

# WHAT'S THE DEAL? NATIVE AMERICAN POLICY DURING THE CONFEDERATION PERIOD

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**LEVEL:**

Middle/High School

**TIMEFRAME:**

Approximately three class sessions

**OBJECTIVES:**

Students will be able to analyze various primary sources, identify key elements of those sources, and make a reasonable claim based on their analysis of the sources.

Students will be able to create an evidence-based conclusion based on the primary sources that interpret the negotiations between a newly formed United States and the sovereign nations that lived in the same land.

**STANDARDS:**

- Early Republic/Confederation Period
- Native Americans
- Analysis of Primary Sources
- Integrate Evidence of Multiple Primary Sources into a Reasoned Argument about the Past
- Evaluation of Primary Sources
- Speaking and Listening
- Working in Groups

**LESSON HISTORICAL BACKGROUND:**

As the Revolutionary War ended and the ink was drying on the Treaty of Paris, George Washington was turning his attention to the security of the young nation. The newly formed United States was – on paper, at least – a sizeable nation. It was bordered by Spain on its western and southern borders, and Great Britain to the north. The United States also bordered with many Native nations. And, despite many of these nations participating in the Revolutionary War, they were excluded from the peace negotiations during the Treaty of Paris.

The leaders of these nations were not pleased to be left out. Members of the Six Nations, speaking to General Maclean at Fort Niagara in 1783, stated they, “could never believe that our king could pretend to cede to America what was not his own to give, or that the Americans would accept from Him what he had no right to grant.”<sup>1</sup> Other nations, including the Cherokees, Shawnees, Chickasaws, and Choctaws, were worried about their new neighbors’ appetite for land. In a speech to the Spanish Governor, they stated, “The Americans, are a great deal more ambitious and numerous than the English, put us out of our lands,

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<sup>1</sup> *The Indian World of George Washington*, Colin G. Calloway, page 283.

forming therein great settlements, extending themselves like a plague of locusts...”<sup>2</sup> The young nation under the Articles of Confederation would need to decide how it would act with their neighbors within the newly created boundaries, and they looked to George Washington for advice.

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## **PROCEDURE:**

### **1. Warm Up**

- a. Read the historical background to the students.
- b. Present the Essential Questions to the class and ask students what they might expect to discover, from this lesson, based on the essential questions.
  - i. What’s the Deal?
  - ii. What are the benefits of the Deal?

### **2. Lesson Activity #1: *General Washington’s Plan, 1783***

- a. Place students into groups of two or three and distribute Activity #1.
- b. As a class, read through and discuss the historical background for the activity, as well as the activity instructions.
  - i. Please refrain from giving too much interpretation of the documents; instead allow the student to make their own interpretations.
- c. Allow students time to work through the activity.

### **3. Whole class discussion:**

- a. Have students present and discuss each essential question as it relates to General Washington’s Native American Plan.

### **4. Lesson Activity #2: *Let’s Make a Deal: The Cherokee, 1785 and Six Nations, 1784 Treaties***

- a. Place students into groups of two or three and distribute Activity #2
- b. As a class, read through and discuss the historical background for the activity and the activity instructions.
  - i. Please refrain from giving too much interpretation of the documents; instead allow the student to make their own interpretations.
- c. Allow students time to work through the activity.

### **2. Whole class discussion:**

- a. Have student present and discuss each essential question as it relates to the treaties made between the United States, the Cherokee, and the Six Nations.
- b. As a class, discuss “What was the Deal?” and “What are the benefits of the Deal?”
  - i. Make certain that as students discuss these questions, they are defending their arguments with evidence from the documents.
- c. Finally, discuss how might this deal structure be a part of the lands west of the Mississippi.
  - i. Use the map for reference

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<sup>2</sup> Spanish Governor of St. Louis, Cruzat to Spanish Colonial Administrator, Miro, August 23, 1784, reprinted in the American Historical Association, Annual Report, *Spain in the Mississippi Valley*, 1945, volume 3, page 117, editor Lawrence Kinnaird

## ACTIVITY #1: General Washington's Plan, 1783

### ESSENTIAL QUESTIONS:

1. What's the Deal?
2. What are the benefits of the Deal?

### HISTORICAL BACKGROUND:

Shortly after the Treaty of Paris, many people were making plans to make the move west. This would put them in conflict with the hundreds of thousands of Native Americans, many of whom were members of sovereign nations located in lands further west. These lands were ceded to the United States by the Treaty that ended the American Revolution. The United States was in no position to fight a war started by land-hungry settlers; it was deeply in debt, and needed money. Selling lands in the West to settlers seemed like an option to both secure money to pay off debts and avoid costly violence. Still, the United States needed a plan.

