

**A REPORT ON THE
1836 AND 1855 FEDERAL
TREATIES WITH THE OTTAWA AND
CHIPPEWA INDIANS OF MICHIGAN**

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cholera outbreak spread by soldiers sent to fight the war when an estimated seven percent of Detroit died, the population began to accelerate rapidly. A census that was commissioned in 1834 in preparation for statehood application, revealed that the population in that portion of the territory designated for statehood had reached 85,856.¹⁵⁰ Land sales also reflect the territory's growth: 92,332 acres, mainly in the Detroit area, in 1825; 217,267 acres in 1831; over 447,780 in 1833; and more than 4,000,000 in 1836, the year Michigan was granted statehood. Federal revenue from the 1836 land sales set a record "never to be equaled by any state."¹⁵¹ Much of the settlement between 1831 and 1836 took place in southwestern Michigan, in the area south of the Grand River which the Potawatomi relatives of the Ottawas had ceded in the 1821 and 1833 treaties. In 1831 the General Land Office opened a land office in White Pigeon, another in Kalamazoo in 1834, and a third at Ionia on the Grand River in 1836. The town of Grand Rapids was created in 1831 by the fur trader, Louis Campeau, who platted it in 1833, and the trader Rix Robinson, who would play a major role in advising the Grand River Ottawa to sign the 1836 treaty, laid out the town of Grand Haven in 1835.¹⁵² The Grand River Ottawa, who had been concerned about the white advance ever since the 1821 treaty ceded all Indian land south of the Grand River, could clearly see that their land was next on the settlement list.

L'Arbre Croche Ottawas Initiate Land Cession Discussions, 1833-1834

It was during the late fall of 1833 that the Ottawas first broached the subject of a land cession. This first overture became lost in the office of Territorial Governor George Porter in Detroit, and the delay in responding to the Ottawa's request would become the source of Ottawa dissatisfaction with the new agent, Henry Schoolcraft, that would grow with the years.

¹⁵⁰ Gilpin, *The Territory of Michigan*, p. 153 [\[HRA014742\]](#). The 1830 census indicated a population of 31,640. Thus, between 1830 and 1834 the population had swelled by some 54,000 persons. By 1840 it had reached 211,267. See Bald, *Michigan in Four Centuries*, p. 155 [\[HRA013280\]](#).

¹⁵¹ Bald, *Michigan in Four Centuries*, p. 155 [\[HRA013280\]](#); Paul W. Gates, *History of Public Land Law Development* (Washington, D.C.: G.P.O., 1968), p. 296 [\[HRA013786\]](#). In 1820 a change in federal law authorized a reduction in the number of acres that could be sold from the public domain to 80 acres and a subsequent law in 1832 reduced the acreage to 40 acres, thereby stimulating sales to small farmers and encouraging immigration to the frontier regions.

¹⁵² Bald, *Michigan in Four Centuries*, pp. 155, 170 [\[HRA013790\]](#); Willis F. Dunbar, *Michigan: A History of the Wolverine State* (Grand Rapids: William B. Eerdmans Publishing Co., 1970), pp. 240-241 [\[HRA013788\]](#).

In November 1833, Schoolcraft notified Porter that he had been approached by a number of “Ottawa chiefs” for “permission to visit Washington” where they intended to meet with the President upon “the subject of their lands in the Peninsula” They intended to make their journey in the spring of 1834. The delegation was led by some of the same Indians who had responded to Schoolcraft’s initial letter of greetings to the Ottawas in the summer of 1832. Only in March 1834 did Porter discover the letter which he then forwarded to commissioner Herring.¹⁵³ Herring responded on April 16, informing Porter that there was “no fund at the disposal of the Department which can be applied to defray the expenses of such an object,” and that he thought it “inadvisable” for the Indians to proceed on their own since it would “subject them to considerable expense without corresponding benefit.” Schoolcraft was to convey this message to the Ottawas.¹⁵⁴

According to Schoolcraft’s *Personal Memoirs*, he then received an “official visit from Ossiginac [Assiginac], and seven men from the village of L’Arbre Croche” on February 5, 1834, in which they repeated their desire to “see the President, on the subject of their lands.” According to Schoolcraft, they were concerned about a number of things: many of their lands were now “denuded of game;” Drummond Island “had been abandoned” and the Ottawas wanted “compensation for it;” “they were poor and indebted to the traders;” they feared that the “settlements would soon intrude on their territories;” the steamboats on the lakes were cutting wood without compensation to the Indians. He immediately “embodied Ossiginac’s remarks” in a letter to Washington which he dispatched on February 7, 1834.¹⁵⁵

¹⁵³ Schoolcraft to Porter, November 21, 1833 [\[HRA013807\]](#); M234, roll 402, p. 106 and M1, roll 69, p. 18 [\[HRA000863\]](#). Porter to Herring, March 29, 1834 [\[HRA013806\]](#); M234, roll 402, p. 105. In his letter of November 21, Schoolcraft listed as chiefs four Ottawas, two of whom, the Wing and Pabamitabi, had been mentioned in the 1832 correspondence. Neither of these men signed the 1836 treaty but Pabamitabi was listed as a “chief of the second class” from Cross village. A third “chief,” whose name Schoolcraft spelled as “Pakuzzigan” was undoubtedly Apokisigan.

