



The
Tip
of the
Mitt
Journal



The 'First People'

The Cheboiganing Bands of Ottawa and Chippewa

by **Richard A. Wiles**

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Upper Great Lakes region Indian Village 1830s

Cheboygan's 'First People'

PART ONE

By Richard A. Wiles

Dr. Charles Cleland, retired Michigan State University Professor of Anthropology, and author of the book, "Rites of Conquest," has stated that the northwestern Michigan's "Traverse Corridor" was in use by early Native Americans beginning thousands of years ago. The "Corridor," from Grand Traverse Bay to the Mackinac Straits, and inland along the natural waterway from Little Traverse Bay northeast to the Cheboygan River (and into Lake

Huron), was home to a Woodland Indian canoe culture. Artifacts of that culture have been discovered dating back to 8,000 B.C.

The first people in the Tip of the Mitt area were mostly summer visitors, coming south from Canada, and north from the Ohio Valley, in an annual warm-season migration. Once here, they would use birch bark canoes to fish along the Upper Great Lakes shoreline, and the many inland lakes of the region. They would hunt, gather, and grow crops in their summer

villages. The first known permanent village of the Tip of the Mitt, where its residents remained during all months of the year, was the settlement on Lake Tobogganing (now Burt Lake), near the opening of the Maple River.

The word "cheboiganing" is an Algonquin language term for passing through, or passageway. Native American's traveling the river highway by canoe from Lake Michigan inland, through a series of rivers and lakes, would pass through Lake Cheboiganing (now Burt Lake) on their way to

Lake Huron (or vice versa). By traveling the inland water route, the birch bark canoers escaped the treacherous waters of the Straits of Mackinac. By the early 1770s, the Tip of the Mitt region was home to various bands of Native Americans. They had migrated west from the eastern areas of North America.

At the time of first contact between Native Americans and Europeans in the 1500s, the French had encountered North America's first people (Anishinaabe) living near what the French soon called the Ottawa River. It flowed east to west near a large lake, later named Nipissing, into the St. Lawrence River. These first people were soon recognized by the European newcomers as those who would trade their wares of cornmeal, furs, sunflower oil, skins, baskets, rugs, mats, medicinal roots and herbs with other bands. The French named them "Ottawa," an Algonquin term for trader. As they moved further west, the French encountered many other bands of first people, one being the Ojibwa (Ojibweg), an Algonquin term for "those who record information by drawing glyphs (pictographs) and signs on birch bark (visions)."

By the mid 1700s, the Ottawa, Ojibwa (and Potawatomie), people had migrated west from the eastern coastal area of upper North America (Land of the Dawn or Bitter Water) into the Upper Great Lakes region where they formed an alliance referred to as the Council of Three Fires. The alliance was in response to rivalries with the Iroquois to the east and the Dakota to the west. The trading nature of the Ottawa, and



Dr. Helen Tanner in 1986

their extensive trade network in the interior of the continent soon introduced the French to many various bands of Anishinaabe.

Dr. Dennis Albert's 1987 horticultural study of Indian Point, along the Inland Waterway's Lake Cheboiganing (Burt Lake), found signs of Anishinaabe culture that dates back to the 1300s.

Dr. Helen Tanner, in her 1986 research book, "Atlas of Great Lakes Indian History," found most Native American villages in the upper Great Lakes were located along a Great Lake shoreline, or inland, along a stream, river, or sheltered bay of a lake. Always, they were located where fresh water was readily available.

In the case of the Cheboiganing Band of Ottawa and Chippewa Indians, that village was located on a long peninsula (Indian Point) extending into Lake Cheboiganing, in the center of Michigan's Tip of the Mitt area. A river highway or inland water route existed there. Those in canoes traveling southwest or northeast would pass through Lake Cheboiganing and its



Dr. Dennis Albert found signs of Anishinaabe culture dating back to the 1300s.

shoreline Indian Village. Henry Francis Walling, a noted University of Indiana cartographer, and author of the "Atlas of the State of Michigan," according to the book "The Diary of Frederic Baraga," located a permanent village of the Cheboiganing Indians on Indian Point by 1720:

