

CONVENTIONS OF ASSENT

FIRST CONVENTION OF ASSENT OF THE TERRITORY OF MICHIGAN

Convened at Ann Arbor, September 26, and adjourned September 30, 1836

OFFICERS

WILLIAM DRAPER, *President*
CHARLES A. JEFFERIES, *Secretary*
SAMUEL YORKE AT LEE, *Vice President*
MARTIN DAVIS, *Sergeant-at-Arms*

Delegate	County	Delegate	County
Allen, Ethan	Jackson	McDonell, John	Wayne
Axford, John S.	Macomb	McKinstry, David C.	Wayne
Beaufait, Louis	Wayne	Newton, James	Cass
Bradshaw, Eli	Wayne	Noble, Elmathan	{ Washtenaw
Brown, Ammon	Wayne		{ Livingston
Brownell, John L.	Oakland	Noyes, Horace A.	Wayne
Butts, Mason	Lapeer	Odell, James	Cass
Clark, Robert	Monroe	Peck, Edward W.	Oakland
Collamer, Lorenzo B.	Calhoun	Richardson, Origen D.	Oakland
Comstock, Darius	Lenawee		{ Ottawa
Conklin, Ebenezer H.	{ Washtenaw	Richmond, William A.	{ Kent
	{ Livingston		{ Ionia
Dort, Titus	Wayne		{ Clinton
	{ Saginaw	Rickey, Joseph	Lenawee
Drake, Thomas J.	{ Genesee	Satterlee, Samuel	Oakland
	{ Shiawassee	Smith, Joseph	Kalamazoo
Draper, William	Oakland	Stubbs, Michael P.	{ Washtenaw
Ellis, Edward D.	Monroe		{ Livingston
Gilbert, Linus S.	Macomb	Sumner, Watson	St. Joseph
Glover, George W.	{ Washtenaw	Tucker, John	Macomb
	{ Livingston	Van Duser, Zachariah	Hillsdale
Hutchins, John	Lenawee	Warner, Harvey	Branch
Jefferies, George P.	{ Washtenaw	Warner, S. A. L.	Oakland
	{ Livingston	Weare, Richard	{ Allegan
Kercheval, Benjamin B.	Wayne		{ Barry
Kimball, Charles	St. Clair	Welch, William H.	Kalamazoo
Lancaster, Columbia	St. Joseph	Wilkins, Ross	Lenawee
Lane, Marcus	{ Washtenaw	Willard, Titus B.	Berrien
	{ Livingston	Wing, Austin E.	Monroe
Lawrence, Wolcott	Monroe	Wood, Stephen R.	Chippewa
Markham, Seth	{ Washtenaw		
	{ Livingston		

NOTE: The First and Second Conventions of Assent of the Territory of Michigan occurred as a result of the Act of June 15, 1836, 5 Stat. 49, of the United States Congress establishing a northern boundary for the State of Ohio and providing for admission of the State of Michigan to the Union upon acceptance of certain conditions. The purpose of the act was to resolve the long-standing dispute between Michigan and Ohio over 400 square miles of territory known as the "Toledo strip." Congress required Michigan's assent to the establishment of the northern Ohio border to include that area before Congress would vote to admit Michigan to the Union. In compensation, Congress offered 9,000 square miles of territory in what is now Michigan's Upper Peninsula.

In response to that requirement, the Legislature approved an act on July 25, 1836, calling for the election of delegates to a convention to consider the issue. Fifty delegates elected September 12, 1836, convened in Ann Arbor on September 26. The delegates rejected a proposed compromise by a vote of 28-21. In the resolution rejecting the conditions of admission, the delegates stated that Congress had exceeded its authority by imposing conditions contrary to the provisions of the Ordinance of 1787. The resolution also criticized the state legislature for adopting a congressional act as the basis for its action in calling for a convention.

Later in 1836, the Committee of the Democratic Convention of Wayne County recommended another convention to reverse the earlier decision, citing sentiment to comply with the conditions of Congress. At the committee's urging, new delegates were elected on December 5 and 6, 1836. The "Frost-Bitten Convention" convened in Ann Arbor on December 14 and 15, immediately and unanimously approving a resolution of assent to the conditions specified in the congressional act of June 15, 1836.

Although some question existed in Congress as to the legality of this second convention, both houses voted to approve the December convention results and Michigan's admission to the Union. President Andrew Jackson signed the bill making Michigan the nation's 26th state on January 26, 1837.

SECOND CONVENTION OF ASSENT OF THE TERRITORY OF MICHIGAN

Convened at Ann Arbor, December 14, and adjourned December 15, 1836

OFFICERS

JOHN R. WILLIAMS, *President*
KINTZING PRITCHETTE, *Secretary*
J. E. FIELDS, *Secretary*
JOHN HUSTON, *Sergeant-at-Arms*

