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APPENDIX
TO
BRITISH COUNTER-CASE.

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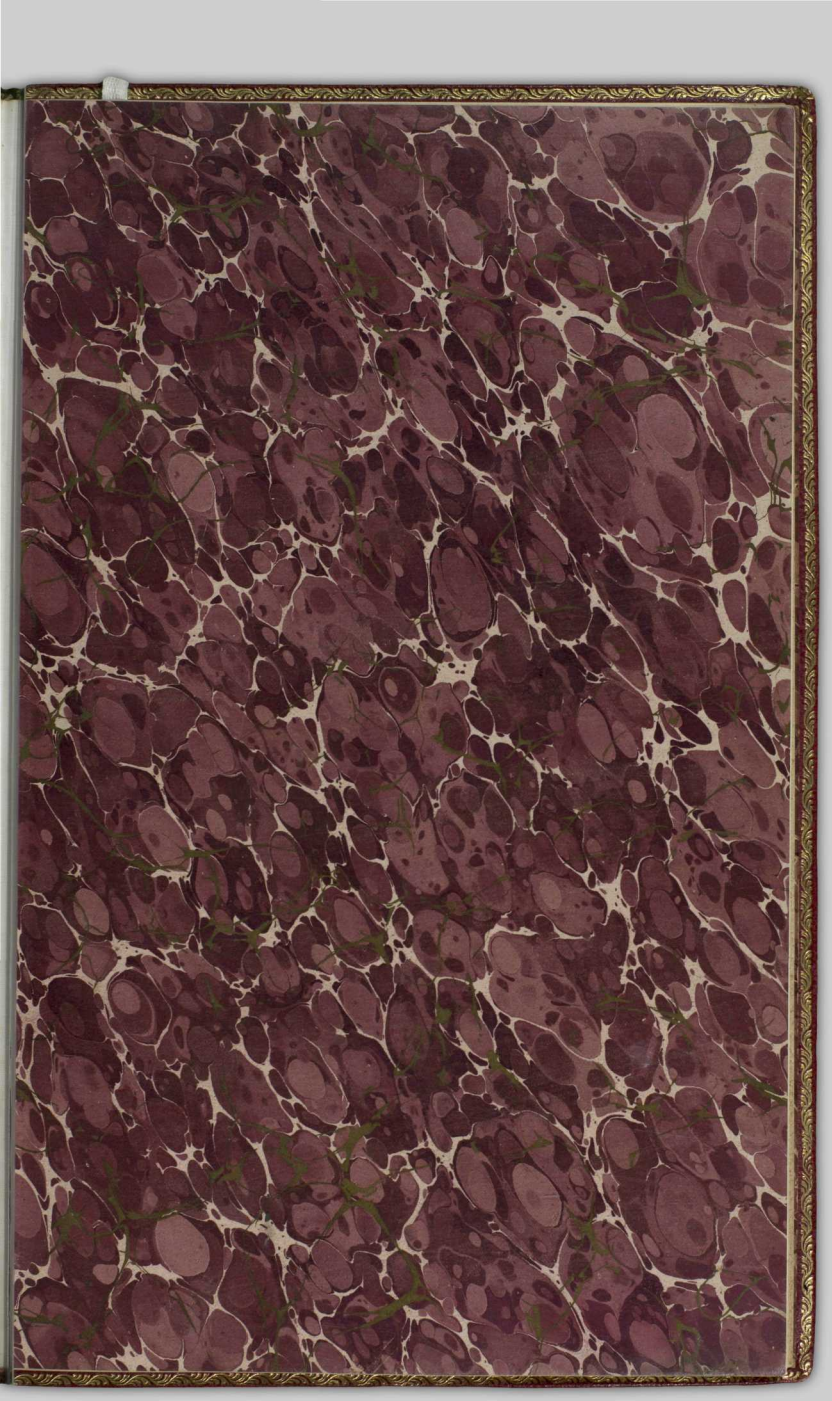

APPENDIX

TO THE COUNTER-CASE OF

HIS MAJESTY'S GOVERNMENT

BEFORE

THE ALASKA BOUNDARY TRIBUNAL.

VOL. I.

London:
McCORQUODALE & CO., LIMITED, CARDINGTON STREET, N.W.

1903.

APPENDIX TO THE CASE OF HIS MAJESTY'S GOVERNMENT

BEFORE THE

ALASKA BOUNDARY TRIBUNAL.

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UNITED STATES PAPERS, FOREIGN RELATIONS, Vol. v., 1824, No. 384, p. 443.

No. 3, (*k*).

Observations on the claim of Russia to territorial possessions on the continent of North America, communicated with Mr. Adams' letter to Mr. Middleton of July 22, 1823.

It is assumed as an indisputable fact, that, before the third and last voyage of Captain Cook, no European settlement had been formed on the Northwest Coast of the American continent north of Cape Mendocino, or of the fortieth degree of north latitude.

The account of that voyage was published under the direction of the British Government in 1784. In the introduction to it, written by Dr. Douglass, Bishop of Salisbury, among the advantages enumerated as derivable to all mankind from the discoveries which had been made in the progress of that undertaking, was the opening of a valuable trade in furs from the Northwest Coast of America, and particularly from King George's or Nootka Sound to China.

This advantage was also pointed out in various passages of the work itself, both by Captain Cook, in the two volumes written by him, and by Captain King, the author of the third and concluding volume.

The only place on the Northwestern American Coast where Captain Cook found a Russian settlement was at Onalashka, one of the Aleutian islands; the principal person of which settlement, *Ismaeloff*, and the other Russians whom he met there, "affirmed that they *knew nothing* of the continent of America to the northward."

The *first* Russian settlement, at Kodiack, was made by Shelekoff, in the winter of 1748.—(*Coxe's Russian Discoveries, p.* 215.) In 1786, the first English trading voyage between the Northwest Coast of America and China was undertaken, and was prosecuted under the command and direction of Lieutenant Meares.

A similar expedition was undertaken in 1787,

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 443 —*continued.*

at Boston, in the United States, whence two vessels, the *Washington* and *Columbia*, were despatched. It was by the commander of one of these vessels that the great river of the west was discovered, and from her received its name. Until that time the only European nation which *pretended* to an *exclusive* right on the Western Coast of the American continent was SPAIN.

These commercial expeditions, as well as the Russian *attempts* to make settlements at the northern extremity of the American continent, excited the jealousy of the Spanish Government, and produced the seizure, in May, 1789, of two English vessels at Nootka Sound, by Don Estevan Joseph Martinez, commander of two Spanish vessels-of-war despatched by the Viceroy of Mexico from the port of San Blas, to which place they were taken, but where they were released by order of the Viceroy.

At the time of this seizure the American vessels, the Washington and Columbia, were likewise in the harbor of Nootka Sound, but were not molested by the Spanish commander, Martinez. This difference of treatment between the British and American vessels was alleged to be because the former appeared to be there for the purposes of trade and settlement, while it appeared from the papers of the latter that they were driven there by distress, and only came in to refit.

This transaction gave rise to the remarkable Nootka Sound dispute between Spain and Great Britain, which for some time threatened an immediate war between those two nations.

Martinez had taken possession of the lands at Nootka Sound, upon which Lieutenant Meares had built a temporary habitation, "pulled down the British flag and hoisted the standard of Spain thereon, with such ceremonies as are usual upon such occasions;" declaring at the same time "that all the lands comprised between Cape Horn and the sixtieth degree of north latitude did belong to his Catholic Majesty." This claim was asserted by Spain in all the diplomatic papers of that controversy, the following passages from which prove how erroneous the assertions of Mr. Poletica, in his letter of February 28, 1822, were, that the Spanish Government at that time acknowledged that its possessions ought not to extend beyond the latitude of 42° 50′ north. They will also give a very sufficient reason why Martinez gave no disturbance to the Russian Colonies and navigators, none of which had then reached within ten degrees of latitude from Nootka Sound.

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 443 —*continued.*

Extracts from the memorial of the Court of Spain, delivered June 13, 1790, *to Mr. Fitzherbert, the British Ambassador at Madrid.—(Annual Register,* 1790, *p.* 294, *State Papers.)*

"The vast extent of the Spanish territories, navigation, and dominion, on the continent of America, isles and seas, contiguous to the South Sea, are clearly laid down and authenticated by a variety of documents, laws, and formal acts of possession, in the reign of King Charles II. It is also clearly ascertained that, notwithstanding the repeated attempts made by adventurers and pirates on the Spanish coasts of the South Sea and adjacent islands, Spain has still preserved her possessions entire, and opposed with success those usurpations by constantly sending her ships and vessels to take possession of such settlements. By these measures and reiterated acts of possession Spain has preserved her dominion, which she has extended to the borders of the Russian establishments in that part of the world.

"The Viceroys of Peru and New Spain having been informed that these seas had been for some years past more frequented than formerly; that smuggling had increased; that several usurpations prejudicial to Spain and the general tranquillity had been suffered to be made, they gave orders that the Western Coasts of Spanish America and islands and seas adjacent should be more frequently navigated and explored.

"They were also informed that several Russian vessels were upon the point of making commercial establishments upon that coast. At the time that Spain demonstrated to Russia the inconveniences attendant upon such encroachments, she entered upon the negotiation with Russia, upon the supposition that the Russian navigators of the Pacific Ocean had no orders to make establishments within the limits of Spanish America, of which the Spaniards were the first possessors, (limits situated within Prince William's Strait,) purposely to avoid all dissensions, and in order to maintain the harmony and amity which Spain wished to preserve.

"The court of Russia replied, it had already given orders that its subjects should make no settlements in places belonging to other powers, and that if those orders had been violated, and any had been made in Spanish America, they desired the King would put a stop to them in a friendly manner. To this pacific language on the part of Russia, Spain observed that she could not be answerable for what her

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 443 —*continued.*

officers might do at that distance, whose general orders and instructions were not to permit any settlements to be made by other nations on the continent of Spanish America."

Extract from Count Florida Blanca's reply to Mr. Fitzherbert, June 18, 1790.—(*Annual Register, p.* 299, *State Papers.*)

"You will pardon me, sir, that I cannot give my assent to the principles laid down in your last letter, as Spain maintains, on the most solid grounds, that the detention of the vessels was made in a port, upon a coast, or in a bay of Spanish America, the commerce and navigation of which belonged, exclusively, to Spain, by treaties with all nations, even England herself. The principles laid down cannot be adapted to the case. The vessels detained attempted to make an establishment at a port where they found a nation actually settled, the Spanish commander at Nootka having, previous to their detention, made the most amicable representations to the aggressors to desist from their purpose."

Extract from the letter of Count Fernan Nunez to Mr. Montmorin, Secretary of the Foreign Department of France, Paris, June 16, 1790. —(*Annual Register, p.* 301, *State Papers.*)

"I have the honor to address you with this a faithful extract of all the transactions which have hitherto passed between my court and that of London, on the subject of the detention of two English vessels which were seized in the Bay of St. Lawrence or Nootka, situated in the fiftieth degree to the north of California, and which were afterwards taken to the port of San Blas.

"You will observe by this relation—

"1. That, by the treaties, demarkations, takings of possession, and the most decided acts of sovereignty, exercised by the Spaniards in these stations from the reign of Charles II, and authorized by that monarch in 1692, the original vouchers for which shall be brought forward in the course of the negotiation, *all the coast to the north of the western America, on the side of the South Sea, as far as beyond what is called Prince William's Sound, which is in the sixty-first degree, is acknowledged to belong exclusively to Spain.*

"2. That the court of Russia, having been informed of this extent of our boundary, assured the King, my master, without the least delay, of the purity of its intentions in this respect, and added, 'That it was extremely sorry that the

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 443 —*continued.*

repeated orders issued to prevent the subjects of Russia from violating, in the smallest degree, the territory belonging to another power, should have been disobeyed.'"

By these papers it is demonstrated—

That, at that time, the claim of Spain to exclusive possession of the Northwest Coast extended *beyond* Prince William's Sound in latitude 61.

That the court of Russia had been informed of this extent of the Spanish boundary; had disclaimed any intention of interfering with it, and added expressions of its sorrow that its repeated orders to prevent the subjects of Russia from violating the territory belonging to another power had been disobeyed.

So far was Russia, in 1790, from asserting any claim whatsoever to territory on the continent of North America.

The ground assumed by Great Britain in the Nootka Sound controversy was, that British subjects "had been forcibly interrupted in a trade which they had carried on for years, without molestation, in parts of America where they had an incontrovertible right of trading, and in places to which *no country* could claim an exclusive right of commerce and navigation;" that "the court of Madrid had advanced a claim to the exclusive right of navigation in those seas that was unfounded and exorbitant, indefinite in its consequences, aiming destruction to the valuable fisheries (of the British subjects) in the southern ocean, and tending to the annihilation of a commerce in its infancy, just beginning to be carried on to the profit of Britain, in hitherto unfrequented parts of the globe."—(*Annual Register for* 1790, p. 96.)

The result of the contest was that Spain receded from her claim of exclusive right to navigation, commerce, or territory north of those parts already occupied by Spain, but that wherever settlements, either British or Spanish, had been made since April, 1789, or wherever they should thereafter be made, the subjects of the other party should have free access and should carry on their trade without any disturbance or molestation.

By the Convention of October 28, 1790, it was agreed that the buildings and tracts of lands situated on the Northwest Coast of the continent of North America, or on the islands adjacent to that continent, of which the subjects of his Britannic Majesty were dispossessed about the month of April, 1789, by a Spanish officer, shall be restored to the said British subjects.

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 443 —*continued.*

In June, 1794, this restitution was partially effected, but not completely, in consequence of a disagreement between the Spanish officer, Quadra, and Captain Vancouver, as to the *extent* of the order of restitution in the letter from Count Florida Blanca.

At *that* time it was ascertained by Captain Vancouver that the extremest eastern Russian settlement on the Northwest Coast was at Port Etches, on Hinchinbrook Island, latitude 60, in Prince William's Sound.

In 1799 the settlement at New Archangel was first made.

The Spanish settlement at Nootka Sound was undoubtedly made with a view to maintain the claim of that nation to the exclusive *possession* of the whole Northwest Coast. Its abandonment in 1794 was reluctant, and with pretensions, still retained, that the exclusive right of Spain recognized in the 5th article of the Convention of the 28th of October, 1790, extended to the immediate vicinity of that spot. Vancouver refused to receive the restoration upon the terms on which it was offered. He received it as a *Spanish* settlement, and it was abandoned by both nations.

The first purchases of lands from the native inhabitants of the Northwest Coast were made by the adventurers in the Washington and Columbia. They were made at Nootka. and from the chief, Maquinna.

The principle upon which the Convention between Great Britain and Spain of October 28, 1790, was concluded was, that the Northwest Coast of America, north of the Spanish settlements actually made, could not be considered as the exclusive property of *any* European nation. It has been seen that Russia, so far from claiming any such exclusive property at that time, had just before, in substance, *admitted* that of Spain to beyond Prince William's Sound, in latitude sixty-one.

The only object of present interest, for which all these settlements on the Northwest Coast have been made, whether by Russians, English, or Americans, has been the traffic with the native inhabitants in furs, for the Chinese market. This trade has, in point of fact, not only been enjoyed by the citizens of the United States, but has been prosecuted by them to a greater extent than by all the others together. It has been combined with a trade in sandal wood from the Sandwich Islands to China; and during the long wars in which Europe was involved from 1790 to 1815, it was left almost entirely to them.

United States Papers, Foreign Relations, Vol. v., 1824, No. 384. p. 443 —*continued.*

In 1816 a Russian settlement was made at Atooi, one of the Sandwich Islands, and another near the coast of California, within a few leagues of San Francisco, the most northern Spanish settlement. If the motive of these establishments was to lay the foundation for an exclusive territorial claim of Russia to the Northwest Coast, down to the very borders of California, and, founded thereon, to assert exclusive rights of trading with the natives of the Northwest Coast, and to navigation and fishery in the Pacific Ocean, it is time for the nations whose rights and interests are affected by this project effectually to interpose.

There can, perhaps, be no better time for saying, frankly and explicitly, to the Russian Government, that the future peace of the world, and the interest of Russia herself, cannot be promoted by Russian settlements upon any part of the American Continent. With the exception of the British establishments north of the United States, the remainder of both the American continents must henceforth be left to the management of American hands. It cannot possibly be the purpose of Russia to form extensive *colonial* establishments in America. The new American Republics will be as impatient of a Russian neighbor as the United States; and the claim of Russia to territorial possession, extending to the 51st degree of north latitude, is equally incompatible with the British pretensions.

These observations, thus supported by reference to indisputable documents, are made with a view to the following conclusion:

That the United States can in nowise admit the right of Russia to exclusive territorial possession on any part of the continent of North America south of the 60th degree of north latitude.

That they will maintain the right of their citizens, enjoyed without interruption since the establishment of their independence, of free trade with the original natives of the Northwest Coast throughout its whole extent.

That the right of navigation and of fishing in the Pacific Ocean, even upon the Asiatic coast, north of latitude forty-five, can as little be interdicted to them as that of traffic with the natives of North America.

Ib., p. 453.

NOTE (*a.*)

Dispute between the Courts of Madrid and of London.

The court of Madrid hastened to give to that of London the news of what had passed at

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 453 —*continued.*

Nootka, by demanding that the Government of Great Britain should give orders that the coasts occupied by subjects of Spain should be no more visited by the English ; and it announces that, in consideration of the ignorance in which the captains of English ships had been of the rights of Spain, and out of regard to the nation to which they belonged, the Viceroy of Mexico had released the vessels.

The memorial of June 4, signed by the Count of Florida Blanca, declares that " the vast extent of the Spanish territories, navigation, and dominion, on the continent of America, isles and seas contiguous to the South Sea, are clearly laid down, and authenticated by a variety of documents, laws, and formal acts of possession in the reign of King Charles II. It is also clearly ascertained that, notwithstanding the repeated attempts made by adventurers and pirates on the Spanish coasts of the South Sea and adjacent islands, Spain has still preserved her possessions entire, and opposed with success those usurpations, by constantly sending her ships and vessels to take possession of such settlements. By these measures and reiterated acts of possession Spain has preserved her dominion, which she has extended to the borders of the Russian establishments in that part of the world.

" The Viceroys of Peru and Mexico having been informed that these seas had been for some years past more frequented than formerly ; that smuggling had increased ; that several usurpations prejudicial to Spain and the general tranquillity had been suffered to be made. they gave orders that the western coasts of Spanish America, and islands and seas adjacent, should be more frequently navigated and explored.

" They were also informed that several Russian vessels were upon the point of making commercial establishments upon that coast. At the time that Spain demonstrated to Russia the inconveniences attendant upon such encroachments, she entered upon the negotiation with Russia, upon the supposition that the Russian navigators of the Pacific Ocean had no orders to make establishments within the limits of Spanish America, of which the Spaniards were the first possessors, (limits situated within Prince William's Straits,) purposely to avoid all dissensions, and in order to maintain the harmony and amity which Spain wished to preserve.

" The court of Russia replied, it had already given orders that its subjects should make no

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 453 —*continued.*

settlements in places belonging to other powers, and that if those orders had been violated, and any had been made in Spanish America, they desired the King would put a stop to them in a friendly manner. To this pacific language on the part of Russia, Spain observed that she could not be answerable for what her officers might do at that distance, whose general orders and instructions were, not to permit any settlements to be made by other nations on the continent of Spanish America."

Mr. Pitt, then Prime Minister in England, in his speech to Parliament on this subject, declared, "That the subjects of his Britannic Majesty had been forcibly interrupted in a trade which they had carried on for years without molestation, in parts of America where they had an incontrovertible right of trading, and in places *to which no country could claim an exclusive right of commerce and navigation;* that the court of Madrid had advanced a claim to the exclusive right of navigation in those seas that was unfounded and exorbitant, indefinite in its consequences, aiming destruction to the valuable fisheries established by the English in the South Seas; in fine, that it was necessary to adopt such measures as might in future prevent any such disputes."—(See Annual Register, 1790, p. 96.)

Suffice it to say, that they could not agree upon the question of right, and that after a negotiation, supported by immense preparations for war on both sides, the court of Madrid determined to accept the ultimatum which arrived with an order to the English ambassador to leave Madrid if it was not agreed to.

The first and second articles of the convention signed at the Escurial, October 28, 1790, stipulate the damages to be paid by Spain for the ships seized and restored. The third and fourth articles determine that the respective subjects may freely navigate and fish in the Pacific Ocean or South Sea, landing on the coasts in the places unoccupied, and the fifth article bears that all the parts of the Northwest Coast of North America (situated to the north of the parts of this coast already occupied by Spain previous to the month of April, 1789) the respective subjects shall have free access everywhere where the subjects of either power shall have formed, after the same date, or may by consequence form, establishments. In fine, that the respective subjects shall not form any establishment upon the parts of these coasts situated to the south of the parts already occupied by Spain.

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 453 —*continued.*

NOTE (*b.*)

The Russian American Company.

Chilikoff may be considered as the founder of the American Company. After the discoveries of Behring and Tchirikoff, of the islands between Asia and America, the Russian merchants made voyages thither to procure peltries, which they traded with great profit upon the frontiers of China; for all furs, and especially the beautiful skins of the sea otter, are an indispensable article for the effeminate Chinese. They change their dress upon the least variation of air, and in winter wear pelisses even at Canton, which is situated under the tropics. As many as twenty ships depart annually from the ports of Okhotsk and Avatchka; each ship equipped for the chase of animals for furs had its different proprietors, who, without pity either for the inhabitants of the Aleutian Islands, whom they treated barbarously, or for the animals which they hunted beyond measure, without any providence for the future, only thought of promptly completing their cargo and returning as soon as possible to Okhotsk. From hence, so great a destruction of these precious animals took place, that there was soon room to believe that this trade would cease entirely.

Convinced of the necessity of putting a stop to these devastations, Chilikoff made the greatest efforts to unite in one company all those interested in this trade, that it might in future be conducted with prudence, according to a plan which he had laid down. The brothers Golikoff joined the association in 1785. Their united capitals enabled them even to fit out several ships, which the enterprising Chilikoff commanded himself. They formed an establishment upon the island of Kodiac, which still serves as a depot for the trade of America. Placed at an equal distance from the Aleutian Isles, and from Kamtschatka on the west, and from the coast of America on the east, no situation is, in fact, more convenient. This trade, thus conducted, produced great riches. The good success of this association induced several merchants to join it. From this came the present company of America.

On almost all the Aleutian Isles factories were formed, protected by small forts. The principal seat of the company was fixed at Irkutsk. Yet the company appeared rather simply tolerated than formally authorized by the Government; so that its existence was always precarious enough. The irregular manner in which this sort of trade had been carried on, the unjust and cruel conduct of the Russian merchants

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 453 —*continued.*

towards the unhappy inhabitants of the isles of America, complaints of which had even come to the capital, had raised up so great and so powerful enemies that Paul the First resolved to abolish the company, in order to put an end to a traffic so revolting. This resolution would certainly have been carried into effect but for the interposition of M. de Resanoff, who was afterwards sent to Japan as ambassador. He had married the daughter of Chilikoff, who had brought him in dowry a very great number of bills of the company, the value of which depended upon gains or losses of the trade. By his knowledge and authority he happened to render the Emperor so favorable to the company that he rejected all the representations which were addressed to him against it, confirmed it formally in 1799, and granted to it great privileges. Then the principal residence of the company was transferred from Irkutsk to St. Petersburg, and its trade began to acquire great importance.

As soon as the Emperor Alexander mounted the throne he took a lively interest in the company; he himself took shares in it, and thus induced many of the nobility of the empire to imitate him. Assured by that of a lasting protection, the company labored with zeal, under the direction of the Count Romanzoff, to give to its trade, so long neglected, a form entirely new.—(*Voyage of M. de Krusenstern, vol.* 1, *p.* 14, *and the following pages.*)

———

Ib., p. 454.

NOTE (*c.*)

Extract from M. de Humboldt's Essay on New Spain, Book III, chapter 8, *page* 344.

"If the puerile ceremonies which the Europeans name acts of possession, if the astronomical observations made upon a coast recently discovered, could give rights of property, this portion of the new continent would be singularly parcelled out and subdivided among the Spaniards, the English, the Russians, the French, and the Americans of the United States. Even a small island would sometimes have to be divided among two or three nations at once, because each one could prove its having discovered a different cape of it. The great sinuosity of *the coast between the parallels of* 55 *and* 60 *degrees embraces the discoveries made successively* by Gali, Behring, and Tchirikoff, Quadra, Cook, La Perouse, Malaspina, and Vancouver.

"As far as this no European nation has formed a lasting establishment upon the immense extent of coasts which reach from Cape

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 454 —*continued.*

Mendocino to the 59th degree of latitude. *Beyond this limit* the Russian factories commence, the greatest part of which are scattered and distant from one another as the factories which the Europeans have established for the last three centuries on the coasts of Africa. The greater part of these small Russian colonies only communicate with each other by sea, and the new denominations of *Russian America* or *the Russian possessions in the new continent* ought not to induce us to believe that the coast of *Behring's Basin*, the peninsula *Alashka*, or the countries of Tschugatschi, are become *Russian provinces* in the sense given to this word, when speaking of the *Spanish provinces* of Sonora, or New Biscay."

Ib., p. 454.

NOTE (*d.*)

A view of the discoveries of the Russians on the coast of America.

It was only towards the year 1710, when a Japanese ship was wrecked on the coasts of Kamtschatka, that it began to be supposed that Japan was not far distant from that peninsula. Some Cossack adventurers consequently made the discovery of several of the Kurile islands, and Peter the First, in the latter part of his life, thought of the project of ordering an expedition for resolving the doubts which existed respecting the separation or contiguity of Asia and America. He died without having had time to put his design into execution; but his successors, the Empresses, Catherine I, Anne, and Elizabeth, successively resumed it, and in 1728 Behring made his first expedition, penetrated the strait which bears his name by coasting along Asia, but returned to Kamtschatka without having seen the coasts of America. On his return he was assured that, from the high coasts of Kamtschatka, one might see, in a clear day, the neighboring land, which encouraged him to undertake, in the following year, a new voyage, which had no better success, for, having sailed fifty leagues from the coast without seeing anything, he changed his course, landed at Okhotsk, and returned afterwards to St. Petersburg.

