

Oregon Survey Indian Affairs, 1848-73, Roll 12, Microcopy 2
1850- No. 27

Department of the Interior, Office Indian Affairs

October 25, 1850 (Copy)

Gentlemen:

I have been officially notified of your appointment as commissioner to negotiate treaties with the several Indian tribes in the Territory of Oregon for the extinguishment of their claims to lands lying west of the Cascade Mountains under the act of 5th June last, and am directed by the Hon. Secretary of the Interior to prepare appropriate instructions for your observance in the discharge of the duties of your office.

Such instructions must necessarily be of a general character. That territory having but recently organized the files of this office do not as yet afford sufficient material for detailed information to guide you.

Your commission was forwarded to you on the 12th August last and I have now to inform you that your compensation will be at the rate of eight dollars per day for every day you may be necessarily engaged in the performance of the duty assigned you, and you will also be allowed ten cents per mile for every mile you may be required to travel while occupied in making treaties and in travelling to and from the place or place where you may be called.

It is impossible for this office to tell you how many interpreters or other assistants you may require, this must be left to yourselves both as to numbers and amount of compensation to be paid, but with the suggestion that as much ^{economy} ... as is consistent with a proper and efficient discharge of your duties be used. The necessary travelling expenses of your employees will be paid.

As before remarked the information in the possession of this office is so limited that nearly every thing must be left to your discretion beyond what is here communicated and even that may be found by you to be somewhat at defective.

The tract of country lying west of the Cascade Mountains extending to the

the Pacific Ocean reached from 42 degrees to 49 degrees and has considerable width. It is inhabited by numerous tribes of Indians, many of them small in number and others comprising two, three and four hundred warriors, some at the extreme south and others at the extreme north. There are some ten or twelve of them. Our knowledge on that subject is not very accurate, it rests mainly upon the observation of those who have resided there temporarily, some of them for two or three years. The locality of these is not well known. Some of them live by fishing, others by hunting, in part-- others in part from the supplies heretofore received from the Hudson's Bay Company in the course of their trade--most of them are doubtless of a peaceable disposition acquired by long habit of intercourse with American & British traders. Others of them are more wild and fierce in their temper and disposition, and will require great discretion and prudence in their management. It is understood that one or other of these tribes great or small east of the Cascade Mountains set up claims to every portion of the Territory. The rights of the several tribes you will of course inquire into.

The inhabitants complain that they have been there for several years and have been obliged to make settlements, improvements, etc. etc. and yet not one of them can claim a perfect title to any portion of the soil they occupy. It is indispensable that this question be settled in some form or other.

The object of the government is to extinguish the title of the Indians to all the lands lying west of the Cascade Mountains and if possible to provide for the removal of the whole from the west ~~of the~~ to the east of the mountains, but should you fail in inducing the whole to remove you will then induce as many as you can procure acquisition of territory from, but no effort should be untried to procure the removal of the whole thereby leaving the country free for settlement by the whites. It will probably be best for you to treat first with the Indians in the white settlements, particularly in the Willamette Valley and to treat separately with each tribe, but of this you will be best able to judge. As to the quantity

of land to be acquired and the prices per acre to be paid for it, it is impossible for this office to form even a conjecture. The quantity must of course depend on the number of treaties made upon estimates of the rights of Indians to the soil ceded by them. As to the price to be paid that will depend on the locality of the land with reference to its value to the U. State. If it be possible to make such distinction, but if not you will be governed by your own discretion. It is presumed the lands to be ceded will not be found to be of any very great value and in many cases it is presumed the consideration will be ~~added~~ merely nominal, but in others where the land is of much more value of course a greater sum will be allowed. The maximum price given for Indian lands ~~will~~ has been ten cents per acre, but this has been for small quantities of great value from its contingency to the States or other considerations and it is merely mentioned to show that some important consideration has always been involved when so large a price has been given. It is not for a moment supposed that any such consideration can be involved in any purchases to be made by you and it is supposed a very small portion of that price will be required.

