SIGNING OF THE "OLD CROSSING"
TREATY WITH THE CHIPPEWA INDIANS

It appears from the early records that informal attempts had been made to reach an agreement with the Red Lake and Pembina bands of Chippewa Indians regarding navigation rights on the Red River of the North prior to 1862. In that year, however, the first formal attempt was made to negotiate a treaty between these northern bands of Chippewas and the United States government. The date for these negotiations was set for the summer of 1862 at the "Old Crossing" of the Red Lake River on the Red River Trail west of the later developed village of Fisher. The Indians met at the appointed place. The meeting, however, was never held, due to the failure of the U.S. Commissioners to arrive. The failure of this meeting provoked a situation which seriously weakened the bargaining power of the Chippewas at the treaty meeting the following year. Due to a long, futile wait for the U.S. Commissioners in 1862, the Indians exhausted their food supplies and (in modern terms) "hi-jacked" an ox-cart train of supplies in the Grand Forks area. It was purported also that Indians were exacting toll from the boats plying on the Red River. These depredations entered prominently into the treaty negotiations.

The other point of interest about the first scheduled meeting is the identification of the "Old Crossing". Evidently, the earliest references to the "Old Crossing" referred to the crossing of the Red Lake River on the Red River Trail west of Fisher. All later allusions to the "Old Crossing" beginning to 1863, refer to the ford on the Red Lake River where the Pembina Trail crossed the river at the present day Huot.

The man appointed by the federal government to represent the United States as Treaty Commissioner, to deal with the Chippewa Indians, was Alexander Ramsay, the first territorial governor of Minnesota. The U.S. agent representing the Indians was Ashley C. Morrill. These men were appointed by the United States Commissioner of Indian Affairs. The other parties negotiating in the treaty were the chiefs, head men and warriors of the Red Lake and Pembina bands of the Chippewa Indians.

In checking over the instructions given to Ramsey by the Commissioner of Indian Affairs on July 24, 1863, I found the following: "The main object of the negotiations should be to secure to the people of the United States the uninterrupted navigation of the Red River of the North. To effect this object, it is important to secure a cession of the land on each side of the river as far as desirable. I would not advise the purchase of all the lands to which the Indian title is yet unextinguished, as the settlement by whites will not be likely to extend to that remote region of our country for many years. In this matter, however, you must exercise your own discretion. Should the Indians prefer to cede
all of their territory except such a Reservation as may be neces­
sary for their own use, it may be better to purchase it, if the ces­
sion can be obtained on reasonable terms.” Ramsey’s instructions
were not to base the consideration “on the imaginary value of the
land, or the acquisition of a right of way, but upon the present
necessities of the weaker and their improvement in the future.”
The ultimate decision within the guide of that instruction was left
to Ramsey.

While Ramsey was also instructed to deal with and pacify
the Mississippi Chippewas, who were dissatisfied with their treaty
of March 11, 1963, it appears that nothing was done on this matter.

For a log of Ramsey’s trip from Saint Paul to the treaty site
and for a vivid description of what took place at the time of the
treaty signing I shall quote from that eminent Minnesota his­
torian, Dr. Theodore C. Blegen, Dean of the Graduate School
University of Minnesota. Dean Blegen, Superintendent of the
Minnesota State Historical Society in 1933, gave the Dedicatory
Address at the “Old Crossing” Treaty Memorial on June 25 of
that year. He said in part, “Fortunately the Minnesota Historical
Society has been collecting and preserving historical records ever
since 1849, and I think you would be interested to know that
among the thousands of historical treasures is a little notebook
in which Alexander Ramsey recorded in his own hand, day by day,
his journey to this spot in 1863 and the negotiations which took
place. With this old diary and some other early records, I want
to place before you something of that scene from 1863.

“Ramsey requested General Sibley for an escort of two com­
panies of mounted men and a section of mountain howitzers be­
fore he set out from St. Paul September 2, 1863, for the treaty
site; and in his official report he states that Sibley, then return­
ing from his expedition against the Sioux, promptly obliged him.
All supplies for the trip, including oats for the horses and mules
and food for the Indians to be met at the Old Crossing, had to
be transported with the Ramsey party. On September 3, Ramsey
wrote the Indian Commissioner from St. Cloud that the sum of
six thousand dollars allowed for the expense of completing the
treaty would not be sufficient, and that he would have to draw
several thousands more. In Ramsey’s diary we can follow the
expedition westward to Fort Abercrombie and then northward and
northeastward. Its members went on foot, in wagons and on horse­
back, and they were accompanied by livestock (beef on the hoof)
for use on the way and at the meeting ground. Ramsey had a
 carriage for his own use, but occasionally he would take to the
saddle.

“The diary records such items as the crossing of a small river
a bridge had to be built and time was required to guide
the heavy teams and wagons down the steep banks and over the
stream. One night a prairie fire threatened the camp, and a
large party of men were detailed to build a counter-fire for pro­
tection. The entry in Ramsey’s diary for September 21, 1863,
reads, 'Bearing northeast we marched over a level prairie and reached the crossing at 10:00 a.m., some Indians coarsing over the plains to meet us.'

