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# THE TOMAHAWK.

Published in behalf of, and to secure the welfare of the Indians of the United States.

'Truth before Favor.'

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## THE TOMAHAWK.

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### The Annual Meeting Of General Council

Regularly Elected Delegates Unseated By Credentials Committee

President Morrison Over-ruled By Council

The Chippewa Claims Commissioners Resign

A hard fought session of the General Council of Minnesota Chippewas took place last week at Bemidji.

The session began after the council was called to order by the president. A contesting delegation from Pine Point that was brought to Bemidji by Mr. Nygren, principal of the Pine Point Indian School, then tried to be seated.

The credentials committee finally referred the contest to the White Earth delegations present, the regular and contesting delegations, to settle among themselves.

These delegations retired to the council room where a motion was made to seat all the regularly elected delegates and if there were any vacancies the contesting delegation would be allowed to take these. The motion was passed unanimously, but in his reading of the report of the credentials committee, Henry Warren, chairman of the committee, left out the names of Paul H. Beaulieu, Jr., Joseph Bellanger and Henry Martin, of the regular delegation and who were present and had been nominated at the meeting between the regular and contesting delegations, and this gave the contesting delegation three more seats.

There were also present in the council a number of persons who held the proxies of some regularly elected delegates, but they opposed the seating of the regularly elected delegates. They were Eugene Warren, Frank Beaulieu, John B. Warren, and were aided in their opposition by Henry Warren and George Berry, who were elected with the regular delegation here at the earnest solicitation of B. L. Fairbanks and the publisher of THE TOMAHAWK.

The most glaring discrimination was in the seating of Joseph Morrison as a White Earth delegate although he was not elected with the regular delegation, the contesting delegation, or at the meeting between the regular and contesting delegations at Bemidji to settle the contest.

The grounds upon which the advisers of the contesting delegation based the contest against the White Earth delegation was the date of the meeting of the local council to elect delegates which was during the last annual celebration and upon the day of the primary election of this state. The constitution of the General Council provides that the local councils of each reservation shall hold meetings to elect dele-

gates to the annual meetings of the General Council on the second Tuesday in June. This provision was not complied with upon any of the reservations, but the right of the White Earth delegation to be seated was the only one attacked by some delegates from here who were able to get on the delegation only by soliciting and obtaining proxies.

#### Nygren Takes An Active Interest.

One of the most noticeable features of the appearance of a contesting delegation from Pine Point was the activity of Mr. Nygren, principal of the Pine Point school, in the matter. It was to him that the interested persons from this place telephoned to have a number of the warehousemen from Pine Point sent to the Bemidji Council as a contesting delegation.

There was not even the pretention of a council meeting held to elect the delegates but Frank Smith, according to his statements, was notified by Mr. Nygren to proceed to Bemidji, and money was furnished to him and the other so-called contesting delegates to pay expenses.

It is not believed that the Indian office was a party to Mr. Nygren's actions, and it should be brought to the attention of not only the office but also to the Indian committees of Congress.

The recognized chiefs of the tribe are entitled to participate at the meetings of the General Council, and the president of the Council recognized Ab-bow-ay-geshig and young Peake as chiefs although neither of them by inheritance or otherwise are recognized as chiefs by the Chippewas of this reservation. But this had the effect of increasing the number of contestants, and as there was no great issue at stake no particular objections were made by the regular delegates.

#### A Test of Strength.

There was apparently no contest between the Furst et al. forces and its opponents until the report of the Chippewa Claims Commission was read and a motion was made to adopt it. An amendment to the motion was then made to reorganize the Chippewa Claims commission by displacing the present commissioners, who were all members of this reservation, and appointing a representative from each of the other Chippewa reservations in this state, including this reservation. In this connection the president of the council made a ruling from which the anti-Furst et al. forces appealed to the council, and it overwhelmingly overruled him. He immediately resigned from the claims commission. The president's resignation was followed by that of Frank Beaulieu and George Berry, who were also members of the commission.

Efforts were then made by the anti Furst forces to get a vote on the motion but the president would not bring the question to an issue, but adjourned the council although there would have been ample time to take the vote.

At the evening session when the Furst forces saw there were comparatively only a few of the opposition present, they tried to force the question to a vote but in this they failed. At twelve o'clock the delegate who made the motion withdrew it. The session then adjourned until the following morning at 9. a.m.

During the night several of the anti Furst delegates left for their respective homes, and others who were disgusted with the proceedings on account of the rulings, did not take the trouble to attend the

morning session. It was also evident that the Furst forces did not regard the council proceedings of this or last year regular, as Henry Warren so stated when the Furst forces were defeated although Jim Coffey, another active member of the force, took an opposite view. But afterwards a vote was taken which, according to the tellers whom the president selected from the Furst forces, resulted in forty-eight for the Furst forces and forty-six for the opposition. The correctness of this count was challenged, but the president refused to test it by having another vote taken.

Four persons who kept a tally of the vote pronounced the count taken by the tellers as being incorrect.

