely anxious that . . . you may effect your operations in due season." The major general replied, "I beg you to assure the President that nothing can exceed that anxiety I feel to not have the operations of the campaign begun."<sup>30</sup>

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<sup>28</sup> General St. Clair to Hon. John Brown, July 18, 1791, and General St. Clair to General Wilkinson, July 31, 1791, General Wilkinson to General St. Clair, August 24, 1791, General St. Clair to General Knox, August 24, 1791, in Smith, *St. Clair Papers*, Vol. 2, 225, 227, 233-239.

<sup>29</sup> Ebenezer Denny, *Military Journal of Major Ebenezer Denny: An Officer in the Revolutionary and Indian Wars* (Philadelphia: J.B. Lippincott & Co., 1859), 152.

<sup>30</sup> Secretary Knox to General St. Clair, August 11, 1791, in *American State Papers: Indian Affairs*, Vol. 1, Denny, 153; General Knox to the President, October 1, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 243; Mathew Bunn, *A Journal of the Adventures of Mathew Bunn, A Native of*

The levies that arrived were less qualified for military service and less disciplined than the Kentucky militiamen, and these raw recruits lacked equipage necessary for soldiering. St. Clair's aide remarked, "The bulk of the army was composed; [of] men collected from the streets and prisons of the cities, hurried out into the enemy's country . . . totally unacquainted with the business in which they were engaged."<sup>31</sup> The supplies were of poor quality. Packsaddles did not properly fit horses, and guns were unfit for use. The army's gunpowder supply was defective; in fact, the boat transporting much of the powder sank en route to the territory and damaged the material. To meet this challenge, the major general transformed Fort Washington and its environs to create a factory to produce military supplies. He recalled that the fort "had as much the appearance of a large manufactory on the inside, as it had of a military post on the outside."<sup>32</sup> Soldiers built an ammunition factory, an armory, and several shops to repair weapons and equipment. The enlisted men disliked the work, and officers disapproved of their soldiers being taken away from regimental duties. Sargent described the army as "badly clothed, badly paid, and badly fed."<sup>33</sup> General Harmar, who had recently been acquitted during court-martial proceedings before retiring, witnessed the organization of the army and St. Clair's desperate efforts to discipline, equip, and supply his soldiers. He predicted that the Indians

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*Brookfield Massachusetts, Who Enlisted with Ensign John Tillinghalt, of Providence, in the Year 1791, on an Expedition in the Western Country;-- was taken by the Savages, and Made His Escape into Detroit the 30<sup>th</sup> of April, 1792* (Providence: Printed for the Author, 1796, reprint 1962), 5.

<sup>31</sup> Denny, *Military Journal*, 170.

<sup>32</sup> St. Clair, *Narrative of the Campaign Against the Indians*, 12.

<sup>33</sup> Sargent, *Diary While with General Arthur St. Clair*, 242.

would defeat the American forces. Harmar sensed that Denny wanted to resign his post when learning of his cataclysmic prediction but urged him to continue his service. He told Denny, "You must go on the campaign; some will escape, and you may be among the number."<sup>34</sup>

In August 1791, St. Clair ordered his army to march six miles north of Cincinnati to encamp at Ludlow's station, and later in September, he moved the army to an encampment along the Miami River, twenty-three miles from headquarters. In fifteen days, the army constructed four bastions and a barracks (Fort Hamilton, named in honor of the Secretary of the Treasury) on the bank of the waterway. With the expedition underway, the major general commanded a force of over 2,000 soldiers and militiamen. The force was far short of Knox's projections but adequate to combat the enemy. Hundreds of camp followers and sutlers trailed the main body of troops, but supplies remained difficult to obtain. Desertion became a problem. On October 3, 1791, twenty-six disaffected militiamen abandoned their posts and returned to Kentucky. Desertion became so common that St. Clair ordered troops to retrieve the deserters.<sup>35</sup>

The army departed Fort Hamilton on October 4, 1791, and advanced northward toward its destination. Provisions remained in short supply. St. Clair

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<sup>34</sup> Denny, *Military Journal*, 153; Causes of the Failure of the Expedition Against the Indians, in 1791, Under the Command of Major General St. Clair, May 8, 1792, *American State Papers: Military Affairs*, Vol. 1, 36, 46.

<sup>35</sup> Causes of the Failure of the Expedition Against the Indians, in 1791, Under the Command of Major General St. Clair, May 8, 1792, *American State Papers: Military Affairs*, Vol. 1, 36; Denny, *Military Journal*, 155; General St. Clair to Secretary Knox, October 6, 1791, in Smith, ed., *St. Clair Papers*, 245; Sargent, *Diary While with General Arthur St. Clair*, 242; *Journal of Captain Daniel Brady*, 19.

wrote a scathing letter to Ludlow inquiring why his troops did not receive adequate materials. He informed the contractor that excuses would not satisfy a “starving army and a disappointed people.”<sup>36</sup> The beleaguered campaign advanced slowly. Cutting roads through deep forests with dull and broken axes delayed the progress. Indians spied on the army’s movements, stole horses, and killed or captured isolated soldiers.

On October 13, 1791, St. Clair set out with several attendants to reconnoiter the area in order to find a suitable location to build a fort to create another link in the line of communication, and Major Ferguson began construction the following day. The outpost became known as Fort Jefferson, named for the secretary of state. Conditions worsened as construction of the fort got underway. Participants commented on the terrible weather conditions that produced precipitation, drenching the weary soldiers and destroying equipment. Frosts destroyed the animals’ forage, threatening to cut off the supply line. Provisions were in short order, and the major general ordered the already disaffected soldiers to be given half of their daily allowances of flour. He wrote a letter to Hodgdon complaining that the problems that beset his forces were due to the negligent behavior of the quartermaster and the contractor and threatened to abort the campaign. Tents to shelter the troops were in poor condition, and

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<sup>36</sup>General St. Clair to Israel Ludlow, Agent of the Contractors, October 8, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 246. For information on the construction of fortifications and the march to the battlefield, see Guthman, *March to Massacre*, 220-244, Sword, *President Washington’s Indian War*, 155-171; Lytle, *The Soldiers of America’s First Army*, 73-85. For primary accounts of the march, consult Sargent, *Diary While with General Arthur St. Clair*, 241-256; Denny, *Military Journal*, 154-162.

desertion increased. The commander demonstrated his determination to restore order to his unruly soldiers; on October 22, 1791, two deserters were executed in front of the army. Sargent agreed with the general's decision to execute the men and to impose strict discipline on the disaffected troops. He wrote, "Desertions have become so prevalent as to be very alarming, and examples (in terrorem) are necessary."<sup>37</sup> Heavy handed tactics, however, did not elicit the intended results; instead the soldiers' bitterness toward the officer corps increased.<sup>38</sup>

Rather than going into winter quarters, the general decided to march his army against the Indian towns. St. Clair led his army northward and encamped six miles north of the fort as the condition of his army deteriorated. Soldiers complained that they were not adequately clothed for a fall campaign and that their tents did not protect them from the elements. Troops protested against the rationing of their daily allowances of food and their not being paid. The state of affairs worsened, and anger against military authority increased. The levies refused to perform their duties, arguing that their enlistments had expired. Some of the levies asserted that their commitment began the day that they signed up for service, not the day that they assembled at military headquarters at Fort Washington. These soldiers openly defied orders and became more troublesome than the militiamen. Denny reported, "This morning [October 29<sup>th</sup>]

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<sup>37</sup> Sargent, *Diary While with General Arthur St. Clair*, 247.

<sup>38</sup> *Journal of Captain Daniel Brady*, 26.

there was a constant firing kept up round the camp, notwithstanding it is known there is a general order against it.”<sup>39</sup>

The mutinous army experienced an additional setback on October 31, 1791. Faced with open defiance, St. Clair opted to move his army farther north into Indian Country. Sargent reasoned that it was necessary to march the army away from Fort Jefferson because then, when soldiers’ enlistments ended, they would be too far into enemy territory to leave their comrades. Approximately, sixty militiamen deserted the army and threatened to attack and plunder a supply train en route to provide the troops with much needed provisions. Officers believed that many other soldiers planned to leave and that decisive action needed to be taken to prevent additional incidents. St. Clair ordered Major Hamtramck, commanding the 1<sup>st</sup> Regiment, to lead several hundred soldiers to overtake the deserters and to prevent a disruption of the supply line. Sargent remarked, “I have to regret that we are hereby deprived for a time of a corps of three hundred effective men . . . which must be estimated as the best in the service.”<sup>40</sup> The major general ordered the best-trained and most experienced regiment to the south; this decision and desertion reduced his army to 1,400 men. Thus, deep in Indian Country, St. Clair commanded defiant and unruly troops made up of militia and levies; nonetheless, he ordered these forces to recommence the march toward the Indian towns.<sup>41</sup>

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<sup>39</sup> Denny, *Military Journal*, 161; Sargent, *Diary While with General Arthur St. Clair*, 247-248.

<sup>40</sup> Sargent, *Diary While with General Arthur St. Clair*, 247-248.

<sup>41</sup> General St. Clair to Secretary Knox, November 1, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 249-251; *Journal of Captain Daniel Brady*, 30;

After enduring snowfall and generally below freezing temperatures, the “much fatigued” army reached the banks of the Wabash River on November 3, 1791, and encamped. The troops had marched until sunset, and as a result, the commander decided not to erect defensive works immediately. St. Clair suffered along with his army; the gout seized the general, forcing him to be carried in a litter because he could not bear to ride a horse. Members of the 2<sup>nd</sup> Regiment camped along the frozen river in two 350-yard lines that were 70 yards apart. Artillery pieces, horses, and supplies were placed between the lines. Rifleman units enclosed the lines on the right and left flanks, forming a rectangle. The militia encamped on the opposite side of the waterway, 300 yards away from the main body of soldiers.

St. Clair’s aide wrote, “A knowledge of the collected force and situation of the enemy; of this we were perfectly ignorant.”<sup>42</sup> Throughout the campaign, the commander did not know the position of the enemy. A band of Chickasaws, a southern tribe that was at war with Ohio Indians, had joined the American army, but the major general did not employ these volunteers as scouts. Up until this point, signs of Indians had been spotted throughout the campaign, but the army and the newly erected fortifications had not been attacked. As was mentioned before, natives spied the army’s movements, stole horses, and kidnapped and killed isolated soldiers on patrol. Fifteen Indians fled the site of the encampment on the evening that the army arrived, and Colonel Oldham believed it to be a

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<sup>42</sup> Denny, *Military Journal*, 171.

“party of observation.” When the army encamped, commanders were still unaware of their adversary’s location.<sup>43</sup>

Because of a failure in the chain of command, St. Clair did not receive critical information, and as a consequence, he did not prepare his troops for an attack. During the evening, Captain Slough and about thirty volunteers reconnoitered the area and discovered several large parties of Indians about one mile from the camp. The Americans managed to escape without being detected. Slough and his men returned to headquarters and informed Colonel Oldham of the discovery. He later testified, “I was of the same opinion with him that the camp would be attacked in the morning, for I had seen a number of Indians.”<sup>44</sup> Slough went to General Butler’s tent to inform him of the pending attack. He asked the general whether or not he should inform St. Clair, but Butler told the captain to return to his tent.<sup>45</sup>

Roughly fifteen-hundred confederated warriors led by Little Turtle and Blue Jacket surrounded the exposed Americans as they slept. Tribesmen of the Delaware, Miami, Shawnee, Wyandot, Ottawa, Chippewa, Cherokee, and Pottawatomie made up the indigenous army. Simon Girty and other British surrogates accompanied the tribes and participated in the fighting. Before sunrise, the soldiers were put on parade in accordance with military protocol. Nonetheless, the army was unprepared for what happened next. According to

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<sup>43</sup> Ibid.

<sup>44</sup> Testimony of Captain Slough, in St. Clair, *Narrative of the Campaign Against the Indians*, 213-218.

<sup>45</sup> Ibid.

Sargent, "The firing of the enemy was preceded for about five minutes by the Indian yell . . . resembling an infinitude of horse-bells suddenly opening."<sup>46</sup> First, natives targeted the isolated militia camped on the opposite side of the river. The surprised soldiers retreated across the waterway and ran frantically into the main encampment without putting up a defense. The rush of militiamen served to confuse the main body of soldiers who were attempting to form in lines to combat the enemy. Fleeing troops broke through both lines but discovered the army was surrounded by hostiles.<sup>47</sup>

Warriors followed the militia and charged the Americans in an attempt to break the cordon and to enter the camp. The mad dash of the militia threw Butler's troops into disarray, but the general led several bayonet charges that pushed the attackers back into the surrounding woods where they took cover behind trees. A participant noted, "The enemy . . . completely surrounded the camp, killed and cut off nearly all the guards, and approached close to the lines. They advanced from one tree, log, or stump to another, under cover of the smoke of our fire."<sup>48</sup> Indians attacking the right flank killed every officer but one man, who was seriously wounded.

Early in the engagement natives killed officers and artillerymen and took the fight to soldiers and noncombatants. Targeting officers mounted on horses,

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<sup>46</sup> Sargent, *Diary While with General Arthur St. Clair*, 258.

<sup>47</sup> For accounts of the battle, see Lytle, *The Soldiers of America's First Army*, 87-108; Sugden, *Blue Jacket*, 122-127; Withers, *Chronicles of Border Warfare*, 399-407; Sword, *President Washington's Indian War*, 171-191; Denny, *Military Journal*, 163-168; Sargent, *Diary While with General Arthur St. Clair*, 256-262.

<sup>48</sup> Denny, *Military Journal*, 165.

they succeeded in breaking the chain of command and confusing the ranks. The artillery suffered mightily during the engagement as well; only one officer escaped alive. Warriors surrounded the camp and easily targeted the soldiers who huddled helplessly in the middle of the action. Paralyzed by fear, many soldiers joined the wounded in the center of the camp where they believed they were safe. This movement, however, added to the confusion and left the troops more exposed to enemy gunfire. "The men . . . despaired of success, gave up the fight, and to save themselves for the moment, abandoned entirely their duty and ground, and crowded toward the centre of the field," a participant observed.<sup>49</sup> On two occasions natives drove back the levies, penetrated the camp, and attacked sutlers and camp followers. Women in the camp used firebrands to force men hiding under wagons to return to battle, but over thirty women fell victim to the enemy. Sargent observed, "[Women] were inhumanly butchered, with every indecent and aggravated circumstance of cruelty that can be imagined, three only making their escape."<sup>50</sup>

St. Clair put aside his illness when the battle commenced; he wrote, "I could wait no longer, my pains were forgotten, and for a considerable time, I could walk with a degree of ease and alertness, that surprised every body."<sup>51</sup> Each of his four horses were killed as he tried to mount them, but the commander joined the army on foot and ordered several charges against the

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<sup>49</sup> Sargent, *Diary While with General Arthur St. Clair*, 261.

<sup>50</sup> *Ibid*, 259-269.

<sup>51</sup> St. Clair, *Narrative of the Campaign Against the Indians*, 51.

Indians on the left and right flanks. He wore a common cappa coat and a tri-cornered hat supposedly because he had rushed into battle; the major general was indistinguishable by his clothing and probably escaped the enemy's sights as a result. He ran up and down the lines and attempted to rally his troops, threatening his soldiers with pistols if they refused to fight. Eight bullets passed through his clothing and bullets grazed his face and a lock of his long gray hair.<sup>52</sup> A soldier later testified, "St. Clair and General Butler were continually up and down the lines," trying to rally the army.<sup>53</sup> Colonel Darke commanded the left flank and alongside St. Clair conducted charges against the entrenched warriors. The 2<sup>nd</sup> Regiment rushed the enemy on three occasions and suffered substantial casualties, but the offensive operations opened the way to the road and enabled the battered troops to escape.<sup>54</sup>

Leaving the dead and dying on the battlefield, the trounced army began to retreat at 9:30 AM, just over three hours after the fighting commenced. St. Clair had ordered and participated in several feints that confused the enemy and opened the way for escape. The withdrawal, however, became a rout; soldiers abandoned their guns and accoutrements. "Delay was death; no preparations could be made; numbers of brave men must be left a sacrifice; there was no alternative," Denny recalled.<sup>55</sup> Indians followed the fleeing troops for several miles, but opted to return to the battlefield to plunder what remained. According

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<sup>52</sup> Sword, *President Washington's Indian War*, 180.

<sup>53</sup> Testimony of Colonel Semple, in St. Clair, *Narrative of the Campaign Against the Indians*, 221.

<sup>54</sup> Testimony of Captain Denny, *Ibid*, 222.

<sup>55</sup> Denny, *Military Journal*, 176.

to Sargent, "The firing of the musketry in the camp after we quitted it, leaves us very little room for doubt that their [the seriously wounded soldiers'] latest efforts were professionally brave and that where they could pull a trigger they avenged themselves."<sup>56</sup> General Butler, who had fought alongside two of his brothers that day, was left behind with two pistols. He became the highest ranking American officer to die in battle. Victors scalped the general and removed and consumed his heart as revenge against his actions as Indian commissioner during the 1780s. Natives seized weapons and accoutrements, artillery pieces, and supplies.<sup>57</sup>

The army traveled nearly thirty miles and arrived at Fort Jefferson about 7:00 PM. St. Clair wrote, "The most disgraceful part of the business is that the greatest part of the men threw away their arms and accoutrements, even after the pursuit."<sup>58</sup> The fort, however, lacked provisions to feed the hungry troops who had not eaten since the eve of the battle. The defeated general left the wounded at the fort and led the remainder of soldiers southward to meet a convoy of supplies that was heading to re-supply the fort. The soldiers marched until daylight when the army paused to wait for the shipment. That evening, they set out and met the pack animals and drovers on the morning of November 5, 1791. The destitute soldiers ate for the first time in nearly seventy-two hours. Two days later, the army reached Fort Hamilton and arrived at Fort Washington the

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<sup>56</sup> Sargent, *Diary While with General Arthur St. Clair*, 261.

<sup>57</sup> Sword, *President Washington's Indian War*, 191.

<sup>58</sup> Governor St. Clair to the Secretary of War, November 9, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 264.

following day. The frantic troops retreated to the Ohio River in less than a week; the journey to the battlefield had taken nearly two months. The soldiers could not be controlled when they reached Cincinnati. Disorder reigned. Militiamen returned to their homes. Levies demanded to be paid, but their request was not answered, leading to more discontent. Soldiers directed their anger against officers, and St. Clair became the symbol of the disaster.<sup>59</sup>

Five days after the battle, St. Clair communicated the news of the defeat to his superior in Philadelphia by a dispatch via Lexington to Knox: "Yesterday afternoon, the remains of the Army under my command got back to this place [Fort Washington], and now I have the painful task of giving you an account of as warm, and of as unfortunate an action of almost any that has been fought in which every corps was engaged and worsted."<sup>60</sup> His assessment was correct; the defeat resulted in the most casualties suffered by an American army in battle against Indians. Dead and wounded Americans numbered approximately 914; thirty-seven officers and 593 enlisted men died during the engagement. It is difficult to ascertain the number of natives that perished in battle. Sargent wrote, "Their killed I cannot think bare any perportion to ours as they lay so concealed, but many I know were killed."<sup>61</sup> However, historians speculate that fewer than 200 warriors died. In addition to the staggering casualties, the army lost \$32,810

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<sup>59</sup> Ibid, *Journal of Captain Daniel Bradey*, 34; Denny, *Military Journal*, 174; Sargent recorded a detailed account of the retreat and the arrival at Fort Washington, see Sargent, *Diary While with General Arthur St. Clair*, 253-256.

<sup>60</sup> Governor St. Clair to the Secretary of War, November 9, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 262.

<sup>61</sup> Sargent, *Diary While with General Arthur St. Clair*, 262.

in supplies, equipment, and weaponry, including six artillery pieces, 1,200 muskets and bayonets, and hundreds of horses.<sup>62</sup>

The unsuccessful expedition afforded arms and ammunition to the confederated tribes and supplied much needed provisions for the upcoming winter. After the battle, warriors took possession of St. Clair's personal belongings, including his correspondence. The Lieutenant Governor of Canada later wrote, "Letters from General Knox, Secretary of War, to Generals St. Clair and Butler, together with some other papers were found by Indians and sent into Detroit."<sup>63</sup> The dispatches revealed top secret information; forty-two letters taken after the battle provided insight into America's plans for expansion into the British controlled Great Lakes Region and the strengths, weaknesses, and organization of the military. The letters threatened national security and relations with Great Britain.<sup>64</sup>

Denny delivered a dispatch to Philadelphia that informed the government of the battle. Washington was entertaining guests when he received an urgent letter from the West that informed him of St. Clair's defeat. The president read the letter in private and returned to dinner without showing signs of his astonishment and disappointment. When the visitors left, the president retired to his private parlor and "paced the room in hurried strides." The normally reserved

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<sup>62</sup> Ibid.

<sup>63</sup> Lieut. Gov. Alured Clarke to Henry Dundas, February 11, 1792, Colonel Mckee to Sir John Johnson, March 5, 1792, and Statements Submitted to Henry Dundas by Lt. Gov. J. G. Simcoe, July 31, 1793, in *Michigan Pioneer and Historical Society: Historical Collections*, Vol. 24, 373-375, 380, 575-577.

