

strenuously objected, giving good reasons therefor, and were allowed to remain. The strong opposition to this policy of Great Britain led to its change, and to such a course as to gain the attachment of the French population. In December, 1773, influential citizens of Quebec petitioned the king for an extension of the boundary lines of that province, which was granted, and Parliament passed an act on June 2, 1774, extending the boundary so as to include the territory lying within the present States of Ohio, Indiana, Illinois and Michigan.

In consequence of the liberal policy pursued by the British Government toward the French settlers in the West, they were disposed to favor that nation in the war which soon followed with the colonies; but the early alliance between France and America soon brought them to the side of the war for independence.

In 1774, Gov. Dunmore, of Virginia, began to encourage emigration to the Western lands. He appointed magistrates at Fort Pitt under the pretense that the fort was under the government of that commonwealth. One of these justices, John Connelly, who possessed a tract of land in the Ohio Valley, gathered a force of men and garrisoned the fort, calling it Fort Dunmore. This and other parties were formed to select sites for settlements, and often came in conflict with the Indians, who yet claimed portions of the valley, and several battles followed. These ended in the famous battle of Kanawha in July, where the Indians were defeated and driven across the Ohio.

During the years 1775 and 1776, by the operations of land companies and the perseverance of individuals, several settlements were firmly established between the Alleghanies and the Ohio River, and western land speculators were busy in Illinois and on the Wabash. At a council held in Kaskaskia on July 5, 1773, an association of English traders, calling themselves the "Illinois Land Company," obtained from ten chiefs of the Kaskaskia, Cahokia and Peoria tribes two large tracts of land lying on the east side of the Mississippi River south of the Illinois. In 1775, a merchant from the Illinois Country, named Viviat, came to Post Vincennes as the agent of the association called the "Wabash Land Company." On the 8th of October he obtained from eleven Piankeshaw chiefs, a deed for 37,497,600 acres of land. This deed was signed by the grantors, attested by a number of the inhabitants of Vincennes, and afterward recorded in the office of a notary public at Kaskaskia. This and other land companies had extensive schemes for the colonization of the West; but all were frustrated by the breaking out of the Revolution. On the 20th of April, 1780, the two companies named consolidated under the name of the "United Illinois and Wabash Land Company." They afterward made

strenuous efforts to have these grants sanctioned by Congress, but all signally failed.

When the War of the Revolution commenced, Kentucky was an unorganized country, though there were several settlements within her borders.

In Hutchins' Topography of Virginia, it is stated that at that time "Kaskaskia contained 80 houses, and nearly 1,000 white and black inhabitants—the whites being a little the more numerous. Cahokia contains 50 houses and 300 white inhabitants, and 80 negroes. There were east of the Mississippi River, about the year 1771"—when these observations were made—"300 white men capable of bearing arms, and 230 negroes."

From 1775 until the expedition of Clark, nothing is recorded and nothing known of these settlements, save what is contained in a report made by a committee to Congress in June, 1778. From it the following extract is made :

"Near the mouth of the River Kaskaskia, there is a village which appears to have contained nearly eighty families from the beginning of the late revolution. There are twelve families in a small village at la Prairie du Rochers, and near fifty families at the Kahokia Village. There are also four or five families at Fort Chartres and St. Philips, which is five miles further up the river."

St. Louis had been settled in February, 1764, and at this time contained, including its neighboring towns, over six hundred whites and one hundred and fifty negroes. It must be remembered that all the country west of the Mississippi was now under French rule, and remained so until ceded again to Spain, its original owner, who afterwards sold it and the country including New Orleans to the United States. At Detroit there were, according to Capt. Carver, who was in the Northwest from 1766 to 1768, more than one hundred houses, and the river was settled for more than twenty miles, although poorly cultivated—the people being engaged in the Indian trade. This old town has a history, which we will here relate.

It is the oldest town in the Northwest, having been founded by Antoine de Lamotte Cadillac, in 1701. It was laid out in the form of an oblong square, of two acres in length, and an acre and a half in width. As described by A. D. Frazer, who first visited it and became a permanent resident of the place, in 1778, it comprised within its limits that space between Mr. Palmer's store (Conant Block) and Capt. Perkins' house (near the Arsenal building), and extended back as far as the public barn, and was bordered in front by the Detroit River. It was surrounded by oak and cedar pickets, about fifteen feet long, set in the ground, and had four gates—east, west, north and south. Over the first three of these

gates were block houses provided with four guns apiece, each a six-pounder. Two six-gun batteries were planted fronting the river and in a parallel direction with the block houses. There were four streets running east and west, the main street being twenty feet wide and the rest fifteen feet, while the four streets crossing these at right angles were from ten to fifteen feet in width.

At the date spoken of by Mr. Frazer, there was no fort within the enclosure, but a citadel on the ground corresponding to the present northwest corner of Jefferson Avenue and Wayne Street. The citadel was inclosed by pickets, and within it were erected barracks of wood, two stories high, sufficient to contain ten officers, and also barracks sufficient to contain four hundred men, and a provision store built of brick. The citadel also contained a hospital and guard-house. The old town of Detroit, in 1778, contained about sixty houses, most of them one story, with a few a story and a half in height. They were all of logs, some hewn and some round. There was one building of splendid appearance, called the "King's Palace," two stories high, which stood near the east gate. It was built for Governor Hamilton, the first governor commissioned by the British. There were two guard-houses, one near the west gate and the other near the Government House. Each of the guards consisted of twenty-four men and a subaltern, who mounted regularly every morning between nine and ten o'clock, Each furnished four sentinels, who were relieved every two hours. There was also an officer of the day, who performed strict duty. Each of the gates was shut regularly at sunset, even wicket gates were shut at nine o'clock, and all the keys were delivered into the hands of the commanding officer. They were opened in the morning at sunrise. No Indian or squaw was permitted to enter town with any weapon, such as a tomahawk or a knife. It was a standing order that the Indians should deliver their arms and instruments of every kind before they were permitted to pass the sentinel, and they were restored to them on their return. No more than twenty-five Indians were allowed to enter the town at any one time, and they were admitted only at the east and west gates. At sundown the drums beat, and all the Indians were required to leave town instantly. There was a council house near the water side for the purpose of holding council with the Indians. The population of the town was about sixty families, in all about two hundred males and one hundred females. This town was destroyed by fire, all except one dwelling, in 1805. After which the present "new" town was laid out.

On the breaking out of the Revolution, the British held every post of importance in the West. Kentucky was formed as a component part of Virginia, and the sturdy pioneers of the West, alive to their interests,

and recognizing the great benefits of obtaining the control of the trade in this part of the New World, held steadily to their purposes, and those within the commonwealth of Kentucky proceeded to exercise their civil privileges, by electing John Todd and Richard Gallaway, burgesses to represent them in the Assembly of the parent state. Early in September of that year (1777) the first court was held in Harrodsburg, and Col. Bowman, afterwards major, who had arrived in August, was made the commander of a militia organization which had been commenced the March previous. Thus the tree of loyalty was growing. The chief spirit in this far-out colony, who had represented her the year previous east of the mountains, was now meditating a move unequalled in its boldness. He had been watching the movements of the British throughout the Northwest, and understood their whole plan. He saw it was through their possession of the posts at Detroit, Vincennes, Kaskaskia, and other places, which would give them constant and easy access to the various Indian tribes in the Northwest, that the British intended to penetrate the country from the north and south, and annihilate the frontier fortresses. This moving, energetic man was Colonel, afterwards General, George Rogers Clark. He knew the Indians were not unanimously in accord with the English, and he was convinced that, could the British be defeated and expelled from the Northwest, the natives might be easily awed into neutrality; and by spies sent for the purpose, he satisfied himself that the enterprise against the Illinois settlements might easily succeed. Having convinced himself of the certainty of the project, he repaired to the Capital of Virginia, which place he reached on November 5th. While he was on his way, fortunately, on October 17th, Burgoyne had been defeated, and the spirits of the colonists greatly encouraged thereby. Patrick Henry was Governor of Virginia, and at once entered heartily into Clark's plans. The same plan had before been agitated in the Colonial Assemblies, but there was no one until Clark came who was sufficiently acquainted with the condition of affairs at the scene of action to be able to guide them.

Clark, having satisfied the Virginia leaders of the feasibility of his plan, received, on the 2d of January, two sets of instructions—one secret, the other open—the latter authorized him to proceed to enlist seven companies to go to Kentucky, subject to his orders, and to serve three months from their arrival in the West. The secret order authorized him to arm these troops, to procure his powder and lead of General Hand at Pittsburgh, and to proceed at once to subjugate the country.