In estimating the value of the land ceded you will fix on a gross amount in money to be paid for it on which an annuity of a sum not exceeding five per cent will be paid. And it is extremely desirable that the whole annuity be absorbed by treaty stipulation in objects beneficial to the Indians, and that no part of it shall be paid to them in money. The object provided for should be agricultural assistance, employment of blacksmiths and mechanics and farmers to teach them to cultivate the lands, physicians and above all ample provision for purpose of education. After providing for these objects if any portion of the money remains it should be stipulated that it be paid in goods to be delivered to them annually in their own country.

In affecting the removal of the Indians from the west it will be necessary to provide a new home for them among their brethren on the east of the mountains. This of course must be done and it is to be hoped it may be

affected peaceably and at little cost to the United States. Whether it will be necessary for you to enter into treaty negotiations with these eastern Indians for the object you will be best able to judge when the whole subject is brought before you.

To carry out the objects of the commission the sum of twenty thousand (20,000) dollars can be applied-- of this amount five thousand (\$5,000) dollars will be invested in goods suitable for presents to the Indians, which will be sent round Cape Horn and the balance, fifteen thousand (15,000) dollars will be placed in the hands of the first named of your board, Gov. Gaines with which he will be charged and for which he will account by regular accounts and vouchers, and as the Treasury has funds at San Francisco, drafts on that place will be enclosed to him. Gov. Gaines will also be charged with the sum expended in goods for which he will account upon the certificates of the Board that they have been used in carrying out the objects intended.

It was omitted to be mentioned in the proper place that you are authorized to employ a secretary whose compensation will be at the rate of five (5) dollars a day and ten cents per mile for his necessary travelling expenses. It is not however supposed that the whole time of a secretary will be required and you will therefore restrict his employment only to such times and upon such occasions as you may find necessary.

Very respectfully etc.

A.S. Loughery, acting comm.

His Excellency P. Gadsden Gaines and Messrs Alonzo H. Rinner and Beverly S. Allen, commissioners.

Suptcy. Indian Affairs, Oregon. 1848-73, Roll 12, Microcopy 2

1850 No. 32

McKenzie Fork, Nov. 15, 1850

To Dr. Anson Dart, Superintendent of Ind. Affairs, Oregon; Oregon City

My Dear Sir: I have to day most agreeable to notice the Indians frequenting the Umpqua and the regions lying between the Umpqua & Cascade Range & the country of the upper Wallemett. They are very few in No. and miserably degraded. I find but two languages as yet, viz: The Molalle & the Calappoya, the ~~former~~ former a dialect of the old Cayuse and the Molalle the descendants of that tribe retaining their features most strikingly.

Of this fact I was apprised more than 15 years ago when we first located our missionaries among the Cayuse. The Cayuse informed me that a band had left them some three years before and crossed the Cascade Mountains and that the Molalles were their descendants. They are much more intelligent and active than the Calapooyas.

....

H.H. Spalding, Agt S.W. O.T.

1850 No. 32 H.H. Spalding, sub Ind. Agent dated Nov. 18, 1850

received Nov. 2d 1850

Reporting on the history statistics etc of certain Indian tribes in the Upper Country. Will try to arrest the murderer of Newton. ~~Will go north~~ ~~and then~~ south with the first party going out that way.

Suptcy. Oregon, Indian Affairs, 1848-73 Roll 12, Microcopy 2
1851 No. 24

To Hon. Anson Dart, Superintendent Indian Affairs in
Oregon

Sir: Understanding that you are about to establish an Indian Agency
upon the Umatilla Valley this spring I beg leave to request a license to
trade with the Indians at that point.

It is my intention to take only such articles as may be useful and
necessary for the Indians and I will conform to the regulations of your
department and render such aid as may be in my power in enforcing them.