<sup>64</sup> Major General St. Clair to the Secretary of the Department of War, November 9, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 262.

head of state struck his forehead with clenched fists and exclaimed, “That brave army, so officered—Butler, Ferguson, Kirkwood—such officers are not to be replaced in a day—that brave army cut to pieces. O God!”<sup>65</sup> Washington’s outpouring of emotion amazed Tobias Lear, the president’s secretary. He noted that the outburst was intense but brief—lasting about half an hour. Shaking and pacing, he lamented, “O God, O God, he’s [St. Clair is] worse than a murderer! How can he answer it to his country?—the blood of the slain is upon him—the curse of widows and orphans—the curse of Heaven.”<sup>66</sup> Washington regained his even-tempered countenance and calmly remarked, “But he [St. Clair] shall have justice; yes, long faithful, and meritorious service have their claims.”<sup>67</sup>

Washington reported the news of the “national loss” to Congress on December 12, 1791.<sup>68</sup>

The defeat was the young United States’ first national military tragedy; more soldiers died during the battle against the Ohio Indians than in any single engagement of the War for Independence. Nearly every region of the country was affected by the events; levies were made up of recruits from eastern states stretching from Massachusetts to South Carolina. Newspapers throughout the United States and Europe reported and published accounts of that fateful day. St. Clair described the public’s reaction to his defeat: “The public mind was agitated in an extraordinary manner, and the vexation, naturally incident to the

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<sup>65</sup> Custis, *Recollections and Private Memoirs of Washington*, 417.

<sup>66</sup> *Ibid.*

<sup>67</sup> *Ibid.*

<sup>68</sup> *The Debates and Proceedings of the Congress of the United States, Second Congress*, December 12, 1791, Vol. 1, 48.

disappointment of fond hopes, was increased by bitter calumnies, gross misrepresentations, and vile falsehoods, spread abroad to every region by means of public prints, and every species of misconduct was attributed to me.”<sup>69</sup> The disgraced general left the territory and headed to New York to clear his name and to restore his once esteemed reputation.

Ten-year-old George Custis witnessed the start of St. Clair’s first interview with the president after the defeat. He recalled, “The unfortunate general, worn down by age, disease, and the hardships of a frontier campaign, assailed by the press, and with the current of popular opinion against him, repaired to his chief, as to a shelter from the fury of so many elements.”<sup>70</sup> On March 26, 1792, St. Clair wrote to Washington, requesting an inquiry into his conduct during the late expedition. The major general was confident that he had done everything in his power to make the campaign a success and believed that he would be exonerated of charges leveled against him during court-martial proceedings. He wrote, “I am myself persuaded that every thing was done, in the Course of the last Campaign, that could be done on my part . . . yet it is denied by some, doubted by many, and known to but few out of the Army.”<sup>71</sup> He wanted the inquiry to take place to influence public opinion, which had turned against him after the defeat.<sup>72</sup>

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<sup>69</sup> St. Clair, *Narrative of the Campaign Against the Indians*, vii.

<sup>70</sup> Custis, *Recollections and Private Memoirs of Washington*, 419.

<sup>71</sup> Governor St. Clair to the President, March 26, 1792, in Carter, *Territorial Papers*, Vol. 2, 276.

<sup>72</sup> *Ibid*; St. Clair, *Narrative of the Campaign Against the Indians*, vii.

St. Clair offered to resign his commission after the trial ended, and, if found negligent, to accept censure. Washington replied, "Your desire of rectifying any errors of public opinion, relative to your conduct, by an investigation of a Court of Enquiry, is highly laudable," but not practical because too few officers of high rank were then in military service.<sup>73</sup> Washington told the major general that he could not retain his commission because a successor needed to be appointed and sent to the frontier immediately. St. Clair complied with his commander's demand and retired from military service on April 7, 1792, ending a lifelong involvement in military affairs. He wrote to Sargent and informed him that he had resigned from his post because he could not endure the rigors of another campaign and pointed out that another fray into Indian Country could not be organized in time to avoid another winter march.<sup>74</sup>

Because over thirty officers died on the banks of the Wabash River, St. Clair did not have a jury of his peers to investigate his conduct. After much debate, the House of Representatives conducted an inquiry into the causes of the bungled campaign. On March 26, 1792, Congress took up the issue and presented a resolution that called on President Washington to institute an inquest to determine the causes of the "detentions and delays" that contributed to the defeat. The proposal set off a spirited debate, but Senator Abraham Clark

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<sup>73</sup> The President to Governor St. Clair, March 28, 1792, Governor St. Clair to the President, March 26, 1792, in Carter, *Territorial Papers*, Vol. 2, 378, 376.

<sup>74</sup> Governor St. Clair to Acting Governor Sargent, June 7, 1792, in Carter, ed., *Territorial Papers*, Vol. 2, 397.

insisted that a method of inquiry was necessary because the public mind was “greatly agitated.”<sup>75</sup>

Legislators were divided on what form the investigation would take. Some congressmen, like William Smith, supported a resolution that called on the president to institute an inquiry and believed that it was within the power of the chief executive to conduct such an inquest. In opposition, many members of Congress believed that it would be inappropriate for the president to hold a court-martial because the probe dealt with the expenditure of public money. Others believed that Washington’s participation would serve as an embarrassment to the administration. Thomas Fitzsimmons agreed with those who opposed the measure and argued that the House should be in charge of the proceedings. He suggested that this body select a committee to look into the campaign and report the findings to the president in order for him to take action because financial matters contributed to the defeat. The resolution giving the president the authority to conduct the proceedings failed. A second proposal was presented that implemented Fitzsimmons’ and Abraham Baldwin’s suggestions: a House committee would call for records from the expedition and for testimony from eyewitnesses and investigate the causes of the failed operation. The precedent-setting resolution passed overwhelmingly.<sup>76</sup>

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<sup>75</sup> Arthur M. Schlesinger Jr., *Congress Investigates, 1792-1974* (New York: Chelsea House Publishers, 1975), 1-3.

<sup>76</sup> *The Debates and Proceedings of the Congress of the United States, Second Congress*, March 27, 1792, Vol. 1, 489-493; Arthur M. Schlesinger, Jr., *Congress Investigates: A Documentary History, 1792-1974* (New York: Chelsea House Publishers, 1975), 9-10.

St. Clair's defeat resulted in the first congressional inquiry that focused on the desperate military situation of the young nation. The committee consisted of seven members; Fitzsimmons, a wealthy Pennsylvanian and a long time associate of St. Clair, headed the inquest. The representatives studied documents and listened to testimony from participants for over a month. Desperate to clear his name in the eyes of the public, the governor took an active role in the inquiry and in an attempt to present his interpretation of the events questioned those who testified. He believed that the investigation would demonstrate negligence of the secretary of war: "The object of this committee is in truth to discover some cause of complaint against General Knox."<sup>77</sup>

Harmar testified to the committee on the conditions at Fort Washington on the eve of the campaign. He emphasized the predicament that the major general faced because of the absence of the quartermaster and described the poor conditions of the munitions and equipment. Major Zeigler testified and supported Harmar's assertions. Captain Slough's examination revealed information that was beneficial to the former general's contention that he was deprived of critical information on the eve of the battle. The captain reported that he discovered large groups of warriors when he reconnoitered the area surrounding the encampment that evening. He told General Butler about his findings, but Butler did not act upon them. St. Clair questioned Denny to determine whether harmony existed among the officers, and he replied, "I knew that the officers were

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<sup>77</sup>Governor St. Clair to Acting Governor Sargent, April 4, 1792, in Carter, *Territorial Papers*, Vol. 2, 384-385.

generally averse to the adjutant general [Sargent] . . . I never heard of any dissatisfaction expressed toward general St. Clair.”<sup>78</sup>

St. Clair’s detractors tried to influence the committee and challenged some of the inquiry’s basic assumptions. Major Edward Butler came out against the general and argued against the depiction of his brother’s malfeasance on the eve of the battle. He accused St. Clair of attacking the reputation of a dead man--incapable of defending himself-- and an individual who held his commander in high esteem. St. Clair drafted a fiery response to Butler’s allegations that supported Captain’s Slough’s testimony that the second-in-command did not inform his commander that a large body of Indians was in the vicinity the night before the battle. The veteran frontier fighter and leader of the daring raid on Kittanning during the French and Indian War, General John Armstrong, criticized St. Clair’s methods with regard to Indian fighting. He argued that it was a mistake to place the militia on the opposite side of a stream, to campaign in Indian country without properly using flanking parties, and to rely heavily on artillery. The encampment, according to Armstrong, “presented a large and visible object, perhaps in close order, too, to an enemy near enough to destroy, but from their known modes of action comparatively invisible.”<sup>79</sup> Colonel Darke, who had performed bravely in the battle, questioned St. Clair’s decision to leave the wounded at the isolated fort. The colonel’s son died from wounds received during

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<sup>78</sup> Harmar, Zeigler, and Slough Testimonies, in St. Clair, *Narrative of the Campaign Against the Indians*, 205-208.

<sup>79</sup> General Armstrong to the President, December 23, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 276-279.

the engagement at Fort Jefferson. Darke became an outspoken critic of his commander's actions during the expedition and later testified at the congressional inquiry.<sup>80</sup>

The committee supported St. Clair's interpretation of the events that he did everything in his power to achieve success and that factors out of his control led to the defeat. On May 8, 1792, the committee presented its findings to the House, and that body decided to take the recommendations into consideration and to act on the information during the next session of Congress. The House investigation came to the following conclusion:

The committee conceive it but justice to the commander-in-chief, to say that, in their opinion, the failure of the late expedition can, in no respect, be imputed to his conduct, either at any time before or during the action; but that, as his conduct, in all the preparatory arrangements, was marked with peculiar ability and zeal, so his conduct, during the action, furnished strong testimonies of his coolness and intrepidity.<sup>81</sup>

The findings blamed Samuel Hodgdon and found that his negligence forced St. Clair to take on additional burdensome tasks. Furthermore, the statement faulted the secretary of war. The report stated, "The commander-in-chief . . . in addition to the duties of his office, discharged those of the Quarter Master General . . . many things essential to the movement of the army, were either wholly made or repaired at Fort Washington."<sup>82</sup> The House did not act on the committee's

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<sup>80</sup> Major E. M. Butler to Governor St. Clair, No Date, General St. Clair to Major Edmund Butler, March 3, 1792, and General Armstrong to the President, December 23, 1791, in Smith, ed., *St. Clair Papers*, Vol. 2, 280-283.

<sup>81</sup> Committee Report, May 8, 1792, in Schlesinger, *Congress Investigates: A Documentary History*, 37-45; Report of A Special Committee of the House of Representatives on the Failure of the Expedition Against the Indians, March 27, 1792, in Smith, *St. Clair Papers*, Vol. 2, 286-299.

<sup>82</sup> *Ibid.*

findings because the congressional session ended before members could take up the issue. St. Clair returned to his Ligonier estate to nurse his recurring ailment and to await the next meeting of Congress.<sup>83</sup>

Knox and Hodgdon were displeased to learn that the committee found their departments to be negligent. They petitioned the speaker of the house to reexamine the committee's findings in light of the testimony they planned to give in their defense. Members of the House ordered Fitzsimmons and other representatives to hear testimony from the secretary and quartermaster and to reevaluate the first committee's conclusions. They presented their interpretations of the events to the committee in November, 1792; St. Clair was ordered to return to participate in the investigation. Knox and Hodgdon, however, did not cooperate with the committee and did not provide their evidence in a timely fashion. He believed that delay was the result of sinister intentions, "The design of those gentlemen, in thus protracting the business was . . . to prevent a report being made to the house during that session."<sup>84</sup> To counter the general's interpretation of the causes of the defeat, Knox and Hodgdon submitted descriptions that portrayed the events in a far different light. Their statements sought to exonerate the departments and placed the blame on the conduct and generalship of the commander. The report's contents can be ascertained by examining the general's response: "The Secretary of War and Mr. Hodgdon

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<sup>83</sup> Causes of the Failure of the Expedition Against the Indians, in 1791, Under the Commander of Major General St. Clair, May 8, 1792, in *American State Papers: Military Affairs*, Vol, 2, 37; *The Debates and Proceedings of the Congress of the United States, Second Congress*, March 27, 1792, Vol.1, 490.

<sup>84</sup> St. Clair, *Narrative of the Campaign Against the Indians*, xii.

seem intended to give a new turn to the inquiry, and present themselves to my mind not as a justification of themselves . . . by a combined attack upon me personally.”<sup>85</sup> Their reports were so late that St. Clair had only three days to write a rebuttal. He believed that their reports were intended to influence the press and public opinion. Knox's incompetence contributed to the defeat, St. Clair contended. He asserted, “If, then, the failure of the expedition was at all occasioned by the advanced season of the year . . . so far as that was the consequence of delay or omissions in the preparatory parts, so far it is justly chargeable to the department of war.”<sup>86</sup> He also attacked Hodgdon's conduct, claiming that his army was not properly outfitted for the campaign.<sup>87</sup>

The supplementary report was presented to the house on February 15, 1793. The committee found deficiencies in the contractor's department, and Duer was judged to be culpable. But the committee did not find reason to alter the conclusions of the first report. When the issue of whether or not the House (as a whole) should act upon the findings of the committee, the representatives voted in the negative and did not consider the report.<sup>88</sup>

The second committee report exonerated St. Clair of wrongdoing, but in the eyes of the public, the “blood of the slain” was upon the commanding officer. Most Americans placed the blame squarely on the shoulders of St. Clair. He

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<sup>85</sup> General St. Clair to Hon. Thomas Fitzsimmons, January 23, 1792, in Smith, ed., *St. Clair Papers*, Vol. 2, 278.

<sup>86</sup> St. Clair, *Narrative of the Campaign Against the Indians*, 126.

<sup>87</sup> General St. Clair to Hon. Thomas Fitzsimmons, January 23, 1792, in Smith, ed., *St. Clair Papers*, Vol. 276;

<sup>88</sup> Committee Report, February 15, 1793, in Schlesinger, *Congress Investigates: A Documentary History*, 93-100.

understood the public's perspective well: "In military affairs, blame is almost always attached to misfortune; for the greatest part of those who judge, and all will judge, have no rule to guide them but the event, and the misconduct is ever inferred from want of success."<sup>89</sup> The favorable findings of the House committee did not restore his reputation. On the eve of the expedition the general had finally achieved financial success. He had risen to the highest rank in civil and military affairs. After the defeat, however, he was a disgrace in the eyes of his countrymen.<sup>90</sup>

The campaign to quiet disturbances in the territory succeeded only in adding more chaos and uncertainty. The public identified the general as the individual responsible for the defeat and the continued hostilities. Victory encouraged Indian attacks and fed settlers' fears. Rufus Putnam wrote, "The Indians began to believe them Selves invincible, and they truly had great cause of triumph."<sup>91</sup> Settlers increasingly lost faith in the distant government in Philadelphia. Stability in the territory reached its nadir. Indians who professed peace and accommodation with the United States and had been reluctant to join the indigenous uprising advocated war to preserve the Ohio River as the boundary between natives and Americans.<sup>92</sup>

Although St. Clair was exonerated by the committee, the loss defined the governor and left a permanent legacy: he would be remembered only for those

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<sup>89</sup> St. Clair, *Narrative of the Campaign Against the Indians*, vi.

<sup>90</sup> Causes of the Failure of the Expedition Against the Indians in 1791, Under the Command of General Arthur St. Clair in *American State Papers: Military Affairs*, Vol. 1, 41-44.

<sup>91</sup> Buell, *The Memoirs of Rufus Putnam*, 116.

<sup>92</sup> *Ibid*, 117.

three hours of battle, not for his years in service to his adopted country. “General St. Clair, the great chief of the United States on the Ohio River” had failed to negotiate a peace with natives and failed to establish a post at the Miami village to combat Indian incursions. The battle along the Wabash River was so indelibly the defining moment of his life that, years later, he continued to justify his actions and to recapture his once esteemed reputation. Hoping to influence his legacy, he wrote in 1812, *A Narrative of the Manner in Which the Campaign Against the Indians, in the Year One Thousand Seven Hundred and Ninety-one, was Conducted, Under the Command of Major General St. Clair*. The nearly 300-page text included a lengthy defense of his conduct, minutes from the Congressional inquiry that exonerated him of wrongdoing, and reprints of letters from the period. Then in his seventies, he realized that he would not be remembered for his contributions to his country; rather, he would forever be known as the general who suffered the worst defeat at the hands of Indians.

The tragedy ushered in an era of isolation for the aged, diseased, and feeble leader. The campaign and the effort to restore his reputation took a toll on the governor. His gout returned, and the agonizing ailment debilitated him. He spent most of the next four years at his estate in Ligonier, absent from the territory. He placed his secretary in charge of the territory’s administration and ushered in the “era of Winthrop Sargent.” Events during this period, in particular the Treaties of Greenville, Pinckney, and Jay, changed profoundly the dynamics

of the territory and set the stage for rapid settlement of the region and the birth of organized political opposition to the territorial administration.

## CHAPTER SIX

### **“May you brave this gathering storm”**

After the defeat, St. Clair spent most of his time in Pennsylvania, trying to clear his name during the congressional inquiry in Philadelphia and suffering from gout at his Ligonier estate. The responsibility for overseeing the administration of the territory fell on the shoulders of his subordinate, Winthrop Sargent. The secretary served as acting governor when his superior was not in the territory and left a permanent mark on the region. Sargent was qualified to act in that capacity, but his actions served to alienate the population and to foster anti-administration sentiment. The acting governor oversaw the organization of the militia, believing it was his duty to prepare the settlements for an attack. His heavy-handed tactics fostered resentment and hatred toward the St. Clair administration.

Wayne's victory over the confederated tribes at the Battle of Fallen Timbers and the subsequent Treaty of Greenville changed the complexion of the region. The majority of present-day Ohio was opened to settlement, and Wayne, not St. Clair, became the hero of the Northwest Territory. During the period of the Indian war, violence retarded the region's growth. St. Clair felt isolated in the territory and described himself as a “poor devil banished to another planet.”<sup>1</sup> But

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<sup>1</sup> Arthur St. Clair to Thomas Jefferson, November 6, 1793, in Smith, ed., *St. Clair Papers*, Vol. 2, 318.

soon after the American victory, the territory grew rapidly. Tens of thousands of white male settlers and their families poured into the region between 1795 and 1800. Territorial officials created four new counties, Wayne, Jefferson, Randolph, and Adams, and oversaw land sales in Pittsburgh. Once-paralyzed settlements on the north bank of the Ohio River grew rapidly. In time, Fort Washington became unnecessary, and instead, Cincinnati came to be the focal point of the settlement. Ferries carried passengers and provisions throughout the waterways. Mail service gained a partial reliability, and the postmaster general implemented an effective system that opened the lines of communication to the territory. Taverns were established throughout the settlements and along transportation routes, and residents were connected to the world through mail services and the territory's first newspaper, *The Centinel of the Northwest Territory*.

The population of the territory was dissatisfied with what they perceived to be Sargent's arbitrary rule and welcomed the governor back to Cincinnati, when he made a full recovery from gout. But St. Clair returned to administer a region that was undergoing a rapid transformation. His return did not usher in an era of harmony in his administration. Instead, he managed to alienate or anger most of his constituents: the secretary, territorial judges, federal officials, military officials, large proprietors, and settlers. St. Clair's popularity waned, and he never experienced the support given to him during the formative years of his administration.

St. Clair's ominous prediction that the western territory would serve as a drain on the federal government instead of a source of revenue seemed to be correct. John Cleves Symmes described the turmoil and bedlam that befell the Miami Purchase settlements in the wake of the defeat along the Wabash River: "I fear that all the inhabitants of the other villages will fly for safety into Kentucky and leave the purchase once more a desert."<sup>2</sup> He expressed the dissatisfaction of backcountry residents who witnessed years of failed initiatives and doomed campaigns, lamenting, "Such sums of money have been thrown away for two succeeding campaigns and nothing effected, but on every account we are worse off[f] than when we began."<sup>3</sup> Campaigns against the Indians had failed. The citizens clamored for navigation rights on the Mississippi, but Spain refused to make concessions. Pro-French separatist plots erupted in Kentucky and threatened to undo the fragile peace that existed between Westerners and Spaniards. Indian war parties raided settlements north and south of the Ohio River, stole horses and cattle, and killed hapless victims. Warriors raided cattle drovers and captured slaves, who were often adopted into a tribe. Trade and transportation in the territory became dangerous. Shortly after the defeat, natives attacked isolated soldiers encamped outside of Fort St. Clair. Backcountry officials complained about the few federal forces that had been sent to protect

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<sup>2</sup> John Cleves Symmes to Doctor Boudinot, January 15, 1792, in Bond, ed., *The Intimate Letters of John Cleves Symmes and His Family*, Cincinnati: Historical and Philosophical Society of Ohio, 1956, 123.

<sup>3</sup> *Ibid.*

them, believing that the government offered only the shadow of protection. To the settlers, the federal government's promises were devoid of substance.<sup>4</sup>

On December 26, 1791, Secretary Knox reported his assessment of the situation in the Old Northwest to Congress and offered suggestions about how to remedy the most pressing issue, security: "The United States, having a frontier of immense extent, surrounded by barbarous Indians, are bound by all the sacred obligations of sovereignty to protect effectually their exposed citizens against the cruel inroads of such an enemy."<sup>5</sup> He feared the formation of a pan-Indian confederacy that would unite the tribes of the South and those allied to Little Turtle's Miamis in the territory. He believed that the success of the Ohio tribes in battle against the United States could foster an alliance between the traditional enemies. The secretary submitted a revised report to Congress the following month in which he provided a detailed history of United States relations with the tribes of the Old Northwest and outlined what he believed to be the causes of the present hostilities. The report emphasized the plight of backcountry residents and their impatience with the ineffectual actions of a distant government. He estimated that natives killed or took captive over fifteen hundred settlers between 1783 and 1790. He lamented, "The particulars of the barbarities exercised upon many of the prisoners . . . are of too shocking a nature to be presented."<sup>6</sup> Knox

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<sup>4</sup> From the Lieutenant Governor of Harrison County to the Governor of Virginia, November 27, 1791, John Adair to James Wilkinson, November 6, 1792, and From the Same to the Governor of Virginia, December 8, 1791, in *American State Papers: Indian Affairs*, Vol. 1, 223, 335.

