

Testimony for HB 4264, September 7, 2016

Presenter: Richard A. Santer PhD, Geographer, Constituent of Rep. Phil Potvin, 102d District

Introduction: Thank you Chairman Chatfield and members of the Local Government Committee. I have been working on this problem as an educator since 1974 when the State Bicentennial symbol omitted the western Upper Peninsula.

Purpose: This Bill is to establish a written description of the Michigan border with the several changes since Article One of the 1908 Constitution.

Why Important:

1. Michigan has no current boundary description, unlike the Constitutions of 1850 and 1908 (see copies attached).
 - The boundary description was deleted from the current 1963 Constitution.
2. Protection of our territory from further losses of land, islands, water and bottomland resources to other states (see Table and map).
 - In the 1920's and 1930's Michigan lost to Wisconsin 125 sq. mi. near the Montreal River and all islands of the Lower Menominee River. Additionally, lost were four (4) islands and water area of Green Bay. In 1947 the State gave up to Minnesota a small area of Lake Superior at Pigeon Point.
 - In 1973 the U.S. Supreme Court awarded about 150 sq. mi. of Lake Erie to Ohio. Other border changes occurred in 1908 and 1917.
3. Educators of Michigan Geography, History and others need an up-to-date boundary description to communicate the true area of citizen responsibility.

Conclusion:

There have been so many border changes since the well-known 1836 "Toledo War" that a 21st Century boundary description is long overdue. Thank you

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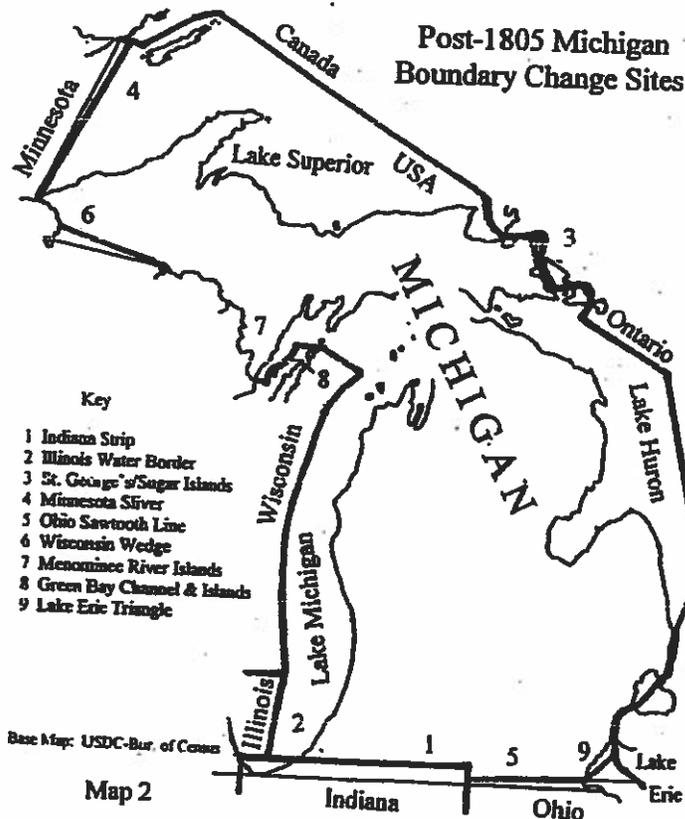


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TABLE 1.2 The primary documents involved in Michigan's contemporary boundary locations, 1783-1973

