

THE EVOLUTION OF EMMET COUNTY

By

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Read to the Emmet County
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Michigan was admitted as a state in 1837. The government survey of the public lands, begun in 1816, was practically completed in the southern peninsula by 1840. In that year the surveyors were at work in this vicinity subdividing the congressional townships, the exterior lines of which had been fixed by the initial survey. The four southern tiers of countries were then fully organized, and were rapidly increasing in population and wealth, but northwards the state was practically a wilderness. The legislature of 1840 had unbounded confidence in the future of the state, and determined to lay a firm foundation for the great and glorious commonwealth then in mind.

By act number 119 of the session laws of 1840, page 196, provision was made for the future by dividing the unorganized part of the southern peninsula into counties. The act was entitled "An act to lay off and define the boundaries of certain counties," — counties that were prospective only. Naturally they commenced at the southern part of the state, north of and adjoining the then organized counties, and proceeded northwards. It had been the general policy prior to that time to make the counties four surveyed counties square, of sixteen townships to each county; and this policy was adhered to in the act mentioned, — so that the unit of measure used in laying out these new counties was twenty-four miles in length.

Section 27 of the act is as follows: "That portion of the state lying in towns 33, 34, 35 and 36 north, and west of the line between ranges 3 and 4, shall be laid off as a separate county, to be known and designated as the county of Keshkauko."

Section 28, using similar language, laid off that portion lying north of the line between towns 36 and 37 north, and west of the line between ranges 4 and 5 west, designating it as the county of Tonedagana.



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Section 29, using similar language, set off that portion lying north of the line between towns 36 and 37 north, and east of the line between ranges 4 and 5 west, designating it as the county of Cheboygan.

It will be seen from this that the territory embraced in the present townships of Cross Village, Readmond, Center and Bliss constituted the original county of Tonedagana, — that the present townships of Carp Lake and McKinley were part of the then county of Cheboygan, — and that the west of the present county of Emmet, including Petoskey and Harbor Springs, as part — nearly all, of the county of Keshkauko.

It is evident that in laying out these prospective counties, since the distance traversed was not exactly divisible by the measuring unit made use of, there should remain something over; this fractional excess was divided, though not equally, between Cheboygan county and Tonedagana county.



Beaver Island

The act further provided that the several counties laid off north of town twenty north should be and remain attached to the county of Mackinaw for judicial purposes. The same legislature provided for terms of court to be held in Michilimackinac, alias Mackinaw county, on the second Tuesday of July in each year. It may not be irrelevant to mention the fact that there are now 21 fully organized counties in the territory so attached to Mackinaw county, each having four terms of circuit court each year.

By Act number 67 of the session laws of 1843, page 145, entitled "An act to change the names of certain counties," the names of county of Tonedagana was changed to that of Emmet, and the name of the county of Reshkanko to that of Charlevoix.

Now Reshkanko was not mentioned in the act of 1840. Keshkauko was undoubtedly the original name of the county here mentioned as Reshkanko. The intrinsic evidence of this is clear and convincing. The counties contemplated by the act of 1840 were given Indian names, — nearly all of them. Four of the names so beginning with K are in the act of 1843 given as beginning with R. In an act of the same legislature, dividing the State into congressional districts, these names begin with K. A reasonable explanation of the errors in spelling is that the bill was in writing, — the scribe did not make K so as to be readily distinguishable from R, — a small n and a small u look very much alike in ordinary script, — and the printer failed to correct his proof.

The marginal notes in this rechristening act show discrepancies when compared with the text. Unquestionably Keshkauko was the correct name, and Reshkanko was merely an unintentional corruption of it.

At the time of the passage of this act, and for many years after, there were but few white inhabitants of these proposed

counties, — only a few traders, some missionaries, a very few government employees, and some sailors and fishermen who concluded to stop awhile. The territory was an Ottawa and Chippewa Indian reservation, with the tribal relation maintained.