<sup>5</sup> Statement Relative to the Frontiers Northwest of the Ohio, December 26, 1792, *Ibid*, 198.

<sup>6</sup> The Causes of the existing Hostilities between the United States, and certain Tribes of Indians North-West of the Ohio, January 26, 1792, in Carter, ed., *Territorial Papers*, Vol. 2, 363.

urged Congress to act immediately because he believed that it was the government's solemn obligation to protect its citizens in the territory as well as those living along the eastern seaboard.<sup>7</sup>

Knox's plan reflected his belief that the Indians must be brought to terms by an overwhelming force that could defeat and shock rambunctious tribes into accepting the land cessions stipulated in the Treaty of Fort Harmar. He called for the creation of an army of over five thousand men, the largest American force to take action against natives, and made enlistments last three years. The army became known as the Legion of the United States. General "Mad" Anthony Wayne, a veteran of the War for Independence known for his heroism at the Battle of Stony Point, commanded the newly organized force. Like his predecessors, Harmer and St. Clair, he was a Pennsylvanian. George Hammond, a British official, recognized the general's abilities and remarked, "General Wayne is unquestionably the most active, vigilant, and enterprising Officer in the American Service, and will be tempted to use every exertion to justify the expectations of his countrymen and efface the stain which the late defeat had cast upon the American Arms."<sup>8</sup>

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<sup>7</sup> Ibid.

<sup>8</sup> Extract from Mr. Hammond's Letter, April 21, 1792, in E.A. Cruikshank, *The Correspondence of Lieut. Governor John Graves Simcoe*, Vol. 1 (Toronto: Ontario Historical Society, 1923), 131. For information on Wayne, see Richard C. Knopf, *Anthony Wayne, A Name In Arms: Soldier, Diplomat, Defender of Expansion Westward of a Nation* (Pittsburgh: The University of Pittsburgh Press, 1955), H. N. Moore, *Life and Services of General Anthony Wayne: Founded on Documentary and Other Evidence, Furnished by His Son, Colonel Isaac Wayne* (Philadelphia: J.B. Perry, 1845), Paul David Nelson, *Anthony Wayne, Soldier of the Early Republic* (Bloomington: Indiana University Press, 1955), Harry Emerson Wildes, *Anthony Wayne: Troubleshooter of the American Revolution* (New York: Harcourt, Brace and Co., 1941).

Knox presented his military plan to Congress on December 27, 1792. He called for the creation of an army of over 5,000 soldiers named the Legion of the United States. Unlike St. Clair, whose ragtag army was made up of untrained levies taken from eastern slums and prisons, Wayne set out to train his men for battle against Indians at Fort McIntosh, located along the Ohio River. He made sure that his soldiers were well equipped and knew how to do battle with natives. Wayne did not rush his army into the field; instead, he was meticulous and deliberate when maintaining order and making decisions.<sup>9</sup>

The federal government opted to sue for peace while preparations for Wayne's campaign were underway. Officials hoped to undo the necessity of committing to another potentially fatal incursion into the region. Emissaries entered Indian country determined to bring an end to the violence, but members of the Indian confederation were not prepared to negotiate. Victory in battle against Americans and a commitment to preserving the Ohio River border strengthened and invigorated the confederacy. Two emissaries, Alexander Trueman and John Hardin, sent by the government died en route to their destinations, victims of attacks by natives, Trueman suffering a particularly barbarous fate. Washington ordered Rufus Putman to meet with the tribesmen at the Auglaize Village, but the emissary refused to proceed when he learned of an attack against soldiers at Fort Jefferson. Apparently, the assault was intended to be aimed at him; he had informed the natives of his plan to visit the site. Fearing

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<sup>9</sup> Organization of the Army, December 27, 1792, in *American State Papers: Military Affairs*, Vol. 1, 40-41.

for his life, he opted to go to Vincennes to treat with the Wabash tribes to secure the acceptance of the boundary stipulated in the Harmar agreement: "We conceive the treaty of Fort Harmar to have been formed by the tribes . . . and that it was done with their full understanding, and free consent."<sup>10</sup> He met with representatives of tribes living in the area but did not communicate with leaders of the confederation. Putnam informed the sachems and warriors who assembled at the fort that the United States desired to be at peace with them. If an agreement could be made between the two groups, the government would provide amnesty to natives and would work to protect them from attacks by settlers. The American ambassador was able to bribe some of the Indians into signing an agreement in exchange for gifts. The natives, however, did not speak on behalf of the confederacy, and the peace overtures were not embraced by the combatants.<sup>11</sup>

The mission proved to be unproductive. Putnam expressed his desire to General Wayne to use force to subdue the confederacy: "As far as my Opinion and Influence extend, all the advocates for Treaties that nothing but a Seveal whipping will bring these proud Savages to a Sence of there intrest."<sup>12</sup> He wrote a long letter to the secretary of war that described his impressions regarding the dispositions of natives living in the region. Indians informed the emissary that the

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<sup>10</sup> Instructions to Brigadier General Rufus Putnam, May 2, 1792, Buell, *Memoirs of Rufus Putnam*, 259.

<sup>11</sup> *Ibid*, 277; Secretary of War to the President, August 16, 1792, in Carter, ed., *Territorial Papers*, Vol. 2, 409; Instructions to Captain Alexander Trueman, April 3, 1792, and Rufus Putnam to Secretary of War, July 5, 1792, in *American Archives: Indian Affairs*, Vol. 1, 229.

<sup>12</sup> Putnam to General Wayne, December 21, 1792, in Buell, *Memoirs of Rufus Putnam*, 375.

confederacy warned tribes not to trust representatives of his government. "The Americans are after your lands, and mean to take them from you and drive you out of the country," the resistance leaders warned.<sup>13</sup> Some tribes, however, remained skeptical of the confederacy's intentions, and Putnam hoped to use traditional rivalries among tribes to prevent further organization. He also charged that Great Britain was responsible for supplying arms and ammunition to enemies of the United States.

Little Turtle's confederacy desired to meet with representatives of the government, but they wanted the council to conform to their demands, unlike at the meeting held at Fort Harmar in 1789. The tribes planned to convene a Grand Council at the rapids of the Miami River (Sandusky) in August, 1793 and invited British and American emissaries to attend. At the council, American commissioners, Benjamin Lincoln, Beverly Randolph, and Timothy Pickering, were willing to make concessions to the tribes to stop the savage conflict between the two peoples, but they could not concede to the Ohio River boundary. Their message stated, "The United States cannot make the Ohio the boundary between you and us."<sup>14</sup> The government, however, demanded only the lands that had been ceded at the Treaty of Fort Harmar and the land claimed by George Rodgers Clarke north of Louisville, Kentucky, and promised to restrict settlers from taking residence on Indian land. The Indians listened to the

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<sup>13</sup> Speeches of the Commissioners of the United States to the Deputies of the confederated Indian nations, assembled at the Rapids of the Miami River, July 31, 1793, in *American State Papers*, Vol. 1, 353.

<sup>14</sup> *Ibid.*

commissioners' speech, which was translated into the Seneca tongue because the majority of natives understand that language. The sachems told the Americans that they needed to confer with their tribesmen and that they would prepare a reply. The natives were not in a hurry to decide such an important matter, but after twelve days, the commissioners became impatient, demanding an answer.<sup>15</sup>

On August 16, 1793, the confederation issued a lengthy response that detailed the Indian perspective. It stated, "We desire you to consider, brothers, that our only demand is the peaceable possession of a small part of our once great country. Look back, and review the lands from whence we have been driven to this spot. We can retreat no farther . . . and we have therefore resolved to leave our bones in this small space."<sup>16</sup> The negotiations ended in an impasse; the Ohio Indians were unwilling to relinquish the terms of the 1775 Treaty of Fort Pitt. They resolved to fight the Americans to retain the mighty Ohio River as a border between natives and newcomers. The government refused to recognize that boundary and declined to remove settlements on the north side of the river. The Indians had made a fateful decision. Emboldened by victory, the tribesmen did not take America's offer. They chose to war against a "general who does not sleep" commanding the Legion of the United States, the largest force assembled to fight Indians. Diplomatic failure opened the way for Wayne's invasion.<sup>17</sup>

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<sup>15</sup> Ibid.

<sup>16</sup> To the Commissioners of the United States, August 16, 1793, in *American State Papers: Indian Affairs*, Vol. 1, 356.

<sup>17</sup> To the Chiefs and Warriors of the Indian Nations, August 16, 1793, Ibid, 357.

St. Clair, as mentioned earlier, spent the majority of the two years after his defeat at his Ligonier estate and in Philadelphia working with Congress to clear his name. After being exonerated by the congressional inquiry, the governor planned to return to the territory but was plagued with gout. He wrote, "I was seized by gout . . . [and] confined, in the most excruciating torment, to my bed for upwards of two months. . . I attempted the journey [to the territory] and relapsed in consequence of it. And was confined for two weeks at a miserable hovel."<sup>18</sup> His ailments, however, did not deter him from participating in the governance of the territory. He traveled to the territory as often as he could, always kept abreast of affairs in the region, and maintained constant communication with his superiors and subordinates.

The governor's frequent absences placed Winthrop Sargent in charge of administrative affairs in the territory. Sargent received the pay of a secretary, but performed the duties of a governor and was forced to use his own money to carry them out. His repeated pleas to the federal government for additional funding were not answered. Relations between the New Englander and the citizens of the colony deteriorated rapidly after he assumed power. Sargent viewed frontier people with contempt and acted with an air of superiority when dealing with the

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<sup>18</sup> Governor St. Clair to Secretary Sargent, April 28, 1795, in Smith, ed., *St. Clair Papers*, Vol. 2, 341.

residents. He described Cincinnati as a “neighbourhood of a Set of men but little advanced from a State of Nature and owing no Subjection to Government.”<sup>19</sup>

From the outset, Sargent was placed in a precarious position while the government attempted to negotiate a peace with the confederated tribes.

Foremost, he needed not only to protect the American inhabitants from attack but also to shield friendly Indians from assault by settlers. He instituted a system of identification for peaceful tribesmen and ordered his soldiers to refrain from firing on natives carrying white flags of truce. The acting governor quickly realized that he couldn't control either group. Armed settlers entered Indian Country in search of revenge and plunder, and the secretary could not restrain them. War parties made forays into settlements, attacked isolated residents, and stole hundreds of horses. Residents did not believe that they should be punished for crimes committed against Indians. Sargent was not sympathetic to Indians, but he did not want to risk alienating friendly natives. The citizens, however, viewed the acting governor with contempt because they felt that he sided with Indians, not settlers.<sup>20</sup>

As chief executive of the territory, Sargent took charge of the militia. The veteran of the Revolutionary War was familiar with military protocol. In fact, he spent much of his time overseeing militia details and preparing the settlements for an enemy attack. Spies canvassed the area and reported suspicious activity.

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<sup>19</sup> Winthrop Sargent to Lieut. Prior, October 25, 1792, in Carter, ed., *Territorial Papers*, Vol. 3, 386. For the best accounts of the “Age of Winthrop Sargent,” see Downes, *Frontier Ohio*, 127-146, Cayton, *Frontier Republic*, 65-67.

<sup>20</sup> Winthrop Sargent to James Wilkinson, April 7, 1792, Militia Orders, April 7, 1792, and Winthrop Sargent to Judge Symmes, May 10, 1792, *Ibid*, 371-372, 375.

He viewed the Ohio River and its tributaries as the safest means of travel and limited traffic to the waterways. "In the present Situation of the Country all movements are of necessity made by Water, and Escortes are absolutely essential in passing only a few miles upon any of the rivers," he remarked.<sup>21</sup> To honor the military, the militia leader called for public fasts and forbade the recruits from working on these "consecrated" days. The secretary enforced strict military discipline in an attempt to control the untrained militiamen and justified his actions in the name of defense. He fined soldiers who did not bring their weapons to church services on Sundays: "The Practice of assembling for public Worship without Arms may be attended with the most serious consequences."<sup>22</sup>

The infant situation of the country made it susceptible to attack, and the acting governor did everything in his power to protect the citizenry. Because Sargent used paternalistic and autocratic methods to achieve his goals, his actions fostered resentment. In his defense, the men who served in frontier militias were not ideal soldiers. An observer described the army at Cincinnati during the border war: "Idleness, drinking, and gambling, prevailed in the army, to a greater extent, than it has done at any subsequent period . . . As a natural consequence, the citizens indulged in the same practices, and formed the same habits."<sup>23</sup> Sargent's efforts were not well received by the local inhabitants. The soldiers rebelled against their leader and engaged in open insubordination. The

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<sup>21</sup> General Order to the militia issued at Cincinnati in the County of Hamilton, September 18, 1792, in Carter, ed., *Territorial Papers*, Vol. 3, 420.

<sup>22</sup> *Ibid*; Sargent, *Diary*, 1793-1795, 227.

<sup>23</sup> Burnet, *Notes on the Settlement of the North-Western Territory*, 36-37.

leader ordered his subordinates to stop needless discharge of their weapons. He asserted, "The shameful and pernicious Practice of wantonly discharging Fire Arms by Night and Day still continues notwithstanding the pointed Orders against."<sup>24</sup> He appealed to the recruits' fears of Indian attacks and pointed out that their families could be killed or kidnapped while others discharged firearms for sport.

The acting governor had a particularly acrimonious relationship with John Blanchard, a Cincinnati attorney who claimed to be clerk to the county courts and acted in that capacity without authorization. Sargent described his adversary as a "man commonly reported to be without Principle, Property or Knowledge."<sup>25</sup> Blanchard, serving as a deputy to Israel Ludlow, issued writs that called for the release of prisoners from Fort Washington, but he was never legally appointed to that position. "This was an assumed Authority of Blanchard and must be viewed as a high Act of Usurption," the acting governor bemoaned.<sup>26</sup> But when he informed Symmes of the incident, it appeared as though he sided with Blanchard. Sargent urged Symmes to open proceedings against the judge, but he failed to do so. Judges of the common pleas court continued to view Blanchard as acting in a proper capacity and wrote a report that justified their position. Sargent

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<sup>24</sup> Orders to the Militia of Hamilton County, March 26, 1792, in Carter, ed., *Territorial Papers*, Vol. 3, 370; Sargent, *Diary, 1793-1795*, 276.

<sup>25</sup> Winthrop Sargent to Judge Symmes, June 13, 1792, *Ibid*, 379; *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 347.

<sup>26</sup> Winthrop Sargent to General Wilkinson, June 4, 1792, in Carter, ed., *Territorial Papers*, Vol. 3, 337.

reported the incident to a federal attorney, but to his chagrin, Blanchard was permitted to perform the duties of county clerk.<sup>27</sup>

The judges of Hamilton County's court of common pleas as well rebelled against Sargent. The county expanded, and it became necessary to appoint two additional judges. The acting governor issued five new commissions, reappointing three of the men and adding two new judges. The documents, however, differed from the originals, which stated that judges would serve during "good behavior." The new version stated that judges would serve at the "pleasure" of the governor. The recipients refused to accept the appointments because they did not want to serve at the chief executive's will and justified the denial because the conditions violated "the rights of mankind."<sup>28</sup> The judges continued to use the original commissions. The acting governor informed them that the change was necessary because unqualified people had been appointed to positions in the territory and needed to be removed by the executive. St. Clair resolved the controversy when he returned briefly to the territory. He reissued the appointments and removed the controversial statement: "It did require a little address to induce the appearance of a change of sentiment in the judges of that court, and I am happy it succeeded, because I was prepared . . . to have sent

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<sup>27</sup> Judge Symmes to Acting Governor, June 30, 1792, Carter, ed., *Territorial Papers*, Vol. 2, 402.

<sup>28</sup> Winthrop Sargent to the honourable William Goforth—William Wells, William McMillan, John S. Gano, and Aaron Cadwell, February 9, 1793, in *Ibid*, 408.

them a supersedeas, which would have stopped them.”<sup>29</sup> The incident was another example of behavior that disregarded the administration’s authority.

Riots broke out in Cincinnati on December 24, 1793, while Sargent was in charge of the government. The residents defied authority and wantonly discharged their weapons well into the night, reenacting a scene that took place in the town two years before. Sargent described the events of that year: “Upon the night preceding the Christmas of 1791, we were surrounded in Fort Washington by our wounded and dying, and the Horrors of that Scene deeply impressed upon us, we were beat up at a late hour in the eve by a brisk firing of small Arms.”<sup>30</sup> The citizens participated in the solemn memorial in succeeding years, but they extended their celebration to January 8, 1794, discharging their weapons each night. Sargent interpreted the practice as an affront to his administration and a safety risk because it opened the settlement to attack: “The firing was kept up every night to the Eight of January . . . reflected almost indelible Disgrace upon the town.”<sup>31</sup> Militiamen patrolled the city to curb the disturbances and arrested several suspects, resulting in several men being fined and imprisoned for short periods. In time, the raucous behavior stopped, and peace returned to Cincinnati. However, the incident revealed divergent views between Symmes and Sargent; the acting governor believed that the judge favored the insurgents, not the administration, during the confrontations.

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<sup>29</sup> Governor St. Clair to Edmund Randolph, May 9, 1793, in Smith, ed., *St. Clair Papers*, Vol. 2, 313.

<sup>30</sup> Winthrop Sargent to Governor St. Clair, January 19, 1793, Carter, ed., *Territorial Papers*, Vol. 3, 401.

<sup>31</sup> *Ibid.*

Judge Symmes emerged as an opponent of the governor and the secretary. Sargent described the official and large landholder as the “Dam’st rascal in the world . . . [who] involved me in Embarrasment from which with much Trouble however I extricated myself.”<sup>32</sup> Territorial judges disliked Sargent and prevented him from passing legislation when he served as acting governor. These officials were often absent from the territory, making it impossible to convene the legislature. Symmes flatly refused to meet in Cincinnati when the acting governor requested his presence in order to hold a session of the assembly. He was generally uncooperative in his dealings with the administration, and Sargent suspected that he sided with the rioters. He complained, “The Judge seemed to justify or extenuate the Outrages . . . His [Symmes] Sentiments did not, I must declare, appear calculated or designed to restore order--- but were highly gratifying to those I had complained of.”<sup>33</sup> Symmes did not interpret the event to be open defiance of government and an affront to authority; he minimized the importance of the riot and dismissed its significance.<sup>34</sup>

In the fall of 1794, riots broke out in Cincinnati again, and much of the violence was targeted at the administration. The conflict started when an angry mob of armed settlers attacked a peaceful band of Choctaw Indians with stones, clubs, and firearms. A rumor of a white female child being stripped naked, bound,

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<sup>32</sup> Acting Governor Sargent to Governor St. Clair, January 20, 1793, in Carter, ed., *Territorial Papers*, Vol. 2, 429.

<sup>33</sup> *Ibid.*

<sup>34</sup> Acting Governor Sargent to Governor St. Clair, January 19, 1793, in Carter, ed., *Territorial Papers*, Vol. 3, 402-403.

and tortured by her native captors enraged the residents who sought revenge for the heinous act. Fears of Indian attacks also motivated the war-weary people. Sargent wrote, "The hostile Disposition of the old Frontier Settlers to all red people without Distinction . . . has but too often led them to Acts of very great Injustice."<sup>35</sup> The Indians were returning from assisting Wayne's expedition. The victims had been under the protection of the government, but the attackers did not distinguish between peaceful and enemy Indians. The unfortunate victims of the mob's rage escaped with their lives, but the settlers planned to make a second attack against them.<sup>36</sup>

The acting governor ordered the militia to place the Choctaws in Fort Washington and to protect them from the residents. He also ordered the militia to maintain stability in the town. Sargent, believing that the American attackers should be brought to justice for the violence they committed against an ally of the government, issued a proclamation that condemned the actions of the mob and promised to bring the assailants to justice and to prevent future attacks. Settlers, on the other hand, did not think that they should be tried for crimes against Indians. The city erupted in violence on September 8-9, 1794. The rioters became so emboldened that they fired two bullets into Sargent's living quarters,

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<sup>35</sup> Winthrop Sargent to Rufus Putnam, October 6, 1794, in Carter, ed., *Territorial Papers*, Vol. 3, 425.

<sup>36</sup> Sargent, *Diary, 1793-1795*, 279.

a clear indication of the anti-administration sentiment that was growing in the territory when he was in charge of affairs.<sup>37</sup>

In the midst of uncertainty and unrest, William Maxwell, a Cincinnati printer, introduced the territory's first newspaper, *The Centinel of the North-Western Territory*, on November 9, 1793. Underneath the title the editor asserted, "Open to all parties—but influenced by none."<sup>38</sup> The statement was untrue because the paper exhibited a highly partisan and anti-administration message. In fact, the first full paragraph of the debut issue posited the inhabitants' dissatisfaction with the state of affairs: "The want of a regular and certain trade down the Mississippi deprives this country in a great measure of money."<sup>39</sup> The paper also took up the difficulty of life in the territory during the border war. The periodical connected the region's inhabitants to the East and kept them informed of world events. And the *Centinel* provided reports from the frontier that detailed the residents' developments. The first issue discussed an Indian attack against White's station, ten miles north of the city, where several residents, including children, were killed. Events covered in the paper became the topics that were talked about in taverns, and illiterate citizens learned about events through discussions. The paper also became a means through which the

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<sup>37</sup> Ibid; Winthrop Sargent to Rufus Putnam, October 6, 1794, in Carter, ed., *Territorial Papers*, Vol. 3, 425.

