

## **Public Acts That Created Territorial Roads in Michigan.**

Shortly after Michigan became a territory in 1805 the U.S. Congress was petitioned by the territory governors, Hull and Cass, to grant funds for roads in the territory. Roads were suggested leading from Detroit to

1. Fort Dearborn (now Chicago)
2. The falls of the Grand River (Lansing)
3. Saginaw
4. Fort Gratiot (Port Huron)
5. Toledo (Port Lawrence, through the Black Swamp).

Some of these roads were promoted as being of military necessity. Money for these roads was granted, surveys made, and eventually the roads completed, although the Chicago Road was not finished until the mid-1830's.

Early in Michigan history the establishment of roads was the responsibility of the Governor and Judges of the Territory or their deputies. By 1817 any person could petition for the opening of a road and there were laws on how this could be done.<sup>1</sup>

During the 1820's and 1830's it became apparent to the Territorial Legislative Council that other roads through Michigan were needed in order to promote the sale and settlement of Michigan lands. During that period the Legislative Council began to authorize "Territorial Roads". Individuals could petition the Council to authorize a road from Point A to Point B. According to the Legislative Council's enabling act of April 12, 1827;

"...each territorial road shall be laid out, from the place of beginning to the place of termination, on the most direct route, where suitable ground can be found whereon to establish the same, always having regard to the intermediate points, if any, in such road; and all territorial roads that shall be hereafter established, agreeable to the provisions of this act, shall be opened, and considered public highways, not less than one chain wide."<sup>2</sup>

Several individuals would be named who were responsible for the surveying of the road. The legislative approval gave legitimacy to the project and forestalled law suits by affected land owners since the enacted laws regarding the creation of territorial roads specified the nature of compensation and the manner of redress by an objecting land owner. At that time roads were the responsibility of the townships or cities and it was probably necessary for a road to be designated a territorial road for money to be appropriated by the Territorial Legislative Council for its creation, improvement or maintenance. This Act provided the mechanism for creating roads that crossed township and county lines.

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<sup>1</sup> Laws of the Territory of Michigan, volume 2, page 93.

<sup>2</sup> Laws of the Territory of Michigan, volume 2, page 594. One chain equals four rods, 66 feet.

On the following pages is a listing of all the Public Acts of the Territorial Legislative Council authorizing territorial roads in the Lower Peninsula. I have edited the acts to show:

1. The date of the act.
2. The points between which the road is to go, including any intermediate points, if named.
3. The individuals named responsible for the survey of the road.

Generally, those entries having identical dates appeared together in a single Act of the council. I have included Acts that further identify or give additional information concerning the roads of Lower Michigan. For the most part these other Acts refer to funds appropriated for the alteration or the improvement and repair of the territorial roads.

Those roads having particular meaning to Washtenaw County I have identified with a road name in parenthesis following the date.

This information is taken from Laws of the Territory of Michigan; a four-volume set printed between 1871 and 1884 by W.S. George & Company. Spelling errors have been corrected except in the case of proper names.

## **Acts Authorizing Territorial Roads in the Lower Peninsula of Michigan**

June 23, 1828.<sup>3</sup> “There shall be a territorial road laid out and established commencing at the northeast corner of the county of Oakland, and running from thence south along the division line between the counties of Oakland and Macomb, to the base line, thence continuing south, on the most direct and eligible route, until it intersects the turnpike leading from Detroit to Pontiac; and Francis Cicot, of the county of Wayne, and Alexander Tacles, of the county of Macomb, and John Todd, of the county of Oakland, are hereby appointed commissioners to lay out said road.”

June 23, 1828. (Pontiac Trail) “There shall be a territorial road laid out and established, commencing at the bridge over the Clinton river, in the village of Pontiac, and running from thence on the north side of Pine Lake, on the east side of Orchard Lake, and on the north side of Walled Lake, to the village of Ann Arbor, in the county of Washtenaw, and from thence, on the most direct and eligible route, by the Saline Springs, to the village of Tecumseh, and from thence to Adrian, in the county of Lenawe; and James Patchen, of said county of Lenawe, and Samuel Van Fossen, of the county of Washtenaw, and Calvin Marvin of the county of Oakland, are hereby appointed commissioners to lay out said road.”

