

4-9-1838

Northern boundary of Missouri

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 768, 25th Cong., 2nd Sess. (1838)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

NORTHERN BOUNDARY OF MISSOURI.

APRIL 6, 1838.

Read, and laid upon the table.

Mr. BRONSON, from the Committee on the Territories, made the following

REPORT:

The Committee on the Territories, to which was referred the memorial of the General Assembly of the State of Missouri, praying Congress to pass an act to extend the northern boundary of Missouri eastward, across the Des Moines river to the Mississippi, so as to include within the boundaries of Missouri that tract of land lying between the Des Moines and the Mississippi rivers, which was reserved for the benefit of certain half-breed Indians, report:

That they have had under consideration the memorial above mentioned, and are unable to discover any substantial reasons in favor of the cession asked for by the Legislature of Missouri; that the State of Missouri is, in point of territory, already as large, if not larger than any other State in the Union, and that a valuable and very considerable addition of territory was made to said State by the act of the last Congress extending their northern boundary line westward to the Missouri river; that your committee are informed that the citizens of the United States now residing on the tract of land in question, and claiming title by purchase from the half-breeds, have settled there under the expectation that they would form a part of a future State, to be erected out of the territory north of Missouri and are utterly opposed, as is also the Territory of Wisconsin generally, to the cession asked for by Missouri. At all events, your committee are not aware that any one of the citizens residing upon the tract in question desires that the same should be annexed to the State of Missouri; and your committee would deem any such annexation unjust and improper, without the clearly expressed assent of those most to be affected thereby. Your committee would further remark that, by the eighth section of the act of 6th March, 1820, providing for the admission of Missouri into the Union, it is provided that, in all that territory ceded by France to the United States by the name of Louisiana, which lies north of 36° 30' north latitude, and not included in the limits of the State of Missouri, as therein prescribed and set forth, slavery and involuntary servitude is forever prohibited. If the tract of land or territory in question should now be ceded to the State of Missouri, and thereby become subject to her laws, such cession would be a virtual violation of the provision contained in the said eighth section of the act above mentioned, and of the compact or compromise which was intended to be effected by that section, and would

operate to enlarge or extend the territory within which slavery might exist, contrary to the provisions of the act aforesaid, and in violation of the rights of those who may have settled upon that tract of land under and in view of the provisions aforesaid, and upon the faith of the pledge therein contained.

The idea held out in the memorial that Congress appears to have intended that said territory should be annexed to the State of Missouri, because an act of Congress was passed some years ago, providing that transfers and conveyances of land on that tract should be executed according to the laws of Missouri, your committee deem to be without foundation and altogether erroneous. The reason of that provision may be found in the fact that, at the time the said act was passed, there was no regular territorial government over the tract in question; and, Missouri being the nearest adjoining State, it was probably presumed that the citizens residing on this tract would be more familiar with the laws of that State than any other; but your committee do not think that any such inference as set up in the memorial can be drawn from that circumstance.

Your committee are unanimous in recommending the following resolution:

Resolved, That the prayer of the memorial ought not to be granted.

That they have had under consideration the memorial above mentioned, and are unable to discover any substantial reasons in favor of the petition for the Legislature of Missouri; that the State of Missouri is not a point of territory, already or to be, it not larger than any other State in the Union, and that a valuable and very considerable addition of territory was made to said State by the act of the last Congress extending their northern boundary line westward to the Missouri River; that your committee are informed that the citizens of the United States now residing on the tract of land in question, and claiming title by purchase from the United States, have asked that under the expectation that they would form a part of a future State, to be erected out of the territory north of Missouri, and are strongly opposed, as is also the Territory of Wisconsin generally, to the action asked for by Missouri. At all events, your committee are not aware that any one of the citizens residing upon the tract in question desires that the same should be annexed to the State of Missouri; and your committee would deem any such annexation unjust and improper, without the clearly expressed consent of those most to be affected thereby. Your committee would further remark that by the eighth section of the act of 6th March, 1820, providing for the admission of Missouri into the Union, it is provided that in all that territory ceded by France to the United States by the name of Louisiana, which lies north of 36° 30' north latitude, and not included in the limits of the State of Missouri, as therein prescribed and set forth, slavery and involuntary servitude is forever prohibited. If the tract of land or territory in question should now be ceded to the State of Missouri, and thereby become subject to her laws, such cession would be a virtual violation of the provision contained in the said eighth section of the act above mentioned, and of the compact or compromise which was intended to be effected by that section, and would