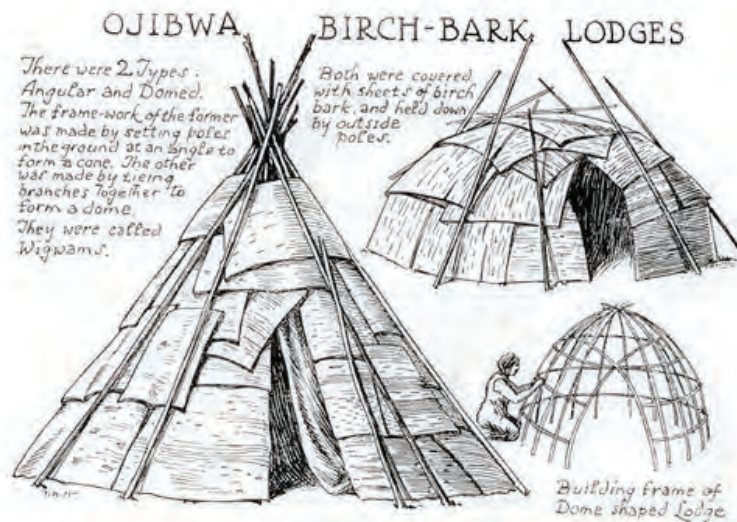
"The village, also called Sheboygan, is located on the western side of Burt Lake in Cheboygan County. From Little Traverse one could canoe via Round Lake and Round Lake River, Crooked Lake and the Crooked River to an area of the Maple River, which empties just south of the Indian village. The location was a permanent settlement since c. 1720."

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Dr. Helen Tanner thinks the permanent settlement was in place by the 1760s. It was the first permanent, non-migrating settlement of native people in northern Michigan. The settlement of Indian Village, near the inlet of the Maple River, which flowed into Lake Cheboiganing from the wetlands of northern Michigan and from Douglas Lake to the immediate north. That river provided year-round open water, as well as a year-round fish supply for the village.

Instead of migrating south to winter hunting grounds, the Cheboiganing Band stayed put at their village. Soon surrounding trees were girdled and burned to provide open pastureland where crops could be grown. Eventually, close to 200+ acres of open land were in use as fields for corn, potatoes, squash and pastureland. The local maple trees were also harvested for their sap every spring. The village was self-sustaining. Everyone, as was tradition, looked out for each other.

The homes along the shoreline of Lake Cheboiganing were most likely first constructed using pole frames, covered with large sheets of elm, or birch bark, or even rush mats weaved together for winter shelter. The village was populated with about 50 individuals made up of children, adults, elders, and a headman or woman (Ogima-Chief). During the summer, the pieces of tree bark could be replaced by woven reed mats. By the 1830s and 1840s, most Indian settlements saw the erection of log cabins. That did not happen at Indian Village until the late 1840s and early 1850s. Eventually, the resident farmers, hunters, gatherers and fishermen of In-





Native American treaty negotiators in Washington D.C.

dian Village possessed cows, hogs and horses. A large dog population was also most likely found on Indian Point.

With the passage of President Andrew Jackson's administration's Indian Removal Act in 1830, all Native Americans east of the Mississippi River were subject to forced removal to west of that river. The completion of the Erie Canal, linking the Hudson River with Lake Ontario, brought a rush of European settlers into the interior region of the Great Lakes. At first, these settlers remained in southern Michigan, but soon they began to push northward. The Cheboiganing Band's leader, Chief Chingassimo, like many other Michigan Indian Band leaders, knew that they had only their land to trade to the government. Their survival as a people



Chief Chingassimo "Big Sail" 1836

was based on their ability to adapt. Chingassimo and other Ogimas were looking to negotiate the trading of their ancestral land for money, education,

farming equipment, and the right to stay on some part of their homeland.

The French had been driven out of North America as a result of the French & Indian War. In the 1763 Treaty of Paris, the British gained control of all the Upper Great Lakes Region that include Ohio, Michigan, Indiana, Illinois and Wisconsin-Minnesota. The British did not take the same approach in their dealings with the Anishinaabe People as had the French. New France, in North America, was sparsely populated by the French Europeans. Only a small number of French officials, members of the military, Jesuit priests and farmers had come to the New World. Over time, many Frenchmen intermarried with native women and that would produce a new culture, the "Metis"

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culture (half French – half Native). Also, a distinct culture of French-Canadian evolved in the New World. Fur trading, not farming or settling, was the overall goal of the French people in the New World. It was the fur trade that brought iron skillets, pots, pans, metal knives, axes, and guns to the Anishinaabe. It changed their lives forever.

The French, and then the British, also brought with them to the idea that the New World's Native People owned the land they were living on. It had to be negotiated for, and not overtly taken by military force. That meant diplomacy had to be used within a government-to-government relationship. Thus, treaties were first negotiated between France and the "First People." The same was true of the British and later, the Americans wrote that concept into the United States Constitution. Only the federal government had the power to make treaties, and only the federal government had the power to deal with Native American bands or tribes. From 1776 through 1872, there were 390 Indian treaties, two of them with the Cheboiganing Band of Ottawa and Chippewa Indians.

