

~~F 904  
. US  
pt  
Copy 2~~

ESS, } SENATE. } REP'T No. 282,  
z. } } Part 2.

CONDITIONS IN ALASKA

---

HEARINGS

BEFORE

U.S. S.

SUBCOMMITTEE OF COMMITTEE ON  
TERRITORIES

APPOINTED TO INVESTIGATE CONDITIONS IN ALASKA.

---

SUBCOMMITTEE:

Senator DILLINGHAM (Chairman), Senator NELSON,  
Senator BURNHAM, Senator PATTERSON.

JANUARY 12, 1904.—Ordered to be printed.

---

2ND SET.

WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1904.

F904  
2/55  
9147

4-52716

18183  
F904

~~U.S.  
pt.  
Copy~~

CONGRESS, }  
Session. }

SENATE.

{ REP'T No. 282,  
Part 2.

CONDITIONS IN ALASKA.

HEARINGS

BEFORE

SUBCOMMITTEE OF COMMITTEE ON  
TERRITORIES

APPOINTED TO INVESTIGATE CONDITIONS IN ALASKA.

SUBCOMMITTEE:

Senator DILLINGHAM (Chairman),    Senator NELSON,  
Senator BURNHAM,                      Senator PATTERSON.

JANUARY 12, 1904.—Ordered to be printed.

WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1904.

OCT 12 1908  
D. of D.

Mr. BEVERIDGE, from the Committee on Territories, submitted the following

## HEARINGS.

[To accompany S. Res. 16.]

Pursuant to Senate resolution No. 16, adopted March 19, 1903, a subcommittee of the Committee on Territories of the United States Senate assembled at Seattle, Wash., on June 26, 1903, and proceeded on a tour of Alaska for the purpose of investigating conditions regarding proposed bills and bills to be proposed relative to the district of Alaska.

The subcommittee was composed of Senator Dillingham (chairman), Senator Nelson, Senator Burnham, and Senator Patterson.

### STATEMENT OF DR. WILLIAM DUNCAN, OF METLAKATLA, ALASKA.

ON BOARD THE STEAMSHIP DOLPHIN,  
*Metlakatla, Alaska, Wednesday, July 1, 1903—8.30 a. m.*

Questions by Senator DILLINGHAM:

Q. Will you kindly state your full name?—A. William Duncan.

Q. I think you would better state how long you were in old Metlakatla and how long here.—A. I arrived in old Metlakatla in 1857 and came here in 1887. I am in my sixteenth year here.

Q. I would be glad to have you state what is the population of Metlakatla; the character of your people, and briefly what your plant and buildings here, etc., consist of.—A. You see, as to population, we have quite a number coming and going all the time. We have about 800 permanent settlers. We have about a couple of hundred who come and go—come to church and go away and come back again. We have what you might call a sphere of influence over these people. They see our habits, our peace, and our customs; and they imitate us a good deal because they are Indians. It is very remarkable how little the Indians care to imitate white men in their mode of life and buildings, but they are anxious to imitate us. I give you a single instance of this: They all want churches; they all want schools now, and they all want brass bands. I suppose there are half a dozen brass bands in this country now. Years ago they did not know what these instruments were for. They thought they were some kind of magic which the white medicine men dealt with. I got a brass band up here first in a very strange way. I first taught them the gamut on the

instruments, and now they play any kind of musical instrument you bring to them.

Q. I want you to tell us about your institutions, your business, your church, your school.—A. I have to say this: You can teach Indians religion without teaching them the practical use of it in life. But to do that would be simply to waste a missionary's life. I struck out right away from the old routine of missionary work. I taught the Indians the simple Gospel, and showed them how to live it.

My first efforts were directed to get them to be exporters of fish. I taught them to prepare fish for the market. They had already prepared it for themselves, but that would not be suitable for white people.

Then we started a sawmill. Before we started it one of the men came to me and said: "Is it true that you are going to make water saw wood?" He said, "Water can't saw wood; I can not see how it can." I sent him to the mill, and told the Indian there to place him where he could see everything. When he saw the logs being cut he came back to me and said: "I have seen water saw wood; now I will die." I said, "Why should you die?" He answered: "I will take the news to the chiefs who have gone before, and I will tell them all I saw. I will tell them that I even saw water saw wood."

We started the canning factory. We began in a small way. I didn't get beyond our little capital. We have now the plant for canning about 20,000 cases every year.

Q. The market value of that is what?—A. We get now about \$3 net a case for red salmon, and about \$2 for pink.

Q. As a matter of curiosity, what proportion of that is labor?—A. A great deal of it is labor. Not less than one-half.

Q. I was getting at what it would net you?—A. We used to get a much higher price than now. We used to get from 30 to 40 cents a case profit; but now it is reduced. For the last two years it has done little more than cover expenses. We can not compete with the syndicates. They use Chinamen, who are experts and work very cheaply. We make less than 25 cents on the case now.

By Senator PATTERSON:

Q. You say that the chief output in your canning of salmon is labor, and that you make less than 25 cents on each case?—A. Yes sir.

Q. How long each day do the men labor?—A. Ten hours.

Q. How much wages do they receive per day?—A. From \$3 a day down to \$1.50. The women work too. They work by the case, for which is paid 6 cents each. By that means a woman can earn from \$1.50 to \$2.50 a day. Children get from 75 cents to \$1 a day.

Some three years ago I wrote a letter to the governor of Alaska, stating the amount of wages I had paid out in twelve years. It was \$334,803.47. Since then we have paid out over \$103,000 more. So that since we have been here upward of \$440,000 has passed through our hands in wages. All this was for the use of our community. I receive no salary.

Q. I think you stated in conversation this morning that you placed the value of this plant at about \$100,000?—A. Yes, sir; taking in everything—cannery, two steamers, sawmill, and store of general merchandise—it is worth about \$100,000.

Q. I understand that your business is conducted on the cooperative plan, so that they all have a share in it?—A. The plant is operated on business principles. The wages are paid to the Indians, and if they

wish to put any of their wages back into the company they can do so. Dividends are then paid to them, just as in any other company. The whole business is simply this: The Metlakatla Industrial Company is composed entirely of the Indians here and myself. It is all for them. They do all the work. They are paid for their work. If they wish to invest any of their earnings here they may. I have so willed it that everything is to be kept to carry on the mission work and bear the public expenses. The difficulty for me to solve is how this work is to be perpetuated. I have had Judge Whitten here, and he assured me that we could have our property incorporated, so that it will continue to be the property of our people.

Senator PATERSON. You can do that so it will not die with you?

Q. Your authority on the island is by virtue of what?—A. It is under an act of Congress. I have a copy of the act here:

That until otherwise provided by law the body of land known as the Annette Islands, situated in the Alexander Archipelago, in southeastern Alaska, on the north side of Dixons Entrance, be, and the same hereby is, set apart as a reservation for the use of the Metlakahtla Indians and those people now known as the Metlakahtlas, who have recently emigrated from British Columbia to Alaska, and such other Alaskan natives as may join them, to be held and used by them in common under such rules and regulations and subject to such restrictions as may be prescribed from time to time by the Secretary of the Interior.

By Senator DILLINGHAM:

Q. I show you a paper and ask you to state what it is?—A. This is a declaration of residents when they join our people.

The paper referred to is as follows:

METLAKATLA, ALASKA. DECLARATION OF RESIDENTS.

We, the people of Metlakatla, Alaska, in order to secure to ourselves and our posterity the blessings of a Christian home, do severally subscribe to the following rules for the regulation of our conduct and town affairs:

1. To reverence the Sabbath and to refrain from all unnecessary secular work on that day; to attend divine worship; to take the Bible for our rule of faith; to regard all true Christians as our brethren; and to be truthful, honest, and industrious.
2. To be faithful and loyal to the Government and laws of the United States.
3. To render our votes when called upon for the election of the town council, and to promptly obey the by-laws and orders imposed by the said council.
4. To attend to the education of our children and keep them at school as regularly as possible.
5. To totally abstain from all intoxicants and gambling and never attend heathen festivities or countenance heathen customs in surrounding villages.
6. To strictly carry out all sanitary regulations necessary for the health of the town.
7. To identify ourselves with the progress of the settlement and to utilize the land we hold.
8. Never to alienate—give away—or sell our land or building lots, or any portion thereof, to any person or persons who have not subscribed to these rules.

\_\_\_\_\_, *Witness.*

Date, \_\_\_\_\_, 190-.

Q. Any Indian in Alaska who will subscribe that paper can become a member of your community?—A. Yes, sir. He has to do it publicly and swear to it.

Q. I show you another paper, and ask you to state what that is.—A. We had to give them something to show when they joined us that they were in a sense a part of us. So we drew up this [indicating the following:]

Certificate No. —.

Dated: —.

## METLAKATLA.

This certifies that —, of —, has this day, in pursuance of the rules and regulations of the town and associated community of Metlakatla, Alaska, entered upon and occupied that certain tract or parcel of land on Annette Island, in the district of Alaska, United States of America, more particularly described as follows, viz, —, and is now in the actual possession thereof.

That so far as this city and associated community can confer such a privilege, he has, and — heirs shall have, the prior and exclusive right of proving up — claim thereto, and of obtaining title from the United States Government, and this shall be the evidence thereof, except it be before by us canceled upon our register for abandonment or conduct unbecoming an American citizen.

Done by our order under our seal, the day and year first above written, by the chairman and secretary of our native council.

[SEAL.]

THE TOWN AND ASSOCIATED COMMUNITY OF METLAKATLA.

By —, —,  
*Chairman of the Native Council.*  
 —, —,  
*Secretary of the Native Council.*

It gives to the person who receives it title to the land which goes to him, so far as we are able to give authority over it. I read the following from the certificate:

That so far as this city and associated community can confer such a privilege, he has, and — heirs shall have, the prior and exclusive right of proving up — claim thereto and of obtaining title from the United States Government, and this shall be the evidence thereof, except it be before by us canceled upon our register for abandonment or conduct unbecoming an American citizen.

By Senator PATTERSON:

Q. Please state the form of your government or association in respect to the Indians.—A. The starting point was this: I had to deal with a lot of chiefs. Almost all of them were opposed to a change—to any progress. Our customs brought to the Indians white men's customs, and the chiefs wanted none of this. I had a great amount of trouble with them. We were not against the chiefs, but we told them that if they joined our community they must be good men—men whom the community would elect. So, if a chief is willing to adopt our rules, he can be a member of the native council; otherwise he could exercise no authority in our community.

Q. You provide for an Indian council?—A. Yes, sir; I wished to get them associated with me in building up the new government.

Q. Your plan, then, was to have the government in the hands of an Indian council?—A. Yes, sir.

Q. Doctor, for how long a term did you elect this council?—A. Every year.

Q. And so it has continued?—A. Yes. We make very few changes.

Q. What is the authority of this council?—A. It has in its charge the general affairs of the settlement. It decides as to how much money shall be expended on public works, and also, in case of any trouble, the offenders are brought before it.