June 23, 1828. “There shall be a territorial road laid out and established, commencing at Port Lawrence, in the county of Monroe, and running from thence, in the most direct and eligible route, through Blissfield and Logan, and also through the village of Adrian, in the county of Lenawee, to intersect the Chicago road, on the most direct and eligible route; and Anthony M’Kee, of said county of Lenawe, and Eli Hubbard and Seneca Allen, of the county of Monroe, are hereby appointed commissioners to lay out said road.”

June 28, 1828. (Monroe to Ypsilanti) “There shall be a territorial road laid out and established, commencing at the village of Monroe, in the county of Monroe, and running from thence, in the most direct and eligible route, to the village of Ypsilanti, in the county of Washtenaw; and Benjamin J. Woodruff, of the said county of Washtenaw, and Nathan Hubbell and Th. Wilson, of the said county of Monroe, are hereby appointed commissioners to lay out said road.”

June 28, 1828. “There shall be a territorial road laid out and established, commencing at the city of Detroit, and running by the Old French Church (so called), above the city of Detroit, in the most direct and eligible route, to a point between Nathaniel Squires’ and Enoch Huntley’s, on the River Clinton, in the county of Macomb; and William Meldrum and James Connor, of said county of Macomb, and William Little, of the county of Wayne, are hereby appointed commissioners to lay out said road.”

June 28, 1828. (Monroe to Dexter) “There shall be a territorial road laid out and established, commencing at the village of Monroe, in the county of Monroe, and running in the most direct and eligible route, up the north side of the Saline river, by the Saline

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<sup>3</sup> Laws of the Territory of Michigan, Volume 2, page 673.

Springs, to the village of Dexter, in the county of Washtenaw, thence to the principal meridian, by the Portage between the Grand River and the Huron (river); and Willis Merritt, of said county of Monroe, and Samuel W. Dexter and Cyril Nichols, of the said county of Washtenaw, are hereby appointed commissioners to lay out said road.”

November 4, 1829.<sup>4</sup> (Geddes & Jackson Road) “That there shall be a territorial road laid out and established commencing in the Chicago road, at or near the inn of Timothy S. Sheldon, in the township of Plymouth, in the county of Wayne, thence west on the most direct and eligible route through the village of Ann Arbor, by Samuel Clements’ to Grand River, where the St. Joseph trail crosses the same, and also through the Cohgwagiac and Grand prairies, thence westerly on the most eligible route to, or near the Paw Paw, to the mouth of St. Joseph River of Lake Michigan; and Seely Neal of Panama, and Orrin White of Ann Arbor, in the county of Washtenaw, and Jehial Enos of Grand Prairie of the Kalamazoo, are hereby appointed commissioners to lay out and establish the same. That the expenses or damages of laying out and establishing said road shall not be charged upon, or paid out of the territorial treasury.” (See March 3, 1831, final entry)

July 30, 1830.<sup>5</sup> (Pontiac Trail) “Be it enacted by the Legislative Council of the Territory of Michigan, That the commissioners of highways for the township of Ann Arbor, in the county of Washtenaw, be and they are hereby authorized to make such alterations in the territorial road leading from Pontiac to Adrian, between the thirty-third and thirty-fourth mile-posts, as may to them appear expedient: Provided, The alterations be made at the expense and on the application of Nathan Thayer, and within one year from the passage of this act.”

March 3, 1831.<sup>6</sup> “That there shall be, from the money in the treasury of the Territory not otherwise appropriated, laid out and expended in repairing the Sagana road, between the city of Detroit and D. Hubbard’s, in the township of Troy, during the year one thousand eight hundred and thirty-one, a sum not exceeding three hundred dollars.”

March 3, 1831. (Michigan Avenue) “That from the money in the treasury of the Territory not otherwise appropriated, there shall be laid out and expended in repairing the Chicago road, during the year one thousand eight hundred and thirty-one, between the crossing of the Rouge River and Ypsilanti, a sum not exceeding five hundred dollars.”

March 3, 1831. “That from the money in the treasury of the Territory not otherwise appropriated, there shall be laid out and expended in repairing the road from Detroit to the Ohio line, during the year one thousand eight hundred and thirty-one, between river Huron and Stoney Creek, a sum not exceeding two hundred dollars.”

March 3, 1831. “That from the money in the treasury of the Territory not otherwise appropriated, there shall be laid out and expended in repairing the road from Detroit to

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<sup>4</sup> Laws of the Territory of Michigan, Volume 2, page 744

<sup>5</sup> Laws of the Territory of Michigan, Volume 3, page 833.