At the time of the signing of the first government-to-government negotiated treaty, (the 1836 Treaty of Washington, between the Bands of "First People" in the territory of Michigan), the Cheboiganing Band was a small group made up of 14 families (72 individuals). The band's leader was Chief Chingassimo (Ke che ne gos e mon) or "Big Sail." Michilimackinac Indian Agent Henry Schoolcraft accompanied "Big Sail" to the nation's capital, along with 23 other Michigan-based chiefs



Catholic priest Father Francis Xavier Pierz and the church rectory at the Indian Village. Father Pierz took over from Father Baraga.



Chief Joseph Kie-She-go way

and their interpreters. Schoolcraft's notes reveal that Chief Chingassimo was issued a "pair of pantaloons, a cotton shawl, one blanket, one shirt, one pair of moccasins, and a pair of spectacles." The contingent of Ottawa and Chippewa band leaders began their journey east in February of 1836 and assembled in the capital city's Masonic Hall on March 15.

The treaty minutes reveal that the Cheboigan Band had presented their Chief "Big Sail" a paper containing their wishes. On March 24, 1836, Chingassimo agreed to a proposed 100,000-acre preserve to be located in two separate sections of the land the various bands were ceding to the federal government. The Chief also stated that the band had appointed Mr. Robert Stuart of Mackinac Island, to examine the treaty as it related to the Cheboiganing Band. The final treaty (May 1836), after being ratified by the United States Senate, reduced the Cheboiganing Band's federal preserve down to 1,000 acres on Indian Point, Lake Cheboiganing. This was exactly where their Indian Village was located.

Besides the 1,000-acre federal preserve, the Cheboiganing Band, and all Michigan Bands who signed the 1836 Treaty of Washington, negotiated annual payments of money for the 13.05 million acres of land they all ceded to the federal government. The payments would come to each band member over a 20-year period. In essence, the



William A. Richmond

Native People in Michigan were paid 4.6 cents per acre (\$30,000 times 20 years) for one third of the land in Michigan. The federal government then resold that land to settlers and farmers at \$1.25 per acre resulting in an eventual profit for the government of \$15 million. Also, successfully negotiated and stipulated in the 1836 Treaty, was the perpetual right to hunt, fish, and gather on what had once been their ancestral homeland (13.05 million acres).

Being situated inland, rather than on the shoreline of a lake, meant that travel to and from Chingassimo's Indian Village was done by birch bark canoe. Only those using the natural inland water route from Little Traverse Bay northeast to Lake Huron (the inlet of the Cheboygan River) would visit the small Native village. By 1840, Chief Chingassimo had left with some band members for residence in Canada. Joseph Kie-She-go way was selected by the Indian Village band members to become their chief. The Mackinac Indian Agency



Ionia, Michigan, general land office

census for 1840 listed "Ke shig o wa" as Chief of the Cheboigan Band with a total of 18 families living at Indian Village (total of 52 individuals).

With the threat of removal west of the Mississippi still lingering in the minds of the Michigan Bands of Indians, an idea came to the Cheboigan Band from local Catholic Priest Father Pierz: Use individual band member's yearly payments from the federal government (for the land they sold in 1836) to buy their Indian Village parcels of land on Lake Cheboiganing from the General Land Office. Michigan had been admitted into the Union in January of 1837. By doing so, the state of Michigan was thus subject to the United States Constitution which strictly forbade individual states taxing federal government property. The Father Pierz plan was to take full advantage of this

constitutional guarantee. On Aug. 25, 1842, Chief Joseph Kijigowi (Kie-She-go way) and five other head men of various Tip of the Mitt villages sent a petition to John Quincy Adams, chairman of the House of Representatives Indian Affairs Committee. They asked that their band's possible removal from their ancestral homeland in Michigan finally be officially ended. There were now 28 families (121 members) of the Cheboiganing Band, as stated in the 1842 Superintendency of Michigan census. A second petition, signed by 61 Tip of the Mitt Indians, was sent to Washington, D.C. in March of 1844. This time it was sent to the President of the United States, John Tyler, asking him to finalize their right to stay on their land. Their petition was answered by Thomas Blake, the Commissioner of Indian Affairs for Tyler. He stated there were no plans to remove the

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Michigan Bands, "Consistent with the obligations of the United States to these Indians ... no steps have been taken in relation to their removal ... "

Meanwhile, the Michigan House of Representatives member from Mackinac Island, representing the entire county of Michilimackinac, which included, in 1844, the area of Indian Village on Lake Cheboiganing, suggested in a Nov. 12, 1844 letter, that Indian Bands in his state district be allowed to buy their ancestral land parcels. In his letter to Robert Stuart, Acting Superintendent of Indian Affairs in Michigan, Representative William Norman McLeod wrote:

"... I have been informed that the Missionary Francis Pierz of Arbre Croche has recently purchased a few sections for public lands in his own name which he holds as trustee of the Bands of that station ... I would advise that the government should allow the Indians to purchase lands, and by a liberal exemption law secure to them against seizure and confiscation for any debts ... "

