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# State Register.

JOHN T. CLARK, Editor.

Portage, Wis., 1883.  
SATURDAY, ..... JUNE 23

## HISTORY OF THE "GRIGNON TRACT"

ON THE

Portage of the Fox and Wisconsin Rivers.

COMPILED BY FRED J. TURNER.

The Grignon Claim, comprising a considerable portion of the land between the Fox and Wisconsin rivers where the city of Portage now stands, belonged to what is known as the sixth class of land claims, in the territory of Michigan. This class was composed of occupancies and extinguishments of native right, by individuals since the country has appertained to the United States. As early as 1802, directions were given to the Indian Agent by the Secretary of War to investigate and report the titles of this country. Subsequent acts provided for commissioners to meet at Detroit to decide on land claims, were passed in 1807, 1812, 1820 and in 1823.—The fifth section of the act of February 1823, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan," reads as follows (see annals of Congress, 17th Congress, 2d session, page 1342):

SECTION 5. *And be it further enacted*, That any person who, on the first day of July, one thousand eight hundred and twelve, was a resident of Green Bay, Prairie du Chien, or within the county of Michilimackinac, and, who, on the said day, occupied and cultivated or occupied a tract of land which had previously been cultivated by said occupant, lying within either of said settlements, and who has continued to submit to the authority of the United States, or the legal representatives of every such person, shall be confirmed in the tract so occupied and cultivated; and the said commissioners in adjudicating on claims to land embraced by this act are authorized to take into their consideration the evidence and facts collected and reported to them by the agents of the United States, pursuant to the provisions of the act of the 11th of May, one thousand eight hundred and twenty, as well as such other and further evidence and testimony as may or shall be exhibited before them by the claimants, to support their claims. And the register of the land office at Detroit is authorized and required to receive and record all notices and claims to lands provided for by the act, and which shall be

exhibited to him on or before the first day of October next; *Provided, however*, That no person shall be confirmed in a greater quantity than six hundred and forty acres, nor shall any tract so confirmed, exceed eighty arpents from front to rear. And it shall be the duty of the Surveyor General of the United States, under the direction of the Secretary of the Treasury, to cause the land confirmed by this act to be surveyed, at the expense of the claimants, respectively; plats of which shall be returned as in other cases, and patents therefor shall be granted to the several claimants in the manner prescribed by law."

Among other claims submitted by Grignon under this law, we find the following (see American State Papers—Public Lands—Volume V. page 68):

### CLAIM OF AUGUSTIN GRIGNON.

I, Augustin Grignon, do hereby enter my claim to a certain tract or piece of land situated as follows, viz: Commencing on Fox River, one-fourth of a mile below the present landing place or portage; running thence to the Wisconsin one-fourth of a mile below the present landing place thereon; thence up the said Wisconsin three-fourths of a mile; thence to the pickets which surround the grave of the late John Ecuyer, deceased; thence to Fox River, one-fourth of a mile below the present landing; and thence to the place of beginning, supposed to contain about one section. As witness my hand, at Green Bay, this 18th day of September, 1823.

AUGUSTIN GRIGNON.

In presence of  
N. G. BEAN,  
J. G. Porlier.

TERRITORY OF MICHIGAN, } ss.  
COUNTY OF BROWN.

Laurent Tilly and Louis Bossirie, of the township of Green Bay, in the county and territory aforesaid, being duly sworn, depose and say that a certain tract or piece of land, situated as follows, viz: (Then follows description as above), was occupied and cultivated by Antoine Barth, in the year A. D. 1803; the said Antoine Barth sold the said piece or tract of land to John Campbell, who shortly after sold and conveyed away the same to John Ecuyer, who died in the year A. D. 1808; that the heirs of the said John Ecuyer occupied and cultivated the said tract or piece of land until and after the 1st of July, A. D. 1812; that they have from that day continued to submit to the authority of the United States; that in the year 1821 they, the said heirs, sold and conveyed the said tract or piece of land, and all their right, title, and interest in the same, to Augustin Grignon.

LAURANT TILLY,  
his  
LOUIS X BOSSIRIE.  
mark

The name of Louis Bossirie interlined before signing.