¹⁵⁴ Herring to Porter, April 16, 1834 [\[HRA013809\]](#); M21, roll 12, p. 301

¹⁵⁵ Schoolcraft, *Personal Memoirs*, p. 465 [\[HRA013756\]](#). This entry in Schoolcraft’s *Personal Memoirs* brings to the fore a problem that should be explained before proceeding with this narrative. Several times in the *Personal Memoirs* Schoolcraft refers to “private letters” that he used in reconstructing the events of the past thirty years. Some of these were apparently from and to Lewis Cass; see *ibid.*, pp. 404-405 [\[HRA013665\]](#). I found no entry of the February 1834 meeting with Ossiginac described above in either M1 or M234 and thus it is possible that knowledge of Ossiginac’s concerns was not conveyed either to Schoolcraft’s immediate superior, the Michigan superintendent of Indian Affairs, or to the commissioner of Indian affairs in Washington. See also Schoolcraft to McKenney, August 25, 1830; M234, roll 770, p. 108 for reference to a “private and confidential letter.” [\[HRA015043\]](#)

Thus, by the spring of 1834, the Ottawa at L'Arbre Croche had twice made clear their desire to effect some kind of understanding with the United States that would involve financial assistance in exchange for a cession of some of their lands. They had also indicated that they intended to conduct negotiations directly with the President and not through their agent, Henry Schoolcraft. They had received no replies to their inquiries so far as I can determine, but the commissioner of Indian affairs had informed Schoolcraft that he should advise the Ottawas against such a visit. Then in the summer of 1834 additional concerns were added to those of the L'Arbre Croche Ottawas.

In June 1834 the L'Arbre Croche Ottawa leader, Pawkoozzagan¹⁵⁶ visited Schoolcraft to express his concern that Potawatomis from below Grand River, who had just the year before signed away their remaining lands in Michigan, were on their way to his village to request permission to settle there. The Ottawa leader expressed his fear that the "temper and habits of the Pottawattomis [sic] will not harmonize with the Ottawas." Schoolcraft replied that this was a policy matter which he was referring to the "Department," but that in the meanwhile he advised the leader that no such arrangement "should be made." The movement of the Potawatomis into his jurisdiction would create a "concentration of Indians in the peninsula" that could not possibly be "permanent" and certainly was not "desirable." They would place an intolerable burden upon his already insufficient budget for "provisions and occasional clothing" and they would swamp the blacksmith shop "which is already overburdened with mending."¹⁵⁷

Budget Cuts Close Blacksmith Shops, 1834

Hardly had Schoolcraft indicated his opposition to the potential Potawatomi migration to L'Arbre Croche than word arrived of the reorganization of the Indian Office on June 30, 1834. By this legislation the *de facto* merger of the Sault Ste. Marie and Mackinac agencies which had occurred in 1832, became law. The obvious downsizing of Indian Office personnel that the act contained also resulted in budget cuts that were announced later that summer when the Indian appropriations act was passed. The most significant cut in the budget of Schoolcraft's agency

¹⁵⁶ The spelling of this Ottawa headman's name is Schoolcraft's. I deduce that the Pawkoozzagan in this letter is the same "Pakuzzigan" who first met with Schoolcraft in November 1833, the same Apawkozigun from L'Arbre Croche who signed the 1836 treaty, and the same man whom McClurken has designed Apokisigan.

¹⁵⁷ Schoolcraft to Porter, June 5, 1834; M1, roll 69, f. 28 [\[HRA000864\]](#)

was the deletion of funding for the blacksmith shops at Sault Ste. Marie and Mackinac.¹⁵⁸ In August 1834 Schoolcraft assembled a “full council of the Chiefs and principle [sic] men of the Ottawas and Chippewas of this vicinity” to inform them of the closing of the blacksmith shop and other matters. From this time forward, restoration of the blacksmith shops became a major concern of the Indians..

In his report on this council, Schoolcraft noted that the Indian leaders “deeply feel the withdrawal of the [blacksmith] Shop.” Acknowledging that the provision of the blacksmith was a gift and that they had no right to its continuance, they observed that many years before their ancestors had freely given to the United States the nearby island of Bois Blanc. That was at a time when they thought “but little of the gift” because “their means were ample.” Since then their situation had changed. “Their means of living have since declined, they have no annuity to depend upon,” and they therefore requested that the President and the Congress now grant them an “equivalent” of Bois Blanc in the form of the “continuance of the shop...and also a small annuity in provisions and an extra quantity of tobacco” in consideration of “their present impoverished state.”¹⁵⁹

Schoolcraft recommended to Superintendent Mason that the council’s request be granted, saying that “friendly relations” with these Indians would thereby be strengthened. Such an arrangement, he suggested, could be effected without a formal treaty. However, he also suggested that if their requests were honored, they should be required to cede “a tract to include Presque Isle harbor, which is one of the best and most easily [indecipherable, perhaps “entered” or “extended”] on Lake Huron and is about to become of importance as a wood yard for steam-boats.”¹⁶⁰

On August 26, 1834, Mason replied saying that he concurred “fully with you in your views of the course which should be pursued towards the Ottawas and Chippewas within your Agency

¹⁵⁸ 4 Stat. 729-738 [\[HRA011007\]](#). See also Herring to Porter, July 2, 1834, in Carter, *The Territorial Papers of the United States*, Michigan XII: 780-782 [\[HRA014744\]](#). I found nothing in the archival records relating to the blacksmith’s shop for the Grand River Ottawas. By the terms of the treaty of 1821, these Ottawa received an annual appropriation for the maintenance of a blacksmith shop for ten years. Since there was no protest from these Ottawas I conclude that the blacksmith shop was continued, with the expense perhaps absorbed by the mission of Leonard Slater at the Thomas colony.

¹⁵⁹ Schoolcraft to Mason, August 18, 1834; M234, roll 402, f. 91 [\[HRA013814\]](#). There are four identical transcripts of this document, all containing identical critical errors, that were apparently used in the earlier case of *U.S. v. Michigan*.

