

**MANUAL OF THE
CONSTITUTIONAL
CONVENTION OF
MICHIGAN. 1907**

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1907.



LANSING
WYNKOOP HALLENBECK CRAWFORD CO.,
STATE PRINTERS

AN ACT

To provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of nineteen hundred seven; and prescribing the duties of the State Librarian appertaining thereto.

The People of the State of Michigan enact:

Section 1. The State Librarian shall cause to be prepared and published twelve hundred fifty copies of a manual to be known as the "Manual of the Constitutional Convention of Michigan of nineteen hundred seven," to be distributed by said State Librarian to the persons and officers hereinafter named, as follows: Two copies to each delegate elected or appointed to said convention; one copy to each of the officers and employes of said convention; one copy to each of the members of the present legislature.

Section 2. The number of copies remaining after the distribution, as above provided for, shall remain in the custody of the State Librarian for the purpose of preservation, distribution and exchange.

Section 3. All work to be performed in the preparation and publication of the said manual shall be under the direction and supervision of the State Librarian, and the printing and binding and plates necessary for the publication of said manual shall be furnished by the Board of State Auditors as part of the printing and binding for the state.

PREFACE.

This volume is designed to perpetuate the Constitutional Convention of nineteen hundred seven in the memories not only of the contemporaries of its members, but in the minds of those who shall come afterward. It is given to but few men to participate in writing the basic law of a state, and, in view of the history of previous revisions of the constitution of this State, to but fewer to have a part in drafting a fundamental law meeting with the approval of the people whom it is designed to govern.

The Convention met at Lansing in Representative Hall on October twenty-second, nineteen hundred seven, the Legislatures of nineteen hundred five and nineteen hundred seven having taken the necessary steps to provide for its assembling, the former by submitting to the electors of the State the question of whether a convention should be called and that question having been affirmatively decided, the latter by enacting a law convening the assemblage and providing for its organization.

It has been freely conceded that no more able, fair minded or conscientious body ever met within the state to consider questions involving the common weal. Problems intricate in character presented themselves for solution. In nearly sixty years the population of the State had increased from a number no larger than that of Detroit today to two and a half million people. Its wealth had multiplied many times, its interests expanded in every direction and its duties and responsibilities as a governmental organization largely increased. It was necessary to reconstruct the constitution to meet the needs of the times and to prepare in some degree for the demands of the future. The convention early determined that it would be unwise to attempt to write an entirely new instrument and decided to re-draft the constitution of 1850, preserving in the main the form and essential parts of the original document, but adding necessary provisions and omitting those obsolete. How well it performed its work may be inferred from the expression of popular ap-

proval when the result of its labors was submitted to the people for ratification.

It is eminently fitting that the Legislature of nineteen hundred nine should acknowledge the importance and worth of the work of the Convention for which its predecessors had arranged by providing for the publication of this manual.



STEVENS T. MASON,
1835-1840.



JOHN S. BARRY,
1842-1846, 1850-1852



HENRY H. CRAFO,
1805-1868.



JOHN J. BAGLEY,
1873-1876.



FRED M. WARNER,
1905-1909.





CONVENTION OF 1835.

An act to enable the people of Michigan to form a constitution and state government.

Whereas, it is ordained and declared, in and by the ordinance for the government of the territory of the United States northwest of the River Ohio, passed by Congress on the 13th day of July, 1787, that certain articles therein contained shall be considered as articles of compact between the original states and the people and states in the said territory, and forever remain unalterable, unless by common consent; and

Whereas, it is stipulated in and by the 5th of the said articles of compact, that there shall be formed in the said territory, not less than three nor more than five states; and that "the boundaries of the three states shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan:" and

Whereas, it is stipulated in said article that the said three states shall be bounded on the north either by the territorial line between the United States and Canada, or the said east and west lines; and

Whereas, Congress has not admitted the said three states into the Union, according to the boundaries mentioned in the said article; and

Whereas, it is provided in and by an act of Congress, entitled "An act to divide the Indiana territory into two separate governments," approved January 11th, 1805, as follows, to wit:

"Section 1. That all that part of the Indiana territory which lies north of a line drawn east from the southerly bend or extreme of Lake Michigan, until it shall intersect Lake Erie, and east of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, shall for the purposes of temporary government constitute a separate territory, and be called Michigan."