### ACTIVITY INSTRUCTIONS:

1. As a group, read through excerpt from George Washington's Native American Plan from 1783.
  - a. Feel free to mark up the document using a pen, pencil, or highlighter.
2. Answer the first essential question by constructing an argument to summarize George Washington's plan.
3. Answer the second essential question, "What are the benefits of the Deal?" Make certain to support your answer with evidence from the document.
4. Consider: who's perspective is missing from these sources?

PRIMARY SOURCE: GENERAL WASHINGTON'S PLAN

LETTER: GEORGE WASHINGTON TO JAMES DUANE, SEPTEMBER 7 1783 (EXCERPTED)

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**To James Duane**

**Rocky Hill, September 7, 1783.**

Sir: My ideas therefore of the line of Conduct proper to be observed not only towards the Indians, but for the government of the Citizens of America, in their Settlement of the Western Country...are simply these.

That the Indian should be informed, that after a Contest of eight years for the Sovereignty of the Country G: Britain has ceded all the Lands of the United States within the limits discribed by the arte. of the Provisional Treaty...we prefer Peace to a state of Warfare, as we consider them as a deluded [mistaken to have supported the British] People...their true Interest and safety must now depend upon our friendship. As the Country, is large enough to contain us all...

...a Proclamation in my opinion, should issue, making it Felony for any person to Survey or Settle beyond the Line...Measures of this sort would not only obtain Peace from the Indians, but would, in my opinion, be the surest means of preserving it...while the door would be open, and the terms known for every one to obtain what is reasonable and proper...

Unless some such measures as I have here taken the liberty of suggesting are speedily adopted one of two capital evils...will inevitably result...either that the settling will take place, by a parcel of Banditti [Outlaws]...skimming and disposing of the Cream of the Country at the expence of...Officers and Soldiers who have fought and bled to obtain it...or a renewal of Hostilities with the Indians...

I think, if the Indian Trade was carried on...with no greater advance that what would be necessary to defray the expence, that it would supply the Indians upon much better terms than they usually are; engross [hold] their Trade, and fix them strongly in our Interest; and would be a much better mode of treating them than that of giving presents...

the Settlemt. of the Western Country and making Peace with the Indians are so analogous [related] that there can be no definition of the one without involving considerations of the other...the propriety of purchasing their Lands in preference to attempting to drive them by force of arms out of their Country...is like driving the Wild Beasts of the Forest which will return as soon as the pursuit is at an end...In a word there is nothing to be obtained by an Indian War but the Soil they live on and this can be had by purchase at less expence, and without bloodshed...

1. What's the Deal? Construct an argument to summarize George Washington's plan. Support your answers with quoted evidence from the document.
2. What does each side gain from this Deal? Support your answer with quoted evidence from the document. *Be mindful of the 18<sup>th</sup> century notions of racial bias against American Indians and how that is reflected in Washington's language.*

## ACTIVITY #2: Let's Make a Deal:

### The Cherokee, 1785 and Six Nations, 1784 Treaties

#### Essential Questions:

1. What's the Deal?
2. What are the benefits of the Deal?

#### Historical Background:

After the Revolutionary War, Native nations found themselves dealing with new governments. Many Native Americans complained that the United States spoke with “many voices” as the federal and state governments made competing and separate treaties with Native Americans. This competition created confusion and instability. As George Washington stated, “We are either a United people under one head...” or “...we are thirteen independent Sovereignities, eternally counteracting each other.”<sup>3</sup> When dealing with local and national governments, nations often faced pressure and/or limited choices. This created an uncertainty and exasperation that motivated nations to consider safety and security in exchange for lands. The Cherokee and Six Nations (consisting of the Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora) wondered - should they take the deal proposed in the treaties?