¹⁶⁰ Ibid [\[HRA013814\]](#).

and have so expressed myself to the Commissioner of Indian Affairs.” He also instructed Schoolcraft that while he was awaiting a “definite conclusion” on the part of the Indian Office about the continuance of the blacksmith shop at Mackinac, Schoolcraft should plan to continue its work through December 31, 1834, after which date it would be closed.¹⁶¹ Correspondence concerning the extension of the blacksmith shop continued through the fall of 1834, but despite hopes that Congress might reconsider and appropriate funds for its continuance after December 31, 1834, the decision stood and the blacksmith shops were closed effective that date.¹⁶²

The controversy over the closing of the blacksmith shops appears to have galvanized the Indians of Schoolcraft’s agency into more militant action than had heretofore been the case. A few weeks after they sent their petition to Congress, they met again and this time “demanded, in council,” payment by the government for wood that had been taken by the “crew of a light ship on Crane Island” and by the crews of various other ships entering Lake Michigan. The latter group, they stated, had been guilty of “extensive depredation.” In forwarding their demands to Commissioner Herring, Schoolcraft added that the Indians had also “repeated their request” made the previous year “for permission to visit the President.” Secretary Stevens T. Mason also added his voice to their appeals for restoration of the blacksmith shops saying that “the allusions made by the Chiefs to their impoverished condition are not overdrawn”¹⁶³

Commissioner Herring swiftly rebuffed the Ottawa’s demands. On November 19, 1834, he informed Schoolcraft that the “demands of the Chippewas are of a character that have never been admitted, and cannot now be allowed by this Department.” As for their request to come to

¹⁶¹ Mason to Schoolcraft, August 26, 1834; M1, roll 71, p. 460 [\[HRA013817\]](#).

¹⁶² Stevens T. Mason to Herring, September 15, 1834 [\[HRA001379\]](#); M234, roll 421, f. 534. W.V. Cobbs (commanding officer, Ft. Brady, Sault Ste. Marie) to Superintendent of Indian Affairs, Detroit, September 23, 1834 [\[025362\]](#), M234, roll 402, p. 97. In October 1834 Schoolcraft forwarded petitions from a large number of Ottawa and Chippewa leaders to the Senate and the House and to the President in which the Indians formally made their request for an extension of the blacksmith shop and reminded the congressmen that in better day they had been generous in making a gift to the United States of Bois Blanc island. I did not find any evidence that the petition was answered. See M234, roll 421, f. 475 [\[HRA001374\]](#).

¹⁶³ Schoolcraft to Herring, October 25, 1834 [\[HRA013819\]](#); M234, roll 402, f. 149. Mason to Herring, October 26, 1834; M234, roll 402, p. 103 [\[HRA013820\]](#). The destitute condition of many Indians was also reported by Major W.V. Cobbs at Fort Brady. In August 1834, when reporting that he had assumed the duties formerly performed by the subagent at Sault Ste. Marie, he informed Secretary of War Lewis Cass that “There has been an unusual number of Indians in this summer, about 500, all destitute of every thing and many of them in a starving condition.” Cobbs to Secretary of War, August 1, 1834; M234, roll 421, p. 471 [\[HRA013821\]](#).

Washington to present their views, Herring referred Schoolcraft “to the instructions heretofore given, that no part of their expenses will be paid, nor will any business be done with them.”¹⁶⁴

The Entrance of Augustin Hamlin, Jr.

At this point in the record there is a lapse in the correspondence on the topics of closing the blacksmith shops and the Ottawa desire to visit Washington until the following spring. I am unable to account for this lapse except to suggest that once winter set in, there was very little contact between the Indians and their agent. But there is one important event that did take place during the fall of 1834 that has a bearing on later developments. It was at that time that the young Métis-Ottawa scholar, Augustin Hamlin, Jr., returned to his native village after five years abroad in Rome. As James McClurken has pointed out in his detailed study of Hamlin, this twenty two year old young man had considerable ambition for himself and for his people.¹⁶⁵ Potentially better able to bridge the gap between Indian and white society than anyone else among the Indians because of his education, he immediately became a force in articulating the desires of the L’Arbre Croche Ottawas. Convinced of the righteousness of his cause and deeply suspicious of the government’s intentions for his people, Hamlin centered his criticism on Henry Schoolcraft, whom he blamed for every wrong imposed upon the Ottawas. For his part, Schoolcraft, whose authority and intentions had never before been questioned, did everything he could to undermine Hamlin’s efforts. The two became bitter enemies, and their quarrels embittered Indian-government relations at a particularly sensitive time.

Hamlin was born on July 12, 1813, at an Ottawa village north of Little Traverse Bay. His father was a voyageur-trader of French, Ottawa, and Chippewa descent; his mother was an Ottawa woman. His uncle, Mackatabenese, was one of the few Ottawa interested in education, and when a Protestant mission school was begun at Mackinac, Mackatabenese immediately enrolled his son, William; a daughter, Margaret; and his nephew, Augustin Hamlin, Jr. Although they only attended the school for one year before being withdrawn to attend a Catholic school at L’Arbre Croche, the three young Ottawas apparently applied themselves so well that under

¹⁶⁴ Herring to Schoolcraft, November 19, 1834; M21, roll 14, f. 175 [\[HRA013823\]](#).

¹⁶⁵ James M. McClurken, “Augustin Hamlin, Jr.: Ottawa Identity and the Politics of Persistence,” in James A. Clifton, ed., *Being and Becoming Indian, Biographical Studies of North American Frontiers* (Chicago: The Dorsey Press, 1989), pp. 82-111 [\[HRA013824\]](#).