Sworn and subscribed to before me this 18th day of September, A. D. 1823.

J. G. PORLIER, J. P.

DETROIT, Oct. 31, 1823.

In the preceding case of Augustin Grignon at the portage of Wisconsin, the commissioners do not consider the claim as coming within their powers; it is recommended for confirmation saving the rights of the heirs of John Ecuyer, deceased.

Page 70, same work, shows that the heirs of Ecuyer denied the sale to Grignon.

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CLAIM OF BENJAMIN ECUYER.

Je, Benjamin Ecuyer, entre mon clame d'un lot de terre, situe au portage du Onisconsin, courant de la rive du fleuve sur la riviere de Renards, un demi millie, plus ou moier, et contenant une section, cultue et possede par Jean Ecuyler, (sic) un dix-huit cent huit, et par ses heritiers depuis en dix-huit cent douze.

BENJAMIN <sup>his</sup>  
X ECUYER.  
mark

Temoins, J. G. PORLIER.

Les soussignes, Laurent Tilly et Louis Boufre, certiffent que le lot reclame par Benjamin Ecuyer au portage du Onisconsin, a etc possede et cultivate par sa Famille, in dix-huit cent douze; et que le did Benjamin Ecuyere n'a jamais porthe les armes contre les Etats Unis.

LAURENT TILLY,  
<sup>his</sup>  
LOUIS X BOUFRE.  
mark

Bay Verte, la 18th Septembre, 1823.

Sworn and subscribed to before me this 18th day of September, 1823.

J. G. PORLIER, J. P.

DETROIT, Oct. 3i, 1823.

The tract alluded to in the preceding claim has been recommended for confirmation to Augustin Grignon reserving the rights of the heirs of John Ecuyer, deceased.

These transcripts from the report of the commissioners on land claims in the Territory of Michigan, are well illustrated by comparison with the "Recollections of Augustine Grignon," collections of the Historical Society of Wisconsin, Volume III, page 288.

AUGUSTIN GRIGNON

was the son of Pierre Grignon, Sr., who was the son-in-law of Sieur de Langlade; Augustin Grignon was born in 1780. In these recollections he says: "Laurent Barth, a trader from Macinaw, wintered on the St. Croix River at the same time, and in the same neighborhood, with Jaques Porlier and Chas. Reaume, in 1792-3. On the return of the traders in the spring of 1793, Barth stopped at the Portage, having his family with him.—He purchased from the Winnebagos the privilege of transporting goods over the Portage. This was the commencement of the settlement at that point. The elder De Kau-ry soon after arrived there with a few of his people from Lake Puckawa, and commenced the Indian settlement on the Wisconsin, about two miles above the Portage; others came down from Lake Puckawa, another village increased in size and importance. When Barth first located, he built a house at the Portage, but finding that the water overflowed the locality he removed the next year to the

higher grounds half a mile above. The next settler was Jean Lecuyer, a brother-in-law of the Chief De Kau-ry, who went there in 1793, and who also obtained permission to transport goods over the Portage. The goods were hauled over in carts. Barth had only a single horse-cart; but when Lecuyer came he had several teams and carts, and had a heavy wagon with a long reach, constructed by a wagon maker, he had brought there, so as to transport barges from river to river.—About 1803, Mr. Campbell, who was afterwards the first American Indian agent at Prairie du Chien, purchased Barth's right of transportation. Campbell, soon after he purchased Barth's right, sold out his fixtures to Lecuyer, who supposed Campbell was thereby relinquishing all further intentions of the business; but Campbell placed his son, John Campbell, and afterwards his son, Duncan Campbell, at the east end of the Portage, and had several teams to convey goods, and a large wagon to transport barges. After he sold out his transportation right, Barth removed to Prairie du Chien, where he died before the war of 1812. After Campbell's death in a duel, as already related, about 1808, his business was closed up; and about two years afterwards, Lecuyer sickened and died, leaving several children. After Lecuyer's death, his widow employed Laurent Tilly to continue the business in her behalf, and he continued till about the commencement of the war, when Francis Roy, a son of Joseph Roy, of Green Bay, married Therese, daughter of Mrs. Lecuyer, and took charge of the business, and continued in it many years. Mr. Roy is still living, I believe, at Green Lake. A while after the war Joseph Rollette commenced the transportation at the Portage, employing Pierre Paquette to manage the business for him. Barth kept no goods for sale to the Indians after he sold the balance of his stock brought from the St. Croix. Lecuyer always kept a large assortment of goods, and his widow also kept some, as did Roy, but in a much smaller way. John Campbell had goods one year. Several traders at different times after Barth's settlement, wintered there and traded with the Winnebagos; I spent two winters there, the first in 1801-2, and the other, the winter succeeding."