#### Activity Instructions:

1. Watch the Smithsonian's *Nation to Nation* video: “[Early Written Treaties](#)”
  - a. Feel free to watch all four minutes; if limited time, start at 2:18.
2. As a group, read through each treaty excerpt.
3. For each excerpt answer the question, “What does each side gain?”
  - a. Make certain to explain the terms of the treaty (“What's the Deal?”) and support your answers with evidence from the document.
4. Access the Invasion of America interactive map through this link: <http://usg.maps.arcgis.com/apps/webappviewer/index.html?id=eb6ca76e008543a89349ff2517db47e6>
  - a. Use the “Find Nations” search function at the bottom of the page and type in the search box, “Six Nations” and “Cherokee” to see what and how much land each Native American Nation ceded to the United States. Use this information to assist you in answering your essential questions.

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<sup>3</sup> George Washington to James McHenry, August 22, 1785 <https://founders.archives.gov/GEWN-04-03-02-0184>

PRIMARY SOURCE

TREATY: TREATY WITH THE CHEROKEE, 1785 [excerpted]

**TREATY WITH THE CHEROKEE, 1785.**

*Articles concluded at Hopewell, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, Commissioners Plenipotentiary of the United States of America, of the one Part, and the Head-Men and Warriors of all the Cherokees of the other.*

**ARTICLE III.**

The said Indians for themselves and their respective tribes and towns do acknowledge all the Cherokees to be under the protection of the United States of America, and of no other sovereign whosoever.

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**ARTICLE IV.**

The boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is and shall be the following, viz. [namely] Beginning at the mouth of Duck river, on the Tennessee; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a north-east line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland gap; thence to the mouth of Claud's creek on Holstein; thence to the Chimney-top mountain; thence to Camp-creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North-Carolina line; thence to the South-Carolina Indian boundary, and along the same south-west over the top of the Oconee mountain till it shall strike Tugaloo river; thence a direct line to the top of the Currohee mountain; thence to the head of the south fork of Oconee river.

**ARTICLE V.**

If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary which are hereby allotted to the Indians for their hunting grounds, or having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please: Provided nevertheless, That this article shall not extend to the people settled between the fork of French Broad and Holstein rivers, whose particular situation shall be transmitted to the United States in Congress assembled for their decision thereon, which the Indians agree to abide by.

### **ARTICLE IX.**

For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

### **ARTICLE X.**

Until the pleasure of Congress be known, respecting the ninth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.

### **ARTICLE XII.**

That the Indians may have full confidence in the justice of the United States, respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress.

### **ARTICLE XIII.**

The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said states on the one part, and all the Cherokees on the other...

1. As a Native American, would you take this deal? Why or Why not? Support your claim with evidence from the document.
2. As a Native American, who's benefitting from this deal? Support your claim with evidence from the document.

## **TREATY WITH THE SIX NATIONS, 1784.**

*Articles concluded at Fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty-four, between Oliver Wolcott, Richard Butler, and Arthur Lee, Commissioners Plenipotentiary [ambassador] from the United States, in Congress assembled, on the one Part, and the Sachems [leader] and Warriors of the Six Nations, on the other.*

The United States of America give peace to the Senecas, Mohawks, Onondagas and Cayugas, and receive them into their protection upon the following conditions:

### **Article II.**

The Oneida and Tuscarora nations shall be secured in the possession of the lands on which they are settled.

### **Article III.**

A line shall be drawn, beginning at the mouth of a creek about four miles east of Niagara, called Oyonwavea, or Johnston's Landing-Place, upon the lake named by the Indians Oswego, and by us Ontario; from thence southerly in a direction always four miles east of the carrying-path, between Lake Erie and Ontario, to the mouth of Tehoseroron or Buffaloe Creek on Lake Erie; thence south to the north boundary of the state of Pennsylvania; thence west to the end of the said north boundary; thence south along the west boundary of the said state, to the river Ohio; the said line from the mouth of the Oyonwayea to the Ohio, shall be the western boundary of the lands of the Six Nations, so that the Six Nations shall and do yield to the United States, all claims to the country west of the said boundary, and then they shall be secured in the peaceful possession of the lands they inhabit east and north of the same, reserving only six miles square round the fort of Oswego, to the United States, for the support of the same.

### **Article IV.**

The Commissioners of the United States, in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States upon the signing of the above articles, will order goods to be delivered to the said Six Nations for their use and comfort.

1. As a Native American, would you take this deal? Why or Why not? Support your claim with evidence from the document.
2. As a Native American, who's benefitting from this deal? Support your claim with evidence from the document.



1. Looking at this map, how would this deal structure be proven successful or unsuccessful for the future, with lands west of the Mississippi?