Catholic auspices they were later sent to Cincinnati to complete their education. After three years in Cincinnati William and Augustin were chosen by the Catholic clergy to attend a seminary in Rome. Margaret completed her education and then returned to L'Arbre Croche where she became a teacher in schools administered by the Catholic diocese of Detroit with federal support.

According to what I would term a legend, preserved by William's younger brother, Andrew J. Blackbird, in his *History of the Ottawa and Chippewa Indians of Michigan*, young William Mackatabenese (Blackbird) was destined for great things at an early age. While a youth, he disappeared for several days while the family was at its winter camp. His survival was attributed to the ministrations of "angelic beings." While he was in Rome, preparing for the Catholic priesthood, he was considered "very promising" by his superiors and he "received great attention from the noble families on account of his wisdom and talent and his being a native American...." According to Andrew Blackbird, while William was in Rome he began to write to "his people at Arbor Croche" to advise them against any negotiations with the U.S. government that might imperil their lands, and he confided to his cousin, Augustin Hamlin, Jr., the night before he died that when he returned to America he would see to it that his people were never compelled to remove west of the Mississippi river. On June 25, 1833, he was murdered in his seminary quarters; the perpetrators were never apprehended. The rumor was that he was killed by jealous fellow students who resented an Indian "who had attained the highest pinnacle of science and who had become their equal in wisdom...." Some said it was because he was counseling his people to resist the demands of the U.S. government. In any event, it was his cousin, Augustin Hamlin, Jr., who never finished his studies in Rome, who returned to L'Arbre Croche to take up the cause in the fall of 1834.¹⁶⁶

Michigan Statehood

By the spring of 1835, events in Michigan were hastening toward a climax. The census completed the previous fall indicated that Michigan had more than enough people to become a state. The young acting governor, Stevens T. Mason, believed this was enough to entitle the

¹⁶⁶ Andrew J. Blackbird, *History of the Ottawa and Chippewa Indians of Michigan* (Ypsilanti: The Ypsilantian Job Printing House, 1887), pp. 31-43 [\[HRA013840\]](#); McClurken, "Augustin Hamlin, Jr.: Ottawa Identity and the Politics of Persistence," pp. 88-90 [\[HRA013824\]](#). How William became acquainted with developments at L'Arbre Croche when no Indian there was able to write and at a time when removal had not yet been discussed is not explained.

territory to statehood without formal approval by the Congress. In April 1835 he called a state constitutional convention. The constitution which the convention drew up was submitted to the voters and approved by them in October. Meanwhile, a struggle had erupted between Michigan and Ohio over a strip of land in what is now northern Ohio that both claimed. Both governors sent militia into the area to assert their claims, and, while violence was averted, officials appointed by Ohio were arrested by the Michigan militia. At this point President Jackson sent negotiators to the area, but they failed to reach a compromise since Jackson had given his support to the Ohio claim. When Mason refused to back down from Michigan's claim to statehood, Jackson dismissed him in August 1835 and replaced him with John S. Horner, whom the territorial legislature and the people of Michigan largely ignored. In November 1835 elections were held in Michigan. Stevens T. Mason was elected governor, and two senators and one representative were chosen and immediately sent to Washington to represent the new state.¹⁶⁷

Throughout this period of political turmoil in 1835, events were also rapidly moving toward a climax on the Indian front. Much of the correspondence upon which my account rests went through the office of the territorial secretary in his capacity as superintendent of Indian affairs. This meant that until August 1835 correspondence was addressed to Mason, and even after that date some of it continued to be addressed to him. Schoolcraft, for instance, did not learn of Horner's appointment until October 7 when newspaper reports arrived at Michilimackinac.¹⁶⁸ Horner's brief tenure as territorial governor, his unfamiliarity with Michigan issues, and the widespread doubts about his authority all made for difficulties in correspondence at a crucial time. Some correspondence appears to have been lost.¹⁶⁹ There is little wonder that Henry Schoolcraft, the person who was primarily handling Indian affairs in the territory, ultimately took

¹⁶⁷ This account of the statehood movement in Michigan is taken from the following sources: Cooley, *Michigan, A History of Governments*, pp. 208-226 [[HRA013770](#)]; Bald, *Michigan in Four Centuries*, pp. 193-202 [[HRA013859](#)]; and Catton, *Michigan*, pp. 91-93 [[HRA013642](#)]. The federal government refused to accept either the Michigan constitution or the congressmen it elected in the fall of 1835. In the spring of 1836 a bill was passed which stated that Michigan could become a state only when it recognized Ohio's ownership of the disputed strip of land. As compensation, the bill provided for the addition of the upper peninsula to Michigan's lower peninsula boundaries. The Michigan legislature initially rejected this proposal but, in January 1837, it reluctantly accepted it and Michigan was accepted as the twenty sixth state of the Union. Governor Horner was eventually transferred to another territorial position farther west.

¹⁶⁸ Schoolcraft to Horner, October 7, 1835; M1, roll 69, p. 129 [[HRA013866](#)].

¹⁶⁹ Some of the correspondence during this period refers to other correspondence for which I find no record. Thus, it is not always clear what some sections of the surviving correspondence are referring to.

matters into his own hands at a critical point in the autumn of 1835 and began to deal directly with Washington.

