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Office late Sept and Oct

Dayton 2d Oct 14th 1856

Sir

In conformity ^{Conformity} with your instructions contained
in a letter from your office undated date of April
1st 1856, I now trouble the trouble to submit a brief
report of another suspended claim in the C. A. culver
accounts, with the reasons generally me in
reporting adversely to their allowance ~~the claims referred to~~ giving nearly
~~the claims referred to~~ a statement of ^{the} facts and leaving the account
offices in your office to determine as to the
propriety of allowing or disallowing the claims
referred to in his letter transmitted ^{a copy of which was} ~~to me~~
~~letter of instructions~~.

The reason for my action to suspend
the claim from the function of Indian agent were
set forth in my letter to your office undated
of 02^d Sept 1854 transmitting my letter to
the culver of some date &c and by my
subsequent action of affixing additional
reasons in detail. My letter to Mr
Culver recd him in the latter part of Sept
so that he was fully advised prior to the 1^d of
October the commencement of a period for relish his
claim for losses and expenses were disallowed.

Mr John P. Miles of Lockslee Hill - was
appointed special Indian agent and the culver
was directed to turn over to him all books
papers and ^{other} public property in his hands,
not regard in the settlement of his accounts - but
by the court solicitor of the culver and

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a few of his friends Mr Miller declined to
serve - and Mr Culm alleges that at the
solicitation of those friends he continued to
perform the duties as Indian agent until
my arrival in the district which was on the 3rd
day of November - what sense if any he
may have performed under that finding I am not
advised, it is very certain however that no other
agent was in the district - And whilst he may
not have done much to ^{set} addressed the interest
of the Indians demise; being on the ground
ready ^{to} do ~~sense~~ and not being negligent
from duty ^{an} may in little time ~~for~~ pay ^{as} agent.

The certificate of W P Deady and G W Duv
that the charges were without foundation and
the course of the ^{my best} ~~an~~ unworthy of credit is in my
opinion incorrect. It is true that ^{my best} ~~an~~ reputation
to the contrary I was unable to obtain any positive
proof justifying the suspicion - And I stated
emphatically to Judge Deady and to him
to the Dma - that my own conclusions were
that the information I had received was
well founded - but as I could find no
evidence of the fact I would nevertheless
and write to the defendant ^{asking} his
continuance in the office. I then directed
Mr Culm to accompany me on a tour
along Applegate road visiting the banks banks
of Indians preferring to a general council



To obtain funds apart from the duties
 paid at the port of ^{1000ft} Boston - This he
 done and came in the name to Boston
 killer - where I left the ^{him} and my secretary
 Mr George whom I ~~had~~ directed to
 write to the commissary of Trade affairs and
 informed that I was unable to find further
 proof of the culprits guilt as charged and that
 I had assurably rested him - and
 as Justice requires ^{did} ~~should~~ not ^{give me} give him
 time for writing the letter ^{myself} I signed a
 blank check and gave ^{it} to Mr George
 upon which he wrote a complimentary
 letter of the culprits much beyond my
 commission of what he was intitled - he
 Mr George ^{full well} knew my sentiments upon the
 subject. My subsequent examinations
 confirm the first statement and impreaches
 and which now fully set forth in my
 report sent to your office - now base
 these impreaches ^{since} changed. but this may
 not be a good reason for withholding
 the salary for the time of suspension - to
 run from the 1st day of October to the 31st day of
 November 1854 - The salary ^{class of} ~~for~~ ^{for} item
 referred to in his letter is for salary & incidental
 disbursements commencing on the 1st & ending on the 31st
 December 1854. The reason for this
 disallowance was that the culprits was not
 in his desk during that period

