



The Northwest Ordinances: How the Act Influenced the Development of the Midwestern States

More than two centuries ago, the Northwest Ordinances influenced the development of Wisconsin, its form of government, and even the shape of its towns.

Although Wisconsin became the 30th state in 1848, the path to statehood began much earlier, with European settlement by the French in 1634, followed by transfer to Britain by the 1763 Treaty of Paris and to the province of Quebec in 1774. The ordinances of 1784, 1785, and 1787 established the procedures for the settlement and government of the Northwest Territory, which ultimately led to the creation of the Wisconsin Territory, and the framework that remains evident today.

Following the U.S. War of Independence, the ordinances of 1784, 1785, and 1787, commonly referred to as the Northwest Ordinances, were enacted by the Congress of the Confederation to establish a process for the settlement of the Northwest Territory—the lands west of Pennsylvania, east of the Mississippi River, north of the Ohio River, and south of the Great Lakes. Before U.S. independence, New York, Virginia, and other states claimed various parts of the territory. As one of the conditions of statehood, these states ceded their claims to the central government. Although this action by the states had a unifying effect in building the fragile new nation,

considerable debate remained over how the lands should be settled, by sale either to groups and companies or to pioneering individuals, and how future states would be admitted to the Union.

ORDINANCE OF 1784

In March 1784 a committee led by Thomas Jefferson drafted and reported an ordinance for governing the territory. Congress passed it April 23, 1784. The proposal divided the territory into self-governing districts, each of which would govern itself according to the constitution of one of the existing states and would be able to send one representative to Congress upon reaching a population of 20,000. A district could become eligible for statehood when its population had grown to that of the least populous existing state, which at the time was Delaware, with about 60,000 people. Jefferson had envisioned the creation of possibly ten states from the territory, but at that relatively small geographic size per state, attaining a population of 60,000 would take many years.

GENERAL LAND ORDINANCE OF 1785

Jefferson concluded that the 1784 ordinance, which never went into effect, would not promote settle-

ment of the western territories. A new plan emerged in 1785 to deal with the sale of western lands for settlement, and it included a procedure for the United States geographer to oversee a survey of the territory. This ordinance of 1785 (enacted in May 1785) called for dividing the land into townships of six miles square, with the first north-south and east-west lines beginning on the Ohio River extending north and west of the southern boundary of Pennsylvania, and the townships numbered from south to north and progressing westward. Townships would be divided into sections one mile square (640 acres) and numbered 1 to 36. Lots numbered 8, 11, 26, and 29 in each township were reserved for the United States government, and lot 16 was reserved for public schools.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Surveyors mapped townships of six miles by six miles, subdivided into 36 numbered sections of one square mile (640 acres) each.

The ordinance specified how lands were to be sold, reflecting something of a compromise, alternating between certain townships to be sold in their entirety and others as individual sections, at no less than one dollar per acre at auction, plus survey costs of \$36 per township. Although the price sounds remarkably inexpensive by today's standards, the \$640 minimum price for a section was a substantial sum at the time, and even the "smaller" 640-acre parcels were unaffordable and too large for a typical family to purchase and manage directly. The price was, however, appealing to development companies who could afford to buy the land on speculation.

The Public Land Survey System (PLSS) created by the General Land Ordinance of 1785 remains the basis for the legal description of most land in Wisconsin. For more information, see *Understanding Wisconsin Township, Range, and Section Land Descriptions*, by Irene D. Lippelt, at the following site: <http://www.uwex.edu/wgnhs/pdfs/espdf/legdes.pdf>.

ORDINANCE OF 1787

Later in 1785 James Monroe urged a modification of Jefferson's initial proposal to divide the territory into fewer states. A committee of Congress, led by William Johnson of Connecticut and Nathan Dane (for whom Dane County, Wisconsin, is named) of Massachusetts, along with Rufus King of Massachusetts, drafted a new ordinance in September 1786. The ordinance provided that three to five states would be created and that Congress would appoint a governor and other officers rather than having the new states temporarily operating according to the constitution of one of the

original states. Only later would residents of the territory gain the rights and powers of representative government. When the adult male population in a territory reached 5,000, they could elect a legislature and send a nonvoting delegate to Congress.