The Indians had settlements at Little Traverse and at Cross Village, but had no title to lands other than that given by occupancy. In both these places subscriptions were made by the members of the tribes, patents procured by someone selected for that purpose, and later partition made of the lands. The old chief, Alexander Nesawaquet, obtained a patent in June, 1848, by purchase from the general government, for lands in and around Little Traverse, subdivided the same in part, and made deeds to certain of the contributors to the fund. This division was completed some years later, by proceedings in the probate court, of which Andrew Porter, a Presbyterian missionary, was the judge. These proceedings, while not strictly legal, appear to have been very equitable in their results.

In 1847, a colony of Mormons, under James J. Strang, — better known as King Strang, — settled on Beaver Island. At first there were only a few families, but the colony grew, and had its advocates on the mainland as well as on the island. The leader, Strang, was a politician as well as saint, and sought to control civil as well as religious matters. He became a member of the house of representatives

of the State in 1853, and certainly sought to improve his opportunities while acting in that capacity.

By act number 18 of the session laws of 1853, entitled "An act to organize the county of Emmet," approved January 29, 1853, a new deal was had. That act provided that all the islands, bars, rocks, and lands under water, contiguous to the counties of Emmet and Charlevoix, together with so much of range four west as was theretofore included in Cheboygan county, should be annexed to the county of Emmet, and form a part thereof, and that the former county of Charlevoix should be erected into a separate township, for all purposes to be deemed a part of the county of Emmet. Provision was made for the copying of certain records in the Mackinaw county offices, and the board of supervisors was authorized to fix the county seat. The act was given immediate effect.

This made Emmet county considerably larger than before, the two townships mentioned as part of Cheboygan county, and that part of Charlevoix county extending as far south as the present location of Boyne City being added. Charlevoix county, as such, was entirely eliminated.

While there is a complete absence of county records of any kind, and no record of the establishment of a county seat, there is no question that county business of some kind was transacted at St. James, on Beaver Island, and that one George T. Preston assumed to act as county clerk.

The legislature of 1853 also provided for the taking of the first state census, by supervisors, in 1854. Returns of that census were made from the new county. The legislative manual for 1883, and other



James J. Strang, 1856

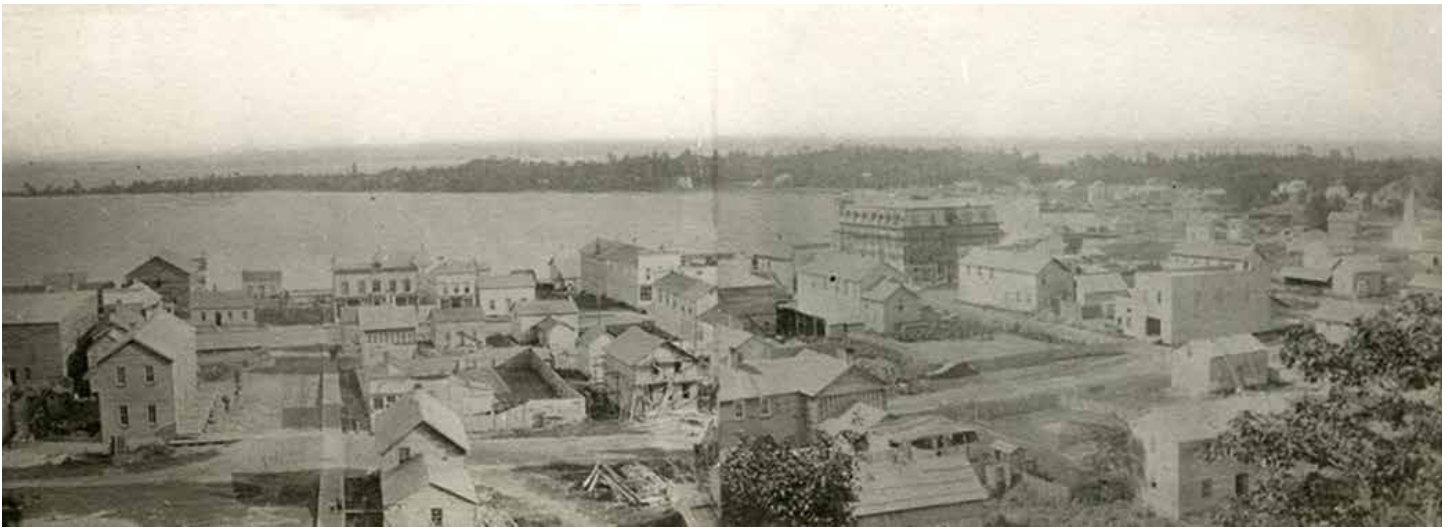
years, tabulates these returns, giving the population of Emmet county at 4,970. In a foot note to this tabulation we find the following interesting and suggestive statement: "Fraudulent census returned by King Strang, of Beaver Island." The extent of the fraud may be estimated by comparing this return with the population given in following years.