Q. They have nothing to do with the business enterprises?—A. No.

Q. They act as magistrates?—A. Yes, sir. One of the things I had to fight against in my early days with them was that they had no law. I had to show them that to be a prosperous community the community must have laws, and every individual in that community must be under certain restraints because of association with the community. Every Indian was his own master. He shot down the man who

opposed him, and did every kind of evil as he willed. I never undertook to deal with a case of lawlessness of any kind without consulting the whole community. They acted like a jury. I never took a step with them for their improvement until I had first educated them up to it before it was taken. When I planned to make another improvement, I first called them together. If they did not think well of the proposition I would say: "All right, put it aside." By and by I would call another meeting, and some of them in the meantime had been thinking the matter over, and they would then agree to take the step. Thus, inch by inch, they were educated, and thus we took each fresh step, and slowly we improved.

By Senator DILLINGHAM:

Q. How many children have you in your schools?—A. I think there is 150 in the photograph which you saw. There are about ten or twelve more who were absent because of sickness and other causes.

Q. Then you have about 160 or 170?—A. Yes, sir.

Q. You have a church?—A. Yes, sir.

Q. About what is the number in your congregation?—A. We have in the winter time about 400 or 500 in the congregation.

Q. You also have a hospital?—A. The building is up, but it is not yet furnished.

Q. You have a physician?—A. We have a physician.

Q. Now you have a home for the young girls?—A. Yes, sir.

Q. Describe briefly what its object is?—A. My object in having a home for girls after they reach a certain age is for protection, and also to teach them household duties.

Q. Do all the girls of your community come into this school?—A. Yes; we hope they will all pass through it. They are taught cooking and household work. English is taught in school hours.

Q. These girls are placed in this home to protect their morals?—A. Yes, sir; otherwise they would become victims of white men. I could tell you of many sad cases elsewhere where this has been so. But I suppose you do not want to go into that.

Senator DILLINGHAM. No; we do not.

Dr. DUNCAN. Over thirty girls have passed through our school, some of whom are now the leading women and teachers in our community.

By Senator DILLINGHAM:

Q. Eventually what will be the language of these Indians?—A. In a generation or two it will be English. The younger people are becoming more and more familiar with the English language. Some of the older people are able to understand it fairly well.

Q. Take your canning factory; you may state whether or not that is entirely carried on by the Indians.—A. The entire work is, excepting only that I have occasionally a white man for master or engineer of one of our steamers.

Q. With the exception of these, however, your work is done by the community?—A. Yes, sir; even the foreman is a native.

By Senator PATTERSON:

Q. From your experience, what would you say as to the reasonable probabilities of civilizing all the Alaskan Indians?—A. I think they are in a fair way of becoming citizens of the country. But their homes

should be isolated from white settlements. My experience is that association with white men will demoralize them. Liquor and saloons will ruin them. Yesterday three were killed by drinking Florida water at Ketchikan. Five were struck down, but two recovered.

Q. Where Indians live in a white settlement, what proportion become intemperate?—A. I think they become generally intemperate. On certain occasions none would be sober. They should be placed by themselves. Give them a settlement of their own, where they can live without coming in constant contact with white men.

In the session of Congress before last I wrote a letter to Senator Gallinger, giving in detail my opinion on this subject and about the education of Indians generally. The letter was presented in the Senate by Senator Gallinger. He wrote me that it was received so late in the session that probably it would have little attention. It contains my exact opinions for improving the Indians.

Q. Coming back to your canning and fishing industry—the Indian goes out fishing, each family for itself, does it not?—A. No. Six, seven, or eight men make a company, and they use a large drag or purse seine.

Q. Your company buys that fish?—A. Yes, sir.

Q. So, what fish the Indians have as individuals you purchase, and do the work at the mill?—A. Yes, sir.

Q. Out of that they get no profit, except those who own shares?—A. Yes, sir.

Q. How about the lumbering; how is that managed?—A. That is managed in the same way as the cannery.

Q. The Indians go and cut the logs on their own account?—A. Yes, sir.

Q. And the association takes their logs?—A. Yes, sir.

Q. And pays them for these logs?—A. Yes, sir.

Q. You have a big store there. Is that also a part of the company?—A. Yes, sir.

Q. And the Indians pay for what they get there?—A. Yes, sir. The company that controls the canning factory, sawmill, store, and everything else is a corporation. Yes, sir; and that man there [indicating a native] owns \$900 worth of shares. We have been paying 15 per cent, except during the last two years.

Q. Does the company out of its funds contribute anything directly to the church?—A. It pays for the schools, teachers, and furnishes medical aid gratuitously. The church was built by contributions. The contributions for the church building amounted to over \$4,325.21, and the Indians contributed \$1,830.60 of that. The remainder of the cost, \$5,961.65, was supplied by our Industrial Company.

Q. Your business now is in the shape of a regular corporation, with shares of stock?—A. Yes, sir.

Q. Who controls the majority of that stock?—A. I do.

Q. And the Indians control the remainder?—A. Yes; except two shares (\$20) which are held by two friends in Portland, one acting as president and the other as secretary of our company.

By Senator NELSON:

Q. You have had miners and prospectors on your island who have attempted to do mining there?—A. Yes, sir.

Q. Will you state what trouble you have had with them?—A. About four or five years ago our Indians were very much alarmed on hearing

that our island was being prospected. The men who were prospecting and mining claimed they had authority from the Government. I took the subject up with the General Land Office, and was informed by the Commissioner that a mistake had been made in that the Land Office had not theretofore known that the island had been set apart as an Indian reserve. The Attorney-General instructed the district attorney to order the miners away. In the meantime the men had staked out claims, from which I had some ore taken and had it assayed. The results from three different claims averaged \$2.20 gold and 4 ounces silver. We had also an expert to examine the claims, and his report was that the auriferous nature of the rocks on the island had been grossly exaggerated.

Q. Did anyone ever come to you and offer to pay you for the privilege of mining there?—A. Yes, sir. Three gentlemen came to me one night and made a proposition to me. I told them that the Government had given us no authority to deal with the island other than to use it. "Therefore," I said, "we can give you no authority whatever, simply because we have no authority over it beyond what is implied in the using of it." Other propositions have been made. None have been accepted. And that is the condition now.

Q. You have not recently been troubled with prospectors?—A. No, sir. Only overtures have lately been made to me. But I have only repeated the answer as above.

Q. You intend to take the same stand in the future that you have already taken?—A. Yes, sir. I will simply decline all these overtures.

ON BOARD THE STEAMSHIP DOLPHIN,  
*Tuesday, June 30, 1903.*

#### STATEMENT OF WILLIAM DAILY.

WILLIAM DAILY testified as follows:

Q. Will you please state your name?—A. William W. Daily. I live at Ketchikan, Alaska.

Q. How long have you been a resident of Alaska, and what is your business?—A. I have been in Alaska three years. I am engaged in the mining business. I represent the Unuk Mining, Smelting, and Transportation Company, of Danville, Ill. Our mines are situated 42 miles from the mouth of the Unuk River, and in British Columbia.

Q. We were talking this morning about the question of the building by your company of a wagon road from a point on Burrows Bay to your mines, 42 miles up. Please state how this work is being done?—A. Our company is at present constructing a wagon road from Burrows Bay to the mines, 30 miles through Alaska and 12 miles in British territory. This is being done at the company's expense exclusively. It is estimated that it will cost \$50,000. Our idea is to make it a toll road. We propose to get a charter from the Alaskan government and also the British Government, and then make it a toll road.

#### CANADIAN GOVERNMENT PAYS FOR BUILDING ROADS.

The Canadian government has a law providing for the building of roads into territories for the purpose of developing them. The government pays the expense. The Alaskan government has no such laws.

## WHAT MINING INTERESTS NEED.

Q. Will you please state, from your experience, what is needed in the way of legislation as to mining, etc.?—A. What the mining interests need, in my opinion, is some aid from the Government in the way of cutting trails and wagon roads. My idea as to the best way which the Government can develop the country is to build trails from tide water to the boundary line on all the principal fresh-water streams. In this way the prospector will be given an opportunity to go into the country and prospect it. After the country has been prospected, and if it is found to justify it, then the Government should build wagon roads.

Q. Your idea is that where gold or other minerals are to be found the Government should construct trails?—A. Yes, sir.

Q. And if the minerals are found in paying quantities, wagon roads should be built?—A. Yes, sir; and this could be done from the revenues of the country.

## REGARDING TIMBER.

Q. What has been your observation as to timber?—A. The bulk of the timber is on the river flats. There is some on the mountains, but it is of poor quality. It is practically all hemlock.

As to agriculture, I have experimented with all kinds of grass seeds, timothy, clover, oats, potatoes, and they all do well. This is true of all southeastern Alaska that I have seen. The only question is to have the land to do it. Generally our season opens in May and closes in October.

Q. You stated in a conversation this morning, as I understood you, that in your opinion Alaska is so great in her area that it would be impossible for the people to elect one delegate who would satisfactorily represent her different sections and interests, and that if she is to be represented by delegates and those delegates are to be elected by the people, the Territory should be divided into at least three districts and three delegates be chosen—is that correct?—A. That is my opinion and would be satisfactory all around. One man could not represent Alaska. The distances are too great. You might as well have a man in the State of Washington represent Alaska in Congress as to attempt to select one man here to do it.

## STATEMENT OF CAPT. J. C. HUNTER.

J. C. HUNTER, captain of the steamship *Dolphin*, on board thereof Tuesday, June 30, 1903, testified as follows:

By Senator DILLINGHAM:

Q. Your name in full is what?—A. J. C. Hunter.

Q. And you are captain of this ship?—A. Yes, sir.

Q. I wish to inquire how many years you have been engaged in navigating vessels from Seattle to Alaska?—A. Since 1883.

Q. Doing this you have to pass through Canadian and American waters?—A. Yes, sir.

Q. Will you please state which of these two governments has done the most work in building light-houses and other measures to prevent disaster to vessels?—A. Without any prejudice, I want to say that

the Canadian government has done more for the safety of navigation as regards building of light-houses and beacons and buoys.

#### WHERE LIGHT-HOUSES SHOULD BE BUILT.

Q. I wish you would give us your opinion as to necessary work—that which should be done by the United States Government along its Alaskan coasts; that is to say, so far as your routes extend.—A. There should be more light-houses. Wrangell Narrows should be improved. Beacons should be built there so that ships could go through at night when favorable opportunity presents itself. There are no night marks, and the buoys there are liable to move and drift out in the middle of the channel. This renders it more dangerous than if none were there at all. The light-house tender boat comes up here only once in the year—some time in June—and that is the last we see of her until the next year. If a buoy gets out of position, which it does sometimes a couple of days after the light-house tender leaves, the buoy remains out of position for the remainder of the year.

#### COST OF LIGHT-HOUSES.

The light-houses up here seem to me to be too expensive. They could be built for perhaps \$8,000 or \$10,000, and then you could build more of them. If an appropriation were given this country for light-houses, instead of using such expensive light-houses, three or four could be built from the same appropriation.

As regards beacons, they could get the timber for them right near where the beacon is needed. Beacons in Wrangell Narrows should be composed of three piles in each cluster, with a latticework on top painted white, so that they could be picked out with a searchlight.

