



# TIMELINE OF ANISHINAABE TREATY RIGHTS

## IN THE NORTHERN GREAT LAKES

### CULTURE, LANGUAGE, HUNTING, FISHING, & GATHERING FLOURISH

### OJIBWE PEOPLE MIGRATE TO THE NORTHERN GREAT LAKES AREA

Ojibwe creation story speaks of a time when the original people or Anishinaabeg were lowered to the Earth. The first treaties are between Anishinaabeg and everything in creation. Out of love, the plants, fish, and animals agree to sustain Anishinaabeg to ensure survival.

### 1836 TREATY WITH OTTAWA & CHIPPEWA

Ceded large portions of what is now northern Michigan and the eastern portion of Michigan's Upper Peninsula to the United States. The tribes, however, stipulated "for the right of hunting on the lands ceded, with other usual privileges of occupancy, until the land is required for settlement."

VIEW MAP

### 1842 TREATY WITH THE CHIPPEWA SIGNED AT LAPOINTE

This treaty ceded further lands in northern Wisconsin and in the copper and iron rich western part of Michigan's Upper Peninsula. With terms comparable to those in the 1837 Treaty, the tribes received payments to traders and half-bloods as well as a 25-year annuity schedule, to be divided between the Mississippi and Lake Superior Chippewa. The Chippewa leaders specifically retained the right to hunt and fish on the Ceded Territory.

VIEW MAP

### 1850 SANDY LAKE TRAGEDY

Four prominent officials of President Zachary Taylor's administration and Minnesota Territorial Governor Alexander Ramsey led an illegal effort to conspire to move Lake Superior Ojibwe to lands (Sandy Lake) in the Minnesota Territory. Over 400 Ojibwe die from illness, exposure, and starvation.



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### 1854 TREATY WITH THE MISSISSIPPI, LAKE SUPERIOR, AND BOISE FORT BANDS

Signed at La Pointe, ceded the land along the western side of Lake Superior between Fond du Lac in Minnesota to the border of Canada. Established permanent Ojibwe reservations at Keweenaw Bay (Lac Seul) in Michigan and Bad River, Lac du Flambeau, and Lac Courte Oreilles in Wisconsin, and Fond du Lac and Grand Portage in Minnesota.

VIEW MAP

### 1887 DAWES ACT PASSED

Set in motion the Allotment Policy whereby approximately 100 acres of reservation land is given to individual tribal members and the remaining millions of acres of tribal lands are sold to whites.

### 1920S MINNESOTA, WISCONSIN, MICHIGAN RESTRICT RIGHTS

Began arresting Ojibwe hunters, fishers, and gatherers in the Ceded Territories.

### 1934 INDIAN REORGANIZATION ACT (IRA)

The policy of the United States Federal Government established, nationally, a policy of tribal self-government through a tribal council, and the ability of those elected governments to manage the affairs of their respective tribes.

### 1954 WILLIAM JONDREAU CITED

Keweenaw Bay Indian Community member William Jondreau was convicted in Baraga County Court.



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### 1971 BIG ABE LEBLANC TICKETED

Fishing in 1836 Treaty waters, the Bay Mills Indian Community member was charged with using an illegal gill net and convicted in district court.



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### 1981 U.S. SUPREME COURT REFUSES TO REVIEW MICHIGAN CASE

Upholds rights reserved in 1836 Treaty. Michigan Chippewa and Ottawa Tribes from the Chippewa Ottawa Treaty Fishery Management Authority (COTFMA) to begin self-regulation and management of the treaty area fisheries and resources.

### 1981 UNITED STATES V. MICHIGAN

The Fox Decision affirmed the right of the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Sault Ste. Marie Tribe of Chippewa Indians to fish in ceded areas of the Great Lakes in the boundaries of Michigan based on the 1836 Treaty.

### 1971 MICHIGAN V. WILLIAM JONDREAU

The Jondreau Decision reaffirmed the right of the Keweenaw Bay Indian Community members to fish in the Keweenaw Bay waters of Lake Superior without regard to Michigan fishing regulations.

### 1983 U.S. COURT OF APPEALS RULES IN FAVOR OF LAC COURTE OREILLES

Reverses appeal and upholds Ojibwe off reservation hunting, fishing, and gathering rights as set forth in the 1837 and 1842 treaties. The U.S. Supreme Court refuses to hear the case thereby upholding the Ojibwe treaty rights. Governor Earl calls for cooperation among state agencies and tribal governments to resolve the matter.

### 1983 VOIGT INTERTRIBAL TASK FORCE

Created to address resource management issues.

