

**Rebuttal Report of James E. Davis**

**United States, Bay Mills Indian Community, et al**

**v.**

**State of Michigan, et al,**

**U.S. District Court Case No. 2:73-CV-26**

**February 2005**

My name is James E. Davis. I have been retained by Historical Research Associates, Inc. to assist the State of Michigan in the case of *United States, Bay Mills Indian Community, et al. v State of Michigan, et al.* I received my undergraduate degree in American History from Wayne State University in 1962 and my PhD. in American History from the University of Michigan in 1971. Since 1971, I have taught American History at Illinois College, a small, liberal arts college in Jacksonville, Illinois. I am the author of a number of books and articles, most dealing with the settlement of the Midwest. My complete curriculum vita is attached as Appendix A to this report.

I have been asked by the attorneys for the State of Michigan to address the issue of settlement in Michigan as emigrants, public officials, and others would have understood it in 1836. Specifically, I was asked to review the report prepared by Susan Gray for this case. My principal conclusion from that review is that Dr. Gray is incorrect when she seeks to define “settlement” narrowly to mean only small, agrarian farmsteads. As I explain in detail below, it is my opinion that, in 1836, settlement had a far broader meaning to those seeking to populate Michigan.

A great variety of compelling evidence demonstrates that well into 1837 and even beyond, diverse people thought that the settlement of Michigan would continue to be very brisk. This evidence varies greatly in provenance, and in its nature it is primary, contemporary, and secondary. Moreover, this evidence demonstrates that people ardently believed settlement would soon move well north of the southern two or three tiers of counties. This settlement of Michigan, people further believed, would in some significant ways continue to be of the kind envisioned decades earlier by Thomas Jefferson. In other significant ways, however, it would significantly depart from these Jeffersonian notions and conform much more closely to the ideas expressed by Alexander Hamilton in the 1790s and Henry Clay in the 1830s. The agrarian, locally based, and

idealistic model of the self-sufficient Jeffersonian yeoman, non-urban way of life was giving way to the commercial, regionally and nationally based, and “practical” model of complex interdependency based on urban life and overall modernity. This shift in worldview heavily influenced Michigan, and the affects are still present in Michigan’s economy and overall culture. The forms and features of settlement in Michigan during the 1830s adjusted to economic and technological developments in the larger society--changes were eagerly embraced by many in Michigan--but settlement’s essential nature remained unchanged: it involved individuals, families, households, groups of people, and institutions moving into purchased, surveyed lands that were largely devoid of Euroamericans. Economic depression beginning in 1837 curtailed settlement well into the 1840s, but throughout 1836 this depression was virtually unforeseen. In short, strong evidence from the time when Michigan stood on the cusp of statehood forces the conclusion that thinking, active individuals in Michigan and elsewhere sincerely believed that Michigan’s accelerating pace of settlement would continue into the future – a future that would be increasingly non-Jeffersonian in its essential characteristics.

These facts are crucial in this case. Treaties and other contracts are signed in contexts and with underlying conditions, assumptions, and understandings. The treaty in question was negotiated and signed in 1836, a year in which all indicators strongly pointed toward continued phenomenal growth in the Territory of Michigan. Without doubt, those knowledgeable of Michigan in 1836 would have had every reason to believe that the Territory’s recent growth, especially since 1832, was but a taste of the future. This sense of mounting expectation was sustained and heightened almost daily by the marvel of the age, the railroad, and other applications of steam power in mills, ships, and other means of transportation and manufacturing.

The sad and totally unnecessary Black Hawk War in 1832, and the British abandonment of Black Hawk and his people, had removed from the minds of thinking individuals the idea that, east of the Mississippi River, Indian armed resistance to surging waves of settlers was even remotely practical. Clearly, by mid-1836, America and the Territory of Michigan were striding into what appeared to be a limitless golden future, a future solidified by the recent resolution of the Nullification Crisis, President Andrew Jackson's slaying of the Second Bank of the United States, and the successful war of independence just waged by the Republic of Texas. For the Territory of Michigan, the future was brightened by the admission to the Union of the State of Arkansas and the peaceful resolution of Michigan's territorial spat with the State of Ohio. Statehood followed on January 26, 1837. Virtually no one foresaw the economic depression that began in 1837 and the ensuing years of sluggish growth. Despite harsh rhetoric of the Jacksonian Era, hardly a cloud appeared on the national horizon or on Michigan's horizon. Moreover, well into late 1837 and even beyond, optimism concerning Michigan abounded. This, in sum, was the economic context in which the treaty was signed.

Michigan's very rapid settlement and overall growth prior to 1837 are manifest. Several incontrovertible and highly germane indicators demonstrate this rapid growth beyond doubt: surging population growth; increasing county formation; soaring land sales; and innumerable actions taken for economic development, including the incorporation of the latest technologies into the territory. Perhaps of greatest importance is the overall sense of expectation about the future abroad in the Territory and the larger society. Together, these indicators demonstrate that the Territory of Michigan, on the verge of statehood in 1836, had every reason to expect continued monumental growth and settlement.