Delegate	County	Delegate	County
Adam, John J.	Lenawee	Morey, Peter	Lenawee
Adams, William	St. Joseph	Morris, Benjamin B.	Oakland
Avery, Charles B.	Van Buren	Morse, Elihu	Wayne
Babcock, Henry S.	Oakland	Murray, Archibald Y.	Wayne
Bacon, Marshal J.	Wayne	Noble, Nathaniel	Washtenaw
Barritt, Hiram	Oakland	Noyes, Horace A.	Wayne
Bradley, Samuel B.	Washtenaw	Packard, Benjamin H.	Jackson
Bradshaw, Eli	Wayne	Page, Joab	Jackson
Bridges, Edward N.	Cass	Percival, Samuel	Kalamazoo
Bucklin, James	Wayne	Pray, Esek	Washtenaw
Champion, Salmon, Jr.	Washtenaw	Rickey, Joseph	Lenawee
Chase, David	Oakland	Schwartz, John E.	Wayne
Coates, Joseph	Oakland	Searle, Ambrose	Kalamazoo
Comstock, Addison J.	Lenawee	Silver, Abiel	Cass
Congdon, Elisha	Washtenaw	Silver, Jacob	Cass
Crooks, William	Oakland	Smith, Joseph	Cass
Davidson, Norman	Lapeer	Southerland, Solomon	Washtenaw
Denton, Samuel	Washtenaw	Stewart, Hart L.	Berrien
Dexter, Samuel	Kent	Thompson, Jeremiah D.	Lenawee
Downes, Lyman	Washtenaw	Tisdale, Peris A.	Branch
Eaton, Orasmus	Allegan	Toll, Philip R.	St. Joseph
Gates, Parley W. C.	Oakland	Tompkins, James B.	Branch
Gillett, Reynold	Wayne	Truesdell, Stephen W.	St. Joseph
Goodwin, Daniel	Wayne	Tucker, Joel	St. Clair
Goodwin, Justus	Calhoun	Tuttle, Warren	Wayne
Grant, Charles A.	Oakland	Twitcheil, Stodard W.	Washtenaw
Gray, Harvey	Lapeer	Van Duser, Zachariah	Hillsdale
Hart, James B.	Oakland	Wadhams, Ralph	St. Clair
Hoffman, George W.	Berrien	Walker, Charles J.	Kent
Huston, James	Washtenaw	Warner, Jesse	Washtenaw
Hutchins, John	Lenawee	Watkins, Aaron B.	St. Joseph
Irwin, Charles F.	Wayne	Watson, Samuel G.	Saginaw
Jackson, Darius C.	Lenawee	White, Samuel	Oakland
Jewett, George W.	Washtenaw	Whittemore, Gideon O.	Oakland
Keeler, H. H.	Van Buren	Wilkins, Ross	Wayne
Littlejohn, Silas F.	Allegan	Willard, Isaac W.	Kalamazoo
Livermore, John S.	Oakland	Williams, Gardner D.	Saginaw
Lyon, Ira	Kalamazoo	Williams, John R.	Wayne
Manning, Rockwell	Hillsdale	Wing, Nelson H.	Washtenaw
Mason, Josiah	Wayne	Witherell, Benjamin F. H.	Wayne
Miller, Oliver	Lenawee	Wright, Benjamin	Calhoun
Moran, Charles	Wayne		

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ACT ADMITTING MICHIGAN TO THE UNION

[5 U.S. Statutes at Large 144]

AN ACT to admit the State of Michigan into the Union, upon an equal footing with the original states.

WHEREAS, In pursuance of the act of congress of June fifteenth, eighteen hundred and thirty-six, entitled, “An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, upon the conditions therein expressed,” a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan, as described, declared and established in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, therefore:

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever.

Section 2. *And be it further enacted,* That the secretary of the treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled, “An act to regulate the deposits of the public money,” shall consider the said State of Michigan as being one of the United States.

Approved Jan. 26, 1837.

NOTE: The admission of Michigan into the Union on equal footing with the original states concluded a long and bitter battle over approximately 400 square miles of territory known as the “Toledo strip.” The dispute, which eventually entangled the government of Michigan (both as a territory and a state), the government of Ohio, and the federal government, ended only with Michigan’s accession to the demands of the United States Congress as specified in the Act of 1836, 5 Stat. 49.

Ohio, in its first constitution written in 1802, defined its boundaries to include that territory. Michigan, relying on the Ordinance of 1787 and the Act of 1805, 2 Stat. 309, claimed the same territory in defining its boundaries in its first constitution in 1835. Congress, which had debated the issue for several years, elected to award the territory to Ohio, making Michigan’s ratification of that boundary preliminary to her acceptance into the Union. Lacking full-fledged representation in the U.S. Congress and, perhaps, recognizing that admission to the Union offered more than would have been gained by withholding acceptance, delegates, on December 15, 1836, at the second of two conventions, convened to discuss the issue and assented to the conditions Congress had established. Although some in Congress questioned the validity of the action, Congress approved Michigan’s admission on January 26, 1837, 5 Stat. 144. See Ordinance of 1787; Act of Congress, 2 Stat. 309; Journal of the Proceedings of the Convention to Form a Constitution for the State of Michigan in Pursuance of an Act of Congress of June 15, 1836; Act of the Legislature of Said State on July 25, 1836, for the Purpose of Taking into Consideration the Proposition of Congress Relative to the Admission of the State of Michigan into the Union, 1836; First and Second Conventions of Assent, Territory of Michigan, September 26-30, 1836, and December 14-15, 1836, 1894 Reprint, Secretary of State; Early Michigan History (Pamphlets), vol. I, 1873; “The Quest for Statehood,” Roger L. Rosentreter, Michigan History, January/February 1987; Congressional Globe, 23rd Congress, 1st and 2nd Sessions, vols. I and II, 1835; Congressional Globe, 24th Congress, 1st and 2nd Sessions, vols. II, III, and IV, 1836 and 1837.