

Minutes of the Council by James McLaughlin

James McLaughlin was the United States Indian Inspector with the Indians of the Red Lake Agency. Councils were held from March 4-10, 1902 for the cession of land. (All links take you to an external site.)

Approximate area ceded under 1902 'agreement'

"Agreement," page 1: THIS AGREEMENT made and entered into this Tenth day of March, Nineteen hundred and two, by and between James McLaughlin, United States Indian Inspector, on the part of the United States, and the Red Lake and Pembina bands of Chippewa Indians belonging on the Red Lake Reservation, in the state of Minnesota, witnesseth ...

"Agreement," page 2: ARTICLE II. In consideration of the land ceded, relinquished and conveyed by Article I of this agreement, the United States stipulates and agrees to pay to said Indians, in the manner herinafter provided, the sum of one million (1,000,000) dollars ...

"Agreement," page 3: entitled under existing treaties or agreements not inconsistent with the provisions of this agreement.

ARTICLE VI. This agreement shall take effect and ...

"Signatures," page 1: 1. Kay bay no din (Chief) - his x mark - age 67
2. Mays ko ko noy ay (Chief) - his x mark - age 70

3. Pay she ke shig ...

"Signatures," page 2: 15. Nay gah bow - his x mark - age 47
16. Kay bay gah bow aince - his x mark - age 64
17. Joseph Gurneau ...

"Signatures," page 3: 45. Kah we tah bid (Peter Sumner) - his x mark - age 39
46. May maush kow e gah bow - his x mark - age 61
47. Kah ke gay nung ...

"Signatures," page 4: 74. Wain je mah dub - his x mark - age 47
75. Kay zhe way wainz - his x mark - age 30
76. Kah ke gay gwon ay aus ung ...

"Signatures," page 5: 104. Pah go nay ke zhig (#2) - his x mark - age 31
105. Frank Beaulieu - ...[signed]... - age 20
106. Roderick McKenzie ...

"Signatures," page 6: 134. As sin e we ne nee - his x mark - age 45
135. Way me tig osh eence - his x mark - age 67
136. Pierrich Johnson ...

"Signatures," [page 7](#): 165. Aysh ke bah ke zit - his x mark - age 50
166. As sin e we ne nee - his x mark - age 50
167. Ke me wun aun ah quod ...

"Signatures," [page 8](#): 194. Ke we tah ke niew - his x mark - age 39
195. Quay ke gah bow - his x mark - age 36
196. Wah kaince ...

"Signatures," [page 9](#): Red Lake Reservation, Minnesota; that it was fully understood by them before signing, and that the agreement was duly executed and signed by said Indians,

Jos. C. Roy)
C.W. Morrison) Interpreters
Peter Graves)

PROCEEDINGS of a council held by James McLaughlin, U.S. Indian Inspector at Red Lake Agency, Minnesota with the Chippewa Indians belonging on the Red Lake Reservation, Minnesota, with reference to the cession of the western portion of their reservation.

proceedings, [page 1](#): Council convened March 4th, 1902, at one o'clock p.m. with about 120 Indians in attendance. Peter Graves interpreting. ...

by 1950, interpreter [Peter Graves](#) presented himself as "Red Lake Band of Chippewas Tribal Chief"

proceedings, [page 2](#): ... townships, only seven of which are full townships, the other twelve being fractional, lying along the boundary lines. The total acreage of the tract referred to is 256,152.28 acres, which is only a little over eleven full townships, about eleven and an eighth townships ...

proceedings, [page 3](#): ... abundance of fuel for settlers, also some material for log houses, but the chief value of that portion of your reservation lies in its being agricultural land.

I am not talking disparingly of that tract ...

proceedings, [page 4](#): ... trust period, after which the allotment belongs to the allottee, with the right to do what he pleased with it. Indian reservation lands held in common by Indians cannot be sold or disposed of except to the United States; and while the fee or rested right to the lands is in the United States, the right of the Indians to the occupancy ...

proceedings, [page 5](#): ...it, and you old men should grasp the opportunity of profiting by the proceeds of its cession which would provide for your comforts in your declining years; and you young men would thus be given a start, that should, with reasonable

industry on your part, place you in comfortable circumstances, and on the road to independence ...

proceedings, [page 6](#): ... fairly upon any reasonable proposition. I wish to add that in case we conclude an agreement for that tract of land, those now residing thereon may take allotments where they now reside, or they may abandon those locations and remove within the diminished reservation, which latter course I would regard much the better for them, in which event a provision would be made in the agreement allowing them a fair price ...

proceedings, [page 7](#): ... Council reconvened Tuesday Evening March 4th, 1902, 7:45 P.M.