Following the advice of Father Francis Pierz and Michigan legislator William McLeod, Chief Kie-She-go way and his band members pooled together a total of \$355 of individual treaty annuity payment money. Chief Kie-She-go way then took it to Mackinac Island where

it was given to Acting Indian Agent James H. Stevens. On Oct. 1, 1845, Stevens wrote to William Richmond, his superior, stating:

"I send you this day three hundred and fifty-five dollars. Money left this day by the Chief (Kie She go way) of the Cheboyegan (sic) Band of Indians for the purpose of purchasing land on or near Cheboyegan Lake. It is for the use of said band of Indians according to a memorandum taken by you at the time of the payment. I send also a profile and explanation left with me. I have given the Chief a receipt for the money to be applied as above."

William A. Richmond of Grand Rapids, Michigan, was appointed Superintendent of the Mackinac Indian Agency in Michigan in April of 1845. Prior to his appointment, he had worked in the Ionia, Michigan, federal land office. Richmond was written to by James Stevens (Acting Indian Agent-Mackinac Agency-Mackinac Island) on Feb. 2, 1846.

In his letter Stevens said:

“Kie She go way is very anxious about his land and has asked several times if I have heard from you on this subject. The Indians are very busy putting up houses on the land selected by him. They have put up 5 or 6 already and are still at work getting timber for more ...”

The 1846 Cheboigan Band “annuity roll” listed 35 recipients of 1836 Treaty money — money the federal government paid each member for their ceded lands. At that time, a total of 144 band members were living at Indian Village. The village’s first log cabins had begun to be erected thanks

to Father Pierz overseeing the building of a sawmill in the region. On April 13, 1846, the General Land Office at Ionia, Michigan, registered 18.5 acres of land, located at Lot 1, of Section 29, in Township 36 N of Range 3 W, Patent No. 5697 as being purchased by the band:

“It is hereby certified, That, in pursuance of Law, The Governor of Michigan in trust for the Cheboygan Indians of whom Kieshegowa is Chief, ... on this day purchased of the Register of this office, ... at the rate of One Dollar and Twenty-five cents per acre, amounting to Twenty-three dollars and Twelve cents, for which the said Governor in trust, etc. hath made payment in full as required by law ... the said Governor in trust, etc.. Shall be entitled to receive a patent for the Lot above described.”

William A. Richmond, acting on behalf of the Cheboiganing Band, and acting as a federal representative in Michigan for the Office of Indian Affairs, made

the first of six total purchases of land at Indian Point. In total, 375 acres would be bought with the \$355 from the Indian Village Band members. On June 1, 1848, federal Land Patent No. 5697 was issued by the federal government’s General Land Office:

“To all whom these Presents shall come, Greeting: Whereas the Governor of Michigan In Trust for the Sheboygan Indians of whom Kie-She go way is Chief has deposited in the General Land Office a certificate of the Register of the Land Office at Ionia ... full payment has been made by the said Governor of Michigan ... said tract has been purchased by said Governor of Michigan In Trust for the Sheboygan Indians of whom Kie-She go way is Chief ... the United States of America ... do give and grant unto the said The Governor of Michigan and his successors in office, In Trust for The Sheboygan Indians ... forever.”

— James K. Polk, President of the United States



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On the very same day, June 1, 1848, the General Land Office of the United States issued a land patent No. 24587 to "John S. Barry, Governor of Michigan, and his Successors in Office Forever, In Trust for a Certain Band of Indians residents of Calhoun County Michigan, of whom Mugwago is now Chief ..." Gov. John S. Barry, in response to northern Michigan's Michigan legislator in Lansing, William Norman McLeod, and Michigan's Superintendent of the Mackinac Indian Agency, William A. Richmond, agreed to have the southern and northern Indian Band's ancestral homeland land patents placed in a trust to the Office of the governor and his successors –forever, in order that no alienation of their homelands could ever take place.

Over the next two years, Land Patent No. 5698 for 80 acres at Indian Point,



Governor John S. Barry

No. 5699 for 80 acres, No. 5700 for 65 acres, No. 6293 for 71 acres, No. 7095 for 61 acres were all issued by the General Land Office of the United States "In Trust to the Governor of Michigan and his successors-forever."