Initial Steps Toward a Cession Treaty, 1835

It was in June 1835 that the movement to purchase Indian lands in the western portion of the lower peninsula and the eastern portion of the upper peninsula began in earnest. It began on a very modest scale in the form of yet another attempt on the part of Indians to sell Drummond Island to the United States. On June 19, 1835, two “deputies sent by the band on Ottawa Island” came to Mackinac with a proposal to sell “their claim to Drummond Island.”¹⁷⁰ It was their intent to “emigrate from this part of the Lake Huron,” Schoolcraft reported. Accompanying this request to sell, which Schoolcraft simply forwarded to Washington for action, was a statement by Schoolcraft that the recent sale of Indian lands in the Chicago area (a reference I presume to the 1833 Potawatomi treaty) “and the rapid extension of settlements up the peninsula of Michigan,” had set in motion “some movements...among the lake bands” that were causing them to retreat “northwardly...returning on the track of their migration.” This was true, he said, of the Potawatomis “who do not elect to go west” and also of some Ottawas who were making “incipient arrangements to go to the Lake Huron borders and islands of Upper Canada....” Against the background of this Indian retreat to Canada, a new band of Ottawas, apparently unconnected with those from L’Arbre Croche led by Assiginac, were now seeking to sell their interest in Drummond Island. The opportunity for a land purchase or cession was clearly at hand.

Schoolcraft’s letter requesting instructions on what he should do about the Drummond Island offer sat on the secretary of war’s desk for two months before it received a reply in late August 1835. The secretary had been “absent,” Indian commissioner Elbert Herring wrote, but since his return he had studied the Ottawa Island Indians’ proposal and determined that while “it has not hitherto been contemplated by the government to extend their purchases into Lake Huron,” if the Indians were disposed to sell on “reasonable terms,” their proposition would be considered. Nothing, however, could be done without the approval of Congress. Almost as an aside, Herring then appended a single sentence conclusion to his response. “You are also requested to ascertain if the Indians residing north of Grand River are willing to part with any portion of their lands,

¹⁷⁰ Schoolcraft to Herring, June 20, 1835 [\[HRA013867\]](#); M234, roll 402, f. 180

and if they are, to what extent, and upon what terms.”¹⁷¹ Thereafter, events moved rapidly toward a cession.

In July 1835 the Chippewas at Sault Ste. Marie added their pleas to restore the blacksmith shop to that of their brothers at Mackinac. Their spokesman informed Major Cobbs that he had been present in 1820 when Cass had come to the Sault to establish the American claim to the former French and British territory. He had heard with his own ears a promise to establish a blacksmith at the Sault and he acknowledged that the United States had faithfully maintained the shop “until last winter.” They were very poor, the spokesman stated, and they asked their “great White Father” to take pity on them and restore the shop. “[O]ur guns, traps, and spears are all out of order and we have no place to get them repaired....”¹⁷² At a time when the supply of game had been failing for some time, the loss of their means of hunting and trapping obviously spelled additional hardship for these Indians.

Following receipt of Herring’s instruction to inquire about the willingness of the Grand River Ottawa to cede their land, Schoolcraft replied on September 12, 1835, that he would take “immediate measures” to comply.¹⁷³ Only five days later on September 17, 1835, he advised Stevens Mason that “the Indians of the peninsula are discussing the question of selling their lands to government” as a result of “an inquiry...made to them by the War Department through me.” According to Schoolcraft, he had conducted a “council this day” with an unidentified group of Indian leaders who “strongly brought forward a request to visit Washington, to express their view verbally.” Schoolcraft thought this course of action was impractical in view of the fact that “The season is now so late, it would be impossible for me to collect a proper deputation....” Instead, he proposed that he travel alone to Washington “to converse with the President and Secretary of War...on the preliminary points of a treaty....” Such a course, he urged, had been suggested by “[s]everal of the chiefs” and “would secure all the advantages of a deputation from the bands.” Moreover, the Indians’ personal observations were “an object of little moment.” If Mason and the Indian Office should concur with this suggestion, Schoolcraft advised, it would be necessary for him to receive an “early reply” to this letter, “to enable me to leave the Agency

¹⁷¹ Herring to Schoolcraft, August 29, 1835 [\[HRA013869\]](#); M21, roll 17, p. 27.

¹⁷² Cobbs to Herring, July 2, 1835 [\[HRA013870\]](#); M234, roll 421, f. 699

¹⁷³ Schoolcraft to Herring, September 12, 1835 [\[HRA013872\]](#); M234, roll 402, f. 184.

before the setting in of winter.”¹⁷⁴ This letter arrived in Detroit after Mason had been dismissed by President Jackson. It would not be until November that Mason’s successor, John Horner, would seek a reply to Schoolcraft’s request.

About the time that Schoolcraft suggested that he alone should come to Washington to discuss a cession, he received a letter from Major Cobbs at Sault Ste. Marie in which Cobbs said that he had been directed by the commissioner of Indian affairs to contact Schoolcraft concerning a claim by the Chippewas that they had been promised a blacksmith’s shop at the time of the 1820 treaty. “In justice to the government,” Schoolcraft replied, no such promise had been made. He had been present at the 1820 negotiation, and he was “certain...no request was made by the Indians to have a smith’s shop established.” He agreed, however, with Cobbs that the blacksmith shop “would be of the greatest utility to the Indians” and should be maintained. The way to do this was to persuade the Chippewas to “transmit an offer, through you to the department, to sell a portion of their lands connecting the two posts of Mackinac and Fort Brady, including the national boundary on Upper Canada....” If they would agree, Schoolcraft thought it could be arranged to leave them small reservations within the ceded area, “including their villages, and the right to hunt and live on the tract, until it is required.” In return, the restoration of the blacksmith shop would “probably come in, as one of the equivalents, and they may further secure a small annuity.” Such an arrangement would have the added advantage of ridding “us of the complaints of the Indians for trespass on their lands, and would also permit the citizens on the Straits of St. Mary’s, to occupy without license, the fishing grounds, for which they have (within the last year) been so clamorous.”¹⁷⁵ It is evident that Schoolcraft saw in the decision to close the blacksmith shops, upon which the Indians at Sault Ste. Marie and Mackinac had become so dependent, a mechanism for securing the land cession that commissioner Herring had hinted at in his August 29 letter.

