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## Three questions determined Illinois' fate

In November and December of 1817, the legislature of Illinois Territory set in motion the procedures to petition the U.S. Congress to admit the territory as a state. (See my column of Dec. 4, 2017, "200 years ago, Illinois took step to statehood") The next step was delivering the petition, formally called a memorial, to Nathaniel Pope, the territorial delegate to Congress.

What must Pope have thought when he received the memorial in early January, 1818?

He supported statehood for Illinois, but had no knowledge of the petition vote in Kaskaskia, the territorial capital, in December. He presented the memorial to the House of Representatives on Jan. 16, 1818. The House appointed a five-member committee, with Pope as chair, to investigate the issue.

Under Pope's leadership, the committee reported that it endorsed the Illinois memorial and on Jan. 22 approved a draft bill for an enabling act for Illinois statehood. Due to the press of other business, the House did not consider the bill until April 4. Meanwhile, Pope began preparing amendments to the draft, and skeptical congressmen asked whether Illinois was fit for statehood.

There were three main issues:

- Did the territory have the 40,000 population needed to move from territorial status to statehood?
- What should the state's northern boundary be?
- Would Illinois be admitted as a free soil state, one truly without slavery?

Pope persuaded Congress to order a census taken by Illinois territorial officials. The count began on April 1, 1818, and resulted in the territory's claiming that it had, most conveniently, 40,258 inhabitants in the area to become the new state. There was certainly some creative census

taking because a later census showed that there were really only 34,620 inhabitants at the time of admission. By that time, Illinois was a state and nobody cared.

The northern boundary of the state was a serious issue. The territory was bounded on the west by the Mississippi River, on the south by the Ohio River and on the east by the Wabash River and a surveyor's line going north along the Indiana line to Lake Michigan. Because the territory included what is now Wisconsin, then a wilderness with few white inhabitants, it was necessary to determine the boundary between the state of Illinois and a new territory, Wisconsin.

The Northwest Ordinance suggested that the northern boundary for states south of Lake Michigan be set at the "southernmost point" of the lake. However, Indiana had taken 10 miles of Lake Michigan shoreline when it became a state in 1816.

Why couldn't Illinois do the same in 1818?

But Pope wanted Illinois to have even more shoreline, at least 30 miles and perhaps 60 miles. In the end, the bill set the northern boundary as 42 degrees, 30 minutes, which is about 60 miles north of the southern tip of the lake.

*[Nathaniel] Pope wanted Illinois to control the waterway between the lake and the Mississippi.*

Pope wanted that northernmost border because he wanted Illinois to include the lead mines near Galena and the mouth of the Chicago River.

The Galena mines were a great natural resource. Although the settlement at the mouth of the river was still only a trading post, there were already plans to develop a canal linking the Chicago River to the Mississippi,

### LAW AND PUBLIC ISSUES



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creating a route all the way to the Gulf of Mexico. Pope wanted Illinois to control the waterway between the lake and the Mississippi.

When Wisconsin was moving from territorial to statehood status in the 1840s, it complained about Pope's "land grab," but by then it was too late. Fate decreed that future inhabitants of northern Illinois would chant "bear down, Chicago Bears" — not "back the Pack."

The third issue was that of chattel slavery. The Northwest Ordinance of 1787 prohibited slavery in all of the Northwest Territory and the states to be carved from it. Yet it was obvious that there were black slaves, including some classified as "indentured servants," often for life. Some members of Congress doubted whether Illinois was really committed to being slave-free.

This was of great importance because it was already clear that the U.S. Constitution gave advantages to slave states in Congress and the Electoral College. Because slaves were counted as three-fifths of a person for purposes of apportionment of the House of Representatives, slave states had disproportionate power in the House.

Because House membership was a factor in the Electoral College, slave states also had disproportionate power in choosing the president.

In 1816, Congress admitted Indiana as a free state, and 1817 it admitted Mississippi as a slave state. By 1818, it was clear that if Illinois came in as a free state, another state would soon come in as a slave state. In the spring of 1818, Missouri was already agitating for admission as a slave state.

In the end, Alabama was admitted as a slave state in 1819; Maine was admitted as a free state in 1820; and Missouri was admitted as a slave state in 1821.

After the Missouri Compromise, states admitted south of Missouri could have slavery, while states north of that line could not.

The Illinois position on slavery was thus crucial. Many white Illinoisans held slaves although some had qualms about the institution. But Illinois had to claim it was a free soil state, and it did.

On April 14, 1818, Congress passed the enabling act for admission ((15th Congress, First Session, Chapter 67). On April 18, 1818, President James Monroe signed his approval.

How would Illinoisans proceed under the enabling act? The answer to that question is in the next column of this series.

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