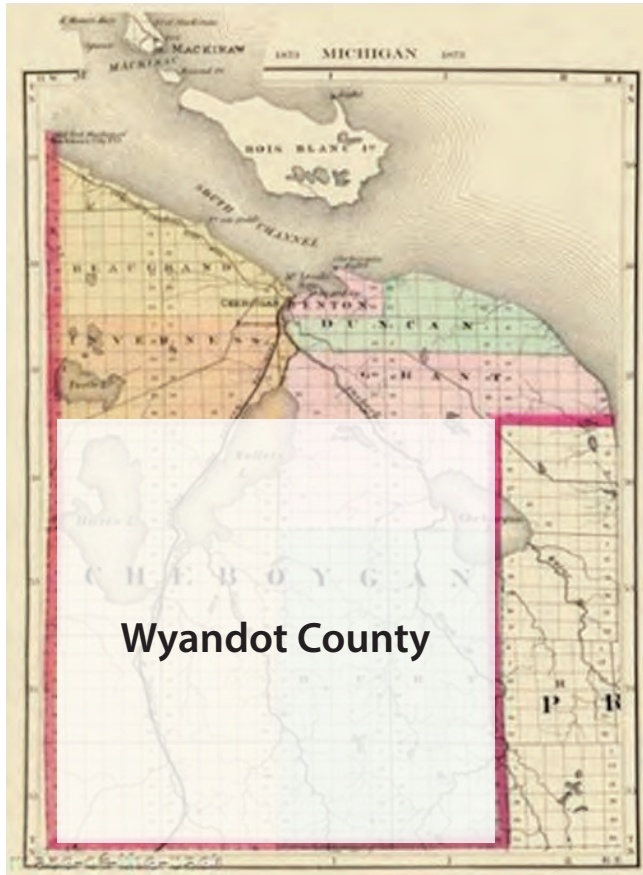
By the summer of 1855, there was a settlement of 200 Ottawa and Chip-

pewa Cheboiganing Band members at Indian Village, Lake Cheboiganing. A small Catholic Church (St. Mary's), a small log cabin rectory, two dozen cabins, and cultivated fields, orchards, along with a maple sugar tree grove was also in existence.

From 1850 on, into the 1890's, the Cheboiganing Band of Ottawa & Chippewa lived on their ancestral homeland at Indian Point, Lake Cheboiganing, in self-sufficient peace. However, the world began to rapidly change for them after the American Civil War. By the year 1900, their world would be turned upside down.

SOURCES FOR PART ONE:

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- The Natural Ecology and Cultural History of the Indian Point (Colonial Point), Dr. Dennis Albert, University of Michigan Biological Station, March 1987
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- "A Prehistoric Crossroads," The Traverse City Record Eagle, Loraine Anderson, December 11, 2011
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- Atlas of the State of Michigan, Henry Francis Walling, Tackabury, Detroit, 1873
- The Diary of Bishop Frederic Baraga, Wayne State University Press, 1990



April 1840-January 1853



Autumn of 1853

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PART TWO

The territory of Michigan was admitted into the United States as the 26th state in January of 1837.

By 1840, the new state had been surveyed by the General Land Office's Surveyor General. On April 1, 1840, the boundaries of the new county, Wyandot, was carved out of the existing Michilimackinac County first created in 1818 as part of the Michigan Territory.

Wyandot County contained a portion of the land that would later be organized as Cheboygan County. Noted Newberry Library (Chicago) historical compiler and author Peggy Sinko, in her Michigan Atlas of Historical County Boundaries, found that the unorganized county of Wyandot existed on paper until Jan. 29, 1853. In the autumn of 1853, the organization of the county Cheboygan took place. Those organizers chose to use the more local, Anglicized name of Cheboygan (rather than Cheboigan-

ing) over Wyandot. Both names are of Native American origin.

Meanwhile, by the 1850s, the various bands of Native Americans in Michigan were not happy with the federal government's fulfillment of the negotiated terms of the 1836 Treaty. Many items in the contract had not been carried out. There were a number of specific grievances that resulted in the Michigan bands to ask the federal government for a new treaty. That request was granted. In July of 1855, various

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Michigan Ottawa and Ojibwa band leaders and spokesmen gathered in Detroit to negotiate a new agreement. Representing the Cheboiganing Band of Indians was Joseph Assago. He was not their Chief, that was Joseph Kie-She-go way, however, Mr. Assagon was considered by the Indian Village residents to be articulate and would follow their wishes. They told him they did not want land from this new negotiated agreement. They had six "In Trust to the Governor of Michigan and his successors forever" land patents written on their behalf by William A. Richmond beginning in June of 1848.

Richmond was, at that time, the federal government's Office of Indian Affairs representative in Michigan. He wrote the patents with the full cooperation of then Michigan Gov. John S. Barry to protect and preserve the Cheboiganing Band's ancestral land on Indian Point Lake Cheboiganing (now Burt Lake). He had done the same for the southern Michigan Huron Band of Potawatomies in 1848. With those six "In Trust to the Governor" land patents, the Cheboiganing Band felt safe and secure of their federally preserved land at Indian Village. Thus, they instructed their spokesman, Joseph Assagon, to not negotiate for any more land from the government.

