

Dayton O. 9. February 6<sup>th</sup> 1858.

Sir

Your letter of 15<sup>th</sup> ult. has been received, wherein I am informed that the Commissioner of Indian Affairs instructs you "that liabilities contracted by yourself, or me," against the Indian Department cannot be paid until the Department is furnished with a statement exhibiting the character and amount of those liabilities; and requesting me to furnish you with statements in duplicate.

I am not aware that there are any unpaid claims against the department of my contracting, that were due at the time Mr Dodge superseded me as Dept of Indian Affairs. Tho, there may be a few small claims, but I have no data from which to make up statements.

Mr James P. Day of Tripique was employed by me a short time prior to my leaving the office, to collect and turn over to Capt Smith the scattering Indians in unglow valley, but no return of his

proceedings were made to this office during  
my continuance therein. I was afterwards  
informed by Mr. Day, that Mr. Hedges declined  
to entertain his claim, that he claimed  
to have continued in the service some  
time after Mr. Hedges assumed the duties  
of Capt.

Allow me to express the opinion  
that the words in the Commission instruction  
has been ~~forced into the interpretation~~  
"Contracted by you" when applied  
particularly ~~as the undersigned would seem to imply~~  
to ~~my case~~ ~~is a forced construction~~

for liabilities contracted by your predecessor  
~~Hedges~~ ~~Hedges~~  
in Oregon & Washington Territory, ~~or by~~  
agents ~~and~~ sub agents, ~~could not have~~  
a direct reference to my case  
~~been intended or applied to my case~~  
particularly ~~unless~~  
unless there were outstanding liabilities;

~~Altho' the undersigned would seem to imply~~  
a direct reference to my case  
but if the instructions were in general terms  
and there were outstanding liabilities it would  
of course equally apply to accounts of my  
contracting.

I am ready at all times to give any information  
appertaining to the accounts or business connected with

the superintendent during my continued  
absence - but I have no data from which  
to state positively as to the amount or  
character of outstanding liabilities of my  
co-venturing - The same may be some  
small amounts unpaid but I can point  
to none at this time

I am Sir

Very respectfully  
Dear Sir

H. W. Permitt Esq  
ditto had of us  
a. s.

Copy of

Letter to

J. M. Resnik

July 6<sup>th</sup> 1858

In reply to his of  
15<sup>th</sup> June saying

of statement of our

liabilities against

Department

of

the Department of the Interior  
has been established as to the  
character of our liabilities  
and it is my duty to state  
that we are not in a position  
to pay the same out of our  
own funds.