The attention of the Russian Government having been attracted anew to the eastern coasts of their empire by another shipwreck of a Japanese vessel in 1732, Behring proposed to attempt new discoveries in a sea still so little known. In fine, on the 4th of June, 1741, two vessels, built at Okhotsk, set sail from the port of Avatcha, (which was on that occasion named

United States Papers, Foreign Relations, Vol. v., 1824, No. 384, p. 454 —*continued.*

Petro Parloskoi,) the one commanded by Behring, the other by his Lieutenant, Tchirikoff.

The vessels having been separated by a severe storm and thick fogs, the commodore saw the continent of America on the 18th of July, and three days before Tchirikoff had gained the same coast. In rectifying their estimate for the longitude, the learned Muller thinks that the first had seen the land at 58° 28′ of latitude, and at 236° of longitude, and the second at 56° of latitude and 241° of longitude. Tchirikoff having had the misfortune of sending to the land his long-boat and his canoe, from whence they did not return, lost them with several of his companions and took the route for Kamtschatka. Behring, on his part, trying to obtain a knowledge of the coast which he had seen, anchored, on the 20th of July, a short distance from the continent. He named a cape, which advanced into the sea, *St. Elias*, and another cape, west of the former, *St. Hermogenes*, between which there is a gulf known afterwards by the name of Behring's bay. He remained a long time in sight of that coast, entangled among the rocks which line it. At length he bent his course south, and soon found himself in a safe sea. On the 30th of July they discovered an island which was named *Toumanoi*, or Foggy island.

It would be useless to recount the misfortunes which pursued the commodore during the rest of this voyage. Attacked by the scurvy, which broke out among the crew, he soon became incapable of fulfilling the duties of his station. The advanced season made him resolve, in the month of September, to endeavor to return to Kamtschatka. A group of islands was discovered, which received the names of St. Macaire, St. Theodore, and St. Abraham. In fine, on the 30th of October, they saw two other islands which they had the misfortune to take for the most northerly of the Kuriles; this fatal error made them call those islands by the name of *Seduction*. They are nearly at the same elevation of the pole, but they are distant from them nearly eight degrees of longitude east. They thought they were not more than two days' sale from Avatcha; they steered west, but they saw no point of coast, and the season being too much advanced left no more hope of gaining the port. They then went back, and after several days of a horrible navigation their vessel run upon an island, where the commodore and a great part of the crew perished of disease and fatigue, and which afterwards received his name. In the spring his companions constructed

United States Papers, Foreign Relations. Vol. v., 1824, No. 384, p. 454 —*continued.*

a small vessel with one mast, in which they returned to the port of Avatcha in the month of August, 1742.

This voyage, by informing the Russians of the relative situation of Asia and America, opened to them the path for the successive discovery of this long archipelago of islands known under the collective names of Aleutian Islands, Fox Islands, Adreuanorski Islands, and of that part of the coast of America which is spread under the parallel of sixty degrees, with a great number of islands situated to the south of the main land; in short, of the peninsula of Alashka and of the lands situated to the north of this peninsula as far as the 70th degree. Such were the discoveries made successively, either by adventurers at the expense of owners of Kamtschatka, or by the officers of the imperial marine at the expense of the Russian Government. The voyage of Miche, Navodtsikoff, in 1745, that of Emelien Yagoff, of 1750, Cholodiloff, Serebranikoff, and Krassilnickoff, of 1756, Demetrius Paikoff, Pushkareff, Pierre Wasintinskoi, and Maxime Lazaroff, of 1758 to 1760, Drusinin, Medredeff, Korovin, and Etienne Glotoff, of 1762, Solovioff and Lieutenant Synd, of 1764; Aphanassei Otcheredin, of 1766; and that of Captain Krenitzen and Lieutenant Levasheff, in 1768 to 1769.—(*See Russian Discoveries by Coxe.*)

The voyages of Billings, of 1789 to 1793, of Krusenstern, of 1803 to 1806, and of Kotzbue, who all sailed upon the tracks of Cook, De la Perouse, and of so many other modern navigators, do not enter into the consideration of the present question.

NOTE (*f.*)

Ib., p. 456.

Vattel's Law of Nations, book 1, chapter 18, section 207. "All mankind have an equal right to the things that have not yet fallen into the possession of any one; and these things belong to the first possessor. When, therefore, a nation finds a country uninhabited, and without a master, it may lawfully take possession of it; and after it has sufficiently made known its will in this respect, it cannot be deprived of it by another. Thus navigators going on the discovery, furnished with a commission from their sovereign, and meeting with islands or other desert countries, have taken possession of them in the name of their nation; and this title has been commonly respected, *provided it was soon after followed by a real possession.*"

SEC. 208. "But it is questioned whether a nation may thus appropriate to itself, by merely

United States Papers, Foreign Relations, Vol v., 1824, No. 384, p. 456 —*continued.*

taking possession of a country which it does not really occupy, and in this manner reserve to itself much more than it is able to people or cultivate. It is not difficult to determine that such a pretension would be absolutely contrary to the law, and opposite to the views of nature, who, appointing all the earth to supply the wants of man in general, gave to no nation the right of appropriating to itself a country but for the use it makes of it, and not to hinder others from improving it. *The law of nations then only acknowledges the property and sovereignty of a nation over uninhabited countries, of which they shall really, and in fact, take possession,* in which they shall form settlements, or of which they shall make actual use."

ATTITUDE OF UNITED STATES, MARCH 30, 1822.

FROM CORRESPONDENCE RELATING TO BRITISH AND RUSSIAN CLAIMS TO TERRITORY ON THE COAST OF THE PACIFIC OCEAN, north of the 42nd degree of latitude, communicated to United States House of Representatives, April 17, 1822. United States Papers, Vol. iv., No. 328, 1822, p. 863.

THE SECRETARY OF STATE to M. DE POLETICA,

Department of State, Washington,
March 30, 1822.

SIR:

I have had the honor of receiving your letter of the 28th ultimo, which has been submitted to the consideration of the President of the United States.

From the deduction which it contains of the grounds upon which articles of regulation of the Russian American Company have now, for the first time, extended the claim of Russia on the northwest coast of America, to the fifty-first degree of north latitude, its only foundation appears to be the existence of the small settlement of Novo Archangelsk, situated, not on the American continent, but upon a small island in latitude 57°; and the principle upon which you state that this claim is now advanced is, that the fifty-first degree is equidistant from that settlement of Novo Archangelsk and the establishment of the United States at the mouth of Columbia river. But, from the same statement, it appears that, in the year 1799, the limits prescribed by the Emperor Paul to the Russian American Company were fixed at the fifty-fifth degree of latitude, and that, in assuming now the latitude 51°, a new pretension is asserted, to which no settlement made since the year 1799 has given the color of a sanction.

"This pretension is to be considered not only with reference to the question of territorial right, but also to that prohibition to the vessels of other nations, including those of the United States, to approach within one hundred Italian

From Correspondence relating to British and Russian Claims to Territory on the Coast of the Pacific Ocean, &c.—*continued.*

miles of the coasts. From the period of the existence of the United States as an independent nation, their vessels have freely navigated those seas, and the right to navigate them is a part of that independence.

"With regard to the suggestion that the Russian Government might have justified the exercise of sovereignty over the Pacific ocean as a close sea, because it claims territory both on its American and Asiatic shores, it may suffice to say that the distance from shore to shore on this sea, in latitude 51° north, is not less than ninety degrees of longitude, or four thousand miles.

"As little can the United States accede to the justice of the reason assigned for the prohibition above mentioned. The right of the citizens of the United States to hold commerce with the aboriginal natives of the northwest coast of America, without the territorial jurisdiction of other nations, even in arms and munitions of war, is as clear and indisputable as that of navigating the seas. That right has never been exercised in a spirit unfriendly to Russia; and although general complaints have occasionally been made on the subject of this commerce by some of your predecessors, no specific ground of charge has ever been alleged by them of any transaction in it which the United States, were by the ordinary laws and usages of nations, bound either to restrain or to punish. Had any such charge been made it would have received the most pointed attention of this Government, with the sincerest and firmest disposition to perform every act and obligation of justice to yours which could have been required. I am commanded by the President of the United States to assure you that this disposition will continue to be entertained, together with the earnest desire that the most harmonious relations between the two countries may be preserved.

"Relying upon the assurance in your note of similar dispositions reciprocally entertained by His Imperial Majesty towards the United States, the President is persuaded that the citizens of this Union will remain unmolested in the prosecution of their lawful commerce, and that no effect will be given to an interdiction manifestly incompatible with their rights.

"I am happy to renew the assurances of my distinguished consideration.

"JOHN QUINCY ADAMS.

"The Chevalier de Poletica, Envoy Extraordinary, &c., from Russia."

FROM MESSAGE ON THE ACQUISITION OF RUSSIAN-AMERICA, INCLUDING SUMNER'S SPEECH, 1868.

TRANSLATION of the RUSSIAN MEMORANDUM, marked (AA), by S. N. Buynitzky.
40th Congress, 2nd Session. Ex. Doc., No. 177, p. 24.

. . . "The Russian-American Company hardly ever penetrated into the interior of the continent, and, owing to the wild character of its inhabitants, never established there any Settlements; only for trading purposes, small factories, called redoubts and 'odinotshkas,' were established along the coast, preferably near the bays and the mouths of large rivers. These factories generally consist of a roofed yard of moderate size, in which live the clerk of the Company, with a few workmen out of the pacified natives, and where is stored a small supply of dried fish and some manufactured goods, wanted for the use of savages. Such is, in general features, the character of the Russian-American Continent." . . .

Ib., pp. 111–112.

"In 1819 the Company possessed already Settlements on the islands Commodore, Atkha, Unalaska, St. Paul's, St. George's, Kadyak, Baranoff's, or Sitkha, on the American coast near Kenayan Bay; forts (redoubts) and posts ('odinotshka,' single isolated fort), Pavlovski, Georgevski, Alexandrovski, and Voskressenski; on Tshugatshian Bay, Forts Constantine and Helen; on Yakootat Bay, part of Behring's Gulf, Fort Nicholas; near the Cape St. Elias, St. Simeon's Fort. On Yakootat Bay formerly existed a Settlement called Glory of Russia ('Slava Rossu'), but in 1803 it was destroyed by Koloshes, and since had never been rebuilt. On Urup, eighteenth island of the Kurile group, a Settlement gradually decayed under the mismanagement of the overseer appointed by the Company."

Ib., p. 131.

. . . . "These general considerations are re-enforced when we call to mind the little influence which Russia has thus far been able to exercise in this region. Though possessing dominion over it for more than a century, this gigantic Power has not been more genial or productive there than the soil itself. Her government there is little more than a name or a shadow. It is not even a skeleton. It is hardly visible. Its only representative is a Fur Company, to which has been added latterly an Ice Company. The immense country is without form and without light; without activity and without progress. Distant from the Imperial capital, and separated from the huge bulk of the

Translation of the Russian Memorandum, &c., p. 131—*continued.*

Russian Empire, it does not share the vitality of a common country. Its life is solitary and feeble, its Settlements are only encampments or lodges, its fisheries are only a petty perquisite, belonging to local or personal adventurers rather than to the commerce of nations.

In these statements I follow the record. So little were these possessions regarded during the last century, that they were scarcely recognised as a component part of the Empire. I have now before me an authentic map, published by the Academy of Sciences at St. Petersburgh in 1776, and republished at London in 1787, entitled, "General Map of the Russian Empire," where you will look in vain for Russian America, unless we except that link of the Aleutian chain nearest to Asia, which appears to have been incorporated under the Empress Anne at the same time with Siberia. (See "Coxe's Russian Discoveries.") . . . .

EXTRACT FROM REPORT OF THE GOVERNOR OF ALASKA, 1902.

Report of Governor of Alaska to the Secretary of the Interior:—(Condition of Natives), p. 19.

Russian Occupation.

The Thlimgits have a habitat from Fort Tongass to Prince William Sound; the early discoverers found them fierce and warlike. In 1731 Tchirikof lost two boats and sixteen men in the neighbourhood of Sitka. These same people in May, 1802, killed all the officers and thirty-two men at the Russian fort, six miles north of the present location of Sitka. In this same year they made a fearful slaughter of Russians and Aleuts in Kake Strait, in Yakutat Bay they killed very many in several bloody contests. They always defied the Russians, and were really never subdued by them. In 1851 the Chilcats made a daring expedition overland for hundreds of miles, and plundered and burned the Hudson Bay post at Fort Selkirk.

The Russians avoided them as much as possible. They leased the right to trade with them to the Hudson Bay Company. They are of nature keen traders, and keep well posted in the prices of things in which they deal.

PAPERS RELATING TO AMERICAN OCCUPATION.

EXTRACTS FROM ANNUAL REPORTS OF GOVERNORS OF ALASKA SINCE THE INCEPTION OF CIVIL GOVERNMENT IN 1884.

1885.

FROM REPORT OF GOVERNOR A. P. SWINEFORD,

OCTOBER 1ST, 1885.

REPORT TO THE SECRETARY OF THE INTERIOR, pp. 13-14.

*Lack of transportation facilities renders it impossible to govern the territory satisfactorily.

Here is a territory embracing nearly 600,000 square miles, with a coast line greater than that of all the Atlantic, Pacific, and Gulf States combined, sparsely populated in widely scattered settlements, and it is not to be expected that it can be satisfactorily governed, if the officials to whom that task is committed are to be cooped up in one corner and debarred from all intercourse with a considerable portion of its people, powerless to enforce the law against evil-doers on the one hand, or afford its protection to the law-abiding on the other. To hold a term of court at Wrangell which may not in itself consume more than a single day's time, a full month is required, with corresponding expense to the Government. It is contemplated by Section 5 of the Organic Act, that the Governor shall visit the seal islands—distant from Sitka not less than 1,500 miles—once in each year. How he can possibly do so, unless some kind of transportation is placed within his reach or command, is a question puzzling even to the imagination.

. . . . . .

No serious effort to enforce the liquor laws.

If any serious effort has been made to enforce the provisions of Section 14 of the Organic Act, which prohibits the importation, manufacture, and sale of intoxicating liquors, the result of such effort is not discernible in the total or even partial absence of places where such liquors are openly sold.

Ib., p. 18.

Alaska seventeen years without civil government.

Apathy of Congress.

. . . The fact that for seventeen years Alaska was without any civil government or authority of law whatever, and that in that time twenty-five or more measures of relief were presented in Congress, not one of which ever reached a vote in either House, is convincing proof of the necessity asserted for having accorded to her the usual Territorial representation in the law-making branch of the General Government.

* The side notes are added for convenience of reference.

Report to the Secretary of the Interior, p. 983—*continued.*

. . . Besides this there are many settlements where important business enterprises are located, needing protection, which we are not able to visit at all.

The Governor powerless to enforce laws against crime.

At one of these, Newchuk, some three hundred or four hundred miles up the coast to the west, a trader was brutally murdered by Indians last December. Valuable mineral discoveries have just been made in that section which it is proposed very soon to develop, and there are large fishing establishments near and trading posts from which appeals have been sent to such officials as could be reached, to have the case inquired into and the offenders punished. The facts in this case are undoubted and action by the authorities most essential to the interests and protection of all residents. There is also a report of a murder at the island of Unga, but not yet fully confirmed. There is certainly need of enquiry into certain larcenies and other lawless acts at Kadiak.

I am utterly powerless to institute the necessary examinations into these cases, in order to bring the parties to justice, and my inability and that of the Court to punish them must continue until we have the means of reaching those localities furnished us.

1886.

FROM REPORT OF GOVERNOR SWINEFORD, October 1st, 1886.

49th Congress (H. of R.), 2nd Session. Ex. Doc. I., Part 5. Report of Secretary of Interior, p. 940.

Neglect of the educational welfare of the creoles.

. . . The people called creoles are descendants, three or four generations remote, of a mixed parentage (Russian fathers and native mothers), it is true, but it will puzzle even the most learned ethnologist to find anything in their features or complexions by which to distinguish them from the race to which their fathers belonged. They are, to all intents and purposes, white people, fully as intelligent and well informed as would almost any other class of people have been, if subjected to the same wrongs and disadvantages—I do not mean the disadvantages of humble or may be illegitimate birth, but of petty tyranny and practical slavery under the old *régime*, followed by long continued neglect to provide for their educational welfare under the new and professedly more liberal one. . . .

1887.

FROM REPORT OF GOVERNOR SWINEFORD, OCTOBER 1ST, 1887.

50TH CONGRESS (H. OF R.), 1ST SESSION. Ex. Doc. I., Part 5. Report of Secretary of Interior, p. 720.

The blighting monopoly of the Alaska Commercial Company.

If it cannot legally be rescinded, the lease to, and contract with, this Company ought not to be renewed. It is not, in my opinion, necessary to the preservation of seal life or the seal fur industry that the islands on which the rookeries are located should be leased to any corporation or individual, but if it be held that I am wrong in that regard, then I do not hesitate to aver that it would be better for Alaska, better for the Government, and above all, far better for the enslaved Aleuts that every fur seal in Alaskan waters should be exterminated at one fell swoop than that such a blighting monopoly should be perpetuated. It is manifestly the duty of Government to protect the weak against the strong, to shield the poor and helpless from wrong and oppression, yet we have thousands of the latter class who by solemn treaty stipulation, were guaranteed enjoyment of "all the rights, advantages, and immunities of citizens of the United States" practically enslaved, and a professedly free and liberal Government not only creating, but actually protecting, their oppressors, and that, too, against a restless spirit of enterprise which, unhindered, would people the best portions of Alaska with a thrifty population and add untold millions to the wealth of the nation.

Ib., p. 736.

Crimes, including murder, committed with impunity.

In all the more remote sections of the Territory, the law prohibiting the importation and sale of intoxicating liquors and breech-loading fire-arms is openly violated; crimes, including murder, are committed with impunity, and there is no punishment for the offenders, for the simple reason that the officials are not provided with the means necessary to put the law in force. Either the civil authorities should be furnished with transportation or else be held blameless for the non-enforcement of law and order in localities they are unable to reach for the want of it.

1888.

FROM REPORT OF GOVERNOR SWINEFORD, OCTOBER 1ST, 1888.

50TH CONGRESS (H. OF R.) 2ND SESSION, Ex. Doc. I., Part 5. Report of Secretary of Interior.

With the exception of the twenty-one fee-simple titles referred to, which were originally given to its employees by the Russian-American Company, and afterward confirmed by the protocol executed by the Commissioners of the two countries at the time of the transfer, and

50th Congress (H. of R.) 2nd Session, Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.*
Respecting Settlement of Public Lands.
p. 963-5.

claims taken up and recorded under the provisions of the general mining laws, all settlers on public lands in Alaska are mere squatters awaiting impatiently such legislation by Congress as will enable them to secure titles . . . Thus, in the absence of any law by and through which legal titles can be obtained, valuable franchises are practically being usurped and utilised to the enrichment of individuals and corporations, without a resultant penny in the way of revenue to the Government.

Abuses by The Alaska Commercial Company.
Ib., p. 989.

I most devoutly wish that a strict regard for the truth would permit me to make a like report concerning the condition of the native people in the other parts of the Territory coming under my personal observation. The only real independent natives I saw in the whole of my summer's cruise, after leaving Yakutat, which is only about 200 miles north-west of Sitka, were those who live beyond St. Michael's and outside the wide limit to which the Alaska Commercial Company has extended its operations. Within this wide limit the creoles and natives are little if any better than mere serfs of that powerful corporation. In most places they are subjected to the double robbery of being compelled to part with their furs at less than half their value, and, in return, are charged two or three prices for the goods they can only buy at the Company's stores, for the simple reason that there are no others. I do not know that the lash is applied, as it is claimed was the custom under the old Russian *régime* (though I have heard even that charge against the Company traders on the Yukon), but I do know that at one place I was appealed to by the Aleut people for protection against the Company's agent, who, they claimed, made a practice of clubbing them in their own houses whenever they did anything that gave him offence. This statement of theirs was corroborated by several intelligent and well educated creoles with whom I conversed, and I have very little doubt of its truth. I am not, however, prepared to say but that this is an exceptional case. I do not believe that violence is generally resorted to as a means of keeping the creoles and native people in a condition of complete subjection to the will of the company and its agents. There are other means just as efficacious and more lawful. If they become contumacious or stubborn, refuse to sell their furs at the prices the Company offers, or dare to seek purchasers elsewhere, they are starved into submission. There are no other trading

Creoles and natives in a condition of serfdom.

50th Congress (H. of R.) 2nd Session, Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.*

stations, and these people, having acquired artificial tastes and wants in the way of food and clothing, are loath to go back to an exclusive diet of seal blubber and dried fish, and to the bird and sealskin parkies of their ancestors.

. . . . .

This particular monopoly is worse than a trust; it is not a combination of individuals or corporations, organized for the purpose of regulating production and keeping up prices; it is a great corporate monopoly, created by Congress itself, and armed with a monopolistic club, in the shape of sole and exclusive possession of a most valuable industry, which it does not scruple to use to beat out, so to speak, the brains of any and all competition for that part of the fur trade not embraced in its lease and contract with the Government.

There is but one so-called tribe in the southeastern section with whom there is any trouble to be apprehended, and though they are not in sufficient numbers to wage what might properly be termed war, they are certainly in a position to make themselves very troublesome and annoying if they chose to do so. I refer to the Chilkats, who are located on the Chilkat River, and at and around the head of Chilkoot Inlet. They claim the exclusive ownership of the trail over which the miners are wont to pass from tide-water to the head waters of the Yukon River, and it is an open question if their claim be not a just one. However this may be, they also claim the exclusive right to do all the packing over the trail, in some instances going so far as to resist the white miner's right to carry a pack of his own. They are a fierce and war-like people, more so than any other of the native clans of Alaska, and frighten away all other Indians who apply for or undertake to do any of the packing for the white men, for doing which they themselves demand and extort exorbitant prices.

Administration of the Civil Government. *Ib.*, p. 1001.

Aside from the partial administration of justice by the United States District Court and the four United States Commissioners acting principally as Justices of the Peace, the civil government of Alaska is little, if any, better than a burlesque, both in form and substance. There is no legislature, and practically no local laws applicable to the wants and urgent necessities of a Territory so isolated, and aside from the preparation of an annual report "of his official acts and doings and of the condition of said district, with reference to its

50th Congress (H. of R.) 2nd Session, Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.*

resources, industries, population, and the administration of the civil government thereof," there is really no duty enjoined upon the Governor the performance of which is possible, no power he can exercise, no authority he can assert.

Ib., p. 1003.

Two-thirds of the territory without Government.

As a matter of course, when the Act creating a civil government for Alaska went into operation the civil superseded the naval or military authority, and in consequence the people of more than two-thirds of the Territory, because of the reasons already suggested, have ever since been practically without any government, and beyond the reach of any authority whatever.

Importation and Sale of Intoxicating Liquors.

Ib., p. 1005.

Section 14 of the Act of May 17th, 1884, prohibits the importation, manufacture, and sale of intoxicating liquors in Alaska, except for medicinal, mechanical, and scientific purposes. I regret being compelled to say that this law is practically a dead letter. The public sentiment of the Territory is averse to it, and unless the right of trial by jury is taken away it cannot be enforced, for the simple reason that it is impossible to impanel a grand jury which will indict, or a petit jury which will convict persons charged with its violation. But were this not true, the officials charged with the duty of preventing the importation and landing of intoxicating liquors are practically powerless in the premises, for the reason that they have never been provided with any means whatever which will enable them to watch and guard any part of the extensive coast line, save immediately at the few ports where they are stationed. There is no water patrol, no revenue cutter, no transportation, not even a row-boat, under their control, and, as a consequence, the smuggler pursues his nefarious calling with very little molestation from any quarter.

1889.

FROM REPORT OF GOVERNOR KNAPP, October 1st, 1889.

51st Congress (H. of R.), 1st Session. Ex. Doc. I., Part 5. Report of Secretary of Interior, p. 237.

Military Government "brought nothing but rum and ruin."

During the long period of the Russian occupation of this territory very little effort was made to elevate and change the savage character of the natives. The association, compelling submission to authority and the influence of the priests, necessarily wrought some change in their life and habits. But the chief idea seems to have been to secure as much advantage as possible, regardless of the

consequences to the natives themselves. Then followed ten or twelve years of "no government, and military occupation," under the American flag, which "brought nothing but rum and ruin." I would not assert the absence of good influences during this time, but there were also by far too many bad influences.

Ib., p. 240.

The judge and district attorney, whose experience and observation during their term of office render their opinions of especial value, are emphatic in their declarations that the greatest hindrance to the rapid dispatch of the business of the court and the administration of justice is the inadequacy of the means of transportation, and the great expense and difficulty of obtaining competent jurors. There ought to be provision for transporting the court officials, prisoners, witnesses, and jurors to and from the place of holding court. This is essential to the administration of the laws in Alaska. There are a great number of native villages situated at a distance from the mail steamer routes with no access to them except by canoe. In many instances it has been impossible to serve processes for the want of a light-draught vessel within the absolute and immediate control of the civil Government, without the embarrassment and uncertainty of depending upon the courtesy and convenience of those acting under the orders of another department of the Government than the one upon which the responsibility rests.

Impossibility of executing the laws.

Ib., p. 241.