1783-1908	International Treaties	
	1783	Treaty of Paris
	1814	Treaty of Ghent
	1842	Webster and Ashburton Treaty
	1908	U.S.-Gt. Britain Demarcation Treaty (U.S. and Canada Water/Island borders)
1787		Congress Act under Articles of Confederation: Northwest Ordinance (Border descriptions for future states)
1802-1857	U.S. Congress Statehood Acts	
	1802	Ohio (proviso line to include Maumee Bay-Toledo)
	1818	Indiana (10 miles north of NW Ordinance line)
	1818	Illinois (60 miles north of NW Ordinance line)
	1836	Michigan (Toledo strip created)
	1848	Wisconsin (Headwaters of Montreal River and main channels uncertain)
1857	Minnesota (Pigeon River mouth "turning point" ambiguous)	
1805		U.S. Congress Michigan Territorial Act (Describes border as in Northwest Ordinance)
1850 and 1908		Michigan Constitutions (Revised border description with Wisconsin)
1917		Michigan and Ohio legislatures Resolutions: August 10, 1917 Michigan Joint Resolution (Retracement and monumenting OH-MI border)
1926-1936		U.S. Supreme Court Decisions (Wisconsin-Michigan border segments)
1947		Interstate Compact Michigan PA 267-1947; MCL 2.201-208 (Minnesota-Michigan-Wisconsin border)
1973		U.S. Supreme Court—special Masters Report and Decision (Lake Erie boundary)



CONSTITUTION OF THE STATE OF MICHIGAN,
1859

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[Annotated to July 14, 1900.]

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CONSTITUTION.

ARTICLE I
BOUNDARIES

The State of Michigan consists of and has jurisdiction over the territory embraced within the following boundaries, to-wit: Commencing, to-wit: where a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of the Maumee bay shall intersect the

same—said point being the northwest corner of the state of Ohio, as established by an act of congress, entitled "An act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the union upon the conditions therein expressed," approved June thirtieth, one thousand eight hundred and thirty-six; thence with the said boundary line of the state of Ohio, till it intersects the boundary line between the United States and Canada in Lake Erie; thence with said boundary line between the United States and Canada through the Detroit river, Lake Huron and Lake Superior to a point where the said line last touches Lake Superior; thence in a direct line through Lake Superior to the mouth of the Montreal river; thence through the middle of the main channel of the said river Montreal to the head waters thereof; thence in a direct line to the center of the channel between Middle and South Islands in the Lake of the Desert; thence in a direct line to the southern shore of Lake Huron; thence along said southern shore and down the river Huron to the main channel of the Menominee river; thence down the center of the main channel of the same to the center of the most usual ship channel of the Green Bay of Lake Michigan; thence through the center of the most usual ship channel of the said bay to the middle of Lake Michigan; thence through the middle of Lake Michigan to the northern boundary of the State of Indiana, as that line was established by the act of congress of the nineteenth of April, eighteen hundred and sixteen; thence due east with the north boundary line of the said state of Indiana to the northeast corner thereof; and thence south with the eastern boundary line of Indiana to the place of beginning.

People v. Taylor, 7 Mich. 1st.

CONSTITUTION OF THE STATE OF MICHIGAN,
1908

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SECESSION.	

PREAMBLE

We, the people of the State of Michigan, grateful to Almighty God for the blessings of Freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this Constitution.