With these instructions Clark repaired to Pittsburgh, choosing rather to raise his men west of the mountains, as he well knew all were needed in the colonies in the conflict there. He sent Col. W. B. Smith to Hol-

ston for the same purpose, but neither succeeded in raising the required number of men. The settlers in these parts were afraid to leave their own firesides exposed to a vigilant foe, and but few could be induced to join the proposed expedition. With three companies and several private volunteers, Clark at length commenced his descent of the Ohio, which he navigated as far as the Falls, where he took possession of and fortified Corn Island, a small island between the present Cities of Louisville, Kentucky, and New Albany, Indiana. Remains of this fortification may yet be found. At this place he appointed Col. Bowman to meet him with such recruits as had reached Kentucky by the southern route, and as many as could be spared from the station. Here he announced to the men their real destination. Having completed his arrangements, and chosen his party, he left a small garrison upon the island, and on the 24th of June, during a total eclipse of the sun, which to them augured no good, and which fixes beyond dispute the date of starting, he with his chosen band, fell down the river. His plan was to go by water as far as Fort Massac or Massacre, and thence march direct to Kaskaskia. Here he intended to surprise the garrison, and after its capture go to Cahokia, then to Vincennes, and lastly to Detroit. Should he fail, he intended to march directly to the Mississippi River and cross it into the Spanish country. Before his start he received two good items of information: one that the alliance had been formed between France and the United States; and the other that the Indians throughout the Illinois country and the inhabitants, at the various frontier posts, had been led to believe by the British that the "Long Knives" or Virginians, were the most fierce, bloodthirsty and cruel savages that ever scalped a foe. With this impression on their minds, Clark saw that proper management would cause them to submit at once from fear, if surprised, and then from gratitude would become friendly if treated with unexpected leniency.

The march to Kaskaskia was accomplished through a hot July sun, and the town reached on the evening of July 4. He captured the fort near the village, and soon after the village itself by surprise, and without the loss of a single man or by killing any of the enemy. After sufficiently working upon the fears of the natives, Clark told them they were at perfect liberty to worship as they pleased, and to take whichever side of the great conflict they would, also he would protect them from any barbarity from British or Indian foe. This had the desired effect, and the inhabitants, so unexpectedly and so gratefully surprised by the unlooked for turn of affairs, at once swore allegiance to the American arms, and when Clark desired to go to Cahokia on the 6th of July, they accompanied him, and through their influence the inhabitants of the place surrendered, and gladly placed themselves under his protection. Thus

the two important posts in Illinois passed from the hands of the English into the possession of Virginia.

In the person of the priest at Kaskaskia, M. Gibault, Clark found a powerful ally and generous friend. Clark saw that, to retain possession of the Northwest and treat successfully with the Indians within its boundaries, he must establish a government for the colonies he had taken. St. Vincent, the next important post to Detroit, remained yet to be taken before the Mississippi Valley was conquered. M. Gibault told him that he would alone, by persuasion, lead Vincennes to throw off its connection with England. Clark gladly accepted his offer, and on the 14th of July, in company with a fellow-townsmen, M. Gibault started on his mission of peace, and on the 1st of August returned with the cheerful intelligence that the post on the "Oubache" had taken the oath of allegiance to the Old Dominion. During this interval, Clark established his courts, placed garrisons at Kaskaskia and Cahokia, successfully re-enlisted his men, sent word to have a fort, which proved the germ of Louisville, erected at the Falls of the Ohio, and dispatched Mr. Rocheblave, who had been commander at Kaskaskia, as a prisoner of war to Richmond. In October the County of Illinois was established by the Legislature of Virginia, John Todd appointed Lieutenant Colonel and Civil Governor, and in November General Clark and his men received the thanks of the Old Dominion through their Legislature.

In a speech a few days afterward, Clark made known fully to the natives his plans, and at its close all came forward and swore allegiance to the Long Knives. While he was doing this Governor Hamilton, having made his various arrangements, had left Detroit and moved down the Wabash to Vincennes intending to operate from that point in reducing the Illinois posts, and then proceed on down to Kentucky and drive the rebels from the West. Gen. Clark had, on the return of M. Gibault, dispatched Captain Helm, of Fauquier County, Virginia, with an attendant named Henry, across the Illinois prairies to command the fort. Hamilton knew nothing of the capitulation of the post, and was greatly surprised on his arrival to be confronted by Capt. Helm, who, standing at the entrance of the fort by a loaded cannon ready to fire upon his assailants, demanded upon what terms Hamilton demanded possession of the fort. Being granted the rights of a prisoner of war, he surrendered to the British General, who could scarcely believe his eyes when he saw the force in the garrison.

Hamilton, not realizing the character of the men with whom he was contending, gave up his intended campaign for the Winter, sent his four hundred Indian warriors to prevent troops from coming down the Ohio,

and to annoy the Americans in all ways, and sat quietly down to pass the Winter. Information of all these proceedings having reached Clark, he saw that immediate and decisive action was necessary, and that unless he captured Hamilton, Hamilton would capture him. Clark received the news on the 29th of January, 1779, and on February 4th, having sufficiently garrisoned Kaskaskia and Cahokia, he sent down the Mississippi a "battoe," as Major Bowman writes it, in order to ascend the Ohio and Wabash, and operate with the land forces gathering for the fray.

On the next day, Clark, with his little force of one hundred and twenty men, set out for the post, and after incredible hard marching through much mud, the ground being thawed by the incessant spring rains, on the 22d reached the fort, and being joined by his "battoe," at once commenced the attack on the post. The aim of the American backwoodsman was unerring, and on the 24th the garrison surrendered to the intrepid boldness of Clark. The French were treated with great kindness, and gladly renewed their allegiance to Virginia. Hamilton was sent as a prisoner to Virginia, where he was kept in close confinement. During his command of the British frontier posts, he had offered prizes to the Indians for all the scalps of Americans they would bring to him, and had earned in consequence thereof the title "Hair-buyer General," by which he was ever afterward known.

Detroit was now without doubt within easy reach of the enterprising Virginian, could he but raise the necessary force. Governor Henry being apprised of this, promised him the needed reinforcement, and Clark concluded to wait until he could capture and sufficiently garrison the posts. Had Clark failed in this bold undertaking, and Hamilton succeeded in uniting the western Indians for the next Spring's campaign, the West would indeed have been swept from the Mississippi to the Allegheny Mountains, and the great blow struck, which had been contemplated from the commencement, by the British.

"But for this small army of dripping, but fearless Virginians, the union of all the tribes from Georgia to Maine against the colonies might have been effected, and the whole current of our history changed."

At this time some fears were entertained by the Colonial Governments that the Indians in the North and Northwest were inclining to the British, and under the instructions of Washington, now Commander-in-Chief of the Colonial army, and so bravely fighting for American independence, armed forces were sent against the Six Nations, and upon the Ohio frontier, Col. Bowman, acting under the same general's orders, marched against Indians within the present limits of that State. These expeditions were in the main successful, and the Indians were compelled to sue for peace.

During this same year (1779) the famous "Land Laws" of Virginia were passed. The passage of these laws was of more consequence to the pioneers of Kentucky and the Northwest than the gaining of a few Indian conflicts. These laws confirmed in main all grants made, and guaranteed to all actual settlers their rights and privileges. After providing for the settlers, the laws provided for selling the balance of the public lands at forty cents per acre. To carry the Land Laws into effect, the Legislature sent four Virginians westward to attend to the various claims, over many of which great confusion prevailed concerning their validity. These gentlemen opened their court on October 13, 1779, at St. Asaphs, and continued until April 26, 1780, when they adjourned, having decided three thousand claims. They were succeeded by the surveyor, who came in the person of Mr. George May, and assumed his duties on the 10th day of the month whose name he bore. With the opening of the next year (1780) the troubles concerning the navigation of the Mississippi commenced. The Spanish Government exacted such measures in relation to its trade as to cause the overtures made to the United States to be rejected. The American Government considered they had a right to navigate its channel. To enforce their claims, a fort was erected below the mouth of the Ohio on the Kentucky side of the river. The settlements in Kentucky were being rapidly filled by emigrants. It was during this year that the first seminary of learning was established in the West in this young and enterprising Commonwealth.

The settlers here did not look upon the building of this fort in a friendly manner, as it aroused the hostility of the Indians. Spain had been friendly to the Colonies during their struggle for independence, and though for a while this friendship appeared in danger from the refusal of the free navigation of the river, yet it was finally settled to the satisfaction of both nations.

The Winter of 1779-80 was one of the most unusually severe ones ever experienced in the West. The Indians always referred to it as the "Great Cold." Numbers of wild animals perished, and not a few pioneers lost their lives. The following Summer a party of Canadians and Indians attacked St. Louis, and attempted to take possession of it in consequence of the friendly disposition of Spain to the revolting colonies. They met with such a determined resistance on the part of the inhabitants, even the women taking part in the battle, that they were compelled to abandon the contest. They also made an attack on the settlements in Kentucky, but, becoming alarmed in some unaccountable manner, they fled the country in great haste.

About this time arose the question in the Colonial Congress concerning the western lands claimed by Virginia, New York, Massachusetts

and Connecticut. The agitation concerning this subject finally led New York, on the 19th of February, 1780, to pass a law giving to the delegates of that State in Congress the power to cede her western lands for the benefit of the United States. This law was laid before Congress during the next month, but no steps were taken concerning it until September 6th, when a resolution passed that body calling upon the States claiming western lands to release their claims in favor of the whole body. This basis formed the union, and was the first after all of those legislative measures which resulted in the creation of the States of Ohio, Indiana, Illinois, Michigan, Wisconsin and Minnesota. In December of the same year, the plan of conquering Detroit again arose. The conquest might have easily been effected by Clark had the necessary aid been furnished him. Nothing decisive was done, yet the heads of the Government knew that the safety of the Northwest from British invasion lay in the capture and retention of that important post, the only unconquered one in the territory.

