

## Treaty with the Indians.

Many of our readers in Sacramento had an opportunity to peruse the following papers, as they appeared in the Times of yesterday morning. We are compelled to publish them not only for the information of our readers in the mines, but as being a part of the history of the times which it is necessary for us as faithful chroniclers to notice:

Oro, May 25th, 1850.

To His Excellency Peter H. Burnett, Governor and Commander-in-Chief California Militia:

Sir—After my despatch to you on the 16th inst., I moved with Capt. Allgier's and Capt. Charles Hoyt's mounted volunteers on the 17th, upon Bear River. On the afternoon of the same day Lieut. Bell, of Capt. Allgier's company, with ten men, being out upon a scout, encountered a large number of Indians, killing five and bringing in six prisoners.

On the 18th I moved in the direction of Deer Creek, and scoured the country where a number of Indian depredations had been committed. We found the Indian villages newly deserted, and their trails leading south, in the direction of Bear River.

On the 19th, pursued said trails in the direction of Wolf Creek, to where Col. Holt was murdered and burnt in his mill; found the Indian villages in this neighborhood deserted, and the white settlement abandoned; trails still leading south, which we followed to Bear river, and encamped upon the same.

On the 20th, leaving a camp guard with the horses, we crossed the river on foot to visit a large village on the south of said river, which we found deserted, and the trail recrossing the river. Upon our return I was informed that a large number of Indians, between two and three hundred, had assembled upon an elevated conical hill within 2 miles, a position evidently taken to give battle. After examining their position I ordered Capt. Hoyt with 20 men to take station at the foot of the hill upon the left, and with Capt. Allgier, Lieut. Bell and the balance of the men, in all 30, I charged up the most accessible side of the hill upon the right to the camp.

gier, Lieut. Bell and the balance of the men in all 30, I charged up the most accessible side of the hill upon the right into the camp and drove the Indians upon Capt. Hoyt's position, where a smart skirmish ensued. We pursued them for several miles in the hill and ravines, killing and wounding a number, and took eight prisoners. Their chiefs report 11 of their men killed, besides wounded. We had none killed. Wounded, Capt. Hoyt and Lieut. Lewis, and Mr. Russell. My aid, Major Frederick Emory, was accidentally shot through the thigh by the discharge of a rifle. All doing well. The day previous, in attempting to capture one of their spies, his determined resistance caused him to be shot, and in camp we found his remains upon a funeral pile, nearly consumed. Here we found a large amount of supplies, consisting of beef, sugar, tea and other articles robbed from the wagons, and the clothes of the murdered teamster, Matty. On the afternoon of the same day I sent the following note, with a flag of truce, to the chiefs, by an old woman who had been taken prisoner.

WOLF CREEK CAMP, May 20, 1850.

To the Indian Chiefs Weima, Buckler,  
Poollel and others:

Your people have been murdering ours, robbing their wagons and burning houses. We have made war upon you, killed your men, and taken prisoners your women and children.

We send you this plain talk by one of your grandmothers.

—When you cease to rob and murder our people, we will cease to make war upon you, and then you can come in and get your women and children, who will be taken care of in the meantime.

If you wish peace come down to Johnson's Old Rancho, on Bear River, and report yourselves to Capt. Chas. Hoyt, who will protect you until your great father shall speak.

THOS. J. GREEN,

Maj. Gen. 1st Div. Cal. Militia.

To-day the chiefs, with a number of the men, met me at Kearney, and entered into the following treaty. It is my opinion, as well as the opinion of others better acquainted with these Indians, that they will observe the treaty in good faith. It is to be hoped that no acts of aggression will be commenced.

ed with these Indians, and they  
the treaty in good faith. It is to be hoped  
that no acts of aggression will be commenced  
upon them by the whites. These Indians  
can be made very useful to the miners if they  
have even a small portion of justice extended  
to them. Heretofore a few persons have mo-  
nopolized much of their labor, by giving them  
a calico shirt per week and the most indiffer-  
ent food. This is not only wrong, but highly  
disgraceful, when they would be content  
with the pay of one fourth of the wages of  
the white man.

—I have sent these chiefs over on the North  
Fork of the American river to bring in oth-  
ers now hostile, to Brig. Gen. Eastland, on  
Bear river, who will, in the absence of fur-  
ther instructions from your Excellency, en-  
deavor to bring them to terms. I have the  
honor to be, very respectfully, your obedient  
servant.

THOS. J. GREEN,

Major General 1st Div. Cal. Militia.

TOWN OF KEARNY, Bear River,  
Yuba Co. California.

Whereas, numerous depredations and murders  
have been committed upon the persons and pro-  
perty of the American citizens in this vicinity  
by the native Indians, belonging to the tribes of  
the undersigned chiefs; and whereas it became  
the duty of the undersigned, Thomas J. Green,  
Major General of the First Division of California  
Militia, to pursue and punish said depredations  
and murderers: Now, therefore, in the absence  
of higher authority, I, Thomas J. Green, Major  
General as aforesaid, on behalf of the people of  
California and the Government of the United  
States on the one part, and the head Indian Chiefs,  
Weima and Buckler, and sub-chief, Poollet, on  
the other part, representing fully and completely  
their several tribes, do enter into the following  
solemn treaty of peace and friendship, to wit:

Article 1. Henceforth and forever the Ameri-  
can citizens and the several tribes aforesaid shall live in peace and friendship.

Art. 2. Should any Indian belonging to either  
of the before mentioned tribes commit any mur-  
der, robbery or other offence against the persons  
or property of the American citizens, the offend-  
er or offenders shall be promptly delivered up to  
the proper authorities for punishment.

Art. 3. Should any American citizen or foreign-  
er commit any wrong upon the persons or pro-  
perty of the before mentioned tribes, they shall  
be punished therefor as the law directs.

Art. 4. To prevent any hostile feeling arising  
between the whites and Indians, as well as to  
prevent the friendly Indians from being mistaken  
for those unfriendly, it is hereby stipulated that  
the people of the before mentioned tribes shall

not carry arms, while in the settlement of the whites.

Art. 5. To cultivate warmer friendship and acquaintance between the white people and the Indians, the latter are guaranteed the free use of the gold mines, and the full value of their labor in working the same, without charge or hindrance, and any contract made between the Indians and whites, before competent witnesses, shall be recoverable before any court of competent jurisdiction.

Art. 6. The Indian prisoners shall be delivered up at the signing of this treaty.

Art. 7. The Government of the United States shall have six months from the date to confirm, amend or annul this treaty; and should said Government of the United States confirm the same, it is hereby stipulated that each of the before mentioned tribes shall receive a semi-annual annuity of one thousand dollars, to be paid to them respectively for the term of ten years from the date thereof.

In witness whereof, the undersigned parties before mentioned, have signed sealed and delivered this treaty, each to the other, in the presence of Capt. Nicholas Allgier, Capt. Chas. H. Hoyt, Col. James Bell, J. S. Christy, counsellor at law, Edwin P. Linck, J. B. Fairchild, Joseph Foster, subscribing witnesses.

May 25th, 1850.

THOS. J. GREEN,  
Maj. Gen. 1st Div. California Militia.

WEIMA, his X mark.

BENNETT, his X mark.

POULLEL, his X mark.

Witnesses.—Nicholas Allgier, Chas. H. Hoyt, J. Bell, J. S. Christy, J. B. Fairchild, Jos. Foster, Interpreter.

Aids.—Fred Emory, John T. Hughes.

Secretary.—Edwin P. Linck.