What the Bands in Michigan most desired, as a result of a new treaty with the federal government, was revealed in the 1855 Treaty of Detroit's journal minutes and notes. These notes were recorded by the various secretaries at the negotiations held at the Old Federal Building. One important item that the Ottawa and Ojibwa nego-



Augustin Hamlin Jr.



Manypenny

The Federal Government and Michigan Bands of Indians wanted to update the 1836 Treaty. In July 1855 new negotiations, Treaty of Detroit were signed with these men and the representative of the Cheboigan Band, Joseph Assagon

tiators asked for was for the federal government to cease lumping all of the various bands together as either a member of an Ottawa Nation (tribe) or a Chippewa (Ojibwa) Nation. This had never been the way Michigan Native People had politically organized themselves. Every village was a band in its own right. Some were Ottawa Bands; some were Ojibwa Bands.,

Also, extremely important to the Michigan bands was the fact that the federal

government had not paid all of the money negotiated in 1836 for the 13.05 million acres of land the Native Americans had ceded. The bands wanted the negotiated schools built, and teachers provided along with farm equipment and blacksmiths. All of this was to help provide continued movement into white European civilization. Cheboiganing Band spokesman Joseph Assagon was recorded as stating:

"Before I started from Cheboygan we counselled in our band and decided that we would have no more lands from the government. We have lands already ... I must obey my instructions. I was told to ask for money. I cannot make a different request." (July 27, 1855)

In the end, the 1855 Treaty of Detroit's Article I, ratified by the United States Senate on April 15, 1856, contained the language:

"To be preserved land — Section Seven: For the Cheboygan Band, Townships 35 and 36 North, Range 3 West"

It was not the wish of the Cheboiganing Band at Indian Village to have the federal government set aside more land for them. They had bought their ancestral land and had it preserved by being placed "In Trust to the Governor of Michigan and his successors forever" beginning in 1848. However, the treaty was signed by Joseph Assagon in July of 1856. The six "In Trust" land patents and the 1855 Treaty's Article I which said that the land exactly where Indian Village was located was now preserved, gave the



By 1858, the long promised schoolhouse and teacher is in place at Indian Village. N.J. Murray is the first school instructor. He starts with 18 students in spelling, reading and writing. Patrick Smith is the second teacher, followed by John Heaphy.

band members a sense of relief. They believed the intent of all these seven documents meant they had land for their children, and grandchildren and on in perpetuity.

The new treaty also helped provide a schoolhouse and schoolteacher at Indian Village. Medical services, agricultural equipment, blacksmith shops, recognition by the federal government that all of Michigan Bands were separate entities, and the money still owed from the 1836 treaty negotiations were also included in the 1855 treaty. For the second time in history, the United States government recognized the Cheboiganing Band of Ottawa and Chippewa as a separate domestic nation in a government-to-government relationship.



The first Indian Village schoolhouse was built with the cooperation of Catholic Father Frederic Baraga in 1856. The federal government provided money for Baraga to build

a schoolhouse and to hire the first schoolteacher, Nicholas F. Murray. Father Baraga's Diary records show:

1856:

"January 1-7, at Chaboigan where I had 10 communions and 4 confirmations.

August 28, left Ontonagon with Mr. Murray for Chaboigan school ... "

1858:

July 15, "I could not prevail on Mr. Murray to remain at Sheboygan ... His immediate successor is Patrick Smith, a good and practical teacher, a man of family ... "

1860:

"June 6, To Sheboygan where I met with poor John Heaphy to whom I advanced \$40 more, in all \$70 ... "

August 11, "wrote to Agent Fitch (Indian Agent) asking him to confirm John Heaphy in the teaching position at Sheboygan ... "

Thus, by 1860, Indian Village was a self-sustaining small settlement of 20 to 25 families of Ottawa and Chippewa people. By that time, there were several log cabin homes and a Catholic Church named St. Mary's, a small rectory for the visiting priest, a cemetery, and a federal school building. Mr. Murray's March 1858 Quarterly Report for the Indian School at Sheboigan (sic) (January 1- March 21) listed 18 students. The oldest student was 16-year-old Ambrose Bennesewabimi, and the youngest student was Angeline Nanqueskwa, age 6. The studies pursued were spelling (first

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book), reading (first book), writing (first book), arithmetic as far as multiplication tables.

The Civil War began in April of 1861, and, by 1863, the Union needed all volunteers they could muster. Native Americans had been excluded from service at the outbreak of the war.

On Jan. 12, 1863, Company K of the First Michigan Sharpshooters was organized. This company was the only complete company of Native Americans in the Union Army to see action against the Confederate forces east of the Mississippi. The Sharpshooters lost a total of 155 men beginning in 1864 at the Battle of the Wilderness. Cheboiganing Band members Simon Keji-kowe and Simon Sanequaby were members of this elite group. Other band members to fight on the Union side were Joseph Webwetum, Moses Hamlin, Antoine Demean and Joseph Assagon.