Before the close of the year, Kentucky was divided into the Counties of Lincoln, Fayette and Jefferson, and the act establishing the Town of Louisville was passed. This same year is also noted in the annals of American history as the year in which occurred Arnold's treason to the United States.

Virginia, in accordance with the resolution of Congress, on the 2d day of January, 1781, agreed to yield her western lands to the United States upon certain conditions, which Congress would not accede to, and the Act of Cession, on the part of the Old Dominion, failed, nor was anything farther done until 1783. During all that time the Colonies were busily engaged in the struggle with the mother country, and in consequence thereof but little heed was given to the western settlements. Upon the 4th of July, 1773, the first birth north of the Ohio River of American parentage occurred, being that of John L. Roth, son of John Roth, one of the Moravian missionaries, whose band of Christian Indians suffered in after years a horrible massacre by the hands of the frontier settlers, who had been exasperated by the murder of several of their neighbors, and in their rage committed, without regard to humanity, a deed which forever afterward cast a shade of shame upon their lives. For this and kindred outrages on the part of the whites, the Indians committed many deeds of cruelty which darken the years of 1771 and 1772 in the history of the Northwest.

During the year 1782 a number of battles among the Indians and frontiersmen occurred, and between the Moravian Indians and the Wyandots. In these, horrible acts of cruelty were practised on the captives, many of such dark deeds transpiring under the leadership of the notorious

frontier outlaw, Simon Girty, whose name, as well as those of his brothers, was a terror to women and children. These occurred chiefly in the Ohio valleys. Cotemporary with them were several engagements in Kentucky, in which the famous Daniel Boone engaged, and who, often by his skill and knowledge of Indian warfare, saved the outposts from cruel destruc-



INDIANS ATTACKING FRONTIERSMEN.

tion. By the close of the year victory had perched upon the American banner, and on the 30th of November, provisional articles of peace had been arranged between the Commissioners of England and her unconquerable colonies. Cornwallis had been defeated on the 19th of October preceding, and the liberty of America was assured. On the 19th of April following, the anniversary of the battle of Lexington, peace was

proclaimed to the army of the United States, and on the 3d of the next September, the definite treaty which ended our revolutionary struggle was concluded. By the terms of that treaty, the boundaries of the West were as follows: On the north the line was to extend along the center of the Great Lakes; from the western point of Lake Superior to Long Lake; thence to the Lake of the Woods; thence to the head of the Mississippi River; down its center to the 31st parallel of latitude, then on that line east to the head of the Appalachian River; down its center to its junction with the Flint; thence straight to the head of St. Mary's River, and thence down along its center to the Atlantic Ocean.

Following the cessation of hostilities with England, several posts were still occupied by the British in the North and West. Among these was Detroit, still in the hands of the enemy. Numerous engagements with the Indians throughout Ohio and Indiana occurred, upon whose lands adventurous whites would settle ere the title had been acquired by the proper treaty.

To remedy this latter evil, Congress appointed commissioners to treat with the natives and purchase their lands, and prohibited the settlement of the territory until this could be done. Before the close of the year another attempt was made to capture Detroit, which was, however, not pushed, and Virginia, no longer feeling the interest in the Northwest she had formerly done, withdrew her troops, having on the 20th of December preceding authorized the whole of her possessions to be deeded to the United States. This was done on the 1st of March following, and the Northwest Territory passed from the control of the Old Dominion. To Gen. Clark and his soldiers, however, she gave a tract of one hundred and fifty thousand acres of land, to be situated any where north of the Ohio wherever they chose to locate them. They selected the region opposite the falls of the Ohio, where is now the dilapidated village of Clarksville, about midway between the Cities of New Albany and Jeffersonville, Indiana.

While the frontier remained thus, and Gen. Haldimand at Detroit refused to evacuate alleging that he had no orders from his King to do so, settlers were rapidly gathering about the inland forts. In the Spring of 1784, Pittsburgh was regularly laid out, and from the journal of Arthur Lee, who passed through the town soon after on his way to the Indian council at Fort McIntosh, we suppose it was not very prepossessing in appearance. He says:

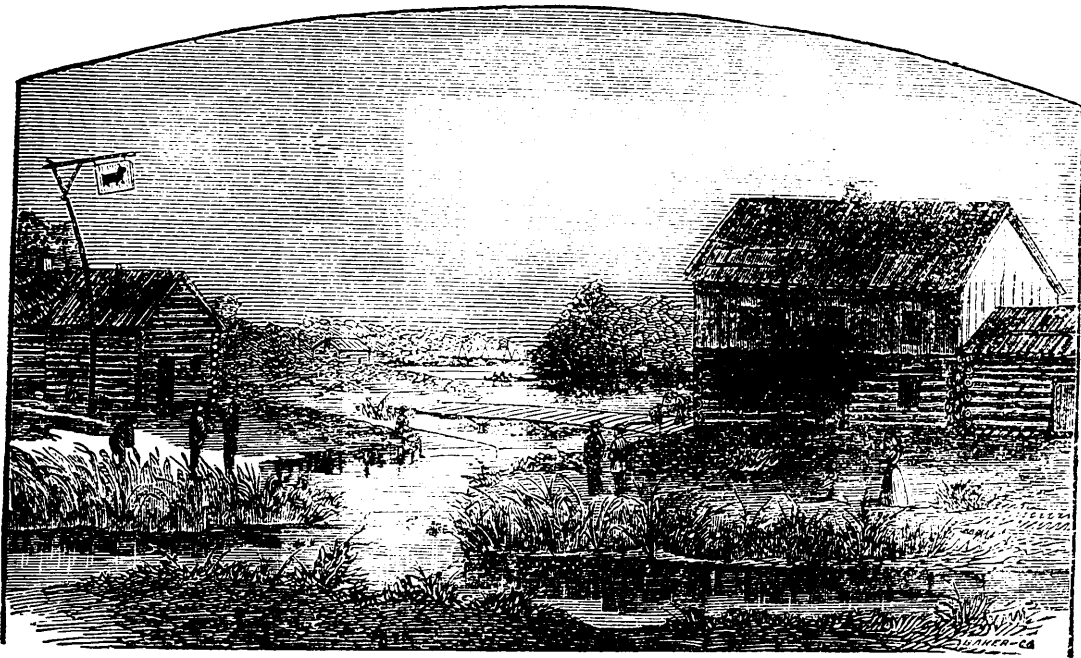
“Pittsburgh is inhabited almost entirely by Scots and Irish, who live in paltry log houses, and are as dirty as if in the north of Ireland or even Scotland. There is a great deal of trade carried on, the goods being bought at the vast expense of forty-five shillings per pound from Phila-

delphia and Baltimore. They take in the shops flour, wheat, skins and money. There are in the town four attorneys, two doctors, and not a priest of any persuasion, nor church nor chapel."

Kentucky at this time contained thirty thousand inhabitants, and was beginning to discuss measures for a separation from Virginia. A land office was opened at Louisville, and measures were adopted to take defensive precaution against the Indians who were yet, in some instances, incited to deeds of violence by the British. Before the close of this year, 1784, the military claimants of land began to occupy them, although no entries were recorded until 1787.

The Indian title to the Northwest was not yet extinguished. They held large tracts of lands, and in order to prevent bloodshed Congress adopted means for treaties with the original owners and provided for the surveys of the lands gained thereby, as well as for those north of the Ohio, now in its possession. On January 31, 1786, a treaty was made with the Wabash Indians. The treaty of Fort Stanwix had been made in 1784. That at Fort McIntosh in 1785, and through these much land was gained. The Wabash Indians, however, afterward refused to comply with the provisions of the treaty made with them, and in order to compel their adherence to its provisions, force was used. During the year 1786, the free navigation of the Mississippi came up in Congress, and caused various discussions, which resulted in no definite action, only serving to excite speculation in regard to the western lands. Congress had promised bounties of land to the soldiers of the Revolution, but owing to the unsettled condition of affairs along the Mississippi respecting its navigation, and the trade of the Northwest, that body had, in 1783, declared its inability to fulfill these promises until a treaty could be concluded between the two Governments. Before the close of the year 1786, however, it was able, through the treaties with the Indians, to allow some grants and the settlement thereon, and on the 14th of September Connecticut ceded to the General Government the tract of land known as the "Connecticut Reserve," and before the close of the following year a large tract of land north of the Ohio was sold to a company, who at once took measures to settle it. By the provisions of this grant, the company were to pay the United States one dollar per acre, subject to a deduction of one-third for bad lands and other contingencies. They received 750,000 acres, bounded on the south by the Ohio, on the east by the seventh range of townships, on the west by the sixteenth range, and on the north by a line so drawn as to make the grant complete without the reservations. In addition to this, Congress afterward granted 100,000 acres to actual settlers, and 214,285 acres as army bounties under the resolutions of 1789 and 1790.

While Dr. Cutler, one of the agents of the company, was pressing its claims before Congress, that body was bringing into form an ordinance for the political and social organization of this Territory. When the session was made by Virginia, in 1784, a plan was offered, but rejected. A motion had been made to strike from the proposed plan the prohibition of slavery, which prevailed. The plan was then discussed and altered, and finally passed unanimously, with the exception of South Carolina. By this proposition, the Territory was to have been divided into states.



