

**Indian Fight and Treaty.**

We extract the following report of a fight with the Indians on Wolf Creek, from the Placer Times of the 29th inst., with the editorial remarks of the editor; also the treaty made by General Green of the 1st division California Militia with three chiefs of the tribe. It will be seen that there was a pretty sharp skirmish between the contending forces:

INDIAN AFFAIRS.—Gen. Green came down yesterday on the Gov. Dana. He has made a report to Gov. Burnett, a copy of which we append, and also a treaty or terms of truce, concluded with the Indian tribes on the Yuba and Bear Rivers. This is a movement in the right direction. We hope indiscriminate outrage and revenge have had their day. Nothing has so disgraced the early history of our State as the atrocious and inhuman persecutions that have been inflicted upon these weak, ignorant and naturally inoffensive Indians. That they have retaliated as far as lay in their power, the barbarous assaults and promiscuous slaughter that have been visited upon them is their credit and not their crime. There is no difference in the enlightened opinion of all who are familiar with the subject. We have seen but one expression, and that of unqualified denunciation upon those whose beastly passions have led them to commit the murderous deeds, a recital of which shame has often led us to suppress. We believe there are good men enough, now that the initiative has been taken, to carry out the example of conciliation which is here set forth, and we anticipate favorable results from its publication and general circulation in the different mining and Indian regions.

Gen. Green leaves immediately for Washington City, and will represent the state of Indian affairs to the President, and we may soon look for a satisfactory and peaceful adjustment of the difficulties which now embarrass our relations with the aborigines of California.

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

SIR—After my despatch to you on the 14th 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 two miles, a position evidently taken to give battle. After examining their position I ordered Capt. Hoyt with twenty 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 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 14 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

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, Poollet 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 grand mothers.

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 Kearny, 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 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 monopolized much of their labor, by giving them a calico shirt per week and the most indifferent 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 others now hostile, to Brigadier General Eastland, on Bear River, who will, in the absence of further instructions from Your Excellency, endeavor to bring them to terms. I have the honor to be, very respectfully, your ob't serv't.

THOS. J. GREEN.

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

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

Whereas, numerous depredations and murders have been committed upon the persons and property of the American citizens in this vicinity by the native Indi-

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THOS. J. GREEN,

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

TOWN OF KEARNY,

Bear River, Yuba Co. California.

Whereas, numerous depredations and murders have been committed upon the persons and property 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 depredators 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 American citizens and the several tribes aforementioned shall live in peace and friendship.

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

**Art. 3.** Should any American citizens or foreigner commit any wrong upon the persons or property of the beforementioned tribes, they shall be punished therefor as the law directs.

**Art. 4.** To prevent any hostile feelings 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 beforementioned tribes shall not carry arms while in the settlements 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 with the signing of this treaty.

**Art. 7.** The Government of the United States shall have six months from this 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 beforementioned 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.  
BUCKLER, his X mark.  
POOLEL, his X mark.

NICHOLAS ALLGIER.  
CHAS. H. HOYT.  
J. BELL,  
J. S. CHRISTY.  
J. B. FAIRCHILD.  
Jos. FOSTER, Interpreter. } Witnesses.

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# Alta California

NO, FRIDAY MORNING, MAY 31, 1850.

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