A warrant was issued early in the summer for the arrest of persons charged with assault with attempt to kill. That warrant is still in the hands of the marshal, unserved, after the lapse of about three months, because Hoonah, the village where the offence was committed, and where the respondents reside, is off the line of the mail steamer's route, and the marshal has no means of transportation to the place. It is scarcely just that the marshal, or the Governor who is charged with the duty of seeing that the laws are enforced, shall be held responsible for the failure to execute the laws under these circumstances.

There is another difficulty in the way of an efficient administration of justice to which I desire to call your attention here, and that is, the uncertainty which embarrasses us as to the applicability of the laws of Oregon to this district, a difficulty which might and should be remedied at the same time that modifications of the laws recognized as essential in particular cases are made.

Uncertainty of Jurisdiction.

51st Congress (H. of R.), 1st Session. Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.* Settlement of the Public Lands. *Ib.*, p. 223.

Every mail brings to the officers of the civil Government letters of inquiry from residents of the States and older Territories, asking about the public lands and by what method of procedure *bonâ fide* settlers can obtain titles from the United States to lands in the district.

Settlers are trespassers.

As a matter of course, these inquirers were informed that, under existing laws, no legal titles to land, except mineral lands for mining purposes, can be secured by any process whatever; that every resident who erects a shanty to protect himself and his family from the storms of winter in this northern latitude is a trespasser and liable to be ejected by legal process; that the cutting of a walking stick, or the gathering of wood sufficient to boil his coffee, is a breach of the law which must be ignored by officers sworn to faithfully execute it; that one who comes into the Territory to live must take his chances with every other resident, recognising the fact that in places remote from the centres, though in the midst of savage tribes, communication with the authorities is impossible, except at rare intervals, and when informed of trouble needing immediate attention, the civil Government lacks facilities for serving processes or affording protection, so that long delays in execution constitute the rule rather than the exception.

Lack of facilities for serving process.

1890.

FROM REPORT OF GOVERNOR JOHN G. BRADY, OCTOBER 1ST, 1890.

51ST CONGRESS (H. OF R.), 2ND SESSION. Ex. Doc. I., Part 5. Report of Secretary of Interior, p. 436.

The law prohibiting the sale and manufacture of intoxicating liquors in the Territory is a dead letter, except on its application to the Indians. Liquors of the vilest quality, it is asserted, are sold openly and in violation of the law, even to those whose families are suffering for the necessities of life. The reason assigned for the inefficiency of the law is that prosecutions would be of no avail. Grand juries refuse to indict and petit juries refuse to convict. I presume this statement is made intelligently and is in accordance with the facts, though I am not aware of any attempt to secure convictions.

Inadequacy of the laws.

I feel constrained to call attention again to the inadequacy of the provisions of the laws for the administration of justice, preserving the public peace, holding criminals for trial, and affording convenient facilities for taking oaths required by law and in the transaction of the public business in places remote from the four localities where the United States Commissioners reside. There are about three hundred

51st Congress (H. of R.), 2nd Session. Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.*

Remoteness of Authorities.

towns and villages in the Territory, some of which are at least 3,000 miles from the nearest Commissioner, or other person authorized by law to administer oaths, and without roads or regular communication of any kind.

Ib., p. 447.

Impossibility of acquiring titles to lands.

It has been repeatedly asserted, officially and otherwise, and scarcely needs reiteration, that under existing laws it is impossible to acquire titles to land other than mineral lands for mining purposes in this Territory. That this state of things should most seriously retard the progress of development of the resources of the country is not strange.

Why is not this Territory accorded the privileges never before withheld, without reason, from any land claiming protection under the American flag? Who is responsible for this delay of nearly a quarter of a century in giving to American citizens the privileges of acquiring, by purchase or otherwise, titles to the land they have occupied and improved? Is it possible that the selfishness and greed of parties whose interests are better served by keeping the country a howling wilderness as a preserve for fish and game are secretly exerting an influence with members of the national Congress to prevent legislation which would promote the development and settlement of this country? Is there any other way of accounting for the fact that somehow all Bills for the relief of this Territory are lost before reaching final action? I prefer to shut my eyes to the possibility of such baseness. But the fact remains and we must contemplate it with such equanimity as we can command, that it seems impossible to secure legislation for this Territory which is essential to its prosperity and progress while measures of less importance are allowed to become laws.

Impossible to secure legislation.

1891.

FROM REPORT OF GOVERNOR KNAPP, October 1st, 1891.

52nd Congress (H. of R.), 1st Session. Ex. Doc. I., Part 5. Report of Secretary of Interior, p. 479.

The law not executed.

The importance of better transportation facilities for the administration of the Government and the enforcement of the laws has been freshly illustrated by the experiences of the past year. In a number of instances persons charged with crime have not been arrested for want of facilities for travel and transportation for officers, defendants, and witnesses.

The want of flexibility in the Naval Service does not in any way militate against its usefulness for its legitimate work, but it does

52nd Congress (H. of R.), 1st Session. Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.*

operate to prevent the best results when other work than that in its line is required. The Revenue Marine is in the Civil Service. It is organised for the purpose of assisting the civil Government, and the need of additional facilities for enforcing the revenue laws in Alaska is most pressing. The temptation for unprincipled men to engage in smuggling intoxicating liquor and opium into this Territory is very great; and yet the Collector of Customs, upon whom is laid the duty of preventing it, has been furnished with only a single row-boat with which to patrol and guard 3,000 miles of coast line.

A single row-boat to patrol 3,000 miles of coast.

The Organic Act of May 17, 1884, provided for only four Commissioners to perform the judicial functions of petty courts and courts of Probate for the whole of this vast Territory, with its 33,000 people, located in more than 200 towns and villages, scattered all over this vast domain. They are by law so strictly located that even a temporary removal from their fixed habitation, without a special authorisation from Washington, is liable to be construed into a breach of duty. During the seven years since the passage of this Act, the utter inadequacy of this provision for the protection of the people and their interests has been repeatedly reported, and urgent appeals have been made for relief.

Ib., p. 487.

No roads are built, no telegraph lines established, no permanent buildings erected, no money spent in the Territory except to carry on business with a view to the greatest immediate profit. Nothing is left in the country which can be carried away. The wealth acquired by the foreign owners of business here is only accessible where they reside. Titles to land have been withheld from actual settlers until the law of March 3, 1891, and under that law no lands have yet been taken.

1892.

FROM REPORT OF GOVERNOR LYMAN E. KNAPP, October 1st, 1892.

52nd Congress (H. of R.), 2nd Session. Ex. Doc. I., Part 5. Report of Secretary of Interior, p. 488.

The Government has seen fit to withhold from us the privileges of land titles. We have no legislature; no delegate or other representative in Congress to speak for us; we are not allowed to raise money by taxing ourselves; and we have no wealthy resident class to supply it by individual contribution. Our position is anomalous. No other Territory is thus limited. We are alone and isolated. We are separate from the States by vast intervening oceans and hundreds of miles of foreign territory.

52nd Congress (H. of R.), 2nd Session. Ex. Doc. I., Part 5. Report of Secretary of Interior—*continued.* Limitations, p. 501.

Impossible to punish crime.

It will be seen from the instances referred to above that the lack of proper transportation facilities is a serious hindrance to the prompt and efficient administration of the laws of Alaska. The number of cases illustrative of this need which might be recited is illimitable. Those given are only samples. It is impossible to arrest criminals and punish crime without facilities for access to them. Appeals for help and protection against the most terrible outrages must fail of response without some method of conveyance by which we can reach the scenes of trouble.

1895.

FROM REPORT OF GOVERNOR JAMES SHEAKLEY, October 1st, 1895.

The American Yukon. *Ib.*, p. 322.

Except one inspector of customs, the Government of the United States has no official in that region.

The gold mines are 1000 miles distant from Sitka, the capital of the Territory, with no way to reach there but by going over the mountain pass on foot and float down the river in a canoe, and that only during one-half of the year.

This condition renders it entirely impracticable for the civil government of the Territory to exercise any authority or administer the law either in the judicial or other departments in that part of the Territory.

1897.

FROM REPORT OF GOVERNOR J. G. BRADY, October 1st, 1897.

55th Congress (H. of R.), 2nd Session. Document No. 5. Annual Reports of the Department of Interior for Fiscal year ending June 30th, 1897, and Miscellaneous Reports, p. 174.

The natives became impressed with the idea that the whites who remained after the departure of the soldiers were not esteemed very highly, and consequently matters were brought to a climax in the spring of 1879, when a considerable portion of the natives at Sitka armed and organised themselves and attempted to march upon the white settlement with the avowed intent of massacre and plunder. They were prevented by the timely interference of Annahootz and his Kokwanton supporters.

A British man-of-war sent for to protect United States Citizens.

The inhabitants were thoroughly alarmed, and sent a petition to the authorities of British Columbia to send a man-of-war at once to protect their lives until they could obtain protection from their own Government. The "Osprey" was sent off at once and afforded the people protection until relieved by the U.S. s. "Alaska."

Alaska without any civil government.

But every effort emphasized the fact that Alaska was without any civil government.

1898.

FROM REPORT OF GOVERNOR J. G. BRADY, OCTOBER 1ST, 1898.

55TH CONGRESS (H. OF R.), 3RD SESSION. Document No. 5. Annual Report of the Department of Interior for Fiscal year ending June 30th, 1898, and Miscellaneous Reports, p. 198.

But nothing contained in this Act shall be construed to put in force in said district the General Land Laws of the United States.

Why such a distinction was made is past comprehension. Men may have the right to dig out ore upon lands and may obtain patents for the same, but if they dig out a cellar and build a house and improve lands for a home they cannot obtain a title.

Land titles unobtainable.

This state of affairs has been brought to the attention of Congress in almost every report which has been written by a Government officer. This has been the status now for thirty-two years.

Ib., p. 201.

Uncertainty of jurisdiction of the Courts.

It should be understood that any law passed in Oregon since 1884 is not applicable, also that eight different men have sat upon the bench as district judges, and hardly any two of them have held the same opinion as to the applicability of the law which may be invoked by litigants. Men have been tried for murder and other felonies and sentenced to the penitentiary for life and for terms of years, and yet it is the opinion of able lawyers, some of them in Congress too, that there never has been a lawful jury in Alaska.

1899.

FROM REPORT OF GOVERNOR J. G. BRADY, OCTOBER 1ST, 1899.

56TH CONGRESS (H. of R.), 1ST SESSION. Document No. 5. Annual Reports of the Department of Interior for Fiscal year ending June 30th, 1899, and Miscellaneous Reports, Part II., p. 9.

Again, as set forth in last year's report, the canneries have had very little legal protection, for the reason that they are at great distances from settled communities, and the civil officers have had no independent means of transportation, and have been nearly powerless to give them any speedy and adequate protection.

Ib., p. 38.

The Land Act of 1898 inoperative.

Attention has been called in previous reports to the fact that the advantages of the general land laws have been denied to the citizens of Alaska. The mining laws are all right; we have no complaint in regard to them, but it still remains a fact, that a poor man can not take up a piece of land for his home and go to the land office and obtain title to the same. An Act was approved May 14th, 1898, extending the homestead Land Laws, limiting the holding to 80 acres. This is inoperative, from the fact that homesteads can be located only upon surveyed land.

1900.

FROM REPORT OF GOVERNOR J. G. BRADY, October 1st, 1900.

56th Congress (H. of R.) 2nd Session. Document No. 5. Annual Report of the Department of Interior for Fiscal year ending June 30th, 1900, and Miscellaneous Reports. Part II. Governors of Territories, &c., p. 47.

No territorial organisation.

Twelve years ago A. P. Swineford, at that time Governor of the District, championed the cause of Territorial organization, and appeared before the Committee on Territories and argued the question ably. All these years have passed and still we have no such organization. There must be some valid reason for it: in brief, Congress must take the blame.

Ib., p. 48.

Withholding of the Land Laws.

The withholding of the land laws is the real difficulty to-day. A Territorial Government means taxation, and Alaska to-day is not in a condition to stand it.

1902.

FROM REPORT OF GOVERNOR J. G. BRADY, October 1st, 1902.

Report of the Governor to the Secretary of the Interior, Oct. 1st, 1902, p. 3.

Congressional Duty.

American Occupation.—Some things have been done under great pressure, but we feel that Congress has pursued a general policy of neglect since we have owned Alaska. Congress rules Alaska absolutely, and it is only at the hands of Congress that our institutions can be extended and built up. The first step which should have been taken, and which has been taken in every other instance since the ordinance of 1787, is to encourage the people to move forward and possess the land.

Land Laws, p. 4.

Land Laws.

This subject has been brought to the attention of Congress by every Governor in almost every annual report since 1884. The present incumbent has brought this matter up each year, and has tried to show how all progress is hampered, and in many places effectually blocked by the withholding of these laws. It is not possible for the ordinary man and family to come here and establish a home, for he cannot obtain security of title. For this reason the great industry of agriculture in its various departments is held in check. Those who are ready to make the first venture in building railroads hesitate because they know that the people have no encouragement to settle on the land. Those who are ready to introduce colonies of desirable people well fitted to prosper in this latitude, from Finland and other parts of Northern Europe, cannot because they can give these people no certainty that they can obtain title to land.

Report of the Governor to the Secretary of the Interior, Oct. 1st., 1902, p. 4.

Immediately after the transfer from Russia to the United States, many people desired to move into the Territory and settle. This was not looked upon with favour, but, on the contrary, seemed to alarm the authorities, as may be inferred from the following:—

" Department of the Interior,
" Washington, D.C.,
" October 26th, 1867.

" Sir,

" In reply to your communication of the 24th inst., in relation to attempts of American citizens to acquire pre-emption rights to lands at Sitka, in the newly acquired territory of Alaska, I have the honour to inclose for your information a copy of a report this day made to me by the Commissioner of the General Land Office upon the subject of your inquiries. Such claims and settlements are not only without the sanction of the law, but are in direct violation of the provisions of the laws of Congress applicable to public domain secured to the United States by any treaty made with a foreign nation, and, if deemed necessary and advisable, military force may be used to remove the intruders.

" This Department has no officers at Sitka, nor in any other part of the 'Russian Purchase' and must rely on the State Department to cause the necessary orders in the premises to be communicated to our authorities there.

" I have the honour to be,
" Very respectfully, your obedient servant,
" O. H. Browning,
" Secretary.

" Hon. William H. Seward,
" Secretary of State."

Ib., p. 5.

" Department of Interior,
" General Land Office, Oct. 26.

" Sir,

" I have the honour to acknowledge the receipt of the Department letter of yesterday, inclosing a communication of the 24th from the Honourable Secretary of State, by which the Department is advised that citizens of the United States are attempting to make claims and settlements at Sitka, within the 'Russian Purchase' under the townsite and pre-emption laws, and I have the honour to state that such settlements are illegal and contrary to law. (See Act of March 3, 1807, vol. ii., p. 445, United States Statutes.)

" In the absence of specific legislation by Congress, providing for the organization of land

Report of the Governor to the Secretary of the Interior, October 1st, 1902, p. 5—*continued.*

districts within the 'Russian Purchase,' and the extension of our system of surveys over the same, settlements and claims under the town-site and pre-emption laws are unlawful and cannot be recognised under the existing laws.

"I am, Sir, very respectfully, your obedient servant,

"JOSEPH S. WILSON,
"Commissioner.

"Hon. O. H. Browning,
"Secretary of the Interior."

Ib., p. 5.

"MR. SEWARD to GENERAL GRANT.
"Department of State,
"Washington,
"October 26th, 1867.

"General,

"In the absence of specific legislation by Congress for the organisation of land districts in Alaska, claims of pre-emption and settlements are not only without the sanction of the law, but are in direct violation of laws applicable to public domain. Military force may be used to remove intruders if necessary. Will you have the goodness to instruct Major-General Halleck to this effect by telegraph, and request him to communicate the instruction to Major-General Rosseau at Sitka?

"I have the honour to be, General,
"Your obedient servant,
"WILLIAM H. SEWARD.

"General U. S. Grant,
"Secretary of War *ad interim*."

Ib., p. 5.

"MR. SEWARD to MR. DE STOECKL.
"Department of State,
"Washington,
"October 29, 1867.

"Sir,

"I have the honour to inclose for your information a copy of a letter of yesterday to General Grant, the Secretary of War *ad interim*, embodying an instruction which the President has directed to be sent by telegraph to Major-General Halleck, by him to be promptly communicated to Major-General Rosseau at Sitka, with a view to preventing premature and illegal attempts to occupy land in Alaska.

"Accept, Sir, a renewed assurance of my very high consideration.

"WILLIAM H. SEWARD.

"Mr. Edward de Stoeckl."

Report of the Governor to the Secretary of the Interior, October 1st, 1902, p. 6—*continued.*

The country was under the rule of the War Department until June, 1877, when the troops were withdrawn and the country practically abandoned. The Treasury Department, for the most part by a Deputy Collector, ruled for two years, until a massacre was threatened by Katleean and his tribe at Sita, when the Naval Department assumed charge and held it, until the arrival of the Civil Officers appointed by President Arthur under the Organic Act of May 7th, 1884. Section 8 of this remarkable piece of legislation created a land district of the whole cession, and the United States Land Office with *ex-officio* surveyor-general, registrar and receiver. Since that day mining has prospered, for it has had as much encouragement by the extension of the mining laws of the United States and the rights incident thereto as this industry has had in any State or Territory, and many mineral patents have been issued. The terms under which title might be acquired by persons who have squatted and waited for years, were reserved for future legislation by Congress; that is agriculture, stock raising, lumbering, and coal mining received no encouragement. Those who believe that they could undertake such enterprises with success, simply had to wait and hope.

No encouragement to agriculture, &c.

Ib., p. 7.

Very few patents granted.

There has been a long and costly struggle for the applicants, who have obtained very few patents. The sums which they have put up for field and office work, and for which they have never received an acre in return, will aggregate a large amount. It has been a veritable wrestling match, with the General Land Office standing victor in almost every contest. It is astonishing to see what grips and underholds can be taken in one of these onsets.

The next specific legislation was approved May 14th, 1898, entitled "An Act extending the homestead laws and providing for right of way for railroads in the district of Alaska and for other purposes." The thirteen sections of this Act may be found in Appendix C. Section 1 relates to homestead right in Alaska, and provides:—

Ib., p. 5.

"Sec. 1.—That the Homestead Land Laws of the United States and the rights incident thereto, including the right to enter surveyed or unsurveyed lands, under provisions of law relating to the acquisition of title through soldiers' additional homestead rights, are hereby extended to the district of Alaska, subject to such regulations as may be made by the Secretary of Interior; and no indemnity,

Report of the Governor to the Secretary of the Interior, October 1st, 1902, p. 5—*continued.*

deficiency, or new lands pertaining to any land grant whatsoever, originating outside of said district of Alaska shall be located within or taken from lands in said district: Provided that no entry shall be allowed extending more than eighty rods along the shore of any navigable water, and along such shore a space of at least eighty rods shall be reserved from entry between all such claims, and that nothing herein contained shall be so construed as to authorise entries to be made or title to be acquired to the shore of any navigable waters within said district: And be it further provided that no homestead shall exceed eighty acres in extent."

A stranger reading over this law might get the impression that it is on the whole a pretty fair law for Alaska, but when he begins to inquire how it has worked for the four years in which it has been in force, he will begin to understand why we groan. In the first place, not a single homestead entry has been allowed, for the reason that the homestead land laws of the United States apply only upon lands which have been surveyed, and not an acre has been marked out for settlement. Nowhere has there been established a meridian or a base line. Why? The answer is the same as was given by Secretary Seward, in October, 1867: "The absence of specific legislation by Congress."

Not a single homestead entry allowed.

At the instance of Commissioner Hermann, of the General Land Office, the sundry Civil Bill which was approved March 3rd, 1899, extended the system of public surveys in the district of Alaska, and included Alaska among the States and Territories which were to share in the sum of three hundred and twenty-five thousand dollars, voted for public surveys. The same amount was voted in 1900, and Alaska was included, but no land was surveyed for homestead purposes. A similar amount was voted for the year ending June 30th, 1901, and five thousand dollars was the part apportioned to Alaska, and yet not a line has been run.

No surveys made

Ib., p. 8.

Last year the Surveyor-General requested $108,872 for the survey of Mission stations and the Government reservations, and the Governor asked that $200,000 be given to start the surveys, and that the Commissioner of the General Land Office be authorised to make terms with the Surveyors, so as to start the work. These recommendations were not favourably considered. "We've carved not a line; we've raised not a stone."

Soldiers' additional homestead rights are used

Report of the Governor to the Secretary of the Interior, October 1st, 1902, p. 8—*continued.*

by nearly all who wish to acquire immediate title for cannery or saw mill sites, or for other trade or manufacturing purposes of speculation.

An applicant may consider himself fortunate if he goes through all this and obtains his patent at a total expense of $30 per acre.

. . . . .

Ib., p. 8.

The Coal Land Laws were extended June 6th, 1900, but, like homesteads, coal must be located upon surveyed lands. In some places, like the Cook Inlet coalfields at Homer, the enterprises started in the neighbourhood of Comptroller's Bay and elsewhere, large amounts have been invested in development of mines, building wharfs, railway tracts, &c., but these people have no assurance of title, nor security of tenure if they begin the shipment of coal. In fact, an ice company would not know that it was secure if it began the export of ice from Muir Glacier.

No assurance of title.

Ib., p. 8.

Two land offices which had been established were discontinued upon a claim of reasoning which appears valid, but if pursued in another Department would disband almost every post office in the district. It is the same kind of reasoning which in 1877 made out a clear case against the country as a customs district and recommended its abolition. Last of all comes a forest reserve, covering the largest part of the islands in South-East Alaska. This will be considered more in detail elsewhere.

CONTEMPORARY OPINIONS EXPRESSED BY DISTINGUISHED UNITED STATES OFFICIALS AND CITIZENS IN MAGAZINES AND PERIODICALS.

"THE ALASKANS AT HOME," by W. N. Slocum, in "The Lakeside Monthly," Vol. vi., pp. 16-19, July, 1871. (Chicago).

1871.

"Most of the Russians of Sitka are very poor, and since the dissolution of the Russian Fur Company few of them have had employment . . . . . The men are willing to work for low wages, but cannot obtain employment at any price; while the women, whatever they may have been previous to the American occupation, are now lost to shame."

"KODIAK AND SOUTHERN ALASKA," by W. T. Whythe, in "The Overland Monthly," Vol. viii., pp. 505-511, June, 1872. (San Francisco.)

1872.

Speaking of the natives of Kodiak and the Aleutian Islands:—(pp. 510-511.)

"It is to be greatly regretted that the moral condition of this people has not been improved by the transfer of their country to the United States. The Russian Company, during their administration, had despotic powers, and, although their main object undoubtedly was to

"Kodiak and Southern Alaska," by W. T. Whythe, in "The Overland Monthly," Vol. viii., pp. 505-511, June, 1872.—(San Francisco)—*continued.*

make money, they provided both for the physical and moral wants of the community. The Russian Government maintained a church establishment at all the trading posts. Many of the log church edifices were in the form of a cross, and were provided with chimes of bells. The result has been that the Indians are extremely religious. . . . . ."

"The Russian Government also established schools where the children were taught; but these have been totally neglected since the country became American. The Fur Company was formerly careful of the health of the natives, and erected public bath-houses obliging every native, under severe penalties, to cleanse himself once a week. Being now under free institutions, no one has power to compel the natives to wash themselves. . . . The Russians and better class of natives have left the country, the Fur Company furnishing them with passage to Europe, and very few descendants of the old colonists remain.

"The natives are now free from the restraints of a despotic government, and are learning to rule themselves, but their condition has not improved by the change. As they had no voice in the matter, and as neither despotic Russia, nor free America thought their interests of any importance in the transfer, it seems to matter little to anyone, that, from partial civilization, they are now slowly, but surely, sinking back to barbarism."

"ALASKA AS IT IS," by Ivan Petroff, in "The International Review," Vol. xii., February, 1882, pp. 111-124. (New York). (Sometime U.S. Special Agent in Alaska.)

1882.

"The anomalous condition of affairs thus far existing throughout Alaska—a total absence of legal facilities of any kind—can no longer be continued with safety here."

. . . . .

"The working of the mines implies the transfer of property, claims to land and water rights, and numerous business transactions made impossible by such a state of affairs. In the language of a recent appeal from that section to Congress: 'There are no courts of record, by which title may be established, or conflicting claims adjudicated, or estates administered, or naturalization and other privileges acquired, or debts collected, or the commercial advantages of the law secured.' The people also complain that persons accused of crimes and misdemeanours are subject to the arbitrary will of a naval commander, imprisoned and kept for months without trial, or punished by imprisonment upon simple accusation."

"JOURNEYS IN ALASKA," by E. Ruhamah Scidmore, dated Washington D.C., March 15th, 1885. (Published at Boston). (Writer of description of first district of Alaska in Eleventh Census Report, 1890.)

1885.

"After innumerable petitions and the presentation in Congress of some thirty Bills to grant a civil government to Alaska, the inhabitants were on the point of having the Russian residents of the territory unite in a petition to the Czar asking him to secure for them the protection and the rights guaranteed in the treaty of 1869. The Russian Government would doubtless have enjoyed memorializing the United States in such a cause, after the way the Republic has taken foreign Governments to task for the persecution of Jews, peasants, and subjects within European borders.

"Senator Harrison's Bill to provide a civil government for Alaska was introduced on the 4th of December, 1883, and, with amendments, passed the Senate on the 24th of January, 1884. It was approved by the House of Representatives on the 13th of May, and, receiving President Arthur's signature, Alaska at last became a Territory, but not a land district of the United States, anomalous as that may seem."—p. 226.

"ALASKA," by W. G. Williams, D.D., in the "Chautauquan," Vol. vii., July, 1887, pp. 602-604. (Meadville, Pa.).

1887.