<sup>6</sup> Laws of the Territory of Michigan, Volume 3, page 886

Fort Gratiot, in the year one thousand eight hundred and thirty-one, a sum not exceeding one hundred dollars.”

March 3, 1831.<sup>7</sup> (Geddes and Jackson Road) “Whereas, Seeley Neale and others were authorized by a law of this Territory to lay out and establish a territorial road, commencing at or near the inn of Timothy S. Sheldon, on the Chicago road, in the township of Plymouth, and running thence through the village of Ann Arbor west to the mouth of St. Joseph’s river, and have laid out and surveyed a route for said road; now, therefore, Be it enacted by the Legislative Council of the Territory of Michigan, That the commissioners appointed to lay out said road are hereby authorized, together with the surveyor of said road, to make a certified return of the survey and plat of the whole length of said road, and place copies of the same in the offices of the clerks in the different counties through which said road passes, and one copy of said survey and plat in the office of the Secretary of this Territory, before the first day of May next, and on making the return as aforesaid, said road shall be and become a public highway, any law to the contrary notwithstanding.”

March 4, 1831.<sup>8</sup> “There shall be laid out and established a territorial road, commencing at Pontiac, in the county of Oakland, at the bridge where the Saginaw road crosses the Clinton river, running thence on the most eligible and direct route, to Simmons’s on the Chicago road; thence to a point at or near Mathew Wood’s; thence to a point in the road leading from Monroe to Ypsilanti, about six miles above Monroe. That Ethan Lapham, Benajah Holbrook, and Matthew Woods, be and they are hereby appointed commissioners, with authority to lay out and establish said road.”

March 4, 1831. “There shall be laid out and established a territorial road from Mt. Clemens up the north branch of the Clinton (river); following as near as practicable, the route of an old survey, to Romeo; thence on the most eligible and direct route to the seat of justice in the county of Lapeer; thence to the seat of justice in the county of Saginaw; thence to the northern extremity of the peninsula; thence to the Sault Ste. Marie in the county of Chippewa. That Daniel Le Roy, Horace H. Cady, and Nathaniel Squires, be and they are hereby appointed commissioners, with authority to lay out and establish said road.”

March 4, 1831. “That there shall be laid out and established a territorial road from Romeo, in the county of Macomb, to the seat of justice in the county of St. Clair. That Roswell R. Green, Horace Foot, and Thomas Palmer, be and they are hereby appointed commissioners to lay out and establish said road.”

March 4, 1831. (Ann Arbor Trail and North Territorial Road) “That there shall be laid out and established a territorial road, from a point in the Chicago road at or near C. TenEyck’s, running thence on the most eligible route to Schwartzburg; thence by J.D. Davis’ to John Tibbetts’; thence to the northeast corner of section twenty-nine, in township one south, of range eight east; thence to Benjamin Sutton’s; thence to Osterhaut

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<sup>7</sup> Laws of the Territory of Michigan, Volume 3, page 888

<sup>8</sup> Laws of the Territory of Michigan, Volume 3, page 896

and Peterson's mill; thence to the intersection of the territorial road leading from Monroe by Dexter to the meridian, following the most direct and eligible routes. That John Wilkins, Cornelius Osterhaut, and Elkanah Pratt, be and they are hereby appointed commissioners to lay out and establish said road."

June 18, 1832.<sup>9</sup> (Pontiac Trail) "That the commissioners of highways for the town of Ann Arbor be and they are hereby authorized to re-survey and straighten the Territorial road leading from Pontiac to Ann Arbor, so far as the same should run across the school section, in township number two south, and in range six east, as in the judgement may seem meet, so that the alteration herein authorized be a regular continuation of said road."

June 26, 1832.<sup>10</sup> (Ann Arbor Trail) "That the highway commissioners in the township of Nankin, in the county of Wayne, be and they are hereby authorized to re-survey, alter, and establish that part of the territorial road between Schwartzburgh and the dwelling house of J.J. Andrews, in said township, as they shall think proper and necessary; Provided, The expenses of making such alterations shall not be chargeable to the territorial treasury."