"The objectives of the federal government were first, peaceful relations and a right-of-way for transporting goods and passengers through the Indian country, but it is clear that what was primarily wanted was the opening of a vast area of fertile land to settlement by means of outright cession. With Ashley C. Morrill, agent for the Chippewa, Ramsey had been designated as commissioner to negotiate with the Red Lake and Pembina Chippewa bands. When Ramsey reached the Crossing, the Red Lake Indians were there awaiting him, with Monsomo (Moose Dung), Medawagonin (He That Is Spoken To), Little Rock, Broken Arm and Leading Feather as their head. Morrill was also there, having come by way of Leech and Red Lakes.

"The next day the Pembina Indians arrived with Red Bear of Pembina and Little Chief of Turtle Mountain at their head. To Ramsey's chagrin, Charles Bottineau, who escorted the Pembina Indians to the conference, had brought not only chiefs and head men as he had been directed, but also almost the whole body of Indians and half-breeds. He later submitted a bill for eighteen hundred dollars for supplies on the journey. So instead of a small group of leaders assembled on the grounds, they were thronged with more than sixteen hundred Indians and half-breeds. As we try to picture the scene in our imaginations, we may make out the figures of some noted pioneers who wove in and out among these throngs. One is Pierre Bottineau, who well deserves to be known as the Kit Carson of the Northwest, and another is J. A. Wheelock, one of the giants of Minnesota journalism in the frontier era.

"The council met at two o'clock on the afternoon of September 23 in a large tent, Ramsey and his staff occupying one side and the Indians the other. Speeches were given a few sentences at a time, an interpreter translating as they went along. Ramsey opened the deliberation with an explanation of what the government wanted. He told the Indians that where they then saw one cart and one steamboat, in twenty years they would see a hundred, and he predicted that it would not be long before the railroad with the 'fire wagons' would reach the Northwest. Change and progress, he declared, could no more be stopped than one could stop the sun from setting. And so, picturing the terrorliness of the white invasion, he offered to purchase the right of way, or, if the Indians desired, their lands. The Indians asked to be permitted to consider until the following day before making their reply.

"When the chiefs met Ramsey the next day, they declined his offer to purchase a right-of-way, as indeed he expected them to do, and they requested more time in which to consider the outright sale of their lands. The Ramsey diary details the delays and difficulties of treaty making. Then as now the Indians were
skilled orators. Among those who represented the Indians was Little Rock of Red Lake, who spoke with genuine eloquence and great astuteness. ‘The Master of Life,’ he said in one of his speeches, ‘gave us the river and the water thereof to drink, and the woods and the roads we depend on for subsistence . . . the Master of Life gave it to us for an inheritance, and gave us the animals for food and clothing.’ The conferences were protracted and seemingly futile and Ramsey finally records that on September 29 he gave a ‘severe dressing down’ to the Pembina half-breeds. He then began to hold meetings with the chiefs and head men alone, having abandoned the hope of action through councils. On October 1 he wrote in his diary, ‘Today it looked as if all hope of success was gone.’

“Other records indicate that Ramsey and his party packed up and started to leave. The chiefs and head men in a hurried meeting without Chief Medawagonin agreed to sign the treaty.”

Dean Blegen continued in his reference to Ramsey by saying, “His pessimism was unwarranted, however, for the treaty was signed on the next day, and Ramsey did not exaggerate when he jotted these words in his diary: ‘The Treaty under all circumstances and with the little help I had was a triumph.’ A final distribution of goods and provisions took place on October 3, and the next day Ramsey’s party started on its homeward journey. A twenty-year annuity of $20,000 together with other expenditures set up a total of a little more than a half million dollars as the purchase price. The treaty provided for the transfer of an area of several million acres—an empire in the valley of fertility.

“Medawagonin refused to sign the treaty. Of this powerful Red Lake chief, Bishop Whipple, who knew him well, wrote, ‘He was a man six feet, four inches in height, straight as an arrow, with flashing eyes, frank open countenance, and as dignified in bearing as one of kingly race.’ Bishop Whipple had advised Medawagonin to demand houses, cattle, schools, and agricultural implements in the treaty council and when this demand was not satisfied Medawagonin refused to sign. During that winter Medawagonin walked 150 miles to visit the Bishop and to ask his help in obtaining better terms. A few weeks later the bishop went to Washington with the Red Lake chiefs, and on April 12, 1864, he finally secured a revised treaty that was the same in terms of land transfer as the treaty of 1863, but included some of the things the bishop demanded.”

The foregoing excerpts from the dedicatory address of Dean Blegen give an insight in the making of a treaty of great significance to Polk County and the Red River Valley.