A letter from Hon. Morgan L. Martin states that Ecuyer [sometimes written L']

Ecuyer and Lecuyer] had five children, and that this claim was located in reference to the old portage trail between the Fox and Wisconsin.

In accordance with the recommendation of the land-claim commissioners above given, the United States gave the following patent to Grignon:

UNITED STATES TO AUGUSTIN GRIGNON:  
*The United States of America to all whom these presents shall come, greeting:*

Know ye that there has been deposited in the General Land Office a certificate numbered 286, of the Register of the Land Office, at Detroit, in the Territory of Michigan, whereby it appears that by the second section of the act of Congress, approved on the 27th day of April, 1828, entitled "An act to confirm certain claims to lands in the Territory of Michigan," Augustin Grignon was confirmed, saving the rights of John Ecuyer (or Lecuyer), deceased, in his claim in volume numbered one, of the Reports of the Commissioners on Land Claims, in the Territory of Michigan, on the tract of land containing six hundred and forty-eight acres and eighty-two hundredths of an acre, situate at the portage of the Ouisconsin and Fox Rivers, bounded and described as follows, to-wit: Beginning on the north-east bank of the Ouisconsin River, one-fourth of a mile below the landing place, at a post from which a birch twelve inches in diameter bears north 35 degrees west, distant 11 links, and a birch 14 inches in diameter bears south 64 degrees, west 20 chains to the landing place (entered prairie at five chains), north 70 degrees, west five chains, north 61 degrees, west 26 chains and 50 links (at three chains foot of island, south 81 degrees, west eight chains and 50 links to an aspen seven inches in diameter (corner on the bank of the river), thence north 10 degrees and 15 minutes west, 30 chains through prairie to the top of the hill to the corner of the pickets which surround the grave of the late John Euger, (no post, no bearings near); thence north 50 degrees east (at 15 chains enter barrens, after passing through old field, at 41 chains a pond, at 46 chains left the pond, and at 58 chains a wet prairie), 118 chains to a post on the left bank of Fox River, from which a live oak five inches in diameter bears north 56½ degrees west, distant three chains and 46 links; thence up Fox River south five degrees, west three chains, south 16 degrees, west nine chains and 50 links to landing place at Portage, south 47 degrees, east 23 chains and 40 links to a post on the margin of river in a marsh, thence south 25 degrees and 39 minutes, west 116 chains and 70 links (entering timber land at 100 chains), to the beginning.

There is therefore granted by the United States unto the said Augustin Grignon and to his heirs, saving any right or claim which the said heirs of John Ecuyer, deceased, may have in and to the same, the tract of land above described; to have and to hold the said tract, with the appurtenances, unto the said Augustin Grignon and unto his heirs and assigns forever, saving as aforesaid, any right, title or claim which the said heirs of John Ecuyer, deceased, may have in and to the hereby granted premises.

In testimony whereof, I, Andrew Jackson, President of the United States, have caused these letters to be made patent, and the seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington, the

26th day of April, in the year of our Lord one thousand eight hundred and thirty-two, and of the independence of the United States the fifty-ninth. By the President:

ANDREW JACKSON.

(L. S.) ELIJAH HAYWOOD,  
Commissioner of the General Land Office.

Recorded on Friday, the 17th of August, A. D. 1832, at 6 o'clock P. M.

SAMUEL IRWIN, Deputy Register.