Michigan's population growth was both stunning and significant. In 1820, only some 9,000 non-Indians lived in the Territory, the vast majority of whom were male. By 1830, some 31,000 non-Indians lived in the Territory, about 18,000 of whom were male. Almost certainly, the bulk of this increase occurred in the last half of the decade. This momentum accelerated. A unique and spectacular surge of population crested in the crucial decade of the 1830s resulting in some 212,000 non-Indians living in the new state by 1840. This was an almost incredible increase since 1830 of over 180,000. The 1840 population represented well over a six-fold increase in population during the 1830s.<sup>1</sup> In no other subsequent decade did the State's population come close to even doubling. The increase during the crucial three years from 1834-1837 was estimated to be 87,000.<sup>2</sup> The great surge of population in the 1830s indicates that settlers believed that Michigan was a safe and promising place.

The Michigan Constitution of 1835 reflected settlement patterns and the "weight" of population clusters in its apportionment of political power. It distributed legislators across nineteen counties, conferring eight representatives on Wayne County, seven on Washtenaw, six on Oakland, and fewer on less populated counties. Moreover, the constitution directed that an enumeration of population be made, with the idea that a shifting population would necessitate reapportionment. This is exactly what happened.

Into 1838, Michigan's legislature brimmed with actions that demonstrated dynamic population growth and, very significantly, population movement within the state. The number of counties rose from nineteen in 1835 to thirty-one in 1838. Via reapportionment based on the

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<sup>1</sup> *Historical Statistics of the United States*. Washington, D. C.: Bureau of the Census, 1975, 29.

<sup>2</sup> Hannah E. Keith, "An Historical Sketch of Internal Improvements in Michigan, 1836-1846," *Publications of the Michigan Political Science Association*, 4, 1900, 11.

state's population, the number of representatives for Wayne and Washtenaw counties fell by one. New counties gained representatives.

In early spring of 1838, reapportionment provided "That the number of members of the house of representatives, hereafter to be chosen in the several counties of this state, shall be as follows, to wit:" Wayne, 7; Washtenaw, 6; Oakland, 6, Monroe, 3, Lenawee, 4; Hillsdale, 1; Branch, 1; St. Joseph, 2; Cass and Van Buren, 2; Berrien, 1; Ionia, Kent, and Ottawa, 1; Allegan, Barry, and Eaton, 1; Genesee, Shiawassee, Clinton, 1; Kalamazoo, 2; Calhoun, 2; Jackson, 2; Lapeer, 1; Macomb, 3; St. Clair, 1; Saginaw, 1; Chippewa, 1; Mackinaw, 1; Livingston and Ingham, 2.

Much the same was true concerning the apportionment of state senate seats. Wayne County in 1835 had three senate seats. The other eighteen counties were clustered together and awarded senate seats, with the relatively populous counties of Monroe and Lenawee, located along the Ohio border, having a total of three senate seats and the growing counties of Washtenaw and Jackson having a total of three seats.

By 1838, population shifts and the creation of new counties had resulted in senate seats being reapportioned in the following manner: Wayne, 2; Monroe, Lenawee, Hillsdale, 3; Oakland, Lapeer, Genesee, Shiawassee, Clinton, 3; Macomb, St. Clair, Saginaw, Chippewa, Michilimackinac [Mackinaw], 2; Washtenaw, Jackson, Livingston, Ingham 3; Kent, Ionia, Ottawa, Allegan, Barry, Eaton, Kalamazoo, Calhoun, 2; St. Joseph, Branch, Barrien, Van Buren, Cass, 2.<sup>3</sup> Clearly, reapportionment reflected the reality of population movements inland and northward in the lower peninsula. These movements reflected both reality and belief in a bright future.

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<sup>3</sup> *Acts of the Legislature of the State of Michigan: passed at the Regular Session of 1838, 168-170.*

As is attested by numerous political fights and other friction in the original colonies and in the early decades of the Republic, political reapportionment is often contested, with heavily populated regions restricting the gravitation of political power as settlement patterns shift. Apportionment often lags way behind population growth and movement, but in Michigan the apportionment of state representatives to counties well into the interior of the lower peninsula, to northern parts of the lower peninsula, and to the upper peninsula is significant. It reflects the realization in the mid-1830s that Michigan was not going to be confined to the lower three or four tiers of counties, that population was moving northward and inland, and that political realities should correspond to demographic conditions.

County formation prior to 1838 reflected Michigan's surge in population. Because local business and political figures, as well as local residents, were eager to secure county seats for their own towns or villages, a frenzy of county formation in the Territory comparable to county formation in the Territory and then State of Illinois occurred, often with marginally feasible population bases to sustain the new counties. In other words, county formation, as Daniel Boorstin and others have noted, often occurred in an anticipatory manner, well ahead of other developments. They were often creations of local boosters, people who wanted their particular town or village to prosper and who wanted sharply reduced distances between themselves and their county seats. County formation in the Territory and the State of Michigan reflects this reality.