<sup>38</sup> *The Centinel of the North-West Territory*, November 9, 1793. Cincinnati.

<sup>39</sup> Ibid.

territorial government could communicate to the inhabitants. Both St. Clair and Sargent issued proclamations in the paper.<sup>40</sup>

The prothonotary of St. Clair County described the region in 1793: "It would appear we have no organized government whatever. Our courts are in a deplorable state; no order is kept in the interior, and many times not held. The prospect is gloomy."<sup>41</sup> St. Clair opted to send a representative of the territorial government, Judge George Turner, to solve the county's problems, but Turner's presence served only to exacerbate the sources of discontent. The Illinois Country proved to be troublesome for the territorial government. Slavery remained a key issue. Henry Vanderburgh, judge of probate and a justice of the peace at Vincennes, ordered the capture of free blacks. He planned to sell the victims into slavery. The usurpers defied the laws of the territory and brutalized their victims. Judge Turner reported, "The outrage was accompanied with some acts of cruelty toward the unfortunate blacks."<sup>42</sup>

The judge ordered the bandits to be apprehended, but Vanderburgh's lawless followers resisted arrest and threatened the sheriff with a pistol. St. Clair recognized that the issue of slavery caused great agitation among the people of the territory; he had appointed Vanderburgh to the post and believed that the judge was the most popular person in that part of the country. Nonetheless, he ordered Turner to arrest the offenders and thought that measure would put an

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<sup>40</sup> Ibid.

<sup>41</sup> William St. Clair to Governor St. Clair, June 2, 1793, in Smith, ed., *St. Clair Papers*, Vol. 2, 317.

<sup>42</sup> Judge Turner to Governor St. Clair, June 10, 1794, in Smith, ed., *Ibid*, 325.

end to the controversy. Once again, the government acted against local officials and the prevailing opinions of the residents.

The territorial administration tried to appease slaveholders in the territory and prevent the further introduction of the practice. St. Clair believed that slavery was “a source of discontent that will not soon be stopped.”<sup>43</sup> The actions of Vanderburgh and the response of the territorial legislature provide insight into the governor’s views on the peculiar institution. He asserted that Article Six of the Northwest Ordinance forbade slavery in the colony, but the provision did not apply to slaves that lived in the territory prior to the passage of the legislation. He pointed out that involuntary servitude had existed in the region under the French, British, and Americans before 1787. He maintained, “Slaves were then property acquired by the inhabitants comfortably to law, and they were protected in the possession of property.”<sup>44</sup> After the passage of the ordinance, however, further introduction of slavery was prohibited, and slaves entering the territory received their freedom. St. Clair proclaimed, “Persons removing into that Colony and bringing with him persons who were slaves in another country, does it at the known risk of their claiming their freedom.”<sup>45</sup>

On January 25, 1794, George Rogers Clarke placed a disturbing advertisement in the *Centinel of the Northwest Territory* that urged settlers to join him in an expedition against the Spanish settlement at Louisiana. He promised

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<sup>43</sup> Governor St. Clair to Judge Turner. December 14, 1794, in Smith, ed., *Ibid*, 330.

<sup>44</sup> *Ibid*, 331.

<sup>45</sup> *Ibid*.

thousands of acres of land to volunteers and offered provisions and munitions. Influenced by pro-French sentiment, many Americans sided with France in its war with England, an ally of Spain. Westerners were determined to gain access to the Mississippi River and the port at New Orleans, and renegade bands of settlers began to organize an expedition against their rivals. The French inhabitants sympathized with Clarke and others who wanted to remove the obstruction to their commerce. In a letter to Secretary of State Jefferson, St. Clair described the sentiments of the backcountry inhabitants: "The navigation of the Mississippi which the people so ardently pant for, and which they are very little prepared to avail themselves of could cause the settlers to attack the southern city."<sup>46</sup> The expedition never got underway, but the incident served as an example of the tenuous bond that connected western settlers to the federal government.

An army expedition changed the territory and made General Wayne the hero of the Old Northwest. He assembled his legion at Fort Washington in May, 1793, after training the recruits in Pennsylvania. Peace initiatives had failed because the confederacy refused to negotiate the Ohio River boundary, and the Washington administration was determined to bring an end to the border war to protect its citizens and to attach firmly the region to the federal government. The general planned to undertake the campaign that spring, but a smallpox outbreak delayed his departure from Cincinnati. The following fall he marched his army

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<sup>46</sup> Governor St. Clair to the Secretary of State, 1794, in Smith, ed., *St. Clair Papers*, Vol. 2, 327.

north of Fort Jefferson and constructed Fort Greenville, where his soldiers went into winter quarters. His troops constructed Fort Recovery on the site of St. Clair's defeat and placed Fort Defiance close to the British Fort Miami. In addition to constructing a chain of forts in Indian territory, the army destroyed Indian villages, decimating their crops and plundering their homes. The warring parties were prepared for a showdown.<sup>47</sup>

The Battle of Fallen Timbers took place on August 20, 1794, in a field that had been cleared by a tornado. Contemporaries believed divine providence created the site. Blue Jacket, a Shawnee, commanded the indigenous forces. Little Turtle took part in the engagement despite his objections to taking on Wayne's formidable army. The battle was brief but decisive. The Legion of the United States easily routed the Ohio Indians. Natives retreated to British Fort Miami to seek assistance from their ally, but to no avail. Fearing an attack by the American army, the fort's commander locked the entrance to the citadel, a gesture that symbolized Great Britain's abandonment of the Ohio Indians. Wayne regained the national honor and international prestige that had been compromised by St. Clair's and Harmar's defeats. The Legion of the United States had defeated the Ohio Indians, and Wayne, not the governor, became the defender of the Northwest Territory.<sup>48</sup>

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<sup>47</sup> Wayne to Knox, August 28, 1794, in Knopf, ed., *Anthony Wayne*, 351; Sargent, *Diary, 1793-1795*, 282.

<sup>48</sup> Ibid. For information on Wayne's Campaign, see Alan D. Gaff, *Bayonets in the Wilderness: Anthony Wayne's Legion in the Old Northwest* (Norman: University of Oklahoma Press, 2004), Richard Knopf, *Campaign into the Wilderness: The Wayne-Knox-Pickering-McHenry Correspondence* (Columbus: Anthony Wayne Parkway Board, Ohio State Museum, 1955),

On August 3, 1795, representatives of the United States and the Ohio Indians signed the Treaty of Greenville. Negotiations had lasted for eight months. Spokespersons from every tribe in the region attended the council: “Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pattawatimas, Miamis, Eel Rivers, Weas, Kickapoos, Piankeshaws, and Kaskaskias.” Little Turtle spoke on behalf of the Miami; Blue Jacket represented the Shawnee. William Henry Harrison served as secretary. Wayne treated his former adversaries as a defeated people, but the once-warring parties agreed to return prisoners and to live in peace as neighbors. The defeated tribes granted massive land cessions and gave up the demand that the Ohio River be the boundary between Americans and Indians. The agreement opened almost all of present-day Ohio to settlement and created a boundary that pushed natives west. The first article of the agreement established peace between natives and newcomers in the Northwest Territory for the first time: “Henceforth all hostilities shall cease; peace is hereby established, and shall be perpetual; and a friendly intercourse shall take place between the said United States and Indian tribes.” The agreement ushered in a fifteen year peace between natives and Americans in the Northwest Territory.<sup>49</sup>

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Dwight La Vern, ed., *From Greenville to Fallen Timbers: A Journal of the Wayne Campaign, July 28-September 14, 1794* (Indianapolis: Indiana Historical Society, 1952), L. Boyer, *A Journal of Wayne's Campaign: Being an Authentic Daily Record of the Most Important Occurrences During the Campaign of Major General Anthony Wayne Against the Northwestern Indians* (Cincinnati: Printed for William Dodge, 1866). Frazer Ells Wilson, *The Peace of Mad Anthony Wayne: An Account of the Subjugation of the North-Western Indian Tribes and the Treaty of Greenville by Which the Territory Beyond the Ohio War Opened for Anglo-Saxon Settlement* (Greenville, OH: C.R. Kemble, 1909).

<sup>49</sup> Treaty of Greenville, in *American State Papers: Indian Affairs*, Vol. 1, 562-563.

On August 25, 1795, St. Clair issued a proclamation to the citizens of the territory to announce the peace accord. Although he urged the residents to refrain from assaulting Indians when traveling into the backcountry and guaranteed that Indians would not molest American voyagers, violent behavior between natives and Americans persisted. Mutual distrust and animosity erupted in bloodshed, but Indians were never able to put up a formidable front against expansion. Fifteen years later Tecumseh and Tenskatawa, Shawnee leaders, rekindled the dream of the Ohio River serving as the border between the two peoples but their hopes never came to fruition.<sup>50</sup>

American diplomatic successes in Europe had a profound effect on the territory. The Washington Administration sought to quell separatist movements through diplomacy and hoped American emissaries could broker a deal with Spain to open the transportation network. Thomas Pinckney negotiated an agreement with Spain that enabled American ships to navigate freely the Mississippi River and to use the port at New Orleans to deposit goods. The Treaty of San Lorenzo, signed in 1795, created a direct link from the Northwest Territory to the Gulf of Mexico. The measure assisted western farmers who no longer needed to pay the expensive transportation costs to ship goods across the Appalachian Mountains. Economic opportunities for the region's farmers increased dramatically. Spain recognized the Mississippi River as the western

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<sup>50</sup> For information on Tecumseh's pan-Indian movement, see Bill Gilbert, *Tecumseh and the First American Civil War* (New York: Anchor Books, 1990), R. David Edmunds, *The Shawnee Prophet* (Lincoln: University of Nebraska Press, 1983), Edmunds, *Tecumseh and the Quest for Indian Leadership* (New York: Harper Collins, 1984), John Sugden, *Tecumseh: A Life* (New York: Henry Holt and Co., 1998).

border of the United States and affirmed the 31<sup>st</sup> parallel as the border with Florida.<sup>51</sup>

In 1794, Washington dispatched John Jay, Chief Justice of the Supreme Court, to London to negotiate with British officials to settle outstanding differences between the two nations. American officials wanted an end to the occupation of posts in the Great Lakes Region because they served as the main suppliers of munitions and provisions to natives. The border location between Canada and the United States remained unresolved, leading to mutual distrust and uncertainty in the territory. Southerners urged reparations for slaves lost in the Revolution, and merchants wanted trading rights in the British West Indies. Jay also urged Great Britain to refrain from impressing American citizens for service in the navy and seizing goods from merchant ships. The treaty possessed shortcomings: it did not answer the questions regarding impressment and failed to provide reparations for slaves.<sup>52</sup>

Great Britain, however, agreed to evacuate posts located in the American West and to settle the border dispute with Canada. After heated partisan wrangling between the supporters of reconciliation with Great Britain and those who were opposed to the measure, the Jay Treaty went into effect on February 26, 1796. Natives in the territory lost their most important trade partner and ally. Indian affairs would be controlled by the United States, a country that treated the

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<sup>51</sup> Samuel Flagg Bemis, *Pinckney's Treaty: A Study of America's Advantage from Europe's Distress, 1783-1800* (Baltimore: Johns Hopkins University, 1926).

<sup>52</sup> *Ibid.*

indigenous inhabitants as a conquered people who deserved to be punished for the atrocities they had committed during the long and bloody war for the Ohio River. Jay's Treaty and the Treaty of Greenville opened most of present-day Ohio to settlement; the British and the indigenous population had been removed from the region.<sup>53</sup>

The territory changed after the Greenville agreement. Judge Jacob Burnet witnessed the transformation and recalled, "At the close of 1795, after the lapse of seven years, the white population of all ages, and both sexes, was ascertained to be fifteen thousand . . . In 1800, by a census taken under the authority of Congress, the number was ascertained to be 45,365."<sup>54</sup> He added that the territory had few improvements before the historic treaty. With the threat of Indian attack removed, the militia was no longer necessary, and the territorial officials began to dismantle the region's defenses and to order soldiers to return to their homes. Males would no longer be required to bring guns to religious services on Sundays.<sup>55</sup>

Mutual defense stations became settlements. Over time, Forts Harmar and Washington became unnecessary, and the towns surrounding them grew. Settlers poured into the backcountry to set up homesteads. Scouts and rangers

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<sup>53</sup> A Proclamation, August 25, 1795, in Smith, ed., *St. Clair Papers*, Vol. 2, 345. For information on the treaty with Great Britain, see Samuel Flagg Bemis, *Jay's Treaty: A Study in Commerce and Diplomacy* (New York: The Macmillan Company, 1923), Bemis, ed., *The American Secretaries of State and Diplomacy*, Vol. 1, (New York: Knopf, 1927), Charles R. Ritcheson, *Aftermath of the Revolution: British Policy Toward the United States, 1783-1795* (New York: W. W. Norton, 1961), David A. Boothe, "The Constitutional and Political Aspects of the Jay Treaty, 1794-1796," Dissertation, University of Virginia, 1957.

<sup>54</sup> Burnet, *Notes on the Early Settlement of the North-Western Territory*, 31, 33.

<sup>55</sup> *Ibid.*

no longer canvassed the outlying areas. Farmers returned to their fields without fear, and commerce developed; drovers brought cattle and pigs to graze in the countryside. Virgin land turned into cultivated fields. Boats traveled the Ohio River to the Mississippi River without obstruction. A postal system began to carry mail to distant settlements, creating a sometimes reliable means of communication and connecting the towns and hinterlands to the rest of the nation and the world.<sup>56</sup>

St. Clair wrote a private letter to President Washington to complain about the treatment he received from the departments of the federal government. He stated that he had entertained the idea of retiring from his position because of his grievances against his superiors but stayed in office because of his respect for the president. The governor regretted the “foolish, unbounded confidence I had in the honor and integrity of the Government”<sup>57</sup> and believed that department heads had purposely acted to his detriment. Secretary of War Knox had excluded St. Clair from Indian affairs after his defeat. St. Clair complained that the Indians recognized him as the superintendent of Indian Affairs, a post that he held before becoming governor. Knox, however, did not consult him on matters regarding natives.<sup>58</sup>

The governor was particularly upset because he learned of the Treaty of Greenville by reading a local newspaper; he was not officially informed of the

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<sup>56</sup> Governor St. Clair to Colonel Sproat, April 21, 1795, in Smith, ed., *St. Clair Papers*, Vol. 2, 340.

<sup>57</sup> Governor St. Clair to President Washington, 1795, in *Ibid*, 392.

<sup>58</sup> *Ibid*.

agreement. He complained about the Treasury Department because he had used his own money to administer the territory and believed that he would be reimbursed. For instance, he had purchased four horses for his 1791 campaign on credit and believed that he would be repaid. The horses died in battle, but St. Clair was not compensated for his expenses. Creditors harassed him for payment, but he was destitute. "I am now poor, very poor," he lamented, "Misfortunes I can bear with firmness, but the insolence of office throws me off my center."<sup>59</sup> The governor continued to perform his duties to the best of his ability despite the shoddy treatment he had received.

Convinced that the divisions of St. Clair County that he had implemented in 1790 were not conducive to administering justice in the Illinois Country, the governor traveled to the region and ordered the creation of Randolph County on October 5, 1795. Residents had petitioned the government to have their grievances heard. They complained about land titles and the absence of an adequate court system.<sup>60</sup> Affairs in the Illinois Country became so tenuous that St. Clair determined that his presence was necessary in that quarter to prevent "the subversion of all order." When he and Judge Symmes traveled to the region, it became clear that the districts established there did not function properly. On October 5, 1795, the governor created Randolph County, which was extrapolated from St. Clair County. The chief executive granted commissions to local officials

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<sup>59</sup> Governor St. Clair to President Washington, 1795, in Smith, ed., *St. Clair Papers*, Vol., 2, 391; Memorial from Arthur St. Clair to Congress, February 18, 1793, in Carter, ed., *Territorial Papers*, Vol. 2, 437.

<sup>60</sup> St. Clair, Report of Official Proceedings in the Illinois Country, 1796, Smith, ed., *St. Clair Papers*, Vol. 2, 396-403.

and provided a ferry license to open a route between Limestone and Cahokia. A county militia was organized.<sup>61</sup>

St. Clair penned a lengthy letter to Jefferson to report on the affairs in the western edge of the country. County officers, in particular Vanderburgh and Turner, had failed to perform their duties. Citizens assaulted peaceful natives after the armistice had been signed by Wayne and the confederated tribes. The actions of these individuals threatened the tenuous peace and according to St. Clair, stained the nation's character. St. Clair had promised that land claims would be settled during his visit to the region in 1790, but on his second visit, he found that the issue had not been addressed. Despite his orders, the work was left undone. French claims were particularly difficult to confirm because they were issued by different bodies. He believed that the lack of surveyors and the general poverty of the people prevented the undertaking. At Cahokia, he called upon the residents to present their land claims to the general court in order to address their grievances. St. Clair traveled to Vincennes, Knox County, appointed officials and granted tavern and ferry licenses.<sup>62</sup>

Passage of Hamilton's excise tax on distilled beverages caused a controversy between St. Clair and the Secretary of the Treasury and led to arrests in the territory. The controversy revolved around whether or not federal laws applied there, with the governor arguing that federal statutes did not: "This

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<sup>61</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 441.

<sup>62</sup> St. Clair, Report of Official Proceedings in the Illinois Country, 1796, Smith, ed., *St. Clair Papers*, Vol. 2, 396-403

country should be kept in mind that we are not yet part of the Union, but dependent upon it.”<sup>63</sup> St. Clair took a firm stance on federal jurisdiction over the territory and argued that only the territorial legislature could pass such a statute. He agreed with the measures taken by the government to tax whiskey and to quell resistance to the tax in Western Pennsylvania. He believed that the administration should use force against its citizens in order to make them comply with the tax. Federal laws, however, did not apply to the territory. So, the governor offered to take up the issue at the next meeting of the territorial legislature and to try to enact legislation that forbade the importation of untaxed whiskey. The provision would be helpful to the government because the territory served as the largest market for the retailing of liquors from the western counties of Pennsylvania.<sup>64</sup>

St. Clair feared the growth of anti-government forces and viewed the rebellion in Pennsylvania as another example of the attempts of western counties to separate from the union. He wrote, “The Opposition began with the Distillers who were in a combination against the People, but it has been fostered since by others.”<sup>65</sup> He assured Hamilton that he would not permit rebels to flee to the territory and promised that his administration would help the federal forces in any

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<sup>63</sup> Governor St Clair to Alexander Hamilton, in Smith, ed., *St. Clair Papers*, Ibid, 317.

<sup>64</sup> Ibid. For information on the Whiskey Rebellion, consult Thomas Slaughter, *The Whiskey Rebellion: Frontier Epilogue to the American Revolution* (New York: Oxford University Press, 1986), Stephen R. Boyd, ed., *The Whiskey Rebellion: Past and Present Perspectives* (Westport, CT: Greenwood Press, 1985), Leland D. Baldwin, *Whiskey Rebels: The Story of a Frontier Uprising* (Pittsburgh: University of Pittsburgh Press, 1967).

<sup>65</sup> Governor St. Clair to the Secretary of the Treasury, August 9, 1793, in Carter, ed., *Territorial Papers*, Vol. 2, 458.

way that they could. On November 20, 1794, Sargent reported to Hamilton that he had arrested several insurgents from Washington County, Pennsylvania, but the armed men had used the threat of force to defy the officials and to escape down the Ohio River.<sup>66</sup>

St. Clair had bowed to the desires of the judges at the first meeting of the territorial legislature at Marietta in 1789. The legislators were to adopt laws from state constitutions that met the needs of the settlers, but the members had only an incomplete copy of Pennsylvania's statutes. The judges crafted new laws that they believed best served their constituents. The governor did not agree with the measures because he understood that the Northwest Ordinance stated that the statutes must be taken from the states. Congress agreed with the governor and invalidated the earlier work and ordered the territorial legislature to meet and to adopt a code based on the criteria outlined in the ordinance.<sup>67</sup>

The legislature convened in Cincinnati on May 29, 1795. St. Clair, Symmes, and Turner, met over the next three months to create and implement a new legal system. The sessions were open to the public. The governor began the meeting with a lengthy speech concerning what he believed to be the defects in the original code and his differences with the judges on legal matters: "The Ordinance for the government of the Territory, passed by Congress in July, 1787, is unquestionably the constitution or charter of this colony."<sup>68</sup> Criminal and civil

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<sup>66</sup> Ibid.

<sup>67</sup> For a discussion of the early laws in the territory, see Chapter 3.

<sup>68</sup> Address of the Governor to the Legislature, May 29, 1795, in Smith, ed., *St. Clair Papers*, Vol. 2, 356.

codes, however, were incomplete and inconvenienced citizens and administrators of justice. He pointed out that the document stated that the legislature could implement laws that existed in the states. The governor made the distinction between forming and transcribing laws, seeking to make the territory's laws conform to existing statutes. He also outlined limitations on the powers of territorial officials and promoted a system in which he wielded the most authority and influence.<sup>69</sup>

Symmes and Turner wrote in reply to St. Clair's opening statements, welcoming him back to the territory. But the mood changed quickly when the judges discussed how they differed with the chief administrator on legal matters: "Doubts have arisen as to the construction of it [the Northwest Ordinance]." <sup>70</sup> The judges interpreted the territory's constitution to indicate that three judges could convene the legislature and pass laws without the consent of the governor. St. Clair disagreed with them and asserted that he had veto power over all legislation and that he needed to be present for sessions to be held. Symmes and Turner also expressed concerns about adopting laws from states because those statutes did not fit the unique situation of the territory. The governor argued that the laws must be identical.<sup>71</sup>

The three men soon put aside their differences, working together to draft a set of laws that best suited the needs of the settlers. Turner and St. Clair

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<sup>69</sup> Ibid.