PRESENT SITE OF LAKE STREET BRIDGE, CHICAGO, IN 1833.

by parallels and meridian lines. This, it was thought, would make ten states, which were to have been named as follows—beginning at the northwest corner and going southwardly: Sylvania, Michigania, Chersonesus, Assenisipia, Metropotamia, Illenoia, Saratoga, Washington, Polypotamia and Pelisipia.

There was a more serious objection to this plan than its category of names,—the boundaries. The root of the difficulty was in the resolution of Congress passed in October, 1780, which fixed the boundaries of the ceded lands to be from one hundred to one hundred and fifty miles

square. These resolutions being presented to the Legislatures of Virginia and Massachusetts, they desired a change, and in July, 1786, the subject was taken up in Congress, and changed to favor a division into not more than five states, and not less than three. This was approved by the State Legislature of Virginia. The subject of the Government was again taken up by Congress in 1786, and discussed throughout that year and until July, 1787, when the famous "Compact of 1787" was passed, and the foundation of the government of the Northwest laid. This compact is fully discussed and explained in the history of Illinois in this book, and to it the reader is referred.

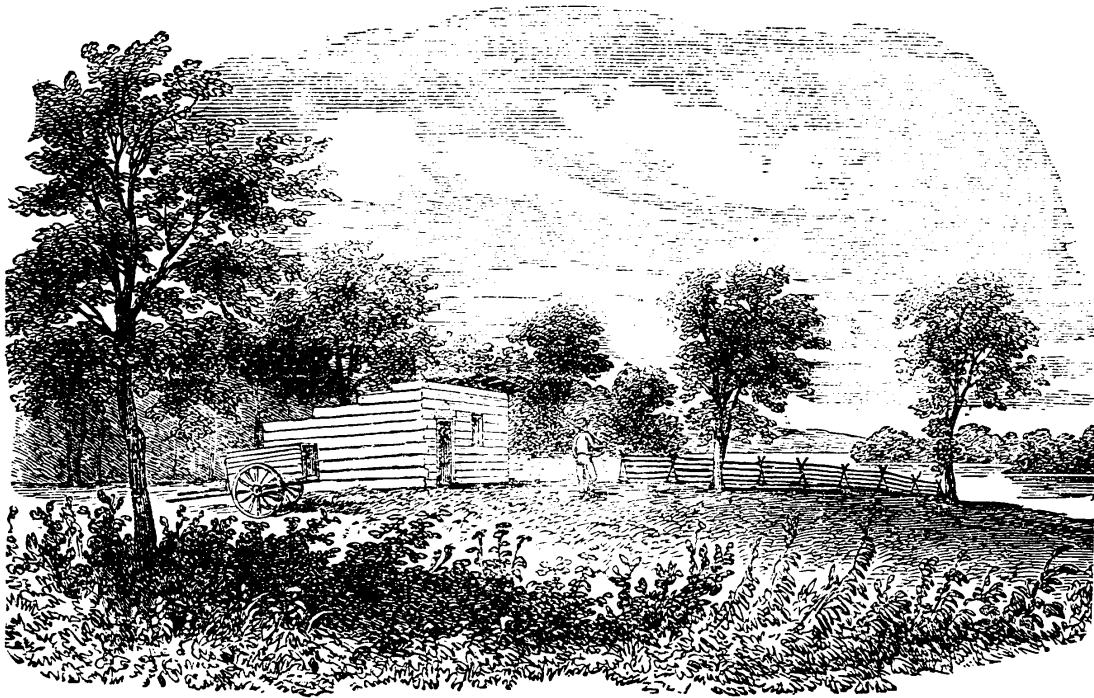
The passage of this act and the grant to the New England Company was soon followed by an application to the Government by John Cleves Symmes, of New Jersey, for a grant of the land between the Miamis. This gentleman had visited these lands soon after the treaty of 1786, and, being greatly pleased with them, offered similar terms to those given to the New England Company. The petition was referred to the Treasury Board with power to act, and a contract was concluded the following year. During the Autumn the directors of the New England Company were preparing to occupy their grant the following Spring, and upon the 23d of November made arrangements for a party of forty-seven men, under the superintendency of Gen. Rufus Putnam, to set forward. Six boat-builders were to leave at once, and on the first of January the surveyors and their assistants, twenty-six in number, were to meet at Hartford and proceed on their journey westward; the remainder to follow as soon as possible. Congress, in the meantime, upon the 3d of October, had ordered seven hundred troops for defense of the western settlers, and to prevent unauthorized intrusions; and two days later appointed Arthur St. Clair Governor of the Territory of the Northwest.

AMERICAN SETTLEMENTS.

The civil organization of the Northwest Territory was now complete, and notwithstanding the uncertainty of Indian affairs, settlers from the East began to come into the country rapidly. The New England Company sent their men during the Winter of 1787-8 pressing on over the Alleghenies by the old Indian path which had been opened into Braddock's road, and which has since been made a national turnpike from Cumberland westward. Through the weary winter days they toiled on, and by April were all gathered on the Yohiogany, where boats had been built, and at once started for the Muskingum. Here they arrived on the 7th of that month, and unless the Moravian missionaries be regarded as the pioneers of Ohio, this little band can justly claim that honor.

Gen. St. Clair, the appointed Governor of the Northwest, not having yet arrived, a set of laws were passed, written out, and published by being nailed to a tree in the embryo town, and Jonathan Meigs appointed to administer them.

Washington in writing of this, the first American settlement in the Northwest, said: "No colony in America was ever settled under such favorable auspices as that which has just commenced at Muskingum. Information, property and strength will be its characteristics. I know many of its settlers personally, and there never were men better calculated to promote the welfare of such a community."



A PIONEER DWELLING.

On the 2d of July a meeting of the directors and agents was held on the banks of the Muskingum, "for the purpose of naming the new-born city and its squares." As yet the settlement was known as the "Muskingum," but that was now changed to the name Marietta, in honor of Marie Antoinette. The square upon which the block-houses stood was called "*Campus Martius*;" square number 19, "*Capitolium*;" square number 61, "*Cecilia*;" and the great road through the covert way, "*Sacra Via*." Two days after, an oration was delivered by James M. Varnum, who with S. H. Parsons and John Armstrong had been appointed to the judicial bench of the territory on the 16th of October, 1787. On July 9, Gov. St. Clair arrived, and the colony began to assume form. The act of 1787 provided two district grades of government for the Northwest,

under the first of which the whole power was invested in the hands of a governor and three district judges. This was immediately formed upon the Governor's arrival, and the first laws of the colony passed on the 25th of July. These provided for the organization of the militia, and on the next day appeared the Governor's proclamation, erecting all that country that had been ceded by the Indians east of the Scioto River, into the County of Washington. From that time forward, notwithstanding the doubts yet existing as to the Indians, all Marietta prospered, and on the 2d of September the first court of the territory was held with imposing ceremonies.

The emigration westward at this time was very great. The commander at Fort Harmer, at the mouth of the Muskingum, reported four thousand five hundred persons as having passed that post between February and June, 1788—many of whom would have purchased of the "Associates," as the New England Company was called, had they been ready to receive them.

On the 26th of November, 1787, Symmes issued a pamphlet stating the terms of his contract and the plan of sale he intended to adopt. In January, 1788, Matthias Denman, of New Jersey, took an active interest in Symmes' purchase, and located among other tracts the sections upon which Cincinnati has been built. Retaining one-third of this locality, he sold the other two-thirds to Robert Patterson and John Filson, and the three, about August, commenced to lay out a town on the spot, which was designated as being opposite Licking River, to the mouth of which they proposed to have a road cut from Lexington. The naming of the town is thus narrated in the "Western Annals":—"Mr. Filson, who had been a schoolmaster, was appointed to name the town, and, in respect to its situation, and as if with a prophetic perception of the mixed race that were to inhabit it in after days, he named it Losantiville, which, being interpreted, means: *ville*, the town; *anti*, against or opposite to; *os*, the mouth; *L.* of Licking."

Meanwhile, in July, Symmes got thirty persons and eight four-horse teams under way for the West. These reached Limestone (now Maysville) in September, where were several persons from Redstone. Here Mr. Symmes tried to found a settlement, but the great freshet of 1789 caused the "Point," as it was and is yet called, to be fifteen feet under water, and the settlement to be abandoned. The little band of settlers removed to the mouth of the Miami. Before Symmes and his colony left the "Point," two settlements had been made on his purchase. The first was by Mr. Stiltes, the original projector of the whole plan, who, with a colony of Redstone people, had located at the mouth of the Miami, whither Symmes went with his Maysville colony. Here a clearing had

been made by the Indians owing to the great fertility of the soil. Mr. Stiltes with his colony came to this place on the 18th of November, 1788, with twenty-six persons, and, building a block-house, prepared to remain through the Winter. They named the settlement Columbia. Here they were kindly treated by the Indians, but suffered greatly from the flood of 1789.