Strang was also a member of the legislature of 1855, but as his labors had not proved entirely satisfactory to many of his constituents, his influence was materially lessened. Under the leadership of Jacob A. T. Wendell, of Mackinac Island, and John S. Dixon, of Charlevoix, the anti-Mormon residents succeeded in having an act passed reorganizing the county of Emmet.

The session laws of 1855, page 421, approved February 13, 1855, reorganized the county of Emmet, the islands of Lake Michigan being set off into another county. Five townships were provided for — Little Traverse, La Croix, Bear Creek, Charlevoix and Old Fort Mackinac, the boundaries of each being given. Provision was made for the election of county officers in June, and the board of supervisors directed to fix the county seat.

It seems that no election was had in June, but later in the year, in November, a special election of county officers was had, at which there were forty votes cast. There is no evidence that the persons then elected ever qualified, or that any official acts were ever performed by them.

Notwithstanding this legislation, we find that Galen B. Cole, the Mormon supervisor of Charlevoix township, assuming to be the board of supervisors of the county, at a meeting purporting to have been held at Charlevoix on October 22, 1855, formed new townships for Emmet county, subdividing Charlevoix township into the townships of Eveline and Evangeline, referred to as being severally bounded by a lake designated as Green lake, Long lake, Pine lake or Lake Mormon. He also undertook to organize two new townships in this immediate vicinity, one to be called the township of Utopia, and the other to be called the township of Arbour Croche, the latter composed of the present townships of



Harbor Springs and Harbor Point, 1881. Photo: Little Traverse Historical Society

Little Traverse, West Traverse, Pleasant View and Friendship, its first meeting to be held in the school house in the village of Arbour Croche.

These proceedings were authenticated by his own signature and the signature of George T. Preston, county clerk, who attached the seal of the circuit court for the county of Emmet. This interesting reminder of King Strang's reign may be found in the appendix to the session laws of 1857, at page 501.

Persons interested in the L'Arbre Croche problem need take but little of their time in an effort to determine the exact value of Mr. Cole's contribution to our local history. Little Traverse, the only village in the territory described, was known as such in 1851, when Isaac Whicher made the first plat of that village, and in 1853 it was designated as a trading post by that name.