There are at present three light-houses in Alaska. There is one at Southeast Fingert and one on Sentinal Island. These two are now in operation. The third one is at Marys Island. It is not yet completed. It will be finished and lighted in a couple of months.

This is not sufficient light-houses for Alaska. There ought to be one on Guard Island, one on Eldred Rock, one on Point Retreat, and one on Fairway Island. Stake lights would be sufficient and a fog bell operated by machinery.

There should be a light-house on Cape Spencer, to be a guide for vessels coming from Bering Sea or Cook Inlet to Juneau. That should be a regular light-house of the third or fourth order light.

Q. Your boats run in winter as well as summer, do they?—A. Both summer and winter; there is no lay up.

There should also be a large beacon on Hog Reef—a 30 to 40 foot beacon. There should be one on California Rock, one on Rosa Reef, one on Key Reef, one on Cutter Reef.

#### NAVIGATION DANGEROUS.

Q. By reason of the absence of these, what difficulty do you have in the night in navigating?—A. If these beacons were there we could navigate with security. We could pick them out with a searchlight. We stop now, or slow down, or lay to and wait. It is the only way we can do with security.

## PROXIMITY OF SHORE ASCERTAINED BY ECHO.

In the long winter nights we have to stop and ascertain the proximity of the shore by the echo of the fog whistle or the steam whistle. We run by the echo when we can not see at all. If there is no echo ahead we know there is a clear opening.

Q. Now, Captain, if there is anything else that you wish to say I would be glad if you would state it.—A. Another step to insure safety to life and property is that we should have compulsory pilot laws for these inland waters. No man should be allowed to hire himself out as pilot unless he has passed a strict examination as to his qualifications to guide and take care of the ship as well as the master.

From Skagway to Seattle and return is about 2,000 nautical miles, and if a ship meets with an accident while the pilot is on duty, let the pilot take the blame if the ship is damaged. While the master is in charge he takes the blame.

## STATEMENT OF HON. A. P. SWINEFORD.

ON BOARD THE STEAMER DOLPHIN,  
*Near Ketchikan, Alaska, Wednesday, July 1, 1903.*

Hon. A. P. SWINEFORD, former governor of Alaska, testified as follows:

By Senator DILLINGHAM:

Q. What is your full name?—A. A. P. Swineford.

Q. Governor, you will please tell us how long you have been in Alaska and what your position has been and what business you have been engaged in.—A. I came to Alaska first as governor in September, 1885; remained here in Alaska until the fall of 1890. Then I was out of the district a little over four years, most of the time being backward and forward during the four or five years until 1895. I have lived up here in Alaska since then, about three years at Juneau and the balance of the time at Ketchikan.

Q. As governor you had occasion to visit different parts of the district and look into matters generally?—A. I have been all around the district nearly, on the water front. I have never been more than 4 or 5 miles into the interior.

Q. You have not been down the Yukon?—A. No; I have been up very nearly to the mouth of the Mackenzie, which enters into the Arctic.

Q. How long were you governor?—A. A little over four years.

Q. Governor, this committee have come up here to secure information which will be of use to us when legislation is offered regarding conditions in Alaska and for the purpose of securing information upon which they can propose legislation, if any is needed for Alaska; and to this end, any information which suggests itself to you they would be glad to receive, both in respect to conditions existing here and remedies if any are needed?—A. You want to know something about the resources, business, and industry of the district?

Senator DILLINGHAM. Yes, sir; but particularly touching those matters concerning which legislation may be required?—A. Concerning that, gentlemen, I have very little to say from my standpoint. In other words, I can give you my opinion or suggestions very briefly.

## TERRITORIAL GOVERNMENT.

There is no legislation that Congress can give us that can help Alaska—except one piece of legislation—other than that which would be applicable to the States and Territories. We should be permitted to govern ourselves. I believe that Congress wants to do the best that can be done for Alaska. If that is the case, the way to improve Alaskan conditions is to place Alaska in a position to do something for herself. There is no reason why we should be treated by Congress any differently than every other fragment of American territory and fraction of the American people have been treated heretofore—that is to say, give us a government of our own.

By Senator PATTERSON.

Q. You mean a territorial legislature?—A. I don't care what you call it.

Q. You mean a legislative government to make your own laws?—A. Yes; that follows as a matter of course. In all the organic acts of the different Territories—and I have studied the matter pretty carefully—they are given a Territorial legislature, whose acts are subject to the approval or disapproval of Congress. In some instances a legislative enactment becomes a law without approval of Congress. In other cases there must be approval by Congress before it goes into effect. We feel here that we are treated more like mendicants. We have put ourselves in this condition. In presenting the matter through my little newspaper, and occasionally in public meetings, I have always insisted that when the people of Alaska should get together in some representative capacity, so that the people would be heard, and decide what they want, and then go to Congress with a respectful request for it, they would get it.

## SELF-CONSTITUTED DELEGATES.

You have been besieged every session of Congress by men assuming to represent Alaska—self-constituted delegates who go to Washington with some ax to grind or some selfish purpose for mere local need. The first man we ever had to represent us is the case of Mr. Ivey last winter, and his only credentials, that I know of, were from the chambers of commerce at Skagway and Valdes. I don't say that to the discredit of Mr. Ivey, by the way, for I believe he had the best interests of Alaska in mind in going to Washington.

If I wanted to talk plain I should say that we would be justified in demanding of Congress the right to govern and control our own domestic affairs. I think you will find before you have made your rounds that we are just as capable of doing it as any equal number of people in any part or parcel of the United States, without exception.

## CHARACTER OF PEOPLE.

We do not get the ignorant class of people up here. We don't get the tramps and mendicants that you get in the eastern States, nearer civilization; they can't get here.

Q. What is the nationality of most of your miners and prospectors?—A. Mostly Americans.

Q. What is the nationality of most of the towns?—A. Well, we

have a great many native-born Americans; I should think a majority. We have a good many Scandinavians, Germans, Irish.

Q. All American citizens?—A. All American citizens.

#### PERMANENT POPULATION.

By Senator DILLINGHAM:

Q. What proportion of the population of the district is permanent—those who stay here summer and winter?—A. I don't know any that are not permanent. There may be some who come here to make money and then get out, but such people are the same as might go to Colorado or Idaho or any other place and do the same thing. You could not induce me to go away from this country in the winter. If I lived in any one of the Northern States east of the Rocky Mountains and wanted to spend the winter elsewhere I would go to Alaska instead of Florida.

Q. You have the national mining laws extending over your Territory?—A. Yes, sir.

Q. And also the land laws?—A. Yes, since the last session of Congress.

#### HOMESTEAD LAW.

Q. I wish, governor, you would state your views as to the recent homestead law, which gives 320 acres to settlers?—A. The principle of the law is all right. The fault that I find with the law is that it is too liberal, in a way. I can't see any good reason that can be urged why a man seeking a home in Alaska should be given 320 acres of land, while if he goes into Washington or any other public-land State or Territory he is limited to 160 acres. Then the other objection to it is that such an act tends to restrict rather than to promote and hasten settlement and development. It will have precisely the same effect that a similar law had in Oregon and Washington. A man will get the possession of 320 acres of land, assuming that he wants it all to himself, and after he gets it he sits down and indulges in shiftless habits, depending upon the land to pay for itself rather than working and tilling it to make money. If you stop to think that if you settle up a particular district in that way you will have only seventy-two settlers, probably a large portion of them single men, in a whole township, not a sufficient population to maintain schools or to build roads. Assuming that there are seventy-two families in a township, and that they are sufficient to support a school, the children won't be able to attend that school because it will be too great a distance from their homes, wherever the school is built.

I can see no good reason for giving 320 acres in Alaska and 160 acres elsewhere. It makes people think that Alaskan land is not worth much, and that you have to give a great deal more to induce settlement.

#### NO PUBLIC SURVEYS.

By Senator PATTERSON:

Q. In that connection, what public surveys have you up here?—A. None.

Q. What impediment is the absence of surveys?—A. None at all.

Q. Don't you want the public surveys up here?—A. Not in the gen-

eral acceptance of the term. Special Government surveys to meet the wants of settlers would, in my opinion, answer all practical purposes and cost a great deal less.

Senator PATTERSON. In the mountain States I have known the people to send their surveyors into certain localities where population was gathering and had surveys made there.

Senator NELSON. This act, which was passed last session, practically provides for that.

Senator PATTERSON. In what way?

Senator NELSON. By having the settlements made. The settler can have a survey made, and he pays for having it done.

Senator PATTERSON. Don't it strike you, Governor, that if the Government should commence doing a reasonable amount of surveying that it would help settlement?—A. No. I think the better plan would be to provide that where actual settlers take up a certain number of homesteads that the Government then provide for surveying them.

Q. Have you any objection to the Government doing a reasonable amount of surveying in localities where settlements are made?—A. No.

Q. Your feeling about it is a matter of economy so far as the Government is concerned?—A. Yes, sir. In these mountain regions the cost of surveying is enormous. There is another objection to the law as it now stands, and that is that it does not make what you might call a proper discrimination between agricultural and timber lands. We have a good many people up here who expect to make homesteads on our very best timber lands in southeastern Alaska.

#### TIMBER LANDS ALONG COAST.

By Senator NELSON:

Q. All of your agricultural lands here are really timber lands, at least along the coast here?—A. Yes, sir.

Q. So that if you exclude timber land from homestead entry there would really be no homesteads to enter?—A. Yes; but there is this difference, that our heaviest timber is on the mountain sides.

#### NO LEGISLATION OTHER THAN TO AID NAVIGATION.

I want to say to you gentlemen of the committee that aside from legislation concerning public lands, providing the necessary aids to navigation in the way of light-houses, buoys, beacons, that if I had it to say I would not have any legislation by Congress other than that.

#### CONGRESS CAN NOT PROPERLY LEGISLATE.

By Senator PATTERSON:

Q. In other words, you think that Congress is liable to be deceived?—A. I hold that it is absolutely impossible for Congress, with the very best intentions, to legislate locally for Alaska with any degree of intelligence. Now you gentlemen will see more of Alaska on this trip than any delegation or committee that has ever visited Alaska, and when you get back you will have seen but a very small part of it. You have been to Ketchikan this morning and seen the town there which is two years old, and that is a very small part of the country's development and improvement that you have come through to-day. And

just as Senator Patterson says, you are liable at any time to be beset by interested parties who have axes to grind, selfish purposes to attain. You will not know what to do, whether they are telling the truth or representing anybody but themselves or not.

#### SOUTHEASTERN ALASKA A TERRITORY BY ITSELF.

By Senator DILLINGHAM:

Q. It was suggested to me this morning that while Territorial government was to be desired; that in order to have it successfully inaugurated there should be a division of the district in some form on account of the tremendous distances between Nome, we will say, and here, that the Territorial government would be cumbersome.—A. I don't think so. I would prefer very much to have southeastern Alaska a Territory by itself, but I don't think it would do at this time.