Respectfully

Your Obedient Servt

A.F. ~~Rogers~~ ~~Rogers~~ Royce

Oregon City, May 1 1851

Oregon Suptcy. Indian Affairs, 1848-73 Roll 12, Microcopy 2

1851 No. 26

Columbia Barracks, Oregon, April 29, 1851

Sir:

I have the honor to acknowledge the receipt of your communication of the 11th instant received at this place and in reply have to say that circumstances beyond my control will prevent me from complying with your request in regard to the escort of troops.

There are four posts to be kept up in the Territory and there will be after the departure of the Rifle Regt. but two companies remaining. In regard to tents etc. Capt. Ingalls will furnish them with pleasure.

Very respectfully etc.

S. Hathaway, bvt. maj. U.S. Army

to Anson Dart, supt. of Indian Affairs Oregon Territory.

1851-33

Council held with the Cayuse tribe 27th June 1851 on the creek emptying into Clear Water at Wapwai.

Supt. said he had been sent by the Great Father--that he had the care of all the Inds. between the mountains and Pacific Ocean & Califa & north --that he was meeting all the Indians of this country to ascertain numbers condition , etc. and report to President, that he had three agents and three small agents to locate among the Indians--one at Nesqually near Wallamet valley. and that they will all be subject to orders from the President. I supposed they had many reports as to what the government would do and I had come to tell them the truth. That the Govt. does not intend to molest them in any way but to leave them in possession of it--that we don't intend to buy any lands east of the Cascades but that all west will be bought. That I was very anxious to see the Nes Perces and that Mr. Craig had showed me the way and I was glad to see them--that I have learned they were always friends, and so long as they will continue so they shall be protected.

One object in coming was to see their condition etc. and to ascertain how many presents would be needed, which would be made by and by. The govt. wishes they would pay more attention to agriculture. We suppose the most acceptable presents to them would be farming, utensils etc.

(p 2 unnumbered)

That I find their condition better than expected. I hope they will raise many cattle--I hope they will remain at peace with the neighboring tribes, and if they molest them, we have a military force to protect them. They have the reputation of being honorable, and I wish them to adhere firmly to all bargains made. That the Govt. does not wish to advise them with regard to their religion, but desires them to make their own choice. That they must choose their own head men, the Govt. desires not to interfere. I am sorry I could not bring presents but it was impossible from my mode of travel--I am now ready to hear anything they may have to say. There will be no settlers or trader (sic) allowed among them except with their consent, or missions established. The reason for establishing an agent in the Cayuse country was to settle difficulties between Indians and immigrants.

"Looking Glass" or Flint Nespece--said--that all that has been said has been heard by their people--that he had been waiting to see me, that he has been placed (?) in the midst of these people.

Considerable conversation was had about the residence of Craig among them, when I assured that [Willia..x'ed out] Craig's residence among them was entirely independent of any affairs of the government, and is a matter among themselves--that the government desires their happiness independent of the interests of any white man and that they must not believe any reports of the evil intention of the government against them.

[p. 3 unnumbered]

Looking Glass continued, spoke of the pleasures of peace and quietude, and of his pleasure at the feelings of the Govt. towards them, that he was glad of the protection assured them, that he desired always to feel well towards the whites--spoke of his pleasure at the assurance that they would not be troubled by (word undecipherable, appears like imipioinahis), traders etc.

I told them it was entirely ~~xxx~~ optional with them as to the settlers, that if they wished [appears h is crossed like t] them they could have them, if not they need not.

"James" spoke of his age, that he must soon die, of his love of his people and that he was glad to hear that the Govt. took an interest in them.

I asked them whether it would meet their ~~xxxxxx~~ approval if the Govt. should built them a mill in their country, and whether they had a choice of a place.

[unnumbered page following, endorsement as deduced by folds appearing in paper for canister filing....

Papers connected with 33 1851 superintendent's journey in Upper Oregon June 1851

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Council held with the Cayuse tribe the 27th June 1851 on the creek emptying into Clear Water at Lapwai.