Prior to 1829, the Territory had just twelve counties, nine of which were located in the lower quarter of the Lower Peninsula and only two of which were in the upper peninsula. From 1829 into 1840, however, the number of counties exploded. By April 1, 1840, Michigan had 67 counties, a five-fold increase between 1829 and early 1840. This increase to 67 counties in little

more than a decade is all the more impressive when set against the total number of counties today, 83.<sup>4</sup> In some instances during this time, settlement was so rapid and the need for governance so pressing that townships were created before counties, a relatively rare frontier phenomenon. In any event, the burst of county formation during the crucial 1830s lends powerful testimony to surging growth during the late territorial years and the early years of statehood. It also evidences the high expectations for economic development in Michigan in 1836. Finally, because Congress in 1825 had authorized popular election of county officials in Michigan, except for the office of judge, county seats soon bulged with elected officials, businesses associated with county government, supporting businesses such as hotels and newspapers and public houses, and other non-agrarian undertakings. Speculators, jobbers, lobbyists, clerks, law enforcement officers, judges, and related persons abounded in county seats, giving county seats and other settlements a distinctive non-agrarian character. The rate of county formation was an indicator of the pace and direction of settlement.<sup>5</sup>

The records of sales of public lands at federal land offices further illustrate Michigan's very rapid growth into the year 1836. As noted by John T. Blois, "for the sale of Public Lands, in the several States and Territories, within the year 1836," the Territory of Michigan led all states and territories, with 4,189,823.12 acres of land sold via federal land offices. Its nearest competitor was the state of Indiana, in which federal land offices sold 3,245,344.13 acres. Arkansas achieved statehood in 1836, but within its borders federal land offices sold only 963,535.12 acres, well less than one-fourth of the acreage sold in the Territory of Michigan. Federal land

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<sup>4</sup> Joseph Nathan Kane, *The American Counties*, 424-425.

<sup>5</sup> George N. Fuller, "Settlement of Michigan Territory," *The Mississippi Valley Historical Review*, June 1915, 52. Illustrative of the flurry of activities in county seats is Bernard C. Peters, "The Fever Period of Land Speculation in Kalamazoo County: 1835-1837," *Michigan Academician*, vol. 8 (Winter 1976).

offices in 1836 sold land in two other territories, the territories of Wisconsin and Florida. These sales were meager. Only 646,133.73 acres were sold in Wisconsin and only 87,071.97 in Florida. The combined sales of public land in these two territories were less than one-fifth the sales in the Territory of Michigan. Another way of understanding the pace of federal land sales in the Territory of Michigan is to realize that sales there totaled well over one-fifth of *all* federal land sales for the year 1836. Clearly, the scope of federal land sales in Michigan was both very significant and highly apparent to individuals on the scene.<sup>6</sup>

Settlement, reapportionment, land sales, county formation, and other factors involving population point to a salient fact about Michigan by 1836: relatively huge numbers of people were flooding ever more deeply into the lower peninsula and even the upper peninsula, buoyed by the certainty that the region was safe and that astounding development would continue into the foreseeable future. Optimism about Michigan's continued settlement abounded. Other factors point to the same basic truth.

Records of economic growth reflect the heady days leading up to statehood. This growth took many forms, dramatically altered various aspects of life, and was highly visible for all to see. It included improved transportation, manufacturing, massive movements of people further into the Lower Peninsula, farming, and social changes. The Constitution of Michigan of 1835 reflected popular sentiment concerning improvements in transportation and public willingness to support such improvements by including a clause in Article XII:

Internal improvement shall be encouraged by the government of this state; and it shall be the duty of the legislature, as soon as may be, to make provision by law for ascertaining the

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<sup>6</sup> John T. Blois, *Gazetteer of the State of Michigan, in Three Parts*, p. 76. In the three territories cited above and in the states of Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi, Louisiana, and Arkansas, federal Land Offices in 1836 sold a total of 20,074,870.92 acres, of which 4,189,823.12 were located in the Territory of Michigan. The seven counties were Branch, Berrien, Cass, Calhoun, Hillsdale, Jackson, Kalamazoo, and St. Joseph. *Ibid.*, 76-77. A micro-study of booming land sales is found in Peters, *ibid.*

proper objects of improvement, in relation to roads, canals and navigable waters; and it shall also be their duty to provide by law for an equal, systematic, economical application of the funds which may be appropriated to these objects.<sup>7</sup>

This enthusiasm for state-encouraged internal improvements would soon include railroads. Clearly, the desire for improvements in transportation within Michigan and from Michigan to other parts of the country was strong and manifest. Perhaps above all, however, people clearly believed that such growth and such accompanying changes did much to usher in bright future, an age of sustained progress.

Well before statehood, economic and technological changes impacted Michigan, spurring its growth and raising hope among its boosters. The first steamboat appeared on the Great Lakes in 1819. Of greater significance, however, was the completion of the Erie Canal in 1825, a heretofore unparalleled technological achievement. This was augmented by construction of the Welland Canal by Canadians in 1829, allowing safe passage between Lake Ontario and Lake Erie by avoiding the Niagara River and Falls. Buffalo, Erie, Cleveland, Toledo, Detroit, Milwaukee, and Chicago benefited from the Erie Canal, and prior to 1837 Michigan and other Great Lakes states ushered in an era of frenzied state-subsidized canal building, including an ambitious but ill-fated attempt to construct a canal clear across the lower part of Michigan's Lower Peninsula. The beginning of construction of the Illinois & Michigan Canal in 1836 eventually linked Lake Michigan to the Illinois and Mississippi Rivers and commanded the attention of progressive Michigianians, who saw it as an additional guarantor of continued prosperity and development.<sup>8</sup>

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<sup>7</sup> Keith, 2.