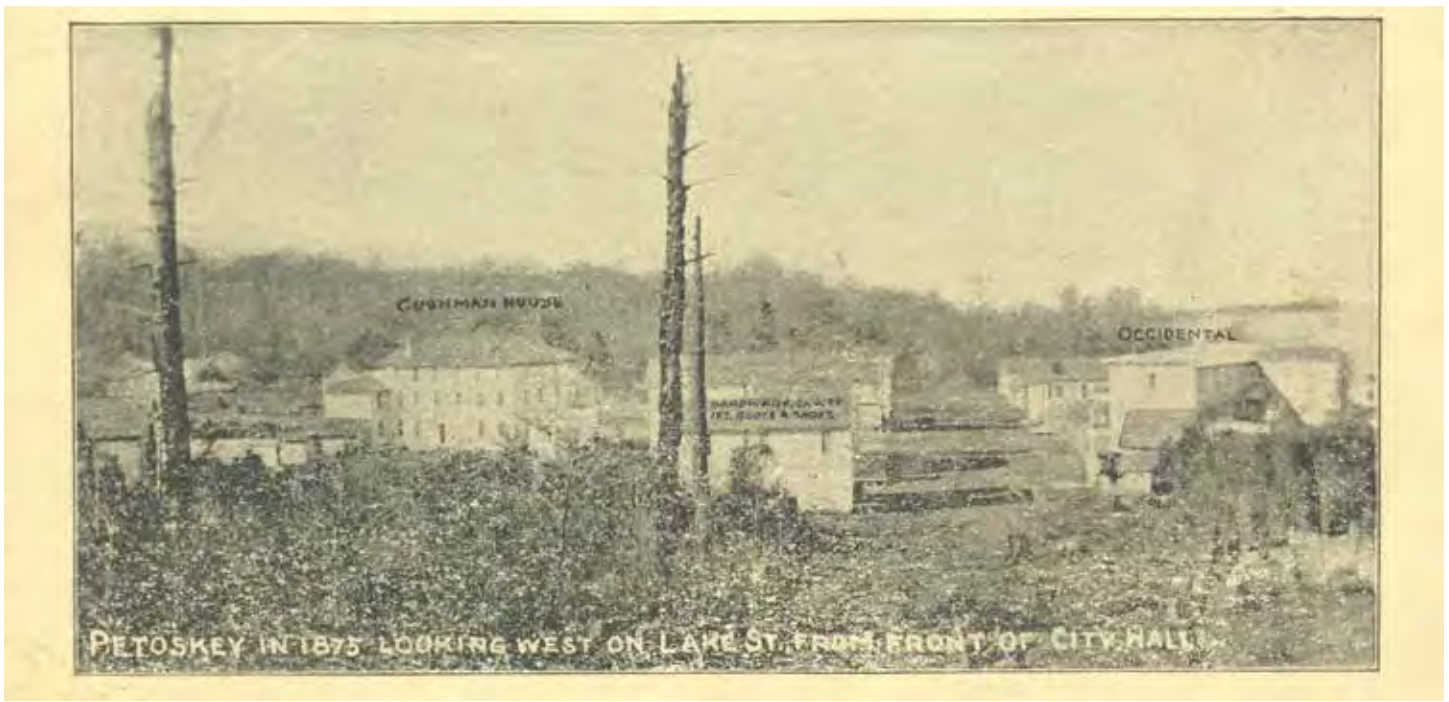
July 31, 1855, the general government made a treaty with the Ottawa and Chippewa Indians of this section, whereby the Indians were given the right to make selections of lands for their individual ownership, their tribal relations dissolved, and they were given full rights of citizenship.

In the fall of 1856 the regular election was had, at which there were 162 votes cast for county officers. These officers fully qualified, and the official records commence soon after that date. Andrew Porter was elected judge of probate. It may be of interest to note

that of the county officers elected from 1856 to 1868, inclusive, 13 were white and 7 were Indians.

There is no record showing that the board of supervisors paid any attention to the mandate of the legislature to establish the county seat, nor is there any record of a meeting of the board on April 27, 1857. There is an undated certificate on file, however, signed by Andrew Porter as chairman of the board, and by Michael Kewa as county clerk, to the effect that at a meeting of the board of supervisors held at Little Traverse on Monday, April 27, 1857, the board unanimously established the county seat at Little Traverse, having in view the present and prospective condition of the county.

But there were others who had given some attention to the present and prospective condition of the section of the country. In the summer and fall of 1857 Edgar Conkling and several business associates of his, who were most wonderfully optimistic concerning the future of Mackinaw City, platted and recorded a map of that place. They issued several thousand pamphlets, one of forty-eight pages with two large maps, and one of thirty-one pages, also containing maps, advertising in very glowing terms the advantages of the prospective city. These pamphlets were circulated all over the business world, especially in the middle west. An "Exposition of the Natural Position of Mackinaw City" was given in bright colors, so that one could readily see that this city "must speedily become the great northern



Petoskey in 1875 looking west on Lake Street. Photo: Petoskey District Library

city of the Union,” and that it would most certainly control “the mineral trade, the fisheries, the furs and the lumber of the north.” Mackinaw City and Chicago were compared, in parallel columns, in relation to their natural and commercial advantages, the former losing nothing by the comparison. It may also be mentioned — for what it may be worth — that a very influential resident of Mackinac Island was a member of the legislature that met in 1858. In February, 1858, the state legislature passed an act, entitled an amendment to the act of 1855, providing that “the county seat of Emmet county shall be and hereby is established at Mackinaw City, being part of sections 12 and 13 in town 39, north of range 4 west.” The act also called for a special election of county officers in August, 1858, the canvass of votes to be at Mackinaw City. (See session laws of 1858, page 24).