<sup>70</sup> Answer of Judge Symmes and Turner to the Governor's Speech Delivered in their Legislative Capacity, Smith, ed., *St. Clair Papers*, Vol., 2, 363.

<sup>71</sup> Ibid.

performed the bulk of the work. Fortunately, the assembly did not repeat the same mistake of using only an incomplete listing of Pennsylvania's laws upon which to base the new code. They looked over statutes from all of the states, with Kentucky providing laws that applied to backcountry situations. The legislators decided on thirty seven laws that they believed remedied the defects of the original legislation. The laws became known as Maxwell's Code, named for a Cincinnati printer who published the statutes. It was the first book to be published in the territory. The code filled a void and served as the greatest achievement of the legislature. Most of the provisions came from Pennsylvania's codes, probably because the governor believed those were superior to laws in other states. The judicial system was overhauled. English common law was applied to the territory, a measure that appeased the chief executive. Laws covered a wide variety of subjects, including regulating fences, issuing ferry and tavern licenses, and exempting Quakers from taking oaths of office. Statutes relating to divorces, gaming, and illegally cutting trees were enacted as well. The laws represent one of the rare moments when the judges and the chief administrator worked together, not against each other, but for the betterment of the citizens.<sup>72</sup>

The success of the legislature did not end the discontent between the governor and the judges. The two groups cooperated on a temporary basis. St.

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<sup>72</sup> Pease, ed., *The Laws of the Northwest Territory*, 122-290. See *Laws of the territory of the United States north-west of the Ohio : adopted and made by the Governour and Judges, in their legislative capacity, at a Session begun on Friday, the twenty-ninth day of May, one thousand, seven hundred and ninety-five, and ending on Tuesday the twenty-fifth day of August following: with an appendix of resolutions and the ordinance for the Government of the territory*, (Cincinnati: William Maxwell, 1796).

Clair wrote to Secretary of State Thomas Jefferson to report on the conduct of the judges. He pointed out that the principal settlements in the region were located on tracts in large purchases: Marietta was located in the Ohio Company purchase, and Cincinnati was part of the Miami Purchase. He asserted, "General Putnam had been active in the first association, and Mr. Symmes the principal, if not the sole agent in the second; and they are both judges of the Supreme Court."<sup>73</sup> The governor did not take an active part in land speculation in territory, but every other administration official had invested heavily in western lands. He blamed land disputes on these gentlemen, the large proprietors and shareholders, and contended, "Interest hangs an insensible bias upon the minds of the most upright men."<sup>74</sup> The governor did not trust his subordinates to make sound decisions regarding the administration of the territory because they were influenced by financial matters. He was particularly concerned with a congressional measure that extended jurisdiction to a single judge and believed that measure put the people of the region at a disadvantage. Settlers were well aware that justice was administered by the large landowners: they could not trust the impartiality of the legal system. The governor hoped to pass a corrective that maintained that two of the three judges had to be present to hold a session.<sup>75</sup>

Symmes and St. Clair became involved in a land dispute concerning the area around Fort Washington. The disagreement put the men at odds with each

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<sup>73</sup> Governor St. Clair to Secretary of State, December 15, 1794, in Carter, ed., *Territorial Papers*, Vol. 2, 499.

<sup>74</sup> *Ibid.*

<sup>75</sup> *Ibid.*

other, and their relationship deteriorated. The proprietor sold tracts up to the fort walls, and settlers began to set up farms. St. Clair wrote, "Lands far eastward of the Boundary have been settled, and it is said, sold by You to the present occupants."<sup>76</sup> He recognized the military necessity of removing these individuals from the proximity of the fort and believed the land was the property of the government, not the judge. On August 23, 1791, St. Clair issued a proclamation that warned settlers to move from the area and stated that those who remained would be considered to be camp followers and subject to military laws. It stated, "It is allowed that they can possess the same until the present crop is taken off, and no longer."<sup>77</sup> The governor accused Symmes of betraying the public's trust, knowingly selling parcels that were the property of the government and threatening the security of a military installation.<sup>78</sup>

The administration enforced the edict, but residents disliked the governor's oppressive tactics. The military believed a civilian living on the disputed land was buying clothing from soldiers and giving advice on desertion. Officials burned the man's house, placed him in irons at Fort Washington, and banished him from the territory. "The Governor's proclamations have convulsed these settlements beyond your conception, sir, not only with regard to the limits of the purchase, but also with respect to his putting part of the town of Cincinnata under military

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<sup>76</sup> Governor St. Clair to Judge Symmes, May 23, 1791, in Carter, ed., *Territorial Papers*, Vol. 2, 343.

<sup>77</sup> Proclamation, August 23, 1791, in *Ibid*, 349.

<sup>78</sup> *Ibid*.

government,” Symmes asserted.<sup>79</sup> Turner, later a judge and rival of St. Clair, was one of the individuals told to move from the disputed land or be forced to live under military law. Symmes accused officers at Fort Washington of rounding up and harassing innocent civilians and cited his disapproval of the governor’s use of power: “It really becomes a very unpleasant place to me, for I have always had something in my nature which was shocked at acts of tyranny.”<sup>80</sup>

The controversy led to lengthy correspondence between the major players and the federal government. The governor reported the issue to Secretary of the Treasury Hamilton and emphasized the critical nature of the situation. Jefferson informed St. Clair that the issue would be taken up by the government and believed that the inhabitants had acted in good faith and would have their grievances heard. The secretary of state informed the president of the situation and hoped that matter could be solved by the legislature. Top officials in the government became aware of the matter, and the dispute was not settled until Congress took up the issue. On September 30, 1794, that body resolved the controversy by appeasing both parties. Symmes received title to fifteen acres of land, which was turned over to the government. Differences between the governor and the large landholder remained unresolved; they became rivals, not partners. St. Clair made a telling distinction between himself and his subordinates; the governor did not have money invested in speculative schemes. He was the exception, not the rule. His subordinates had much in common with

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<sup>79</sup> Bond, ed., *Correspondence of John Cleves Symmes*, 148.

<sup>80</sup> *Ibid.*, 149.

each other but not with the leader of the colony. Commonalities among the judges served to strengthen their ties to each other which ultimately led to an alliance against their superiors. Thus, his rivals and enemies had a common cause, and his report to Jefferson only served to strengthen opposition to his administration.<sup>81</sup>

Acting Governor Sargent traveled to Detroit to organize the government in the region and to perform the duties of governor in St. Clair's absence. He did so because of an urgent petition from General Wayne, who feared that the residents needed to be placed under the authority of the government. After a difficult and expensive journey, on August 16, 1796, Sargent created Wayne County, named in honor of the victorious general. Government was instituted in the new county, and citizens were organized into militias to combat Indian attacks and to stave off the threat of a British invasion of the newly acquired land. Local officials received commissions. Courts were set up and times established to hold sessions.<sup>82</sup>

Proud of the difficult work he had performed, Sargent informed the Secretary of State of his progress. He penned a letter on board a sloop in Lake Sinclair, "Being wind bound on my way to Michilimakinac I have a Leisure moment for the first Time since my Arrival at Detroit, to advertise you that a new County had by me been erected and laid off . . . comprehending all the

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<sup>81</sup> Judge Symmes to Governor St. Clair, May 23, 1791, Governor St. Clair to the Secretary of the Treasury, May 25, 1791, The Secretary of State to Governor St. Clair,

<sup>82</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 447.

Settlements in this Quarter within our Jurisdiction,” he told St. Clair.<sup>83</sup> He traveled to the isolated post at Michilimackinac and organized the militia, installed a court system, and appointed local officials. Residents in the newly created county were concerned about land titles, and the acting governor set up a system to hear their claims. He had extended the jurisdiction of the United States to an area once inhabited by Indians and Englishmen, tying the region’s inhabitants to the federal government.<sup>84</sup>

Sargent’s work in the northern extremities of the territory did not receive the approval of his superior. In fact, the creation of Wayne County led to a dispute between St. Clair and his secretary. Relations between the two men deteriorated. St. Clair was performing the duties of governor at the same time that Sargent was in Detroit: both officials were acting as governor simultaneously. Lack of adequate communication networks caused the problem, but the governor blamed his secretary because he did not order him to establish government in that region. He dispatched letters to reprimand his subordinate and threatened to invalidate the actions taken by him because the men were in the territory at the same time.

St. Clair was particularly angry with Sargent because the public seal was not left for him at Cincinnati. He pointed out that the citizens looked unfavorably at the administration because of the confusion between the two officials. He

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<sup>83</sup> Winthrop Sargent to Secretary of State, August 23, 1796, in Carter, *Territorial Papers*, Vol. 3, 452.

<sup>84</sup> Acting Governor Sargent to the Secretary of State, August 9, 1796, Carter, *Territorial Papers*, Vol. 2. 563.

planned to travel to Detroit to oversee what Sargent had done, but ultimately, he decided to leave the territory and to remain in Pittsburgh to oversee the public sale of lands in the territory. The governor acquiesced and decided to accept the divisions created by his subordinate; he stayed outside of the territory so that the secretary could finish civil and military appointments at Michilimakinac.<sup>85</sup>

Sargent did not intend to usurp the power of his superior; he had acted to benefit the territorial government by extending jurisdiction. The secretary was unaware of the governor's return. When he arrived at Detroit, he wrote, "I know not if Governour St. Clair will return soon to the territory, I have been long and most ardently desiring it."<sup>86</sup> In fact, the governor's absence added responsibilities and increased his expenses. He responded to St. Clair's accusations, "Could I have divined, Sir, that you had intended being in the Territory at so early a period, I should have spared myself the fatigue, hazard, and expense of a journey."<sup>87</sup> He defended his actions and asserted that acts of Congress had enabled him to perform the functions of governor. The incident ruined the positive relationship the two men had fostered during a lifelong association. Sargent took offense at his superior's actions and lamented, "No man under Heaven has over me the right of reprimand."<sup>88</sup> The secretary had always demonstrated loyalty to his superior and to officials in Congress, and he felt dishonored by the

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<sup>85</sup> Governor St. Clair to Secretary Sargent, August 28, 1796, Governor St. Clair to Secretary Sargent, August 28, 1796, and Governor St. Clair to James Ross, September 6, 1796, in Smith, ed., *St. Clair Papers*, Vol. 2, 404, 405, 409-411.

<sup>86</sup> Secretary Sargent to Governor St. Clair, September 20 1796, in Carter, ed., *Territorial Papers*, Vol, 2, 573.

<sup>87</sup> *Ibid.*, 574.

<sup>88</sup> *Ibid.*

accusations leveled against him. He wanted to leave the territory and began to investigate alternatives. St. Clair's reaction to the mistake deprived him of one of his most important allies in the government and presented the opportunity for an ambitious, young Virginian, named William Henry Harrison, to become the territory's second-in-command.

Skillful administration of the territory was necessary because of the rapid population growth, and the secretary and the governor continued to work together after the controversy over the creation of Wayne County. In fact, St. Clair trusted his subordinate to create additional counties in his absence. Sargent created Adams County on July 10, 1797, and the following day made appointments, establishing courts and organizing the militia. The county was located in the Virginia Military District and attracted settlers from Virginia and Kentucky. Nathaniel Massie and Thomas Worthington emerged as leaders of the county when they received prominent positions in the courts and the militia. Tavern and ferry licenses were issued.<sup>89</sup>

The creation of Adams County led to a dispute between the settlers and government officials. Massie, who had founded Manchester along the Ohio River in the Virginia Military District in 1790, emerged as an opponent of the administrators and what he believed to be their autocratic methods. Massie had demonstrated a determination to place a municipality on the Scioto River. He went on several surveying trips into the region and became familiar with the

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<sup>89</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 472-473.

topography. In 1795, he led an illegal incursion into the Virginia Military District shortly after Wayne's victory. The initiative had threatened to undo the fragile peace that existed between the warring parties because his party killed several peaceful Indians during the expedition. Wayne complained about the incident to St. Clair: "The real object of Parson Findley and Mr. Massey and their party was to form a settlement on the Scioto, they took a very improper mode to effect it by attacking and plundering Indians."<sup>90</sup> Massie's party surveyed and laid out the town of Chillicothe, and the town grew.

Disagreement centered on the location of the county seat, and more importantly, who had the power to determine the site. Massie and other officials wanted Manchester to be the location, a logical choice because it had served as the principal settlement in the district for eight years. They believed that they had the right to make the determination because they were both landowners and local officials. Sargent had issued a proclamation stating that Adams-ville, a town that had not been laid out, was to be the county seat. Adams County defied the administration and held sessions of the court at Manchester. Furthermore, they began the construction of public buildings, including a jail. St. Clair wrote a fiery letter to Massie, stating, "You have taken it upon yourselves to remove the Courts from Adams-ville, the place appointed . . . to some other part of the County, contrary to every principle of good order."<sup>91</sup>

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<sup>90</sup> General Wayne to Governor St. Clair, June 5, 1795, in Smith, ed., *St. Clair Papers*, Vol. 2, 374-375.

<sup>91</sup> St. Clair to Nathaniel Massie and others, June 29, 1798, in D. M. Massie, ed., *Nathaniel Massie: A Pioneer of Ohio*, 138.

The governor pointed out that only he possessed the authority to decide where to hold courts in the county and that Sargent exercised the same powers when he determined the location because he was the acting governor. St. Clair said that a governor must be completely unbiased when determining the location; this objectivity best served the people. He accused the judges of Adams County of acting for personal economic interests, not for their constituents. Massie owned much of the land in and around Manchester and served to benefit from that location. St. Clair, however, listened to the judges' arguments and agreed with their points. Adams-ville, he believed, was not the best location because of geography. He traveled to the region and determined that a new town (Washington) located along Brush Creek served the region's inhabitants and fixed the county seat there. Massie refused to abide by the decision, and St. Clair rescinded his judgeship. The disagreement between St. Clair and the local officials led to deteriorating relations. Prominent figures in the Virginia Military District, in particular Massie, Worthington, and Tiffin, emerged to lead an opposition movement to oust the governor and to establish local control and home rule.<sup>92</sup>

Jefferson County was created on July 29, 1797, and once again, Sargent was responsible for selecting civil and military appointees and determining boundaries. Located in the northeast part of the territory, the new county opened the way for Connecticut settlers seeking to take up residence in the Western

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<sup>92</sup> Governor St. Clair to Nathaniel Massie and Benjamin Goodin, July 23, 1798, in Massie, ed., *Life of Massie*, 143-

Reserve.<sup>93</sup> Sargent wrote to the secretary of state to inform him of the creation of the new counties. He recognized the desires of the newcomers: “The Territory is very fast peopling and with the Accessions of Inhabitants come variety of Sentiment—the Division of Government provided for should in the Ordinance therefore I humbly conceive very early take place and that further attention to the subdivision for States contemplated be fully and distinctly.”<sup>94</sup>

The governor faced a gathering storm of opposition after his reappointment. President Adams commissioned St. Clair to serve another term in 1798. Sargent left the administration and became governor of the Mississippi Territory, and William Henry Harrison took his position. The secretary had played an important role in the territory’s development. In fact, he was responsible for administering the colony during St. Clair’s frequent absences. His paternalistic attitude and autocratic methods put the residents at odds with the administration. Local officials rejected his commissions and militiamen resented his command. The region was growing, and many of the inhabitants railed against his rule.

By 1798, St. Clair had alienated nearly all of his constituents. Large landowners distrusted him because he did not participate in depth in speculation. He challenged the federal government’s power over the territory when Hamilton’s excise tax went into effect and complained to the president that he had been treated poorly by the executive departments. Judges Symmes and Turner were

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<sup>93</sup> Downes, *Evolution of Ohio County Boundaries*, 18-19; Proclamation Creating Adams County, Proclamation Creating Jefferson County, July 29, 1797, Carter, ed., *Territorial Papers*, Vol. 2, 612, 617, Vol. 3, 472-479.

<sup>94</sup> Acting Governor Sargent to the Secretary of State, August 5, 1797, in Carter, ed., *Territorial Papers*, Vol. 2, 618.

dissatisfied with the governor, who had challenged Turner's authority in the Illinois Country and became embroiled in a land dispute with Symmes. Massie and the prominent residents in the Virginia Military District disliked his arbitrary rule and defied his authority. Even Sargent, who had demonstrated the utmost loyalty to the chief executive, showed antipathy towards the governor after the controversy over the creation of Wayne County. Settlers continued to associate the defeat in 1791 with the governor. St. Clair was not viewed as the "father of the people"; instead, citizens increasingly disliked him and his administration. He did not view the citizens as his equals and looked down on them: "Fixed political principles they have none."<sup>95</sup> On the contrary, the residents believed they were capable of governing themselves and viewed the governor as an impediment to their progress.

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<sup>95</sup> Governor St. Clair to James Ross, December, 1799, in Massie, *Life of Massie*, 70.

## CHAPTER SEVEN

### **“The poor old man has made his last speech”**

In 1798, St. Clair instituted the second stage of territorial government in accordance with the provisions set forth in the Northwest Ordinance. The constitution of the colony called for the creation of a General Assembly, to be made up of a legislative council and house of assembly. The dynamics of the territory changed when the new government was put into place. Control over the affairs of the colony was expanded to include the prerogative of the legislature. During the first stage of the government, resistance to the administration centered in Cincinnati, where residents and local leaders acted out against Sargent and St. Clair.

New leaders emerged in the assembly and in the territorial administration. These individuals embraced the burgeoning ideas of the Democratic Republican Party, favoring the philosophy of Thomas Jefferson over the ideas promulgated by federalists such as St. Clair and Adams. After 1798, opposition to the governor centered in the town of Chillicothe, where influential Virginians, most prominently Thomas Worthington and Nathaniel Massie, dominated local politics. William Henry Harrison and Charles Byrd served in turn as secretaries of the territory, but unlike Sargent they did not remain loyal to their superior. Rather, they sought to challenge St. Clair's initiatives. These men became the leaders of

the Ohio statehood movement and were ultimately responsible for the ouster of the governor and the removal of what they believed to be the yoke of colonialism.

The second grade of government ushered in a struggle for control of the territory's state of affairs. St. Clair tried in vain to prevent the colony from becoming a state and to curb the rising power of Ross County politicians. His opponents triumphed when they urged Congress to pass the Enabling Act, which called on the citizens to elect representatives to a state constitutional convention. Assailed by his enemies, the governor addressed the convention and asserted that act was a nullity and that the federal government did not have the right to interfere with the colony's internal affairs. The inflammatory statement was thought at the time to border on treason, and as a result, Jefferson removed him from office in November 1802, ending his political career. An observer remarked, "This poor old man has at length got out of publick life dishonorably."<sup>1</sup> After serving as an administrator on the frontier for nearly forty years, the aged public servant left the territory and moved his family back to his Ligonier estate.

Administration of the territory changed fundamentally in 1798 with the introduction of the second stage of government. Guided by St. Clair and Sargent, the first stage of government had enabled the colony to weather a ferocious border war. The administration laid a solid foundation on which the territory developed. The governor enjoyed nearly absolute power over the affairs of the region during his first ten years in office. He appointed civil and military officials

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<sup>1</sup> Thomas Worthington to Nathaniel Massie, December 25, 1802, in Gilmore, *Life of Massie*, 221.

who served at his discretion and vetoed measures proposed by the judges with whom he disagreed. Apart from the military defeat at the hands of Little Turtle's confederacy, the governor had been extremely successful in administering the territory, and President Adams recognized his accomplishments. That year, he nominated St. Clair to serve another term as governor, believing that he had performed his duties admirably, and the Senate confirmed the appointment several days later. The future of the territory looked hopeful and free from the ravages it had painfully endured, and as a result, St. Clair moved his family to Cincinnati.<sup>2</sup>

The governor earned the accolades of officials in Washington, but residents and local leaders in the region he administered resented his autocratic regime and wanted a say in governance. Sargent became the governor of the Mississippi Territory. He and the chief magistrate experienced acrimonious relations toward the end of his term, and the New Englander was tired of serving as second-in-command. Most importantly, with the absence of Sargent, St. Clair lost an important public servant who respected and carried out his superior's orders. Opponents of the administration became territorial officials and served in the legislature. For the most part, opposition centered in Chillicothe, where propertied Virginians wanted to control the region's affairs. Many of these leaders were products of the Old Dominion's aristocracy who looked to the Virginia

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<sup>2</sup> *Journal of the Executive Proceedings of the United States Congress*, Vol. 1, 257-259; Memorandum of Absences of Governor St. Clair, 1798, in Carter, ed., *Territorial Papers*, Vol. 2, 647-648; Governor Arthur St. Clair to Secretary of State, July 1, 1799, Carter, ed., *Territorial Papers*, Vol. 3, 27.