On my definitive free passage home
 on or about the 20th of December where I
 had been holding a council and negotiating
 a treaty with the Chastas Indians and
 some others. He came with me to Fort
 Laramie & I proceeded with my party to
 Cheyenne Valley where I held a council
 and negotiated a treaty of purchase with
 the Indians of my party Valley - on the 29th
 day of December - at the close of this Treaty
 and prior to the distribution of the goods
 amongst them, he turned around at the camp
 ground on his way to Oregon City,
 and aided in the issue of articles to the
 Indians. This Treaty was held at Colofoo in
 about 7 miles North of Laramie and in the
 Cheyenne Valley - from this point he went
 to Oregon City - And I am not aware of
 his having done any official act as agent
 beyond the settlement of his accounts, later than
 the 30th day of November 1854. And I am
 quite certain he was not in his destitute
 until after he had been officially informed of his
 removal. It is true however that many
 of his assets were missed and doubtless
 so for the want of funds for which he did
 not obtain the same until after ~~a month~~^{notified}
 of his removal. I consider it likely but
 just that a reasonable allowance, in time and
 expeditious should be made for closing up his
 account. but it is ~~quite evident~~^{quite evident} a well known fact
 that he spent
 a considerable time whilst in this valley

during the entire session of the Legislative Assembly
 at Salem and ~~as a~~ a city engaged
 in political ~~maneuvering~~^{managing} and wholly
 circumst^t with the public's dense -
 It is true that he had not turned over the
 public property in his hands to a suspec^t
 ion was he in the dest^t in some case
 of it or to attend to the duties of the office.
 Mr. Mitchell had been engaged by me as
 soon from those judges and was directed
 and did perform the duties of local or
 Special Judge agt during the period of
 his entire abuse and for which he has
 been paid. These amounts apply ^{to the} to the 3rd
 item of assault for they are placed upon the
 same basis.

I am not prepared to
 admit that it would require from the 1st day of
 Decr 1804 to the 10th day of Aug 1855 - to
 clear up this assault. If this ^{however} be maintained -
 the salary for the time
 it should undoubtedly be paid. The mere
 fact of the Ambrose, his ~~and~~ self assuming
 the duties upon that day would not alone in my
 opinion justify the public in claiming
 compensation to that period because he
 held in his hands public property; further
 indeed that property was of such a character
 as to require his time and attention; and
 his abuse from the dest^t is evident that
 it did not.