While Schoolcraft was putting together these various strategies to secure the Indians’ consent to relatively small cessions, Apokisigan and Augustin Hamlin, Jr., of L’Arbre Croche took matters into their own hands. On October 31, 1835, Schoolcraft notified Indian commissioner Herring that according to credible information he had just received, the two men had

¹⁷⁴ Schoolcraft to Mason, September 17, 1835 [\[HRA000868\]](#); M1, roll 36, f. 098 and M1, roll 69, f. 111.

“clandestinely left” L’Arbre Croche for Washington, D.C., despite Schoolcraft’s “instructions, based on those of the Department, which have been faithfully explained to them.”¹⁷⁶ His authority thus challenged, Schoolcraft hurriedly began to gather evidence of the Indians’ willingness to cede their land and to prepare himself for a journey to Washington.

We know very little about the plans of Apokisigan, but there are two documents that made their way to the Indian Office that shed some light on his position. In mid-November 1835 the Catholic bishop of Detroit, Frederic Rese, wrote to John Norvell, United States Senator from Michigan. As the bishop of Detroit, Rese was in charge of the Catholic school at L’Arbre Croche, and he was also a confidant of Augustin Hamlin, Jr.. The purpose of the bishop’s letter was to enclose a letter from an unidentified author who had been in touch with Hamlin. His letter indicates that “the Indians of L’Arbre Croche” had visited Senator Norvell in Detroit on their way to Washington and had apparently had sought his aid. They had also talked to the bishop in an effort to gain his support. They wanted to know “at the source of information how their affairs stand.” For his part, the bishop said he was maintaining a neutral position toward the decision of Apokisigan to travel to Washington. He “did neither persuade them to nor dissuade them from going to Washington,” but he hoped that Norvell would “help them in obtaining their traveling expenses.” Once they learned “exactly the view of the government relative to their future prospects of existence,” he believed, “they will be satisfied.”¹⁷⁷

The second document, unsigned and with no date, is a report, probably prepared for the Commissioner of Indian Affairs, of a conversation with Augustin Hamlin, Jr. The Indians “wish to sell the Manitou Islands¹⁷⁸ with other lands on the north side of the Straits of Mackinac,” it states, but “[t]hey are unwilling to cede all their lands & remove...[they] prefer to remain &

¹⁷⁵ Cobbs to Schoolcraft, September 15, 1835; M1, roll 72, p. 241 [\[HRA013873\]](#). Schoolcraft to Cobbs, September 23, 1835; M1, roll 69, f. 112 [\[HRA000869\]](#).

¹⁷⁶ Schoolcraft to Herring, October 31, 1835; M234, roll 402, f. 201 [\[HRA013874\]](#). In this letter, Schoolcraft referred to “Pawkozigun,” one of the many variants for Apokisigan. In a later letter, Schoolcraft identified Hamlin as a teacher in the Catholic missionary school at L’Arbre Croche. See Schoolcraft to Herring, November 2, 1835; M1, roll 69, p. 139 [\[HRA013875\]](#).

¹⁷⁷ Bishop Rese to Honorable John Norvell, November 18, 1835; M234, roll 421, f. 768 [\[HRA001406\]](#).

¹⁷⁸ The Manitou Islands lie just to the west of the Leelanau peninsula and Grand Traverse Bay. This is the only mention of the cession of these islands that I have seen. Perhaps with other Ottawas claiming the right to cede Drummond Island, the L’Arbre Croche Ottawas had come up with another area to sell to achieve their ends.

become subject to the laws.”¹⁷⁹ Their “principal object” in offering the islands for sale “was to procure means for paying their debts, amounting to about \$40,000.” The letter speaks to the dissatisfaction and distrust that the L’Arbre Croche Ottawas had in Schoolcraft, who, Hamlin said, had “not dealt openly with them.” Believing that Schoolcraft was “now on his way” to Washington in order “to fix preliminaries” for a land cession north of Grand River, the author said the Indians would only be satisfied if they were “assured they would be included in any arrangement” made by Schoolcraft for a land cession. The author also states that “this delegation” had been appointed in the spring of 1835 when a “council” was held at L’Arbre Croche. The document does not say what bands were represented at the council, but it does state that the Grand River bands and those immediately north of Grand River were not represented “nor was any white man.” The decision reached at that time was that these Indians “would not agree to sell any part of their lands, except the Manitou Islands & the tract north of the Straits.”¹⁸⁰ The author then concludes with the statement that it would be the “best course for the gov’t.” to assure these Indians that they would be included in any arrangements agreed upon for a land cession. The only question, he adds, “then would be, shall their expenses be paid?”¹⁸¹

Shortly after Apokisigan and Hamlin departed for Washington, Schoolcraft advised Indian commissioner Herring that “in compliance with your instructions of the 29th August” he had taken steps to “ascertain the feelings of the Indians as to a cession of lands north of Grand River.”¹⁸² For several years “events...have been preparing the peninsular Indians for the question, which has been much discussed by them, during the last year,” he reported. He had now received replies from the “eastern, middle and northwestern portions of the country favourable [sic] to a cession, on liberal considerations, with reservations, and a defined right of

¹⁷⁹ Identified only as “L’Arbre Croche Indians, 2 enclosures;” [\[HRA001408\]](#) M234, roll 421, f. 770. The cover sheet for this letter is mainly illegible but the letter itself refers to Bishop Rese’s letter to Senator Norvell and to Schoolcraft’s September 17, 1835, letter and there is a reference to Schoolcraft’s request in that letter to come “here,” i.e. to Washington, D.C. I deduce from these remarks that the author of this document was someone in the Indian Office who talked to Augustin Hamlin after his arrival in Washington, sometime in late November or early December 1835.