Military District for economic and political opportunities. On June 28, 1798, William Henry Harrison became territorial secretary. A son-in-law of St. Clair's rival Symmes, Harrison was born in Virginia in 1773 and enjoyed a life of privilege and education before joining the military in 1791. Unlike Sargent, Harrison wanted to make sweeping reforms in the territory, and he did not let the governor stand in his way. He embraced a political philosophy that was opposed to what St. Clair believed and hoped to spread Democratic Republican ideals in the territory. Thus, the territory's second most powerful civil official was at odds with his superior.<sup>3</sup>

When the demographics of a region change, the needs of the residents will follow suit. The authors of the Ordinance of 1787 recognized this maxim and outlined a second state of government that would precede admission to the union as a state. The population of the territory reached the minimum requirement of 5,000 white males to institute the second stage in 1798. Estimates were based on the number of free white males living in the district. The Northwest Ordinance detailed how the second stage would be organized, stipulating that the colony was to establish a General Assembly composed of a governor, legislative council, and house of representatives. The council consisted of five individuals appointed by President Adams, and the house was made up of representatives chosen by citizens who met voting requirements. The system benefited landholders, requiring members of the legislative council to own 500 acres of

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<sup>3</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 507-508. Secretary of State to William H. Harrison, July 7, 1798, in Carter, ed., *Territorial Papers*, Vol. 2, 648.

land and stipulating that only property owners could vote to send representatives to the assembly.<sup>4</sup>

On October 29, 1798, St. Clair issued a proclamation announcing the procedures necessary to install the new system. He ordered residents of the counties to meet at specified locations on the third Monday of December to elect members to the legislature. For instance, citizens in Washington County met at Marietta, and Detroit served as the gathering point for the people of Wayne County. Representation was based on the number of free white males in every county: one representative per 500 inhabitants. Hamilton County had the largest population, sending five representatives to the legislature. Every other county sent a single delegate. Members of the house were to serve two year terms, and councilmen, five year terms.<sup>5</sup>

Residents of the territory insisted that the colony move into the second stage of government because they desired the right to vote. Local leaders and large property owners, many of whom disagreed with St. Clair's prerogatives, wanted to take part in the decision making process that determined the development of the region. Territorial officials, in particular St. Clair, alienated most of their constituents, laying the groundwork for unrest. Anti-administration sentiment emerged when the legislature was organized. Citizens clamored to participate in the elections. Even settlers who moved onto lands sold to them by

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<sup>4</sup> Ordinance of 1787, in Pease, *Laws of the Northwest Territory, 1788-1800*, 523.

<sup>5</sup> Governor St. Clair, Proclamation October 29, 1798, in Carter, ed., *Territorial Papers*, Vol. 3, 514-515.

Symmes that were beyond the border established by the government petitioned the governor to give them voting rights and to consider them property owners. St. Clair took an unpopular stance and refused their appeals, claiming that he would be violating the charter of the colony.<sup>6</sup>

President Adams' unpopular Alien and Sedition Acts generated an outpouring of opposition by Republicans, who maintained that the laws infringed on the rights of Americans. Many of the settlers held similar beliefs, prompting President Adams to remark, "All who drink the Western Waters think alike."<sup>7</sup> The governor wrote a pamphlet that supported the measures taken by the Federalist president, adopting an unpopular stance on a controversial issue. Furthermore, opponents of the governor viewed him as a monarchist who ruled in an autocratic fashion, and St. Clair's actions as governor with the many feuds that he provoked provided evidence for his adversaries. However, the men who opposed the administration were not motivated solely by politics. They represented the large proprietors and upstarts who would benefit from gaining influence over the major decisions facing the government.<sup>8</sup>

Confronted with growing public clamor for a new government, St. Clair ordered the recently elected representatives to hold a meeting before the first session of the legislature in Cincinnati on January 2, 1799, in order to nominate

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<sup>6</sup> General St. Clair to Joseph Parks, Above the Military Range, in Smith, *St. Clair Papers*, Vol. 2, 436.

<sup>7</sup> The President to Inhabitants of Hamilton County, August 11, 1798, in Carter, ed., *Territorial Papers*, Vol. 2, 651.

<sup>8</sup> John Adams to Governor St. Clair, May 17, 1799, and Governor St. Clair to the President, June 24, 1799, in Smith, *St. Clair Papers*, Vol. 2, 442-443.

ten individuals for positions in the legislative assembly. The body met on February 4, 1799. The governor addressed the House of Assembly and explained the nomination process set forth in the Northwest Ordinance. A list of ten nominees would be submitted to President Adams, who would appoint five of them to the posts. The legislature met and decided upon the nominees to submit to the chief executive. St. Clair forwarded the selections to the president. His son Arthur Jr. was among the nominees, but he was not chosen for the position. The first meeting revealed divergent opinions with regard to the development of the region. The governor's attempt to promote his son's political career gave fuel to his enemies who accused him of being a monarchist, partially because Arthur Jr. was an ardent Federalist, like his father. The meeting of the legislature ended when the members decided to reconvene the following September to select a delegate to Congress.<sup>9</sup>

The General Assembly was made up of the individuals who would lead the statehood effort. The second grade of government gave a voice to ambitious individuals who wanted to seize power to gain control over the development of the territory. Tiffin, Worthington, and Massie, emerged to challenge the administration. Many of the men who took leadership positions differed with St. Clair and sought to advance their agendas. Members elected Tiffin to be speaker of the house of representatives. Worthington served as representative from Ross

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<sup>9</sup> *Journal of the House of Representatives of the Territory of the United States, North-west of the River Ohio, at the First Session of the General Assembly, A.D. 1799* (Cincinnati: Carpenter and Findlay, 1850), 1-11; Governor St. Clair to the President, February 6, 1799, and John Adams to Governor St. Clair, May 17, 1799, in Smith, ed., *St. Clair Papers*, Vol. 2, 441-442.

County. Massie was a representative from Adams County, where he owned a substantial amount of land. Henry Vanderburgh, a local judge in Knox County who had disobeyed the administration in the past, also participated in the legislature. They embraced the ideals of Jefferson and rejected the Federalist doctrine of St. Clair and his supporters. Most of the leaders who opposed the governor were born in Virginia.<sup>10</sup> The governor had cohorts as well, mainly individuals from Washington and Wayne Counties. However, his partisans were the minority in the first general assembly. Overall, the legislators were educated, propertied, influential, and wealthy men who engaged in a variety of professions: lawyers, judges, land speculators, doctors, and Indian traders.<sup>11</sup>

The first session of the General Assembly convened in Cincinnati on September 25, 1799, and adjourned on December 19, 1799. The legislature was scheduled to begin several days earlier, but a quorum could not be reached because transportation difficulties delayed members from distant counties. St. Clair used the occasion to outline problems that he believed needed to be remedied. But the opening statements of the assembly revealed differences between the governor and the representatives and councilmen. St. Clair immediately addressed the clamor for change in government but stressed the infant situation of the colony: "It is with much pleasure that I meet you now in general assembly, an event that has been looked forward to by the people with

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<sup>10</sup> Born in England, Edward Tiffin was the exception. See William Edward Gilmore, *Life of Edward Tiffin: First Governor of Ohio* (Chillicothe: Horney and Sone, Publishers, 1897)1-7.

<sup>11</sup> Burnet, *Notes on the Settlement of the Northwestern Territory*, 289-290.

some anxiety and not without reason, having been hitherto governed by laws adopted or made by persons that were not elected.”<sup>12</sup> He stated that it is “natural” for the citizens to desire to be governed by a representative system and supported the creation of the assembly. The governor sympathized with complaints about the length of the time that the residents had lived under the first stage of government but defended his actions. St. Clair maintained that it was necessary for him to have exclusive powers in order for the colony to survive during its formative years. He used the occasion to detail the accomplishments of his administration, pointing to the laws passed and remedied by the legislature in 1795. The governor emphasized the importance of maintaining the militia because of the threat of another war with natives and criticized his rival, Symmes, for not reserving a township for the construction of a school. He stated, “The benefits that result from early education, and due instruction in the principles of Religion are of immense value to every country.”<sup>13</sup> The governor contended that Symmes was “well qualified to lead the uninformed” and feared the impact that the large proprietors’ unscrupulous behavior would have on the residents of Hamilton County.<sup>14</sup>

The council replied to the chief executive, regretting “that circumstances rendered it necessary for us to continue so long under its first stage.”<sup>15</sup> Members

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<sup>12</sup> Address of Governor St. Clair to the Council and House of Representatives, September 25, 1799, in Smith, *St. Clair Papers*, Vol. 2, 446-449.

<sup>13</sup> *Journal of the House of Representatives of the Territory, 1799*, 1-11.

<sup>14</sup> Governor St. Clair to the Secretary of State, July 15, 1799, in Carter, ed., *Territorial Papers*, Vol. 3, 58.

<sup>15</sup> Reply of Council to the Governor, September 28, 1799, *Ibid*, 457.

expressed their appreciation for St. Clair's contributions to the development of the territory and praised him for acting in the interest of the general public. The legislators were eager to get to work. Claiming that it benefited the citizens to live under a representative system, the assembly asserted: "Republican governments, which are supported by public opinion, they [morals] are of peculiar importance; the views of the people must be honest."<sup>16</sup> Overall, the reply was cordial, emphasizing common goals to improve the region, and it appeared as though the new government would experience harmonious relations.

It was incumbent on the assembly to choose a representative to Congress. Two candidates, Arthur St. Clair Jr. and William Henry Harrison, actively sought the position. St. Clair Jr. followed the political philosophy of his father, the governor. His opponent was a Republican who disliked the state of affairs and hoped to enact far-reaching changes in the territory. The legislature decided the matter on October 3, 1799, and elected Harrison to the post. The victor resigned his position as secretary of the administration, enabling Charles Byrd, another critic of the governor, to succeed him in that office. Harrison set out for Philadelphia to influence the development of the region in the nation's legislature. St. Clair Jr. remained in the territory, denied an office in the new government.<sup>17</sup>

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<sup>16</sup> Ibid., 458.

<sup>17</sup> Burnett's Letters, in *Transactions of the Historical and Philosophical Society of Ohio* (Cincinnati: Geo. W. Bradbury and Co., Printers, 1839), Vol. 1, 72; *Journal of the House of Representatives of the Territory of the United States, 1799*, 42.

The issue of slavery entered into the first session of the assembly when a number of Virginia Revolutionary War veterans petitioned the territorial government to allow them to bring their slaves to the Virginia Military District. The administration had wrestled with the status of slavery in the Old Northwest during the first stage of government. St. Clair took a firm stance, allowing slavery in the Illinois Country where it had existed before the passage of the Northwest Ordinance but not permitting further introduction of forced labor. The charter of the colony was clear, and the governor enforced its provisions. Assemblymen were compelled to vote against the petition for a variety of reasons: personal, religious, and economic. Most important, legislators could not construct an interpretation of the ordinance that permitted human bondage because article six prohibited it. When the measure came to a vote, it was denied unanimously. This important vote signaled the rejection of slavery in Ohio; the institution was denied access to the region in the territorial period, which paved the way for its prohibition in the state constitution.<sup>18</sup>

The first session of the assembly was successful despite the differences between the legislators and the governor. Judge Burnet describing the challenges facing the new body, recalled, "The transition from a colonial to a semi-independent government, called for a general revision and enlargement of the statute book."<sup>19</sup> That body passed thirty one acts that covered a wide variety

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<sup>18</sup> Burnet, *Notes on the Settlement of the Northwestern Territory*, 306-307; *Journal of the House of Representatives of the Territory*, 19.

<sup>19</sup> Burnet, *Notes on the Settlement of the Northwestern Territory*, 301.

of issues: regulation of ferries, timbering of private properties, construction of public roads, and militia affairs. Members enacted provisions regarding the use of common property, imprisonment for debt, and taxation. Legislation that encouraged citizens to kill wolves in order to facilitate sheep herding passed as well. New counties were created out of Hamilton and Adams, and county seats were determined. Lastly, the new government instituted protocols for future meetings and decided to reconvene the following year.<sup>20</sup>

Relations between the governor and the legislature deteriorated rapidly when St. Clair asserted his veto power as chief executive. Both sides found it difficult to find common ground. The confrontation set the stage for the anti-administration sentiment that led to his ouster by the “Virginia Junto.” The governor disallowed eleven acts passed by the assembly, in particular, measures that entailed the creation of counties and placement of courts. He believed that the ordinance endowed him, not the legislature, with such powers. The governor agreed that new districts needed to be created, but he would decide the matter when he saw fit to do so. He refused to seek the approval of the assembly. St. Clair also rejected acts to regulate marriages and taverns and other public houses, maintaining that alcohol had a corrupting effect on the populace and that the act would increase the number of those establishments. His actions appeared hypocritical to some because it was rumored that he abused alcohol, causing him to suffer from gout. St. Clair vetoed a measure that would have

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<sup>20</sup> Acts Passed at the First Session of the General Assembly of the Territory of the United States North-west of the River Ohio, in Pease, *Laws of the Northwest Territory, 1788-1800*, 337-519.

created a county surveyor because he believed that the office was unnecessary. An act to take a census of the inhabitants living in the eastern section of the territory was rejected because no official division existed. He wanted to wait until Congress decided on the matter, but his opponents believed that he was stalling the census to prevent application for statehood.<sup>21</sup>

Controversy centered on who had the power to determine county borders and government centers: the governor maintained this was his prerogative, and his opponents argued that the legislature should make such decisions. The General Assembly passed an act that extrapolated new counties out of Hamilton and Adams Counties. St. Clair vetoed the measure, stating, "It appears to me that the erecting of new counties is the proper business of the Executive. It is, indeed, provided that the boundaries of counties may be altered by the legislature," but that body, he asserted, did not have the authority to create new counties.<sup>22</sup> He also rejected a proposal to create Clark County in the Connecticut Reserve, arguing that the Northwest Ordinance gave him power over such decisions.<sup>23</sup>

The legislators, in particular, Massie, Tiffin, and Worthington, emphatically disagreed and argued that elected officials should have the power to make the decisions that affect their communities and the region. Massie had fought with the governor over the location of the seat of Adams County. He and other

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<sup>21</sup> Speech of Governor St. Clair to the Legislature, on the Day of Their Adjournment, December 19, 1799, in Smith, ed., *St. Clair Papers*, Vol. 2, 475.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

legislators brought the issue to the forefront during the first meeting of the new government. Assemblymen passed an act that made Manchester the seat of Adams County. Massie had substantial landholdings in Manchester, and the town, unlike Washington, was laid out and populated. The governor vetoed the measure, maintaining that the courts were fixed at Washington.<sup>24</sup>

The assembly adjourned on December 19, 1799, when St. Clair spoke to the legislators to defend his liberal use of the veto: "It would have given me peculiar pleasure, gentlemen, if I could have agreed with you in every thing that was done . . . where I have dissented from any of your acts it was not without much doubt."<sup>25</sup> The ordinance gave the governor the power to override acts of the assembly, and he followed the dictates of his convictions when deciding the issues. His unwillingness to work with assemblymen to find common ground sowed the seeds of discord between the chief magistrate and the legislature.<sup>26</sup>

Thomas Worthington and other members of the legislature were outraged by St. Clair's use of the veto: "You [Massie] have no doubt before now seen the Governors reasons for his Veto on 11 of our Laws and am clear you will not be satisfied with them."<sup>27</sup> The chief executive earned the nickname "old Veto" because of his actions in the assembly. Anti-administration sentiment grew, but St. Clair did not believe that he had overstepped his authority by rejecting the

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<sup>24</sup> *Journal of the House of Representatives of the Territory of the United States, 1799*, 108.

<sup>25</sup> Speech of Governor St. Clair to the Legislature, on the Day of Their Adjournment, December 19, 1799, in Smith, ed., *St. Clair Papers*, Vol. 2, 475.

<sup>26</sup> *Ibid.*

<sup>27</sup> Thomas Worthington to Nathaniel Massie, December, 27, 1799, in Massie, *Life of Massie*, 154.

proposals of the legislature, claiming that he acted in accordance with the powers bestowed upon his office in the Northwest Ordinance.<sup>28</sup>

Enemies of the governor became determined to remove him from office because he stood in their way. Judge Burnet recalled, “His opposition to their project [eventual statehood] was the chief ground of their opposition to him; that, if he had united with them on that question, the differences of opinion . . . would have been forgotten.”<sup>29</sup> The governor’s adversaries despised the pyramidal structure of the territorial government and wanted to democratize the territory, lessening the influence of St. Clair and instead, including the prerogatives of the governed through a representative system. They wanted the territory to become a state in order for the citizens to enjoy equal rights as Americans. Many of the statehood proponents were land speculators who recognized that the values of their holdings would increase with statehood.<sup>30</sup>

Unlike his rivals, the governor adopted a paternalistic view of the citizens and did not credit the inhabitants with the ability to govern themselves. He revealed his sentiments in a letter to James Ross, portraying backcountry people in an uncomplimentary fashion. That the letter was made public added fuel to Republican desires to remove the governor from office:

A multitude of indigent and ignorant people are but ill qualified to form a constitution and govern for themselves. They are too far removed from the seat of government to be much impressed with the power of the United States. Their connection with any of them is very slender—many of them

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<sup>28</sup> Ibid.

<sup>29</sup> Burnet, *Notes on the Settlement of the Northwestern Territory*, 379.

<sup>30</sup> Ibid.

having left nothing but creditors behind them . . . Fixed political principles they have none.<sup>31</sup>

Throughout his life, St. Clair believed that backcountry residents were incapable of governing themselves. Nearly forty years experience on the frontier formed his opinion. He feared separatist movements sponsored by local upstarts could rise to power in the territory and put the colony at odds with the federal government. The chief magistrate hoped to avoid another costly war with natives and feared instability. Motivated by patriotism, he asserted that government must go hand in hand with expansion to insure that the population is firmly attached to the American republic. The governor, an ardent Federalist, unlike his Republican rivals, was the product of a retrograde political philosophy that was at odds with most frontier people, in particular local leaders and upstarts.<sup>32</sup>

Washington was the defining figure of the revolutionary generation; a Federalist who represented the prevailing notion of his age. St. Clair was also a product of that generation. The former president's death typified the change that was sweeping the political landscape of America and challenging the old guard. The first session of the legislature demonstrated growing differences between politicians of the day and mirrored what was occurring throughout the nation. St. Clair recognized the change, and like most members of his party, he believed that political parties were bad for the nation. On December 14, 1799, George Washington died at his Mount Vernon Estate. The former president was

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<sup>31</sup> Governor St. Clair to James Ross, December, 1799, in Smith, ed., *St. Clair Papers*, Vol. 2, 482.

<sup>32</sup> *Ibid.*

considered to be “first in war, first in peace, first in the hearts of his countrymen.” When news of the national loss reached the territory, St. Clair and other military and civil officials organized a procession to honor their hero. The procession consisted of cavalry, regular troops, militiamen, a preacher, the governor and his son, and members of the Masonic Order. The men surrounded a horse without a rider and an empty bier. Citizens followed behind the procession as a band played a “solemn dirge.” The coffin was placed into the ground, and after a military funeral, the governor addressed the crowd. He praised the father of his country, stating his life would never be forgotten by Americans. St. Clair referenced the division between Federalists and Republicans. “He was removed from us at a most critical time, when our country is threatened from abroad and distracted by divisions at home,” he lamented.<sup>33</sup> A new tide was on the rise.

St. Clair hoped to keep the territory in a colonial status: “Time would be afforded for the cultivation of a disposition favorable to the United States . . . the influence of the few wealthy would cease entirely, or scarce to be felt, and gratitude and attachment would become fixed.”<sup>34</sup> Thus, he supported a division of the territory even though it would strip him of a substantial area that was under his control. He forwarded a petition to Harrison written by the inhabitants of Vincennes that requested a new division and asked him to present it to the nation’s legislature. Petitioners wanted to revert back to the first stage of

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<sup>33</sup> Address of Governor St. Clair on the Death of General Washington, in Smith, ed., *St. Clair Papers*, Vol. 2, 487.

<sup>34</sup> Governor St. Clair to James Ross, December, 1799, *Ibid*, 482.

government in hopes of developing the region and legitimizing its civil and judicial institutions. In a letter to Harrison containing reasons for the measure, St. Clair pointed out that the counties in the Illinois Country were distant and isolated from the general and territorial governments. The region's inhabitants were poor and unable to pay the taxes incumbent upon the second stage of territorial government.<sup>35</sup>

St. Clair favored a division of the territory even though it would strip him of a substantial area that was under his control. He proposed a controversial division that called for the colony to be split into three sections administered by three different governments. Marietta, Cincinnati, and Vincennes would serve as seats. This proposal was an affront to Chillicothe leaders who hoped to make their town the location of the new government. The proposal would also retard statehood because population in the eastern part of the territory would be split in half, making it difficult to achieve the numbers requisite for application for statehood.<sup>36</sup>

In opposition to St. Clair's proposal, Harrison sought to effect change by dividing the territory into two separate districts, each to have a distinct government, and advancing several other proposals. The change would strengthen, not weaken, leaders living in Chillicothe. Furthermore, the planned division would move the region toward statehood, not delay the process. The territorial delegate arrived in Philadelphia in December 1799 and introduced

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<sup>35</sup> Ibid.

<sup>36</sup> Downes, *Frontier Ohio*, 186-187.

reforms into the House and Senate. The legislature formed a committee to investigate affairs in the Old Northwest, and Harrison served as the chair. He served only one session as the territory's delegate to Congress but was able to persuade the federal government to make sweeping reforms in the Old Northwest.<sup>37</sup>

Congress took up the issue of territorial division on March 3, 1800, and resolved, "That the territory Northwest of the river Ohio be divided into two distinct and separate governments, by a line beginning at the mouth of the Miami River and running northward."<sup>38</sup> The legislation was a victory for Democratic Republicans. Chillicothe, the seat of Republican ferment, became the capital, Cincinnati no longer serving in that capacity. The territory was divided in such a fashion that diminished St. Clair's authority in the region and placed the development of the land west of the river in the hands of his rival Harrison. The newly created Indiana Territory returned to the first stage of government with Harrison serving as governor.<sup>39</sup>

The first meeting of the general assembly revealed divergent opinions with regard to the creation of new municipalities. St. Clair declared that it was the duty of the governor to establish new districts, but members of the legislature disagreed strongly. Population increase necessitated the creation of additional counties, and the governor acted to meet the demand, laying out several new

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<sup>37</sup> Cayton, *Frontier Republic*, 71-73.