McLAUGHLIN:- I am advised that you have sent for me and ...

proceedings, [page 8](#): ... looking for an answer from the department, we presented our grievances at Washington and that is what I am looking for. This what I have said, is the wish of all of the Indians that are here. The Indians wish to make no agreement whatever until our matters are adjusted ...

proceedings, [page 9](#): ... for it will enable you to secure the very best land on the reservation which cannot be interfered with by anyone and it is held in trust for 25 years.

Now in regard to this piece of land that I have been talking to you about it is a different proposition from any grievance that you are speaking of...

proceedings, [page 10](#): ... as we shall agree upon, I representing the Government and you the Red Lake Chippewas. There is an old saying used by the whites, that it requires two parties to make a bargain, and in justice to those interested both parties should have a voice in making the trade, and the Department desiring to allow you people to have a say in this proposed agreement has sent me here ...

proceedings, [page 11](#): ... some of your claims, there is no doubt but that they will be adjusted in due time. On account of ambiguous wording in some agreements with Indians they puzzle the Department and are very difficult to explain. Now in considering this question in regard to the western portion of your reservation for its cession to the United States, we want to separate your other claims ...

proceedings, [page 12](#): ... here who speaks for you people, for the reason that I knew you had many things which you wish to present and I am ready to hear about those claims and grievances that you wish to have placed before the Great Father's Council ...

proceedings, [page 13](#): ... Department, and whatever I represent or report to the Department, the Secretary usually approves. And in the committees of Congress any representation that I make in regard to Indians on any particular matter that I have been a party to, my statements are invariably taken without question ...

proceedings, [page 14](#): ... consulted as a party to it, or your voice being heard when it was prepared, but I come here to try and agree with you upon the price of the land and the manner of payment, so that you are a party to the trade ...

proceedings, [page 15](#): ... thing more to say to you tomorrow. If you have nothing further to say to-night we will adjourn until tomorrow morning at ten o'clock ...

proceedings, [page 16](#): ... present time, that is what the Indians derived from the lands ceded by that treaty. This is one of the grievances in which we think there has been wrong done to us. The understanding we had in that treaty was that the reservation line was to begin at ...

proceedings, [page 17](#): ... Indian got any benefit for those 13 townships? Who authorized the opening of those 13 townships? ...

proceedings, [page 18](#): ... into Clear-water river; thence following up the Clearwater river to intersect a line commencing at Big Marsh and directly west to the Clearwater river; thence from the Big Marsh ...

proceedings, [page 19](#): ... and when the lumber concern who bought it contracted to have this timber cut there was 300,000,000 feet contracted for and cut out of the 70,000,000 feet estimated. And there was another ...

proceedings, [page 20](#): ... standing on these school sections has been cut off and nobody seems to know who has cut the timber off. After everything was accepted and ratified in our treaty of 1889 we were promised that we would not be bothered to dispose of any more of our diminished reservation ...

proceedings, [page 21](#): ... found out that these trespassers have paid for the timber that they have stolen, and what monies that these trespassers have paid in we claim to be our own money.

Mr. Rice in negotiating the treaty of 1889 promised the Indians that ...

proceedings, [page 22](#): ... that you have given me in regular order and in concise form the different grievances and claims that you have. It will enable me to report and present them to the Department Officials in the exact words that you have given them to me, and anything that I can do towards helping you in the matter I will do it with pleasure ...

proceedings, [page 23](#): ... provided in the agreement to entitle you to it, but there is no such provision. If the commission negotiating with you promised you free transportation they exceeded their authority. I have read the agreement carefully and there is no mention of such in the act that you accepted ...

proceedings, [page 24](#): ... in relation to these claims. "Any agreement that we may enter into for the western portion of your reservation will in no way effect the claims that you speak of, other than ...

proceedings, [page 25](#): ... this reservation, and no other Indians would have rights to the proceeds & of this reservation but yourselves. Whilst under the act of 1889 the surplus lands of this reservation, not required for allotments for yourselves and your families, may be thrown open to settlement ...

proceedings, [page 26](#): ... land. My friends, I told you the other day that the President of the United States, the Secretary of the Interior and the Commissioner of Indian Affairs have your interests at heart and the interest of all the Indians, but that they are powerless to stop the tide of emigration and stop the opening up of the surplus lands of Indian reservations ...

proceedings, [page 27](#): ... You have a big lake to procure fish from and dense woods to hunt in, near your homes, whilst the tract that we ask you to cede must be cultivated to produce anything. A reduction of your reservation to a reasonable area, such as a cession of that tract would leave, you would be comparatively safe, you would not be asked for any additional cession in the future, at least not in the life-time of some of you old people ...

proceedings, [page 28](#): ... selves but to your families. Now I want to have these notes prepared and have them reduced to writing so that I may read over carefully the claims that you have presented this afternoon ...

proceedings, [page 29](#): ... exclude them. I know that you have received letters from parties advising against any cession. Before I left Washington I learned that there were letters coming out here telling you not to consider any proposition presented for the cession of any portion of your reservation. Those people are not your friends in this matter ...

proceedings, [page 30](#): ... There are people that took homesteads on this land. There is a homesteader that took a homestead, by the name of Katie McCarthy, and the estimate of her homestead was that it contained 1,200,000 feet of standing pine ...

proceedings, [page 31](#): ... homestead.