OLNEY

Oregon Suptcy. Indian Affairs, 1848-73 Roll 12, Microcopy 2

1851 No. 35

Office Supt. Indian Affairs, Oregon City

4th June, 1851

Know all men by these presents that we Nathan Olney and William Craig are held and firmly bound unto the United States of America in the sum of two thousand dollars lawful money of the United State for the payment of which will and truly to be made we bind ourselves and each of us our heirs executors and administrators jointly and severally jointly by these presents sealed and our seals and dated this fourth day of June one thousand eight hundred and fifty one . The condition of the above obligation is such that whereas Anson Dart, superintendent of Indian Affairs in Oregon Territory, hath granted to the said Nathan Olney a license dated 4th June , 1851 to trade for one year with the Wascopam, DeChutes, Walla Walla and Klickitat tribes of Indians at the following described place within the boundaries of the country occupied by the said tribes, viz: At the falls of the Columbia if the said Nathan Olney so licensed shall faithfully conform to and observe all the laws and regulations made or which shall be made for the government of trade and intercourse with the Indian tribes and in no respect violate the same and shall trade at the aforesaid place and no other and shall in all respects act conformally with the license granted to him, then this obligation to be void, else to remain in full force and virtue.

Nathan Olney, William Craig.

Witnessed: Theo. Wygant

A.A. Skinner

1851 No. 63

Umatilla Station, Oct. 26th, 1851

My Dear Doctor:

The Mail carrier is just leaving. he can not wait. The Indians seemed quiet pleased to see me. He brought beef & one an other salmon in token of friendship. All will go well I trust.

Your humble servant

Elias Wampole

NP I arrived safely. Drove the ox team home myself. No person with me.

Letter Received Nov. 5th from Wampole to Anson Dart.

1851

No. 75

Department of the Interior, Office Ind. Affairs,
Feb. 14th, 1854

Sir: Your letter of the 6th Nov. last communicating the request of the Cayuse Indians that a saw mill be built for them has been received.

You are aware that commissioners are now in Oregon for the purpose of negotiating treaties with the Indian tribes living west of the Cascade Mountains for a cession of the lands they occupy and for their removal to the country east of that range. In the event of success and the Indians are to be removed, the commissioners have been authorized to procure a home for them on the lands claimed by the tribes east among whom it is presumed are the Cayuses. It may therefore be necessary to treat with that tribe and if so such objects of a beneficial character as they may require could then be held out to them as inducements to their acquiescence and which would facilitate negotiation with them, and could be provided for by treaty stipulation or otherwise. I think the consideration of this subject should be delayed until our Indian relations in Oregon are better understood and it is seen in what manner they are affected by the operation of the commissioners.

Very respect etc.

L. Lea, commissioner

Anson Dart, esq. supt.

Oregon City, O. Terr.

1851 No. 78

Department of the Interior

Office Indian Affairs, February 14, 1851

Sir: Your letter of the 14th November last has been received. I feel disposed to gratify you in your request for a copy of the laws of the United States but am unable to comply with it. not having the volumes at my disposal.

It has not been the practice to furnish the agents of this Department with all the laws--such only as relate to Indian Affairs and which are deemed necessary for their instruction and guidance being supplied to them. This office has it in contemplation to compile and arrange in a convenient form, as soon as practicable, the various laws etc. concerning Indian matters which will, it is believed, be of much use and greatly facilitate its officers in the proper understanding and discharge of their duties. When this is done you will be furnished with copies thereof.

The twenty copies of the act of June 30, 1834 which you ask for are herewith transmitted.

Very Resp etc.

L. Lea, commissioner

Anson Dart, Esq. Supt. etc.

Oregon City, O.T.