<sup>38</sup> Division of the Northwest Territory in *Debates and Proceedings in the United States Congress, Sixth Congress*, 583.

<sup>39</sup> *Journal of the Executive Proceedings of the Senate of the United States of America*, 1789-1805, May 12th, 1800, 353.

administrative jurisdictions and adjusting existing boundaries. Issuing proclamations, he made decisions without seeking the approval of the legislature or his subordinates. The districts that he created mirrored proposals of the assembly, which he vetoed. On July 10, 1800, he established Trumbull County to aid Connecticut settlers in the Western Reserve. The county's boundaries were nearly identical to the assembly's plan for Clark County.<sup>40</sup>

The chief executive had the power of patronage, commissioning civil and military officials. His rivals disliked this practice and argued against the chief executive's right to appoint without their consent. The governor created Clermont County, extrapolating the new jurisdiction from Hamilton County on December 6, 1800. Three days later he established Fairfield County, which was taken from Washington and Ross Counties. On September 7, 1801, St. Clair formed Belmont County in the Seven Ranges, the last of its kind created during the territorial period. In thirteen years, the governor and his subordinates laid out eleven counties, creating an administrative superstructure over an area that was formerly claimed by natives. St. Clair was extremely successful in creating a network of communication in the territory, leaving a permanent mark on the region. But many contemporaries viewed his actions as a vulgar display of power and resented them.<sup>41</sup>

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<sup>40</sup> *Journal of Executive Proceedings*, in Carter, ed., *Territorial Papers*, Vol. 3, 523-524.

<sup>41</sup> Downes, *Evolution of Ohio County Boundaries*, 22-25. Congress rejected the governor's new jurisdictions because the legislature believed that the chief magistrate overstepped his powers when he refused to confer with the General Assembly. The matter was not resolved until after Ohio became a state and counties boundaries were adjusted.

In addition to struggling with an unruly legislature, Governor St. Clair continued to oversee Indian affairs in the territory after the defeat of the confederacy. The office of chief executive made him the Superintendent of Indian Affairs in the Northwest Territory. His duties, however, changed from the time he had served in that capacity in the past. Treaties and military preparations were no longer necessary. The border war was over, and a tenuous peace needed to be preserved. He was in charge of distributing goods to natives and ensuring that settlers did not violate the provisions set forth in the Treaty of Greenville.<sup>42</sup> The governor oversaw the establishment of the first reservation system in the colony. Agents employed by the administration resided within Indian Territory and provided reports to him. St. Clair met with representatives of the tribes to gain information and to give reassurances to peaceful natives. The secretary of war ordered the governor to oversee the distribution of provisions: "The goods for the Wyandots, Chippewas, Ottawas, and Delawares, will be forwarded to Detroit, to be distributed to the said Indians, comfortably to such directions you may think proper to give."<sup>43</sup> The rations were distributed to the tribes separately, with each package being marked to designate the group that was to receive the goods. This measure was implemented to reinforce the idea that natives were not a homogenous people but rather separate tribes. St. Clair planned to meet with representatives of the tribes at Detroit but could not attend because the assembly

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<sup>42</sup> Governor St. Clair to the Secretary of State, July 15, 1799, in *Territorial Papers*, Vol. 3, 57-59.; Governor St. Clair to William Wells, Indian Agent, August 13, 1800, in Smith, ed., *St. Clair Papers*, Vol. 2, 497-498.

<sup>43</sup> Extract of letter from the Secretary of War to Governor St. Clair, April 30, 1799, in *American State Papers: Indian Affairs*, Vol. 1, 645.

was meeting at the same time. Secretary Byrd did not go in his place because of an illness. So he delegated the authority to the fort commander and assured the defeated tribes that they would receive stipends from the federal government on time.<sup>44</sup>

Natives demanded that a border between Indian and American lands be established because they feared white encroachments. In fact, representatives of the tribes urged American officials to build a road that designated the boundary between natives and settlers. The tribesmen hoped that intruders would recognize that they had passed the boundary and would stop at the road to trade with the Indian nations. Rufus Putnam, serving as Surveyor General of the United States, reported, "Some of the Chiefs . . . have expressed their desire to have a great road Cut that it may prevent the White people from Settling on their hunting grounds."<sup>45</sup>

The governor sought to maintain peace in the region by taking an even-handed approach to Indian affairs, trying to be fair to both groups: Americans and natives. Unlike most settlers, he believed Americans should be punished for crimes committed against natives and sought to preserve Indian land claims. A federal law passed on May 19, 1796, gave the president the power to use the military to destroy illegal settlements. In accordance with federal law, St. Clair

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<sup>44</sup> Ibid.

<sup>45</sup> Rufus Putnam to the Secretary of the Treasury, March 15, 1799, in Carter, ed., *Territorial Papers*, Vol. 3, 18. For information on the activities of squatters, see Oliver Wolcott to Rufus Putnam, September 24, 1798, and Oliver Wolcott to Rufus Putnam, October 30, 1798, in Buell, *Memoirs of Rufus Putnam*, 428-429. Wolcott pointed out that many of the squatters were from Kentucky.

believed it was the duty of his administration to protect Indian land. He sided with the Chickasaw nation in a dispute with Kentucky settlers regarding land located along the Cumberland River, believing that the government should break up prohibited hamlets.<sup>46</sup>

Natives did not react positively to the system instituted by the government in the Northwest Territory. The tribes were divided and committed violent acts against each other. St. Clair hoped that warfare among the tribes would continue because only their united front could pose a threat to the United States. He commented, "I am persuaded that if they do not quarrel amongst themselves it will not be long that they will be at peace with us."<sup>47</sup> On the other hand, some tribal representatives tried to maintain peace between the divergent groups. Shawnee and Delaware leaders returned stolen horses to Detroit and worked to persuade their young warriors to accept the Greenville agreement and to refrain from attacking and robbing Americans. Settlers moving into the Western Reserve, which became Trumbull County, came into contact with Indians because of their proximity to villages. Violence broke out between the two groups that resulted in the murder of two Indian men and the wounding of two Indian children. The fray raised tensions in the region.<sup>48</sup> St. Clair observed, "There had been for a considerable time past a great restlessness amongst the Indian tribes,

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<sup>46</sup> Governor St. Clair to General Wilkinson, July 16, 1798, and Governor St. Clair to James Smith, Sheriff, June 4, 1800, in Smith, ed., *St. Clair Papers*, Vol. 2, 426; Major General Hamilton to Governor St. Clair, April 30, 1799, in *American State Papers: Indian Affairs*: Vol. 1, 645.

<sup>47</sup> Governor St. Clair to the Secretary of State, August 5, 1800, in Carter, ed. *Territorial Papers*, Vol. 3, 101.

<sup>48</sup> Governor St. Clair to the Secretary of State, July 1, 1799, in *Ibid.*

and some of them have been committing depredations upon other tribes, and much appearances that war between them should be enkindled, while others have been stealing horses . . . which is a prelude to hostilities.”<sup>49</sup>

Deprived of their once-great country, Indians increasingly turned to alcohol, abusing the substance to produce a trance-like state to forget about their woes. Heavy drinking, however, produced violence between tribesmen and emboldened resistance to their condition. Unscrupulous traders provided natives with alcohol despite prohibitions against the practice. The governor recognized the devastating impact of alcohol abuse and sought to prevent the illicit trade. Indian leaders identified the problem and tried to stop white traders from entering their villages. The administration was successful in placating Indians and settlers and staving off another bloody conflict. President Jefferson praised Governor St. Clair and Governor Sargent in the Mississippi Territory for their conduct as Superintendents of Indian Affairs in the northern and southern departments: “Among our Indian neighbors . . . a spirit of peace and friendship generally prevails.”<sup>50</sup> St. Clair was able to maintain peaceful relations with natives as the population of the territory increased dramatically.

The governor successfully pacified natives and established new counties to meet the demands of the growing population, but his rivals despised his actions and hoped to capitalize on the state of affairs. The second session of the

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<sup>49</sup> Governor St. Clair to John Marshall, August 5, 1800,

<sup>50</sup> Thomas Jefferson, General View Communicated to Congress, December 8, 1801, in *American State Papers: Indian Affairs*, Vol.1, 646.

first territorial legislature convened at Chillicothe on November 5, 1800, when St. Clair addressed the assembly. The governor took time away from implementing important initiatives in order to oversee the affairs of the assembly. The first meetings of the new government demonstrated differences between the governor and legislators, particularly in regard to the creation of new counties and the locations of seats. This disagreement set the stage for the next session. Nonetheless, the creation of the Indiana Territory changed traditional alliances, bringing divergent groups together to stave off the rising power of the Ross County politicians.<sup>51</sup>

The new division of the land north of the Ohio River altered the political make up of the territory. Before the creation of the Indiana Territory, leaders in Ross and Hamilton Counties formed a coalition that supported statehood and worked to remove the governor and to isolate politicians in Federalist-dominated Washington County. With the passage of the division law, Chillicothe served as the territorial capital, and thus, it appeared as though the site would serve in the same capacity when statehood was achieved. Cincinnati leaders feared the rising power of the seat of Ross County and the possibility that their town would lose its status as the most important administrative center in the territory.<sup>52</sup>

Leaders overcame their dislike for the governor and his allies, forming an alliance among citizens of the first two counties in the region: Washington and

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<sup>51</sup> Downes, *Frontier Ohio*, 186-189.

<sup>52</sup> Division of the Northwest Territory, in *Debates and Proceedings in the United States Congress: 6th Congress*, 698-699.

Hamilton. This coalition supported St. Clair and hoped that he would retain his office through reappointment by the president. Marietta Federalists agreed with the governor; the territory was not ready to become a state. Cincinnatians supported statehood but insisted that their town be the capital. Therefore, they were willing to delay statehood in order to insure their demand.<sup>53</sup> Chillicotheans recognized that politicians in the two counties had conspired against them, Secretary Byrd keeping them abreast of developments within the administration. To Massie, he wrote, "The members of Hamilton are to unite with the representatives of Washington in electing . . . Delegates from Muskingum to a seat in Congress. In return for this favor,----the members are to . . . remove the seat of Government from Chillicothe to Cincinnati."<sup>54</sup>

The governor's opening address was optimistic, pointing out that the territory experienced peace and growth which were unlike those of other areas of the world. St. Clair praised Harrison's land law and welcomed the new division.<sup>55</sup> He discussed Indian affairs and urged his listeners to treat natives with honesty and respect. He criticized settlers who did not support punishment of whites for crimes against natives: "What kind of Christianity is this, or where is it to be found? Surely, not in the gospel of Jesus Christ."<sup>56</sup> Hoping to prevent conflict from erupting in the Connecticut Reserve, he advised citizens to maintain

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<sup>53</sup> Downes, *Frontier Ohio*, 186-189.

<sup>54</sup> Charles W. Byrd to Nathaniel Massie, September 24, 1800, in Massie, *Massie*, 163.

<sup>55</sup> *Journal of the House of Representatives of the Territory of the United States, North-west of the River Ohio*, November 5, 1800, 29.

<sup>56</sup> Address of Governor St. Clair to the Territorial Legislature, at the Opening of the Second Session, at Chillicothe, November 5, 1800, in Smith, ed., *St. Clair Papers*, Vol. 2, 501.

amicable relations with their neighbors. In closing, he announced that his term as governor was set to expire and that he was uncertain whether he would be re-appointed.

St. Clair took on his enemies in a subtle but effective manner, asserting that the election of the representatives was corrupt because many of the voters were in debt to the large proprietors who ran for office. Thus, voters could not be impartial participants in elections. He asserted, "The land in this country have been generally held, at first, by a few individuals, in large quantities, and sold out by them in parcels on credit." The comments were clearly directed at the Chillicothe faction and Symmes. St. Clair asserted that the existing system resulted in "a great representation of the great landholders only."<sup>57</sup>

Assemblymen revealed their leanings when electing a delegate to Congress to fill the vacancy created when Harrison became governor of the Indiana Territory. The coalition between politicians in Washington and Hamilton Counties yielded the majority of votes. William McMillan of Hamilton County and Paul Fearing of Washington were chosen to succeed Harrison. Both men supported St. Clair and his partisans. Chillicothe politicians' desire to take control of the territory made strange bedfellows out of residents in Washington and Hamilton Counties and the governor. The coalition bore fruit at the second

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<sup>57</sup> *Journal of the House of Representatives, General Assembly of the Territory of the United State, North-west of the River Ohio*, 23.

meeting of the assembly, which outraged opponents of the administration who feared that their power would be diminished.<sup>58</sup>

The issue of whether the governor or the legislature was responsible for the creation of new counties was brought up by the members during the second session of the assembly. Led by Massie and Worthington, representatives of the house decided to form a committee to look into the matter and to draft an address to St. Clair that outlined their objections to his interpretation of the ordinance. The issue, however, was not brought before the governor because the session of the legislature ended before it could be acted upon.<sup>59</sup>

The governor's term in office was set to expire on December 9, 1800, before the end of the session. His opponents hoped that Secretary Byrd would serve as acting governor so that they could push Republican reforms and appoint likeminded individuals to important positions throughout the territory. The secretary looked forward to acting in an official capacity in the absence of his superior. In order to thwart this scheme, St. Clair adjourned the legislature on the ninth to prevent his enemies from altering the makeup of the territory's municipalities and placing Republicans in prominent positions. Power to convene the legislature was within the auspices of his office, but the legislature interpreted St. Clair's decision to do so on the day that his term expired as an affront to the assembly and the citizens of the territory. To the governor's enemies, the act mimicked kings of England who dissolved Parliament and gave credence to the

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<sup>58</sup> *Journal of the House of Representatives*, November 6, 1800, 22-23.,

<sup>59</sup> *Ibid*, November 11, 1800, 31.

assertion that he was a monarchist. The governor's actions infuriated his rivals because they were intended to prevent the implementation of republican reforms.<sup>60</sup> Judge Burnet recalled: "It is remarkable that the governor concealed his purpose to adjourn the legislature until it was too late to confer with the secretary of the Territory, who was absent from the seat of government, as it was known that opinion of his powers coincided with that of the legislature."<sup>61</sup>

Members of the General Assembly were infuriated by the chief magistrate's actions, which they viewed to be partisan, and hoped to block his reappointment by President Adams. Opponents of the administration sent letters, and citizens forwarded petitions to the federal government, urging officials to investigate St. Clair's behavior in order to find reasons to keep him out of office. Michael Baldwin accused him of being a drunkard, delinquent in his duties as chief magistrate: "His conduct on the road from Cincinnati to Wheeling was truly singular. He was entirely alone, or as Creighton says 'in a gang by himself,' acting as usual the part of a drunken beast the whole rout. He lay drunk two days at Williamsberg."<sup>62</sup> Massie forwarded a list of grievances to government officials that outlined his disagreements with the chief magistrate. Symmes wrote to Massie, "We shall get rid of him without any trouble, but in the case of his

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<sup>60</sup> Charles W. Byrd to Nathaniel Massie, November 26, 1800, in Massie, *Life of Massie*, 164-165.

<sup>61</sup> Burnet, *Notes on the Settlement of the Northwestern Territory*, 326-327; Gilmore, *Life of Edward Tiffin*, 27.

<sup>62</sup> Michael Baldwin to Thomas Worthington, April 2, 1802, in Sears, *Thomas Worthington*, 86.

reappointment, which god forbid, I intend to disclose all I know, or rather all I can recollect against him as governor.”<sup>63</sup>

Charles Byrd, secretary of the territory, emerged as an enemy of his superior. He desperately wanted to be governor or to act in an official capacity in his superior’s absence. A brother-in-law of Massie, he worked closely with the Chillicothe faction and sought to undermine the governor’s measures. He neglected his record taking duties as secretary and spent the majority of his time corresponding with Massie and Worthington, providing important intelligence, and plotting to remove the governor. The relationship between the two men deteriorated rapidly. In time, St. Clair did everything in his power to prevent Byrd from serving as acting governor. In one instance, he took the territorial seal out of the colony, preventing Byrd from acting in an official capacity. Byrd desperately wanted to act in his superior’s absence because he would have the power to advance measures endorsed by the governor’s political rivals. Byrd wrote a letter to the president to express grievances against his superior.<sup>64</sup>

The governor’s detractors did not prevail; St. Clair was reappointed as chief executive of the territory and ordered to serve an additional three year term. Adams was a staunch ally of the Federalist governor and actively sought his continuance in office, hoping that a like-minded individual would direct the development of the region. The president understood that his defeat in the

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<sup>63</sup> John C. Symmes to Nathaniel Massie, December 29, 1800, in Massie, *Life of Massie*, 166.

<sup>64</sup> Charles W. Byrd to Nathaniel Massie, August 18, 1800, Charles Willing Byrd to Nathaniel Massie, August 20, 1800, Charles W. Byrd to Nathaniel Massie, September 24, 1800, Charles Willing Byrd to Nathaniel Massie, May 4, 1801, in *Ibid*, 160-166, 170-171.

election of 1800 signaled the rise of the Republicans. He pushed for the governor's reappointment just before he left office. Members of the nation's upper house recognized that St. Clair was unpopular in the territory because letters and petitions from disgruntled residents flooded the legislature. The committee that looked into the allegations reported, "The petitioners against the appointment have made various charges against said St. Clair, but have offered to the Senate no testimony."<sup>65</sup> Thus, the Senate confirmed the appointment on February 3, 1801, setting the stage for conflict between political rivals in the territory. The governor's detractors were disappointed but optimistic, believing the removal of the chief magistrate was inevitable. Jefferson was sworn in as the third President of the United States in March 1801. St. Clair lost his most important ally in Washington, and the territory's Republicans gained a sympathetic ear.<sup>66</sup> The governor identified five of his critics: Worthington, Tiffin, Massie, Darlington, and Baldwin. St. Clair maintained that these individuals were bent on removing him from office in order to take control of the affairs of the territory. He did not believe that the majority of the citizens disliked him. Instead, he thought that the residents were encouraged by his detractors to act out against his administration. Supporters of the governor in Marietta and Cincinnati expressed similar opinions and identified enterprising upstarts living in Chillicothe as the root of the problem.<sup>67</sup>

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<sup>65</sup> *Journal of the Executive Proceedings of the Senate of the United States*. Vol. 1, 375.

<sup>66</sup> The President to the Secretary of State, August 30, 1800, and Secretary of State to Governor St. Clair, February 10, 1801, in Carter, ed. *Territorial Papers*, Vol. 3, 103, 120-121.

<sup>67</sup> *Ibid.*

The residents of Marietta assembled on January 4, 1801, to discuss the political situation in the colony. The majority of those who assembled were Federalists and supporters of the governor. They did not endorse statehood because of the cost that would be imposed on the citizens to create and sustain a new government. People in Marietta questioned the motives of the leaders of the statehood movement. One participant described the actions of Republicans in Chillicothe: "Designing Characters were aiming at self aggrandizement and would Sacrifice the rights and property of the citizens at the Shrine of private ambition."<sup>68</sup> The residents feared a "domestic tempest" that threatened to overtake the government.

Cincinnati politicians recognized the growing influence of the Chillicothe faction, and although they had opposed many of St. Clair's initiatives, the leading men of Hamilton County circulated petitions to the citizens and to the federal government that called for the reappointment of the governor. The measure was taken because they feared the rising power of Ross County and wanted their city to serve as the capital of the territory. John S. Gano visited settlers' homes to convince them that the governor had their best interests at heart. He reported that the effort was a success: supporters of the governor resided in the town. Symmes, on the other hand, worked against St. Clair, urging citizens to ignore pro-administration petitions.<sup>69</sup>

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<sup>68</sup> R.J. Meigs to Nathaniel Massie, January 15, 1801, in Massie, *Life of Massie*, 166-167.

<sup>69</sup> Downes, *Frontier Ohio*, 103; Cayton, *Frontier Republic*, 71.

The governor's opponents urged Jefferson to remove him from office, but their efforts failed; Jefferson refused despite their protestations. Nathaniel Massie drafted a list of grievances against St. Clair that was presented to the president. He outlined five areas in which the governor overstepped his authority to the detriment of the citizens. First, Massie accused St. Clair of conspiring to divide the territory in a fashion that benefited his supporters, not the region as a whole. The governor used his influence, Massie argued, to keep the territory in a colonial state and to deprive the citizens of the benefits of statehood. He also accused the chief administrator of participating in partisan politics by preventing the admission of a state that would likely support the Republican Party. According to his line of reasoning, the governor placed politics over the desires of the citizenry. Massie accused the governor of collecting excessive fees that were not legally authorized and unjustly meddling in the affairs of local justices of the peace. The *Chillicothean* wrote, "[St. Clair] frequently manifested a hostile disposition to a republican form of government in asserting that a monarchical system was the only form that could or ought to be supported."<sup>70</sup> Lastly, he accused him of exceeding his power when he asserted that he had the right to create new counties out of existing ones and to determine county seats without the consent of the legislature.<sup>71</sup>

Symmes wrote to Jefferson to complain about the actions of the governor and to ask that he be removed from office. He claimed that thousands of citizens

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<sup>70</sup> Nathaniel Massie to James Madison, in Massie, *Life of Massie*, 186.