In township 149 of range 33 there are twenty-seven homesteads taken, that township contains about the same amount of timber, that is each homestead has all the way from 150,000 to 1,000,000 feet of standing pine ...

proceedings, [page 32](#): ... takes in stepping on some of his own promises. What step has the Government taken to base its rights for a claim to our reservation. That is what the Red Lake Indians want you to make plain so that they can distinctly understand ...

proceedings, [page 33](#): ... sent here to treat for. All that we can say is that we want our Great Father to adjust our past grievances before we negotiate any more treaties with him ...

proceedings, [page 34](#): ... than the United States. That is because of sovereign right, the general right in the United States Government in all the country. The Government don't want to take your land from you for nothing ...

proceedings, [page 35](#): ... that all the territory in the United States is the property of the United States, the land in the Indian reservations, the Military reservations and all Government reservations are properties of the United States in a certain sense. The Indian, reservations are reserved for the Indians to occupy, that is, it is their land so long as they live and so long as their children live after them, but they cannot dispose of it. It is simply the right of occupancy ...

proceedings, [page 36](#): ... [the boundary lines are fully defined by the treaties and whatever they are in the treaties are the only lines] that will be considered. But I will present your claims just as you have submitted them to me ...

proceedings, [page 37](#): ... and should there be any pine lands you will receive for them the price provided by that act. As soon as that is accomplished the white men will flock into the country as thick as mosquitoes, and if you are prepared to meet that condition, well and good. I am simply telling you what the outcome will be ...

proceedings, [page 38](#): ... reservation, but calculating that births will increase that number to 1340 it would be \$195.00 for each man, woman and child for the first payment. A family of five persons would thus receive \$975.00 for the first payment ...

proceedings, [page 39](#): ... consider. Under the present act it is doubtful whether you are entitled to allotments of pine lands, the rulings have been against it up to the present time, but I can provide for ...

proceedings, [page 40](#): ... money is concerned, and at the same time you retain your share of the proceeds of the ceded land, that is the lands ceded by the agreement of 1889. Now it is for you to decide whether you want this protection that I offer you or take your chances under ..

proceedings, [page 41](#): ... it may be a difficult matter to have it ratified, but I feel reasonably sure that it will meet the approval of the Secretary of the Interior and Commissioner of Indian Affairs, and also the Committees of Congress ...

proceedings, [page 42](#): ... representative I am in these negotiations.

As I said in my first council, and my friend Kay Gay Gah Bow Oince said the same yesterday, we meet as friends and if we do not conclude an agreement we will part as friends...

proceedings, [page 43](#): ... interpreters remain here with you and explain each days session, I will, however, state here for the benefit of those who have not been at all of our councils, what my offer is. The tract of land that will be included in the cession, if we conclude an agreement, contains 256,152 28/100 acres. My offer is a definite lump sum, \$960,670 ...

proceedings, [page 44](#): ... are given: I have the original of all our proceedings, which will be forwarded to the Department with my report, and is in every particular the same as the copy you have. I have one copy for transmittal ...

proceedings, [page 45](#): ...you may make me a proposition. There are two parties to this trade; I represent the Government, who is one party, you Red Lake Indians are the other party...

proceedings, [page 46](#): ...been read to you, that large discretionary power is vested in me in these negotiations. I am simply directed therein to be fair to the Indians and just to the United States. The meaning of the words "fair to the Indians" is to give you a fair and reasonable price for your land and provide for manner of payments which will be the most conducive to your welfare. The meaning of the words "Just to the United States" is not to pay more than the land is worth, and to have the agreement such as will meet the approval of Congress ...

proceedings, [page 47](#): ... clearly from the way I have explained it. If you have anything to say to me I will remain in council, if not, and you wish, to consider this matter further, I will now leave the room ...

proceedings, [page 48](#): ... of persons in your families should be given me so that I may calculate accordingly. If you remain there you have to take allotments, and your allotments will not be taxed for twenty-five years, but your personal property will be taxed ...