Subsequent proposals advanced by Dane added the rights of freedom of religion, habeas corpus, and trial by jury to be guaranteed in the western territories; by April 1787, the committee reported a bill that retained those provisions and added, late in the process, a prohibition on slavery in the states to be created from the Northwest Territory (without addressing the issue of slavery where it existed to the southwest).

Congress passed the Ordinance of 1787 on July 13, 1787, replacing the earlier 1784 ordinance. Ohio (1803) was the first state to be created from the territory, and was followed by Indiana (1816), Illinois (1818), Michigan (1837), and Wisconsin (1848).



Present-day states created from the Northwest Territory

Although the initial status of the territories, with respect to the United States, governed by officials appointed by Congress, was similar

to the relationship of the British colonies in North America to the mother country, the similarity ends there. The passage and implementation of the Northwest Ordinances were significant in the development of the new country for a number of reasons. They provided the framework for the creation of territories in the western lands and provided a predictable path to statehood and representative government on an equal, rather than a subservient, basis with the original states, not only for the five states created from the Northwest Territory, but also as a precedent for the admission of other states. Furthermore, the guarantees of civil and religious liberties for the territories established a precedent for what would later become the Bill of Rights, the first ten amendments to the new federal constitution.

TERRITORIAL WISCONSIN TIMELINE

As boundaries within the Northwest changed and states were created from the territories, the land of present-day Wisconsin was part of a number of different territories, as follows:

Northwest Territory, 1787–1800
Indiana Territory, 1800–1805
Michigan Territory, 1805–1809
Illinois Territory, 1809–1818
Michigan Territory, 1818–1836
Wisconsin Territory, 1836–1848
Statehood, 1848–present

To see maps showing the historical changes in the territories, visit the Wisconsin Historical Society's site, <http://www.wisconsinhistory.org>.

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Governing Wisconsin: "The Northwest Ordinances"

Study Questions

1	Why is Wisconsin a state that never had legalized slavery?	
2	The ordinance of 1784 never went into effect. What were two problems with this original plan?	
3	Under the ordinance of 1785, how many <i>acres</i> of land in each township were reserved for the federal government?	
4	The Bill of Rights was completed in 1789 and ratified in 1791. How did Nathan Dane affect the Bill of Rights?	
5	Compare the shape of the states on the East Coast with the shape of states farther west. Which Northwest Ordinance caused this difference? Explain how it affected the shape of states.	
6	Which plan for the territories was more democratic: Jefferson's proposal under the ordinance of 1784 or the one designed by William Johnson, Nathan Dane, and Rufus King in 1786?	

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Study Questions in the Cognitive Domain

1	Why is Wisconsin a state that never legalized slavery?	Under the ordinance of 1787, slavery was prohibited in the Northwest Territories.	Cognition
2	The ordinance of 1784 never went into effect. What were two problems with this original plan?	(1) It took many years for Wisconsin to become a state. Jefferson envisioned ten small states for this territory, but since a territory would need 60,000 people before becoming a state, this would be a very slow process. (2) The plan did not promote settlement.	Comprehension
3	Under the ordinance of 1785, how many <i>acres</i> of land in each township were reserved for the federal government?	The federal government reserved four, one-mile-square parcels within each township. Each parcel was 640 acres, so the federal government kept 4 x 640, or 2,560 acres.	Application
4	How did Nathan Dane affect the Bill of Rights?	Dane added a proposal to the ordinance of 1787 that granted citizens in the territories the rights of freedom of religion, habeas corpus, and trial by jury. These later became rights guaranteed under the Bill of Rights.	Analysis
5	Compare the shape of the states on the East Coast with the shape of states farther west. Which Northwest Ordinance caused this difference? Explain how it affected the shape of states.	East Coast states are smaller, scrunched, oddly shaped. Western states are bigger, angular, often rectangles. The ordinance of 1785 divided territories into six-mile-square grids. This ordinance became the model for statehood, and all new lands acquired by the U.S. were divided in this way, creating a square shape in the newer states.	Synthesis
6	Which plan for the territories was more democratic: Jefferson's proposal under the ordinance of 1784 or the one designed by William Johnson, Nathan Dane, and Rufus King in 1786?	Jefferson's plan was more democratic. The plan allowed, among other things, states to self-govern under the constitution of a neighboring state and to send a voting representative to Congress when the population reached 20,000. It provided an easier path to statehood, guaranteed certain rights, and prohibited slavery.	Evaluation