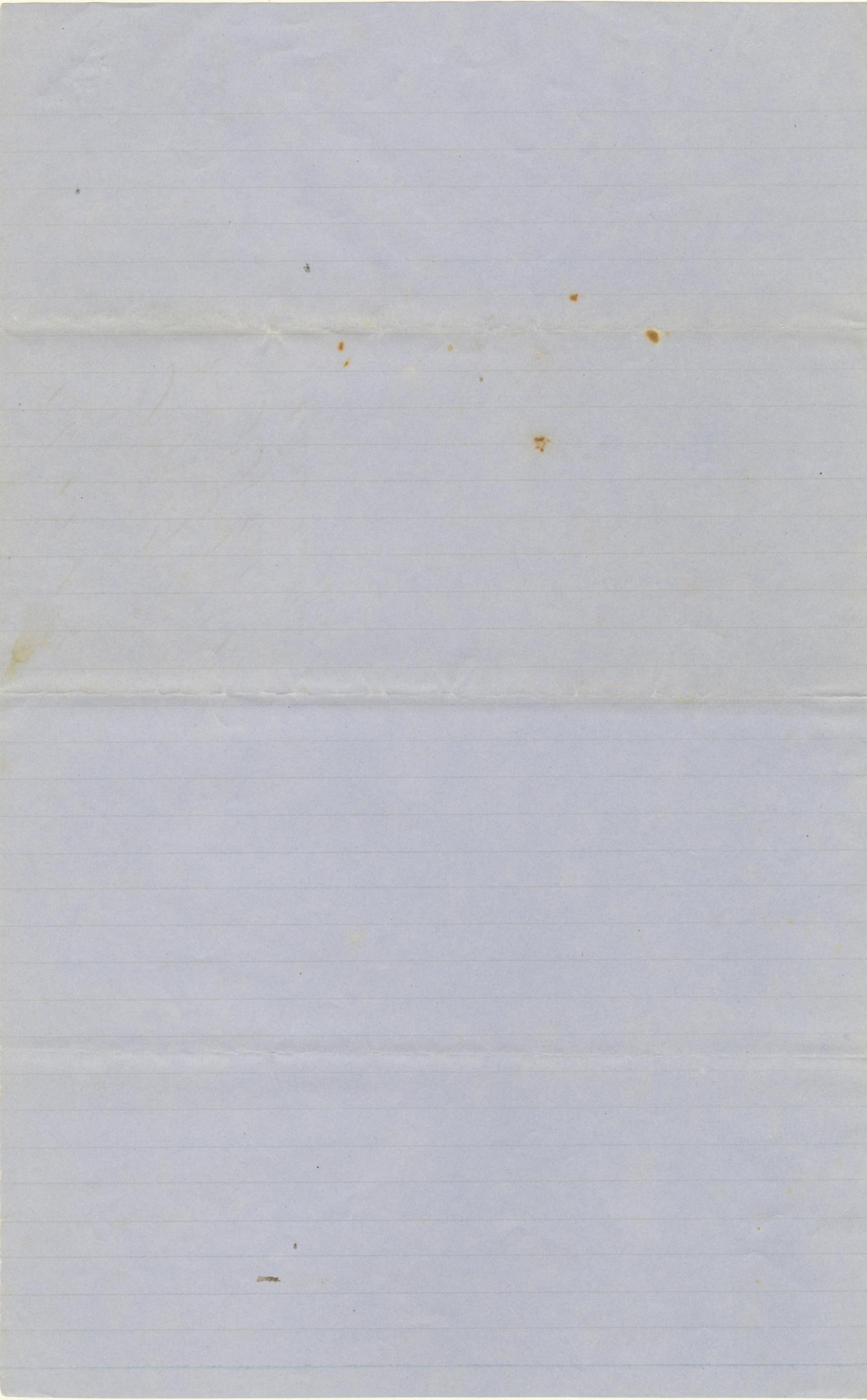
This is no construction upon
 which I can place a just valuation for elemu-
 tation of the whole subject, there is no construction upon which
 compensation for all ~~and~~ and damages

I can place a justification for claiming compensation
for services, or pay for his disbursements for the period named
beyond what ~~might~~ may be adjudged by the Department
for a reasonable time to close up the business of his
Agency. ~~which can be found of suitable capacity and~~
~~fitting to discharge the office of Sup and Agent~~
~~in its District under consideration of one~~
~~stand ~~of~~ ~~the~~ ~~fourth~~ from and higher than~~
~~the latter. There must be some other incentive~~
~~and the former allusion which generally~~
~~proves injurious to the service, as an inducement~~
~~for a man of business, especially to except~~
~~such positions. And expense has taught~~
~~me that even the most ~~fixed~~ ~~of~~ ~~the~~ ~~time~~~~
~~day of duty the office is wholly inadequate to~~
~~justify a hope of equitability ~~or~~ ~~equity~~ ~~or~~ ~~equation~~~~

What pecuniary consideration would occur
induces me to except the office at that salary
that this does not seem to warrant
an injurious allusion yet it may ^{seriously} be due
into consideration as a justificative ^{as} ⁱⁿ ^{the} ^{case}
in blocking the rigid ~~society~~ and ~~adherence~~
to fixed rules adopted ^{from} ^{guides} India a diffit state
of affairs. and doubtless may be so exacted
as to prevent man all the circumstances the
allowance of the claims presented by our colonists
as referred to in your communication.

I am Sir Most respectfully
Yours etc

To
Managing
Committee



Oct. 14, 1857

Draft Report on the
Matters of Disbursement of
of C. A. Diller,
late Indian Agent.