The following abridgement of the first deeds recorded in Columbia County, (transcribed from Brown County Records, Territory of Michigan), show that both the heirs of Ecuyer and Grignon transferred their claims as follows:

Joseph Pocate [Pauquette] and wife, } Undivided one-fifth of "Grignon Tract" to Daniel Whitney.

Executed Oct. 30, 1828.

Recorded Nov. 10, 1828.

Pocate's wife was Felicita.

Simon Lecuyer } Undivided one-fifth of Grignon to Joseph Pocate. } Tract.

Executed Oct. 30, 1828.

Recorded Nov. 3, 1828.

In the acknowledgment are the following words: "Personally came before me the undersigned, one of the justices of the county court aforesaid, Simon Lecuyer, reputed son of the late Jean Lecuyer or Ecuyer," etc.

Augustin Grignon and wife }

to Daniel Whitney. }

Conveyed the entire tract June 18, 1832.

United States } Patent before cited. to Augustin Grignon. }

Executed April 26, 1832.

Benjamin Ecuyer } Undivided one-fifth of Grignon to Daniel Whitney. } Tract.

Executed Feb. 16, 1833.

Recorded Feb. 23, 1833.

Benjamin Ecuyer } Undivided one-fifth of Grignon to Robert Irwin, Jr., and Alex. J. Irwin. } Tract, with property.

Executed June 11, 1832.

Recorded June 15, 1832.

Robert Irwin, Jr., } Undivided one-fifth of Grignon and Alex. J. Irwin } Tract. to Benjamin Ecuyer.

Executed Feb. 16, 1833.

In the Clerk of Court's Office, Columbia County, under head of "I" is the document which is here abridged:

DEPOSITION OF HENRY MERRILL.

September 7, 1854, in the matter of Benjamin L. Webb, to perpetuate testimony.

I know Jaques L'Ecuyer, have known him from 15 to 20 years; according to the statements of the said Jaques L'Ecuyer to me, he is now 54 or 55 years old; I should judge that he was over 50 years of age. He, the said Ecuyer, is a farmer or laborer.

I have heard Jaques L'Ecuyer say that he had

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sold his interest in and to the 648.82 acres of land at the portage known as the Grignon Tract, to one Joseph Pauquette. I saw Jaques L'Ecuyer in August, 1853, at Long Prairie, in Minnesota, at which time he told me he had sold his said interest in said Grignon tract to said Pauquette and had signed a paper which he supposed was a receipt, he having received a part of the payment for said lands in goods and a part in money from the said Pauquette. He said that he had been fully paid for his interest in said land at said Portage by said Pauquette. Ecuyer did not seem to understand what the paper was he had signed, but supposed it was a receipt. I understand from Jaques L'Ecuyer that the said sale took place many years ago, but he did not fix the date of it.

Thus it will be seen that the claims of both Ecuyer and Grignon were secured by Whitney. The subsequent disposition of the land is in brief as follows: 1836, it passed to "Wisconsin Shot Co.," the consideration being \$12,500; 1839, "Portage Canal Co." purchased it for \$34,234.61. The Shot Company, it appears, again came into possession of the property, for in 1842 it was sold by them to Benjamin L. Webb, and in 1844 Alvin Bronson became the purchaser of an undivided four-nineteenths of the claim, paying Webb therefor \$2,500. In 1849 a plat of the town of Fort Winnebago, covering the Grignon claim, was made to Messrs. Webb and Bronson.

A more complete account of these later transactions will be found in the History of Columbia County, Wis., page 600.

In connection with the grave of Lecuyer, which is referred to in the descriptions of this claim, the following facts are of interest.

An ordinance of the City of Portage (passed Feb. 27, 1855), provided "That on and after the 28th day of March, 1855, the graves at or near the intersection of and within the streets of said city, known as Conant and Adams streets, shall be removed by the city marshal, said graves being obstructions in said streets."

Conant street was ordered graded June 3, 1867, and the work commenced that season. It was some time during the summer of that year that the grading brought to light the remains previously interred in that old cemetery. I remember seeing them carried away from the place described as being the grave of Lecuyer, and doubtless among these mouldering relics were those of the pioneer himself.

F. J. T.