

The amendment was agreed to in the house, without division, April 4, 1818, and the enabling act approved two weeks later. It contained no provision for the obtaining of permission from the people living north of 42° 30' and west of Lake Michigan; whereas the act enabling Indiana to form a state constitution, two years before, required the people interested to ratify the boundary change; and in later years, as we have seen, Michigan's consent was required before Ohio's claim could be allowed.

The act of 1836, erecting Wisconsin Territory, recognized the Illinois-Wisconsin border at 42° 30', as in the Illinois enabling act of 1818. And there the matter rested until the 22nd of December, 1838, when Governor Dodge approved a memorial to congress adopted by the territorial legislature of Wisconsin, wherein it was represented to congress that the act of 1818, fixing Illinois's northern boundary, came "directly in collision with, and [was] repugnant to, the compact entered into by the original states, with people and states within this Northwestern Territory," and praying that, as a measure of justice, "the southern boundary of [Wisconsin] Territory may be so far altered as to include all the country lying north of a line drawn due west from the southern extreme of Lake Michigan." This memorial was presented to the senate January 28, 1839,¹ and conveniently pigeon-holed by the judiciary committee.

Wisconsin renewed the attack on the 31st of December, 1839, when a select council committee of the territorial legislature of Wisconsin reported resolutions² declaring that in the matter of the southern border, the ordinance of 1787 had been violated by congress, and that "a large and valuable tract of country is now held by the state of Illinois, contrary to the manifest right and consent of the people of this territory." The resolutions requested that on the next general election day, the fourth Monday in September, the inhabitants of the territory vote upon the question of forming a state constitution, and that the people living in the district in northern Illinois, which was claimed

¹ *Senate Docs.*, No. 149, 25th Cong., 3rd sess., vol. iii.

² *House Jour.*, *Wis. Terr. Legis.*, 1844, p. 14.