County officers had already been elected and were acting, so no special election was hold at the time stated in the act.

A short time after this act was passed Andrew Porter wrote the attorney general, Jacob M. Howard, relative to this action of the legislature, asking as to its legal effect, enclosing a copy of the certificate of himself and the county clerk, stating that this

action of the board of supervisors was not of record, and inquiring whether or not that fact would affect the situation. The attorney general, in answer, gave it as his opinion that the act in question was unconstitutional. It was repealed by the legislature of 1861.

From that time on things moved along quite harmoniously for nearly ten years. On April 1, 1867, a vote was had on the question of the removal of the county seat to the village of Charlevoix. The official canvass of the vote, had April 11, 1867, showed that 63 persons voted for the removal of the county seat, — 85 for the removal of the county site, — 99 against the removal of the county seat. The result of this canvass may be imagined.

There were some serious disputes, of course, as to the legal effect of this vote. On May 6, 1868, the circuit court for the county of Emmet, at a regular session, Jonathan G. Ramsdell, circuit judge, presiding, determined that the county seat should be at the village of Charlevoix, and ordered the clerk of the court to have and keep the records, files and seal of the court at that place. Two terms of the circuit court, two sessions of the board of supervisors, and one tax sale, were had at Charlevoix in 1868, but much of the other business of the county was

transacted at Little Traverse. It is needless to say that the situation was unpleasant and becoming more and more serious. There was but one legal remedy, — a divorce.

By act number 396, session laws of 1869, page 1091, Charlevoix county was placed on the map once more, the greater part of its territory being taken from Emmet county. The south line of Emmet was left three miles farther north than at present.

Section 9 of said act required that “all property, files and records belonging to the county of Emmet, which may remain in the county of Charlevoix at the time of its organization, shall be delivered over to the proper authorities of the county of Emmet.” The Charlevoix county supervisors were authorized to locate the county seat of that county, but nothing was said about the county seat of Emmet county, an omission which caused some annoyance a few years later. The records were taken back to Little Traverse, and that village continued to be, in fact, the county seat.

The Grand Rapids and Indiana railroad came into Petoskey in the fall of 1873. Almost the entire county was then embraced in an Indian reservation, preventing the purchase of public lands by the whites, until 1875, when the reservation was thrown open to settlement, and a sudden influx of settlers commenced. In 1870 the population of the county was 1,211, — in 1874 it was 1,272, — an increase of only 61. In 1880 the population had increased to 6,639, an appreciable gain. Things had begun to move.

From 1855 to 1870 there were three organized townships in what is now Emmet county, — Bear Creek, Little Traverse and La Croix, — now Cross Village. Four new townships were organized in 1876, — two in 1877, — one in 1878, — one in 1879. Petoskey was incorporated as a village in 1879. Little Traverse was incorporated as a village, under the name of Harbor Springs, in 1881. Bay View, Harbor Point and Wequetonsing were severally incorporated as summer resorts a few years before that date, and were thriving.



The author, Judge Benjamin T. Halstead, 1914.

Photo: Little Traverse Historical Society

The county continued to have a healthy growth. There were 7,944 residents in 1884, — 8,756 in 1890, — 10,382 in 1894. In 1895 the legislature incorporated Petoskey as a city. In the same year a strip three miles in width was added to the southern boundary of the county, besides the southern part of Resort township. Some changes were made later in the townships; Resort, West Traverse and Littlefield came into being. In 1901 the townships were as at present, except that the name of Egleston was changed to McKinley. In 1902 the county seat was removed to Petoskey. In 1900 the population of the county was 15,931, — in 1904 it was 17,892, — in 1910 it was 18,561.

We have thus traced, by authentic records, the links in an unbroken chain, from the genesis of the county down to the present. One can see but little resemblance between our now and our earliest recorded then, between our county as it is and the original legislative concept of it as a political unit. The germ was there, of course, but it took time, and men, and push, to develop it. Our people are justly proud of their heritage. They have an abiding faith in its future, a faith supplemented by earnest, willing labor. With such a combination — faith and works, that future is not problematical, it is assured beyond all question.