



Signed by Thomas Jefferson: 1792 Congressional Act Concerning the Northwest Territory, Rare Large Paper Copy

(United States Laws. Second Congress. Northwest Territory) **Second Congress of the United States: At the First Session, begun and held at the City of Philadelphia, in the State of Pennsylvania, on Monday the twenty-fourth of October one thousand seven hundred and ninety-one. An Act respecting the Government of the Territories of the United States North West and South of the River Ohio.** [Caption title]

[Philadelphia: Childs & Swaine, 1792] folio, (measuring 16 x 9 ½ inches, text printed on one page of a bifolium, some light horizontal fold lines, slight splitting along folds repaired on verso with archival tissue, some ruffling to edges, not affecting text, light toning to paper, else very good. Printed on American 18th

century laid paper watermarked HS Sandy Run with a post horn, manufactured by Henry Schutz. See Gravell, *Catalogue of American Watermarks 1690-1835*, p. 203, figures 304-308. Francis Childs and John Swaine were the Congressional printers in 1792.

Very rare printing of an early United States law respecting the recently organized Northwest Territory, signed in manuscript by Thomas Jefferson as Secretary of State. The document, which also carries the printed signatures of President George Washington, House Speaker Jonathan Trumbull, and Richard Henry Lee, president pro tem of the Senate, was approved May 8th, 1792. Individual acts and bills of the first and Second Congress were routinely printed for public consumption. A provision was made, however, to print a few copies of each act on large paper for dissemination to the states, and to have each copy signed by Secretary of State Thomas Jefferson. The present copy is one of the large paper issues, bearing Jefferson's manuscript signature beside his printed title.

The present Congress act deals with the laws and government of the territory:

"... That the laws of the territory north west of the river Ohio, that have been or hereafter may be enacted by the governor and judges thereof, shall be printed under the direction of the secretary of state, and two hundred copies thereof, together with ten sets of the laws of the United States, shall be delivered to the said governor and judges, to be distributed among the inhabitants for their information, and that a like number of the laws of the United States shall be delivered to the governor and judges of the territory south west of the river Ohio.

And be it further enacted, That the governor and judges of the territory northwest of the river Ohio shall be, and hereby are authorized to repeal their laws by them made, whensoever the same may be found to be improper.

And be it further enacted, That the official duties of the secretaries of the said territories shall be under the control of such laws, as are or may be in force of said territories.

And be it further enacted, That ay one of the supreme or superior judges of the said territories, in the absence of the other judges, shall be and hereby is authorized to hold a court.

And be it further enacted, That the secretary of state, provide proper seals for the several and respective public offices in the said territories.

And be it further enacted, That the limitation act, passed by the governor and judges of the said territory, the twenty-eighth day of December, one thousand seven hundred and eighty eight, be and hereby is disapproved.

The act goes on to pay debts incurred by John Cleve Symmes and George Turner, two judges of the territory, in 1790 while in execution of their duties.

Evans 24902 locates two copies of this act (NYPL, Rhi), OCLC locates three additional copies, including Yale and AAS. The dimensions listed for these copies, 34 x 21 cm, indicate that these are smaller than the present copy and are not among the special copies signed by Jefferson for official transmittal. A very rare and desirable American law, pertaining to an important national issue and bearing the signature of an iconic figure in American history. Not in Streeter Sale. We have located only one of the large copies in auction records, that being the example in the Sang Sale in 1978.

The Northwest Territory, officially “the Territory Northwest of the River Ohio”, included the Old Northwest when it was established by Congress July 13, 1787. Already the Ordinance of 1785 had provided for the survey of the public land in townships, each six miles square and divided into thirty-six sections of 640 acres. Payment for the land was permitted in specie, or in Continental certificates, and, for one seventh, the land warrants issued to Revolutionary soldiers were accepted. Section sixteen in each township, the Ordinance set aside for the support of education.

The Ordinance of 1787 outlined the governmental framework. At first there would be an arbitrary administration, with a governor, three judges and a secretary elected by and responsible to Congress. When the population included 5000 free white males of voting age, the Territory would have practically local autonomy, with a legislative assembly, although Congress would still choose the governor. Finally, when any one of the stipulated divisions contained 60,000 free inhabitants it would be admitted into the Union as a state. An important clause in the Ordinance forbade slavery in the Old Northwest.

The two ordinances, modified to meet changing conditions, remained the basic principles for the organization of the Old Northwest, and set precedents for later territorial development.

In 1787 the Northwest Territory had a widely scattered population of some 45,000 Native Americans and 2000 French. The first legal American settlement was at Marietta, April 7, 1788. Gov. St. Clair inaugurated the territorial government, July 15, 1788, forming Washington County between the Scioto and the Miami, and in March he set up St. Clair County along the Mississippi north of the Ohio. Winthrop Sargent, Secretary of the Territory, then organized Knox County between the Miami and St. Clair County, and in 1796 he formed Wayne County with Detroit as the county seat. From these basic counties others were set off as population increased.

The Native American menace confined the earliest settlers to the Ohio Valley, but after Wayne’s decisive victory at Fallen Timbers, August 20, 1794, and the subsequent Treaty of Greenville the greater part of Ohio was opened up. Population now increased so rapidly that the autonomous stage of government was inaugurated on September 4, 1799, with the first meeting of the territorial assembly. Owing to the distance between many of the settlements a division of the Territory became necessary, and in 1800 the area west of a line north from the mouth of the Kentucky was set off as Indiana Territory. The diminished Northwest Territory was further decreased in 1802 when Michigan was annexed to Indiana.

A movement for statehood began, which was aided by the Republican (Jeffersonian) national victory in 1800. Although the Territory had approximately only 42,000 inhabitants, April 30, 1802, Jefferson approved the Enabling Act. With the first meeting of the state legislature, March 1, 1803, the Northwest Territory gave place to the State of Ohio, the “first fruits” of the Ordinance of 1787.

\$ 42,500.00