On the 4th of March, 1789, the Constitution of the United States went into operation, and on April 30, George Washington was inaugurated President of the American people, and during the next Summer, an Indian war was commenced by the tribes north of the Ohio. The President at first used pacific means; but these failing, he sent General Harmer against the hostile tribes. He destroyed several villages, but



LAKE BLUFF

The frontage of Lake Bluff Grounds on Lake Michigan, with one hundred and seventy feet of gradual ascent.

was defeated in two battles, near the present City of Fort Wayne, Indiana. From this time till the close of 1795, the principal events were the wars with the various Indian tribes. In 1796, General St. Clair was appointed in command, and marched against the Indians; but while he was encamped on a stream, the St. Mary, a branch of the Maumee, he was attacked and defeated with the loss of six hundred men.

General Wayne was now sent against the savages. In August, 1794, he met them near the rapids of the Maumee, and gained a complete victory. This success, followed by vigorous measures, compelled the Indians to sue for peace, and on the 30th of July, the following year, the treaty of Greenville was signed by the principal chiefs, by which a large tract of country was ceded to the United States.

Before proceeding in our narrative, we will pause to notice Fort Washington, erected in the early part of this war on the site of Cincinnati. Nearly all of the great cities of the Northwest, and indeed of the

whole country, have had their *nuclei* in those rude pioneer structures, known as forts or stockades. Thus Forts Dearborn, Washington, Poncechartrain, mark the original sites of the now proud Cities of Chicago, Cincinnati and Detroit. So of most of the flourishing cities east and west of the Mississippi. Fort Washington, erected by Doughty in 1790, was a rude but highly interesting structure. It was composed of a number of strongly-built hewed log cabins. Those designed for soldiers' barracks were a story and a half high, while those composing the officers quarters were more imposing and more conveniently arranged and furnished. The whole were so placed as to form a hollow square, enclosing about an acre of ground, with a block house at each of the four angles.

The logs for the construction of this fort were cut from the ground upon which it was erected. It stood between Third and Fourth Streets of the present city (Cincinnati) extending east of Eastern Row, now Broadway, which was then a narrow alley, and the eastern boundary of of the town as it was originally laid out. On the bank of the river, immediately in front of the fort, was an appendage of the fort, called the Artificer's Yard. It contained about two acres of ground, enclosed by small contiguous buildings, occupied by workshops and quarters of laborers. Within this enclosure there was a large two-story frame house, familiarly called the "Yellow House," built for the accommodation of the Quartermaster General. For many years this was the best finished and most commodious edifice in the Queen City. Fort Washington was for some time the headquarters of both the civil and military governments of the Northwestern Territory.

Following the consummation of the treaty various gigantic land speculations were entered into by different persons, who hoped to obtain from the Indians in Michigan and northern Indiana, large tracts of lands. These were generally discovered in time to prevent the outrageous schemes from being carried out, and from involving the settlers in war. On October 27, 1795, the treaty between the United States and Spain was signed, whereby the free navigation of the Mississippi was secured.

No sooner had the treaty of 1795 been ratified than settlements began to pour rapidly into the West. The great event of the year 1796 was the occupation of that part of the Northwest including Michigan, which was this year, under the provisions of the treaty, evacuated by the British forces. The United States, owing to certain conditions, did not feel justified in addressing the authorities in Canada in relation to Detroit and other frontier posts. When at last the British authorities were called to give them up, they at once complied, and General Wayne, who had done so much to preserve the frontier settlements, and who, before the year's close, sickened and died near Erie, transferred his head-

quarters to the neighborhood of the lakes, where a county named after him was formed, which included the northwest of Ohio, all of Michigan, and the northeast of Indiana. During this same year settlements were formed at the present City of Chillicothe, along the Miami from Middletown to Piqua, while in the more distant West, settlers and speculators began to appear in great numbers. In September, the City of Cleveland was laid out, and during the Summer and Autumn, Samuel Jackson and Jonathan Sharpless erected the first manufactory of paper—the “Redstone Paper Mill”—in the West. St. Louis contained some seventy houses, and Detroit over three hundred, and along the river, contiguous to it, were more than three thousand inhabitants, mostly French Canadians, Indians and half-breeds, scarcely any Americans venturing yet into that part of the Northwest.

The election of representatives for the territory had taken place, and on the 4th of February, 1799, they convened at Losantiville—now known as Cincinnati, having been named so by Gov. St. Clair, and considered the capital of the Territory—to nominate persons from whom the members of the Legislature were to be chosen in accordance with a previous ordinance. This nomination being made, the Assembly adjourned until the 16th of the following September. From those named the President selected as members of the council, Henry Vandenburg, of Vincennes, Robert Oliver, of Marietta, James Findlay and Jacob Burnett, of Cincinnati, and David Vance, of Vanceville. On the 16th of September the Territorial Legislature met, and on the 24th the two houses were duly organized, Henry Vandenburg being elected President of the Council.

The message of Gov. St. Clair was addressed to the Legislature September 20th, and on October 13th that body elected as a delegate to Congress Gen. Wm. Henry Harrison, who received eleven of the votes cast, being a majority of one over his opponent, Arthur St. Clair, son of Gen. St. Clair.

The whole number of acts passed at this session, and approved by the Governor, were thirty-seven—eleven others were passed, but received his veto. The most important of those passed related to the militia, to the administration, and to taxation. On the 19th of December this protracted session of the first Legislature in the West was closed, and on the 30th of December the President nominated Charles Willing Bryd to the office of Secretary of the Territory *vice* Wm. Henry Harrison, elected to Congress. The Senate confirmed his nomination the next day.

DIVISION OF THE NORTHWEST TERRITORY.

The increased emigration to the Northwest, the extent of the domain, and the inconvenient modes of travel, made it very difficult to conduct the ordinary operations of government, and rendered the efficient action of courts almost impossible. To remedy this, it was deemed advisable to divide the territory for civil purposes. Congress, in 1800, appointed a committee to examine the question and report some means for its solution. This committee, on the 3d of March, reported that :

“In the three western countries there has been but one court having cognizance of crimes, in five years, and the immunity which offenders experience attracts, as to an asylum, the most vile and abandoned criminals, and at the same time deters useful citizens from making settlements in such society. The extreme necessity of judiciary attention and assistance is experienced in civil as well as in criminal cases. * * * * To minister a remedy to these and other evils, it occurs to this committee that it is expedient that a division of said territory into two distinct and separate governments should be made ; and that such division be made by a line beginning at the mouth of the Great Miami River, running directly north until it intersects the boundary between the United States and Canada.”

The report was accepted by Congress, and, in accordance with its suggestions, that body passed an Act extinguishing the Northwest Territory, which Act was approved May 7. Among its provisions were these :

“That from and after July 4 next, all that part of the Territory of the United States northwest of the Ohio River, which lies to the westward of a line beginning at a point on the Ohio, opposite to the mouth of the Kentucky River, and running thence to Fort Recovery, and thence north until it shall intersect the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called the Indiana Territory.”

After providing for the exercise of the civil and criminal powers of the territories, and other provisions, the Act further provides :

“That until it shall otherwise be ordered by the Legislatures of the said Territories, respectively, Chillicothe on the Scioto River shall be the seat of government of the Territory of the United States northwest of the Ohio River ; and that St. Vincennes on the Wabash River shall be the seat of government for the Indiana Territory.”

Gen. Wm. Henry Harrison was appointed Governor of the Indiana Territory, and entered upon his duties about a year later. Connecticut also about this time released her claims to the reserve, and in March a law

was passed accepting this cession. Settlements had been made upon thirty-five of the townships in the reserve, mills had been built, and seven hundred miles of road cut in various directions. On the 3d of November the General Assembly met at Chillicothe. Near the close of the year, the first missionary of the Connecticut Reserve came, who found no township containing more than eleven families. It was upon the first of October that the secret treaty had been made between Napoleon and the King of Spain, whereby the latter agreed to cede to France the province of Louisiana.

In January, 1802, the Assembly of the Northwestern Territory chartered the college at Athens. From the earliest dawn of the western colonies, education was promptly provided for, and as early as 1787, newspapers were issued from Pittsburgh and Kentucky, and largely read throughout the frontier settlements. Before the close of this year, the Congress of the United States granted to the citizens of the Northwestern territory the formation of a State government. One of the provisions of the "compact of 1787" provided that whenever the number of inhabitants within prescribed limits exceeded 45,000, they should be entitled to a separate government. The prescribed limits of Ohio contained, from a census taken to ascertain the legality of the act, more than that number, and on the 30th of April, 1802, Congress passed the act defining its limits, and on the 29th of November the Constitution of the new State of Ohio, so named from the beautiful river forming its southern boundary, came into existence. The exact limits of Lake Michigan were not then known, but the territory now included within the State of Michigan was wholly within the territory of Indiana.

Gen. Harrison, while residing at Vincennes, made several treaties with the Indians, thereby gaining large tracts of lands. The next year is memorable in the history of the West for the purchase of Louisiana from France by the United States for \$15,000,000. Thus by a peaceful mode, the domain of the United States was extended over a large tract of country west of the Mississippi, and was for a time under the jurisdiction of the Northwest government, and, as has been mentioned in the early part of this narrative, was called the "New Northwest." The limits of this history will not allow a description of its territory. The same year large grants of land were obtained from the Indians, and the House of Representatives of the new State of Ohio signed a bill respecting the College Township in the district of Cincinnati.