<sup>8</sup> Blois, *Gazetteer of the State of Michigan, in Three Parts*, p. 100-104.

Accompanying the canal-building era was the vast expansion on the Great Lakes of steamboat traffic. Michigan's ties with other places via the Great Lakes surged during this time. For example, the growth of shipping kept pace with Michigan's overall growth. The aggregate shipping owned in the territory in 1819 totaled about 600 tons. The aggregate tonnage belonging to just the Detroit district grew remarkably during the 1830s: 1830, 995 tons; 1831, 1,105 tons; 1832, 2,740 tons; 1833, 2,575 tons; 1834, 4,009 tons; 1835, 4,652 tons; 1836, 5,066; 1837, 6,994. The tonnage for 1838 was estimated to exceed 8,000 tons.<sup>9</sup> This remarkable growth over just a few years provides strong evidence of Michigan's connections with other parts of the country and its continuing growth and change. It also indicates that Michigan's earlier relative isolation was fading and that connectivity within Michigan and beyond was spurting, sure signs of settlement and prosperity and harbingers of a new way of life. As one New York City newspaper noted about travel to Michigan from the East Coast, "Travelling has been rendered so convenient that it has lost all its terrors even to the most delicate."<sup>10</sup> This is something of an exaggeration, to be sure, but the fact that it was written in the summer of 1834 gives it special significance. Even before statehood, canals and steamboats increasingly tied Michigan to the East Coast.

Virtually no railroads existed in the United States in 1830, but, by 1840, nearly 3,000 miles of track highlighted the coming golden age of railroads. Michigan shared in this expectation, the state doing much to authorize, promote construction, and finance railroads, hoping to lace the state by rails. On the eve of statehood, some 24 railroad charters had been authorized by the

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<sup>9</sup> Blois, *Gazetteer of the State of Michigan, in Three Parts*, p. 106-107.

<sup>10</sup> *The New York American*, as quoted in the *Michigan Statesman & St. Joseph Chronicle*, June 28, 1834.

Territorial Legislature to build over 1,000 miles of track in Michigan.<sup>11</sup> A sense of expectation motivated Michiganians well before statehood. For example, as early as 1830 accounts of possible railroad construction in Michigan appeared in Detroit's press. Moreover, the state looked forward to a time when Michigan would be just a segment of a vast rail network and undertakings already underway would "complete the chain of railroad communication from the Atlantic to Lake Michigan."<sup>12</sup> The impact of the railroad, many realized, would go far beyond mere transportation. The mere existence of railroad sharply boosted nearby land values.<sup>13</sup> A taste of the future became manifest when rails linked Toledo to Adrian in 1837 and when newly chartered corporations accrued capital and made plans for railroad links far into the interior of the Lower Peninsula.

Ultimately successful or not, transportation developments and ideas and plans concerning such developments also encouraged residents to look to progress -- to next year. This sense of a progressive tomorrow was quickened by advertised impending developments, the arrival of the era's high technology, and the belief that capital, managerial skills, and able labor were flowing into Michigan. Breath-taking developments in transportation, many sensible people believed, were the passport to prosperity, social progress, and a bright future. New markets and lowered costs for goods shipped to Michigan, people were certain, would soon usher tomorrow's wonders.

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<sup>11</sup> Blois, *Gazetteer of the State of Michigan, in Three Parts*, p. 95-96.

<sup>12</sup> *Journal of the House of Representative of the State of Michigan; 1837*, 129. For more on the understanding at the time of the desirability of linking Michigan to distant places, including Canada, see *Documents Accompanying the Journal of the House of Representatives of the State of Michigan, at the Annual Session in 1838*, 136-137, 143, and for more on the planning of railroads within Michigan and beyond see *ibid.*, 138-143.

<sup>13</sup> An anticipatory glimpse of spurts in land values is found in *The Michigan Whig*, July 16, 1835. Counties and town vied with financial inducements to attract railroads, knowing that the presence, even the mere prospect, of a railroad was a harbinger of prosperity. For a detailed account of the diverse impacts railroads had on early Michigan, see, Frank N. Elliott, "When the Railroad was King," *Michigan History*, vol. 49, no. 4 (December 1965).

