

**The Historical and Ethnohistorical Context of Hunting and Fishing
Treaty Rights in Western and Northern Michigan.**

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A less pervasive, but still significant, division among the various groups of Ottawa and Chippewa were the payments received by some bands from their participation in previous land cession treaties. The treaties of Chicago in 1821 and 1833 provided for annuities and services, such as blacksmith shops, for the Ottawa of the Grand Valley. Although these payments and services came at the cost of their hunting grounds south of the Grand River, their greater ability to purchase trade goods was envied by other *Anishnabeg*.

Land For Time: The Origins of the 1836 Treaty

By 1836 the Ottawa and Chippewa were caught between the collapse of their fur trade economy and the rush of a new diversified European-American political and economic order. They had been in jeopardy of this since the end of the War of 1812. But events during the early 1830s, such as the decline of game populations, the sale of the American Fur Company, the expansion of missionary activity, and the flood of European-American settlers, lent an urgency to the efforts of *Anishnabe* leaders to develop strategies to adapt to a new era. Selling land to obtain the time and the resources with which to undertake such an adaptation was a bitter reality recognized by many Ottawa and Chippewa. Land represented their best bargaining tool, but it was not their only source of leverage. They also had their souls, and they used these to enlist missionaries as a new set of European-American allies. In their past the Ottawa and Chippewa had been forced to make changes in how and where they lived. This had been particularly true, for example, during the Iroquois wars, for example, and through their gradual participation in the fur trade. This ability to change and adapt was severely challenged during the 1830s and 1840s.

From a European-American perspective, the Ottawa villages of the L'Arbre Croche coast were the most progressive *Anishnabe* community. Ottawa astuteness at commercial relations and their prudent conduct during times of war had long before won them recognition. It was the chiefs of L'Arbre Croche, more than any other *Anishnabe* leaders, who understood the great challenge posed by the United States, and they pioneered the search for accommodation. In 1816 Indian agent William Puthuff noted that they had "progressed considerably in the arts of agriculture, their villages are populous and well settled....with a little encouragement they might be induced to locate themselves and much increase their agricultural labors." While the United States government did nothing to encourage the Ottawa, the chiefs of the region solicited federal

assistance for “cows, Hogs, Fowls,” and a “blacksmith to make repair their farm utensils, Traps, guns, etc. and that he may instruct them to build houses and live as whites live.”¹²³ A year later the Ottawa informed the agent of plans by Indian traditionalists, attributed to the Shawnee Prophet, to recreate the anti-American alliance. In contrast, the Ottawa “tendered their assistance to the American Government.”¹²⁴ Puthuff’s reports indicate that in the first two years after the War of 1812, the chiefs of L’Arbre Croche rejected attempts at traditionalist revival and looked to adapt their community to the new order.

Pressure to make a change came from the United States. In 1820 Lewis Cass made an official United States visit to the Upper Great Lakes. He sent Indian Agent George Boyd to L’Arbre Croche to demand the St. Martin Islands, which the Americans desired because they deemed it a superior source of gypsum, for the manufacture of plaster. The Ottawa must have thought this a exceedingly eccentric request, but in the interests of friendship they agreed to cede the islands to the United States in return for a modest assortment of merchandise.¹²⁵ It was ominous, if not unexpected, that the Americans in their first formal council with the elders of L’Arbre Croche made a territorial demand. What was more surprising was a second aim of Cass’ mission. He presented to the Ottawa the Reverend Jedediah Morse, one of America’s leading Congregational divines, and the personal representative of Secretary of War John C. Calhoun. In a classic “hell-fire” sermon, Morse told the Ottawa that the Great Spirit “is angry with the red people, and is destroying them, while he prospers the white people.” He bluntly told the Ottawa that the reasons for the widely varying fates of each people was Jesus Christ and the Bible. “This book causes the wide difference which exists, as you see, between white man and Indian.” The choice for the Ottawa, Morse bluntly concluded was “*Civilization or ruin.*”¹²⁶

The message Morse and Cass delivered to the *Anishnabeg* in 1820 was none too subtle. It was a challenge to either join American society or be destroyed by it. That point was reinforced a year latter when the Ottawa and Chippewa were invited to Chicago to participate in a treaty to achieve “the extinction of Indian title within the Territory of Michigan.” Neither the Chippewa

¹²³ William H. Puthuff to Governor Lewis Cass, 14 May 1816, *WHC*, Vol. XIX, 413.

¹²⁴ William H. Puthuff to Governor Lewis Cass, 20 August 1817, *WHC*, Vol. XIX, 473.