### 1985 CONSENT DECREE

The regulatory agreement details management protocols for Great Lakes fish species including lake trout, walleye, whitefish, perch, salmon and moose chubs, covering treaty-ceded waters of Lakes Superior, Michigan, and Huron. The compact helped lay the foundation for additional settlements that would keep the state and Michigan treaty tribes out of the courtroom, ushering in an era of natural resources co-management.

### 1990 MILLE LACS BAND OF OJIBWE FILES SUIT

In Federal District Court against the state of Minnesota for violating their reserved rights to hunt, fish, and gather on Ceded Territories based on the 1837 Treaty.



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### 1997 MILLE LACS CASE IS UPHOLD IN U.S. COURT OF APPEALS AND HEADS TO U.S. SUPREME COURT

On January 29, U.S. District Court of Minnesota ended the trial portion of two 1837 Treaty rights cases pursued by eight Chippewa bands by issuing a ruling which provided for the exercise of a treaty harvest. The scope and regulation of the treaty harvest were defined in court-accepted stipulations. Because issues regarding scope and regulation were resolved through stipulations which defined them, those issues were not included in the final decision and therefore cannot be appealed.

### 1997 RULING ENDS TRIAL PHASE

On October 2013, the State of Michigan asked the federal court to decide whether inland treaty rights continue to exist, and if they do, where they can be exercised. The five 1836 Treaty tribes along with the U.S. agreed that inland treaty rights needed to be resolved. In late summer 2005, the parties explored the possibility of a negotiated settlement to resolve all the issues related to 1836 Treaty inland rights by negotiation, rather than litigation. Their efforts were finalized in a Consent Decree in early September 2007. The Consent Decree contains acknowledgment by the State of Michigan of the permanent recognition of tribes' "Inland Article 13 Rights."

### 2007 MICHIGAN CONSENT DECREE

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### 1620s EUROPEANS ARRIVE

Etienne Brule, Jean Nicolet and other Europeans arrive in the region to establish trade relations.

### 1795 TREATY OF GREENVILLE

First treaty signed with the United States by the Chippewa. Establishes boundaries between the United States and several Native Nations.

### 1830 INDIAN REMOVAL ACT

Official Federal policy whereby entire Tribes are coerced and forcibly removed from their ancestral homelands to unfamiliar ceded territories west of the Mississippi River.

### 1837 MICHIGAN STATEHOOD

Officially admitted to the Union.

### 1837 TREATY WITH CHIPPEWA

Signed at St. Peters, the first of several cession treaties which sold large tracts of land in north central and eastern Minnesota and northwestern Wisconsin. Chippewa retained their right to "hunt, fish, and gather" in "ceded" territories.

VIEW MAP

### 1848 WISCONSIN STATEHOOD

Officially admitted to the Union.

### 1852 CHIEF BUFFALO TRAVELS TO D.C.

Meets president of the United States and advocates for permanent Ojibwe homelands.

### 1855 TREATY WITH THE CHIPPEWA SIGNED AT WASHINGTON D.C.

The treaty ceded land in the Minnesota Territory for monetary and other stipulations. Reservations were also established in Minnesota.

### 1858 MINNESOTA STATEHOOD

Officially admitted to the Union.

### 1889 TREATY AT RED LAKE

Ceded land surrounding the reservation and exempted Red Lake from the Allotment policy thereby retaining its sole status as a ceded reservation. Red Lake will become the only reservation in the country that is not "checker-boarded" with parcels of the reservation belonging to white land owners.

### 1924 INDIAN CITIZENSHIP ACT

Grants citizenship to all Native Americans in the United States. There was no provision in the Act, however, that required Indian people to relinquish tribal membership or identity.

### 1953 PUBLIC LAW 280 PASSED

Transferred criminal jurisdiction on tribal lands to some states, including Wisconsin and Minnesota. The states use the law to step up their violations of hunting, fishing, and gathering treaty rights.

### 1969 RED CLIFF AND BAD RIVER MEMBERS ARRESTED

Six enrolled members of the Red Cliff Band, including Richard Gurnoe, are arrested by Wisconsin Department of Natural Resources officers after pulling a gill net from Lake Superior that contained a white sucker. Around three weeks later, two Bad River Band members are cited by a state conservation warden while fishing with gill nets on Gichigami. A Bayfield County judge ruled that the 1854 Treaty did not protect their right to fish outside of state regulations.

### 1974 TRIBBLE BROTHERS ARRESTED

Fred and Mike Tribble, members of the Lac Courte Oreilles Band (LCOB), were arrested, March 8, on Chid Lake by Wisconsin Department of Natural Resources wardens for possession of a spear, for taking fish from off-reservation waters and for occupying a fish shanty without name and address attached. The Tribble brothers were fishing off-reservation and were later found guilty of the charges in Sawyer County Circuit Court.