Perhaps few people believed in the benefits of internal improvements more than Michigan's first governor, the youthful Stephens T. Mason. Speaking to a joint assembly of Michigan's legislators just months before statehood, Mason stressed the vital roles of interlocking internal improvements for Michigan and the nation:

Our sister states are alive to this branch of their domestic policy and an enlarged spirit of enterprise has recently arisen which justifies the belief, that a union and connection will soon be effected, among all the great internal improvements of the country.<sup>14</sup>

Employing nineteenth-century rhetoric, Mason depicted how undertaking internal improvements would bring significant national, intangible benefits:

An undertaking which will unite our interests, and annihilate the space which has created and kept alive local prejudices and feelings among the different sections for the Union; and by which extending the veins of internal improvement throughout the body of the confederacy, will concentrate our affections in the great heart of the republic.<sup>15</sup>

He sealed his vision of the future by stating that internal improvements were “so important . . . to the permanent interest and prosperity of the state . . .” and by calling for Michigan to finance them via loans from eastern financial houses. In so doing, he joined other state and territorial officials throughout the nation in underscoring the crucial importance of internal improvements and a spate of optimism about their likely economic, social, and political impacts. These utterances by Mason and others were based on emerging technologies and the record of stunningly successful internal improvement projects throughout the nation.

Michigan's politicians looked to the future, not just to the present, when planning internal improvements. For example, the Annual Report in 1838 of the Board Commissioners of Internal Improvements indicated “the intention of the legislature to accommodate the northern tier of

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<sup>14</sup> *Journal of the Senate of the State of Michigan, of the First, Adjourned, and Extra Session of the Legislature in the years 1835 and 1836*, 80-81. His zealous efforts to finance Michigan's internal improvements are recounted in William L. Jenks, “Michigan's Five Million Dollar Loan,” *Michigan History Magazine*, vol. XV, 1931.

<sup>15</sup> *Ibid*; **\*\*Journal, pp. 80-81 and Jenks complete article.**

counties,” not the well-established and populated southern tier. The report revealed, correctly, “that these roads were not constructed for the present time only, but in view of the future wants and necessities of the state; that when that part of the country now wild and uncultivated by an active and enterprising population, equally desirous of sending their surplus productions to market, they would be destitute of a canal, or any other facility to the to the navigable waters” and, therefore, in dire need of roads.<sup>16</sup> The report represented an attitude of tomorrow, a very widespread attitude. This attitude was further reflected in serious and detailed study by a special committee of the state’s House of Representatives of the feasibility in the 1830s of building the “Soo” locks, a feat accomplished only in 1855.<sup>17</sup> Although construction on the locks was postponed for years, the feasibility study indicates an eagerness to get on with the business of shaping the future, even in places remote from Detroit. This zeal for internal improvements was heartily shared by the general public.<sup>18</sup>

Mounting steamboat traffic on the Great Lakes combined with the Erie Canal and other transportation developments did much more than boost commerce or bring waves of settlers to Michigan. They changed society in dramatic ways. For example, due to the relatively heavy influx of into Michigan of Irish immigrants around the time of statehood, a number of counties were either named for places in Ireland or renamed for places in Ireland. For example, prior to

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<sup>16</sup> *Documents Accompanying the Journal of the House of Representatives of the State of Michigan, at the Annual Session in 1838*, 144. For more on the tremendous significance of internal improvements in shaping early Michigan, see Fuller, especially 29-30 and 38-42. By the summer of 1835 steamboat trips from Detroit to the upper lakes and to Chicago had become fashionable. *Ibid.*, 40-41.

<sup>17</sup> *Documents Accompanying the Journal of the House of Representatives of the State of Michigan, at the Annual Session in 1838*, 234-235.

<sup>18</sup> For example, the *Niles Gazette & Advertiser* on January 23, 1836, reported a meeting of the inhabitants of Ottawa to explore ways to attract either a railroad or a canal, or both, and saluted those who participated in the meeting by waxing eloquently about railroads and canals constituting, “the grand ‘Aortae’ of commercial life, every pulsation of which carries wealth and affluence to the country at large.” The phrase “at large” underscores the “win-win” attitude taken by those who backed internal improvements. They knew that some residents of Michigan would “win” more than others, but they also knew that internal improvements benefited all segments of society. For much more on the crucial roles internal improvements in shaping early Michigan, see Keith, *passim*.

the spring of 1843 Antrim, Clare, Emmet, Roscommon, and Wexford counties were named, all to honor places or individuals in Ireland. Similarly, towns and townships were named for things Irish.<sup>19</sup> The massive influx during the late 1820s and throughout the 1830s of immigrants from Ireland, Germany, and the Northeastern United States indicates belief in Michigan's future and belief that continued growth and overall change were highly likely. Significantly, these newcomers did not see a stagnant, stalled frontier or a society beset by other problems. They did not envision state long divided into "settled" and "unsettled" regions. Very obviously, they envisioned something strikingly different from that.

Of great importance is the impact that improved means of transportation had in bringing New Englanders and descendants of New Englanders to Michigan. The population of early territorial Michigan included mixtures of French, French-Indian, British, Canadians, people from the eastern Great Lakes region, some foreigners, and some from distant places like Virginia and New Jersey. Few New Englanders or descendants of New Englanders, however, resided in early Michigan. That fact, however, changed swiftly with improved transportation. The result of migration from New England, from the upstate regions of New York in which New Englanders lived, and from the Western Reserve region of northeast Ohio forever changed Michigan, giving to it a decided New England cast during its early years of statehood and through the Civil War. The importance to Michigan of this influx of New England culture and outlook can hardly be exaggerated.<sup>20</sup>

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<sup>19</sup> Michael A. Beatty, *County Name Origins of the United States*, 199-220; **\*\*Not produced and not available in the DB.**

<sup>20</sup> Works of enduring value on the Yankee migration from New England and its tremendous impact on recipient states and territories are Stewart H. Holbrook, *The Yankee Exodus: An Account of Migration from New England* (New York: The Macmillan Company, 1950) and Lois Kimball Mathews, *The Expansion of New England: The Spread of New England Settlement and Institutions to the Mississippi River, 1620-1865* (Boston and New York: Houghton Mifflin, 1909).