By Senator PATTERSON:

Q. What constitutes southeastern Alaska?—A. All this 30-mile strip and as far north and west as Mount St. Elias.

By Senator DILLINGHAM:

Q. Why would you care to have that portion set apart?—A. We would be to ourselves then. But there is no reason why that should be done, except to please us here. If you were inclined to favor a Territorial form of government for the whole district, that would be the only argument I could make in favor of division.

#### REASONS FOR A TERRITORIAL GOVERNMENT.

By Senator PATTERSON:

Q. If there was a division should not that division include the thirty-mile strip and the section of the country that lies this side of the Yukon?—A. Yes, sir. That is what I say—the one hundred and forty-first meridian as the western boundary and the Yukon as the northern boundary. But there is no good reason why the whole district of Alaska should not be made a Territory to start with. When you come to the point that it will be cumbersome because of the great distances, the argument of impracticability does not apply with one-tenth the force that it did to Oregon when that Territory was organized. Why? Simply because we have better means of communication. Oregon, when she was organized in 1849, had a territory embracing all of Washington, all of Idaho, a large part of Wyoming, and a large part of Montana, and divided at the same time by an almost impassable mountain range, with widely scattered settlements, between which there was no means of communication. When Governor Lane was appointed first governor of Oregon, it took him over six months to reach the Territorial capital from his home in Indiana. I get my mail now from Washington in seven days at Ketchikan. I was a member of the Michigan legislature, and once had to travel through three other States to reach the capital, and then I had a part of the way by stage-coach.

#### AREA AND POPULATION.

Q. You have got about 530,000 square miles in Alaska?—A. Yes, sir; and her population is more than 60,000. Washington was organ-

ized with a population of a little more than 3,000; Colorado was organized with a population of a little more than 7,000. Take the district of Alaska; where would there be anything cumbersome in operating a Territorial form of government with the present three judicial divisions made into three counties? The expense would not be as much as it is costing us now. We are paying now in license taxes alone twice as much money as would be required to operate a Territorial government, including county expenses.

## AMOUNT OF LICENSE TAXES.

By Senator DILLINGHAM:

Q. Do you remember in round numbers what that was last year?—A. Something over \$400,000. That includes license taxes and the fees we pay to officials. It does not mean internal-revenue or customs taxes or the proceeds from the sale of mineral or other lands.

## OFFICIALS.

By Senator PATTERSON:

Q. What Government officials are there?—A. Governor, surveyor-general, three judges, three marshals, three district attorneys, three clerks, and, now, many more commissioners, deputy clerks, and deputy marshals than I could tally in notches on a pine stick.

## TOWN GOVERNMENTS.

Q. There is one other thing that I want to ask you about, and that is as to the organization of town governments?—A. That is under the incorporation chapter of the civil code.

Q. It has to be done through one of the judges?—A. Yes.

Q. Won't you tell us about that?—A. In the first place we have to get up a petition for incorporation and present it to the judge of the division in which we are situated, asking for an order from the court ordering an election to determine whether we will incorporate or not, and at the same time electing a common council of seven members and a school board of three members. Then we file the record of the election with the commissioner of the district in which the corporation is situated and also with the clerk of the court. That is all there is to it.

## JURISDICTION OF COMMON COUNCIL.

Q. What is the jurisdiction of a common council?—A. You can't prove it by me. I was a member for a number of years but was unable to find out.

By Senator PATTERSON:

Q. Judging from Ketchikan, you can license saloons?—A. No, sir.

By Senator DILLINGHAM:

Q. What I want to know is whether the common council has control of saloons, gambling, houses of ill fame, etc., or whether they do not?—A. They have no control of them whatever.

By Senator PATTERSON:

Q. Do you have any municipal code for the punishment of municipal offenses?—A. I do not know how it is now, for the law was amended by the last Congress; but prior to that the court decided in a case at Skagway that in the collection of taxes—

Senator NELSON. Let me call your attention to act No. 135 of the last session of Congress, which was approved March 2, 1903. This act covers that entire question.

#### BUILDING OF ROADS.

Q. Recognizing the fact that the mining laws and the land laws are adequate, what other laws are there that you believe a representative body chosen by the people of Alaska should make?—A. There are a great many. How are we to build roads? How are we to build trails to help our mining industry? These amendments are all liberal enough to the incorporated towns, but not to the people outside of them. Suppose we want to build a road to or near by a mining camp, so as to get into it; in such a case we can not spend any of that money. You can imagine how many laws this new country will need, and you can imagine first how inconvenient it is to go to Congress for such legislation.

Q. You would then say you need such general laws as an organized State should pass for the people therein?—A. Yes. We would look to Congress for such general legislation as the other Territories get. Eighty per cent of the people want this.

#### POPULATION.

Q. What is the population of Alaska?—A. About 6,000 white persons of the character which I have described. I don't think you can go into any part of the United States and find so great an amount of intelligence among the people as here.

#### FORTY-FIVE PER CENT OF POPULATION IN SOUTHEASTERN ALASKA.

By Senator DILLINGHAM:

Q. What proportion of that is in southeastern Alaska?—A. Not half of them. I should think about 40 or 45 per cent. That would be my estimate.

#### WHERE REMAINDER IS.

Q. Where in the district would be the major portion of the balance?—A. In the Copper River country, Cook Inlet, and some of the islands to the westward; along the Yukon, Eagle City, Rampart, St. Michael, Nome, Council City, etc. There are a good many on the Tanana now.

By Senator PATTERSON:

Q. What is your opinion, Governor, if any, about the possibility of Alaska becoming self-sustaining in agriculture and live stock?—A. I would not like to say about that; you would think me wild.

Q. Let us have your views.—A. Alaska as a whole has the re-

sources to maintain a population of anywhere from seven to ten million people without going outside for anything.

Q. Have you any idea of the percentage of Alaska that might be used for agriculture?—A. No; I can't say anything as to that except from hearsay. I know that it has a very large agricultural district in the Cooks Inlet country, particularly on the east side of it, and on some of the islands to the westward where they have large grazing facilities and, from what I hear from the prospectors and miners who have been through the interior, they raise good vegetables and crops on the Yukon. One man at old Fort Selkirk has a big farm.

#### AGRICULTURE.

By Senator DILLINGHAM:

Q. It is on these reports that you base your estimate as to the future?—A. Yes, sir. We can grow in this part of the country vegetables sufficient for a large population. While I don't think we could ripen wheat more than about one in five seasons I am inclined to think that we could grow oats and barley, and that rye might ripen. This has been tried very successfully at Sitka. We can grow all the small fruits, such as strawberries, raspberries, currants, etc.

#### DELEGATE.

By Senator NELSON:

Q. Governor, assuming that Congress should not be disposed to grant you in the near future self-government, as you call it, what have you to say in respect to the matter of a Delegate in Congress for this Territory?—A. Then we don't want any Delegate.

Q. On the same assumption that Congress is not disposed to grant you self-government, what additional legislation would you recommend?—A. None at all, except that of a general character, such as aids to navigation, etc.

Q. Of your own knowledge do you not know of the character of the country and its capacity for agriculture beyond this 30-mile strip—you have not been across the Yukon Valley?—A. No; I have been to Cooks Inlet and Prince William Sound. I have not been into the interior. I have been at Yukutat.

#### OATS AND BARLEY.

Q. Do you think that oats and barley would grow well and ripen here on any part of this 30-mile strip?—A. Yes, sir; I think so.

As to the Delegate I mean what I say. Suppose we had no governmental organization in Alaska, and you could by any possibility fix a way so that we could elect a Delegate, whose Delegate would he be? Who would he represent? What power would there be behind him?

Senator PATERSON. Well, the power of the people.

A. (Continuing.) No; the people would not be represented. The entire district of Alaska without local governmental organization can not elect any one man who can properly represent all her interests. If you do anything give us a local government. Without that, if you feel that you want somebody down there in Washington from Alaska, the proper thing to do would be for the President to appoint him. Let

there be somebody behind him or something by whom or which he can be held responsible.

DELEGATE SHOULD BE APPOINTED BY PRESIDENT IF NOT ELECTED.

Q. A bill came over to the Senate from the House last session providing for the election of the Delegate. That bill was amended by providing for the appointment of a Delegate by the governor and the three district judges instead of being appointed by the President. What is your opinion as to that bill?—A. The Delegate, if appointed, should be appointed by the President. He is a thoroughly disinterested party. The judges are already clothed with entirely too much extrajudicial authority and power.

COURT IS GOVERNMENT.

Q. As I understand it, your government consists of a governor, a district attorney, three district judges, three United States marshals, and commissioners having jurisdiction as justices of the peace and probate judges and who are ex officio recorders.—A. Yes, sir; they are the officials, but the court is really the local government. It is the local government entirely and wholly. The governor is merely a figurehead. This is as much true now as when I was governor. I don't say this now any more than when I held the office.

PRINCIPAL PLACES IN SOUTHEASTERN ALASKA.

Q. What are the principal places along this archipelago—commence from the south and go north?—A. You meet first the settlement at Old Tangass; about 7 or 8 miles from there is Wales Island, which is on the Portland Canal, and then the Metlakahtla settlement on Annette Island, Saxman, Gravina, and Ravilla. There is Hollis, a mining camp where several mines are being operated. Then farther down on Prince of Wales Island is a place called Chomly. Still farther down is Dolomi and Niblack. On the other side of Prince of Wales Island is Klinquan, Jackson, Klawak, Copper City, Copper Mountain, Hetta, and Sulzer. All of these are on Prince of Wales Island. To the right of us [indicating] is Louring. There is a cannery there which put up 110,000 cases of salmon last season. On the north end of Prince of Wales Island is Shakan; then comes Wrangell, on an island of the same name; above that we come to Woedsky, Petersburg, Windham Bay, Sumdum, Snettishham. The next is Treadwell, an incorporated town, Douglass, Juneau, Seward, Jualin, Haines, Skagway, Pyramid Harbor, Killisnoo, Rodman Bay, Hot Springs, Sitka.

By Senator PATTERSON:

Q. These are all either towns, canneries, or mining settlements?—  
A. Yes, sir; they are all places of industry.

RIGHT OF SELF-GOVERNMENT.

Q. Is there anything else, Governor, you think of suggesting in this matter?—A. I would like to impress you with the fact that we want to be made American citizens, first and foremost; the right to govern and control our own domestic affairs; to work out our own destiny; to

reap the just reward of our labors and sacrifices as the pioneers of the great section of our common country.

Q. Can you give us any idea of the increase of trade in Alaska by any increase of the shipping that is going on here?—A. You can get that from the Treasury Department; they keep all the statistics.

TRANSPORTATION INCREASING.

Q. Is there a constant increase in the amount of transportation that is going on?—A. Oh, yes. A very great increase all the time.

By Senator NELSON:

Q. At present 50 per cent of the funds received by municipal corporations can be devoted to school purposes and the other 50 per cent goes into the treasury. Don't you think it would be a good plan to devote that money to building roads?—A. Who would build them?

Q. The people living in the settlements.—A. Well, if we are taxed we claim the right to tax ourselves.

LICENSE TAX SHOULD BE EXPENDED FOR ROADS.