There was such a gross violation of fairness that it became apparent to the opponents of the Furst forces that the issue would have to be fought out next year.

As the matter now stands with regard to the effort of the anti-Furst forces to have the Chippewa Claims Commission reorganized so that one member from each reservation should be selected, B. L. Fairbanks, Wm. Potter, Neshekay-we-gah-bow, John G. Morrison, Henry Warren and Eugene Warren are still members of the commission. John G. Morrison was re-elected president of the council and he was thus restored as a commissioner, regardless of his prior resignation, but George Berry and Frank Beaulieu having resigned, they ceased to be members of the commission.

#### Duties of the Commission.

The object of the resolution creating a commission was for the purpose of first having the members thereof investigate the claims of the Chippewas against the United States, and then take steps to secure the passage by congress of an act referring these claims to the Court of Claims. This has not been done except that John G. Morrison stated at the council that he had obtained ten abstracts regarding homesteads or land that had been disposed of by the government which formerly comprised Red Lake Chippewa reservation lands, but he failed to state whether these lands were Chippewa of Minnesota or Red Lake Chippewa lands.

#### \$15,000,000 Involved.

Approximately fifteen million dollars are involved in the issue between the anti-Furst and the Furst forces, and the former are opposed to placing in the hands of an attorney who has had no experience in the prosecution of Indian claims, and whose principal practice, it is alleged, has been the collection of bad individual debts.

As evidence of the lack of knowledge or ability regarding Indian claims, the Furst forces are apparently not familiar with the laws governing Indian claims, for the council created a commission and provided for its work, but it could not be assumed that the men now on the commission would remain there indefinitely but that in the course of the meetings of the General Council changes would necessarily take place in the personnel of the commission. It can therefore readily be seen that the commissioners appointed at the General Council of last year exceeded their authority by employing Furst and others without the consent of the Council. The resolution creating a commission expressly provides that certain work shall be done by the commission for the Chippewas of Minnesota under a contract the compensation of which shall be ten per cent of the amount recovered, but no authority is given the commission to

employ attorneys without the consent of the tribe. Neither can the contract be assigned without the consent of the Secretary of the Interior and Commissioner of Indian Affairs.

The resolution creating a commission was drawn and offered in the council last year by the publisher of THE TOMAHAWK, and being familiar with the U. S. laws applicable to contracts he drew it in a manner which would require a strict compliance with the law referred to.

Two of the commissioners, namely; B. L. Fairbanks and Wm. Potter refused to sign the contract because they did not have confidence in it, especially as Henry Warren, one of the commissioners, was a government employe when he was elected and the law prohibits an employe of the government from aiding, sanctioning or advising in the making of Indian contracts. Furthermore, another U. S. law prohibits any employe from aiding in the prosecution of suits against the United States until he has been out of the service at least two years.

A violation of either of these two laws lays the violator subject to a heavy fine and imprisonment.

The important interest of the Chippewas of Minnesota are too great to proceed indifferently towards prosecuting them, and U. S. laws should be complied with in every respect regarding the contracts. The intent should not be for the purpose of furnishing employment to incompetents in this particular work with a job, but for the purpose of securing some favorable

action for the tribal interests.

The publisher whose resolution created the commission had only one object in view when he introduced it and this was to have no such delay in Chippewa of Minnesota claims as he has had in the Mille Lac case. He agreed to assist in the work of the commission but positively refused to become one of the commissioners. He also refused to become associated with Mr. Furst because of the latter's utter lack of experience in Indian matters and knowledge of Indian laws. He has no motive such as employing the two attorneys Henry Warren charged in the council he represented, for he has no choice except to get attorneys of experience in the work, so that the interests of the Indians will be protected.

So far as Mr. Warren's statements at the council are concerned his retraction regarding the attorneys, the publisher he alleged favored, should be sufficient to satisfy the council.

### The Nelson Jurisdictional Act

A Measure Which Has Much Involved Politically And Otherwise

Chippewa claims are not being allowed to be considered by the Indians alone, but politicians are taking a hand in the game.

At the meeting of the General Council held here at this place commencing on June 12th, 1915, a resolution was passed which provided for the creation of a Chippewa Claims Commission. The object of this commission, as was plainly stated when the resolution was introduced, was to have it investigate the claims of the Chippewas of Minnesota against the United States, and to have a jurisdictional act submitted to Congress within a year after a contract was made with the members of the commission.

Instead of doing the work for which they were selected, two of the commissioners immediately proceeded to Minneapolis and made a contract with two attorneys, Furst and Roe, to prosecute the Chippewa claims, but two of the members of the commission have refused to sign the contract up to this time, on the grounds that the intent of the resolution creating the commission has not been fulfilled, and furthermore, that the whole proceeding has been irregular.

At the Bemidji General Council last week it was contended by one of the members of the commission that all the meetings of the General Council up to the last meeting were and had been irregular.

If the technical question that was raised against the seating of the regularly elected delegates to the recent Bemidji Council from this reservation had any foundation the council which created the Chippewa Commission was likewise irregular, and for this reason

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