"The seal-fisheries were again threatened with extermination. The Government's expedient to prevent this was the leasing of the Prybilof or Seal Islands to the Alaskan Commercial Company . . . . . In addition to the financial side of the contract there are numerous humane conditions inserted. Provision is made for the remuneration and treatment of the natives . . . . . Requirements like these reflect credit on the Government that imposed them. But it must be borne in mind that they apply only to a small fraction of the whole population, being those alone on the islands where the Company's trade is carried on. Outside of this small number, with slight exception, scarcely anything has been done during the whole twenty years of American possession for the moral and intellectual improvement of the people. The record is not creditable to a great Christian nation.

"The population of this vast region, by the census of 1880, is only thirty-three thousand. Of these not more than ten per cent. can be called civilized. There is reason to believe that in the earlier part of the Russian occupation it was twice the present number. Many theories are offered to account for the decrease: the rigour

"Alaska," by W. G. Williams, D.D., in the "Chautauquan," Vol. vii., July, 1887, pp. 602-604. (Meadville, Pa.) —*continued.*

of the climate; the fact that where it is milder, as at the capital, Sitka, it is so wet and malarious, there being a rainfall of eighty-three inches in the year. But the truer explanation is found in the extremely degraded condition and habits of the people."—p. 603.

"Such, practically, is the condition of a people who since 1867 have been wards of the nation. During the Russian period, at the expense of the Russian American Company, the Greek Church made an attempt, with some success, at churches and schools and even hospitals. When the territory changed hands, the Greek Church relaxed its effort, and most of its work was abandoned. To our shame it is confessed that no hands have taken up the work they forsook and carried it on in any adequate degree. Congress, it is true, made an appropriation for educational purposes, but there has lacked the interest to apply the money to the intended purpose.

"One exception, at least, to the above is the work under direction of the Reverend Sheldon Jackson, Superintendent of Presbyterian missions in the Territories. He has succeeded in establishing a few schools, and has applied some of the Government money which was waiting for some one to devote to the avowed object of the appropriation. To quote Mr. Jackson's words, 'Russia gave them Government, schools, and the Greek religion, but when the country passed from their possession they withdrew their rulers, priests, teachers, while the United States did not send any others to take their places. Alaska to-day has neither courts, rulers, teachers, nor ministers. The only thing the United States has done for them has been to introduce whiskey.' This was written in 1877, ten years after the country came into our hands. The second decade has brought some changes, but so slight as by no means to quit us of serious responsibility and reproach.

"But notwithstanding their debased condition, and the fact that the moral idea seems almost utterly dormant, they are quick to learn and eager to be taught. They can appreciate the sharpening of their faculties for the practical benefit it brings. Fittingly has Mr. Bancroft asked, 'What shall we do with the people of Alaska? Let them sit and gaze seaward with a steadfast stare, awaiting the arrival of the steamer which, bearing the United States flag, brings them month by month their supply of hootchenoo (molasses rum)?' "—p. 603.

"Our Ignorance of Alaska," by Kate Field, in the "North American Review," Vol. cxlix., July, 1889, pp. 78–90. (New York.)

1889.

"Alaska was not given away. It has only been thrown away—so far as development is concerned. First came a military occupation, a few troops being sent to Sitka, the capital, on Baronoff Island; to Wrangel, Tongas, and St. Paul. With the purchase of Alaska, Sitka became transformed. The town that once held a thousand Russians, a governor and his staff, a bishop with his train of priests, was deserted save by Indians and a few hundred creoles and half-breeds, who from that day to this have remained in complete ignorance of the Government to which they owe allegiance. San Francisco is the only town in the United States of which the majority ever heard.

"In 1869 the Aleuts sent the following petition to Washington:—'We beg respectfully of the United States Government, and of our fellow-citizens all over the Republic, to regard us not as Indians—we are not such—but as fellow-citizens, struggling to advance in civilization, and to become worthy to be esteemed as fellow-citizens of the Republic.'

"The simple people of the Aleutian Islands appealed in vain.

"Not very long after (August 20, 1870) General Jeff. C. Davis, commanding the Department of Alaska, reported to the Secretary of War that 'the natives of Alaska are peaceful, honest, and capable of transacting ordinary business quite well, and would doubtless improve themselves if they had a fair chance, but their present complete enslavement and robbery by an unscrupulous ring of speculators will ever prevent such progress.

"Ten years of no government and military occupation brought to Sitka and the Alexander Archipelago rum and ruin—nothing more.

"The year 1794 saw the first vessel built and launched in Alaskan waters. It left the primitive stocks inspired by Governor Baranof, and was christened 'The Phœnix.' In 1878 Sitka could no more have built a ship than it could have built the Pyramids. Everything had gone to decay. Both mind and matter were mildewed, and Sitka's only wharf was so out of repair, owing to being eaten by that mischievous marine, the *teredo navalis*, that it would have tumbled into the water had $39·40, collected by the army as a wharf fund, being expended in repairs. To-day that same wharf is so dilapidated as to be almost useless. Passengers from the steamers are generally landed from a tug. The primitive ploughshares formerly sold to the indolent rancheros of California and Mexico

"Our Ignorance of Alaska," by Kate Field, in the "North American Review," Vol. cxlix., July, 1889, pp. 78-90. (New York)—*continued.*

were manufactured at Sitka's ship yard, as were axes, spades, hatchets, and hoes. The bells of the Pacific Coast Missions, many still in existence, were cast at the Sitka foundry. The knell of that Russian foundry was tolled long ago.

"After the withdrawal of the military, Alaska was left without any Government whatever, save the occasional presence of a revenue cutter, whereupon Governeur Morris, special agent, made such representations as should have received attention, but did not.

"'The policy of the Government towards Alaska,' wrote Mr. Morris, 'has been a disgrace. Instead of encouraging emigration and a development of the resources of the country, enterprise has been discouraged.' 'There is no law,' he continued, 'for the recordation of conveyances. A man cannot sell a piece of property and give a deed for it which will be legal notice to third parties.' Under such conditions, of course, no land could be mortgaged. 'A man may be murdered in Alaska, his will forged, and his estate scattered to the four corners of the earth, and there is no power in a court of chancery to redress it.'

"Thoroughly desperate at the lack of government in the territory, Deputy-Collector J. C. Dennis, stationed at Fort Wrangell, wrote, June 15th, 1878, to Collector Morris, asking to be relieved:

"'I take this step on account of the manner in which the Department is running this Territory.

"'I have acted in the capacity of arbitrator, adjudicator, and peacemaker until forbearance has ceased to be a virtue. Within the past month one thousand complaints by Indians have been laid before me for settlement, and as I am neither Indian Agent nor Justice of the Peace, I decline the honour of patching up Indian troubles for any time longer than can be obviated.

"'Again, the prospect for Congress to extend law and order over this country looks gloomy, and in the absence of law at this port, no compensation that the Government could offer me would be any inducement for me to act in the capacity of deputy collector another year.'

"The only recommendation the Secretary of the Treasury made to the Forty-fifth Congress in behalf of neglected Alaska was that the port of Sitka should be abolished! This document is well worth reading. 'Since the withdrawal of the troops from Alaska last spring, the management of the Territory has practically devolved

"Our Ignorance of Alaska," by Kate Field, in the "North American Review," Vol. cxlix., July, 1889, pp. 78-90. (New York)—*continued.*

upon the Treasury department. The only officers who could exercise any authority were the collector of customs at Sitka and his deputies stationed at other points within the Territory, the duties of the Seal officers at the Seal Islands being confined exclusively to the protection of the seal interests. It was feared that the sudden withdrawal of the troops might result in a conflict between the whites and the Indians; but thus far little disturbance has occurred. The white population at Sitka is very limited, and the expense of maintaining customs officers there and at other points within the Territory, has aggregated within the past two years, $17,418·32, while the receipts from customs have during the same period been very much less. It is, therefore, recommended that the port of Sitka be abolished.'

"'Here's wisdom for you—chunks of it,' as Jack Bunsby would remark. Governeur Morris truly rejoined that the Alaskan district was not one of revenue, but of protection. If trade had fallen off since the days of the tyrant Czar, whose fault was it? With such reasoning as the honorable Secretary's, would not many a postal route be abandoned? And the Secretary, after stating that the only officers in Alaska who could exercise authority were the collector of customs and his deputies, virtually recommended their dismissal!

"Such was the criminal inaction of the Government, which contented itself with drawing $317,000 annually from two small seal islands, leaving the rest of the country to fate. Nor were the people much enlightened by the literary pabulum prepared by experts."—pp. 80-82.

"The 'government' of Alaska, though better than ever before, is ridiculous, anomalous, unjust, and fraudulent. The territory has been acquired under false pretences, as can be shown by the third article of the treaty with Russia.

"The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. What are the 'rights, advantages and immunities, of American citizens? This question is best answered by quoting Sumner for the last time. Addressing Congress, he says:—

"Our Ignorance of Alaska," by Kate Field, in the "North American Review," Vol. cxlix., July, 1889, pp. 78-90. (New York)—*continued.*

'Your best work and most important endowment will be the republican government which, looking to a long future, you will organize with schools free to all, and with equal laws, before which every citizen will stand erect in the consciousness of manhood. . . .'

"Congress has bestowed nothing of this sort. Two generations have grown up in crass ignorance. Schools have been conspicuous by their absence, and no man can stand erect upon the bit of land that should be his, because there are no land-laws."—p. 89.

"The Gold Fields of Alaska," by John H. Keatley, late U.S. Judge of Alaska, in the "Arena," Vol. i., May 1890, pp. 730-741. (Boston.)

1890.

"No civil government was formed in Alaska until more than three years afterwards, but in the spring of 1881, the two hundred and fifty hardy miners who had explored nearly every region where gold had hitherto been found, met and adopted a code of mining laws which became obligatory upon every miner in the district."

"A Summer Tour in Alaska." By Lucy M. Washburn, in the "Cosmopolitan." Vol. xvii., August, 1894, pp. 411-21. (New York.)

1894.

"But the dirt, the disorder, and the smell of fish, hung over the fire for curing, offend the senses. It is more pathetic, because this disease and degradation are not mere primitive savagery, but its reaction under contact with more developed races. The wrongs of Alaskan natives burn upon the pages of all impartial historians of the century and a half of exploration, trading and monopoly. 'Heaven is high,' ran the proverb, 'and the Czar distant.' The worst injury was not the sweeping depopulation —85 per cent. among the Aleuts—but the immorality inherited by the survivors. And of this last, America cannot wash its hands." —p. 414.

"The Alaska Boundary Question," by Eliza Ruhamah Scidmore, in "The Century Illustrated Monthly Magazine," May, 1896, p. 143.

1896.

Speaking of United States control, says :—

"The United states does not recognise, protect, or control those mining communities in any way. No geological explorations or surveys have been undertaken, and there are no official reports upon the location, formation, development, or yield of this rich placer region. There are no military posts and not a territorial or Federal officer in Yukon Alaska save one customs inspector and postmaster. There is no law, save as the miners maintain their own unwritten code. Church missionary societies have provided for the few peaceable Indian tribes, but even spiritual comfort is withheld from the miners . . . . Since

"The Alaska Boundary Question," by Eliza Ruhamah Scidmore, in "The Century Illustrated Monthly Magazine," May, 1896, p. 143—*continued.*

the military occupation of Alaska ceased in 1877, frequent appeals have been made for the establishment of a garrison at Chilkat, and the construction of a military road over the Pass traversed by Yukon miners for the last sixteen years. General Miles once considered the matter to the extent of detailing an officer to make a reconnaissance. Mr. E. J. Glave explored the Chilkat country in 1891, and proved the feasibility of taking packhorses over the divide and grazing them in the rich bush country around the Yukon's headwaters, so that the slow and expensive packing by Indian carriers or hand-sleds might easily be abandoned.

"The governor of Alaska has vainly recommended that Government engineers should survey and build a wagon road to the boundary line by Mr. Glave's Chilkat route; and he urges, in his last annual report (1895), the establishment of a one-company military post in the Yukon valley, and a regular mail service between Circle City and Chilkat."—pp. 143-4.

1898.

"Colonial Lessons of Alaska," by David Starr Jordan, in "The Atlantic Monthly," Vol. lxxxii., Nov., 1898, pp. 577–591. (Boston.)

"The control of the childlike native tribes of Alaska offers many anomalies. As citizens of the United States, living in American territory, they are entitled to the protection of its laws; yet in most parts of Alaska the natives rarely see an officer of the United States, and know nothing of our courts or procedures. In most villages the people choose their own chief, who has vaguely defined but not extensive authority. A Greek priest is furnished to them by the Established Church of Russia. He is possessed of power in spiritual matters, and such temporal authority as his own character and the turn of events may give him. The post trader, representing the Alaska Commercial Company, often a squawman of some superior intelligence, has also large powers of personal influence, which are in general wisely used. The fact that the natives are nearly always in debt to the Company tends to accentuate the Company's authority. The control of the Greek priest varies with the man. Some of the priests are devoted Christians, whose sole purpose is the good of their flock. To others, the flock exists merely to be shorn for the benefit of the Church or the priest. But there are a few whom to call brutes, if we may believe common report, would be a needless slur on the bear and the sea lion."—p. 588.

MEMORANDUM FROM THE ADMIRALTY RESPECTING THE HISTORY OF CERTAIN CHARTS.

[Immediate.]
M/5421.

Admiralty,
25th April, 1903.

Sir,

With reference to your letter of the 16th instant, addressed to the Hydrographer, asking to be supplied with information respecting the history of certain charts for the purposes of the preparation of the British case before the Alaska Boundary Tribunal, I am commanded by my Lords Commissioners of the Admiralty to transmit herewith a statement showing the information desired.

I am, Sir,
Your obedient Servant,
C. I. THOMAS.

Clifford Sifton, Esq.,
Hotel Cecil, Strand.

REPLIES TO QUERIES CONTAINED IN ENCLOSURE TO LETTER OF THE BRITISH AGENT BEFORE THE ALASKA BOUNDARY TRIBUNAL OF THE 16th APRIL, 1903.

HISTORY OF CHART No. 2431, "PORT SIMPSON TO CROSS SOUND," FROM ITS ORIGINAL PRODUCTION IN 1865 TO 1893.

This chart was originally drawn and engraved in 1865, principally from Russian charts of 1853, viz., Koloshenskago Archipelago No. 10 A.C. and No. 10 A.D., and Vostochnago Okeana No. 10.

The following tables show how and when the first edition of this chart has been corrected:—

Edition No.	Date of Correction.	Nature of Correction.	Authority.
	1868, Sept. 5th	Insert note that coal exists on Admiralty and Kou Islands, and insert name Harta Bay	Foreign Office letter, including Report of U.S.N. in Alaskan waters
2	1868, Oct. 3rd	Alter title to "Port Simpson to Cross Sound"	
	1869, Oct. 11th	Expunge Portland Inlet and re-engrave from Pender's Survey, 1868	MSS. original surveys of Portland Canal and Observatory Inlet
	1880, April 29th	Corrections from sketch of Revilla Gigedo Channel, and plans of Ward Cove and P. Protection	MSS. by Navigating Lieutenant Moulton, H.M.S. "Osprey," 1879
		Corrections from U.S.C.S. plans	Harbours in Alaska, 1869
3	1882, April 3rd	Corrections from U.S.H.O. chart	No. 225
		Do. do. plan	No. 883
		Do. U.S.C.S. plans	Nos. 706 and 707
		Do. U.S.H.O. plans	No. 882

REPLIES TO QUERIES CONTAINED IN ENCLOSURE TO LETTER OF THE BRITISH AGENT BEFORE THE ALASKA BOUNDARY TRIBUNAL OF THE 16th APRIL, 1903—*continued.*

History of Chart No. 2431, "Port Simpson to Cross Sound," from its original production in 1865 to 1893—*continued.*

Edition No.	Date of Correction.	Nature of Correction.	Authority.
3	1884, Jan. 9th	Corrections from U.S.C.S. plans	Nos. 723, 726, 712, 713, 734, 741
	1884, Sept. 26th	Rocks between Revilla Gigedo and Annette Islands	MS. by W. E. George
4	1886, Feb. 23rd	Corrections generally from latest U.S. charts	
	1887, Dec. 9th	Correct Clarence Strait, etc., from U.S.C.S. plans	Nos. 712, 710
		Corrections from U.S.C.S. chart	No. 701
		Correct Glacier Bay from	M. S. Lt. Powell H.M.S. "Caroline," 1887
5	1889, Sept. 10th	Correct largely from U.S.C.S. plans and from U.S.C.S. chart	No. 706
	1889, Sept. 21st	3-fathom shoal south of Sunset Island, Stephens Passage	U.S.C.S., No. 119, 1889
	1889, Oct. 26th	Erase buoy from Vanderbilt Reef	U.S.C.S. No. 120, 1889
	1890, Jan. 7th	Correct Duncan Canal from U.S.C.S. chart	No. 800
	1890, May 24th	Between Wolf Rock and Dall Island	U.S.C.S., No. 127, 1889
	1890, June 3rd	Correct Frederick Sound from U.S.C.S. chart	No. 733
	1890, July 5th	Buoy placed on Vanderbilt Reef	U.S.B.N., 24, 1890
	1890, July 22nd	Rock in Saginaw Channel (17 feet)	U.S.C.S. No. 129, 1890
	1890, Sept. 4th	Move Midway Island further north, and insert south of Ship Island	Remark Book of H.M.S. "Amphion," 1889
6	1890, Sept. 20th	Amend about Baranov Island	U.S.B.N. 34, 1890
	1890, Dec. 17th	In Lavinia Point Channel	U.S.B.N. 47, 1890
	1891, July 13th	Correct Point Highfield Anchorage from U.S.C.S. plan	No. 729
	1891, July 25th	R. and B. buoy on Sparrowhawk Shoal	Ottawa N.M. 24, 1891
	1891, Aug. 19th	Several Beacons	U.S.B.N. 31, 1891
	1891, Sept. 17th	Rock in Point Highfield Anchorage	U.S.B.N. 36, 1891
	1892, Mar. 1st	Engrave plan of P. Tongass, U.S.C.S. plan	No. 8072
7	1892, Mar. 14th	Corrections to Frederick Sound, Seymour Channel, and Stikine River, from U.S.C.S. charts	Nos. 8200, 8100
8	1892, Aug. 23rd	Corrections to buoys and beacons	U.S.C.S. No. 156, 1892
	1892, Dec. 21st	Corrections to Lynn Canal, and add compartment of Head of Canal, from U.S.C.S. chart	No. 8300
9	1893, Jan. 25th	Buoys, etc., near Kenasnow Island	U.S.B.N. 16, 1892
	1893, Mar. 2nd	Alter "corrected" to "with corrections" in title	Hydrographer's order

CAPE CORRIENTES TO KADIAK ISLAND.

HISTORY OF CHART No. 787 FROM ITS DATE OF PUBLICATION IN 1877 TO 1893.

This chart was compiled from larger scale charts and other materials in the Hydrographic Department.

The boundary between Alaska and Canada was taken from an early Edition of an Admiralty Chart, No. 2461, which chart has been since cancelled.

The boundary was originally put on 2461 about 1856, when the late Admiral Washington was Hydrographer.

There have been no new editions, but the following small corrections have been made to the plate since its first publication :—

Date.	Nature of Correction.	Authority.
1878, July 15	Deep soundings by U.S.S. "Tuscarora"	U.S.N. 28, 1878
1879, Nov. 20	Do. do.	U.S.H.N. 42, 1879
1880, Jan. 8	Light at Mazatlan	Ger. N. 51, 1879
1880, May 21	Insert Clipperton Is.	M. 126, 1880
1880, Dec. 2	Alter Sta. Cruz Lt. from Wh. to Red	U.S.N. 43, 1880
1881, Jan. 18	New Light at Tillamook Rk., alter Columbia Lt. from Wh. Fl. to F. Red and erase Fogwhistle	U.S.N. 48, 1880
1882, Jan. 2	Deep Soundings west of California	U.S.H.O. Chart No. 527
1882, Mar. 17	Do. do. from	U.S.H.N. 73 & 76, 1882
1885, May 27	Do. from Italian	Genoa N. 87, 1885
1885, Oct. 12	Canadian Railways	
1886, Dec. 18	Light completed at C. Haro	Berlin N. 50, 1886
1887, Apr. 15	Correct Kachekmak B. Cook Inlet	U.S.C.S. plan No. 766
1888, May 21	Corrections to Alaska from U.S.C.S. Charts	Nos. 727, 728 & 701
1889, Feb. 9	Deep Soundings from	U.S.B.N. Nos. 3, 8, 14, 15, 24, 27, 40, & 47, of 1888
1889, Mar. 7	Alter character of Pts. Loma, Fermin Hueneme Lights	W.L.B.N. 6, 1889
1889, May 28	Soundings from	U.S.B.N. 12, 13, 14, 1889
1889, July 8	Light on Pt. Sur.	W.L.B.N. 31, 1889
1889, Nov. 16	Soundings off West Coast of U.S. and California	U.S.B.N. 41, 1889
1889, Dec. 23	Light at C. Mears	W.L.B.N. 71, 1889
1890, Jan. 10	Soundings off the Oregon Coast	U.S.B.N. 50, 51, 1889
1890, June 25	Light on S. Luis Pt.	W.L.B.N 38, 1890
1890, Sept. 4	Rocks along East Coast of Cook R.	U.S.B.N. 33, 1890
1890, Nov. 29	Additions and corrections from new H.O. Chart	1499 Cross Sound to Kadiak I. Based on Brit., Russian, and U.S. Surveys
1891, Mar. 5	Alter Light at Pt. Loma to Fl. ev. 20 sec.	W.L.B.N. 14, 1891
1891, Apr. 13	Soundings by U.S.S. "Albatross"	U.S.B.N. 10, 1891
1891, Sept. 8	Light and foghorn at Carmanah	Ottawa N. 47, 1891
1891, Sept. 24	Insert 63 fms. in lat. 8° 24′ N., long. 115° 25′ W.	U.S.B.N. 32, 1891
1891, Oct. 3	Corrections to Coast of California	U.S.H.O., Chart No. 1149

History of Chart No. 787 from its date of Publication in 1877 to 1893—*continued.*

Date.	Nature of Correction.	Authority.
1891, Nov. 5	Light building at Destruction I.	W.L.B.N. 102, 1891
1891, Nov. 9	Lt. completed at do.	W.L.B.N. 111, 1891
1892, Jan. 8	Deep Soundings from	U.S.B.N. 29, 1891
1892, Feb. 25	Do. do.	U.S.B.N. 4, 1892
1892, Mar. 25	Alter light to Occ. at Pt. Hueneme	W.L.B.N. 16, 1892
1892, Sept. 27	Light on N.W. Seal Rk.	W.L.B.N. 83, 1892
1892, Sept. 27	Amend Sea Otter Rf. and Rock off Middleton I.	U.S.B.N. 38, 1892 P.C. 1, 1893
1893, Feb. 4	Danger line round Sea Otter I. and Sth. of Marmot I.	Navg. Officer's Remark Book H.M.S. "Daphne"
1893, Feb. 8	Amendments to tides	Larger scale charts
1893, May 2	Magnetic curves to 1895	New Magnetic charts
1893, June 30	Re-engrave Guadalupe I.	Larger scale plan, No. 1936
1893, July 24	Soundings between California and Sandwich P.	
1893, July 26	Rock 3½ miles West of Kyak I.	U.S.B.N. 31, 1893
1893, Aug. 22	Soundings East of Shumagin P.	U.S.B.N. 31, 1893
1893, Dec. 1	West of Sea Otter Reef	U.S.B.N. 46, 1893
1893, Dec. 12	1854 fms. in lat. 26° 21′ N., long. 114° 36′ W.	U.S.B.N. 43, 1893
1894, Jan. 13	Hutchins Bank and Shoal East of San Juanica Pt.	U.S.B.N. 51, 1893
1894, Mar. 1	Light Fl. on Heceta Hd.	W.L.B.N. 12, 1894
1894, Apr. 19	Soundings south of Cortez Bank	U.S.B.N. 13, 1894
1894, Apr. 20	Do. between Kadiak I. and Silka	U.S.B.N. 11, 1894
1894, July 7	H. W. F. and C. at C. St. Lucas	Tide Tables
1894, July 20	C. St. Elias reported 10 miles further E.	U.S.B.N. 27, 1894
1894, Oct. 26	Discoloured water in lat. 43° 45′ N., long. 127° 32′ W.	U.S.B.N. 41, 1894
1894, Dec. 20	Light Fl. at Umpquah R.	W.L.B.N. 155, 1894
1895, Mar. 30	Volcanic disturbance in 1895 40° N., 125° 18′ W.	H. 115, 1895
1895, Apr. 6	19 fms. West of Golden City Rock	U.S.B.N. 10, 1895
1895, Oct. 9	South-west of Ft. Nicholas	U.S.B.N. 38, 1895
1896, Mar. 6	General Amendments from	Chart 1499 (See preceding page U.S.C.S. Chart T.)
1896, June 25	Amendments to soundings	Sounding books
1897, May 15	Insert name "Erben Bank"	W.L.B.N. 17, 1897
1897, June 2	Amend Goschen I. from Canadian Govt.	M.S. Capt. J. T. Wilbran, 1897
1897, June 21	Railway each side of Admiralty Inlet	Report on Railways and Canals
1897, Sept. 10	Insert "Dyea" and railways	U.S.B.N. 34, 1897
1897, Sept. 30	Height of Clipperton I.	Larger scale plan 1936
1897, Dec. 16	A few names and Stikine R.	British Columbia Report
1898, Jan. 7	Alter C. Disappointment Light to Fl.	W.L.B.N. 174, 1897
1898, Feb. 25	Amend Guadalupe I.	Large scale plan 1936
1898, Mar. 25	Light Vessel at San Francisco	W.L.B.N. 18, 1898
1898, Apr. 28	Light F. at C. Disappointment	W.L.B.N. 35, 1898
1898, May 27	Light at Grays Harbour	W.L.B.N. 56, 1898

HISTORY OF NAMING OF WALES POINT, PORTLAND INLET AND PEARSE ISLAND ON CHARTS 2430 and 2431.