Oregon Suptcy. Indian Affairs , 1848-73 Roll 12, Microcopy 2

1851- No. 84

Department of the Interior

Office Indian Affairs, April 12, 1851

Sir:

A recent act of congress abrogated the offices of the Commissioners appointed to negotiate treaties with the Indians in Oregon and their functions in that capacity will determine on the delivery to them of the enclosed letter. The same act requires that hereafter all Indian treaties shall be negotiated by such officers and agents of the Indian Department as the President shall designate for that purpose.

The persons designated to negotiate with the Indians in Oregon are yourself and Agents Allen and Spalding. If when you receive this communication the condition of any business in which the commissioners are immediately engaged is such that their sudden disconnexion with it would result in mischievous consequences you will withhold the letter to them until such time as their services can be safely dispensed with. But it is expected that they will be relieved and the negotiations entirely assumed by the regular offices of the Department at the earliest moment compatible with the public interests and the business will be prosecuted by them under the instructions given to the commissioners, a copy of which is herewith transmitted.

The commissioners are directed to turn over to you all public funds, papers etc. in their possession taking your receipt for the same.

Very respectfully

AAG etc.

L. Lea, commissioner

Anson Dart, esq.

Supt. of Indian Affairs, Oregon City, Oregon Territory.

Suptcy. Oregon, Indian Affairs, 1848-73 Roll 12, Microcopy 2

1851 No. 86

Department of the Interior, Office Indian Affairs

May 9th, 1851

Sir:

On the 12th ultimo I addressed you a communication enclosing one to Messrs ~~Hager~~ Gaines, Skinner and Allen, commissioners in which you were informed that their offices as commissioners were abrogated by act of Congress and that their functions in that capacity would be determined on the delivery of the communication to them. You were also informed of the designation of yourself with Agents Allen & Spalding to negotiate with the Indians in Oregon.

In the event of actual hostilities against the Indians in Oregon it will be necessary that one or more of the officers designated for this duty shall accompany each detachment of troops sent against the Indians so as to be in readiness to act in the capacity of negotiators should occasion require.

What particular negotiations may be required it is impossible for this office to foresee, nor can it give any specific directions on the subject. Much must be left to the discretion of those ~~xx~~ to whom the business is immediately entrusted. It is proper however to state that in reference to this matter all others pertaining to the conduct and management of Indian affairs in Oregon, the government desires and expects that there shall be the utmost harmony and concert of action between the officers of the army and of this Department. I am advised by the Secretary of War that instructions to that end have been given to the officers in command of the troops in Oregon and I trust that nothing will be wanting on your part to give effect to the wishes of the government in this particular ^{important}

Very respectfully etc

Anson Dart, esq. Supt. Ind.

L. Lea, commissioner

Affairs, Oregon City, O.T.

Oregon Suptcy. Indian Affairs, 1848-73 Roll 12, Microcopy 2

1851 No. 88

Department of the Interior, Office Indian Affairs

May 8 20th, 1851

Sir:

Your attention is directed to the enclosed copy of a letter from John P. Gaines, A.A. Skinner and Beverly S. Allen, late commissioners etc dated February 8th, 1851 containing several important suggestions in relation to the Indians in Oregon.

That part of the letter which recommends the sending a military escort with the commissioners will be referred to the Secretary of the Interior to be submitted to the Secretary of War accompanied with the views of this office in favor of the suggestion.

In reference to the removal of the Indians of Wallamette & Lower Columbia Valleys to which it is stated they will have such strong opposition, if it be not required for their safety and security and is not desired by our citizens, there seems to be no reason why it should be effected not as at present advised can I perceive any objections to the reservations in their behalf suggested by the commissioners with the necessary stipulation restricting and confining them to the assigned limits.

The proposition to establish one or more hospitals for the benefit of the diseased among these Indians upon the conditions named is approved by this Department.

Very Respectfully etc.

L. Lea, commissioner

Anson Dart, esq.