After the war, Joseph Webwetum becomes the head man of the band. The 1870 census lists 13 families and a total of 64 individuals, ages 1 to 90 years old, living at Indian Village. Most family heads are listed as farmers. Over the many years of settlement on Indian Point, the occupants had girdled the prevalent maple trees and then had used fire to clear out room for fields. Corn, potatoes, squash and grass for the farm animals was raised on these Indian Fields.

By the 1870 census, the County of Cheboygan was 17 years old, and had a population of over 2,000. Burt Township, organized in April of 1860, where Indian Village was located, had



Pictured is Fredrick Baraga, who later became Bishop, and the Catholic church built in 1832 by the Burt Lake Indians under his direction. The United States stipulated by treaty to pay \$900 for this church when the Indians voluntarily abandoned the village. When the Indians were forced to vacate the village, the new owners used it for a barn.

a population of 126. By 1890, Cheboygan County had grown to a population of 6,500, and so, there were close to 12,000 individuals living in the county. That number increased by 30% to 15,500 in the June 1900 census.

The first Indian Treaty had been negotiated in 1778 and the last one was negotiated in 1871. After that, Congress decided that both houses, the Senate and the House of Representatives, would be involved in any future formal agreements with Indian political units. The Cheboiganing Band had signed two contracts with the United States, both of them providing for a portion of their ancestral homeland on Lake Cheboiganing to be preserved, and the Band had in their possession six General Land Office patents written for them in 1848 through 1850 by William A. Richmond. The intent of his specific wording, "In Trust to the Governor of Michigan and his successors forever"

was to preserve Indian Village and its acres of fields for all future generation of the Cheboiganing Band. That was his intent, that was the intent of Gov. Barry, and that was the intent of Chief Kie-She-go way and his band members when their money was pooled to buy their own land.

By the 1890s, the Cheboiganing Band on Burt Lake had been living on their ancestral homeland of some 400 acres since the early 1700s. They had signed two treaties with the federal government which established them as a "recognized Band of Michigan Indians" beginning in the summer of 1836. While their numbers were small, they were contributors of men to the Union's cause in the Civil War, and were subsisting on their land as farmers, and purveyors of maple syrup (from their large maple grove), summer purveyors of baskets, porcupine quill boxes, and mats to the

many tourists who would visit their village via the Inland Lake Waterway steamers.

The first real hint of trouble on Indian Point came in the spring of 1894 when the Band members encountered trespassers cutting timber on their "In Trust to the Governor" land. There had been some previous disturbing actions and events that had involved the band members and their federally preserved property on Indian Point. Beginning in the 1860s, there were attempts by Cheboygan County officials to assess the "In Trust to the Governor" acreage, however, by the 1870s Cheboygan County Treasurer William Maultby would not assess, nor would he accept any tax payments that related to any of the "In Trust to the Governor" land parcels. He specifically stated that it was "preserved land" and not taxable. He was correctly interpreting the meaning of the six land patents.

From 1848 until the time of this writing, southern Michigan's Calhoun County officials honored the legal meaning of the Huron Potawatomie Band's same "In Trust to the Governor of Michigan and his successors forever" land patent as the 1848-1850 six land patents of the Cheboiganing Band. As a direct result of this correct legal interpretation of the federal land patent's specific language, the Huron Potawatomie are today a federally recognized Band of Michigan Indians, with all the full entitlements and benefits legally negotiated for and won from the federal government in their signed federal treaties. Treaties that promised, first and foremost, federal protection, also medical care, teachers,



Andrew Blackbird

schools, farm equipment, hunting, fishing, gathering, and money. These formal government-to-government legal contracts were all about the Native American people giving up some of their ancestral land to the federal government, in exchange for a chance to culturally adjust to the European ways.

The promised federal protection was against the taking of "preserved land." In the case of the Cheboiganing Band,

their preserved ancestral land had been laid out in two negotiated treaties, and also as a further guarantee, in six "In Trust to the Governor" land patents. The band members at Indian Village knew the intent of the wording in the two treaties and the intent of the wording in their six land patents-to protect, and to preserve their land on Indian Point.

Northern Michigan's Twinsburg Institute educated Andrew Blackbird of the L'Arbre Croche area was asked to write the Governor of Michigan in April of 1894 to ask for his help in stopping the recurring trespasses on the Indian Village property. Mr. Blackbird, who for many years acted as a trusted interpreter between local Native American Bands and state and federal officials, asked Governor John Rich:

"Dear Sir: I am informed ... to state to your Excellency that land, which

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was bought at Burt Lake, years ago, in Cheboygan County,—‘In Trust to the Governor of Michigan for the Band of Indians of who Ke-zhe-go-we (now dead) was Chief – the land is now being trespassed by parties ... cutting all the best timber on the premises ... selling the timbers to parties in Cheboygan City. The present Chief Joe Wabwedom, and others tried to stop them ... but were simply hooted at ... Please inform them as early as possible for they are in great trouble.”