### 1974 GURNOE V. WISCONSIN

In the Gurnoe Decision, the Wisconsin Supreme Court decided in favor of the Bad River and Red Cliff Tribes. Based on the 1854 Treaty, the court found that fishing in the off-reservation waters of Lake Superior was a protected treaty right and that any regulations that the state seeks to enforce against the Chippewa are reasonable and necessary to prevent a substantial depletion of the fish supply. The State of Wisconsin and the tribes have successfully negotiated agreements for the treaty commercial fishing activity since the time of the decision.

### 1982 GREAT LAKES INDIAN FISHERIES COMMISSION WAS FORMED

Created to address resource management issues.

### 1984 GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION (GLIFWC) ESTABLISHED

Composed of eleven sovereign tribal governments located throughout Minnesota, Wisconsin, and Michigan, the Commission's purpose is to protect and enhance treaty-guaranteed rights to hunt, fish, and gather on inland Ceded Territories ceded under the Chippewa treaties of 1836, 1837, 1842, and 1854, to protect and enhance treaty guaranteed fishing on the Great Lakes; and to provide cooperative management of these resources.

### 1989 ANISHINAABE SOLIDARITY RELAY

Begins in response to racism and hatred directed towards Ojibwe people throughout the region at boat landings and other communal spaces. Later becomes the Healing, Circle Run and continues today.

### 1996 FOND DU LAC TREATY RIGHTS AFFIRMED

U.S. District Court affirmed the Fond du Lac Band's 1837 and 1854 Treaty rights. The nature and scope of the 1837 Treaty rights held by the Fond du Lac Band were the same as the Mille Lacs 1837 Treaty right.

### 1999 MINNESOTA V. MILLE LACS BAND

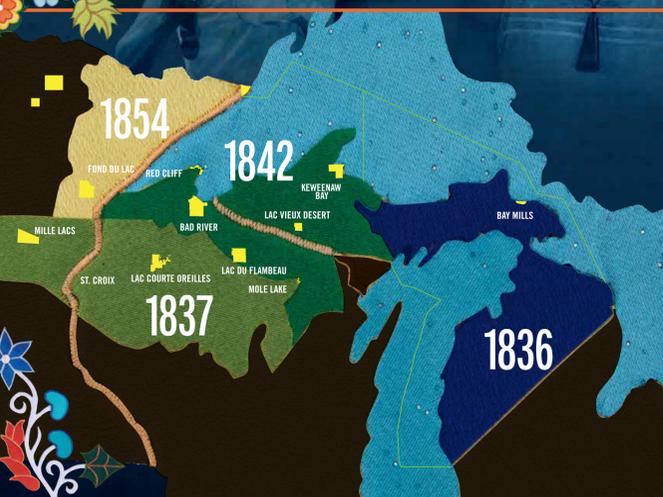
The U.S. Supreme Court, March 24, affirmed treaty hunting, fishing, and gathering rights in the Minnesota 1837 Ceded Territory. This decision served to end all debate, begun over twenty years ago when the 1000 case was filed in 1974, that the Bands' treaty rights exist. The Court ruled in favor of the Bands on all three issues, finding that the 1850 Removal Order did not terminate the rights; that Minnesota's statehood in 1858 did not terminate the treaty rights; and that the 1855 Treaty with Mille Lacs did not terminate the Bands' treaty rights.

### 2020 BUFFALO REEF CLEANUP AND RESTORATION

The treaty of 1842, or commonly known as the "Copper Treaty" ceded millions of acres of land to the United States in exchange for rights to hunt, fish, and gather within the Ceded Territory. Within this territory is Buffalo Reef, a natural cobble feature in Lake Superior, located just off the eastern edge of the Keweenaw Peninsula in the U.P. of Michigan. Buffalo Reef has historically maintained invaluable spawning habitat for fish species such as lake trout and lake whitefish, but is now threatened by the migrating stamp sands, produced by harmful mining activities beginning in the late 1800's. Tribal, State, Federal, and academic partnerships combine efforts to mitigate damages and ultimately restore Buffalo Reef as the ecological resource that has sustained both tribal and non-tribal communities for generations.

## TREATY LANDS

- CURRENT RESERVATION LANDS
- 1836 TREATY WITH OTTAWA & CHIPPEWA
- 1837 TREATY WITH CHIPPEWA
- 1842 TREATY WITH THE CHIPPEWA SIGNED AT LAPOINTE
- 1854 TREATY WITH THE MISSISSIPPI, LAKE SUPERIOR, AND BOISE FORT BANDS



## OGICHIDAA STORYTELLERS

The video series shares the struggle of the Anishinaabe (also known as Ojibwe or Chippewa) to retain treaty reserved harvesting rights throughout the ceded territories of Wisconsin, Minnesota, and Michigan.

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