

MACKINAC JOURNAL

MAGAZINE OF THE STRAITS

NOVEMBER 2013



“A Bitter Memory”-The Burt Lake Burn-out of 1900”

COMPLIMENTARY COPY

Burt Lake native lands seized in 1900



NEGONEE, 106 YEARS OLD

This aged woman walked from the Indian village at Burt Lake, when it was burned by order of the sheriff, to Middle Village, where she soon died. The depopulation and dispersion of the Burt Lake Indians forms one of the darkest pages of American history and proves the utter failure and weakness of the government's Indian policy in the past.

By Richard Wiles

Northern Michigan's "Tip of the Mitt" area is always at its most colorful time in the waning summer days of September and October. The "Inland Water Route" from Crooked Lake the City of Cheboygan at its opening into Lake Huron has been traveled for hundreds of years by color seekers. At first, the route was used by Native Americans in their birch canoes portaging from Little Traverse Bay near Round Lake and following Iduna Creek to Crooked Lake and beyond.

In fall "Resorters" were taken on the same water route in the 1880's and 1890's via inland lake steam driven ships such as the ODEN or the PASTIME. Many summer resort hotels on Burt Lake, especially the Argonaut Club at Pittsburg Landing (near Burt Lake State Park-Indian River), would hire the steamship companies to take their summer guests on daily jaunts and adventures. One of the favorite Burt Lake summer tourist attractions was the Indian Village on Indian Point at Maple Bay. The Village was directly five miles east of the Grand Rapids & Indiana Railroad station of Brutus.

During the 1890's the Ottawa-Chippewa Village was noted for its handmade crafts. The 1900 census for Burt Lake Township, Cheboygan County had a special indian population listing for Indian Village that had occupations for many of the inhabitants as being either farmers or basket makers. Quill baskets were a specialty item and summer tourists would gladly pay any price for them. Besides the craft works, there were times when the Native American Indian Point villagers would dress in special regalia to entertain the steamship company's guests. The ships would dock in Maple Bay and passengers would descend for at least part of the day at Indian Village.



Steam ship guests buying woven baskets from the Ottawa-Chippewa village.

Indian Point, by 1900, was a special part of the Burt Lake economic area and a proposed large hotel at the end of the point was to soon be built. Members of the Pittsburg Landing Argonaut Hunting & Fishing Club from the Pittsburg area had purchased the 45 acres and named it Colonial Point. Their proposed hotel in 1900 was the Colonial Hotel and it would be built and ready for use by the summer of 1902. William Laird sold the point of land to fellow Pittsburg area land speculator William Reed McCabe in 1894. His Colonial Hotel Company was gambling on the possibility of a Grand Rapids & Indiana Railroad "spur" line being created from the station at Brutus, Michigan, just east of Indian Point-Colonial Point. That would have made the Maple Bay area extremely valuable property for real estate developers. And it would have assured the success of the Colonial Hotel. Unfortunately, the railroad spur never came and within five years, 1907, the Colonial Hotel was closed. A fire destroyed it in 1907.

Besides the possible high land values coming to Indian Point by 1900, thanks to years of a particular farming method by the Ottawa-Chippewa of Indian Village, a large growth of valuable red oaks were found on the peninsula. Most were on the acres of land that belonged to the residents of the village. These red oaks were the envy of every lumberman-land speculator in the Cheboygan County area. The land claims for these acres containing the oaks, some 375 acres in total, had been issued by the federal government's Ionia Land Claim Office in Ionia, Michigan between 1846 and 1849. The payment for these land parcels totaled \$468.00 and the patents for the land were signed by President James K. Polk. On the advice of two different Mackinac Indian Agency agents, William Richmond and Charles Babcock the patents were placed under the "trust" of the office of the Governor of Michigan, where they remained through 1900.

By the 1840's the Ottawa-Chippewa of the area knew it was time to surrender land for payment so that bills could be paid to various trading companies for the manufactured goods that had been purchased. Also,



The grave of John W. McGinn. He died in 1912.

many of the area's Native Americans were sick, and poor. Years of farming had left many in a desperate situation. Added to that was the continued encroachment of "white" settlers into the Northland of Michigan. So, a treaty was sought by Native leaders. Over 13,800,000 million acres were ceded to the federal government in the 1836 treaty. That was 37% of the total land mass of the Michigan Territory. On January 26, 1837, Michigan then became the twenty-sixth state of the Union. The lands of Michigan were surveyed by federal agents such as William Burt and John Mullett. Burt Township and Burt Lake were then renamed, prior to that it was Lake Chabogan.

From the 1840's through the 1890's everyone knew that the Indian Point - Indian Village was owned by the Native Ottawa-Chippewa who lived there. Names such as Shawanonquot, Kegogoway, and Chingwa appeared on the 1860 Burt Township census as land owners. One name on the 1860 census that appeared as only a boarder was that of Lauren P. Riggs. He was living with the Louis Shob Wa son family in Indian Village area. He was also the elected Burt Township supervisor, being first elected in 1854.