¹²⁵ Kappler, ed., “Treaty with the Ottawa and Chippewa, 1820,” *Indian Treaties, 1778-1883*, 188.

¹²⁶ Jedediah Morse, *A Report to the Secretary of War of the United States on Indian Affairs* (New Haven: S. Converse, 1822), Appendix, 9-14.

of the Upper Peninsula, nor the Ottawa of L'Arbre Croche sent chiefs to the council. It was fortunate they did not. A single Grand River Ottawa chief signed the Chicago Treaty and it cost all of the bands in the valley their access to the lands south of the Grand River. Although treaty commissioner Lewis Cass was pressed by the War Department to secure title to all of Michigan he respected the independence of the northern bands and focused merely on securing the cession of the "nearer and more important" lands of southern Michigan. Even so news of the Chicago Treaty was a chilling reminder for the Ottawa and Chippewa of the need to change and adapt to circumstances.¹²⁷

In his 1820 speech to the Ottawa Jedediah Morse referred to the Civilization Fund established by Congress to help speed the education and Christianization of American Indians. But Christianity came to L'Arbre Croche, not through the initiative of the United States, rather it was the Ottawa themselves who conceived and carried out their own program of accommodation and renewal. Sometime in the early 1820s, an Ottawa named Andowish who had lived among the Stockbridge Indians, returned to L'Arbre Croche. The Stockbridge were largely made up of Mahican people, who had adopted Christianity and had partially adapted the rural European-American lifestyle. In 1818 they left their base in upstate New York and came to the Midwest, first to Indiana, and later to Wisconsin. Andowish told his Ottawa kinsmen about the religious practices of the Stockbridge. He may have been intrigued with the prospect of the Stockbridge lifestyle as a means of adaptation to European-American society, but what is known for sure is that a wave of interest in Christianity spread along the L'Arbre Croche coast. Apokisigan [aka Apawkausegun], chief of the Seven Mile Point band, visited *Metis* relations on Mackinac Island and solicited their help in obtaining a missionary. The Indian sponsored evangelization took a turn toward Catholicism, perhaps because of the memory of Jesuit missionaries among the Ottawa during the seventeenth and eighteenth centuries. Perhaps it was because of the role of the *Metis*, who were largely of French-Canadian origin, and because of the role of Ausegonock [aka Assiginack], an Ottawa from Little Traverse who had converted to Catholicism while living on Drummond Island. Ausegonock returned to his home, in his nephew's words, "expressly to act as missionary in the absence of the priest." Ausegonock preached on Sundays and instructed

¹²⁷ Lewis Cass to John C. Calhoun, 1 February 1822, Ohio River-Great Lakes Ethnohistory Archive, Ottawa File, Glenn Black Archaeological Laboratory, Indiana University, Bloomington, Indiana. Hereafter, this source will simply be cited as Great Lakes Ethnohistory Archive.

people in Catholic teachings regarding the “Virgin Mary and all the saints and angels in heaven.”¹²⁸

In 1799 an attempt by Father Gabriel Richard to reestablish a Catholic mission at L’Arbre Croche was rebuffed by the Ottawa. At that time only one baptized Ottawa could be identified in the community. After the Indian-initiated revival had begun, Father Richard drafted a petition to the President of the United States on behalf of the Ottawa, “to bring us your very affectionate children to civilization and to the knowledge of Jesus the Redeemer of the red Skins as well as of the white people.”¹²⁹ After several years of lobbying by Richard, the Secretary of War finally made a small appropriation from the civilization fund to cover partially the cost of building and operating a mission school at L’Arbre Croche. Not until 1829, however, was Father Jean Dejean appointed as the resident pastor to the Little Traverse Ottawa. Under Dejean, the Catholic Ottawa formed their own village. When Bishop Frederic Rese visited this site in 1833, the mission was said to include of sixty-one houses and 1200 inhabitants. The people were largely temperate, industrious, and well-instructed, including some who could read and write.¹³⁰

The spread of Christianity along the L’Arbre Croche coast¹³¹ was part of a broader series of changes that were underway among the Ottawa of the region. Andrew Blackbird, who remembered being baptized as a young boy by one of the first missionary priests, asserted that at that same time “many Indians began to be stationary; they did not go south [to winter trapping grounds], as heretofore, but remained and made their winter quarters at Arbor Croche.”¹³² Catholic mission doctrine asserted that an Indian could become Christian “without changing his mode of life, has only to give up his superstitious customs, to believe the truths of faith, to perfect those ideas of morality already divinely imprinted in his heart and finally, to do good and avoid evil.”¹³³ Nonetheless, becoming part of a Christian Indian community like that established

¹²⁸ Blackbird, *History of the Ottawa and Chippewa*, 46-47.