Before the close of the year, Gen. Harrison obtained additional grants of lands from the various Indian nations in Indiana and the present limits of Illinois, and on the 18th of August, 1804, completed a treaty at St. Louis, whereby over 51,000,000 acres of lands were obtained from the

aborigines. Measures were also taken to learn the condition of affairs in and about Detroit.

C. Jouett, the Indian agent in Michigan, still a part of Indiana Territory, reported as follows upon the condition of matters at that post:

“The Town of Detroit.—The charter, which is for fifteen miles square, was granted in the time of Louis XIV. of France, and is now, from the best information I have been able to get, at Quebec. Of those two hundred and twenty-five acres, only four are occupied by the town and Fort Lenault. The remainder is a common, except twenty-four acres, which were added twenty years ago to a farm belonging to Wm. Macomb. * * * A stockade incloses the town, fort and citadel. The pickets, as well as the public houses, are in a state of gradual decay. The streets are narrow, straight and regular, and intersect each other at right angles. The houses are, for the most part, low and inelegant.”

During this year, Congress granted a township of land for the support of a college, and began to offer inducements for settlers in these wilds, and the country now comprising the State of Michigan began to fill rapidly with settlers along its southern borders. This same year, also, a law was passed organizing the Southwest Territory, dividing it into two portions, the Territory of New Orleans, which city was made the seat of government, and the District of Louisiana, which was annexed to the domain of Gen. Harrison.

On the 11th of January, 1805, the Territory of Michigan was formed, Wm. Hull was appointed governor, with headquarters at Detroit, the change to take effect on June 30. On the 11th of that month, a fire occurred at Detroit, which destroyed almost every building in the place. When the officers of the new territory reached the post, they found it in ruins, and the inhabitants scattered throughout the country. Rebuilding, however, soon commenced, and ere long the town contained more houses than before the fire, and many of them much better built.

While this was being done, Indiana had passed to the second grade of government, and through her General Assembly had obtained large tracts of land from the Indian tribes. To all this the celebrated Indian, Tecumthe or Tecumseh, vigorously protested, and it was the main cause of his attempts to unite the various Indian tribes in a conflict with the settlers. To obtain a full account of these attempts, the workings of the British, and the signal failure, culminating in the death of Tecumseh at the battle of the Thames, and the close of the war of 1812 in the Northwest, we will step aside in our story, and relate the principal events of his life, and his connection with this conflict.



TECUMSEH, THE SHAWANOE CHIEFTAIN.

TECUMSEH, AND THE WAR OF 1812.

This famous Indian chief was born about the year 1768, not far from the site of the present city of Springfield, Ohio. His father, Puckeshinwa, was a member of the Kisopok tribe of the Swanoese nation, and his mother, Methontaske, was a member of the Turtle tribe of the same people. They removed from Florida about the middle of the last century to the birthplace of Tecumseh. In 1774, his father, who had risen to be chief, was slain at the battle of Point Pleasant, and not long after Tecumseh, by his bravery, became the leader of his tribe. In 1795 he was declared chief, and then lived at Deer Creek, near the site of the present City of Urbana. He remained here about one year, when he returned to Piqua, and in 1798, he went to White River, Indiana. In 1805, he and his brother, Laulewasikan (Open Door), who had announced himself as a prophet, went to a tract of land on the Wabash River, given them by the Pottawatomies and Kickapoos. From this date the chief comes into prominence. He was now about thirty-seven years of age, was five feet and ten inches in height, was stoutly built, and possessed of enormous powers of endurance. His countenance was naturally pleasing, and he was, in general, devoid of those savage attributes possessed by most Indians. It is stated he could read and write, and had a confidential secretary and adviser, named Billy Caldwell, a half-breed, who afterward became chief of the Pottawatomies. He occupied the first house built on the site of Chicago. At this time, Tecumseh entered upon the great work of his life. He had long objected to the grants of land made by the Indians to the whites, and determined to unite all the Indian tribes into a league, in order that no treaties or grants of land could be made save by the consent of this confederation.

He traveled constantly, going from north to south; from the south to the north, everywhere urging the Indians to this step. He was a matchless orator, and his burning words had their effect.

Gen. Harrison, then Governor of Indiana, by watching the movements of the Indians, became convinced that a grand conspiracy was forming, and made preparations to defend the settlements. Tecumseh's plan was similar to Pontiac's, elsewhere described, and to the cunning artifice of that chieftain was added his own sagacity.

During the year 1809, Tecumseh and the prophet were actively preparing for the work. In that year, Gen. Harrison entered into a treaty with the Delawares, Kickapoos, Pottawatomies, Miamis, Eel River Indians and Weas, in which these tribes ceded to the whites certain lands upon the Wabash, to all of which Tecumseh entered a bitter protest, averring

as one principal reason that he did not want the Indians to give up any lands north and west of the Ohio River.

Tecumseh, in August, 1810, visited the General at Vincennes and held a council relating to the grievances of the Indians. Becoming unduly angry at this conference he was dismissed from the village, and soon after departed to incite the southern Indian tribes to the conflict.

Gen. Harrison determined to move upon the chief's headquarters at Tippecanoe, and for this purpose went about sixty-five miles up the Wabash, where he built Fort Harrison. From this place he went to the prophet's town, where he informed the Indians he had no hostile intentions, provided they were true to the existing treaties. He encamped near the village early in October, and on the morning of November 7, he was attacked by a large force of the Indians, and the famous battle of Tippecanoe occurred. The Indians were routed and their town broken up. Tecumseh returning not long after, was greatly exasperated at his brother, the prophet, even threatening to kill him for rashly precipitating the war, and foiling his (Tecumseh's) plans.

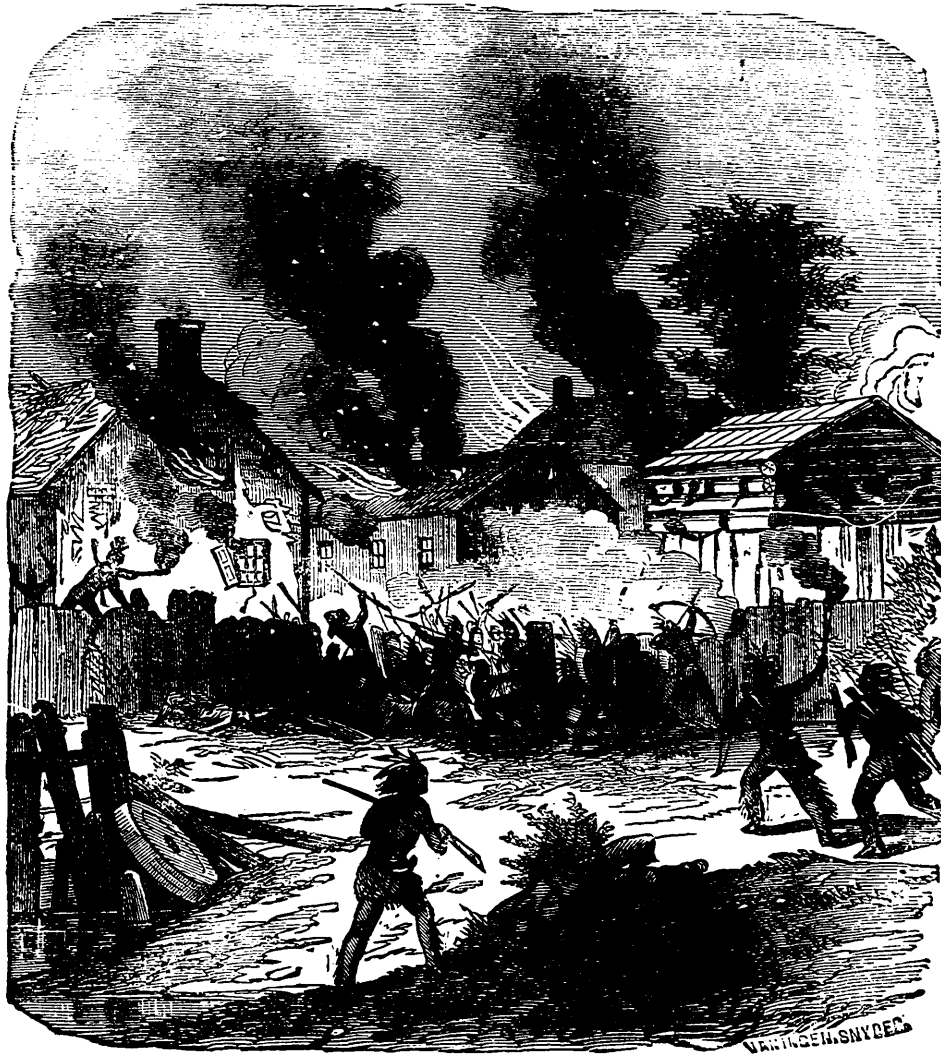
Tecumseh sent word to Gen. Harrison that he was now returned from the South, and was ready to visit the President as had at one time previously been proposed. Gen. Harrison informed him he could not go as a chief, which method Tecumseh desired, and the visit was never made.