<sup>71</sup> *Ibid.*

wanted to see him dismissed. The judge outlined sixteen grievances that he had against St. Clair, concluding, “His Usurped prerogatives, and ill placed patronage, fill the North western territory with murmurs, deep---awful--- dangerous; while his distracted government totters on its foundation.”<sup>72</sup> The “tyrant” was placed in a position in which his word was law, and he used his power of appointment to elevate his “favorites” to powerful positions, Symmes asserted. Thus, the second stage of government deprived the residents of their right to live under a republican government. The grievances went beyond complaints about his performance as governor and focused on personal attacks against the chief magistrate.<sup>73</sup>

The Second General Assembly met in Chillicothe on November 24, 1801. The territorial elections of October 1801 yielded results dissimilar to that of the one. Once again, many of the governor’s detractors took prominent positions in the legislature, Tiffin serving as Speaker of the House. However, the second assembly contained members from Washington and Hamilton Counties that opposed the initiatives proposed by the representatives of Ross County and supported the governor. The coalition between leaders of the counties sought to enact legislation that benefited their jurisdictions and curbed the rising prominence of Chillicothe politicians.<sup>74</sup>

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<sup>72</sup> Judge Symmes to the President, January 23, 1802, in Carter, ed., *Territorial Papers*, Vol. 3, 220-221.

<sup>73</sup> *Ibid.*

<sup>74</sup> *Journal of the House of Representatives, General Assembly of the Territory of the United States, North-west of the River Ohio, Begun and held at the town of Chillicothe, in the county of*

The legislature passed an act that called for the territory to be divided into two districts with Marietta and Cincinnati serving as capitals. The Division Act would retard statehood and retain the second grade of government. Furthermore, the measure worked to the detriment of Chillicothe because it prevented Ross County from playing a leading role in the new jurisdictions. The act stipulated that the nation's legislature needed to approve the measure, and Paul Fearing was instructed to travel to Washington to lobby members of Congress to support the proposal. The capital would be moved from Chillicothe to Cincinnati while Congress decided on the matter.<sup>75</sup>

Opposition to the Division Act in Chillicothe grew so pronounced that it became unsafe to convene the legislature there. On Christmas Eve 1801, residents of the town rioted in response to the assembly's gerrymandering effort and targeted members who voted for the proposal. Police did not respond to the disorder, and citizens did not intervene to quell the insurrection, heartening the protestors. The insurgents were likely encouraged by local leaders who opposed the administration. The rioters burned the governor in effigy, and several vagrants broke into his boarding house. The home invasion quickly alerted the aged governor, who was writing a letter in his bedroom, and Scheifflein, a legislator from Wayne County who stayed at the house. Immediately, the two men went to the entryway to confront the intruders and to discover the cause of

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Ross, November 23, 1801, 1-3. See *Journal of the Legislative Council, of the Territory of the United States, North-west of the Ohio, At Their Third Session, November 23, 1801.*

<sup>75</sup> Julia Perkins Cutler, *Life and Times of Ephraim Cutler, Prepared from His Journals and Correspondence* (Cincinnati: Robert Clarke & Co., 1890), 55.

the mischief.<sup>76</sup> Scheifflein was armed with loaded pistols. St. Clair reported the incident as follows:

Every thing was in an uproar; a number of people in the passage and a great many in the street before the house. I soon found that, in a very rude manner, several of those people had forced themselves into the room where the members had dined . . . I expostulated with them, both in the house and in the street, set the consequences before them . . . and in the meantime sent for the Sheriff.<sup>77</sup>

In time, the rioters dispersed, and St. Clair returned to his chamber unharmed. Later that night several men returned to the mansion but were unable to enter the premises. Disorder broke out in the town the following evening, but the governor and those who sided with his administration were not victimized. The incidents illustrated the rising anti-administration sentiment in Chillicothe. No one was arrested for the disturbances, an indication that the police had collaborated with the rioters. The governor blamed his political enemies, believing that they had inspired the citizens to take to the streets. In the wake of the unrest, the legislature voted to move the capital of the territory to Cincinnati. The General Assembly adjourned on January 23, 1802, and agreed to meet the following November. The legislature, however, never met again. Within a year the proponents of statehood seized control of the administration and drafted a

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<sup>76</sup> Dudley Woodbridge to Judge Cutler, December 29, 1801, in *Ibid*, 55. Woodbridge commented, "We hear that mobs are around you, that you will probably adjourn this session at Cincinnati . . . . The present reminds me of Shays and those times."

<sup>77</sup> Governor St. Clair to James Ross, January 15, 1802, in Smith, ed., *St. Clair Papers*, Vol. 2, 556.

constitution for the state of Ohio. The “rising legislature” triumphed over the chief magistrate.<sup>78</sup>

The division plan set off a firestorm of protests from the Chillicothe faction because their town would lose its status as seat of government. The coalition between politicians from Hamilton and Washington Counties worked and challenged leaders in Ross County, who wanted their seat to be the site of the future state capital. Worthington and Baldwin rushed to Washington in order to prevent the passage of the General Assembly’s proposed division of the territory. They planned to meet with the president and Congressional officials to persuade them to reject the legislature’s plan to divide the region and to urge them to support statehood. Massie worked in conjunction with Worthington to attempt to influence President Jefferson and Congress. Massie and other Republicans drafted lists of grievances that Worthington presented to the chief executive. The petitions called for the removal of St. Clair and requested admission to the union on an equal footing.<sup>79</sup>

When Worthington rushed to Washington in order to petition Congressmen to reject the Division Act, the nation’s legislature shrugged off the proposal and instead, passed a measure that called on the citizens of the territory to draft a constitution to become a state. On April 30, 1802, Congress

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<sup>78</sup> Burnet, *Notes of the Early Settlement of the North-Western Territory*, 333; *Burnet’s Letters*, 75; Governor St. Clair to James Ross, January 15, 1802, Nathaniel Massie to Thomas Worthington, January 18 1802. Governor St. Clair to Paul Fearing, January 15, 1802, in Smith, ed., *St. Clair Papers*, Vol. 2, 556.

<sup>79</sup> Alfred Byron Sears, *Thomas Worthington: Father of Ohio Statehood* (Columbus: The Ohio State University Press, 1958), 78-81.

passed, “An act to enable the people of the Eastern division of the territory north-west of the river Ohio to form a constitution and a state government” in order to be admitted to the Union on an equal footing.<sup>80</sup> The legislation called on representatives to meet at Chillicothe the following November to determine whether to draft a constitution and become a state. Qualified men voted for representatives to meet in convention to determine the future of the region. The act was a victory for Republicans and the death knell for St. Clair and his partisans and supporters in the territory. The Chillicothe faction succeeded on the federal level, and the eastern division was likely to become a state. Communicating news of the Enabling Act to his superior, Paul Fearing lamented, “I fear you will not be our governor.”<sup>81</sup>

In the summer of 1802, St. Clair made an impassioned speech to the people of Cincinnati to inform the citizens of the importance of the upcoming constitutional convention. He pointed out the hypocrisy of the Democratic Republican party and maintained that the secret societies created by supporters were a threat to the welfare of the nation. The people of Ross County were conspiring to introduce slavery into the territory, St. Clair observed: “A man who is willing to entail slavery upon any part of God’s creation is no friend to the rational happiness of any, and had he the power would as easily enslave his

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<sup>80</sup> Enabling Act, April 30, 1802, *Journal of the Senate of the United States of America, 1789-1873*, Vol. 1, 229; Gilmore, *Life of Tiffin*, 54-62.

<sup>81</sup> Paul Fearing to Governor St. Clair, May 1, 1802, in Carter, ed., *Territorial Papers*, Vol. 3, 220-221.

neighbor as the poor black.”<sup>82</sup> Trying to sow the seed of discord between Hamilton and Ross Counties, St. Clair pointed out that the counties had different needs and that Chillicotheans would institute policies that benefited their region to the detriment of Cincinnati. His administration was dedicated to the promotion of the ordinance, not the aggrandizement of a single county or town.

St. Clair’s pleas for the rejection of Republican rule did not yield the intended results. Citizens of the territory elected prominent Jeffersonians to the constitutional convention as prescribed in the Enabling Act. The convention planned to meet in Chillicothe on November 1, 1802. Opponents of the governor were the majority of the conventioners, including Tiffin, Worthington, Baldwin, and Byrd. Joseph Smith reported to Jefferson that twenty four of thirty five members of the convention were Republicans.<sup>83</sup> The governor went to the first meeting of the constitutional convention and tried to take command. An observer recalled, “On the day of our meeting he entered our chamber appointed his Secretary and requested the members to hand to him the certificates of their election.”<sup>84</sup> The conventioners refused to comply with his demand and simply ignored him. Worthington intervened to prevent the governor from taking charge of the convention. Members elected a president and secretary to preside over the meeting; Tiffin served as the president.<sup>85</sup>

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<sup>82</sup> Speech of Governor at Cincinnati, in Smith, ed, *St. Clair Papers*, Vol. 2, 588.

<sup>83</sup> Cayton, *Frontier Republic*, 76-77.

<sup>84</sup> John Smith to the President, November 9, 1802, in Carter, ed., *Territorial Papers*, Vol. 2, 255.

<sup>85</sup> *Ibid*, *Journal of the Convention of the Territory of the United States North-west of the Ohio, Begun and Held at Chillicothe, on Monday, the First Day of November, A.D. One Thousand Eight Hundred and Two* (Chillicothe: N Willis, 1802), 8-9.

The following day St. Clair returned to the meeting house and asked to address the members, not in an official capacity as governor but rather as a citizen of the territory. The members took the matter into consideration and voted to allow him to speak. St. Clair addressed the constitutional convention on November 3, 1802, with an impassioned speech that assailed his enemies and the Republican Party. He spoke as a concerned citizen, not in an official capacity. Acting like a father betrayed by his son, he used a paternalistic tone and discussed his contributions to the territory, outlining what he had accomplished in fourteen years with “parental affection.” He attacked the rise of partisanship and the emergence of the Republican Party: “That baneful spirit destroyed all the ancient republics, and the United States seems to be running the same career that ruined them.”<sup>86</sup> Recognizing that he was isolated politically and that he had no power to influence the initiatives at the convention, the governor gave the convention unsolicited advice.

He questioned the authority of the United States Congress and the authenticity of the Enabling Act, claiming that his administration was responsible for the internal affairs of the territory and accusing the nation’s legislature of overstepping his power. St. Clair questioned the actions of the government and compared the situation of the territory to statehood efforts in Vermont and Tennessee: “It was, I think, eight years after the people of Vermont had formed their government, and exercised all the powers of an independent State, before it

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<sup>86</sup> Remarks of Governor St. Clair Before the Constitutional Convention, November 3, 1802, in Smith, ed., *St. Clair Papers*, Vol. 2, 593.

was admitted to the Union.”<sup>87</sup> Congress should be brought to reason for usurping the power of the territorial government, and the Enabling Act should be rejected, he argued. His remarks bordered on treason and gave federal officials a reason to remove him from his post. An observer commented, “Poor old man he has ruined himself—He has found true what you [Massie] properly observed at the convention—‘ Give him rope and he will hang himself.”<sup>88</sup> The governor’s detractors hoped that he would behave in a fashion that supported their argument to remove him, and he did. The legislators assembled at the convention refused to respond to St. Clair’s outrageous comments. Instead, members of the convention voted to end the second grade of government in order to start proceedings to bring about statehood.<sup>89</sup> Further, members passed a resolution that terminated the governorship. The measure was the ultimate defeat of the governor. An observer commented, “The poor old man has made his last speech.”<sup>90</sup>

On December 8, 1802, St. Clair issued his last address to the people of the Northwest Territory, thanking the citizens for their support and formally announcing that he would not seek the governorship of the new state of Ohio. Reflecting on his many years in office, he wrote, “The care of this colony of the United States was committed to me from its first institution, and it was my ambition, and has been my chief study, to render it flourishing, and to bring it to

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<sup>87</sup> *Ibid*, 597.

<sup>88</sup> John Smith to Nathaniel Massie, January 22, 1803, in Massie, *Life of Nathaniel Massie*, 223.

<sup>89</sup> *Journal of the Convention of the Territory of the United States North-west of the Ohio, 1802*, 8-9.

<sup>90</sup> John Smith to the President, November 9, 1802, in Carter, ed., *Territorial Papers*, Vol. 3, 257.

the point when it might . . . cease to be a colony and become an independent state.”<sup>91</sup> The governor had accomplished that goal and was satisfied with the job that he had performed. He reminded the residents that it was entrusted to him to manage the region from a state of infancy to a mature settlement and it was necessary for him to be vested with considerable power. Administration of the territory fell on the shoulders of the “old tyrant” for nearly fifteen years, and during this time, he neglected his personal affairs. The Ligonier estate awaited the former governor, and he looked forward to tending to these matters.<sup>92</sup>

Shortly after the governor’s speech, word of his allegations against the federal government reached Washington. The governor’s comments were treasonous to many, and his actions at the convention gave the federal officials ample reason to end his tenure. Madison wrote to St. Clair to inform him of his removal from office: “The President observing in an address lately delivered by you to the convention held at Chillicothe, an intemperance and indecorum of language toward the Legislature of the United States” has dismissed you from office.”<sup>93</sup> The secretary of state added insult to injury when he sent the notification to Charles Byrd, not directly to the governor. Thus, St. Clair’s sworn

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<sup>91</sup> Address of Governor St. Clair to the People of the North-Western Territory, December 8, 1802, in Smith, ed., *St. Clair*, Vol. 2, 597.

<sup>92</sup> *Ibid.*

<sup>93</sup> The Secretary of State to Governor St. Clair, November 22, 1802, in Carter, ed., *Territorial Papers*, Vol. 3, 260. For information on Jefferson’s decision to remove St. Clair from office, see Downes, “Thomas Jefferson and the Removal of St. Clair in 1802”, *Ohio Arch. And Hist. Quarterly*, xxxvi, 62-77.

enemy and rival handed him the termination notice, and the federal government showed him a general lack of respect.<sup>94</sup>

St. Clair replied angrily to James Madison after receiving the notice of his removal from office, “I request you, sir, to present my humble thanks to the President for that favor, as he has thereby discharged me from an office I was heartily tired of, about six weeks sooner than I had determined to rid myself of it.”<sup>95</sup> He asserted that he never violated the oath of his office or conducted himself in a way that was unbecoming of his position. Jefferson dismissed the governor because of his remarks at the constitutional convention, but St. Clair argued against the decision, maintaining that only “blind obedience” would appease the president. He called the Enabling Act an “unprecedented intrusion of the legislature of the United States into the internal concerns of the North-western Territory.”<sup>96</sup>

Judge Burnet reflected on the governor’s administration of the territory:

St. Clair was a man of superior talents—of extensive information, and of great uprightness of purpose. The course he pursued, though destructive of his own popularity, was the result of an honest exercise of his judgment—he not only believed, that the power he claimed, belonged legitimately to the executive but was convinced, that the manner in which he exercised it, was calculated to advance the best interest of the territory.<sup>97</sup>

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<sup>94</sup> The Secretary of State to Secretary Byrd, November 22, 1802, in Carter, ed., *Territorial Papers*, Vol. 3, 259.

<sup>95</sup> Arthur St. Clair to James Madison, December 21, 1802, in Smith, ed., *St. Clair Papers*, Vol. 2, 599.

<sup>96</sup> *Ibid.*

<sup>97</sup> *Burnet’s Letters*, 80-81.

Ohio became a state in March 1803, ending its territorial period and bringing to a close the nation's first colonial experiment. And St. Clair's opponents became the leaders who guided the state through its formative period. The territorial governor experienced "political death" because of his bitter opposition to the Republican Party and the pro-state forces that took control of Ohio. Removal from the governorship marked the end of St. Clair's public life. Aged, crippled by gout, and disgraced by his opponents, he returned to Pennsylvania after having served the interests of the United States for the majority of his adult life. He had spent his own money to fund his participation in the Revolution and the ill-fated campaign against Little Turtle's Confederacy and accrued debt acting in an official capacity as governor. But he was never reimbursed for his expenses. Traveling thousands of miles to administer the territory and enduring the hardships of a winter campaign impacted St. Clair's health, aggravating pre-existing conditions.

## EPILOGUE

### A Tarnished Legacy

In 1815, Elisha Wittlesey visited St. Clair, who was living in a dilapidated log cabin in near view of the estate that he once owned and operated. The former general lived along a road where he provided provisions to travelers.

Wittlesey recalled:

I never was in the presence of a man that caused me to feel the same degree of esteem and veneration. He wore a citizen's dress of black of the Revolution; his hair clubbed and powdered. When we entered, he rose with dignity, and received us most courteously. His dwelling was a common double log house of the Western country, that a neighborhood would roll up in an afternoon. Chesnut Ridge was bleak and barren. There lived a friend and confidant of Washington, the ex-Governor of the fairest portion of creation. It was in the neighborhood, if not in view, of a large estate near Ligonier that he owned at the commencement of the Revolution, and which was sacrificed to promote the success of the Revolution. Poverty did not cause him to lose self respect, and were he now living, his personal appearance would command universal admiration.<sup>1</sup>

St. Clair returned to Pennsylvania in 1803, after serving as the governor of the Northwest Territory for fifteen years. He had spent his own money to finance his participation in the Revolution and his terms as governor, but the government never reimbursed him for his expenses. Alexander Hamilton promised St. Clair that he would be paid in full for the costs he had incurred to promote the welfare of the nation. Unfortunately, Hamilton now was dead, and no one could vouch for the agreement. For over ten years St. Clair appealed to Congress to recoup him for his losses. In addition to the money he advanced during the War for

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<sup>1</sup> Elisha Wittlesey quoted in Smith, *St. Clair Papers*, Vol. 1, 253.

Independence, St. Clair estimated that he had spent \$9,000 to treat with natives at the Treaty of Fort Harmar in 1788 and advanced \$7,042 to outfit the expedition against the Ohio Indians in 1791. He was never repaid. His enemies in the nation's legislature fought to prevent him from receiving the money he deserved. In fact, he was never given a pension upon retirement.<sup>2</sup>

The ex-governor anticipated his return to the valley that he loved and looked forward to tending to his personal affairs. Burnet recalled, "Soon after the Governor was removed from office, he returned to Legonier valley, poor and destitute of means of subsistence; and unfortunately too much disabled, by age and infirmity, to embark in any kind of active business."<sup>3</sup> Once again, he tried to reinvent himself. Living in the estate he dubbed the "Hermitage," St. Clair constructed the "Hermitage Furnace." The blast furnace sold castings and stoves. He trusted a local man, James Hamilton, to run the operation. Hamilton, however, was not a savvy businessman. The enterprise failed, and in 1810, the creditors caught up with St. Clair and seized his mansion because he could not afford to pay his debts. The estate was auctioned to the highest bidder, and the governor was reduced to abject poverty. The estate was valued at \$50,000 but sold for only \$4,000. He and his wife moved into a shack with his widowed daughter, Louisa, and her children. Forced to leave his estate, he recalled, "They left me a few books of my classical library, and the bust of Paul Jones, which he

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<sup>2</sup> Beales, "Arthur St. Clair." 185.

<sup>3</sup> Burnet, *Notes of the Settlement of the North-Western Territory*, 381.

sent me from Europe, for which I was grateful.”<sup>4</sup> St. Clair turned his shack into a tavern in an attempt to make money from weary travelers, but he did not profit from the endeavor, making only enough money to provide for the basic needs of his dependent daughter and grandchildren.<sup>5</sup>

While St. Clair desperately tried to enjoy the final years of his life, Ohio, which was admitted to the union in March 1803, flourished. The men who fought to remove the governor from office became the most powerful officials in the “Buckeye State.” They reaped fortunes along the way and enjoyed lives of prominence and financial success. Edward Tiffin served as the first governor of the state. Charles Byrd became a United States District judge. Nathaniel Massie was a member of the state’s legislative assembly, serving the interests of Ross County. Thomas Worthington was a United States senator. Ohio became a powerful force in the union. Later generations termed these men the “founders of Ohio,” and the contributions of St. Clair were forgotten.

St. Clair accomplished his goal: to lay the foundations for the happiness of millions then unborn. But he was not remembered for his sacrifices. Instead, he lived in substandard housing in view of the valley that he presided over before the Revolutionary War. On August 30, 1818, St. Clair traveled to Youngstown, Pennsylvania to get supplies for the tavern. That day, the eighty-four-year-old was thrown from the buggy onto the rocky road along Chestnut Ridge. Later that day, a group of women who were out picking berries found him lying on the

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<sup>4</sup> Beales, “Arthur St. Clair.” 186.

<sup>5</sup> Smith, ed., *St. Clair Papers*, Vol. 1, 249-251.

ground and brought him back to his dwelling where he died the following day surrounded by members of his family. His wife, who suffered from a mental illness, died eighteen days later, and the two were buried side by side in Greensburg. The family was so impoverished that only flat stones marked the grave of the ex-general, President of the Confederation Congress, and former Governor of the Northwest Territory. News of his death did not make national headlines. He died in obscurity, buried in a pauper's grave. In 1832, the Masonic Order placed a monument at the burial site to honor St. Clair. It read: "The earthly remains of Major-General Arthur St. Clair are deposited beneath this humble monument which is erected to supply the place of a nobler one due from his country."<sup>6</sup>

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<sup>6</sup> Beales, "Arthur St. Clair," 191.

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