

THE fifth issue in Houghton, Mifflin & Co.'s series of "American Commonwealths" is Michigan, by Thomas M. Cooley, LL.D. Judge Cooley's reputation as a jurist and historical writer is so well known that we naturally expect to find in this volume, which he calls "a history of governments," a valuable and entertaining narration of what has occurred in his own State. No other State in the American Union has had a political history so strange and varied as that of Michigan; for during the period of a century its territory has been under the dominion of France, Great Britain, and the United States. It was a portion of the Northwest Territory which

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.

came under the provisions of the Ordinance of 1787; it was later included in the Territory of Indiana; then it became the Territory of Michigan, and in 1837 became a State. For a century and a half after European settlements were made in America, its history was a part of that of New France, and hence Judge Cooley devotes his first seven chapters to that subject, which is the least interesting portion of the book, because it has been more fully and accurately treated by other writers. The reader will get the best of Judge Cooley's work if he skips these chapters, and begins at the date 1803, on page 140, when the Territory of Michigan was set off from that of Indiana, and was given its own rulers. From that point the story of the civil, social and political changes through which the State has passed is told in a most entertaining and readable style, and the interest is sustained to the end. Judge Cooley's treatment (p. 127) of what he calls "the immortal Ordinance of 1787—immortal for the great results which have followed from its adoption, not less than for the wisdom and far-seeing statesmanship that conceived and gave form to its provisions"—is a surprise, because of its meagerness and inaccuracies. "No charter of government," he says, "in the history of any people has so completely withstood the tests of time and experience." With such encomiums one would expect to find something about the origin and history of so beneficent an instrument, and perhaps ascertain whose "wisdom and far-seeing statesmanship" was employed in devising it. There is no evidence in the book that the writer has any knowledge on the subject, although he treats at length other matters of less importance. He says: "In July 1787, a committee of which Nathan Dane was the chairman reported the Ordinance." This is an error, for Edward Carrington, of Virginia, was the chairman. Again he says (p. 129): "For its dedication of the territory to freedom credit has been given by partial friends to several different persons; but Jefferson first formulated the purpose, and for him it constitutes a claim to immortality superior to the presidency itself." Jefferson was not in the country when the Ordinance was passed by Congress, and had been in France for nearly three years. By the anti-slavery clause (which was struck out) in his draft of an ordinance in 1784 slavery was admitted into the Territory until 1800, and then was to cease. A more absurd proposition, if it was intended to prevent the introduction of slavery, was never devised. The Ordinance of 1787 prohibited slavery from the outset; it forbade Southerners coming in with their slaves, and encouraged immigration from the Northern States. Yet with these discouragements to slavery, Judge Cooley (p. 134) shows that in 1800 the pro-slavery sentiment in the Territory was so strong that a majority of the citizens, with the Governor, petitioned Congress to repeal the anti-slavery clause of the Ordinance. A third petition was made to Congress in 1807, and the contest for introducing slavery ran on till 1823, when it was settled by a small majority of the popular vote in Illinois, after a most exciting campaign conducted by Governor Coles. It is truly a surprise that Judge Cooley should attribute the credit of keeping slavery out of the Northwestern States to Jefferson, who proposed to give slavery a legal status there for sixteen years, and then to abolish it. If Jefferson's enemies should say that he proposed the measure as a trick, the statement would have some plausibility;

but it would nevertheless be untrue. Jefferson was a theorist and trimmer. His proposal was put out as a compromise likely to receive the support of the North and South. It would, in any event, have been fatal to freedom in the Northwestern States.