In June of the following year, he visited the Indian agent at Fort Wayne. Here he disavowed any intention to make a war against the United States, and reproached Gen. Harrison for marching against his people. The agent replied to this; Tecumseh listened with a cold indifference, and after making a few general remarks, with a haughty air drew his blanket about him, left the council house, and departed for Fort Malden, in Upper Canada, where he joined the British standard.

He remained under this Government, doing effective work for the Crown while engaged in the war of 1812 which now opened. He was, however, always humane in his treatment of the prisoners, never allowing his warriors to ruthlessly mutilate the bodies of those slain, or wantonly murder the captive.

In the Summer of 1813, Perry's victory on Lake Erie occurred, and shortly after active preparations were made to capture Malden. On the 27th of September, the American army, under Gen. Harrison, set sail for the shores of Canada, and in a few hours stood around the ruins of Malden, from which the British army, under Proctor, had retreated to Sandwich, intending to make its way to the heart of Canada by the Valley of the Thames. On the 29th Gen. Harrison was at Sandwich, and Gen. McArthur took possession of Detroit and the territory of Michigan.

On the 2d of October, the Americans began their pursuit of Proctor, whom they overtook on the 5th, and the battle of the Thames followed. Early in the engagement, Tecumseh who was at the head of the column of Indians was slain, and they, no longer hearing the voice of their chief, fled. The victory was decisive, and practically closed the war in the Northwest.



INDIANS ATTACKING A STOCKADE.

Just who killed the great chief has been a matter of much dispute; but the weight of opinion awards the act to Col. Richard M. Johnson, who fired at him with a pistol, the shot proving fatal.

In 1805 occurred Burr's Insurrection. He took possession of a beautiful island in the Ohio, after the killing of Hamilton, and is charged by many with attempting to set up an independent government. His plans were frustrated by the general government, his property confiscated and he was compelled to flee the country for safety.

In January, 1807, Governor Hull, of Michigan Territory, made a treaty with the Indians, whereby all that peninsula was ceded to the United States. Before the close of the year, a stockade was built about Detroit. It was also during this year that Indiana and Illinois endeavored to obtain the repeal of that section of the compact of 1787, whereby slavery was excluded from the Northwest Territory. These attempts, however, all signally failed.

In 1809 it was deemed advisable to divide the Indiana Territory. This was done, and the Territory of Illinois was formed from the western part, the seat of government being fixed at Kaskaskia. The next year, the intentions of Tecumseh manifested themselves in open hostilities, and then began the events already narrated.

While this war was in progress, emigration to the West went on with surprising rapidity. In 1811, under Mr. Roosevelt of New York, the first steamboat trip was made on the Ohio, much to the astonishment of the natives, many of whom fled in terror at the appearance of the "monster." It arrived at Louisville on the 10th day of October. At the close of the first week of January, 1812, it arrived at Natchez, after being nearly overwhelmed in the great earthquake which occurred while on its downward trip.

The battle of the Thames was fought on October 6, 1813. It effectually closed hostilities in the Northwest, although peace was not fully restored until July 22, 1814, when a treaty was formed at Greenville, under the direction of General Harrison, between the United States and the Indian tribes, in which it was stipulated that the Indians should cease hostilities against the Americans if the war were continued. Such, happily, was not the case, and on the 24th of December the treaty of Ghent was signed by the representatives of England and the United States. This treaty was followed the next year by treaties with various Indian tribes throughout the West and Northwest, and quiet was again restored in this part of the new world.

On the 18th of March, 1816, Pittsburgh was incorporated as a city. It then had a population of 8,000 people, and was already noted for its manufacturing interests. On April 19, Indiana Territory was allowed to form a state government. At that time there were thirteen counties organized, containing about sixty-three thousand inhabitants. The first election of state officers was held in August, when Jonathan Jennings was chosen Governor. The officers were sworn in on November 7, and on December 11, the State was formally admitted into the Union. For some time the seat of government was at Corydon, but a more central location being desirable, the present capital, Indianapolis (City of Indiana), was laid out January 1, 1825.

On the 28th of December the Bank of Illinois, at Shawneetown, was chartered, with a capital of \$300,000. At this period all banks were under the control of the States, and were allowed to establish branches at different convenient points.

Until this time Chillicothe and Cincinnati had in turn enjoyed the privileges of being the capital of Ohio. But the rapid settlement of the northern and eastern portions of the State demanded, as in Indiana, a more central location, and before the close of the year, the site of Columbus was selected and surveyed as the future capital of the State. Banking had begun in Ohio as early as 1808, when the first bank was chartered at Marietta, but here as elsewhere it did not bring to the state the hoped-for assistance. It and other banks were subsequently unable to redeem their currency, and were obliged to suspend.

In 1818, Illinois was made a state, and all the territory north of her northern limits was erected into a separate territory and joined to Michigan for judicial purposes. By the following year, navigation of the lakes was increasing with great rapidity and affording an immense source of revenue to the dwellers in the Northwest, but it was not until 1826 that the trade was extended to Lake Michigan, or that steamships began to navigate the bosom of that inland sea.

Until the year 1832, the commencement of the Black Hawk War, but few hostilities were experienced with the Indians. Roads were opened, canals were dug, cities were built, common schools were established, universities were founded, many of which, especially the Michigan University, have achieved a world wide-reputation. The people were becoming wealthy. The domains of the United States had been extended, and had the sons of the forest been treated with honesty and justice, the record of many years would have been that of peace and continuous prosperity.

BLACK HAWK AND THE BLACK HAWK WAR.

This conflict, though confined to Illinois, is an important epoch in the Northwestern history, being the last war with the Indians in this part of the United States.

Ma-ka-tai-me-she-kia-kiah, or Black Hawk, was born in the principal Sac village, about three miles from the junction of Rock River with the Mississippi, in the year 1767. His father's name was Py-e-sa or Pahaes; his grandfather's, Na-na-ma-kee, or the Thunderer. Black Hawk early distinguished himself as a warrior, and at the age of fifteen was permitted to paint and was ranked among the braves. About the year 1783, he went on an expedition against the enemies of his nation, the Osages, one



BLACK HAWK, THE SAC CHIEFTAIN.

of whom he killed and scalped, and for this deed of Indian bravery he was permitted to join in the scalp dance. Three or four years after he, at the head of two hundred braves, went on another expedition against the Osages, to avenge the murder of some women and children belonging to his own tribe. Meeting an equal number of Osage warriors, a fierce battle ensued, in which the latter tribe lost one-half their number. The Sacs lost only about nineteen warriors. He next attacked the Cherokees for a similar cause. In a severe battle with them, near the present City of St. Louis, his father was slain, and Black Hawk, taking possession of the "Medicine Bag," at once announced himself chief of the Sac nation. He had now conquered the Cherokees, and about the year 1800, at the head of five hundred Sacs and Foxes, and a hundred Iowas, he waged war against the Osage nation and subdued it. For two years he battled successfully with other Indian tribes, all of whom he conquered.

Black Hawk does not at any time seem to have been friendly to the Americans. When on a visit to St. Louis to see his "Spanish Father," he declined to see any of the Americans, alleging, as a reason, he did not want *two* fathers.

The treaty at St. Louis was consummated in 1804. The next year the United States Government erected a fort near the head of the Des Moines Rapids, called Fort Edwards. This seemed to enrage Black Hawk, who at once determined to capture Fort Madison, standing on the west side of the Mississippi above the mouth of the Des Moines River. The fort was garrisoned by about fifty men. Here he was defeated. The difficulties with the British Government arose about this time, and the War of 1812 followed. That government, extending aid to the Western Indians, by giving them arms and ammunition, induced them to remain hostile to the Americans. In August, 1812, Black Hawk, at the head of about five hundred braves, started to join the British forces at Detroit, passing on his way the site of Chicago, where the famous Fort Dearborn Massacre had a few days before occurred. Of his connection with the British Government but little is known. In 1813 he with his little band descended the Mississippi, and attacking some United States troops at Fort Howard was defeated.

In the early part of 1815, the Indian tribes west of the Mississippi were notified that peace had been declared between the United States and England, and nearly all hostilities had ceased. Black Hawk did not sign any treaty, however, until May of the following year. He then recognized the validity of the treaty at St. Louis in 1804. From the time of signing this treaty in 1816, until the breaking out of the war in 1832, he and his band passed their time in the common pursuits of Indian life.

Ten years before the commencement of this war, the Sac and Fox

Indians were urged to join the Iowas on the west bank of the Father of Waters. All were agreed, save the band known as the British Band, of which Black Hawk was leader. He strenuously objected to the removal, and was induced to comply only after being threatened with the power of the Government. This and various actions on the part of the white settlers provoked Black Hawk and his band to attempt the capture of his native village now occupied by the whites. The war followed. He and his actions were undoubtedly misunderstood, and had his wishes been acquiesced in at the beginning of the struggle, much bloodshed would have been prevented.