¹²⁹ Petition of Ottawa residing at Waganakisi (L’Arbre Croche) to the President of the United States, 12 August 1823, Chronological File, State Historical Society of Wisconsin, Madison, Wisc.

¹³⁰ John Gilmary Shea, *History of the Catholic Missions among the Indian Tribes of the United States, 1529-1854* (New York: T.W. Strong, 1854) 389.

¹³¹ This term is used to describe the arc of Ottawa villages on the Lake Michigan shore from Little Traverse Bay to Waugoshance Point.

¹³² Blackbird, *History of the Ottawa and Chippewa*, 46-47.

¹³³ Samuel Mazzuchelli, *The Memoirs of Father Samuel Mazzuchelli O.P.* (Chicago: Priory Press, 1967) 129.

at Little Traverse entailed facing consistent encouragement to change traditional *Anishnabe* social practice. Andrew Blackbird remembered that the priest “visited the Indians a good deal during the week days, purposely to instruct them in the manners and customs of the white man, ordering things generally how to be done, and how women should do towards their domestic callings, not to work out of doors, and to take good care of what belonged to their household.” Religion also became a means to fight alcohol abuse. No liquor was allowed to be landed at the settlement. At news of the approach of a boat, the war chief Aupawkosigan “would call out his men to go and search for the liquor, and if found he would order him [sic] men to spill the whisky on the ground by knocking the head of a barrel with an axe, telling them not to bring any more whisky into the Harbor, or wherever the Ottawas are, along the coast of Arbor Croche. This was the end of it, there being no lawsuit for the whisky.”¹³⁴

In accepting Christianity, Ottawa and Chippewa were making a conscious and considered attempt to change their lives for the better. It would be cynical and simplistic to view baptism or church attendance as simply a strategy for mollifying United States Indian Agents. It is true that Christianity brought tangible benefits to its practitioners, most notably education and a formal social mechanism for fighting drunkenness—both of which were lacking in traditional communities. Access to these valuable resources was perhaps reason enough for some Indians to convert, but for others the decision was a spiritual one. The conversion of Chusco, an *Anishnabe* Midewiwin priest, in 1834 is a case in point. While working at his maple sugar camp on Bois Blanc Island, he experienced a spiritual reawakening that “haunted” him until he accepted Christianity. Henry Rowe Schoolcraft and the Presbyterian minister Reverend William Ferry instructed the fifty-something year old man. Chusco surrendered his “medicine bag, manitos, and implements of sorcery.” Chusco quit drinking following his conversion, but otherwise his lifestyle remained the same.¹³⁵ The surrendering of medicine bags was a profound moment for *Anishnabe* converts, a moment when they broke with the spiritual world of their traditional kinsmen. In addition to the rejection of drunkenness, Christian *Anishnabeg* were sometimes expected to cut their hair short, and abandon the vision quest and other rituals, but it was the loss

¹³⁴ Blackbird, *History of the Ottawa and Chippewa*, 50-51.

¹³⁵ Henry Rowe Schoolcraft, *Personal Memoirs of a Residence of Thirty Years with the Indian Tribes on the American Frontier: With Brief Notice of Passing Events, Facts, and Opinions, A.D. 1816 to A.D. 1842*, (Philadelphia: Lippincott, Grambo & Co., 1851) 447, 449-450, 572.

of the medicine bags that was the most serious step for a convert. When the bags were taken from their necks and tossed into the fire, the converts donned Christian crosses to demonstrate publicly their transformation.¹³⁶

Through the 1820s and 1830s, Christianity grew slowly but steadily among the *Anishnabeg*. By 1836 the Catholic Church claimed, with some exaggeration, 1,200 converts among the Ottawa at Little Traverse, which was almost the entire population.¹³⁷ At Grand River Catholic missionaries reported 200 converts out of a population he estimated as “over 900.”¹³⁸ That missionary also reported Catholic congregations among the Beaver Island Ottawa, and at Grand Traverse and Manistee with a total of 107 converts.¹³⁹ Protestant missionaries operating within northwest Michigan boasted of less success, yet they had three schools in operation. The number of true converts among the Ottawa and Chippewa is perhaps impossible to estimate accurately but it is clear that a significant number, probably a larger percentage of Ottawa than Chippewa, did accept the new faith and with it made a commitment to adopt a new lifestyle. These people had less commitment to the endangered fur trade lifestyle than the traditionalists. Christian *Anishnabeg* played an important role in the negotiation and ratification of the 1836 treaty because that document facilitated a social and economic transition they had already begun.