June 29, 1832.<sup>11</sup> (Michigan Avenue) "That the commissioners of highways in the township of Ann Arbor, be and they are hereby authorized and empowered to make any, and such alterations in the territorial road, commencing at Ten Eyck's and running west to the meridian, between the mile boards numbered thirty-four and thirty-six, as they or a majority of them may deem proper."

April 22, 1833.<sup>12</sup> "That the time for laying out such territorial roads as were authorized to be laid out by the present legislative council at its first session, and which have not been as yet laid out and established, be extended to the first day of January next. It shall also be competent for the commissioners who were appointed to lay out a territorial road from Saline through Nottawa, to Youngs' Prairie, to perfect the survey of the same and make returns according to law for the establishment thereof during the above mentioned period."

April 22, 1833. "That the commissioners of highways of the township of Port Lawrence be and they are hereby authorized and empowered, so to alter the territorial road leading from Port Lawrence to the Chicago road (if they shall deem such alteration proper), that the said territorial road from the south-east corner of section sixteen, in range seven east, township nine south, shall run a westerly course so as to pass the forks of Ottawa creek, so called, and unite again with the said territorial road at the north end of the Ottawa lake."

April 22, 1833. "The commissioners of highways of the township of Logan, be and they are hereby authorized and empowered to discontinue so much of the territorial road

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<sup>9</sup> Laws of the Territory of Michigan, Volume 3, page 925

<sup>10</sup> Laws of the Territory of Michigan, Volume 3, page 930

<sup>11</sup> Laws of the Territory of Michigan, Volume 3, page 948

<sup>12</sup> Laws of the Territory of Michigan, Volume 3, page 124

leading from Pontiac to Adrian, running through the said township of Logan, as passes across the farm formerly owned by Nathan Comstock, if they shall deem such alteration or discontinuance proper.”

April 22, 1833. “The commissioners of highways of the township of London, in the county of Monroe, be and they are hereby authorized and empowered to discontinue or alter any part of the territorial road leading from Monroe to the head waters of Grand river, within said township of London, if said discontinuance or alteration should be deemed proper by said commissioners.”

April 22, 1833. (Geddes Road) “The commissioners of highways for the township of Ann Arbor, be and they are hereby authorized to make such alterations in that section of the territorial road, leading from Sheldon’s on the Chicago road, to the mouth of the St. Joseph river, which lies between the bridge across the Huron river, near Jethro Bunker’s farm and the public square in the village of Ann Arbor, as in their judgment, may seem necessary and proper.”

April 23, 1833.<sup>13</sup> “That the board of supervisors of the county of Wayne are authorized to erect three bridges; one over the river Rouge, either at Brevoort’s or Salisbury’s; one over each of the branches of the river Aux Ecores; and one over the river Huron of lake Erie, at such places as the board may designate on the Territorial road, located according to law, and which they may deem to be the best for the public interest; and the board of supervisors of the county of Monroe are in like manner authorized to erect three bridges; one over the Pointe Moullie creek, one over Swan creek, and one over Stoney creek, in the county of Monroe, on the said territorial road.”

April 23, 1833. (Michigan Avenue or Ann Arbor Trail) “There shall be laid out and expended from the money in the territorial treasury not otherwise appropriated, in repairing the territorial road between the dwelling house of Conrad Ten Eyck, in the county of Wayne, and the village of Ann Arbor, in the county of Washtenaw, a sum of money not exceeding five hundred dollars; and Isaac Burhans, of Washtenaw, is hereby appointed agent to superintend the repairing of said roads.”

April 23, 1833. “There shall be expended as aforesaid, in repairing the territorial road between the seat of justice in the county of Calhoun, and the crossing of the St. Joseph river, in the county of Berrien, a sum of money not exceeding one hundred and fifty dollars; and Lyman J. Daniels in hereby appointed agent to superintend the repairing of said last mentioned road.”

April 23, 1833. “There shall be expended as aforesaid, in repairing the territorial road between White Pidgeon Prairie and Grand river rapids, a sum of money not exceeding one hundred dollars; and Alpheus E. Ball is hereby appointed agent to superintend the repairing of said last mentioned road.”

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<sup>13</sup> Laws of the Territory of Michigan, Volume 3, page 1253

April 23, 1833. "There shall be expended as aforesaid, for repairing the territorial road between the village of Niles and the mouth of the St. Joseph river, in the county of Berrien, a sum of money not exceeding one hundred dollars; and Pitt Brown is hereby appointed to superintend the repairing of said last mentioned road."