Furthermore, the fact that relatively large numbers of New Englanders and upstate New Yorkers came to Michigan during the 1820s and 1830s is significant. The same is true of Irish and Germans. Many people who came west did so with the intention of obtaining and farming land and in engaging in occupations not far removed from the land. By the late 1820s, newspapers and other media in the Northeast sang the praises of incredibly rich lands found in Illinois and elsewhere. These lands were often “black earth” lands, the product of countless generations of grass, and they were often free from rocks, well drained, and blessed by a much longer growing season than found in Michigan. The fact that so many farmers and others from the Northeast resisted the lure of these lands and instead settled in Michigan is testimony to the belief in Michigan and its future. Many took up farming or started agrarian-related businesses in small towns, as indicated by Blois’ Gazetteer and by travel accounts. But many others became merchants, shippers, millers, shopkeepers, clergy, teachers, laborers, public servants, politicians, manufacturers, loggers, fishermen, and engaged in a very wide range of other occupations. This is clear from virtually every travel account, county history, and Blois’ Gazetteer. This was entirely in keeping with New England’s emerging non-agrarian economy and society and with New Englanders’ sense of the future.

Similar trends appeared among Irish and German immigrants in Michigan, many turning to work associated with mercantile, manufacturing, and transportation enterprises, often as common laborers or proprietors of very small-scale businesses. Moreover, as was true on virtually all frontiers, many who engaged primarily in agriculture often greatly supplemented their incomes by cutting wood for steamboats, laboring, keeping shop, and undertaking various part-time non-agrarian work. This was particularly true in the winter, certain times in the late summer, and at other “slack” times of the year. Again, this was entirely in keeping with the kinds of

employment found throughout New England and in New York and elsewhere. Michigan's landscape is studded with names like Hudson, Quincy, Milford, Boston, Vermontville, Buffalo, Hartford, Bangor, Yale, Clinton, Portland, Plymouth, De Witt, and similar names, all reflecting massive and significant settlement from the Northeast. New Englanders and New Yorkers and their values, assumptions, and work habits impacted Michigan in diverse and highly significant ways.

The era's high technology impacted Michigan's forests. The demand for wood for fuel for steamboats, steam-powered mills, manufacturing, cooking, heating, fences, the construction of buildings, furniture, and for countless other uses began to place great pressure on stands of forests. Even as early as the late 1820s, steamships on the western rivers in the lower Great Lakes region denuded shorelines of timber. Countless cutters labored in ever-increasing concentric circles from "landings" to provide passing steamboats with fuel. Steamboats and other uses devoured prodigious amounts of wood and employed, at least on a part-time basis, huge numbers of men and boys and teams and wagons. For example, just one steamboat plying the waters from Buffalo to Detroit and home again consumed in one sailing season between 100 and 300 cords of wood for fuel, each cord costing an average of \$1.75, a day's wage for many laborers. By the mid-1830s, scores of large steamboats and hundreds of smaller vessels serving Michigan required teams of cutters, crews, maintenance workers, wharf and warehouse personnel, teamsters, and many other non-agrarian specialists, including metal and boiler workers of various types. Steam power radically changed early Michigan in diverse ways, including creating the need for large numbers of jobs associated with shipping, milling, and general manufacturing.

The impact of the Northeast on Michigan was immense. Most members who drafted the state's constitution were from the Northeast, and most were fairly ordinary men. Since about half of the constitutional delegates were full-time farmers and a few divided their efforts between farming and other work, the "convention was a truly typical cross-section of the life in the Territory at the time." Over one-fourth were businessmen and about over one-fifth pursued other non-agrarian work.<sup>21</sup> New Englanders and New Yorkers fostered education and academies, as well as the formation of public libraries. They advocated internal improvements at public expense, liberal suffrage, public meetings, and strong civic spirit. Many of the state's reforms, including the abolition of the death penalty and societies to abolish slavery, stemmed from such people. By the 1830s, they had founded or stimulated the dairying, fishing, and orchard industries, as well as numerous mills, manufactories, and other commercial undertakings. Perhaps above all, however, they founded institutions of every stripe and for a great variety of causes, including the New England meetinghouses. Many pushed reformist causes.

In short, unlike some settlers from the South in Illinois and elsewhere, settlers in Michigan from New England and New York sank roots that were deep, interlocking, and complex. A population undergirded with New England institutions and fortified with cohesive New England mission, enterprise, and seriousness of purpose was a formidable population. As was true of those who first encountered New England's rocky and generally inhospitable shores, hills, and climate, those settlers hailing from the Northeast would adapt to Michigan's hardships and overcome them. They believed this was true, and it was.