What Christian Indians wanted was the time and the means to affect a significant change in their lives. Because an *Anishnabe* converted to Christianity did not mean that he or she stopped being a member of his or her family, band, and clan. One of the most important aids to evangelization was the work of converts among their own families to convince loved ones to join them in the new faith. Reverend Jeremiah Porter described “an Indian boy of eighteen” who lived “a christian tho’ a hunter’s life.” He prayed every morning and evening in his father’s lodge for three months. The boy’s father appears to have been a Midewiwin priest who “never believed in the white man’s God, till this son became a Christian: now he wishes all his children

¹³⁶ *Annales de la Propagation de la Foi* (Paris: La Librairie Ecclesiastique de Rusand, 1830) 481-6.

¹³⁷ *Annales de la Propagation de la Foi* (Paris: La Librairie Ecclesiastique de Rusand, 1836) 308-9.

¹³⁸ Frederic Baraga to Governor George Porter, A list of Catholic Indians in the Mission of Grand River, 5 November 1833, Baraga Papers; Baraga to Leopoldine Foundation, 26 July 1833, Baraga Papers; Father Andrew Viszoczky to Leopoldine Foundation, 20 October 1835, Baraga Papers.

¹³⁹ Baraga to Leopoldine Foundation, 25 August 1833, Baraga Papers.

to become so.”¹⁴⁰ Abel Bingham tried long and hard to convert one of the headmen of the Tahquamenon band of Chippewa. The man put off his conversion, however, until he would be able to bring his “young men” into the faith with him. At a baptism a few months later, the man took that occasion to try to convince his non-Christian kinsmen to convert. Bingham was struck by the fervor of his appeal, “the whole was delivered with an animation, I never before witnessed in him.”¹⁴¹ Some Christian converts reported difficulty in trying to maintain their faith when they went into the interior with their kinsmen to participate in the seasonal round.¹⁴² While many Christian Ottawa had made significant alternations in their subsistence patterns by abandoning distant winter hunting grounds they likely still had kinsmen who continued in an older pattern. Chippewa converts seem to have continued their previous economic pursuits, although the precarious nature of that lifestyle was apparent to Abel Bingham, who, in January 1836, completed a tour of Indian camps and found his people “almost in a starving state.”¹⁴³ During the 1830s, many Ottawa and Chippewa people were trying to change both their lifestyle and their religion. *Anishnabeg* embarked on that path of change needed time to adapt, both for themselves and for their family members who might still be resisting the new order. A treaty was one way to secure the breathing space and the financial resources necessary to make the change.

Traditional Ottawa and Chippewa, who wanted no part of the experiments with the white man’s God or the farmer’s plow, had at least one alternative to hunger and want. Emigration was an option that many Ottawa and Chippewa had taken long before there was a crisis in their homeland. The westward expansion of the Chippewa continued through the first half of the nineteenth century. In the 1820s and 1830s this meant the large region west of Lake Superior, which is currently occupied by southern portion of Manitoba, northwestern Minnesota, and eastern North Dakota. John Tanner, a young European-American captured by the Chippewa, went west sometime before the War of 1812 with a family group of mixed Ottawa and Chippewa background. One of the men in the party had been born in the Red River country, and although

¹⁴⁰ Jeremiah Porter to James Porter, 5 May 1831, Jeremiah Porter Letters, Clarke Historical Library, Central Michigan University.

¹⁴¹ Abel Bingham Journal, 27 May 1832, 1 July 1832, Abel Bingham Papers, Clarke Historical Library, Central Michigan University.

¹⁴² *Ibid*, 2 January 1833.

¹⁴³ *Ibid*, 14 January 1836.

he died before the journey began, the others continued on their own.¹⁴⁴ Tanner lived the life of a hunter and trapper for more than ten years, establishing his own Chippewa family in the west. Mackadepenessy, one of the signers of the 1836 treaty, lived for almost twenty years in Manitoba, until about 1813, when he returned to L'Arbre Croche, the region of his birth. Mackadepenessy's brother also emigrated to Manitoba. Andrew Blackbird reported that large number of L'Arbre Croche Ottawa went west at the time of the Shawnee Prophet's ministry.¹⁴⁵