¹⁸⁰ Ibid [\[HRA001408\]](#).

¹⁸¹ Ibid [\[HRA001408\]](#).

¹⁸² This was the letter in which Herring had instructed Schoolcraft to see if the Indians north of the Grand River were willing to sell any of their lands.

hunting on the lands sold. And the designation of a future place of permanent residence by the government.”¹⁸³

If Schoolcraft did indeed receive favorable replies from the Indians in the “eastern, middle and northwestern portions” of the 1836 cession area, they must have been oral replies for I found no record of written replies in the archival files. He did report that he had received objections to a cession of the size under consideration from the “Indians of L’Arbre Croche,” but he dismissed them because these Indians “occupy...but a limited portion of the country” and were ignorant “of their true position.” Their objections, he assured Herring, “are susceptible of being removed. I cannot conceive that any well grounded doubts can remain of the successful result of a negotiation.”¹⁸⁴

Schoolcraft was, however, forced to admit that he had heard nothing from the “claimants to Drummond Island.” But, of “their willingness to accede to reasonable terms,” he had no doubts. The island would be an important acquisition because “it has several fisheries and affords one of the best harbours [sic] on Lake Huron.”¹⁸⁵ Obviously, Schoolcraft made no distinction between title to the fishing grounds and title to the island itself. If the United States succeeded in purchasing Drummond Island, it would also take title to the fishing grounds.

No sooner had Schoolcraft dispatched his optimistic letter about securing a cession of the Indian lands than he sent William Johnston, one of his brothers-in-law, to Sault Ste. Marie. Johnston was sent with a letter to Major Cobbs in which the Major was informed that Johnston had come “for the purpose of obtaining a definite proposition, from the claimants to Drummond Island...” Schoolcraft also asked Cobbs to inform him if the Indians of the Sault were “willing to part with any portion of their lands, for a moderate consideration.” Because he knew that the restoration of the blacksmith shop was uppermost in the minds of the Sault Chippewa and would

¹⁸³ Schoolcraft to Herring, November 3, 1835 [\[HRA013876\]](#); M234, roll 402, f. 202. I am puzzled by the word “eastern.”

¹⁸⁴ Ibid [\[HRA013876\]](#). When he wrote that the L’Arbre Croche Ottawas objected to a cession, Schoolcraft must have meant that they objected to the cession of *all* land north of the Grand River. According to the documents, the L’Arbre Croche Ottawas were the *only* Indians willing to cede any lands at this time.

¹⁸⁵ Ibid [\[HRA013876\]](#).

be “important to a good understanding with them,” he offered to “cooperate” with Cobbs “in any measures you may suggest to procure its establishment.”¹⁸⁶

Schoolcraft Confers with Washington

At the same time that Schoolcraft dispatched William Johnston to Sault Ste. Marie, he made up his mind to travel to Washington to confer personally with the Indian commissioner and the secretary of war about a cession. There had been no reply to his suggestion of September 7 that he undertake such a journey, and the season for travel on the lakes was fast approaching its end. On November 9, 1835, he departed Mackinac for Detroit on “one of the latest vessels for the season.” There he was given a copy of a letter just received from the Office of Indian Affairs addressed to the superintendent of Indian affairs in Michigan, the recently appointed John S. Horner, in which Horner was instructed to inform Schoolcraft “immediately...that if he has not left his agency...he will not, as similar applications have been uniformly refused, and no sufficient reason is perceived for making an exception in this case.” But, there was a loophole in the instructions to Horner: “If Mr. Schoolcraft shall be on his way to this city, the Department will not interpose to prevent his coming here; but he must, for the reason above stated [i.e. that there were no funds to pay his expenses], pay his own expenses.” In a letter to Herring dated November 14, 1835, from Detroit, Schoolcraft notified him that “under the contingency anticipated [i.e. that he had already left his agency], I shall avail myself of your conditional sanction to proceed.”¹⁸⁷ Thus, as the result of a series of improbable events, a cession treaty in which the Indian Office had shown only mild interest and for which there had been very little

¹⁸⁶ Schoolcraft to Cobbs, November 7, 1835 [\[003760\]](#); M1, roll 69, p. 143 Schoolcraft’s letter was not delivered to Major Cobbs until early January 1836. Cobbs to Schoolcraft, January 10, 1835 [\[HRA013878\]](#); M1, roll 72, p. 374.

¹⁸⁷ Schoolcraft, *Personal Memoirs*, pp. [524-527](#), [533-534](#). D. Kurtz (acting commissioner of Indian Affairs) to John S. Horner, November 2, 1835 [\[HRA013880\]](#); M21, roll 17, f. 235. See also a copy of this letter in M1, roll 72, f. 145 [\[HRA000084\]](#). Schoolcraft to Herring, November 14, 1835 [\[HRA013882\]](#); M234, roll 402, f. 210. The only Indian interest in a cession had been proposed by the Indians at L’Arbre Croche who were playing a game similar to that employed by the Potawatomis in their early treaty negotiations. They were willing to make a cession of Drummond Island to which they had only a tenuous claim and to the Manitou Islands off the coast of Little Traverse. Neither of these cessions would likely have affected any of the Indians of L’Arbre Croche.