The name of "Portland Inlet," as applied to the southernmost part of what Vancouver called "Observatory Inlet," first appears on an Admiralty chart of 1853. By whose authority this name was applied in drawing that chart is not known. The name has since been copied in subsequent charts, and was used during the survey in 1868.

The lower portion of Portland Canal, west of the island unnamed by Vancouver, but called "Pearse Island" by Staff Commander Pender in 1868, which channel has since been called "Pearse Channel" by United States surveyors, was not examined by Staff Commander Pender in 1868, and was hence shown on this chart in dotted lines, as is usual in such cases.

The name "Wales" applied to the island at the entrance of Observatory Inlet (or Portland Inlet now so called) the south point of which Vancouver named "Point Wales," probably after a friend,* first appears in an Admiralty chart published in 1853. No authority is known for this, and the name was probably given, as is the ordinary practice in the Hydrographic Office, for the sake of convenience.

INLAND GEOGRAPHICAL INFORMATION ON CHARTS.

With respect to the manner in which the inland details are obtained for the Admiralty charts, the custom is as follows :—

In charts surveyed by Admiralty Surveyors all the conspicuous objects, visible from seaward, are properly fixed by the Surveyors, and they form part of the general scheme of triangulation, but the details are, as a rule, merely sketched in from appearance. If, however, the area embraced by a chart has been mapped, either by land surveyors, or sketched in by travellers, their results are used to make the land part of the chart more detailed than is necessary for navigable purposes only. As a rule no time is spent by Admiralty Surveyors in depicting features on shore that are not directly useful for navigation, either as marks or as means of recognising the position of marks.

In Admiralty charts therefore the inland geographical information is of very various characters. Where proper surveys have been made it can be trusted. Where no such surveys have been carried out the best information procurable is utilised. The work is not separately tested, nor could it be.

Each chart stands on the merits of its particular materials.

Charts are constructed solely for navigation and for the information of sailors, and especially H.M. Navy, and the latter requires that as much information as is procurable on the land features in the vicinity of the coast shall be placed on the charts, as it is impossible to say in what places Naval officers may not have either to land parties, or to send into the interior to communicate for some purpose.

As an example, in the present operations on the Italian Somali Coast, the last place in the world in which combined British Naval and Military operations might be expected, some knowledge of where the various places inland, which were the objects of the Expedition were placed, was of service to the Naval officers seeking for landing places.

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* Mr. Wales, astronomer with Captain Cook in "Resolution" in 1772, was an old shipmate of Vancouver's.

HISTORY OF BOUNDARY BETWEEN BRITISH AND AMERICAN TERRITORY ON CHART No. 787.

The trace of the boundary between British Columbia and United States territory first appears on Admiralty charts in 1856, eleven years before the United States acquired Alaska, and has been there ever since. In that year it is found in Chart No. 2461, then newly published. In 1877 No. 2461 was cancelled by the present No. 787, in which the trace is the same.

It is impossible now to find on what grounds it was traced, or on whose authority it was placed on the chart. The Hydrographer at that time, the late Admiral Washington, has now been dead for many years.

Such lines on charts are, however, of no value whatever as evidence. They are placed for the general information of navigators, and can have no authority, especially in such cases as this, where the wording of the Treaty left the real course of the boundary notoriously indefinite.

W. J. WHARTON,
Hydrographer.

24th April, 1903.

MAPS OF ALASKA.

FROM MESSAGE ON ACQUISITION OF RUSSIAN AMERICA, INCLUDING SUMNER'S SPEECH, 1868.

40TH CONGRESS, 2ND SESSION. Ex. Doc. No. 177, p. 138.

"If we look to maps for information, here again we find ourselves disappointed. Latterly the coast is outlined and described with reasonable completeness; so also are the islands. This is the contribution of navigators and of recent Russian charts. But the interior is little more than a blank, calling to mind 'the pathless downs,' where, according to Prior, the old geographers 'place elephants instead of towns.' I have already referred to what purports to be a 'General Map of the Russian Empire,' published by the Academy of Sciences at St. Petersburgh, in 1776, and republished at London, in 1787, where Russian America does not appear. I might mention, also, that Captain Cook complained in his day of the Russian maps as 'wonderfully erroneous.' On his return, English maps recorded his explorations and the names he assigned to different parts of the coast. These were reproduced in St. Petersburgh, and the Russian copy was then reproduced in London, so that geographical knowledge was very little advanced. Some of the best maps of this region are by Germans, who always excel in maps. Here, for instance, is an excellent map of Aleutian Islands and the neighbouring coasts, especially to illustrate their orography and geography, which will be found at the end of the volume of 'Transactions of the Imperial Mineralogical Society,' at St. Petersburgh, to which I have already referred." . . .

EXTRACTS FROM ARTICLES IN MAGAZINES AND PERIODICALS.

"ALASKA AND ITS RESOURCES," by William H. Dall, Director of the Scientific Corps of the late Western Union Telegraph Expedition; also had charge of the compilation of the second edition (1883) of the U.S. "Pacific Coast Pilot," Alaska. The book is dated November, 1869. (Published 1870.)

"Maps of Alaska.—It is hardly necessary to state that the older maps of the territory are full of errors, especially in the interior. There is probably no part of America, of equal extent, of which less information is obtainable. A habit has obtained among map-makers of filling in unexplored territory with a network of lakes and rivers which are solely due to their ardent imaginations. This is especially notable in Arrowsmith's earlier maps of North-west America, in the Russian maps which accompanied Tikhmenief's History of the Russian American Company, and in a more recent map of Alaska, published in San Francisco.

"The older maps, except in most of the coast-line, are so uniformly erroneous that they need not be mentioned.

"The only recent maps worthy of notice are the map published by the Coast Survey in 1866, and a second edition of the same published in May, 1867; Arrowsmith's map accompanying Whymper's 'Travels in Alaska'; a map entitled 'Map of Russian America, or Alaska Territory, compiled from Russian Charts and Surveys of the Western Union Telegraph Company, San Francisco, 1867, published by Britton and Rey'; and one from information principally furnished by the writer, essentially agreeing with that which accompanies this volume, published by Dr. A. Petermann in the 'Geographische Mittheilungen' for October, 1869.

"The first was a compilation from the best obtainable information, with corrections of many old errors, and was still further improved in the second edition; but, at the time of its publication, data in relation to the interior were inaccessible, and consequently that part of the map is unreliable.

"The second map, by Arrowsmith, contains several inexcusable errors, such as the position of Besborough Island, the Mission, and Andreafsky Fort. He has also been guilty of the stupidity of restoring on the general map, which accompanies his Yukon map, the old error in regard to the delta, which Captain Smith disproved. Correct data, in regard to the coast-line and the positions of the forts on the Lower Yukon, have long been obtainable; the carelessness shown in the construction of the map is a warning to future explorers to be careful into whose hands they put their information.

"Alaska and Its Resources," by William H. Dall, Director of the Scientific Corps of the late Western Union Telegraph Expedition, &c.—*continued.*

"The nomenclature of the map is also much confused, Indians and Innuit being confounded.

"The San Francisco map is here noticed only because it pretends to be the result of the Western Union Telegraph explorations. The only points in which it differs from maps published long before the Telegraph enterprise was organised, are: the addition of a small accessory chart of Coal Harbour, Unga (from a survey made by Captain C. M. Scammon, Lieutenant J. Davison, the writer, and other members of the expedition); the gratuitous introduction of a large number of lakes, generally situated where mountains should be; the remarkably erroneous course laid down for the Yukon; and the general contradiction in all important points of the Western Union Telegraph surveys."—(pp. 290-1.)

EXTRACTS FROM U.S. OFFICIAL PUBLICATIONS.

PACIFIC COAST PILOT OF ALASKA, 1869, Part I., p. 83. Published by U.S. C. & G. Survey.

"It" (the Stikine River) "rises by two branches, one to the north-east and one to the south-east, and from their junction near the latitude of 57° 30′ it flows almost south 30′, then west and south-west with a general antagonism to the coast ranges near the archipelago Alexander.

"The interior of the country appears to be broken into a succession of sharply defined mountain ranges separated by narrow and deep valleys, similar to those between the islands of the coast. In fact, the topography of the Alexander Archipelago is a type of that in the interior. A submergence of the mountain region of the mainland would give a similar succession of islands separated by deep and narrow fiords."

PACIFIC COAST PILOT, ALASKA, 1883, Part I., p. 109. U.S. C. & G. Survey.

"The topography in the vicinity of the river is mostly mountainous, with some broad valleys, but more numerous narrow ones. Most of these have a certain parallelism with the coast, while some of those through which the Stikine, Naas and Taku rivers reach the sea cut across the ranges nearly at right angles."

Ib., footnote, p. 109.

"In fact, the same type of topography prevails upon the continental border as that exhibited in a half-submerged condition in the Columbian and Alexander Archipelago. If the latter were entirely elevated above the sea level, they would in essential features resemble the present continental border, and were the valleys of the last depressed below the sea level, a similar extension of the archipelago,

Pacific Coast Pilot, Alaska, 1883, Part I., p. 109. U.S. C. & G. Survey —*continued.*	without changes of character, would be the result. Summer Strait appears to be merely the prolongation seaward of the valley of the lower Stikine."
Ib., p. 111.	"About five miles above the delta islands the valley narrows and the river appears only two or three hundred feet in width. The depth in the channel to this point is nowhere less than seven, and will average over twelve feet. The appearance of the high land on either side is as if ranges trending N.W. and S.E. were abutting obliquely upon the river."
PACIFIC COAST PILOT, ALASKA, 1891, Part I., p. 204. U.S. C. & G. Survey	"Immediately behind the shore line up to this point" (Icy Cape, to the north-west of Cross Sound) "is the eastern portion of the St. Elias Range of mountains, and which extend nearly to the Copper River, and include the highest mountain peaks yet known on the North American continent. This eastern portion of the range is sometimes known as the Fairweather Range."
GEOGRAPHICAL DICTIONARY OF ALASKA. By Marcus Baker. Pub. by U.S. Geological Survey, 1902, p. 170.	"Fairweather; mountain (15,292 feet high), in the St. Elias region . . . This mountain with its neighbouring peaks and crest constitute the Fairweather Range."
Ib., p. 349.	"Saint Elias Alps; great mountain range, extending from Cross Sound north-westerly to Mount St. Elias and beyond. This name appears to have been first applied by Dall in 1874."
PACIFIC COAST PILOT, ALASKA, 1891, Part I., p. 115.	"On the west side of the river" (Stikine) "mouth is Wilkes Range*, consisting of a series of sharp mountain peaks from 2,845 to 3,586 feet in height."

* See also U.S. C. and G. S. Chart, No. 8200 (1897).

RELATING TO POSITION OF INTERNATIONAL BOUNDARY BETWEEN CANADA AND ALASKA.

EXTRACTS FROM ARTICLES IN MAGAZINES AND PERIODICALS.

1855.

"SITKA AND THE RUSSIAN TERRITORIES IN AMERICA," by E. Ravenstein, in "Bentley's Miscellany," Vol. xxxviii., pp. 584-594, December, 1855. (London.)

States :—"Russia according to these treaties occupies all American isles and coast-lines of the Pacific north of 54° 10′ north latitude, and that part of the continent which is situated towards the west of the meridian of 144° west of Greenwich. More exactly, the eastern boundary of these Russian possessions begins at the south point of Prince of Wales Island (54° 40′ north), runs to the north along Portland Sound, touching the mainland under 56°; after this it runs parallel with the sea coast, following the mountain ranges, supposing them not to be above ten miles distant from the former. From Mount Elias the 144th degree west of Greenwich forms the boundary. The area of these possessions is equal to 435,840 geographical square miles."

"BOUNDARIES HISTORICALLY CONSIDERED," by Frank D. Y. Carpenter, in "The International Review," Vol. xii., pp. 94-108, January, 1882. (New York.)

"Some boundary lines seem ingeniously contrived to afford grounds for future exceptions and misunderstandings, and to exemplify the old-fashioned diplomatic doctrine that words are principally useful for the concealment of ideas. Such is the eastern boundary of Alaska, established by the Convention between Russia and Great Britain in 1825, and adopted by our Government on its purchase of that territory in 1867. 'The line of demarcation,' according to the treaties, 'shall follow the summit of the mountains situated parallel to the coast.' What mountains? There are range after range of mountains in that country, and it is but natural that their general trend should be parallel to the coast. If our maps of this region are at all reliable, the accepted summits are scarcely worthy of the name, since they are a succession of spurs from the great divide separating the Pacific and Arctic drainage.

"Wherever the summit of the mountains aforesaid shall prove to be more than ten marine leagues from the ocean, the treaty says that the boundary shall be a line parallel to the winding of the coast, and shall never exceed the distance of ten leagues from the same. But who shall define the meaningless expression, 'the winding of the coast,' where the edge of the land is broken with such a wilderness of

"Boundaries Historically Considered," by Frank D. Y. Carpenter, in "The International Review," Vol. xii., pp. 94-108, January, 1882. (New York)—*continued.*

indentations from the sea as are found here; and, this line having been described, by what laborious process shall the settler on the frontier determine his distance from this curve of reference, and in this manner learn the nationality of the soil which he possesses and the flag and jurisdiction which are over him?" —pp. 96-97.

1892.

"THE ALASKAN BOUNDARY SURVEY. (1) Introduction by Dr. T. C. Mendenhall (presented before the Society, March 4, 1892)," in the "National Geographic Magazine," Vol. iv., February, 1893, pp. 177-180. (Washington.)

Describes the line as beginning at the "southernmost extremity of Prince of Wales Island, which point was supposed to lie on the parallel 54° 40′ north latitude; thence 'it shall ascend along the Portland Canal until the 50th parallel of north latitude is reached.' From this point, in accordance with the treaty, it shall follow the line marked by the summits of the range of mountains parallel to the coast . . . and also that whenever the summit of the range of mountains referred to before shall be at a greater distance from the coast than ten marine leagues, the limit of the possessions of Russia shall be formed by a line parallel to the windings of the coast and never more than ten marine leagues from the shore."—pp. 177-8.

"It will thus be seen that the boundary line is divided into two parts which differ materially from each other. . . . That part of the line, however, which separates what is known as south-eastern Alaska from the British possessions, is by no means simple and easily determined. At the time the treaty was made between Russia and Great Britain, the best information available was that contained in Vancouver's map. . . . It seems tolerably certain, however, at the present time that the range of mountains which was assumed to run parallel to the coast has no real existence, and that it is therefore necessary to fall back upon the second definition of the boundary line—that is, the line which is to run parallel to the windings of the shore, and be nowhere more than ten marine leagues from the same."—p. 178.

1896.

"THE ALASKA BOUNDARY LINE," by T. C. Mendenhall, "The Atlantic Monthly," April, 1896, p. 517.

Says: "It is a little difficult to understand that so able a diplomat as Sumner could have studied the definition of the boundaries of the new territory as found in the treaty of cession, without seeing therein the seed of future complications with the English nation."—p. 518.

States that in the first paragraph of the treaty there is the error of "double definition" in attempting to fix an astronomical position by international treaty, as it was not known in 1825, nor is it now known, that the southernmost point of Prince of Wales Island is on the

"The Alaska Boundary Line," by T. C. Mendenhall, "The Atlantic Monthly," April, 1896, p. 517—*continued.*

parallel of 54° 40′, for it is almost absolutely certain not to be on this parallel."—p. 519.

Says that "the second paragraph of Article IV. was inserted defining the distance of the line from the winding of the coast, in case the assumed mountain range might be found to run further from the shore than was then supposed."—p. 522.

Says also:—"It is important to note that this article may be regarded as containing something stronger than a quasi-admission on the part of Great Britain that the strip of territory conceded to belong to Russia should be in width ten marine leagues from the coast line; it also implies that this is the *maximum* width to which she will consent, and that there is nothing in the treaty to prevent her making it one league or half a league, if in the future she is able to do so, and the *mountains parallel to the coast* do not stand in the way."—p. 522.

With regard to Vancouver's mountain ranges, he says:—"It is now known, however, and has been known for several years, that the very regular and neatly drawn mountain ranges which Vancouver's map exhibits owe their origin to the imagination of his draughtsman more than to anything else; that is, as far as their form goes. Indeed, it is probably just to say that they were intended only as conventional representations of the fact that mountains were seen in almost every direction, and especially in looking from the coast toward the interior."—p. 522.

1900.

"THE ALASKA BOUNDARY LINE," by T. C. Mendenhall, in "Bulletin of the American Geographical Society," Vol. xxxii., No. 1, 1900.

First paragraph informs American readers that "it must not be assumed that the question of the Alaska boundary is entirely one-sided. There are serious difficulties in the interpretation of the language of the treaty."—p. 67.

Remarks that:—"The superiority of English diplomacy is shown in the wording of the treaty, so that, while the swinging of the mountain range inland beyond the ten marine leagues shall not carry the boundary line with it, if it should be found to be really less than that distance from the shore, the Russian holdings must be reduced accordingly."—p. 69.

THE MOUNTAINS AND TOPOGRAPHY OF THE LISIERE.

EXTRACTS FROM ARTICLES BY DISTINGUISHED UNITED STATES OFFICIALS AND OTHER WRITERS IN MAGAZINES AND PERIODICALS.

1855.

"SITKA, AND THE RUSSIAN TERRITORIES IN AMERICA," by E. Ravenstein, in "Bentley's Miscellany," Vol. xxxviii., pp. 584-94. Dec., 1855. (London.)

Describing topography says:—

"From Cook's Inlet towards the east, and following the coast-line, the Yakutat Chain reaches a considerable elevation. Mount Elias, the culminating point of North America, rises here to the height of 17,850 feet, while Mount Fairweather, towards the south-east of the former, has an elevation of not less than 14,536 feet. The continuation of this chain. running at a distance of about ten miles from the coast, forms now the boundary between the Russian and British territories."

1870.

"ALASKA AND ITS RESOURCES," by William H. Dall, Director of the Scientific Corps of the late Western Union Telegraph Expedition; also had charge of the compilation of the second edition (1883) of the U. S. "Pacific Coast Pilot," Alaska. The book is dated November, 1869, published 1870.

"*The Sitkan District.*—This district extends from the southern boundary, including the mainland and islands, to the peninsula of Alaska, and also Kadiak and the adjacent islands.

"The surface of this part of the territory is rugged and mountainous in the extreme. The northern part alone furnishes any appreciable amount of arable land, level and suitable for cultivation. Small patches occur in the southern part here and there, where small farms might be located; but as a rule the mountains descend precipitously into the sea, with their flanks covered with dense and almost impenetrable forests. These rise to an altitude of about fifteen hundred feet above the sea. Here and there a white streak shows where an avalanche has cut its way from the mountain-top, through the forest, to the water-side; and occasionally the shining front of a glacier occupies some deep ravine, contrasting curiously with the dense foliage on either side."—p. 450.

1885.

"JOURNEYS IN ALASKA," by E. Ruhamah Scidmore, dated, Washington, D.C., March 15th, 1885 (published in Boston). (Writer of description of first district of Alaska in Eleventh Census Report, 1890.)

"Vancouver named this arm of the sea from the town of Lynn, in Norfolk, England, the place of his nativity, and his explorers began the song of praise that is chanted by every summer traveller who follows their course up the high-walled, glacier-bound fiord. The white mountains present bold barriers on the west, and along the eastern shores the great continental range fronts abruptly on the water. Each point or peak passed brought another glacier into view, nineteen glaciers in all being visible on the way up the canal."—p. 100.

1888.

"Our Outlying Province," by Thomas B. Reed, in the "North American Review," Vol. cxlvi., January, 1888, pp. 86-95. (New York.)

"You seem to be passing, and, indeed, you are passing, through mountain valleys, with the mountain peaks almost within touch on either hand. Where there are low hills wooded to the summits and sloping to the water's edge, the tall peaks behind show their snow-capped heads shrouded in endless variety of shifting cloud and moving mist. Where the mountain hangs almost precipitous over the channel streams of water fed by the exhaustless snows pour down, visible here and there, through the breaks in the forests, sometimes in great torrents with broad avalanches of foam and the roar of angry waters, and sometimes in slender threads so steady and fine that it needs the tremor of a gusty wind to assure you that they are not motionless streaks of color on the rocks."—p. 90.

1890.

"The Gold Fields of Alaska," by John H. Keatley, late U.S. Judge, of Alaska, in the "Arena," Vol. i., May, 1890, pp. 730-741. (Boston.)

"The permanent development of gold mining in Alaska has been made in the south-eastern part of the territory, which embraces all that strip of mainland, thirty miles wide, from Portland Channel at the southern boundary to the vicinity of Mount St. Elias, and including the islands of the Alexandrian Archipelago, which hug the mainland closely from south to north and west. The topography of this section is characteristic and remarkable. The thirty-mile strip of mainland belonging to the United States is no more than an unbroken range of very steep and lofty mountains, the summits of many of which are never free from snow. No valleys separate or break the continuity of these ranges. At intervals, short, swift streams, fed by the interior glaciers, have worn down waterways to the bays and inlets, but these streams, in most instances, are only wild cascades. Rarely one finds the gorge, the stream-bed, wider than a space sufficient for the passage of water; and in attempting to ascend to their sources, one is confronted by fierce torrents impossible to stem, and with no margin by their sides, along which to pass around the cataracts. This is their character in thousands of instances. Frequently the last leap is made only a few rods from the point where the river enters the sea, and this is even the rule. All the islands off the coast of the South-eastern Alaska, Baronoff, Admiralty, Douglass, and Prince of Wales, are simply mountains rising out of the Pacific, whose interiors are vast glacial formations, while their fronts to the sea are clothed with timber. No white man has ever been heard of having crossed either of these islands, and the

"The Gold Fields of Alaska," by John H. Keatley, late U.S. Judge, of Alaska, in the "Arena," Vol. i., May, 1890, pp. 730-741. (Boston) —*continued.*

Indians disclaim ever having attempted it, preferring the easier mode of passing round them in their canoes. The faces of the mountains toward the water, on the mainland and on the islands of South-eastern Alaska, are very steep, almost perpendicular, and covered with a deep, spongy bog or tundra, which is always wet and moist. They are also covered with forests of fir, spruce, hemlock, yellow cedar, and a scrub birch and alder, up to the snow-line, and this undergrowth of birch, salmon, berry, alder, and devil's club makes everywhere almost impassable thickets and jungles. These topographical conditions must be borne in mind constantly, in considering the mining development and possibilities of Alaska, for they figure largely in estimating the present progress of the industry." —pp. 733–734.

1894.

"A Summer Tour in Alaska," by Lucy M. Washburn, in the "Cosmopolitan," Vol. xvii., August, 1894, p. 411. (New York.)

" . . . . the lace-like edge bordering the American continent on the north-west for a thousand miles, an interwoven network of mountain and sea, affords a marvellous island-sheltered passage free from rocking ocean swells."—p. 411.

"The mountains rise sheer from the water's edge, their bold curves, glacier-carved, now arrayed in living green of spruce and fir, above which untamed peaks of bare rock lift aloft those eternal snows that at one touch change a landscape from the beautiful to the sublime."—p. 411.

1896.

"The Alaskan Boundary Line," by T. C. Mendenhall, "The Atlantic Monthly," April 1896, p. 517 (sometime Superintendent U.S. Coast and Geodetic Survey, &c., &c.)

"These show a vast 'sea of mountains' in every direction, generally increasing in elevation as the distance from the coast increases. Seen from a distance, or from the deck of a ship at sea, they might easily create the impression of a range or ranges 'parallel to the winding of the coast.'"—p. 522.

"As the mountains which actually exist cover the territory down to the water's edge, the logical application of the mountain-summit definition, if it is to be applied at all, is to draw the line from peak to peak along the sea-coast, and this our friends on the other side have not hesitated to do."—pp. 522-3.

"OVER THE CHILKOOT PASS TO THE YUKON," by Frederick Funston, in "Scribner's Magazine," Vol. xx., November, 1896, pp. 572-585. (New York and London.)

"The tourists who every summer crowd the excursion steamers that sail up the long stretches of the inland passage to Alaska, find their view to the north and east everywhere limited by a range of snowy peaks silhouetted like card-board against a sky as clear and blue as that of California. On the one side is a narrow strip of mainland and on the other a thousand islands, large and small, that constitute South-eastern Alaska, where are the busy mining town of Juneau, and Sitka, the sleepy old capital. This is the Alaska of the tourist, famous for its great glaciers, its beautiful fiords, and its Thlinket Indians and their totem poles."—p. 572.

"ALASKA AND THE NEW GOLDFIELD," by William Healey Dall, in "The Forum," Vol. xxiv., September, 1897, pp. 16-26. (New York.)
(Before referred to.)

"North of Puget Sound, the mountain ranges—differentiated as the Coast range, the Olympics, the Cascades, &c.—are succeeded by a wide belt of mountainous country not differentiated into extensive or continuous ranges. The western margin of this belt is partly submerged: the narrow valleys becoming intricate arms of the sea, protected for hundreds of miles from the ocean surges by an almost continuous barrier of densely wooded, rocky islands. The steep sides of these islands rise to irregularly broken peaks, whose higher summits reach a fairly uniform height of two thousand five hundred to three thousand feet above the sea level. The archipelago has an average width of some fifty miles; the narrow deep, navigable channels extending from Puget Sound to the head of Lynn Canal.

"Eastward, the more elevated continental region preserves the same characteristics. In British Columbia, where the width of the belt is greatest, it has been aptly termed a 'sea of mountains.' This extends, parallel with the general trend of the coast, northward and westward; forming a confused mass of short ranges, drained by narrow valleys, the waters of which, gathered into a few torrential rivers, are carried through rocky cañons to the sea.