Individually owning land was a new concept to the Indian people. Paying taxes to own land was also a very strange concept to understand. Why would someone pay a yearly fee to own land that had first of all been their ancestors for hundreds of years, and secondly, land they had paid their annuity money to re-purchase after the 1836 Treaty?

In 1860, the census data also shows that an Irish immigrant, John Heathy, was the Indian Village school teacher. John was 42 years of age and had a wife, Mary, along with six children. This "white" family of John

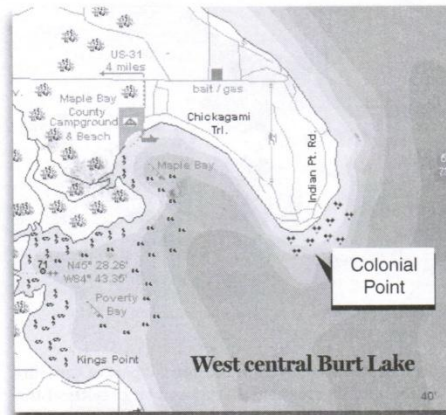
Heathy also lived in the Indian Village area. While Heathy advised his Indian Village landowners to pay, for the very first time, their property taxes (even though the land patents had been placed with the Governor's office of Michigan back in the 1840's). It had long been held that the Indian Point land parcels owned by the Native families were to be in "preservation" or simply, in "Indian reservation" status. That had been stated in the 1836 Treaty of Washington. Article Two: "one tract of one thousand acres was to be located by Chingassimo,—or the Big Sail, on the Cheboigan (Lake Chaboigan) (the Chaboiganing band)."

However, the federally promised Indian preserve lands or reservations (fourteen in all of Michigan) mentioned in the 1836 - 1855 Treaty never materialized, so Native American Ottawa and Chippewa families living in the area of Lake Chaboigan in the mid 1840's began to buy individual parcels of land. And over the ensuing sixty years they and others came to believe the village was on a government recognized "Indian reservation"—the Burt Lake Band of Ottawa and Chippewa Indian's reservation.

The Odawa and Ojibwa Indians in the Burt Lake area were the successors to the Chaboigan Band that had executed treaties between the federal government and the Michigan Ottawa and Chippewa in 1836 and again in 1855. Fletcher states, "By the 1840's, the band lived in a town on Burt Lake known as Indian Village, located on land held in trust under the Treaty with Ottawa's and Chippewa's ("Treaty of Detroit-1807") allotment process; lands that would not be taken out of federal trust until years later. These lands bordered the main body of Indian Village that was held in trust by the Governor.

By 1875, the allotments started to be taken out of trust status one by one. At that time, despite federal or state law to the contrary, local governments in Michigan placed Indian lands on the tax rolls whether they were in trust or not. Some Michigan county officials of the time even set the tax rates for Indian owned land at twice the amount paid by American settlers. This was not the case in Cheboygan, but was in other places.

The newly elected Cheboygan County treasurer in January 1879 was Watts S. Humphrey, who was also an attorney. According to the biographical sketch offered in *The Traverse Region Biographical Sketches of Prominent Men and Pioneers, 1884*, Watts Humphrey came to Cheboygan County as a graduate of Michigan University in May of 1869. He came on the advice of a Michigan lumberman who said Humphrey, when not practicing law, could hunt potential pine lumber lands for him. Thus, Humphrey became not only a county attorney but also a land speculator who engaged in lumbering. The attorney-land speculator soon became a tax deed speculator, someone who would pay off delinquent property taxes on a property in order to take over ownership of the deed.



He began to buy up tax deeds in Cheboygan County including some in and around Indian Point and continued this practice after his election to the office of county treasurer.

In 1878 another Cheboygan County resident, John W. McGinn, started doing the same and in the 1880's he purchased many of the delinquent tax deeds in Indian Village. McGinn had come to Cheboygan in 1867, just before Humphrey arrived. It did not take McGinn long to engage in both land speculation and the banking business having organized the Cheboygan Banking Company. He learned of the valuable timber on Indian Point, as well as noting its ideal location on the Inland Water Route. That waterway had begun to cater to mid-western summer "Resorters" who wanted to escape the summer heat of the city.

Sometime during the 1890's Burt Township supervisor William Cross, without legal authority, put the continually on again-off again Indian Village land parcels back on the property tax roll. He did this without notifying the affected native families and, of course, they did not pay their property taxes. When the "Writ to Vacate" came, most families ignored it. Next, came Cheboygan County Sheriff, Frederick Ming and businessman, John W. McGinn.

Prior to the Monday October 15, 1900 "burn out," John W. McGinn had composed a list of names as had Indian Village resident Albert Shananaquet. McGinn's list was made in 1897 and Shananaquet's in 1899. McGinn was 58 years old in 1900 and his census listing for an occupation was "lumberman." He and his wife Anna Dockery were living on Dresser Street in Cheboygan in the year 1900. In residence with them were their six children: John T. McGinn (age 21), Walter J. McGinn (age 32), Hugh McGinn (age 18), Harry McGinn (age 14), William McGinn (age 26) and daughter Alice McGinn (25).