Q. Assuming that that is not done—that you are not given legislative self-government—would it not then be a good plan to devote at least a part of that license money for the construction of roads?—A. Most assuredly, if it can be done. It is the loaf we want; but if we can't have the loaf we will have to take the crumbs. I want to impress upon you gentlemen again the fact that we want a government of our own.

LEGISLATURE FOR ALASKA.

You have given Porto Rico a legislature, Hawaii a Territorial form of government, and are talking about self-government for the Philippines. I can't conceive how Congress can hesitate to make similar provision for us. This is what the people want. There is hardly anyone in Alaska that does not want it.

By Senator PATERSON:

Q. Now that you have mentioned it, can you name anybody who does not want legislative self-government?—A. Selfish interests, or rather those who represent selfish interests and want everything for nothing—the so-called Treadwell Company, for instance, which is an English corporation.

Q. Who else besides the Treadwell Company?—A. I do not know of anybody besides the Treadwell Company and those who are living off of it.

Q. How about any of these canning corporations?—A. I do not know of any of them who are opposing it. The only opponents to local self-government in Alaska were properly named by the President in his speech to Alaskans at Seattle—those who came here to "skin the country" and then get out of it.

## STATEMENT OF HON. A. K. DELANEY.

ON BOARD THE STEAMSHIP DOLPHIN,  
*Thursday, July 2, 1903.*

Hon. ARTHUR K. DELANEY appeared before the committee and stated as follows:

By Senator NELSON:

Q. The committee thought it best to take your statement in reference to conditions here in Alaska. Will you please state what are your initials?—A. I write my name Arthur K. Delaney.

Q. Where do you live?—A. I live at Juneau.

Q. How long have you lived here in Alaska?—A. I came to Sitka on April 26, 1887.

Q. What official positions have you held here?—A. I was collector of the port, customs district of Alaska, from April, 1887, to March, 1889; and from Sitka I removed to Juneau in November, 1889, and opened a law office. After that I was appointed United States district judge for the district, by President Cleveland in 1895, and served until 1897, and was succeeded by Mr. Charles S. Johnson.

Q. And since that time you have been practicing law here?—A. Yes, sir. I have resided continuously at Juneau and been engaged in my profession since, besides prospecting in mines some.

## TERRITORIAL LEGISLATURE IMPRACTICABLE.

Q. The committee would be glad to have your views, Judge, upon the question of establishing a territorial-legislative form of government for Alaska. I mean by that a government for the whole Territory, something like that which the Territories of New Mexico, Arizona, and Oklahoma have now?—A. Personally I am very much in favor of giving to the people of Alaska the rights and privileges of local self-government. But owing to the vast area of the Territory, its physical topography, and the fact that this southeastern portion of the Territory comprising the strip on the mainland and this archipelago is so far removed from the other portions of the Territory, including Cook Inlet to Prince William Sound and the St. Elias country and the valley of the Yukon—that I doubt somewhat the practicability of giving to that whole area a territorial form of government.

## SOUTHEASTERN ALASKA SEPARATE.

I would like, and I believe it is entirely practicable, and I believe our people are ready for it, to have this southeastern portion, which I describe as the "panhandle and archipelago" district from Yakutat Bay to Cape Chacon, on the southern end of Prince William Island, created into a Territory. I think that is entirely practicable.

Q. Assuming that that can not be accomplished—this southeastern portion made into a separate territory—your views are that at the present time it would not be advisable or practicable for Congress to provide for a territorial form of government for the whole Territory as an entirety, as I understand it?—A. Yes, sir; I would like to see it done, but I am afraid of it. I am afraid of the experiment, owing to the vast area and great distances.

## OUTLINE OF ALASKA'S GOVERNMENT.

Q. Will you be kind enough, Judge, to give us a brief outline of your government, such as it is now? First, give us your officials outside of the municipalities and also, in general terms, the jurisdiction and authority of these officers?—A. After the government was turned over to the United States in October, 1867, the War Department took charge of it, and garrisons were established here in southeastern Alaska, at least at Sitka, at Wrangell, and at Tongass. Afterwards, in the early part of the seventies, the garrisons were withdrawn and the Territory was nominally under the Secretary of the Treasury. During that period the only civil officer in the Territory was the collector of customs, having his headquarters at Sitka. Because of threatened Indian outbreaks at Sitka the Government sent a naval ship, and the Territory was turned over to the Secretary of the Navy. And from that time on a war ship was here and patrolled the waters of the inland passage during the better seasons of the year to protect the people from the Indians.

## FIRST SURVEY.

In the fall of 1880 gold was discovered at Juneau. The old *James-town* was here then in connection with the Navy Department, and the officers of that ship came down to Juneau in the gold excitement and located some claims and surveyed that town site. That was the first division of town lots or settlements that ever occurred in the Territory. That was the origin of the town. The survey was made by a civil engineer on the ship, named Hannus.

## FIRST LOCAL GOVERNMENT.

During the winter of 1880 and 1881 the miners organized the Harris mining district, with Juneau as its center, and adopted rules and regulations as to the control of mining claims and as to the location of town lots on the Juneau town-site survey. That was the first form of civil or local government that portion of the Territory ever had.

The mining code constituted the only civil government until 1884, when Congress passed the act which is commonly known as the organic act, which was approved on the 17th day of May of that year. That form of government was the governor, the judiciary—a district judge and certain commissioners. But there was no provision as to a legislature. And the act expressly provided that we should not have a delegate in Congress, and that the general land laws should not be extended to the Territory.

That act comprised the only legislation until 1891, when the trading and manufacturing act was passed.

## CARTER CODE.

Then we come down to the Carter code in 1900. That gave us a code of procedure and reformed the practice in the courts and some additional things. It also provided for a license system as to our industries and business and also the sale of intoxicating liquors, which up to that time was under the prohibitory provision of the act of 1884.

So that, substantially, is the form of government under which we live.

## WHAT GOVERNMENT CONSISTS OF.

Q. So that the government now consists of what?—A. A governor, a district court, which is divided into three divisions with three separate judges, district attorneys, marshals, and clerks; and, I believe, a recent act of Congress has fixed the geographical limits of the divisions. We also have a surveyor-general who is ex-officio secretary of the Territory.

That is substantially the form of government which we now have. We also have several commissioners.

## JURISDICTION OF COURT COMMISSIONERS.

Q. Please describe what those court commissioners are and what their functions are.—A. Formerly the United States commissioners were appointed by the President, by and with the advice and consent of the Senate, and were vested with probate jurisdiction in conjunction with the jurisdiction of the justices of the peace under the laws of the State of Oregon, which were incorporated as our local law under the act of 1884. The new law takes this appointment from the President and vests it in the several judges; but the jurisdiction is substantially the same as before.

Q. These court commissioners are ex-officio probate judges, performing the functions of probate judges and also justices of the peace and also recorders?—A. Yes, sir.

Q. And the court establishes recording districts also?—A. Yes, sir. They define the limits.

Q. What is the jurisdiction of the commissioners as justices of the peace?—A. That covers in civil matters causes where the amount involved is less than \$1,000, and in criminal matters misdemeanors, offenses punished by fine and imprisonment, in a small degree.

Q. And as probate commissioners they have jurisdiction over the estates of intestates and also in matters of guardianship?—A. Yes. A general probate jurisdiction within their district limits.

## DISTRICT JUDGES ISSUE LIQUOR LICENSES.

Q. Under that act of 1900 (the civil code act) they have the power of issuing licenses for the sale of liquor?—A. Yes, sir; the district judges have—not the commissioners.

Q. And also for certain trades and employments?—A. Yes, sir.

## NO TAXES EXCEPT LICENSE TAX.

Q. Aside from custom taxes and internal-revenue taxes, the only taxes you have in this Territory are these so-called license taxes?—A. Yes, sir.

Q. There is no tax on real estate except within the city limits?—A. That is correct. There is no further tax, except for corporate purposes, within the several municipalities. Under the act of 1891 Congress gave us the privilege of locating town sites. It extended to Alaska the general town-site land laws. The town of Juneau has taken titles to lots under this act.

Q. And it also gave you authority to incorporate towns?—A. Yes, sir; the act of 1900 does that. Under that law Ketchikan, Wrangell,

Juneau, and Skagway have become incorporated towns. I do not think Sitka has taken advantage of it, unless it is quite recently. So that we have in each of these incorporated towns a common council, a mayor, and the usual form of municipal government; and the last session Congress gave us police magistrates.

Q. Under the original act half of the license money received by municipalities went into the United States Treasury?—A. Yes, sir.

LICENSE TAXES GO INTO MUNICIPAL TREASURY.

Q. You are familiar with the recent act on that subject?—A. Yes, sir; to some extent. I think the first act provided—at the first session of Congress after the passage of the act taxing our industries and business enterprises—that 50 per cent of that amount should be used for school purposes and that the balance should go into the United States Treasury. The recent act provides, as I understand, that 50 per cent shall go for municipal purposes and 25 per cent for school purposes absolutely, and the other 25 per cent for school purposes, provided such action is approved by the district judges.

EXCEPTION AS TO 25 PER CENT FOR SCHOOLS.

Q. Under the recent act of Congress, then, all the license moneys in the incorporated towns—whether derived under the act of Congress or from licenses imposed under the corporate authorities—all go into the municipal treasury?—A. Yes, sir; but with this exception: That we must go to the court and get its approval to use the last 25 per cent for school purposes.

LICENSE MONEY OUTSIDE OF TOWNS.

Q. And as to the license money for territory outside of the incorporated towns, 50 per cent can be devoted to school purposes under the direction of the Secretary of the Interior, and the balance is covered into the United States Treasury?—A. Yes, sir.

Q. What are your views as to the recent homestead law, which was passed last session—you are familiar with that?—A. Yes, sir; I think the extension of the homestead law to Alaska is a wise provision of Congress, provided that it be so safeguarded that the Government shall not pass title except to actual and bona fide settlers. I would not like to have the public lands here made a matter of speculation.

NO COMMUTATION OF HOMESTEADS.

By Senator NELSON:

Q. And therefore you would concur in my views that it is not wise to allow commutation of homesteads?—A. I do.

Q. You know the difficulty of the first homestead law was that a settler could not have a survey made. Under the recent law passed, the settler can have a survey made himself and secure title?—A. Yes, sir.

Q. Do you think, providing you take out the commutation clause, that there is any objection to giving them 320 acres?—A. I think that is right.

Q. You know under the recent law that on a navigable water course the homesteader can not have but 160 rods front on a navigable water course; on each 360 acres, the Government reserves 80 rods?—A. Yes, sir. That is a wise provision.

JUDGES SHOULD NOT HAVE CONTROL OF LIQUOR TRAFFIC.

Q. What further legislation—outside of the matter of a Delegate for southeastern Alaska—under present conditions, do you think now is necessary for the good of the Territory?—A. If it is deemed impracticable to give the people of southeastern Alaska—that is the archipelago and the “panhandle” on the mainland—a Territorial form of government, I believe that the control, the licensing, the regulation of the liquor traffic, should be taken away from the district judges as to the incorporated towns and placed under the control of each separate municipality. One reason for that among others which I might urge is that I do not think the judicial department of the government should be vested with the administrative authority. The regulation of the liquor business is an administrative and not a judicial function; and on general principles I am in favor of keeping the three separate coordinate branches of the government, as far as may be, independent of one another. Therefore, the district judges should not be vested with power to regulate the sale of liquor. That should be under the control of each separate municipality. I am advised that Judge Brown, the district judge, takes this same view.