A few days prior to leaving Mackinac Schoolcraft was advised by the “chiefs of this part of the peninsula” that a party of eighteen men were “engaged in cutting wood and timber on the Indian lands...northwest of Thunder Bay river.” He dispatched a letter “to the Person in charge” in which he asserted the “authority of the United States government,” on behalf of the Indians, against the removal of the timber. The Indians were willing “to grant permission” for the cutting and removal but only “on the promise to pay for the wood and timber thus taken. See Schoolcraft to “the Person in Charge of the Wood Party at Thunder Bay,” November 6, 1835 [\[HRA013884\]](#); M1, roll 69, p. 142.

Indian interest was about to be convened in Washington. An even more unlikely series of events would unfold once Schoolcraft arrived in Washington on December 20, 1835.

While Schoolcraft was making his way eastward in November-December 1835, word was received about overtures to other Indian groups in the cession area that had been set in motion prior to his departure. A “deputation of Indians from Grand river” contacted Indian Superintendent John Horner for funds to travel to Washington. Horner forwarded the request to Washington and received the standard policy statement: “this Department has no funds, out of which the expenses of a deputation of Indians...can be paid, and, as a general rule, the visits of Indians to this place have been discouraged, as they call for more time and attention than can be conveniently devoted to them....”¹⁸⁸ William Johnston also reported on his trip to Sault Ste. Marie saying that he had met with two “Chiefs” there; one of them was Washikee, Schoolcraft’s uncle-in-law. They told him “that they were willing to cede their lands...on reasonable terms” to be determined by their “Agent...with this provision, they to have a full right to hunt, on the ceded lands, as long as they were unoccupied; and to make such reservations as they think proper.” Johnston also reported that he had also “proceeded to the foot of Sugar Island” where another claimant to Drummond Island lived. This head man also gave his consent.¹⁸⁹

On November 24, 1835, one week after William Johnston’s report on his trip to the Sault, he sent another letter to Schoolcraft in which he enclosed a “speech” that he said “conveys the feelings of the greater portion of the Chippewas and Ottawas, there being only a few exceptions at Little Traverse.” This same speech was also transmitted to Schoolcraft by Captain Clitz two days later. According to this document there had been a council at Little Traverse at an unspecified time during which Augustin Hamlin, Jr., charged that Schoolcraft was not being honest with the Indians, that he was working with “some great Farmers” to get the Indians’ land, that he had been stealing whatever goods were sent by the Great Father to the Indians, and that messages the Indians had sent to their Great Father through their agent were “burnt before it gets to him.” Hamlin also informed the council that if they were willing to accompany him to Washington, Bishop Rese would provide \$700 for their trip. But the real purpose of Johnston’s

¹⁸⁸ D. Kurtz to Horner, November 2, 1835 [\[HRA000084\]](#).

¹⁸⁹ Johnston to Schoolcraft, November 17, 1835 [\[HRA000086\]](#); M1, roll 72, f. 156. Captain John Clitz to Herring, November 17, 1835 [\[HRA001398\]](#); M234, roll 421, f. 701. When Schoolcraft left Mackinac to go to Washington he had appointed Captain Clitz to take his place as acting agent at Mackinac.

message was that Hamlin had been repudiated by certain of the Indians in attendance. His words at the council, they said, had “imbittered [sic] our feelings.” These Indians, whose names are difficult to decipher, said at the time of the council that one of their members had wanted to consult with Schoolcraft and to obtain his advice but “was prevented by Augustin.” Now, in their “speech” they wished it to be known that Hamlin “has no right to go down and speak about our lands, we can speak for ourselves, and we will not listen to what he says, we do not acknowledge him as Chief.”¹⁹⁰

The council referred to in this correspondence must have occurred at least a month prior to the date of this correspondence for, according to Schoolcraft’s earlier letter of October 31, Hamlin had already left for Washington. I am unable to decipher the names or to otherwise identify all of the dissenting Indians who are mentioned but it appears that one was Chabowaywa of Michilimackinac and another was Ainse, also of Michilimackinac, both of whom were signers of the 1836 treaty. It was perhaps because of the opposition to Hamlin’s attack on Schoolcraft expressed at this meeting that Hamlin and Apokisigan left for Washington in late October, and although the record we have indicates that Schoolcraft did not receive notification of Hamlin’s attack until after he had already left Mackinac, it is possible that he had other indications and for that reason resolved to go to Washington himself once he learned that Apokisigan had departed.

The Decision to Convene a Cession Treaty in Washington

Once Apokisigan, Hamlin, and Schoolcraft arrived in Washington, events toward a cession accelerated. On December 5, prior to Schoolcraft’s arrival and apparently after meeting with Cass at his request, the delegation led by Apokisigan submitted a “memorial” setting forth the purpose of their trip. For five or six years, they said, they had requested permission through their agent to go to Washington and had received no satisfaction. Only recently had they been told that a negative reply to their request had been received but “truth and falsehood blended together” had been “so often represented to us in our country” that they decided to determine for themselves the government’s “true sentiment in regard to us....”¹⁹¹

¹⁹⁰ William Johnston to Dear Sir, November 24, 1835 [\[HRA000087\]](#); M1, roll 72, f. 159 Clitz to Schoolcraft, November 26, 1835 [\[HRA000872\]](#); M1, roll 69, f. 138.

¹⁹¹ Memorial of the Ottawa delegation by A. Hamelin [sic] Jr., December 5, 1835 [\[HRA001400\]](#); M234, roll 421, f. 722.