

Office Superintendent Indian Affairs
Dayton O., Dec 15. th 1853.

Dear Genl.

I intimated to you, before you left Oregon, of my ^{fears} ~~concerns~~, that persons had intercepted, and withheld my mail matter, ^{and nothing has since} ~~been done~~ ^{to change my opinion,} ~~to change my opinion,~~ I have had a matter of precaution and as a means of ascertaining whether the persons alluded to, have really intercepted or otherwise disposed of such letters, I address you this with the request that you will ascertain and inform me, whether the communications set forth in the list marked A, herewith inclosed, have been received at the office of Commissioner of Indian Affairs, if so the date of such reception, and whether an acknowledgement of their receipt or any portion of them have been transmitted to this office, if so the date of such acknowledgment.

I am aware that ~~many points mentioned~~ ^{contains much matter of a nature} ~~in these letters~~ ^{are now operative,} ~~at the time~~ ^{has} ~~long since past~~ ^{long since past} ~~where they could have been ascertained,~~ ^{portions} ~~portions~~ ^{however,} ~~however,~~ contain matter deemed of importance, and would seem to require the action of the department. There has either been a lack of promptness on the part of officials at Washington in ~~certifying to receive communications or acknowledgments~~

the reception of communications from this office

their reception, on, a system of fraud, ^{or illegitimate} has been
 matured, by persons who have conceived it their
 interest to thus interfere with the business,

I hope you will feel sufficient interest in the
 matter, if ^{to make the inquiry and inform me} I do not ~~interfere too much with your~~
 other duties, to inform you upon this subject.

Will you allow me to say ^{the} ~~you~~ shall part
 and ascertain for me, whether the mode of entering and
 keeping accounts and numbering ^{books and vouchers} ~~abstracts~~,
 be according to the fiscal or calendar year.

The books in this office, show that up to 30th June 1851,
 accounts were kept and numbered according to fiscal
 year, since which they have been entered according
 to calendar year.

I am led to this inquiry by
 having received a statement ^{No 28} ~~setting out~~ ^{forth} the manner

of accounting for funds to be forwarded me for
 the 3rd 4th quarters of 1853. Is the statement No 28, in
 reference to ^{those quarters} ~~the~~ 3rd 4th ~~of~~ 1853, intended to apply to the quarters
 ending 31st March and 30th June? This to some may

seem a foolish question, but as entries in the books of
 this office give no light upon the subject, and being

wishing to ~~imparture~~ ^{not wish to importune the commission upon such subjects} the ~~expressions of~~ ^{of} the ~~office~~ ^{office}

and ~~unpleasantly~~ ^{greatly} ~~of~~ getting an answer in any
 reasonable time from that source has induced me to
 apply to you.

As the funds to be submitted as per
 statement No 28, can only be applied upon those ^{two} quarters

It will afford me but little relief, and an additional amount will be necessary to meet the current expenses of the quarter ending 30, September to 31. December, for in these two last you will recollect a ~~heavy~~ ^{great} expense has been incurred in holding ^{the} treaties &c which has fallen very heavily upon me. I have indirectly intimated to the committee, a desire that ~~if~~ ^{to be} ~~might~~ be designated by the President to enter into negotiations for the purchase of Indian title to the lands in Oregon, should such an event happen it will be important that ~~the sum of 100,000 dollars~~ ^{funds} applicable for ~~the repairs~~ ^{the repairs} ~~of the~~ ^{be} ~~purpose~~ be permitted, it would seem that ~~the~~ ^{the} ~~sum~~ ^{of} ~~10,000~~ ^{10,000} dollars should be at once permitted for that purpose ~~should~~ ^{be} ~~at once~~ ^{be} ~~permitted~~ ^{permitted} ~~to~~ ^{be} ~~done~~ ^{done} ~~and~~ ^{and} ~~an~~ ^{an} ~~order~~ ^{order} ~~to~~ ^{to} ~~enter~~ ^{enter} ~~into~~ ^{into} ~~treaties~~ ^{treaties} ~~that~~ ^{that} ~~may~~ ^{may} ~~yet~~ ^{yet} ~~be~~ ^{be} ~~done~~ ^{done} ~~this~~ ^{this} ~~winter~~ ^{winter}.

The courts have decided that the intercourse act of 1834 is not in force in Oregon. Chief Justice Wall and however admits that that provision of the law making it a penal offense to sell liquor to an Indian, is applicable to this opinion Judge Alvey disagrees maintaining that no part of that act is applicable. Thus you see Indian agents are intirely powerless, so far, as protecting the rights of Indians. Much excitement exist among the Indians in middle Oregon in consequence of this opinion decision as persons have already located claims in that region and others are preparing to do so

and unless immediate steps are taken to extinguish
Indian title on otherwise procure their ^{consent} to
admit of settlement, difficulties may be apprehended.

Agent M. M. Thompson recently came down with
a view of making his family ^{to settle} ^{agent} but upon
learning the decision of the court upon this subject
he very wisely abandoned the idea of taking his
~~family there~~ ^{family there}. I hope ⁱⁿ he may be able to maintain
the peace with them, but I cannot urge too strongly
the necessity of steps being taken at an early day, to
extinguish their title to the land claimed by them;
I refer more particularly to the Prayers & Wasepaw
and Deshoots Indians.

imperfect copy of
the
J. M. Davis
Oct 15 - 1853