

ernment formed, leaving the Territorial Government on this side of the Lake. The bill met with opposition, because it originated in Wisconsin, and the men of Michigan saw that if it passed, they would be indebted to Wisconsin for a State Government. But the bill passed, and a Convention was called, and a Constitution adopted.

The prospect of a speedy separation from Michigan, prevented the passage of a law to establish a District Court west of the Lake, for a while. But a question arose as to the residence of Judge Irwin, who, it seems, resided in Ohio or Virginia, except when attending courts in the Territory. The people of Green Bay deemed the office to be vacant, on account of non-residence, and petitioned the President to appoint one in his stead; and Mr. Burnett's name was presented to the President to fill the vacancy. The vacancy was not recognized, and the appointment, of course, was not made. But Mr. Burnett was appointed in January, 1835, District Attorney for the counties of Crawford, Iowa, Dubuque and Des Moines.

In the summer of 1835, the formation of a State Constitution for Michigan, and the expectation of admittance into the Union, induced the people to be on the lookout for a Delegate to Congress, and for a transfer of the Territorial Government of Michigan to Wisconsin, without an act of Congress to authorize it. Those who are conversant with the history of Michigan becoming a State, will recollect that the people acted without law or precedent, in forming and adopting their Constitution, without first obtaining an act of Congress authorizing them to do so, and of the same piece of policy and law, was the attempt to transfer the Territorial Government from the east to the west side of Lake Michigan. The latter, however, was not recognized by the General Government; while the former was, and other States, following the precedent, have been admitted into the Union in a similar way.

But to save appearances, and obey the forms of law, it was agreed on the two sides of the Lake, that the Delegate to repre-