April 23, 1833. "There shall be laid out and expended as aforesaid, in repairing the territorial road leading from the seat of justice in Branch county to the village of Berrien in the county of Berrien, a sum of money not exceeding one hundred dollars; and Charles B. Fitch is hereby appointed agent to superintend the said last mentioned road."

April 23, 1833. "There shall be laid out and expended as aforesaid, in repairing the road leading from Mount Clemens to Shelby, in the county of Macomb, on the north side of the river Clinton, a sum of money not exceeding one hundred and twenty-five dollars; and Christopher Douglass is hereby appointed agent to superintend the repairing of said last mentioned road."

April 23, 1833. "There shall be laid out and expended as aforesaid, in opening the territorial road between Pointe Duchere and the Fort Gratiot road, a sum of money not exceeding one hundred and twenty-five dollars; and Chester Kimball is hereby appointed agent to superintend the opening of said last mentioned road."

April 23, 1833. (Michigan Avenue) "There shall be laid out and expended as aforesaid, in repairing the Chicago road between the dwelling house of Conrad Ten Eyck, in the county of Wayne, and the east line of the county of Washtenaw, a sum of money not exceeding three hundred dollars, and Timothy F. Sheldon is hereby appointed agent to superintend repairing said last mentioned road."

April 23, 1833. (North Territorial Road) "There shall be laid out and expended as aforesaid, in opening the territorial road between Plymouth Corners, in the county of Wayne, and the west boundary line of the township of Salem, in the county of Washtenaw, a sum of money not exceeding two hundred dollars; and Jacob E. Bullock in hereby appointed agent to superintend the repairing of said last mentioned road."

April 23, 1833. "There shall be laid out and expended as aforesaid, in repairing the Saginaw road between the farm of John W. Hunter in the township of Bloomfield, and the east line of the county of Oakland, a sum of money not exceeding four hundred dollars and John W. Hunter is hereby appointed agent to superintend the repairing of the said last mentioned road."

April 23, 1833. "There shall be laid out and expended as aforesaid, in repairing the road called the Paint Creek road, in the township of Troy, in Oakland county, a sum of money not exceeding two hundred dollars; and William Cone is hereby appointed agent to superintend the repairing of said last mentioned road."

April 23, 1833. "The sum of two hundred dollars is hereby appropriated to make repairs on the territorial road leading from Port Lawrence by Blissfield to the county of

Lenawee; and William Wilson is appointed agent to superintend the repairing of said road.”

January 30, 1835.<sup>14</sup> (Ann Arbor Trail) “That the road from Detroit to the village of Ann Arbor, in the county of Washtenaw, by the way of Spring Wells, Ten Eyck’s, and Plymouth Corners, be and the same is hereby established a territorial road.”

January 30, 1835. “That there shall be laid out and established a territorial road from Jacksonburg, through Cassopolis, to the mouth of St. Joseph River; and that James Cowen, Michael Beedle, and D. McCamly be and they are hereby appointed commissioners for that purpose.”

January 30, 1835. “That a territorial road shall be laid out and established from Dearbonville to Smooth or Flat Rock, on the River Huron; and that Cyrus Howard, David Smith, and Daniel Thompson be and they are hereby appointed commissioners for that purpose.”

January 30, 1835. (Ann Arbor to Sharon Hollow) “That a territorial road shall be laid out and established from Ann Arbor to the north bend of the River Raisin; and that W.S. Maynard, Lewis Allen, and John Lowry be and they are hereby appointed commissioners for that purpose.”

January 30, 1835. “That a territorial road shall be laid out and established from Prairie Ronde to the Chicago road, at or east of Jonesville; and that Edwin H. Lathrop, Isaac W. Bunnell, and John Tompkins be and they are hereby appointed commissioners for the purpose.”

January 30, 1835. “That a territorial road shall be laid out and established from Blue Mounds to the north boundary of Illinois; and that Ebenezer Bingham, M.G. Fitch, and Henry Gratiot be and they are hereby appointed commissioners for that purpose.”

January 30, 1835. “That there shall be laid out and established a territorial road from Cassopolis to Galane River; and that James Newton, Henry Jones, and Elijah Lacy be and they are hereby appointed commissioners for that purpose.”

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<sup>14</sup> Laws of the Territory of Michigan, volume 3, page 1361.