"Advancing northward, the valleys gradually widen, at the expense of the mountainous area; the latter assuming a greater regularity of trend, and forming more continuous ranges. The axis of elevation comes nearer to the coast; and the height of the mass, as measured by its higher peaks, is greatly increased. It reaches a maximum of over 19,000 feet in the vicinity of the one hundred and forty-first meridian west of Greenwich, where it is known as the St. Elias Alps."—p. 16.

"From the Coast to the Golden Klondike: The Record of an Official Journey," by Edward Spurr (U.S. Geol. Survey), in "Outing," September, 1897, Vol. xxx., pp. 521-38. (New York, London.)

"Our proposed route lay across the coast mountains to the headwaters of the Yukon, and thence down that river as a highway, making such excursions from it as became necessary.

"Alaska is a most difficult country for travelling . . . . The surface is rough, being traversed by many ranges of mountains.

"The head-waters of the network of streams that ultimately drain into the Yukon River fortunately lie within about thirty miles of the sea, just on the northern or inland side of a range of mountains which runs along the southern coast of Alaska."—p. 523.

"The Lynn Canal, up which we were steaming, is a long, deep, narrow fjord, from which the cold, snowy mountains to the north rise steeply to lonely heights."—p. 524.

"The General Geography of Alaska," by Henry Gannett, Chief Geographer, U.S. Geological Survey. Illustrated. "The National Geographic Magazine," May, 1901.

This article is chiefly valuable as giving a close geographical and topographical analysis of the disputed coast strip.

The writer points out that "although the coast of the mainland and of the islands is altogether several thousand miles in length, yet for the entire distance there are very few square miles of level ground. The land rises from the water almost everywhere at steep angles, without a sign of beach, to altitudes of thousands of feet. It is a fiord coast. The islands are separated from one another, and from the mainland by fiords, deep gorges, whose bottoms are in some cases thousands of feet below the surface of the water. These fiords extend far up into the mainland and into the islands in deep, narrow U-shaped inlets.

"The relief features of this region, its mountains and its gorges, partly filled by the sea, are all of glacial origin, presenting everywhere the familiar handwriting of ice. Every cañon, every water passage, whether called strait, canal or bay, is a U-shaped gorge, and its branches are similar gorges commonly at higher levels—'hanging valleys' they have been called. Above the cliffs of the gorges the mountains rise by gentle slopes to the base of the peaks. The cross profile of each gorge and its surroundings is that of ice, not of water carving. It is the work of channel erosion, not of valley erosion, and the channels were filled with ice. It is a colossal exhibition of the eroding power of water in solid from."—pp. 180-81.

He then describes Lynn Canal and its formation by glaciers. After referring to live and dead glaciers, he proceeds to describe the mountains, which he says:— . . "increase

"The General Geography of Alaska," by Henry Gannett, Chief Geographer, U.S. Geological Survey. Illustrated. "The National Geographic Magazine," May, 1901—*continued.*

in height towards the north-west, but not at a uniform rate. They culminate near the coast in the Fairweather Range, south of Yakutat Bay, at about 16,000 feet, and in the St. Elias Range, west of Yakutat Bay, at 18,000 feet or more. These ranges are not regular or continuous. While they follow the general direction of the coast towards the north-west, they are extremely broken, being cut through on the mainland by many fiords and by streams flowing into the heads of the fiords."

He then describes the coast line from Cross Sound north-westward to Prince William Sound, stating that:— . . . "as far as Yakutat Bay it is closely bordered by the Fairweather Range, which rises abruptly from 10,000 to 16,000 feet almost from the water's edge, bearing on the summit a succession of peaks and covered with glaciers along both slopes." —p. 181.

Describing the coast north-west of Yakutat Bay, he says:—"Farther to the north-west stretches a low coast rising into mountains a score or two of miles inland. Through these mountains flows Copper River, &c."—p. 182.

FROM REPORT ON POPULATION AND RESOURCES OF ALASKA AT THE ELEVENTH CENSUS, 1890.

"The interior of the country adjoining this river is broken into a succession of sharply defined mountain ranges, separated by narrow, deep valleys similar to those between the islands of the coast."—p. 12.

THE TOPOGRAPHY OF THE COAST STRIP ALONG THE BOUNDARY BETWEEN CANADA AND ALASKA.

DECLARATION OF JAMES JOSEPH MCARTHUR.

CITY OF LONDON.—TO WIT:

I, James Joseph McArthur, of the City of Ottawa, in the Province of Ontario and Dominion of Canada, Dominion Land Surveyor, do solemnly and sincerely declare:—

1. From the Spring of the year 1893, to the end of the work of the Commission under the Convention of July 22nd, 1892, I was a member of the Staff of the British Commissioner.

2. During that period, besides performing certain surveys during the summers of 1893 and 1894, as more particularly detailed in the report of the Commissioners, dated 31st December, 1895, I was engaged in the work of plotting the results of the surveys made by the British Commission by the photo-topographic method. In so doing, I not only developed on paper the results of my own photographs and other observations, but also directed and assisted the other Canadian Surveyors in the like development of their work, a duty for which I was qualified through some six years experience in this method of surveying.

3. In the performance of these duties, I have become familiar with the details of the maps of the British Commission, which exhibit the topographic results of these surveys, and with the appearance of the topography as seen from various points of view, and shown in the photographs.

4. From the information I have so gained, I have identified certain of the photographs taken by the officers of the British Commission, which show the mountains immediately bordering the Coast, and which have been re-produced, enlarged, in the Album Appendix II to the British Counter Case, and have drawn up descriptions of them in the annexed document marked "A."

5. The said descriptions are, to the best of my knowledge and belief, correct and true.

And I make this solemn declaration conscientiously believing it to be true, and by virtue of the Provisions of "The Statutory Declarations Act, 1835."

Declared at 9, Fleet Street,
in the City of London,
this 23rd day of June,
A.D. 1903

J. J. MCARTHUR.

Before me,

CHAS. UPTON,

A Commissioner for Oaths.

This is the Exhibit marked "A" referred to in the Statutory Declaration of JAMES JOSEPH MCARTHUR, made before me this 23rd day of June, 1903,

CHAS. UPTON,

A Commissioner for Oaths.

"A."

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE.

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
200 K. 94	35	1	S. 39° 15′ W.	The highest point to the right in this view is Station 36 of the triangulation, and is the first point (Elevation 4070) given in the table of mountain summits, which the line of demarcation follows as given in Appendix I. of the British Case. The 56th Parallel intersects this range a short distance to the south of this point.
198 K. 94	35	1	S. 87° 31′ W.	Shows the ridge leading north from Summit 4070. Summit 3800 is close to the right of centre.
197. K. 94	35	1	N. 45° 31′ W.	Shows the range extending northerly which the line of demarcation follows, and shows the depression which exists between this range and of mountains on which Station No. 35 is located, and which extends from Behm Canal to the Bradfield Canal.
196 K. 94	35	1	N. 0° 46′ W.	Shows the valley which lies between Stations 35 and 40, and which extends between Behm Canal and the Bradfield Canal.
57 K. 93	36	2	N. 36° 15′ W.	In the foreground is the summit of the range extending northerly.
58 K. 93	36	2	N. 1° 35′ E.	Shows range continuing in a northerly direction.
54 K. 93	36	2	N. 32° 50′ E.	Looking over intervening spurs and across valley at the ridge running northerly from Station 35.
57 K. 94	26 *k.*	2	S. 73° 12′ E.	Shows the range which the line follows, intersecting Bradfield Canal.
41 K. 93	34	3	S. 64° 35′ W.	The high summit of range right of centre is Station 36 of triangulation, and is the first point (Elevation 4070) given in the table of mountain summits which the line of demarcation follows. Appendix I.
42 K. 93	34	3	N. 62° 53′ W.	To the left appears the range which the line of demarcation follows. Towards the centre is the valley lying to the east thereof, and which extends from the Behm Canal to the Bradfield Canal.
78 K. 93	24 *k.*	3	—	Shows the abutting range north of the Bradfield Inlet. Station 44 is to left of centre.
79 K. 93	24 *k.*	3	—	In the middle distance is the range by which the line reaches Bradfield Inlet from the south.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
68 K. 94	39 *k.*	4	S. 49° 35′ E.	Shows the mountain range leading northerly from Station 36, continued, and the low country intervening.
69 K. 94	39	4	N. 89° 34′ E.	Shows the summits of the range which line follows to Bradfield Canal.
70 K. 94	39	4	N. 48° 45′ E.	To the right is the range intersecting Bradfield Canal, and the abutting range opposite, to left of centre.
101 K. 93	23 *k.*	4	N. 86° 32′ E.	Shows the abutting spurs where the line crosses Bradfield Canal.
103 K. 93	23 *k.*	5	N. 29° 27′ E.	Shows end of range which line attains to the north of Bradfield Canal.
97 K. 93	39 *k.*	5	—	Station 35 on peak to extreme right, looking across the intervening valley.
9-8 K. 93	39 *k.*	5	—	Looking across valley at mountains northerly from Station 35, which Station is at extreme left of view.
100 K. 93	39 *k.*	5	N. 82° 30′ W.	Looking across valley at mountains northerly from Station 35. Beyond is the range which line follows to Bradfield Canal.
12 K. 94	41	6	S. 71° 13′ W.	The range which the line follows to Bradfield Canal is beyond the middle distance. The end of the abutting range across the Canal is shown.
3 K. 94	41	6	N. 68° 54′ W.	Looking across the Bradfield Canal at the range leading northerly from Station 42. Beyond the middle distance is the end of the abutting range, which the line follows northerly from the Bradfield Canal.
105 K. 94	44	6	S. 45° E.	To the right of centre is, first the range leading northerly from Station 35, then across a valley to the right is the range which the line follows to the Bradfield Canal.
106 K. 94	44	6	S. 5° E.	In the left part of this view is the range which the line follows northerly from Station 36.
129 K. 94	33 *k.*	7	S. 31° 19′ W.	In the middle distance is the range which the line follows north to Bradfield Canal.
128 K. 94	33 *k.*	7	S. 81° 40′ W.	Shows the abutting range which the line follows north of Bradfield Canal, and on the high peak to the extreme right is Station 45 (4334) of the Table.
127 K. 94	33 *k.*	7	N. 54° W.	Over the intervening summits is shown the range continuing north-westerly from Station 45.
82 K. 94	45	7	—	Station 44 to right of centre.
81 K. 94	45	8	N. 58° 24′ W.	Shows continuation of range which line follows north-westerly, and to right of centre is the abutting range across the wide valley.
80 K. 94	45	8	N. 5° 59′ W.	Shows valley to the east.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
74 K. 94	45	8	N. 64° 19′ E.	To the right is the saddle at head of valley near Station 45.
75 K. 94	45	8	S. 77° 06′ E.	Shows the range extending south from the saddle.
8-3 T. 93	46	9	S. 47° 58′ E.	In the centre of this view is the range which the line follows northerly from Bradfield Canal.
8-4 T. 93	46	9	N. 75° 32′ W.	Triangulation Station 48 is to the left of the centre across the valley.
8-5 T. 93	46	9	N. 18° 13′ W.	Shows the range leading north, which this line follows.
8-6 T. 93	46	9	N. 25° 04′ E.	Shows the valley to the east of range.
6-12 T. 93	48	10	S. 68° 57′ E.	Station 46 is to the left of centre.
7-3 T. 93	48	10	N. 68° 43′ E.	To left of centre is summit, lat. 56° 26′ long. 132° 05′, given in table in Appendix, Vol. I., British Case.
6-9 T. 93	49	10	S. 39° 40′ E.	To the left of centre is summit, lat. 56° 26′ long. 132° 05′, given in table in Appendix I., British Case.
6-10 T. 93	49	10	S. 86° 53′ E.	Showing range connecting summit, lat. 56°26′ long. 132° 05′, with summit 3780 of table.
6-8 T. 93	49	11	N. 58° 03′ E.	To the left of centre is summit 3780 of table in Appendix.
6-7 T. 93	49	11	N. 11° 39′ E.	The summit to the left is 3830 of table.
6-6 T. 93	49	11	N. 41° 24′ W.	The high point to the left is Station 50 of triangulation.
1-3 T. 93	4.t.	11	S. 64° 38′ E.	Close to the left of centre is summit 3780 of table, and on the left in middle distance is the ridge leading to summit 3830.
1-6 T. 93	4.t.	12	N. 87° 08′ E.	The high summit to the left of centre is 3830 of table.
1-4 T. 93	4.t.	12	N. 53° 45′ E.	On the extreme right beyond the middle distance is the range leading northerly from summit 3830. On the extreme left is the end of the range, abutting on the Stikine river.
1-5 T. 93	4.t.	12	N. 31° 42′ E.	Shows the Stikine valley on the left and across is the range which the line attains after crossing the river. Close to the left of centre is the end of the abutting range, along which this line follows from the south.
2-11 T. 93	59	12	S. 23° 59′ W.	Short of the middle distance is the range which the line follows.
2-12 T. 93	59	13	S. 82° 33′ W.	To the left of the centre is the end of the range from the south. To the right across the river is the Wilkes Range.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
3-1 T. 93	59	13	N. 54° 46′ W.	In the centre across the river is the range which the line attains after crossing the Stikine. The sharp black peak to the right of centre is 5700 of table.
1-12 T. 93	52	13	N.° 80 25′ E.	Shows the valley to the east of range which line follows.
1-11 T. 93	52	13	S. 49° 07 E.	Shows summit of range running southerly.
1-10 T. 93	52	14	S. 17° 50′ W.	To the extreme left is valley to west of range.
5-6 T. 93	52	14	N. 78° W.	To the right is the Wilkes Range.
5-7 T. 93	52	14	N. 22° 40′ W.	In the centre is the range which the line attains after crossing the Stikine.
54 G. 93	65	14	S. 46° 53′ E.	In the centre of the view across the Stikine valley is the range along which the line reaches the Stikine.
53 G. 93	65	15	N. 76° 29′ E.	Shows the range which the line attains after crossing the Stikine.
52 G. 93	65	15	N. 14° 13′ E.	The range north from the Stikine and leading to the head of Leconte Bay. The highest peak to the right of centre is summit 5700 of table in Appendix I. of British Case.
51 G. 93	65	15	N. 45° 17′ W.	To the right is the high range nearest the coast.
63 G. 93	57	15	N. 60° 53′ E.	The Stikine valley to the right. Across the channel to the left is the Wilkes Range, and beyond is the high range which the line follows north from the Stikine.
62 G. 93	57	16	N. 21° 15′ E.	Across the channel and beyond the Wilkes Range is the high range which the line follows to near the head of Leconte Bay. To the left beyond Leconte Bay are the summits of the range nearest the coast.
61 G. 93	57	16	N. 29° 00′ W.	To the left of centre are the Horn Cliffs. To the right are the summits of the range nearest the coast.
41 G. 93	64	16	S. 21° 45′ W.	Looking out over the Stikine Delta.
42 G. 93	64	16	S. 75° 26′ W.	Looking across valley at summits of Wilkes Range.
43 G. 93	64	17	N. 48° 46′ W.	Looking north along summit of range the black peak to the right is summit 5,700 of the table in Appendix I. British Case.
73 G. 93	67	17	N. 5° 12′ E.	The Horn Cliffs to the left. To the right the summits of the range nearest the coast.
77 G. 93	67	17	N. 50° 03′ E.	Entrance to Leconte Bay, close to right of centre.
78 G. 93	67	17	S. 85° 16′ E.	On left is the Wilkes Range and the higher range beyond which line follows.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
85 G. 93	66	18	N. 33° 13′ W.	To the right are the summits of range nearest the coast, north of Leconte Bay.
86 G. 93	66	18	N. 16° 44′ E.	Shows the abutting ranges near the head of Leconte Bay.
93 G. 93	66	18	East.	Looking east at the range along which line runs.
94 G. 93	66	18	S.E.	To the left is the range, which line attains north of Stikine. To the right of centre is the summit of Wilkes Range.
113 G. 94	68	19	N. 25° 05′ W.	Shows the summit of the range nearest the coast. Thomas Bay to left of centre.
114 G. 94	68	19	N. 22° 50′ W.	Shows the summit of mountains nearest the coast north-westerly from Leconte Bay.
115 G. 94	68	19	N. 73° 15′ E.	Shows summits of range nearest the coast north of Leconte Bay.
116 G. 94	68	19	S. 57° 30′ E.	To the left of centre is the high range which the line follows from the Stikine to Leconte Bay. To the right is the Wilkes Range.
147 G. 94	71	20	N. 40° 53′ W.	To right of centre are first, summit at 24g. and next, summit 4881 of table, almost in line. To the left of centre in middle distance is the range which the line attains after crossing Thomas Bay. At the centre in the distance is the abutting range south of the valley at the head of Farragut Bay.
162 G. 94	72	20	S. 2° 20′ E.	The first peak on ridge to left of centre is triangulation Station 71, summit 4812 of table.
161 G. 94	72	20	S. 52° 45′ E.	About half way to the right from centre is Station 70, summit 5268 of table; almost in line, but to the left, the black peak is Summit 5860, and in the distance and a little to the right is Summit 5355 of table in Appendix I.
157 G. 94	72	20	N. 78° 45′ W.	To the right, in the middle distance, is the range which the line attains after crossing Thomas Bay.
158 G. 94	72	21	N. 24° 30′ W.	To the left, in foreground, is triangulation Station 73, Summit 4881 of table. To the left thereof is seen the range which the line attains after crossing Thomas Bay; and a little to the right thereof in the distance is the range beyond the valley at the head of Farragut Bay.
139 G. 94	73	21	N. 75° 28′ W.	Looking across Thomas Bay at the range, which the line attains and follows to the valley at the head of Farragut Bay. About half way to the right of centre is triangulation Station 78, Summit 4050 of table

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
140 G. 94	73	21	N. 22° 05′ W.	In the distance to the left is seen the range which the line follows north from the valley at the head of Farragut Bay.
206 G. 94	75	21	S. 10° 20′ E.	On the right in the view is shown the crest of the range to the south, along which the line follows.
207 G. 94	75	22	S. 34° 15′ W.	The first peak to left of centre is Station 73, Summit 4881 of table.
208 G. 94	75	22	S. 87° 55′ W.	In the middle distance is the range which the line follows between Thomas Bay and the valley at the head of Farragut Bay.
220 G. 94	Pk. Alt. 4316 near 40 g.	22	S. 5° 20′ E.	To the left is the end of the range, Summit 4881, which the line follows to Thomas Bay from the south.
221 G. 94	Pk. Alt. 4316 near 40 g.	22	S. 49° 55′ W.	The highest peak to right of centre is triangulation Station 78, Summit 4050 of the table in Appendix I.
222 G. 94	Pk. Alt. 4316 near 40 g.	23	N. 80° 30′ W.	The black peak to left of centre is triangulation Station 79, Summit 4072 of the table. To the right is the valley at the head of Farragut Bay, and across on extreme right is the range which the line attains and follows to Port Houghton.
223 G. 94	Pk. Alt. 4316 near 40 g.	23	N. 30° 40′ W.	On the left is the range which the line follows from the valley at head of Farragut Bay to where it crosses Port Houghton.
240 G. 94	26 g.	23	S. 27° 55′ E.	To the left across Thomas Bay is the range by which the line reaches bay from the south.
238 G. 94	26 g.	23	N. 37° 25′ E.	The high peak in foreground to left of centre is triangulation Station 78, Summit 4050 of table in Appendix I.
237 G. 94	26 g.	24	N. 13° 20′ W.	Shows the summit of the range between triangulation Stations 78 and 79. To the left of centre is faintly seen the range which the line attains to the north of the valley at the head of Farragut Bay.
236 G. 94	26 G.	24	N. 66° 25′ W.	Frederick Sound to the left. In the middle of the view is seen the foothill country north of Farragut Bay.
256 G. 94	79	24	N. 53° 15′ W.	Shows the valley at the head of Farragut Bay and the foothill country beyond.
257 G. 94	79	24	N. 2° 55′ W.	To the left, across the valley, is the range which the line follows to the north.
282 G. 94	38 g.	25	S. 50° 50′ E.	To the extreme right is the range by which the line reaches Port Houghton from the south.
283 G. 94	38 g.	25	S. 3° 40′ W.	To the extreme left is the range by which the line reaches Port Houghton from the south. To the right are the foothills between Farragut Bay and Port Houghton.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken	Page of Album.	Bearing of Centre.	Description.
67 B. 93	1 b.	25	S. 48° 15′ E.	Shows the mountains to the east of the range which the line follows between Thomas Bay or Port Houghton.
68 B. 93	1 b.	25	S. 8° W.	Towards the centre of view is the range which the line follows from Thomas Bay to Port Houghton. To the left is the depression to the East.
30 B. 93	85	26	S. 70° 15′ W.	Shows the range which the line follows between Hobart Bay and Windham Bay.
31 B. 93	85	26	N. 61° 00′ W.	In the centre of the view is summit 4290 on the range which the line follows to Windham Bay.
30 M. 93	5 m	26	S. 59° 35′ W.	Looking across arm at range which the line follows from Holkham Bay to Port Snettisham.
31 M. 93	5 m	26	N. 45° 45′ W.	Shows the entrance to Port Snettisham and the abutting range which the line follows beyond.
32 B. 93	2 b.	27	S. 16° 45′ E.	To the extreme right is the range which the line follows South of Hobart Bay.
33 B. 93	2 b.	27	S. 39° W.	Shows the range which the line follows from the valley at the head of Hobart Bay to Windham Bay. The high peak to the extreme right is Summit 3750 to 4000, lat. 57° 33′ long. 133° 23′.
34 B. 93	2 b.	27	N. 88° 15′ W.	To the left of centre is Windham Bay. The highest point on ridge to right is Summit 4290 of table.
35 B. 93	2 b.	27	N. 35° 00′ W.	To the left is the range which the line follows to Holkham Bay.
16 B. 93	86	28	S. 14° 30′ E.	In the centre of view is the range along which the line comes to Windham Bay.
17 B. 93	86	28	S. 73° 15′ W.	The peak in centre of view is North of Windham Bay, and is Summit 4290 of the table.
18 B. 93	86	28	N. 56° 45′ W.	Shows the range which the line follows to Holkham Bay, and the abutting range beyond.
22 B. 93	88	28	S. 3° E.	Shows the range which the line follows from Summit 4290 of table to Holkham Bay panoramic with 23 and 24.
23 B. 93	88	29	S. 52° 45′ W.	Shows the range along which the line follows to Holkham.
24 B. 93	88	29	N. 80° W.	Shows the range leading to Holkham Bay.
11 M. 93	91	29	S. 36° 30′ E.	In the middle distance to the right is the range which the line follows to Holkham Bay.
1 M. 93	90	29	N. 15° 25′ W.	On the left is the range which the line follows towards the north from Holkham Bay.
16 M. 93	92	30	N. 16° 15′ W.	Looking northwards along the summits of the range which the line follows to Port Snettisham. Just visible over the range on the left is Summit 3748 of the table.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken.	Page of Album.	Bearing of Centre.	Description.
62 M. 93	3 m	30	N. 24° 15′ W.	Just to left of centre is the depression to the east of the range north of Port Snettisham.
159 M. 93	28 m.	30	N. 74° 30′ E.	To the right is summit 3000 to 3250, lat. 58° 12′ long. 134° 02′.
132 M. 93	99	30	N. 60° 25′ W.	The long stretch of water on the right in the distance is the Gastineau Channel. On the extreme right is the range which the line follows northerly beyond Taku Inlet.
42 M. 93	97	31	S. 78° 20′ W.	Entrance to Port Snettisham on the left. Left of centre is Station 98 of the triangulation. Summit 3748 of the table. About half-way to the right is Triangulation Station 99, Summit 3588 of the table.
121 M. 93	6 m.	31	N. 42° 55′ W.	Stephen's passage to the left. Triangulation Station 99. Summit 3588 of table is right of centre.
148 M. 93	105	31	S. 3° 28′ E.	About half-way to the left is Station 99, and farther to the left and visible over the ridge is Station 98 of the Triangulation Summits 3588 and 3748 respectively.
158 M. 93	28 m.	31	S. 61° 35′ E.	The point to the right is Triangulation Station 105, Summit 3475 of the table, and the left is Summit 3000 and 3250, lat. 58° 12′ long. 134° 02′ of the table.
157 M. 93	106	32	N. 18° 53′ E.	Shows the entrance to Taku Inlet. Shows Bishop, Cooper, and Jaw Points.
43 O. 93	111	32	S. 20° 05′ E.	The junction of Taku Inlet with Stephen's Passage. Left of the centre in the distance are seen Summits 3748 and 3588 of the table, and closer to the left of the mouth of Slocum Inlet is Summit 3475, Station 105 of the triangulation.
45 O. 93	111	32	N. 80° W.	Looking north-westerly along range which the line follows. On the extreme right beyond the saddle is Summit 3300, and to right of centre is Summit 4175.
46 O. 93	111	32	N. 21° 55′ W.	Shows the summit of the range which the line follows. On the right is the valley to the north-east.
52 O. 93	109	33	S. 72° 05′ W.	In the distance is the range which the line follows north-westerly from Taku Inlet.
53 O. 93	109	33	N. 54° W.	In the distance is the range which the line follows north-westerly from Taku Inlet.
66 T. 94	169	33	N. 61° 39′ E.	Looking across Lynn Canal. To the left of centre is Berners Bay.
67 T. 94	169	33	S. 83° 25′ E.	Looking across Lynn Canal. To the right of the centre is Herbert Glacier.