Black Hawk was chief now of the Sac and Fox nations, and a noted warrior. He and his tribe inhabited a village on Rock River, nearly three miles above its confluence with the Mississippi, where the tribe had lived many generations. When that portion of Illinois was reserved to them, they remained in peaceable possession of their reservation, spending their time in the enjoyment of Indian life. The fine situation of their village and the quality of their lands incited the more lawless white settlers, who from time to time began to encroach upon the red men's domain. From one pretext to another, and from one step to another, the crafty white men gained a foothold, until through whisky and artifice they obtained deeds from many of the Indians for their possessions. The Indians were finally induced to cross over the Father of Waters and locate among the Iowas. Black Hawk was strenuously opposed to all this, but as the authorities of Illinois and the United States thought this the best move, he was forced to comply. Moreover other tribes joined the whites and urged the removal. Black Hawk would not agree to the terms of the treaty made with his nation for their lands, and as soon as the military, called to enforce his removal, had retired, he returned to the Illinois side of the river. A large force was at once raised and marched against him. On the evening of May 14, 1832, the first engagement occurred between a band from this army and Black Hawk's band, in which the former were defeated.

This attack and its result aroused the whites. A large force of men was raised, and Gen. Scott hastened from the seaboard, by way of the lakes, with United States troops and artillery to aid in the subjugation of the Indians. On the 24th of June, Black Hawk, with 200 warriors, was repulsed by Major Demont between Rock River and Galena. The American army continued to move up Rock River toward the main body of the Indians, and on the 21st of July came upon Black Hawk and his band, and defeated them near the Blue Mounds.

Before this action, Gen. Henry, in command, sent word to the main army by whom he was immediately rejoined, and the whole crossed the

Wisconsin in pursuit of Black Hawk and his band who were fleeing to the Mississippi. They were overtaken on the 2d of August, and in the battle which followed the power of the Indian chief was completely broken. He fled, but was seized by the Winnebagoes and delivered to the whites.

On the 21st of September, 1832, Gen. Scott and Gov. Reynolds concluded a treaty with the Winnebagoes, Sacs and Foxes by which they ceded to the United States a vast tract of country, and agreed to remain peaceable with the whites. For the faithful performance of the provisions of this treaty on the part of the Indians, it was stipulated that Black Hawk, his two sons, the prophet Wabokieshiek, and six other chiefs of the hostile bands should be retained as hostages during the pleasure of the President. They were confined at Fort Barracks and put in irons.

The next Spring, by order of the Secretary of War, they were taken to Washington. From there they were removed to Fortress Monroe, "there to remain until the conduct of their nation was such as to justify their being set at liberty." They were retained here until the 4th of June, when the authorities directed them to be taken to the principal cities so that they might see the folly of contending against the white people. Everywhere they were observed by thousands, the name of the old chief being extensively known. By the middle of August they reached Fort Armstrong on Rock Island, where Black Hawk was soon after released to go to his countrymen. As he passed the site of his birthplace, now the home of the white man, he was deeply moved. His village where he was born, where he had so happily lived, and where he had hoped to die, was now another's dwelling place, and he was a wanderer.

On the next day after his release, he went at once to his tribe and his lodge. His wife was yet living, and with her he passed the remainder of his days. To his credit it may be said that Black Hawk always remained true to his wife, and served her with a devotion uncommon among the Indians, living with her upward of forty years.

Black Hawk now passed his time hunting and fishing. A deep melancholy had settled over him from which he could not be freed. At all times when he visited the whites he was received with marked attention. He was an honored guest at the old settlers' reunion in Lee County, Illinois, at some of their meetings, and received many tokens of esteem. In September, 1838, while on his way to Rock Island to receive his annuity from the Government, he contracted a severe cold which resulted in a fatal attack of bilious fever which terminated his life on October 3. His faithful wife, who was devotedly attached to him, mourned deeply during his sickness. After his death he was dressed in the uniform presented to him by the President while in Washington. He was buried in a grave six feet in depth, situated upon a beautiful eminence. "The

body was placed in the middle of the grave, in a sitting posture, upon a seat constructed for the purpose. On his left side, the cane, given him by Henry Clay, was placed upright, with his right hand resting upon it. Many of the old warrior's trophies were placed in the grave, and some Indian garments, together with his favorite weapons."

No sooner was the Black Hawk war concluded than settlers began rapidly to pour into the northern parts of Illinois, and into Wisconsin, now free from Indian depredations. Chicago, from a trading post, had grown to a commercial center, and was rapidly coming into prominence. In 1835, the formation of a State Government in Michigan was discussed, but did not take active form until two years later, when the State became a part of the Federal Union.

The main attraction to that portion of the Northwest lying west of Lake Michigan, now included in the State of Wisconsin, was its alluvial wealth. Copper ore was found about Lake Superior. For some time this region was attached to Michigan for judiciary purposes, but in 1836 was made a territory, then including Minnesota and Iowa. The latter State was detached two years later. In 1848, Wisconsin was admitted as a State, Madison being made the capital. We have now traced the various divisions of the Northwest Territory (save a little in Minnesota) from the time it was a unit comprising this vast territory, until circumstances compelled its present division.

CONSTITUTION OF THE UNITED STATES OF AMERICA
AND ITS AMENDMENTS.

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and until such enumeration shall be made the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

SEC. 3. The Senate of the United States shall be composed of two Senators from each state, chosen by the Legislature thereof for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expira-

tion of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the Legislature of any state, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside. And no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law.

SEC. 4. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SEC. 5. Each house shall be the judge of the election, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SEC. 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason,

felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

SEC. 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it; but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted), after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States, and before the same shall take effect shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SEC. 8. The Congress shall have power—

To lay and collect taxes, duties, imposts and excises, to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of sciences and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries ;

To constitute tribunals inferior to the Supreme Court ;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations ;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water ;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years ;

To provide and maintain a navy ;

To make rules for the government and regulation of the land and naval forces ;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions ;

To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress ;

To exercise legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings ; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SEC. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another ; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury, but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expeditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

SEC. 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the net produce of all duties and imposts laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION 1. The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President chosen for the same term, be elected as follows:

Each state shall appoint, in such manner as the Legislature thereof may direct, a number of Electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an Elector.

[* The Electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of Electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the vote shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President,

* This clause between brackets has been superseded and annulled by the Twelfth amendment.

the person having the greatest number of votes of the Electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]

The Congress may determine the time of choosing the Electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States or any of them.

Before he enters on the execution of his office, he shall take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States.”

SEC. 2. The President shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardon for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may on extraordinary

occasions convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SEC. 4. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III. †

SECTION I. The judicial power of the United States shall be vested in one Supreme Court, and such inferior courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SEC. 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state or the citizens thereof, and foreign states, citizens, or subjects.

In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the Supreme Court shall have original jurisdiction.

In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

SEC. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And

the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SEC. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on the claim of the party to whom such service or labor may be due.

SEC. 3. New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the Legislatures of the states concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

SEC. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the Executive (when the Legislature can not be convened), against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress. Provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the Judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the mem-

bers of the several state Legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the Conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEO. WASHINGTON,
President and Deputy from Virginia.

New Hampshire.
JOHN LANGDON,
NICHOLAS GILMAN.

Massachusetts.
NATHANIEL GORHAM,
RUFUS KING.

Connecticut.
WM. SAM'L JOHNSON,
ROGER SHERMAN.

New York.
ALEXANDER HAMILTON.

New Jersey.
WIL. LIVINGSTON,
WM. PATERSON,
DAVID BREARLEY,
JONA. DAYTON.

Pennsylvania.
B. FRANKLIN,
ROBT. MORRIS,
THOS. FITZSIMONS,
JAMES WILSON,
THOS. MIFFLIN,
GEO. CLYMER,
JARED INGERSOLL,
GOUV. MORRIS.

Delaware.
GEO. READ,
JOHN DICKINSON,
JACO. BROOM,
GUNNING BEDFORD, JR.,
RICHARD BASSETT.

Maryland.
JAMES M'HENRY,
DANL. CARROLL,
DAN. OF ST. THOS. JENIFER.

Virginia.
JOHN BLAIR,
JAMES MADISON, JR.

North Carolina.
WM. BLOUNT,
HU. WILLIAMSON,
RICH'D DOBBS SPAIGHT.

South Carolina.
J. RUTLEDGE,
CHARLES PINCKNEY,
CHAS. COTESWORTH PINCKNEY,
PIERCE BUTLER.

Georgia.
WILLIAM FEW,
ABR. BALDWIN.

WILLIAM JACKSON, *Secretary.*

ARTICLES IN ADDITION TO AND AMENDATORY OF THE CONSTITUTION
OF THE UNITED STATES OF AMERICA.

*Proposed by Congress and ratified by the Legislatures of the several states,
pursuant to the fifth article of the original Constitution.*

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact

tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII.

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person to be voted for as president, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest number not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be the majority of the whole number of electors appointed, and if no person have a major-

ity, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be appointed among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed; but when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the Legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age and citizens of the United States, or in any way abridged except for participation in rebellion or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

SEC. 3. No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a Member of Congress, or as an officer of the United States, or as a member of any state Legislature, or as an executive or judicial officer of any state to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall pay any debt or obligation incurred in the aid of insurrection or rebellion against the United States, or any loss or emancipation of any slave, but such debts, obligations, and claims shall be held illegal and void.

CONSTITUTION OF THE UNITED STATES.

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condion of servitude.



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