The trouble for the Cheboiganing Band was much greater than timber rustling. By the year 1894, the 375 acres of land placed “in trust” at Indian Point (which contained Indian Village), by being patented with the clear INTENT of the federal Indian Agent in Michigan (and then-Gov. Barry), to make the land protected and preserved in perpetuity, had been illegally taxed by local Cheboygan County officials.

Unlike the Calhoun County officials, who followed the law and honored the Huron Potawatomie “In Trust to the Governor” land protecting and preserving patents, in southern Michigan, the local Cheboygan County officials did not. Unfortunately, the federal Mackinac Indian Agency had been abolished in 1889 so there were no federal Indian Agents to protect the preserved land of the Cheboiganing Band. It was not until 1899 that the Office of Indian Affairs in Washington, D.C. revived the Mackinac Agency, but only for the Upper Peninsula Native American settlements. The Cheboiganing Band was on its own. Though band members knew the intent of their



two signed treaties, and the intent of their six “In Trust” land patents, they were without federal protection. State of Michigan officials were not inclined to alienate the local Cheboygan County officials who were of the same political persuasion. It was also a time of intense hostility towards Native Americans in the country, with the Battle of Wounded Knee only a few years old (1890).

The land at Indian Point by the 1890s had become recognized as extremely valuable real estate. Burt Lake had evolved into a summer resort paradise with many wealthy mid-westerners wanted a lakefront cottage. The Cheboiganing Band’s Burt Lake frontage was the target of those who had purchased “tax titles” of the six separate parcels of land held “In Trust by the Governor.” By the end of 1894, all six parcel’s “tax titles” were in the hands

of one man, a wealthy Cheboygan banker and real estate developer.

At this point in time, no state, or federal official, asked the Office of Indian Affairs to search their 1848-1850 documents to produce the intent of Gov. Barry, and the intent of Indian Agent William A. Richmond when they collaborated on the wording of the Huron Potawatomie and Cheboiganing Band “In Trust to the Governor of Michigan and his successors in office forever.” Many personal opinions flowed from Lansing and Washington, but none of them were based on the factual intent of the “In Trust” land patents issued to the two Bands of Michigan Indians. The resulting negligence and malfeasance resulted in the October 1900 illegal and immoral seizure of log cabins by way of arson and land at Indian Village.



Bruce Hamlin

The 375 acres of federally protected and preserved land on Indian Point was the ancestral homeland of the Cheboiganing Band since 1702, and most likely, even before that. The land known to many in the area as an Indian Reservation in the 1880s and 1890s was now developed in the 1900s into lake shore lots for cottages. The farm fields of the Cheboiganing Band were turned into a farm, the St. Mary's Church at Indian Village used as a pig barn, and later a garage. The Band members were dispersed to live elsewhere. Though they tried desperately to regain their "In Trust" land, they were not successful. The political cards were stacked against them.

To add more pain to their misery, when the Cheboiganing Band sent a petition for organization into the Office of Indian Affairs in May of 1935 (to comply with the 1934 Indian Reorganization Act) they were told that since they no longer had any ancestral land in Michigan, they were no longer a federally recognized Band of Michigan Indians. They were not eligible for the 1836 and 1855 signed

Treaties negotiated benefits for ceded land. No federal protection, no medical services, no educational services, housing programs, tribal government assistance and more. All of these things had been negotiated in 1836 and again in 1855 after ceding 13.05 million acres of land to the federal government.

Despite suffering the indignity and harm of having their "In Trust" land illegally taken from them, the Cheboiganing Band of Indians continued to participate in the Armed Forces of the United States. During the Civil War six band members fought for the Union. Three band members fought in World War I, 21 band members in WW II (two were killed), three members in the Korean War and two members in the Vietnam War. All band members today are descendants from the 20 families living at Indian Village on Oct. 15, 1900.

Today the historic Cheboiganing Band is a recognized Band of Ottawa and Chippewa Indians in Michigan. Their modern, adopted name is officially the Burt Lake Band of Ottawa and Chippewa with offices in Brutus, Michigan. Since 2008, Bruce Hamlin has been democratically selected as the leader –chairperson of the small, 300-member band. Since 1935, and again in 1985, the Cheboiganing–Burt Lake Band has been actively seeking reaffirmation of their federal status – a status first confirmed to the band in July of 1836 by the Senate of the United States. A status that has never been terminated by Congress or by any federal governmental department.



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