

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.