John W. McGinn was born in Canada to a Scottish father and an Irish mother in 1841. The family came into the United States in 1844. McGinn's 1880 census listing also had the family living within the city of Cheboygan, and it too listed his occupation as lumberman. His fortune in real estate and lumber allowed him by 1885 to be the organizer and principal stockholder in the Cheboygan Banking Company.

In 1900 Frederick R. Ming was Sheriff of Cheboygan County. He was born in the state of New York in 1865 and came to Cheboygan at age 14. He became a local school teacher in 1883 and was 35 years old in 1900, having been elected Sheriff of Cheboygan County for the first time in 1892 and again in 1895. After leaving office, Sheriff Ming was elected to the Michigan State Legislature in 1905 and served there for twelve years. He was also elected to a four year term in the Michigan Senate. Thus, his political career after the Burt Lake "burnout" seemed unaffected by his participation that day.

The combined late 1890's lists of John W. McGinn and Albert Shananaquet of those residing in the Indian Point-Indian Village showed twenty three families. They were:

Enos Cabinaw ,Eugene Hamlin Moses F. Hamlin, William Hamlin, Esual Kewaquom, Sam Kishigowe, Charles Massey Louie Miksini, Frank Mixeny, Moses Nongueskwa, Paul Nongueskwa, Joseph Parkey ,Albert Shawnonaquet, Francis Shawnonaquet ,Jonas Shawnonaquet, Louis Shebwasing, James Shianasgay, Peter Shianasgay, Simon Singoby, Angeline Tromblay, Paul Wasson

Beginning in 1897 McGinn began legal action to evict those members of the Burt Lake Indian community at Indian Village from their parcels he had purchased for back taxes. These were the very same parcels of land again being claimed by the then Cheboygan County treasurer as being tax exempt due to their trust status. McGinn persisted with his efforts for eviction even though local lawyer James Brown, on behalf of the Native community, tried to stop him. The Native People on Indian Point, now confused about what to do, remained in their homes.

In late 1898, McGinn received a "writ of possession" from Cheboygan Circuit Court Judge Oscar Adams and it was served in October of 1899. Almost a year later on October 15, 1900, McGinn asked Cheboygan County Sheriff Frederick R. Ming, along with his deputies, to carry out the evictions of those families whose land parcels he had purchased for non-payment of taxes. After household goods were removed from each home, a kerosene aided fire was set on each structure.

The eviction party had come during a time of the day when they knew most able-bodied men would be gone. Only Native elders, women and children were present on that autumn day. The Native families' log cabin type

structures were destroyed that day with only the Native mission church, first built in 1838 by Catholic Bishop Baraga, being spared.

One person who witnessed the event was William Sydow who was 15 years old at the time and living on his family's Burt Lake area farm. In a 1969 interview printed in the Detroit News, Sydow was quoted, "The women and children sat in the road and watched their homes burn down. There was nothing they could do. Their men were away. We thought it was all wrong. But we didn't think there was a thing we could do."

The news of the Indian Village destruction on Burt Lake soon reached Lansing, Michigan. Outgoing Governor Hazen Pingree, a former mayor of Detroit, was outraged. In a final message to the State of Michigan's House of Representatives recorded in the Journal of the Senate of the State of Michigan - 1901, Pingree was quoted:

"Several months ago the Cheboygan band of Indians, through regular legal proceedings were ousted from lands owned by them. The proceedings of ouster were based upon a title acquired upon sale of lands for non-payment of taxes . . . I submitted the matter of legislation for relief of the Indians to a special session of the Legislature convened on December 12, 1900. The Senate, however, declined to take any action to assist them . . . (because) if a law should be passed it would cost the State \$8,000 . . . paid to newspapers for the publication of the law."

John W. McGinn died in 1912 and his widow, Anna Dochery-McGinn, lived the last years of her life on Burt Lake in the McGinn lakeside mansion-cottage on Indian Point.

In 1923 University of Michigan graduate in engineering and Detroit Tiger's shortstop, Charles "Chick" Lathers, purchased most of the McGinn property and built a large ceramic stone dairy barn. He called his farm Chic-A-Gami and the non-pasteurized milk he sold in the area was under the name Chick-A-Gami Dairy. Lathers employed many Native people of the Burt Lake Indian Point area to work for him. One of his last goals in life was to promote the "Forgotten Inland Water Route" from Conway to Cheboygan during the 1950's. Lathers felt that reconstructing the old route used for centuries by the local Native people before the arrival of Europeans would be a great boost for northern Michigan tourism.

Was the burn-out of the Native landowners-farmers-basket makers an illegal act? Was it a grossly immoral act? Was it both?■

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