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<sup>21</sup> Forty-two of the seventy-three delegates were from New York and New England, fourteen hailed from the Middle Atlantic states, nine were foreign-born (Ireland enjoying a plurality), five were native Michiganders, and the rest came from other places. Harold M. Dorr, "The Michigan Constitution of 1835," in *Papers of the Michigan Academy of Science, Arts and Letters*, Eugene S. McCartney and Peter Okkelberg, eds., 445-446. New Englanders promoted schools and other public projects, enhancing the growth of non-agrarian work. See, for example, Fuller, 54-55.

Even allowing for the usually puffery and blatant boosterism associated with the era's newspapers in promoting specific sites, *The Statesman* on January 9, 1836 revealed much when it published a piece about the proposed town on Saranac in the Grand River Country. Rather than try to entice the reader with tales of fertile soil and agrarian life, the paper stressed water power "amply sufficient to propel all kinds of machinery" and that the Grand River Country enjoyed "peculiar adaptation to Commercial, Farming, and Manufacturing purposes." The same newspaper then noted that newly founded St. Joseph had "Already attracted the attention of capitalists, merchants, mechanics, and business men generally" and then, after acknowledging that the region's "Farming interest is destined to become immense," it stressed, "The Mercantile, the Manufacturing, the Commercial, and the Farming interest of the growing West, all speak out in bold and commanding tone, and promise, yes, more, insure its continued growth." It supported such claims by specifically noting the recently levied tax on the local inhabitants for a free bridge across the St. Joseph River, which would link the town to the Territorial Road.<sup>22</sup> In a few months, the same paper touted Kalamazoo by noting the brisk business conducted by the land office and called attention to the fact that two years previously the community had consisted of "but one or two framed houses and has many log cabins, to which the rude wigwams of the Indians had then but just given place." The newspaper then boasted,

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<sup>22</sup> *The Statesman*, January 9, 1835. The tide of immigration to St. Joseph and subsequent commercial boom and overall improvement were recorded by the *Democratic Free Press & Michigan Intelligencer* on July 19, 1832, before the conclusion of the Black Hawk War. This Detroit newspaper observed that at St. Joseph "the poor man may become rich, and rich man happy." Many other sources refer in the mid-1830s to towns and prospective town sites having abundant water power. Sources also referred to such towns as neonate Niles, Michigan, attracting paper mills, flouring mills, machine factories, capitalists, and other non-agrarian enterprises and enjoying bridges, schools, and other signs of development. See, for example, the *Niles Gazette & Advertiser*, July 20, 1836. Significantly, the newspapers of some towns touted the growth of other towns. For example, on March 10, 1836, the *Niles Gazette & Register* sang the praises of St. Joseph, calling attention to its fine harbor, water power sources, access to shipping, banks, merchant houses, warehouses, and other indicators of surging growth. Previously, on February 2<sup>nd</sup>, the same paper lauded the town of Livingston, citing its deposits of iron ore, water power, timber, and "rare opportunities to the capitalist for profitable investment." On September 14, 1836, to further illustrate, the *Democratic Free Press*, hailed growth of business and investment in nascent Grand Rapids. Newspapers, in addition, regularly highlighted internal improvements in the immediate vicinity and far beyond.

We have now about sixty framed dwelling houses, many of them large and well finished and tenanted with a population of many hundreds; three large Public houses, and a fourth to be opened in a few weeks; six Stores, most of them large and substantially build, and filled with heavy stocks of Merchandise; one Drug-Store, a Shoe Store, and two Grocery-Stores; one Printing-Office, a Bank, and a Land Office, at which there has been more land sold, during the past year, than have ever been sold in the same period, at an Office in the United States.<sup>23</sup>

Perhaps of greater significance, the article then claimed, “We have all the mechanics usually found in country towns, among which are from thirty to forty Carpenters and House-Joiners, four Brick and Stone Masons, a Painter and a Glazier, three Cabinet Makers, four Black-Smiths, as many Tailors, two Saddle and Harness Makers, a Gold & Silversmith, & a Tanner and Currier.” The town sported the Michigan & Huron Institute, five saw mills and a grist mill in the vicinity, and a capitalist from New York was erecting a flouring mill “designed to operate on an extensive scale.” Local water power could power fifteen to twenty stone, carding machines, fulling mills, turning lathes, and other light machinery. The article observed “mechanical labor of every kind is in great demand and bears the highest price,” but despite the fact that the town was the county seat the six lawyers they were “briefless.” The town’s three physicians, moreover, had “little employment.” Finally, the article claimed that “inexhaustible quantities” of iron ore lay within a mile, a clear signal that manufacturing was desired.<sup>24</sup> These detailed snapshots of town growth in the mid-1830s are far from exhaustive; virtually every town experienced growth at this time, some even outstripping Kalamazoo. The era’s emphasis on town growth, non-agrarian occupations, and commerce, manufacturing, and transportation reveals a great deal about expectations, people’s sense of the future, and overall values.