DESCRIPTION OF PHOTOGRAPHIC VIEWS DEPICTING THE MOUNTAIN BOUNDARY OF THE LISIERE—*continued.*

No. of View.	Station from which taken	Page of Album.	Bearing of Centre.	Description.
21 O. 93	113	34	S. 42° 58′ E.	This one shows the summit of the range which the line follows north-westerly from Taku Inlet.
20 O. 93	113	34	N. 77° 00′ E.	This view shows the ridge connecting Stations 112 and 113 of the triangulation.
18 O. 93	113	34	N. 44° 00′ W.	The point marked No. 10 on the view is Summit 3500 to 3750, lat. 58° 23′ long. 134° 30′, Station 117 of triangulation. To the left of centre, in distance, is Station 119 of triangulation, Summit 4322 of the table.
71 O. 93	117	34	N. 37° 25′ W.	The black peak in centre is Station 119 of triangulation, Summit 4322 of the table. On the right the second peak along the glacier is Summit 3655 of the table.
56 T. 94	170	35	N. 51° 20′ E.	Looking across Lynn Canal. To the extreme left is Berners Bay.
55 T. 94	170	35	S. 84° 30′ E.	Looking across Lynn Canal. Douglas Island blends with the coast mountains at the extreme right.
107A M. 94	212	35	N. 23° 00′ E.	Taken near the entrance to Lituya Bay. Mount Fairweather to the left of centre, Mount Lituya to the right.
105A M. 94	212	35	N. 54° 30′ E.	Mount Lituya to the left, Mount Crillon to the extreme right.
104A M. 94	212	36	S. 72° 30′ E.	Mount Crillon to the extreme left.
112A M. 94	213	36	N. 21° 35′ E.	Mount Fairweather on the left, Mount Lituya on the right.
113A M. 94	213	36	N. 57° 00′ E.	Mount Lituya to the left. Summits of the St. Elias Alps extending to the right.
114A M. 94	213	36	S. 71° 40′ E.	Mount Crillon on the left of centre. Mount Dagelet close to the right.
65 B. 95	214	37	N. 13° 50′ W.	Looking across Dry Bay. The St. Elias Alps south from Disenchantment Bay.
66 B. 95	214	37	N. 39° 50′ E.	Looking across Dry Bay at the St. Elias Alps.
67 B. 95	214	37	N. 89° 19′ E.	Looking across Dry Bay at the St. Elias Alps.
77 B. 95	216	37	N. 11° 13′ E.	In the centre is a spur of the St. Elias Alps.
78 B. 95	216	38	N. 65° 50′ E.	The St. Elias Alps between Disenchantment and Dry Bays.
79 B. 95	216	38	S. 67° 16′ E.	Looking down the coast. Mount Fairweather and mountains to the south in the distance.

SECOND DECLARATION OF JAMES JOSEPH MCARTHUR.

CITY OF LONDON.—TO WIT:

I, James Joseph McArthur, of the City of Ottawa, in the Province of Ontario and Dominion of Canada, Dominion Land Surveyor, do solemnly and sincerely declare:—

1. In 1893 I was on the staff of Her Majesty's Commissioner, W. F. King, and engaged on a survey of that part of the disputed territory lying between Holkham Bay and Taku Inlet and River. Mr. P. A. Welker of the U.S. Coast and Geodetic Survey, with one man to assist him in his survey operations, carrying his instruments, &c., was attached to my party.

2. During the season I occupied sixteen Mountain Triangulation Stations, viz., 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105 and 107 of the British Commission Maps in Appendix III. of the British Case. At each of these stations I took the necessary theodolite and camera observations.

3. Of these stations Mr. Welker ascended nine only, viz., Stations Nos. 92, 93, 94, 95, 97, 98, 99, 100 and 107.

4. Besides the above mentioned triangulation or principal stations, I occupied four independent Mountain Camera Stations, viz., Nos. 5 m, 11 m, 15 m, 12 m. Of these Mr. Welker made the ascent of 12 m. He made one ascent independent of me, to the foot of a peak protruding from a glacier to the south-west from Station 104.

5. Incidental to the ascents to the principal stations, I occupied six additional camera stations on the mountain ridges, from which I had more complete views of certain valleys than from the higher summits.

6. Along the shores of inlets, passages and rivers, I located twenty-one more camera stations, viz., 2.m., 3, 4, 7, 10, 16, 18, 19, 20, 20a, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31.m., of the British Commission Maps in Appendix III. of the British Case.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of "The Statutory Declarations Act, 1835."

Declared at 9, Fleet Street, in the City of London, this 23rd day of June, A.D. 1903. } J. J. MCARTHUR.

Before me,

CHAS. UPTON,

A Commissioner for Oaths.

DECAY OF DYEA AND SKAGWAY. THE SETTLEMENTS AT THE HEAD OF LYNN CANAL AN ECONOMIC UNIT WITH THE BRITISH INTERIOR.

DECLARATION OF S. MORLEY WICKETT

DOMINION OF CANADA
PROVINCE OF ONTARIO } TO WIT:
CITY OF OTTAWA.

I, S. Morley Wickett of the City of Toronto in the Province of Ontario and Dominion of Canada, manufacturer, do solemnly declare as follows:—

1. I was last year appointed by the Canadian Manufacturers' Association to report on the mining and trade conditions of the Canadian Yukon, and visited the Yukon territory for some weeks to make the personal investigation necessary to the preparation of such a report; as the trade with the Yukon Territory is carried on by way of Lynn Canal, I naturally gave a good deal of attention to the trade condition of Dyea and Skagway.

2. In the spring of the present year, at the request of the British Agent before the Alaska Boundary Tribunal, I made a second visit to the settlements at the head of Lynn Canal, for the purpose of inquiring into the past and present commercial situation of the ports of Dyea, Skagway, Haines Mission and Pyramid Harbour.

In making this latter investigation, I visited Ottawa, Washington, San Francisco, Portland, Oregon, Tacoma, Seattle, Victoria and Vancouver, as preliminary to my trip to the Lynn Canal. At these places I made use of available information in various official departments and Chambers of Commerce, as well as in the hands of Customs Officials, and, where possible, of shipping companies as well.

I have rigorously checked all assertions, estimates and statistics furnished me, and believe that the statements made below are worthy of reliance. I was in the better position to assure myself of the reliability of various sources through my study last year of the commercial conditions and prospects of the Yukon Territory.

3. If we except mention of a small trading post at Dyea, in 1896, Dyea and Skagway were both established in 1897-98 by the thousands of stampeders seeking to reach the Yukon goldfields, Dyea being the port for the Chilkoot Pass, and Skagway that for the White Pass. Dyea's maximum population has been estimated by most reliable authorities to have been 12,000, which it reached in 1898. The

Declaration of S. Morley Wickett—*continued.*

maximum population of Skagway was estimated at some 2,000 less. With the construction of the White Pass and Yukon Railway from Skagway through the White Pass to Bennet City, and finally to White Horse—the head of Yukon navigation — Dyea rapidly declined. Part of its population went to Skagway, and the rest left for the United States or for the interior. I visited the site on May 3rd last and found the cabins and booths, with a single exception, absolutely abandoned. The exception was a cabin occupied by a squaw man and his klootch (squaw). Beyond what may be called the immediate town site—a mile and a-half more up the valley—a petty gardener grows vegetables to sell in Skagway.

As is usual in these mushroom settlements, the buildings are of sail-cloth over scaffolding, tar paper, logs, and more or less rough timber. For a time certain local characters found it profitable to tear down some of the cabins and carry the material by water to Skagway, a distance of about four to five miles. But with the rapid decline of Skagway's population even this has become unprofitable. A few days prior to my visit to Dyea the sole survivor of these squatter-poachers was arrested and imprisoned for forcibly driving off an Indian who was attempting to occupy one of the abandoned huts. Dyea, therefore, no longer exists; it is of the past. There is not even a pier left at which a ship could enter. Rows of cabins and booths, many of them with their glass windows still in position and their doors still swinging, remain, but all save one are abandoned.

4. The completion of the White Pass Railway from Skagway over the summit of the White Pass and into the interior made Skagway the sole port of trans-shipment for the Yukon, and as there was no longer a reason for settlement at Dyea, that port at once became depopulated. The railway was opened for traffic over the Pass in June, 1900, but complete connection with White Horse was not established before July 30th, 1900.

5. Notwithstanding that Skagway has become the sole port of trans-shipment for the British interior, its population and trade have rapidly declined.

From a maximum estimated at 10,000, the population had decreased to 3,117 according to the official census of 1900. In 1902 the liquor dealers made an enumeration of their own to support their demand for a reduction of saloon licences. Their enumeration, which was in

Declaration of S. Morley Wickett—*continued.*

charge of a reputable solicitor, and was checked by a Committee of the local Chamber of Commerce, showed the population to have declined to 1,257. A further census taken under the authority of the local town counsel on May 28th, 1903, shows a total population of 1,205, exclusive of 131 military and 29 Indians. It must be noted, though, that census enumerations in the United States are enumerations of the *de jure* or domiciled population. The Skagway census will accordingly embrace many property holders who are no longer residents in the town. The actual population is estimated by most reputable merchants familiar with the town at about one thousand persons. An analysis of this population will show how small a portion of it is of a permanent character:—

United States Garrison, men and help, two companies	200
Railway and Wharf employees and longshoremen	202
Two-thirds of these married, each family with two children	402
Saloon and Gambling proprietors and Assistants	35
Shop keepers and miscellaneous ...	150
	989

With the completion of the United States Barracks, now under construction at Haines Mission, the troops will be removed from Skagway. Should the shops of the White Pass Railway Company, which is a British Company, with headquarters in London, England, be removed to White Horse in the Canadian Interior, a further decline in population would follow.

On the day of my arrival at Skagway I took the trouble to count the number of sale shops, exclusive of saloons, hotels, and lodging-houses. I found the number to total 196, of which 123 were unoccupied.

6. The following figures, gathered from official sources, show the rapid decline in value of assessable property in Skagway during the last few years:—

Year.	Personalty.	Realty.	Total.
1898-1899	No assessment but voluntary contributions for fire protection.		
1899-1900	—	$927,079	$927,079
1900-1901	$254,930	677,450	932,380
1901-1902	188,604	578,300	766,904

It is to be noted that the assessment for 1901 as against 1900, declined over 17%.

The assessed value of real estate since 1898-1899 has decreased from $927,079 to $578,300, a falling off of $348,779 in a total of $927,079,

Declaration of S. Morley Wickett—*continued.*

or much more than 33⅓%. An assessment at the present time would show an even greater decline.

7. For 1901 the sales of drafts by the Bank of Commerce, was $1,017,021.90 ; for 1902 the sales fell to $655,344.97, or over 35½%.

The single bank doing business at Skagway is a Canadian bank—the Canadian Bank of Commerce. I was positively informed that the Skagway branch of the bank is maintained, not on account of local business, but as a link with the banks in the Interior. By way of contrast with Skagway, Juneau has one State and one Private Bank (Census population 1,864), Nome, two State banks and one private bank.

8. The United States direct trade with Skagway and the Yukon has suffered a marked decline.

The local Manager of the Moore Wharf Company at Skagway (Mr. Shaw), acting under instructions of the General Manager, Mr. Wynn-Johnston, made special investigation of the Company's books, and has furnished the following report to me.

The shipments to Skagway in United States bottoms have fallen off steadily until at present only 40% of the total freight tonnage now entering Skagway comes in United States vessels, the balance being carried in Canadian boats. At present the freight and passenger fleet of boats running regularly to Skagway consists of four United States and two Canadian vessels. But for the special exemption of United States vessels from the ordinary Canadian coasting regulations the percentage to the credit of the United States would be much smaller. As it is, much freight of Canadian origin is frequently shipped in United States vessels in order to expedite delivery. For the calendar year 1902, 40,596 tons of freight (26 cwt. to the ton) were shipped into Skagway through the Moore Wharf Company, which has sole control of local freight.

9. The United States Customs collections at Skagway are of merely nominal amount, so that the Port is a steady charge on the United States finances.

The ordinary customs collections and expenditures at the Port of Skagway for the past two years have been as follows:—

Year.	Customs Collections.	Customs Expenditure.
1900	14,860	?
1901	11,692	10,762
1902	13,542	12,139
1903 (4 months)	913	—

Declaration of S. Morley Wickett—*continued.*

This ordinary expenditure does not include outlay for buildings, &c.

The greater part of the Customs revenues are duties levied on Canadian coal imported by the White Pass and Yukon Railway. The following figures, while not complete, will bear out this statement :—

Coal Exports.
Vancouver to Skagway.

Year.	Tons.	Duty.	Duty collected.
1900	14,314	67c. per ton	$9590.38
1901	10,837	—	7260.79
1902	8,470	—	5674.90
1903 (4 mths.)	3,657	duty removed and revenue accordingly declines.	

The export returns were furnished me by the Collector of Customs at Nanaimo.

In fine, although Skagway has four piers for the accommodation of its trade, it has been found unprofitable to keep the three outer piers in repair. These three are accordingly left to fall to ruin, a single pier now meeting all the requirements of Skagway trade.

10. The reasons for the rapid decline of Skagway may be briefly stated :—

(*a*) There is no local industry, such as fishing or mining, to support a population at the head of Lynn Canal.

(*b*) It drew its sole sustenance from handling freight on the way to the Yukon, and from the small sales of certain United States goods which it kept ready for export to the Canadian Interior as "short orders." These goods consisted of oats and hay, canned fruit and vegetables. This short order trade is not important, as is evident from the statistics of export as presented by the Collector of Customs at Skagway. It is evident too, from the figures, which I herewith furnish, that even this small trade is rapidly declining.

The following figures, showing the exports from Skagway into the Canadian Interior, were compiled by the United States Collector of Customs at Skagway :—

1900.	1901.	1902.	1903. (4 months.)
$1,579,710	$1,457,076	$1,176,147	$166,980

It is to be noted that the returns for 1902 as compared with 1900 declined over 25%.

11. Only the exceptional coasting privilege allowed United States vessels of carrying freight from Canadian ports to Skagway has kept the United States direct trade with Skagway from falling to a much lower level. For clearances from a southern Canadian town are much preferred to clearances at the distant port of Skagway, where delays may too readily happen.

12. Citizens of Dyea, while that town continued to exist, recognised clearly their

Declaration of S. Morley Wickett—*continued.*

dependence on Canadian trade, and their connection with Canadian Territory. The Dyea Chamber of Commerce accordingly circulated a petition in 1899, praying the United States Government to allow their town to become a Canadian Port. As will be seen from the statutory declaration of Thomas B. Wallace, of the 1st of May last, the petition was signed very largely by the reputable traders of Dyea.

The merchants of Skagway, as organised in the Skagway Chamber of Commerce, have petitioned Washington to the same purport, as is evident from a reproduction of the petition in "The Daily Alaskan" of March 26th, 1902, a copy of which is now shown to me marked "A." I have had this reproduction examined by a most reliable authority, and am assured that it is a faithful reprint, and that it was signed by every merchant carrying on any business of importance in Skagway at the date of its circulation.

13. Secretary H. B. Le Fevre and Mr. John W. Troy, editor of "The Daily Alaskan," both stated to me personally that the existence of Skagway was of necessity so dependent upon Canada that the citizens of Skagway, while making outward demonstrations of their loyalty to their native country, would prefer to cast in their lot with Canada, "for it was money in their pockets." Editor Troy, in an editorial in his paper of July 24th, 1902, reverts to this point, and states that "it may as well be admitted that there are many people in Skagway, if indeed not a majority of them, who would like to have this city made a Canadian town." A copy of this paper I could not procure, even for my own use.

14. On April 29th, 1902, the Skagway Chamber of Commerce again emphasised the fact that Skagway is dependent for its existence upon Canadian trade, and that Lynn Canal is an economic unit with the Canadian Interior, in the letter to the Canadian Manufacturers' Association, a certified copy of which is now shown to me, marked "B."

15. Haines Mission lies on the Lynn Canal, about 17 miles to the South of Skagway. It is the site of a New York Presbyterian Mission, and of a small trading post for the Chilcat Indians.

Haines Mission has been given some slight additional importance by being one of the starting points for the Porcupine Mining Country. A United States military barracks is also in course of construction there. The building operations, which at the time of my visit had not yet com-

Declaration of S. Morley Wickett—*continued.*

menced, have been anticipated by the local shopkeepers, and an air of temporary activity is being given to the town. Forty-six Indian children were in attendance at the mission at the time of my visit; while a reliable authority estimated that there were not more than fifty whites in the town. There does not appear to be a separate return for its population in the Census of Alaska taken in 1900.

16. The time at my disposal would not allow me to visit Pyramid Harbour, which lies just across the Chilcat Inlet from Haines Mission. I made, however, careful inquiries as to the present condition there, and learned that the only whites there resident are the few officials of the Salmon Cannery operating at that point and the keepers of a small trading post and road house.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act, 1893."

Declared before me at the City of Ottawa, Province of Ontario, this 27th day of June, A.D. 1903. } S. MORLEY WICKETT.

N. A. BELCOURT,
A Notary Public in and for the Province of Ontario.

"A"

This is Exhibit "A" referred to in the Statutory Declaration of S. Morley Wickett, made before me this 27th day of June, 1903.

N. A. BELCOURT,
A Notary Public, &c.

PETITION BY MERCHANTS AND CITIZENS OF SKAGWAY TO SPECIAL AGENT OF TREASURY DEPARTMENT.

Skagway, Alaska,
March 20th, 1902.

J. F. Evans, Esq.,
Special Agent,
Treasury Department.

Sir,

The Merchants and Citizens of Skagway wish to renew the efforts made by the Chamber of Commerce some two years ago to obtain some reasonable privileges for doing business at the Port of Skagway.

Heretofore we complained of the excessive valuation placed on goods at the Boundary Line by the Officers of the Canadian Government for the collection of duty, it being greater than the valuation placed on the same kind and quality

Petition by Merchants and Citizens of Skagway to Special Agent of Treasury Department—*continued.*

of goods imported at Vancouver or Victoria, a practice which still exists. The valuation mentioned is the retail price at Skagway.

As no relief has been given us in this respect, we desire to submit a distinct proposition:

Inasmuch as the bonded warehouse system has been extended to Skagway, we wish to warehouse Canadian goods at this port and the permission to return those goods to Canada, free of duty.

The reason for requesting this privilege is to enable the merchants to enjoy the natural advantages of Skagway for promptly supplying the trade of the interior between this port and Dawson.

In its favour is cheapness to the consumer, readiness of shipment, added facility and quickness of despatch of from 10 to 15 days. We are justified in saying that business men in the territory interested have often expressed themselves in favour of it, and of their readiness to sign a petition for such a permission, and the persons accommodated are the miners and others residing in Canadian territory and who consume these goods, and it would be a great convenience to them.

The objections likely to arise to this privilege being granted, are likely to come from Vancouver and Victoria, B.C., the two principal shipping points in British Columbia, which supply this trade, but these ought not to be serious, as they have the trade from there, can establish branch houses at Skagway if they wish, a privilege which we invite them to engage in on terms of perfect equality. They would get the commission on goods handled through their ports, and it would, in fact, increase their business and give regularity to it.

The privilege enjoyed by the Dawson merchants of returning American goods into United States territory (Alaska) is similar to that which we ask.

It has been pointed out to us that Section 68 of the revised Customs Act of Canada interposes an objection to the return to Canada of Canadian goods warehoused in the United States. We do not think that this should be construed as a bar to the privilege asked, since it is wholly with Canadian goods and carried in British bottoms that we are concerned, and their delay in warehouse at Skagway in no wise changes their character. Canadian goods shipped in bond by way of St. Michael's, we are advised, are often delayed at that place for the winter, and are warehoused during the interim and are shipped forward without objection at Dawson.

Petition by Merchants and Citizens of Skagway to Special Agent of Treasury Department—*continued.*

We also rely upon the fact that the Treasury Department at Washington has granted extraordinary privileges for the convenience and despatch of Canadian merchandise, a system conducted at great expense and without charge on the goods in transit, and while we do not ask that the port be closed to such traffic, we do think the fact, should have weight upon the merits of the decision in our case.

We respectfully ask you to forward this petition immediately and urge action at once; as we have been waiting for a decision upon this point for more than two years, we would ask that you either grant our request or turn us over to Canada, as the only alternative of the dilemma.

"B"

This is Exhibit "B" referred to in the statutory declaration of S. Morley Wickett made before me this 27th day of June, A.D. 1903.

N. A. Belcourt,
A Notary Public, &c.

Letter of the Skagway Chamber of Commerce to the Canadian Manufacturers' Association.

Skagway,
April 29th, 1902.

Manufacturers' Association, Toronto, Canada.

Gentlemen,

The Skagway Chamber of Commerce asks your co-operation in obtaining from your Government customs regulations at Skagway that will permit the warehousing in bond and subsequent re-entry of Canadian goods into Canada, in broken bulk, as the trade may require. The immense benefits that the people of the Canadian Yukon would derive from such a customs regulation are too self-evident to require more than a mere mention.

Dealers could hold their stocks in bond at Skagway, breaking the bulk as demanded by their trade, and relieved of the necessity of ordering their every invoice from a distance a thousand miles farther away than the port of Skagway, would be under no necessity of carrying large sums of money in the high freight between Skagway and interior points.

It would further obviate the necessity of buying beyond current needs, as under these circumstances Canadian wholesalers would certainly carry adequate stocks in bond at Skagway.

The benefit to the Dominion at large would by no means be inconsiderable The impetus thus given to Canadian trade would displace United States goods in the Skagway market,

Letter of the Skagway Chamber of Commerce to the Canadian Manufacturers' Association *continued.*

by enabling the merchants of this city to fill their orders with Canadian goods. The business which Skagway now carries on with the Canadian interior consists almost solely in filling orders to satisfy the requirements of trade that cannot wait for shipments from Vancouver. Under present circumstances this trade, which in the aggregate is by no means inconsiderable, must apply to dutiable merchandise of the United States. The merchants of Skagway could not find it profitable to do business with an interior patronage with dutiable merchandise where they brought in competition with local stocks of like non-dutiable goods.

An arrangement of this kind would moreover greatly tend to obliterate border ill-feeling over matters of present international controversy.

Yours respectfully,

(Sgd.) THE SKAGWAY CHAMBER OF COMMERCE,
H. B. Le Fevre,
(Secretary).

I hereby certify the above to be a true copy of a letter received by the Canadian Manufacturers' Association from the Skagway Chamber of Commerce.

R. I. YOUNGE,
Secretary, Canadian
Manufacturers' Association.

RELATING TO THE PETITION OF THE CITIZENS OF DYEA to have that town made a part of British Territory

STATUTORY DECLARATION OF THOMAS B. WALLACE.

DOMINION OF CANADA
PROVINCE OF BRITISH COLUMBIA } TO WIT:
CITY OF VICTORIA.

I, Thomas B. Wallace, of the City of Tacoma, State of Washington, United States of America, Executive officer of the Tacoma Street Railway Company, do solemnly declare as follows:—

1. I was a resident of the town of Dyea from January, 1898, until August, 1899, and was at that time manager of the Chilcoot Railroad and Transport Company.

2. While I was a resident of Dyea aforesaid, and during the spring of 1899, a petition was prepared addressed, I think, either to the Congress of the United States, or to the Joint High Commission for the settlement of the Alaska Boundary question, which petition set out the advantages which the citizens of Dyea would receive if the said town were made a part of British Territory, and the prayer of the petition

Relating to the Petition of the Citizens of Dyea to have that town made a part of British Territory—*continued.*

was that it should be so ceded by the United States if they had any possessory title thereto.

3. This petition was very largely signed by the principal merchants, business men, owners of real property, and prominent citizens of Dyea, and in about the month of July, I think, Senator Fairbanks, who was the Chairman of the Joint High Commission, came to Dyea in connection with his official duties, and while he was there the said petition was, I think, presented to him by a deputation of citizens who were appointed to wait upon him officially for that purpose.

4. I was resident in Dyea at the time, and have a distinct recollection of the fact of the said petition being prepared and signed, and I am sure that it was presented; and from newspaper reports which I read at the time I believe that the petition was forwarded to the proper officials in the City of Washington.

5. The preparation and signing of the said petition was a voluntary act on the part of the citizens of Dyea, and was signed by the persons whose signatures are attached because they believed that it would be in their own interest that the said town should become part of British territory and should not remain under the sovereignty of the United States of America.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act, 1893."

Declared before me at the City of Victoria, Province of British Columbia, this 1st day of May, A.D. 1903. } THOMAS B. WALLACE.

(Signed) E. V. BODWELL,
A Notary Public in and for the Province of British Columbia.

CORRESPONDENCE RELATING TO THE INTERNATIONAL BOUNDARY LINE NEAR PEMBINA, MINN., U.S.

CORRESPONDENCE RELATING TO THE INTERNATIONAL BOUNDARY LINE NEAR PEMBINA, MINN., U.S.

Legation of the United States,
London,

My Lord,— 17th October, 1870.

I have the honor by direction of my Government to call your attention to a discovery which has been made by the Engineer Officers of the United States in regard to the true location of the boundary line between the British Possessions in North America and the United States as ascertained by the usual scientific method of determining such matters.

It appears by a communication from the Honorable the Secretary of the Treasury of the United States to the State Department, enclosing a letter of the 23d June last from the Collector of Customs at Pembina, Minnesota, that the United States Military Commission under Major General Sykes, U.S. Army, had, by a series of careful solar and lunar observations, located and established the 49th parallel or international boundary line, upwards of four thousand six hundred feet north of the one hitherto recognised.

The result of this change, in one respect at least, your Lordship will find noted in the above cited letter of the Collector of Pembina, copy of which I annex among other documents.

The question arising at the Treasury Department whether the said new line has been established by competent authority binding upon the two Governments of Great Britain and the United States, has been answered as you will observe by enclosed copy of a letter from the Acting Secretary of State of the United States that no joint action of the two Governments had been taken for marking upon the surface of the ground that portion of the boundary along the 49th parallel which extends from the Lake of the Woods to the Rocky or Stony Mountains.