ARTICLE I

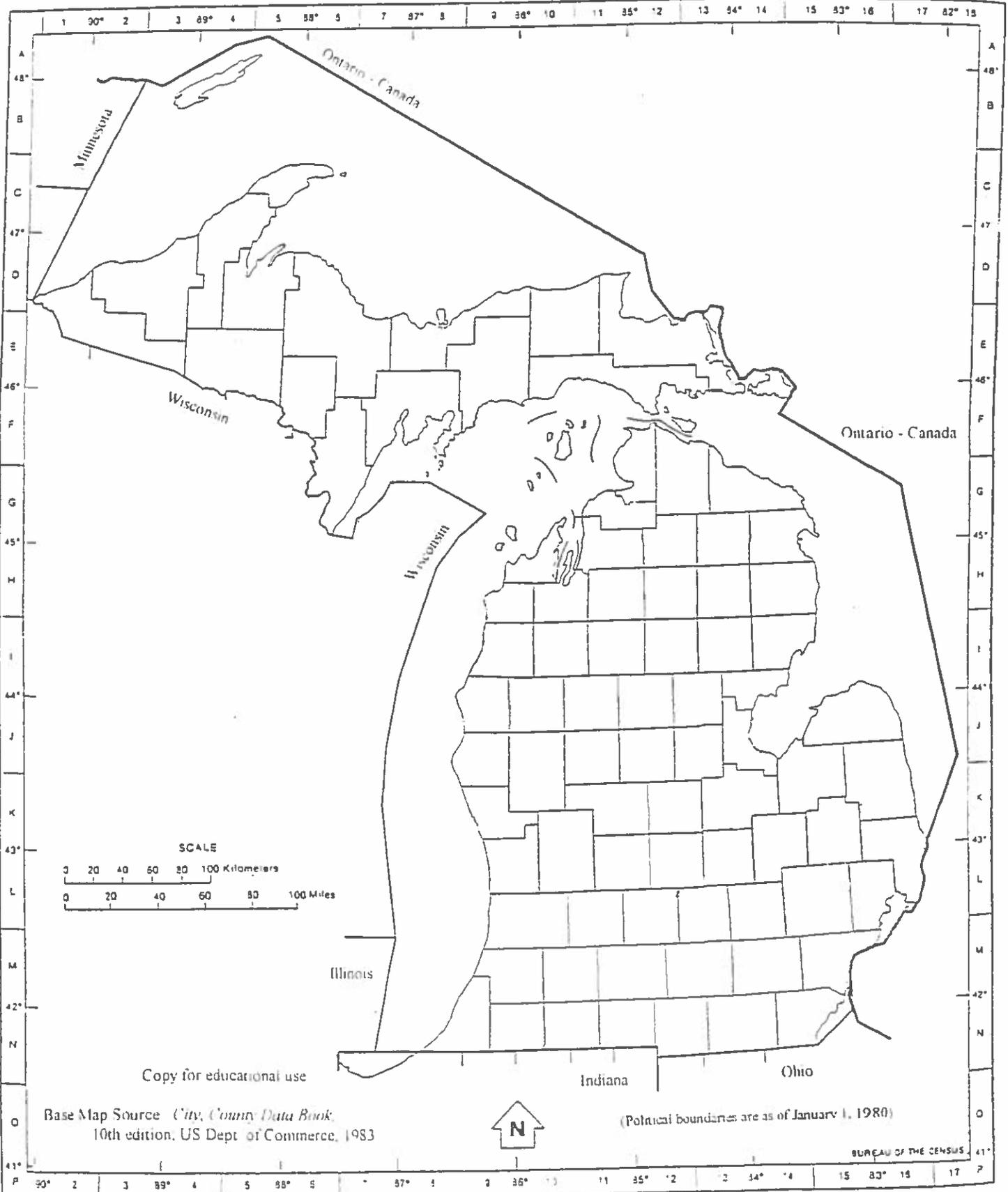
BOUNDARIES AND SEAT OF GOVERNMENT.

SECTION 1. The state of Michigan consists of and has jurisdiction over the territory embraced within the following boundaries, to-wit: Commencing at a point on the eastern boundary line of the state of Indiana, where a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of Maumee bay shall intersect; the same—said point being the northwest point of the state of Ohio, as established by act of congress, entitled "An act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the Union upon the conditions therein expressed," approved June 15th, 1836; thence with the said boundary line of the state of Ohio, until it intersects the boundary line between the United States and Canada in Lake Erie; thence with the said boundary line between the United States and Canada through the Detroit river, Lake Huron and Lake Superior to a point where the said line last touches Lake Superior; thence in a direct line through Lake Superior to the mouth of the Montreal river; thence through the middle of the main channel of the western branch of the Montreal river to Island Lake; the head waters thereof; thence in a direct line to the center of the channel between Middle and South Islands in the Lake of the Desert; thence in a direct line to the southern shore of Lake Huron; thence along said southern shore and down the River Huron to the main channel of the Menominee river; thence down the center of the main channel of the same to the center of the most usual ship channel of the Green Bay of Lake Michigan; thence through the center of the most usual ship channel of the said bay to the middle of Lake Michigan; thence through the middle of Lake Michigan to the northern boundary of the state of Indiana, as that line was established by the act of congress of the 19th of April, 1816; thence due east with the north boundary line of the said state of Indiana to the northeast corner thereof; and thence south with the eastern boundary line of Indiana to the place of beginning.

SEC. 2. The seat of government shall be at Lansing, where it is now established.

County

Michigan



Copy for educational use

Base Map Source *City, County Data Book*
10th edition, US Dept. of Commerce, 1983



(Political boundaries are as of January 1, 1980)

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