Social changes reflected a rapidly growing and maturing state and society. Many of these changes are reflected in Michigan’s laws, the creation of innumerable private and quasi-public

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<sup>23</sup> Ibid; [\\*\\*01/09/1835, 07/19/1832; 07/20/1836; 03/10/1836; 09/14/1836.](#)

<sup>24</sup> *The Statesman*, April 2, 1836.

institutions, and an eagerness to overcome frontier obstacles and conditions and create a prosperous, complex, and sophisticated society. The act creating The University of Michigan in 1837 and locating it in the booming town of Ann Arbor reflected growth, confidence, and sophistication. Innumerable laws authorizing the formation of railroads, construction of dams, building of canals, improvement of rivers and harbors, and other activities helped propel Michigan toward modernity.

Significantly, some of these acts dealt with projects well north of the southern two or three tiers of counties. One act, for example, incorporated the Auburn and Lapeer railroad company. Other acts of the legislature provided public funds for transportation, authorized the incorporation companies to macadamize roads, encouraged “the manufacture of sugar from the beet, and gave a loan of a certain sum of money to Bethuel Farrand, to aid in manufacturing silk.” Another act in early 1838 provided “for the improvement of state salt springs” and another incorporated “The Clinton Salt Works Company” in Clinton County. Finally, and of great symbolic importance, an act authorizing the construction of a ship canal around the Falls of Ste. Marie was passed. This act represented a tremendous vote of confidence in the Lake Superior region, indicating determination to tie the lake to Lake Huron and open up the north in general. Despite the fact the sharp economic downturn of the late 1830s and into the 1840s forced either postponement or cancellation of many of these projects, that they were planned in the mid-1830s and at least acted upon indicates keen optimism about Michigan’s future.<sup>25</sup> This change reflected a bustling, maturing, and rapidly evolving state, one in which old frontier ways yielded to overall modernity.

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<sup>25</sup> For example, see *Acts of the Legislature of the State of Michigan passed at the Special Session of 1837*, 309-310, 319-21. *Laws of Michigan*. 10-14, 16-24. *Acts of the Legislature of the Sate of Michigan; Passed at the Regular Session of 1838*, 64-69, 101-102, 107-108, 109, 124-125, 130, 165-168, 170-191, 196-205, and passim.

Significantly, Michigianians ardently thought forests and other resources would generate wealth. Coal, iron ore, gypsum, sand, clay, salt, fish, timber, and the power from innumerable rivers were manifest and enticing. Writers noted black walnut, oak, beech, pine, maple, and other timber, one source noting “an almost unlimited quantity of valuable timber” and a “superabundance of valuable timber.” Only a railroad was needed to tap “the surplus of timber in the interior.”<sup>26</sup> Although Michigan contained rich lands for farming and its well-watered fields were ideal for dairying and its hills ideal for apple orchards, many Michigianians and people in the Northeast knew frontier Michigan had “almost unlimited” quantities of other resources. Even remote lands would yield bounty once railroads, canals, and improved river transportation opened them up.

Reflecting an action usually reserved for the later stages of frontier life, the legislature incorporated and gave taxation powers to the mechanics’ society of the city of Detroit. Finally, in early 1838 Michigan located the State Penitentiary in Jacksonburgh, today’s Jackson.<sup>27</sup> The construction of a true penitentiary, as compared to a local jails, has special significance. Generally speaking, frontier states did not construct true, massive penitentiaries of the kind that were initially constructed in the East until the frontier conditions were beginning to soften or even fade. Simply put, labor was too scarce in truly frontier regions to have convicted adults confined and unproductive. Rather, different forms of corporal punishment, including public whippings, were the norm, and then the convict was released back into society to labor in it contribute his skills and energy for the larger good. The fact that Michigan’s penitentiary was

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<sup>26</sup> *Documents Accompanying the Journal of the House of Representatives of the State of Michigan, at the Annual Session in 1838*, 194-195, 215.

<sup>27</sup> *Acts of the Legislature of the Sate of Michigan; Passed at the Regular Session of 1838*, 66-67, 109.

authorized in 1838 is revealing and suggests that pools of labor were available in the emerging society and that rugged frontier years were passing.

In conclusion, evidence demonstrates conclusively that in Michigan in the mid-1830s, agrarian settlement of a Jeffersonian nature was yielding to forms of settlement that were increasingly non-agrarian. Commerce and manufacturing and other forms of modernity swept Michigan, and the Whig Party and then the party that largely succeeded it, the Republican Party, fostered modernity in all its economic, technological, and social manifestations. The idealized world of Jeffersonian, abandoned even by Jefferson shortly after the War of 1812, was soon in eclipse. Never well established in Michigan, this idealized world crumbled in the face of modernity and other perceived forms of progress. Even in Illinois after statehood in 1818—a region blessed by almost incredible soil and a long growing season and splendid water transportation that linked it the Great Lakes, western Pennsylvania, the Great Plains, and the Gulf of Mexico and beyond—farmers of the Jeffersonian ideal clamored for improved transportation so they could enter into commercial farming, produce for distant markets, and obtain labor-saving machinery and other manufactured items. They, like their Michigan counterparts, increasingly augmented their incomes by a wide variety of work not associated with agriculture. Moreover, it was dynamic and evolving, taking on forms and other characteristics from the “high tech” center of America, New England and the Northeast in general.

# APPENDIX A