LIQUOR LICENSES OUTSIDE OF TOWNS.

Q. Of course, as to the issuing of licenses to sell liquor outside of the town limits, that authority would still have to remain with the district judges?—A. Yes, sir.

Q. What further legislation do you think is necessary, either by way of regulation or administration, would you suggest?—A. I would make this suggestion to the committee, if you please, Senators: I think the act of Congress of June 6, 1900, is a mistake in conferring upon the district judges the power to appoint these subordinate courts—these commissioners who have justice of the peace and probate jurisdiction—for the reason that it renders the inferior courts somewhat dependent upon the court of the last resort. I think that is bad in principle. The inferior courts should be independent of the appellate courts.

PRESIDENT SHOULD APPOINT COMMISSIONERS.

Q. In what authority would you vest their appointment?—A. I would give it to the President, by and with the advice and consent of the Senate.

Q. Would you give them the same jurisdiction as they have now as probate commissioners and justices of the peace?—A. Yes, sir.

Q. You would only change the appointment from the judges to the President?—A. Yes, sir.

Q. Don't you think it would be a good plan, Judge, to use this other half of the license money outside of the incorporated towns for establishing roads to the different mining camps, settlements, or some part of it?—A. Yes; that is, outside of the incorporated towns, I

think it would. I do not think that the necessities of the public schools outside of the incorporated towns would require the expenditure of the amount of revenue which is raised under the act for school purposes, and that the excess should be used for the building of roads.

#### ROADS BUILT BY TOWNS.

Q. Don't you think it would be a good modification of the powers of your municipal corporations to authorize them, in their discretion, to expend a limited amount of money for the construction of roads leading to the corporate limits, but outside of the territorial limits of the corporation?—A. My idea as to that is this: That primarily, all the money that is raised under this business-tax law, together with the money they receive from the liquor traffic, should be expended first and foremost to carry on the public educational system. After that, these moneys ought to be devoted to municipal improvements within the corporation. Then, any excess which might be left after giving us good schools and reasonably fair improvements in our cities, ought to be devoted to internal improvements so that we can reach the outlying camps.

In my judgment, if the present tax is continued, up at Juneau (which is the most populous town in southeastern Alaska), we could run a splendid school system, make all reasonable municipal improvements, and have money remaining for road building outside the city.

#### DELEGATE TO CONGRESS.

Q. The question came up in the last Congress as to the desirability of Alaska sending a Delegate to Congress. A bill was passed in the House providing for the election of a Delegate by the people, the election precincts to be in the towns and in the mining camps. It passed the House and came to the Senate, and a substitute was prepared by Senator Dillingham which provided for the Delegate to be appointed by the governor and the three district judges. What are your views as to the necessity for a Delegate, if one is necessary, and the best way of selecting him—by electing him or by appointment?—A. A Delegate in Congress, assuming that we do not have the Territorial form of Government, would be a great service to the people of the Territory. That is, I imagine that with the people behind him he might have some good influence in directing or suggesting such legislation as the demands of the Territory might require in the two branches of Congress. Of course, he would be substantially an errand boy for us—that is about the size of it.

#### PRESIDENT SHOULD APPOINT DELEGATE.

If we were to have that, I would not deem it wise to lodge the appointment in the district judges and the governor, largely for the reason that to some extent he would necessarily be their creature. I am a little bit afraid of it. It is not right in principle. It gives the judicial and executive department the power to make the legislative department. My own judgment is that it would be better to let the President appoint him. I am afraid of allowing local authorities here to assume control of the Delegate.

By Senator PATTERSON:

Q. Assuming, of course, that the person appointed should be a bona fide resident of the Territory?—A. Oh, yes.

ELECTION OF DELEGATE NOT PRACTICABLE.

By Senator NELSON:

Q. Would not this same difficulty—the vast area and great distances—that you mention in reference to the establishment of a legislative form of government for the district as an entirety, would that not also occur to some extent when you come to the matter of electing a delegate for so vast a region? Have you considered that feature of the case?—A. I have not given it full consideration. Of course I could not say without a good deal of reflection and consideration what kind of an act it would be wise for Congress to pass in that regard. I would answer that question this way: That I do not know that it is practicable. I would not say that it is.

Q. By election?—A. I do not know that it is practicable. If it is not practicable, I think the President should name the delegate by and with the advice and consent of the Senate, and not allow a delegate to be appointed by any local authority outside of a vote of the people.

CHANGES OF VENUE IN CERTAIN CASES.

If you please, Senators, there is another point that occurs to me now that I think would not do any harm to mention. Under the act of 1900 the provisions are somewhat incomplete with reference to changes of venue where the trial judge before whom a case is pending might be prejudiced or an interested party. There are some provisions there in regard to convenience of witnesses and the difficulty of getting a jury, but the act does not provide any way for the removal of the case to another judge where a party on either side thought the judge was prejudiced or otherwise disqualified. So that there should be, in my opinion, a provision in that law for the filing of an affidavit showing the prejudice of the judge, whereupon the case should be transmitted to the judge of another division or another judge called in to try the case.

Q. Does anything else occur to you?—A. That is the only thing I recall now. I do not think that law is just right as it stands now. I would be in favor of some arrangement whereby an impartial judge could take charge of the litigation where the judge before whom the case is pending is prejudiced or interested. I do not think of anything else.

BONA FIDE WHITE POPULATION IS 17,000.

Q. How many white American citizens do you estimate are residents of the district?—A. As to the settlements at Nome and probably at Valdes the population fluctuates—that is, there is a good deal of floating population in those two towns. And it would be hard to make an estimate; still I can approximate it. The actual and bona fide residents are not far from 17,000 in the whole district.

Q. How many would you estimate are in the district to-day?—A. My estimate is about that.

Q. Residents and nonresidents?—A. I think there are from 15,000 to 17,000 people living in the Territory, actual and bona fide residents.

Q. That is white people?—A. Yes, sir.

Q. You think it will increase until it will amount to how many—say in this year?—A. Call it 20,000, approximately.

INDIAN POPULATION IS 30,000.

Q. How many Indians do you estimate are in the whole Territory?—A. Including the Eskimos, Aleuts, and Klinkets, all the way down from Point Barrow to Cape Chacon, there is not far from 30,000.

Q. So that the bulk of the population is Indians?—A. Yes, sir, including the Eskimos and all others.

Q. We have heard it estimated that the white population of the district amounts all the way from 30,000 to 50,000. Do you think that is a mistake?—A. I think it is overestimated as to Alaska proper. I think it is too high.

#### REASONS AGAINST TERRITORIAL GOVERNMENT.

Q. Now, you say that personally you favor a territorial-legislative form of government for the whole district, but that you regard it as impracticable. I wish you would tell us what you mean by that. Why are you inclined to regard it as impracticable?—A. In the topographical division of the country, by natural boundaries, the southeastern portion of Alaska here—the archipelago and the “panhandle” strip—is far removed from the other portion of the Territory.

#### NO MEANS OF COMMUNICATION BETWEEN VALDES AND NOME EXCEPT BY WAY OF SEATTLE.

On the ordinary lines of transportation we have no way of communication with Valdes and Nome except by way of Seattle. So far as the Yukon Valley is concerned, all lines of communication would be over this inland route—the White Pass Railroad and the Yukon River. The settlements are far removed from each other, and means of communication tardy and limited.

Senator NELSON. And through British territory?

A. Yes, sir.

The impracticability of it, as it appears to me, is, first, the want of natural communication between the southeastern portion of the Territory and the remaining portions of it. They are so far removed that with the present lines of transportation we are too remote from each other. That is the chief reason.

Q. Southeastern Alaska seems to be about 700 miles long and, including the archipelago, about 60 miles broad?—A. Yes; approximately.

Senator PATTERSON. I think I am safe in saying that if you wait for a territorial-legislative form of government for Alaska you and your grandchildren will be in their graves. The disposition of all the older States is to prevent the formation of additional Territories that will in the end apply for admission as States.

Q. If this is the case, what is your notion as to the desirability of a Territorial form of government which would include the entire District?—A. I would rather have a Territorial form of government, if

it were possible and practicable, than to have the government under the present system.

#### FUTURE GOVERNMENT FOR DISTRICT.

Q. As to the future government of the district by the American population—has there been any discussion of late regarding that?—A. Yes. Of late that has been discussed. For the first time since I have been acquainted with the Territory a movement has been put on foot with a view to organize the rank and file of the people into an organization something like a citizens' association or citizens' league, comprising the representatives from each of the districts and towns throughout the Territory, with a view to have a central organization composed of a committee which will be made up of delegates chosen by or from the branch settlements, so as to give expression as to what the wishes of the Territory are. This is growing very rapidly. Where that has been started the people seem to be in favor of it.

#### MAJORITY OF PEOPLE FAVOR TERRITORIAL GOVERNMENT.

Q. How unanimous is the sentiment of the people of Alaska, so far as you have knowledge, in favor of a territorial form of government?—A. I think it would be carried by much more than a majority.

#### SEVENTY PER CENT OF PEOPLE FAVOR TERRITORIAL GOVERNMENT.

Q. How unanimous is the feeling in that direction?—A. I am rather in the dark except as to rumors that I hear from Valdez and other places to the westward; but I should be willing to give it as an estimate fairly within the bounds of reason and good judgment that 70 per cent of the people would favor it if the question were put pat—territorial form of government or not.

Q. The probable impracticability, as I understand you, is topographical and geographical—the extent and great distances of the country, etc.?—A. Yes; that is right.

Q. Were it not for the extent of territory, would the question of impracticability be lifted from your mind?—A. Yes. If we could have communication. As it is now it takes a long time.

Q. Then it is a question, as I understand you, of difficulties, by reason of the great area and the lack of communication between the settlements?—A. Yes sir. That is chief reason in my judgment.

#### FEW SETTLEMENTS NORTH OF YUKON RIVER.

Q. Is there much, if any, settlement within Alaska north of the Yukon?—A. No, there is not. There is a small post up at Point Barrow and there are a few small settlements along the coast of Bering Sea above the mouth of the Yukon, including Nome and St. Michaels.

Q. If you were to draw a line from the west to the east beginning at Nome to the Yukon, and then follow the Yukon to the eastern boundary of the district of Alaska, would not all the territory south of that line include at least 95 per cent of the white American population of the district?—A. It would if you followed on eastward to the one hundred and forty-first meridian. In this sense. That if you draw a line due east from Nome all away across the district to the one

hundred and forty-first meridian, there is no question but what the area south of that line would include 95 per cent of the whole population of the district.

**NINETY-FIVE PER CENT OF POPULATION IS SOUTH OF YUKON RIVER.**

Q. Running a line from Bering Strait eastward along the sixty-fifth degree of north latitude to its intersection with the Yukon River, and then following the Yukon River to the one hundred and forty-first meridian, would 95 per cent of the white population be below such a line?—A. Yes; it would.