It has therefore been suggested by the State Department that no proceedings be adopted by the Custom House authorities which will disturb the existing condition of things on the border, until the British Government can be informed of the discovery which has been made by the United States Military Commission under General Sykes.

I have accordingly the honor herewith to notify your Lordship of said discovery.

Correspondence Relating to the International Boundary Line near Pembina, Minn., U.S.—*continued.*

I have the honor to be, with the highest consideration,

My Lord,

Your Lordship's most obt. servant,

JOHN LOTHROP MOTLEY.

To the Right Honble.

The Earl Granville,

&c., &c., &c.

Enclosures:—

(1) Mr. Boutwell to Mr. Fish, 19 July, 1870.

(2) Collector at Pembina to Mr. Boutwell, 23 June, 1870.

(3) Mr. Davis to Mr. Richardson, 13 August, 1870.

Treasury Department,

Sir, July 19th, 1870.

I have the honor to enclose herewith a letter dated the 23d ult. from the Collector of Customs at Pembina, Minnesota, relative to a change effected by a survey recently made by a U.S. Military Commission under Major Genl. Sykes, U.S.A. in the line heretofore recognised as the proper boundary between the United States and the British possessions in that region fixed by treaty at the 49th parallel of latitude. It is therein stated that the line now established is 4,600 feet north of that heretofore reorganised, and the results of the change are in one respect at least noted therein.

I will thank you for any information on the subject you may be able to furnish, and whether said new line has been established by competent authority, binding upon the two Governments of Great Britain and the United States.

Please return the enclosure.

I am, &c.,

(Sd.) GEO. S. BOUTWELL,

Secretary.

Hon. Hamilton Fish,

Secretary of State.

Custom House,

Pembina,

June 23, 1870.

Sir,

I have the honor to call your attention to the fact that the U.S. Military Commission under Maj. Genl. Sykes, U.S.A. and Capt. Heap, U.S. Corps of Engineers, while here this Spring for the purpose of locating the new Fort and Military Reservation, have by a series of careful solar and lunar observations located and established the 49th parallel or international boundary line, upwards of 4,600 feet north of the old established post.

and that from the initial point established on the west bank of the Red River by the said Military Commission, a careful survey of the said boundary line was made for military purposes as far west as St. Joseph, and the same distinctly marked and stakes driven at every mile. This change brings the Hudson Bay Co's. Trading Post north of here within our lines on U.S. territory, which in case the said last established location shall be recognised as the actual boundary line, would subject the whole of said Hudson Bay Co. stock of goods on hand, at said trading post and all future importations thereto to the payment of duty. I have therefore ordered a full inventory of all their goods and effects for the purpose of assessment of duty, in case the said established line shall be recognised as the true boundary.

I would therefore in view of these facts respectfully request instructions in the premises and beg to be advised as to which of the two different lines established I am to recognise as the *true boundary line* for Customs revenue purposes.

I am, &c.,
(Sd.) J. C. STORER,
Collector.

Hon. Secretary of the Treasury,
Washington, D.C.

Department of State,
Washington, 13 Aug., 1870.

The Honorable
W. A. Richardson,
Acting Secretary of the Treasury.

Sir,—I have the honor to acknowledge the letter of the 19th ult., from the Treasury Dept., making enquiry concerning the boundary line between the possessions of the United States and Great Britain and in reply to inform you that no joint action of the two Governments has been taken for marking upon the surface of the ground that portion of the boundary along the 49th parallel, which extends from the Lake of the Woods to the Rocky or Stony Mountains. I therefore beg leave to suggest that no proceedings be adopted by the Custom House authorities which will disturb the existing condition of things on the border, until the British Government can be informed of the discovery which has been made by the officers of the Engineer Corps, which will be immediately done.

I have the honor, &c.,
(Sd.) J. C. B. DAVIS,
Acting Secretary.

LOCAL TESTIMONY CONCERNING RUSSIAN AND UNITED STATES OCCUPATION.

CANADA.
YUKON TERRITORY.
TO WIT.

In the matter of certain understandings as to the territory claimed by the Chilkat Indians:

TESTIMONY OF GEORGE SHARTRAGE.

1. I, George Shartrage, am hereditary chief of the Chilkat Indians, living at Kluckwan, which lies on the left bank of the Chilkat River as it flows towards the sea, and one and a half miles below the boundary line between the Province of British Columbia, Dominion of Canada, and the District of Alaska, U.S.A., as established by the *modus vivendi* of the 20th October, 1899.

2. I am about sixty years of age. Succeeded my father as chief. That I have lived all my life about the district, and have a knowledge of the matters herein declared.

3. That prior to the appearance of the white men in 1898, the Indians all looked upon Dyea as neutral ground to all tribes. The Stick Indians who inhabit the interior would go down to the coast to hunt and fish, and the Chilkats would go up for the same purpose; and we did not know anything of any boundary line or nationality, and everyone was free to go or come into the country without interference.

4. The first we knew of nationality or boundary was when the soldiers (North-west Mounted Police) arrived and commenced collecting duty at the White Pass and Chilcoot summits in 1898. I was told that that was the line between Canada and the United States. I had seen before the United States soldiers at Sitka.

5. And I make this solemn declaration, conscientiously believing the same to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act, 1893.

Testimony of George Shartrage—*continued.*

This Declaration having been first read over and interpreted to the declarant by Samuel Jackson and the said declarant seemed to perfectly understand the same, and did set his mark thereto in my presence, and did declare the same to be true at White Horse, in the Yukon Territory, this 2nd day of June, 1903,

His
GEORGE X SHARTRAGE
mark

T. W. JACKSON,
A Notary Public in and for the Yukon Territory.

I, Samuel Jackson, do declare that I did truly interpret the foregoing declaration to George Shartrage and that he assented thereto. and did affix his mark thereto, in token of such assent in my presence.

Declared before me this the 2nd day of June, 1903, } SAMUEL JACKSON.

T. W. JACKSON.

CANADA.
YUKON TERRITORY
TO WIT.

In the matter of the prior occupation of a certain area of land in the Yukon Territory and District of Alaska.

TESTIMONY OF JACK KITCHK.

I, Jack Kitchk, of Kluckwan, which lies on the left hand of the Chilkat River, as it flows towards the sea, and one and a-half miles below the boundary line between the Province of British Columbia, Dominion of Canada, and the District of Alaska, U.S.A., as established by the *modus vivendi* on the 20th October, 1899, do solemnly declare as follows :—

1. That I am at present, and have been for about thirty years, a sub-chief of the Chilkat Indians, with local residence at Kluckwan, aforesaid.

2. That I am about fifty-five years of age, and have a knowledge of the matters herein deposed to.

3. That prior to the year A.D. 1898, I did not know of any national boundaries in what is now

Testimony of Jack Kitchk—*continued.*

called disputed territory in and around the Lynn Canal, and I further declare that among the Indians nothing was known around the said Lynn Canal about boundaries between the United States and Canada.

4. The Stick Indians lived beyond the summit of the mountains, and the Chilkat Indians inhabited the lands around the coast; the latter Indians living there for the purpose of fishing and conducting trade with the Stick Indians from the interior. The lines were never within my recollection so drawn as to prevent the interior Indians from coming to the coast to trade and barter, nor so as to bar the Chilkats from entering the interior to trade with the Sticks and for the purpose of hunting.

5. The first I knew of rights being claimed by any Government within the territory surrounding the Lynn Canal was the year 1898, while packing over the White Pass Summit, I was examined for the purpose of being charged duty by a member of the North-West Mounted Police, who, I was informed, was acting for the Government of Canada; prior to that the Indians did not recognise the authority of any white man other than officials stationed at Sitka after the coming there of the United States soldiers, and any authority exercised was confined to Sitka, and did not until 1898 or afterwards, extend to Haines or other points on the aforesaid Lynn Canal. I have not at any time personally known of any boundary lines between the United States and Canadian territory. The recognised home of the Chilkat Indians was along the coast, and we did not extend farther north than the Chilkat River. The officials of the government of the United States did not at any time until 1898, or later, exercise rights as officials of the Government of the said United States outside of Sitka except in a few isolated instances where Indians were arrested in the immediate neighbourhood of Sitka.

6. I was present at Skagway in the month of June A.D. 1899, with chief Shartrage and some other sub-chiefs and Chilkats, and I say positively that the statement made, as I am informed, that I or chief Shartrage or any of the sub-chiefs made affidavits to the effect that the land or territory of the Chilkats extended to the present disputed boundary between the United States and Canada, is untrue; we did not, nor did any of the chiefs, sub-chiefs, or Indians then there present, make such affidavit, nor any affidavit intending to have such import.

And I make this solemn declaration, con-

Testimony of Jack Kitchk —*continued.*

scientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893.

This declaration having been first read over and interpreted to the declarant by Samuel Jackson, and the said declarant seemed to perfectly understand the same, and did set his mark thereto in my presence, and did declare the same to be true, at White Horse in the Yukon Territory this fourth day of June, 1903,

His
JACK X KITCHK.
mark.

T. W. JACKSON,
A Notary Public in and for the Yukon Territory.

I, Samuel Jackson, do declare that I did truly interpret the foregoing declaration to Jack Kitchk, and that he assented thereto, and did affix his mark thereto in token of such assent in my presence.

Declared before me at White Horse in the Yukon Territory this the 4th day of June, 1903,

SAMUEL JACKSON.

T. W. JACKSON.

CANADA.
YUKON TERRITORY.
TO WIT.

In the matter of certain rights held by the Indians of the Yukon Territory in respect of lands adjacent to the Lynn Canal:

TESTIMONY OF UNDE-SA.

I, Unde-sa, of Lake Lebarge in the Yukon Territory, Indian Chief, do solemnly declare:—

1. That I am now sixty-six years of age and am the hereditary chief of the Lebarge and Hootch-i Indians, and have a knowledge of the matters herein declared to.

2. That about the year A.D. 1885 or 1886, one Captain John Healy established a trading post or store at the head of Lynn Canal, at a point now known as Dyea. The said Healy was the first white man to commence trading with the natives of the southern Yukon at any

Testimony of Unde-sa—*continued.*

point north of what is now called Haines Mission. Thereafter, some Indians from Haines Mission and also some Canadian Indians from Tagish in the Yukon Territory settled at Dyea aforesaid.

3. That prior to the establishment of the store by Healy all the country northerly from Haines Mission to the present sites of Dyea and Skagway along the Lynn Canal was looked upon as neutral ground. The Chilkat Indians did not, nor did any other band of Indians, claim to own the said ground, or territory, or any of it, nor did they exercise any rights of ownership to the territory.

4. That my Indians and other Canadian Indians owned the land southerly until we came to the Chilkat River, except the neutral ground referred to in the preceding section, and it was understood by us that when going to Haines Mission, as soon as we passed Kluckwan we were in territory claimed by the Coast Indians, that the territory between the summit of the coast range and the Lynn Canal southerly from the Chilkat River was allowed to belong to the said Chilkat or other coast Indians.

And I make this solemn declaration, conscientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act, 1893.

This declaration having been first read over and interpreted to the declarant by his son Jim Boss, and the said declarant seemed to perfectly understand the same and did set his mark thereto in my presence, and did declare the same to be true, at White Horse in the Yukon Territory, this twenty-eighth day of May, A.D. 1903,

T. W. JACKSON,
A Notary Public in and for the Yukon Territory.

His
UNDE-SA X
mark.

I declare that I did truly interpret the foregoing declaration to my father, Unde-Sa, and that he assented thereto, and did affix his mark thereto in token of such assent in my presence.

Declared before me this twenty-eighth day of May, 1903,

T. W. JACKSON.

JIM BOSS.

TESTIMONY OF TAGISH CHARLEY.

I, Tagish Charley, a Stick Indian, of Caribou Crossing, Yukon Territory, make oath and say:

That I am forty years of age and was born at Tagish. We used to go to Dyea in the summer time to trade our furs for clothing and food. We also used to visit Skagway and Dyea to fish, and camp at Sheep Camp. We would stay at the above places about a month and return to Tagish. The Chilcats did not visit Skagway but used to trade at Dyea. I have been to Kluckwan hunting but did not stay long. John Healy and Wilson used to be partners and kept a trading post at Dyea. They claimed to be King George men, but don't know what part they came from. George Dickerson also came over from Haines which was his home, and trade at Dyea with the Stick Indians and Chilcat. Dickerson was married to a half-breed and had a son living at Haines three or four years ago, also married to a Chilcat Indian. We considered our ground ran to Dyea and Skagway. We did not know our boundary line. The Sticks and Chilcats were good friends and did not fight only with themselves. I know a King George gunboat came to Dyea a long time ago to keep the Chilcat Indians from killing each other. John Healy and Wilson claimed to be British men, but Dickerson claimed to be American; don't know what part they came from.

Dated at Caribou, Yukon Territory, this 29th May, 1903, Signed and Sealed in the presence of JOHN TURNER. } TAGISH CHARLEY, His X mark.

YUKON TERRITORY.

I, John Turner, Collector of Customs, Caribou Crossing, Yukon Territory, make oath and say:

1. That I was personally present and did see Tagish Charley, the party named in this declaration, who is personally known to me to be the person named therein, duly sign for the purpose named therein.

2. That the same was executed on the day of the date thereof at the town of Caribou aforesaid, in the said Yukon Territory.

3. That I know the said Tagish Charley, and he is, in my belief, of the full age of twenty-one years.

Sworn before me at Caribou Crossing, in the Yukon Territory, this 29th day of May, 1903. } JOHN TURNER.

THOMAS JAMES HILLING,
Commissioner for taking affidavits.

TESTIMONY OF KATE CARMACK.

I, Kate Carmack, a Stick Indian, of Caribou Crossing, in the Yukon Territory, make oath and say that I am forty-four years of age and was born at Bennett, British Columbia. We used to go to Dyea to trade our furs for food and clothing, and to Skagway and Dyea to fish, sometimes staying about one month, and return to Bennett and Tagish. I was married to one George Washington Carmack, who was a white man, and came from Frisco, U.S.A., and claimed to be an American. He came to Dyea by steamboat accompanied by two other men, John Healy and Wilson, who used to keep a trading post at Dyea; these two men claimed to be Canadians, but don't know what part they came from. George Dickerson, a white man, from Haines, used to keep the mission and also traded with us at Dyea, returning to Haines by boat. We considered the Stick Indians had every right to stay at Dyea, Skagway and Sheep Camp, if we wished. The Chilcat Indians used to fight with themselves, not with the Stick Indians. Dickerson and Wilson are both dead, but I think that John Healy is still living at Dawson. I heard that some years ago a British gunboat came to Dyea to keep peace with the Chilcat Indians, but I did not see the boat. About twelve years ago, a lot of white men came into Dyea and passed through into this country, both the Chilcats and Sticks packing their stuff over the summit.

Dated at Caribou, Yukon Territory, this 29th of May, 1903, } KATE CARMACK. Her x mark.

Signed and Sealed in the presence of

JOHN TURNER.

YUKON TERRITORY.—

I, John Turner, Collector of Customs, Caribou Crossing, Yukon Territory, make oath and say:—

1. That I was personally present and did see Kate Carmack, the party named in this declaration, who is personally known to me to be the person named therein, duly sign for the purpose named therein.

2. That the same was executed on the day of the date thereof at the town of Caribou aforesaid in the said Yukon Territory.

3. That I know the said Kate Carmack, and she is in my belief of the full age of twenty-one years.

Sworn before me at Caribou Crossing, in the Yukon Territory, this 29th day of May, 1903, } JOHN TURNER.

THOMAS JAMES HILLING,
Commissioner for taking affidavits.

TESTIMONY OF TAGISH JOHN

I, Tagish John, a Stick Indian, of Caribou Crossing, in the Yukon Territory, make oath and say that I am fifty years old and was born at Tagish. We used to go to Dyea to trade our furs in the summer for food and clothing, and would sometimes stay a month or more. We also camped sometimes at Sheep Camp and Skagway. At the latter place we used to fish. The Chilcat Indians never used to visit Skagway, but be at Dyea to trade. They would also come over the summit and visit us. We, the Stick Indians, considered we had a right to stay at Dyea. I have not been to Kluckwan, and don't know if our line was at the summit or not. The Chilcat Indians would not drive us away from Dyea, as we used to be good friends. John Healy and Wilson (white men), had a trading post at Dyea, and we understood they were British men the same as ourselves. George Dickerson, trader at Haines, used to come to Dyea in a boat and return to Haines, never lived at Dyea. He was a white man and an American, and was married to a half-breed. He had a son living three years ago at Haines, was married to a Chilcat, but think he has left there now. Old man Dickerson and Wilson are both dead, but Healy supposed to be living at Dawson. I don't know if our boundary line was right at the summit, as we used to think Dyea was our home if we wanted to stay.

Dated at Caribou, Yukon Territory, this 29th of May, 1903, } TAGISH JOHN His X mark

Signed and sealed in the presence of
JOHN TURNER.

YUKON TERRITORY.—

I, John Turner, Collector of Customs, Caribou Crossing, Yukon Territory, make oath and say:

1. That I was personally present and did see Tagish John, the party named in this declaration, who is personally known to me to be the person named therein, duly sign for the purpose named therein.

2. That the same was executed on the day of the date thereof at the town of Caribou aforesaid in the said Yukon Territory.

3. That I know the said Tagish John, and he is in my belief of the full age of twenty-one years.

Sworn before me at Caribou Crossing, in the Yukon Territory, this 29th day of May, 1903, } JOHN TURNER.

THOMAS JAMES HILLING,
Commissioner for taking affidavits.

TESTIMONY OF DYEA JOHN.

I, Dyea John, a Stick Indian, of Caribou Crossing, Yukon Territory, make oath and say:—

That I am sixty-five years old and was born at Dyea. I claim that I am a British Indian and own two houses in Dyea. Both Stick and Chilkat Indians have always traded their furs at Dyea. I have not been to Klukwan and don't know anything about the boundary between the two tribes. I used to go to Skagway and fish, and also camped at Sheep Camp. John Healy and Wilson had a trading post at Dyea, and claimed to be British, the same as the Stick Indians did. George Dickerson lived at Haines, but used to come over to Dyea in a boat and only stayed long enough to trade. He also had the Mission at Haines and was married to a half-breed. He had a son, he is married to a Chilkat, don't know where he is now. George Dickerson claimed to be American. I can't say where any of the traders first came from. Steamboats used to run to Dyea from Frisco, U.S.A, and take our furs and fish and bring in food and clothes. The Chilkat and Sticks did not fight with themselves at Dyea and never turned the Sticks back over the summit. Once, long ago, a gunboat came to Dyea, but did not see it. It was to keep the Chilkats from killing each other.

Dated at Caribou Crossing, Yukon Territory, this twenty-ninth day May, 1903, Signed and sealed in the presence of } DYEA JOHN His X mark.

JOHN TURNER.

YUKON TERRITORY.—

I, John Turner, Collector of Customs, Caribou Crossing, Yukon Territory, make oath and say:—

1. That I was personally present and did see Dyea John the party named in this declaration, who is personally known to me to be the person named therein, duly sign for the purpose named therein.

2. That the same was executed on the day of the date thereof, at the town of Caribou aforesaid, in the said Yukon Territory.

3. That I know the said Dyea John, and he is in my belief, of the full age of twenty-one years

Sworn before me at Caribou Crossing in the Yukon Territory, this twenty-ninth day of May, 1903, } JOHN TURNER.

THOMAS JAMES HILLING,
Commissioner for taking affidavits.

CANADA.
PROVINCE OF BRITISH COLUMBIA.
COUNTY OF VANCOUVER.

TESTIMONY OF PETER DUNCAN.

I, Peter Duncan, of "Wells," in the County of Vancouver, Yeoman, make oath and say:—

I saw Chilkat Indians, *i.e.* "Yell-lack" and "Ye-ka-sha," at the Oolechan grounds on Thursday, 28th day of May, 1903, and they informed me that they had not sworn to any affidavit in the town of Skagway, in the district of Alaska, in the year 1899.

Sworn before me, at Wells, in the County of Vancouver, on 30th day of May, 1903, } PETER DUNCAN.

A. E. C. MCDONELL, J.P.

Witness—
William Hume.

CANADA.
YUKON TERRITORY.

In the matter of the occupation of certain portions of the Yukon Territroy by Chilcat Indians, and certain statements said to have been made in connection therewith so to wit:—

TESTIMONY OF GEORGE SHARTRAGE.

1. I, George Shartrage, am hereditary chief of the Chilkat Indians living at Kluckwan, which lies on the left bank of the Chilkat River as it flows towards the sea, and one and a half miles below the boundary line between the Province of British Columbia, Dominion of Canada, and the District af Alaska, U.S.A., as established by the *modus vivendi* on the 20th October, 1899.

2. That I am hereditary chief of the Chilkat Indians, and succeeded my father as chief. That I am now aged sixty years, and have a knowledge of the matters herein declared.

3. That I am informed that it is reported that myself and other Chilkat Indians, stated at Skagway in the said district of Alaska, on the 29th of June, A.D., 1899, that the territory claimed by the Chilkat Indians did extend to the disputed boundary.

4. I do solemnly declare that I was personally present at Skagway in the aforesaid month of June, 1899, and that no such statement was made either by myself or other Chilkat Indians.

5. I do further solemnly declare that I stated at the time referred to, and do now state, that the country between Skagway and Dyea and the White Pass and Chilkoot was considered neutral ground and that portion of the country extending between Kluckwan and the summit was free to all Indians and white men, and that at no time were these portions of the

Testimony of George Shartrage—*continued.*

country claimed by Chilkat Indians to the exclusion of other Indians.

And I make this solemn declaration conscientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act, 1893.

This Declaration having been first read over and interpreted to the declarant by Samuel Jackson and the said declarant seemed to perfectly understand the same and did set his mark thereto in my presence, and did declare the same to be true. At White Horse in the Yukon Territory, this 3rd day of June, 1903, } His GEORGE x SHARTRAGE mark.

T. W. JACKSON.
A Notary Public in and for the Yukon Territory.

I, Samuel Jackson, do declare that I did truly interpret the foregoing declaration to George Shartrage, and that he assented thereto, and did affix his mark thereto, as token of such assent, in my presence.

Declared before me this 3rd day of June, A.D. 1903, } SAMUEL JACKSON.

T. W. JACKSON.

UNITED STATES OF AMERICA, DISTRICT OF ALASKA. }

TESTIMONY OF ED. ARMSTRONG.

I, Ed. Armstrong, being first duly sworn, on oath depose and say; that I am a citizen of the United States and a resident of the district of Alaska, and now residing at Haines in the said district.

That I am personally acquainted with Robert Ohman, John Wade, M. V. Sharp, and Jack McGlotchlan, and have known them since about the year 1884. That I personally know the said Robert Ohman, M. V. Sharp, and Jack McGlotchlan ; that while I was in the United

Testimony of Ed. Armstrong—*continued.*

States Marshall's office at Junean as Guard, in about the year 1885 the said Robert Ohman, M. V. Sharp, and Jack McGlotchlan qualified and served as jurors in the United States District Court while that court was in session at Junean, Alaska. That as to John Wade, while I was personally well acquainted with him and believe him to be an American citizen, I had no way of knowing positively as to his being such. Further deponent sayeth not.

Subscribed and sworn to before me this 28th day of May, 1903, } ED. ARMSTRONG.

W. B. STOUT,
Notary Public for Alaska.
In the presence of—
F. A. Marquam and
F. P. Horrigan.

I, Fitzpatrick Horrigan, of White Horse, in the Yukon Territory, an Inspector in the North West Mountain Police, make oath and say, to wit:—

1. That I was personally present at Haines, in the district of Alaska, on the twenty-eighth day of May, A.D., 1903, and did see the annexed affidavit duly signed as his act by Ed. Armstrong.

2. That I know the said Ed. Armstrong, and am a subscribing witness to the execution of the said affidavit.

Sworn before me at White Horse, in the Yukon Territory, this fourth day of June, A.D., 1903, } F. HORRIGAN.

F. W. JACKSON.
A Notary Public in and for the Yukon Territory.

TESTIMONY OF JOHN P. LINDSAY.

John P. Lindsay, proprietor of the Lindsay Hotel, Porcupine, on oath states:—

I reside in Chilkat, Alaska. In the years 1890, 1891, 1892 and 1893 I was personally acquainted with John Wade, M. V. Sharp and a Jack McLaughlin, whom I presume is the same man as Jack McGlochlan. Jack Wade came to the Chilkat in 1890. He was employed fishing around there, and at one time worked under me as mate on a small steamer that I was running for the cannery. On the 4th July, 1892, he got into trouble with some Indians and shot and killed two of them. For this he was under bonds of $20,000 to

Testimony of John P. Lindsay—*continued.*

appear before the Grand Jury, but nothing was ever done, no indictment was ever brought against him. Wade came from Texas and I presume was an American citizen. I do not know what became of him. M. V. Sharp was in the country for some time before I came in in 1890. He used to come up to Chilkat in the summer with a steamer, I don't know what nationality he was or what became of him. Jack McLaughlin when I knew him was located in Seward City, 20 miles below Haines Mission. He was one of the discoverers of the Comet Mines. He sold the mines and was killed shortly afterwards by slipping down the hold of the S.S. "Alki." His death occurred sometime between 1893 and 1897. I think he came from Eastern Canada.

Sworn before me this 26th day of June, 1903 at Pleasant Camp, B.C. } JOHN P. LINDSAY.

A. E. C. McDONELL, J.P.

I, William Henderson, make oath and say that I was present and did see John P. Lindsay, whom I know personally, sign this attached document on the 26th day of May, 1903, at Pleasant Camp, B.C.

Sworn before me at Pleasant Camp, B.C., this 26th day of May, 1903. } W. HENDERSON

A. E. C. McDONELL, J.P.

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