Even more common than emigrating to the western frontier of the *Anishnabe* world was merely crossing the artificial boundary between British North America and the United States. Before returning to L'Arbre Croche to lead the Catholic revival there, Ausegonock had been an interpreter working for the British on Drummond Island. He ended his life once more in British territory on Manitoulin Island. In 1835 Henry Rowe Schoolcraft reported that Potawatomi and Ottawa, who had sold their lands south of the Grand River at the 1821 Chicago Treaty, were faced with "the rapid extension of Settlements up the peninsula of Michigan." As a result, a considerable number of these Indians were making their way "to the islands of lake Huron...to which some of them have already proceeded, and where inducements appear to be held out, by authorities of the British Indian department, for their settlement."¹⁴⁶ A very large percentage of Ottawa and Chippewa from the Straits region made the annual journey to Manitoulin Island to renew ties with kinsmen there and to accept presents from the British. Even the Catholic Ottawa took part in this annual visit. In June 1835 the missionary Baraga observed that there were only sixteen or seventeen people left at L'Arbre Croche village and "not a single one" between there and Cross Village.¹⁴⁷ *Anishnabeg* who were uncomfortable with their options in the Michigan Territory could, and some did, exercise their option to leave. To those inclined to do so, the short-term benefits that a treaty would bring, might seem attractive.

Most Chippewa and Ottawa came reluctantly to the idea of a land cession. Yet, by the fall of 1833, the Ottawa at L'Arbe Croche seem to have felt the necessity of exploring the prospect for

¹⁴⁴ Tanner, *The Falcon: A Narrative of the Captivity and Adventures of John Tanner*, 16-29.

¹⁴⁵ Blackbird, *History of the Ottawa and Chippewa*, 27-29.

¹⁴⁶ Schoolcraft to Commissioner of Indian Affairs Elbert Herring, 20 June 1835, National Archives, Letters Sent by the Agent, Mackinac, 1833-1836, Records of the Michigan Superintendency, 1814-1851, RG 75, M-1, Roll 69, frame 105.

¹⁴⁷ Baraga to Bishop Frederic Rese, 25 June 1835, Baraga Papers.

some type of accommodation. In November 1833, Indian Agent Henry Rowe Schoolcraft was approached by several “Ottawa chiefs” with the proposition that they go to Washington, D.C. in order to meet with President Andrew Jackson to discuss “the subject of their lands in the Peninsula.”¹⁴⁸ One of the chiefs was Pabamitabi, a venerable leader who had served as the spokesman for his people on other occasions. He was joined by Wing, who was known for his pro-American stand during the War of 1812¹⁴⁹ and by a chief identified by Schoolcraft as “Pakuzzigan,” who was likely the leading Catholic Ottawa chief, Apokisigan. Only a year before Pabamitabi, in a formal reply to a Schoolcraft address, had noted that his people had ceased “war & wandering.” “We live upon our own lands. And feel anxious to continue upon them & leave them to our posterity. We do not wish to part with them.”¹⁵⁰ The intentions of the Ottawa in wishing to discuss “the subject of their lands” with the President cannot be fully divined, but in a second meeting with Schoolcraft on February 5, 1834, Assiginack, the influential lay Catholic evangelist, cited a litany of *Anishnabe* economic concerns. Their lands were “denuded of game,” they “were poor and indebted to traders,” and European-American “settlements would soon intrude on their territories.” In reiterating the Ottawa request for a meeting with the President, Assiginack hinted at the outlines of what may have been the bargain he hoped to broker. He referred to abandonment of Drummond Island by the *Anishnabe*. This island had been a thriving place when it was the site of a British garrison and the base for the Crown’s Indian agent, but it was determined by an international boundary commission to be in United States territory and was vacated by the British in 1828. By 1833, no longer neither a source of gifts nor a base for traders, Drummond Island was but thinly inhabited, and the Ottawa sought to sell their title to the United States or at least receive “compensation for it.” From this expression of willingness to sell a small part of their territory eventually grew the very large cession of 1836.¹⁵¹

¹⁴⁸ Schoolcraft to Governor Porter, 21 November 1833, National Archives, Letters Sent by the Agent, Mackinac, 1833-1836, Records of the Michigan Superintendency, 1814-1851, RG 75, M-1, Roll 69, frame 018.

¹⁴⁹ Blackbird, *History of the Ottawa and Chippewa*, 26.

¹⁵⁰ Reply of the Ottawas [to a speech by Schoolcraft] by Pabamitabi, 1 September 1832, National Archives, Letters Received by the Office of Indian Affairs, Michigan Superintendency, RG 75, M-1, Roll 31, frame 126-127, p.267-69.

¹⁵¹ Schoolcraft, *Personal Memoirs*, 465.