Q. In the early days, Judge, distances were great and the means of communication very few in areas of American territory as large as Alaska, yet with populations less than Alaska now has, and they were created into territories?—A. Undoubtedly, and conditions of that kind in Alaska can be overcome. Nothing is impossible to the American people.

Senator PATTERSON. On talking about it with the people here, I am coming more and more to favor the idea of a Territorial form of government for Alaska.

**STATEMENT OF GEORGE IRVING.**

GEORGE IRVING, of Ketchikan, Alaska, called by the committee, testified as follows:

By Senator DILLINGHAM:

Q. You may state your full name.—A. George Irving.

Q. You are mayor of what?—A. Of Ketchikan.

Q. And you are an attorney at law?—A. Yes, sir.

Q. How long have you been in Alaska, and with what parts of it are you familiar?—A. I have been in Alaska for more than six years. I have been at Ketchikan for four years.

Q. Where were you during the remainder of the time?—A. Juneau, Dawson, Skagway, all the way around up to the Yukon River.

**ALASKA SHOULD HAVE ITS OWN LEGISLATURE.**

Q. Have you any suggestions to make to the committee as to legislation desired for Alaska?—A. Yes, sir; I have this to say: I think that southeastern Alaska, from Valdez down, should have a legislature of its own; I think that the population warrants a government in a Territorial form. If we can't get that, I think we ought to have a delegate sent to Congress who should be elected by popular vote, and that we should not be taxed unless we have that necessary representation which every other portion of the United States has. I want to put myself on record as saying that Alaska to-day is unnecessarily taxed. The taxes are not only unjust, but they are burdensome.

Q. In what respect are they burdensome?—A. In this respect: That we are treated as no other portion of the United States is treated; that we have no representation whatever.

**TAXES BURDENSOME.**

Q. In what respect are they burdensome?—A. The system of requiring everyone who is engaged in any kind of business to pay a

license is unjust. A man running a little grocery store has to pay a license of \$10 if he does \$1,000 worth of business, and \$25 if he does \$2,000 worth, and so on.

By Senator NELSON:

Q. But he pays no property tax?—A. Yes he does. He has to pay municipal taxes.

Q. But if the store is not in an incorporated town, he does not?—A. No. But there are practically no stores outside of the towns.

#### CHARACTER OF PEOPLE.

Q. All the taxes and license moneys that are collected from within the towns go to the town if it is incorporated?—A. No, they don't.

Q. They do under the amendment that was passed this last session?—

A. Well, supposing they do, the licenses are not regulated by us. Why don't we do it? Why should we not arrange that ourselves? Why should we not have the power to tax ourselves? We are the same men that you are. We are Americans and should be treated just the same as you. We have the money, the mines, the timber, and many other resources, and why the devil shouldn't we have our own government? Put the burden on us. You talk about self-government for the Philippines, for Hawaii, and Porto Rico, but you don't say a word about it for Alaska. The sentiment of all the people here is for self-government. And the people are intelligent and energetic Americans, as capable and worthy of governing themselves as you and I. They come here from Illinois, Pennsylvania, Michigan, and all the States of the Union. There are thousands and hundreds of thousands of them.

By Senator DILLINGHAM:

Q. Isn't that a little extravagant? The census gives the population at about 60,000.—A. Well, whatever the number is, they are as good men as you ever saw in your life. They want to govern themselves. Neither Congress nor anybody else can do that work properly. Why not cast the burden on them?

Q. What else have you to suggest?—A. \* \* \* And there are many other firms. These are the regular canneries. There are also what is known as "salters," who pack the fish which the canneries are unable to use. I believe that it is the duty of each and every canning institution to pay for and maintain a hatchery for the propagation of fish. So far as the salters are concerned that is an impossibility, because the industry will not allow the maintaining of hatcheries. The revenue derived therefrom is not sufficient for their support. Furthermore, salters put up nothing, you might say, except what is known as "humpback," or pink salmon, of which there is absolutely no scarcity. But the red salmon, which is sought for and canned, is the salmon which should be propagated. And all the factories that can red salmon should be required to maintain a hatchery.

#### PROPAGATION OF SALMON.

If the Government insists that the salters should propagate salmon (and knowing the industry as I do, and that the salters can not support a hatchery), I would say on behalf of the salters, let the Government establish and maintain suitable hatcheries for the propa-

gation of all kinds of fish for five years. At the end of that time, if the thing is a success, and the Government demonstrates that humpback salmon as well as red salmon can be propagated, then make it incumbent on the salters to take the hatchery off the hands of the Government and propagate these fish.

GOVERNMENT SHOULD ESTABLISH HATCHERIES.

By Senator PATTERSON:

Q. Your theory, then, is that as to these "salters" the Government should establish hatcheries, and that if they prove successful then the "salters" should maintain them, otherwise not?—A. Yes, sir. For the reason that if the "salters" were required to establish hatcheries they would have to go out of the business. Their profit is so small that they could not pay for hatcheries. In my opinion the propagation of pink or "humpback" salmon is unnecessary. The red salmon, however, should be propagated.

By Senator DILLINGHAM:

Q. Do the proprietors of the canneries comply with the present law?  
A. No.

Q. Can they?—A. Yes; they can. I think it is a good law. I think it ought to be enforced.

FOREST RESERVATION ON PRINCE WILLIAM ISLAND.

Q. What other suggestions have you to make?—A. The reserving of Prince William Island and all those islands to the westward as a forest reserve is, in my opinion, unnecessary and something which will have a tendency to retard the development of that particular section. I do not think there is any occasion for a forest reservation in southeastern Alaska. There is plenty of timber in this section without reserving these islands. These islands are more valuable for mining than for anything else. From an agricultural point of view they are worth nothing. If they were thrown open for any and all purposes—which in my opinion they should be—there would be more chance for the same being developed.

HOMESTEADS.

Q. As to homesteads, do you think more people would take up 320 acres than 160?—A. No. I think it is an absolute mistake to give to homesteaders more than 160 acres, because it allows a "graft," don't you see. This is the way I look at it.

CONTROL OF SALOONS.

By Senator PATTERSON:

Q. Do you have any control over the establishment of saloons in your municipality, or is that left to the judges of the United States court?—A. The town has no control over it whatever.

Q. Do the judges have control without regard to what the wishes of the people may be?—A. Yes, sir. The judge has absolute power to license or not to license saloons.

By Senator DILLINGHAM:

Q. How is it in respect to gambling and houses of ill fame?—

A. The same thing.

Q. What is your opinion as to having some limitation on saloons, gambling, and houses of ill fame?—A. I think every frontier town needs something to liven it up. You can't go to work and run a western town on an eastern basis. You have got to have those houses of ill fame confined to certain districts. And if those men want to go there, why let them go, but keep them under control.

The common council of each municipality ought to control that element and absolutely control it and take it out of the hands of the courts altogether.

#### JUDGES ISSUE SALOON LICENSE.

Q. Does the judge or the commissioner issue the saloon license?—A. The United States district judge.

Q. You would favor a wide-open system?—A. No; I think they ought to be closed on Sunday. My Presbyterian idea bobs up now and then, and I think all these places ought to be closed on Sunday.

#### GRAND JURIES SHOULD NOT HAVE JURISDICTION OVER MISDEMEANORS.

Q. Is there anything further that you wish to say?—A. I do not believe that the United States district courts should be appealed to for the settlement of misdemeanors and those things which have a tendency only to disturb the public peace. At present the grand jury considers misdemeanors as well as felonies. In my opinion all misdemeanors should be tried before the United States court commissioners in the respective districts and there be settled. The system now in vogue of having the grand jury pass upon these different misdemeanors is not only unsatisfactory to the people, but expensive to the Government. Those things can be tried and disposed of with satisfaction to the district through the office of the United States commissioner, and it is not a matter for the consideration of the grand jury nor to be adjudicated by a district court.

#### OFFICIALS SHOULD RECEIVE SALARY AND NOT FEES.

The next thing that I want to mention is this, that we want all of our officials put on a salary—the United States deputy marshals, commissioners, etc. The fee system makes these men become absolute sneak thieves for fees. It leads to rotten corruption. Put them on a salary. Give them something, no matter what it is; and if they don't want it, fire them.

Senator PATTERSON. Wouldn't you like to close up now with a prayer for home rule?—A. By gracious, Senator, that is what we want.

## STATEMENT OF T. A. MARQUAM.

SKAGWAY, ALASKA, *July 3, 1903.*

T. A. MARQUAM, of Haines, Alaska, was called before the committee, and testified as follows:

By Senator PATTERSON:

- Q. What is your full name?—A. T. A. Marquam.  
 Q. You reside where?—A. I reside at Haines.  
 Q. That is how far from Skagway?—A. Fourteen miles down the Lynn Canal.  
 Q. You are an attorney at law?—A. Yes.  
 Q. How long have you lived in Alaska?—A. Since 1897.  
 Q. At Haines how long?—A. Since 1900.  
 Q. Are you familiar with the text of what is called the *modus vivendi* entered into between the American and British Governments in October, 1890, concerning the boundary line between British Columbia and Alaska in the neighborhood of Skagway?—A. Yes, sir.

ALASKAN BOUNDARY UNDER *MODUS VIVENDI*.

Q. Were you familiar with what was regarded and held as the boundary line prior to the *modus vivendi*?—A. Somewhat familiar with the Chilkoot Pass and the White Pass, but more familiar with the pass on the Dalton trail.

Q. What posts or the like did the Canadian government have at the boundary line as it was recognized before the *modus vivendi*?—A. They had a post of the northwestern mounted police at a place called Pleasant Camp, which was then on the line claimed by them to be between Alaska and British Columbia.

By Senator NELSON:

Q. Is that on a river?—A. Yes, on the Klehini River. That post was established in 1897 and is still occupied by the northwestern mounted police.

Q. Do you say that that Canadian post was within the boundary line on the Alaskan side, as claimed by the United States?—A. Yes. It was within the 10 marine leagues. The line, as contended for by the United States, would have carried the line about seven or eight miles into the interior.

Q. The *modus vivendi* related to the temporary establishment of a boundary line between Alaska and the Canadian possessions in the region of the Dalton trail and beginning at the peak west of the Porcupine Creek and the Dyea and Skagway trails. After this *modus vivendi* was entered into, what, if anything, was done by the Canadian authorities in the moving of their posts onto the American territory?

## CANADIAN BOUNDARY EXTENDED 15 MILES INTO AMERICAN TERRITORY

A. In the summer of 1900 a party of surveyors, consisting of Canadians and Americans, ran the line as designated in the *modus vivendi* and marked that line by iron posts planted down in the ground. As soon as that line had been run the northwestern mounted police which were located at Pleasant Camp sent over a company of their men and

moved down the Klehini River 15 miles, to a point about a mile and a half above Klukwan.

Q. Was that 15 miles into the American territory from what Canada claimed was the boundary prior to that time?—A. Yes. It probably was not 15 miles directly to the seacoast, but 15 miles by the nearest practical line.