proceedings, [page 49](#): ... I think is the value of what you come to ask me for. This is the piece of land that I was keeping for my children that you are here asking me for ...

proceedings, [page 50](#): ...yesterday, when I made you the offer of \$3.75 per acre. It is \$1.25 per acre more than I ever offered for Indian Reservation land, or ever had to pay for such a cession ...

proceedings, [page 51](#): ...but I am advising you to accept such, as it will be for your best interests. Many of you old people may not care for allotments, but your children will need them ...

proceedings, [page 52](#): ... wagon loads, it would be over thirty-one tons. The amount of money is very easily spoken, but if you think it over you will see what it represents. The great advantage of this payment is ...

proceedings, [page 53](#): ... and that is, to ascertain the number of you people, if any, who intend to remain on the ceded portion. If they all come in here it is very simple ...

proceedings, [page 54](#): ... sufficient to pay for removing the dead to the diminished reservation, if they wish to bring them in here ...

proceedings, [page 55](#): ...of all of you people. You have been very patient in remaining here all week, but I want you to remain until I have your names to the agreement, after that you are at liberty to go to your homes. I don't want to tax your patience too far...

proceedings, [page 56](#): ...that you have taken this time to consider the matter and that you have had two nights and all day yesterday to deliberate. You are probably ready now to give me a definite answer, and I am ready to hear your decision...

proceedings, [page 57](#): ... who are now located on the tract ceded, and have elected to come within the diminished reservation, also for the removal of the dead buried within the cession, I will make you another proposition ...

proceedings, [page 58](#): ...the first offer. My friends, you have been so good since we have assembled in our councils and been so patient and willing to discuss this matter so thoroughly among yourselves, and so very gentlemanly with me, that my heart has warmed for you very much and I want to do the very best for you that can be gotten through Congress...

proceedings, [page 59](#): ...My first offer provides for one large payment and ten annual installments for the remainder. My last offer is \$1,000,000 with one large payment, and remainder in ...

proceedings, [page 60](#): ...authority was read I felt that I understood it thoroughly. I listened attentively to the reading of your authority to see if I could catch anything that would cause me to be afraid of anything...

proceedings, [page 61](#): ... [improvements] abandoned and for the removal of their dead. We had a general discussion in regard to the first payment that will be made...

proceedings, [page 62](#): ...heard my instructions read the other day, that I was directed to be fair and just to the Indians and to the United States. I have not only been fair to you, but I have been liberal ...

proceedings, [page 63](#): ...question.

WAM WAZH WE YEZ CUNIG;- Well my friend, I will now place before you what we are ready to say. In my treaty here I only want to say, before we have the treaty written out and prepared, that I give you the land that you come to ask for. I cede that land to the United States and also ...

proceedings, [page 64](#): ...pocket. My friend, we want to understand each other fully what our wishes are. We are prepared to close our treaty today and make an agreement with you, but we want to make a good agreement ...

proceedings, [page 65](#): ...have considerable of the agreement prepared. I will now go to the office and write out the agreement in full, and will make two copies of it, one of which will be left with you. When it is prepared and ready for your signatures I will bring it here and have it interpreted to you ...

proceedings, [page 66](#): ... are getting the right amount of money or not. I am very glad my friends that your speaker has raised this question as it has enabled me to explain it to you. I have now answered all of your questions and will proceed to the office and prepare the agreement. I want you all to be here when I return ...

proceedings, [page 67](#): ...[WAM WAAH WE YAZ CUNIG speaking:] 1st. We accept your offer of \$1,000,000 . We will pay the Indians located on the ceded tract for the improvements they abandon and for removing of their dead ...

proceedings, [page 68](#): ...10th. That there shall be no sane or pond nets set to catch fish, in the waters of Red Lake.

11th. After all pine timber on the ceded lands of our reservation under the act of 1889 has been cut ...

proceedings, [page 69](#): ...dams, such as you refer to, and any damage done to the property of individuals has to be paid for by the parties who are benefitted by the construction of such dams. This would apply to your reservation lands ...

proceedings, [page 70](#): ...it.

GAY BAY GAH BOW OINCE:- The reservation that will be left after we cede the western portion, we want it to be an Indian Reservation for all time to come, and that we shall never be required to take allotments ...

proceedings, [page 71](#): ... are written at the same time, the typewriter made the same impressions on each at the same time, and therefore the one is an exact copy of the other. Now I will have one of your young men hold that copy ...

.....
IEEN JE GWON ABE:- I want to speak to you. God is listening to what we have been saying. God is a witness to this agreement. We want this agreement so that the mice cannot break into it as they have to other agreements. Our diminished reservation must remain intact for all time.

Inspector McLaughlin then signs the agreement.