The terms of the 1863 Treaty at the “Old Crossing” were listed under five articles—Article I quoted in full; summaries given for others:

ARTICLE I— The peace and friendship now existing between the United States and the Red Lake and Pembina bands of Chippewa Indians shall be perpetual.
Article 2 outlined the boundaries of the lands ceded to the United States which included the whole of the drainage basin of the Red River of the North in the states of Minnesota and North Dakota, excepting lands in the basin of the Red Lakes retained for the Red Lake Reservation. The eastern boundary of the ceded lands extended from the international boundary south from the Lake of the Woods to the headwaters of Thief River, down that stream to the Red Lake River. This line formed the western boundary of the Red Lake Reservation. The ceded area embraced some 9,799,940 acres, described by metes and bounds. In addition to the reservation lands retained by the Red Lake band, the Pembina band of Chippewas retained a tract of country claimed by them embracing some of the favorite buffalo pastures north and northwest of Devil's Lake. To save space and avoid repetition, the other Articles of the Treaty signed in 1863 can best be stated in the Treaty Revision approved by the Senate on April 12, 1864. The Treaty was altered mainly with respect to considerations as follows:

**Cash of Equivalent Considerations**—

1. Modification: Instead of $20,000 per year for 20 years, the United States was to pay $15,000 per year, $10,000 to the Red Lake band and $5,000 to the Pembina band “during the pleasure of the President” (Art. 2).

2. New provision: The United States to expend $12,000 per year for fifteen years for materials, $8,000 for the Red Lake band and $4,000 for the Pembina band (Art. 3).

3. New provisions: The United States to furnish annually for 15 years (Arts. 4, 5):
   - one blacksmith
   - one physician
   - one miller
   - one farmer
   - $1,500 worth of blacksmith materials
   - $1,000 for carpentering
   - a sawmill with run of millstones attached

4. Modification: Instead of $100,000 for damages and debts and debts after an audit by a commission and the chiefs with residue added to the annuity funds:
   a. To the chiefs of said bands except May-dwa-gwa, no-in (Anglicized Medawagonin) — $20,000.
   b. To Chief May-dwa-gwa-no-in — $5,000.

5. For a road from “Leech Lake to Red Lake” — $5,000.

**Charges Against Annuities**—

6. Not to exceed $150 per year per chief.

7. $500 for each chief as first payment.

**Other Considerations**—

8. Amnesty for past offences.

9. Modifications: Instead of 160 acres to each male half-breed or “mixed bloods” scrip was to issue to all “mixed bloods” in lieu of all future claims for annuities.

10. 640 acres “near the mouth of Thief River” for the Chief Moose Dung (Mons-o-mo).
The total recited consideration in the Treaty of 1863 as modified by the supplemental Treaty of 1864 was $612,000.

The final draft of the “Old Crossing” Treaty signed at Washington had the signatures (marks) of sixteen members of the Red Lake and Pembina bands of Chippewa Indians. The list of signers for the Indians include three chiefs, four headmen and six warriors from the Red Lake band, and one chief, one headman and one warrior from the Pembina band. For the records, the proper and common names of the chiefs are given while only the common names of the headmen and warriors will be listed.

FROM THE RED LAKE BAND: Principal Chief May-dwagwa-no-in (He That Is Spoken To), Chiefs Mons-o-mo (Moose Dung), and Ase-e-ne-wub (Little Rock). Headmen: Leading Feather, Dropping Wind, Little Shoe, and White Hair. Warriors: The Boy, Straight Bird, He That Makes the Ground Tremble, with no interpretation—Osh-shay-o-sick and Kay-tush-ke-wub-etiung, and Bad Boy.

FROM THE PEMBINA BAND: Principal Chief Mis-comuk-quah (Red Bear), Headman Equal Sky, and Warrior Wants Feathers.

The Treaty was signed by President Abraham Lincoln and Commissioners Clark W. Thompson and Ashley C. Morrill. The names of interpreters of significance to the area of the “Old Crossing” Treaty were Pierre Bottineau and Benjamin Dalbec, and at Washington, D. H. Beaulieu, J. G. Morrison and Peter Roy for the Indians, and T. A. Waner, Chas. E. Garden and Charles Bottineau for the United States.

Now in 1960, some ninety years after the “Old Crossing” Treaty was signed, it is difficult to correctly appraise all of the factors which brought about the conference and treaty. A study of the diaries, records and reports of the commissioners involved and others, forces one to the following conclusions:

1. The United States Government
   a. Recognized the title rights of the two bands of Chippewa Indians.
   b. Wanted free access and use of the Red River for navigation.
   c. Wanted the fertile lands of the Red River Valley opened for settlement.
   d. Was willing to bargain with the Indians for transportation and land title rights.
   e. Took the initiative to attain objectives.

2. a. There was no urgency on the part of the Red Lake and Pembina bands of Chippewas to dispose of title rights.
   b. Their association with the explorers and white settlers had been peaceful.
   c. The one blot on their record occurred after the failure of the 1862 “Old Crossing Conference”, due to failure of the Commissioners to arrive and the subsequent seizure of food and provisions from an ox-cart train.

3. That fear of reprisal for the looting of the caravan and the presence of two companies of armed soldiers with a complement of howitzers expedited the signing of the treaty.

4. That the lack of knowledge of land title values on the part of the Chippewas caused them to settle for a low figure.
Old Crossing Treaty Memorial. A life size figure in bronze of a Chippewa Indian holding the Pipe of Peace, placed in the Old Crossing Wayside Memorial Park at Huot, Red Lake County, Minnesota.