Supt. Ind. Affairs, Oregon City

Umatilla Station, Feb. 7, 1852

N. De Boise Esq, Sir: About the 17th of Dec. 1851 the chief of the Des Chutes Indians came to the station with a complaint against Mr. Olney for (sic) having taken away from him his right or emolument to the ferry at the said river and further said that he was rough ~~with~~ with and profane to the Indians, also said he did not want him to come there to the river nor into his country, he appeared like the chief here, in generally alarmed at the idea of their country being settled by the bottom, in further conversation I found he would be willing to let the privilege of ferrying out to a person he was pleased with who would pay a reasonable sum for the privilege. He stated that for five head of cattle he would consent to let me have the use of the ferry in reply I said I would urge(?) for my son that he would pay five head annually for ten years which pleased him much and the men that accompanied as he left I told him it would be necessary for him to tell Olney that he must not come and he would not or if he did I would see to it for him the next time I hear about the 21st ~~day~~ Jan(?) 1852 is that Olney has removed his goods as a licensed trader at the Dalles to the DeChute river and his horses also, if his bond is according to form given by the Department he can not trade at any other place then (sic) the one designated in his license without forfeiting his bond or having his license revoked or both, his attempting to make a settlement there at this time is most unfortunate as the Indian mind here is all alarm on the subject of any further encroachment or settlement of their lands. There are persons told them the whites are a going to take their lands from there if there is not a ? course taken and that observance of the Indian regulations of Trade & intercourse all confidence in our word as American officers and the American government will be lost for there are not wanting many persons who unblushingly (?) ~~adddddg~~ speak against both and it would not be strange if an alienation of affection should follow for both which should it occur would be most unfortunate. I find the Indian to be a child in one respect, he is with

you or against you just to suit the times and he that bids most for him can have him. Some tell them as they did the Dechutes chief that government might as well have stolen their property as to have taken it as they did at the Dalles, others tell them the American are not good for the Indians. I get the stories from the Indians mouths themselves but can not find the men as the Territory I have is large and many are scattered over it contrary to law which I believe to be the source of great mischief and will still be greater unless a more rigid course is pursued and as it now obtains it is different in some cases to manage them (sic) smuggled cutlery into the country as goods and without my knowledge and even if I was disposed to follow them I have not the means of arresting them. The licensed men have men around them just at pleasure as to number and no account or no permission given they do not cooperate with the agent nor I fear even sympathize with him and if there is any just cause for this I know a not the truth if they have done just as they pleased. Now as Olney is a licensed man I want council as to what course under all the circumstances, I ought to pursue. I wish to take the course that will best represent the justice of the American government to the Indian and at the time be free from undue hardship. May the last season have hung around the Dalles and vicinity is the same course to be pursued this coming season or show the licensed men be protected I find a strong disposition in some to settle this side of the Cascade Range. I have taken the ground government aid did not intend it that is passing the bill of grant to emigrants of lands their having provided for the purchase of the Indian country west of the Cascade Range. their intention and as the Indian law declare all country belonging to the United States when the Indian title has not been extinguished to be Indian country can a person claim or settle this side of the Cascade Range

I want a legal opinion to the following questions to govern my action in cases now before me.

First can an emigrant claim this side the Cascade range with or without the consent of the Indian tribe when he claims, or is the Indian laws

in force in all such cases

2 And how does a person become an American citizen (A half breed) who has been here in the country and lives in the employ of the Hudson's Bay Company has he to declare his intentions , or is he one without by taking the oath of allegiance, he wants a license to trade, a proper person, having left said company.

3-Can the legislator (sic) pass a law giving individuals rights in the Indian country with or without their consent and has it passed a law for the Olney benefit at the Deschutes river, if so let me know;

I ought to have the necessary laws procure them for me from . Gen Hammalton has them. I want those anss. immediately for immediate action without fail. I will have to be at the Dalles when I can get them. I should be pleased to be able to pass by the cases referred to But with my present knowledge of things now it would be impossible.

Elias Wampol (sic)

Letter from Wampole 19th Feb. 17th(sic) 1952