Q. Then you would say that it was about 10 miles into American territory, going in a straight line to the coast?—A. Yes, sir; as contended for by the United States.

Q. And the line was moved approximately to that extent at this point, and upon the territory included in the *modus vivendi*?—A. The point was established at the closest point to tide water at which this *modus vivendi* line was run.

#### AMERICAN TERRITORY PLACED UNDER CANADIAN JURISDICTION.

Q. What amount and character of mining territory was thus transformed from American to Canadian jurisdiction?—A. There were four creeks producing placer gold that were thrown on the Canadian side of this line.

Q. Did they produce gold in considerable quantities?—A. In paying quantities.

Q. How many people—how many miners, we will say—were thus transferred from American to Canadian jurisdiction?—A. I should say about 250 claims. I don't know how many miners owned those claims. I would say, however, about 150 at that time.

#### CUSTOMS COLLECTED BY CANADIAN GOVERNMENT.

Q. What jurisdiction does the Canadian government exercise in the matter of collecting customs at this newly established boundary line?—A. At this post, which is known as Wells, they collect custom duties for all miners going into the Bear Creek country, which is on the American side, but within the strip of land temporarily under the administration of the Canadians, and have collected such duties since its establishment.

Q. Do you happen to have a copy of the full text of the *modus vivendi*?—A. No.

Q. Are you familiar with it?—A. Yes, sir.

Q. For how long a time was it to continue?—A. Two years.

Q. And that arrangement expired, when?—A. In October, 1901.

Q. At the expiration of the period for which the *modus vivendi* was to continue, was there a change in possession?—A. There was no change in possession. The Canadians continued to hold possession.

Q. And collect customs?—A. Yes, sir.

#### AMERICAN MINERS PAY TRIBUTE TO CANADIAN GOVERNMENT.

Q. And make miners pay tribute to the Canadian government?—A. Yes, sir.

Q. Do you know of any reason why the former status was not restored at the expiration of the two years?—A. There were no American officials there to assert the rights of the United States in that regard, while the Canadians had their officials on the ground. I presume that is the reason.

Q. Does the continuance of the Canadian government in possession of that strip create any feeling upon the part of American citizens in this section of Alaska?—A. At the time of the establishment of this line the feeling was very bitter, and it was only through the advice of cooler heads that actual bloodshed did not occur in the Porcupine region. Communications were had between the people of the Porcupine region and the officials at Washington, particularly Secretary Hay. He assured them that no rights of the American citizens in that locality would be jeopardized by this arrangement. In this way the bitterness caused by the establishment of this line was somewhat modified. They have been looking to our Government for the reestablishment of the line, although nothing has been done.

Q. Do you know whether prior to the time you refer to—prior to the *modus vivendi*—our Government, either by itself or in conjunction with the British Government, ever ran a line there?—A. It never had prior to that time.

CANADIANS ADMITTED THAT STRIP WAS AMERICAN TERRITORY.

Q. So that your statements are based wholly on what you regard as American territory as claimed in a general way?—A. By that and also by what the Canadians claimed.

Q. There had not been any line run by either government?—A. No; but the Canadians had conceded to the United States the 10-league strip, or 30 miles.

By Senator PATTERSON:

Q. The line that was made by the surveyors was made, when—before or after the execution of the *modus vivendi*?—A. The point as to fixing the line was contained in the *modus vivendi* itself, and the following summer the line was actually run on the ground. That was the first survey that was made.

STATEMENT OF WILLIAM M. DAVIS.

REGINA HOTEL,  
*Dawson, Yukon Territory, July 11, 1903.*

WILLIAM M. DAVIS was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. Your name is what?—A. William M. Davis.

Q. What State are you from?—A. Wisconsin, the town of Janesville.

Q. You have been in this country how long?—A. Since 1897.

Q. You have a home in Dawson, but live in Alaska?—A. Yes, sir.

Q. And on what is known as Fortymile?—A. Yes, sir; on the south fork of the Fortymile River.

Q. We shall not visit that district, and would be glad to have you make a statement regarding conditions there.—A. From the mouth of the Fortymile to the boundary line is 23 miles. This is Canadian territory. All this distance of 23 miles is covered by a hydraulic concession to a man named J. J. Rutledge.

Q. I understand by that that no one else has mining or other rights in there?—A. Yes, sir; no rights whatever. If any one else but this

man who has the concession went in there, the Canadian government could make him get out.

By Senator PATTERSON:

Q. This concession is 23 miles in length and how wide?—A. I don't just know; but it is at least the width of the river, and I don't know how much in addition to that.

By Senator DILLINGHAM:

Q. On the Alaskan side of the boundary line you spoke in conversation of a distance of 18 miles to some point?—A. To Steele Creek. That is where our commissioner is, and where our recording officer is.

#### POPULATION OF JACKWADE.

Jackwade post-office is also located at Steele Creek.

Q. In that district how many people are there?—A. In the neighborhood of 200.

Q. Where is Walkers Fork?—A. It comes in about 100 miles from the mouth of Fortymile. It is hard to tell just how many people are there. But their output this spring was very good indeed—far beyond expectation.

#### POPULATION OF FORTY MILE.

Q. Taking the whole Fortymile district, including its tributaries, what should you say is the population?—A. Two thousand.

Q. And what is the character of the ground?—A. The ground is low grade, and it isn't low grade either.

#### “LOST CHICKEN” DISTRICT.

Ground that was discovered less than a year and a half ago was worked this winter in what is called the Lost Chicken district. There was over \$100,000 taken out in this district this winter. Forty-one thousand cubic feet yielded \$45,000. That is pretty good ground.

Senator PATTERSON. That would be at the rate of more than \$1 per cubic foot, which is a good output.

A. (Continuing.) I went in there and got out \$14 pans myself.

Q. And that is placer mining?—A. That is placer mining and on the benches.

Q. What do you mean by benches?—A. On the hills. Not in the creeks proper, but on the first raise of ground from the creeks.

#### ORE FOUND ON THE “BENCHES.”

Fortymile has been worked since the early eighties, but the early prospectors never went outside the bed of the river and its tributaries. In 1894 they commenced on Chicken Creek, but up to two years ago they never looked on the benches or hills for it. They would not go more than 3 feet anywhere for gold. But since this spring has opened up they have made discoveries on the Fortymile on the benches, as we call them. Discoveries were made at Walkers Fork and at Steel Creek. The gold heretofore found in this district has all been very fine gold. It was found in the beds of the creek. What is found now is coarse gold. It is all found on the benches. It takes almost ten

thousand colors of the fine gold to make a cent. We have to use cyanide and quicksilver to get it.

## EXTENT OF EACH CLAIM.

Q. I understand that you can make claims of 20 acres?—A. Yes, sir.

Q. Is that enough or too much?—A. I think it is all right. I don't see how it can be changed at all.

Q. In conversation you mentioned some disadvantages you are laboring under?—A. The greatest disadvantage the miners have is in the power of attorney.

Q. What do you mean by that?—A. Let me give you an illustration. During the last thirty days two men—one Charles McDowell and one Allen—have staked sixty claims on the Mosquito Fork under powers of attorney.

Q. You mean powers of attorney for nonresidents?—A. Yes, sir. For people who are not there at all.

Q. Those claims would cover how much?—A. One thousand two hundred acres. The Government gets nothing out of that at all. These men simply stake the claims. They have a time limit in which to file their claims in the recorder's office, which is ninety days. At the end of ninety days they switch those stakes elsewhere, and the claims are then closed for ninety days more. No prospector will go there after that—after the claims are switched—nor take any chances of litigation. For in litigation you have to go to Valdez or Eagle.

## SWITCHING CLAIMS.

By Senator PATTERSON:

Q. By switching claims you mean what?—A. Changing the stakes and changing these same powers of attorney after the ninety days.

Q. What effect does that have in preventing miners from taking up claims?—A. They can't get a clear title except by resorting to litigation. No one wants to go into litigation in this country because of the great expense. The courts are at Valdez and Eagle.

Q. What distance is that?—A. Valdez is about 320 miles from our place, and Eagle is 100 miles.

Q. No means of communication?—A. It is a very tough trail to Valdez, and will take ten days to go, and four days to reach Eagle.

Q. What remedy is proposed for this?—A. I don't know; that is for you to say.

## ONE CLAIM SUFFICIENT.

Q. Is it the notion of the miners in Alaska that one claim in a district is sufficient for any one man?—A. Not exactly that. One claim on each creek or its tributary is sufficient. Take for example the Fortymile district. I file a claim on Fortymile River proper and then also on Walkers Fork, which is a tributary of Fortymile, and so on the other tributaries wherever gold is found. One claim on either of these creeks would be sufficient for one man.

Q. Is that the feeling of the miners generally?—A. Yes, sir. I do not know of a miner any place who is not opposed to the practice of allowing one man to stake out many claims under powers of attorney.

Q. Under the law a company of six miners can stake out 120 acres

if they file their articles of incorporation at the time they record their claim. Is that the way you understand it?—A. Yes, sir.

Q. And your notion is that, whether it is an individual or a company, that they should be restricted to one 20-acre claim on a creek or its tributaries?—A. If the law, as I understand it to be, is that only one man is allowed to stake six claims under the incorporation act, all well and good. But if it couldn't be practiced—as I understand it is—it would be better to stop it altogether than to have it abused as it is now in Alaska. There is no objection to companies coming in. We want capital and need it. It is the only way we can fully develop the country. But they should not be allowed to stake all the claims on one creek by means of powers of attorney or otherwise. I am opposed to the law the way it is carried out now. I don't know that—

#### CLAIMS OF COMPANIES.

Q. In any event, if there was a company, say, of 20 persons taking 60 acres, that ought to be the limit?—A. Yes, sir.

Q. And that private individuals should have just one claim on each creek?—A. Yes, sir.

My understanding of the law as to companies, as it worked in California, is that no person could stake over six claims, and that they ought to file articles of incorporation at the same time. But that is not the case here.

#### ROADS AND TRAILS.

Q. Are there roads and trails in this district?—A. Only those we make ourselves. The Government has not paid a cent for this purpose. I would like to see the Government build roads. We pay no taxes except on mercantile business and liquor license. But what is done in the building of roads is done by ourselves.

Q. No Government aid of any kind or Government organization to take charge of the roads?—A. No, sir; none whatever.

Q. What difference in this respect is there between Alaska and the Yukon territory?—A. Everything. We (Americans) are just as well off here at Dawson as the Canadians, as far as holding land and taxes are concerned. We all have to pay alike. We are not compelled to take out naturalization papers.

Q. What is the difference in the matter of making roads and trails between the Yukon territory and the Alaskan side? In other words, do the authorities on the Canadian side make roads for different mining camps that may be started?—A. Yes, sir; there is hardly a camp discovered—be it ever so little—that the Canadian government does not start out and build roads to it.

#### COST OF TRANSPORTATION.

I will give you a little instance in the cost of mining here. In 1899 the freight for 50 miles here in the Yukon territory from Dawson via Hunker into the Lower Dominion was from 45 to 50 cents per pound. I had freight hauled out there at that time and that is what it cost. And just about six months afterwards it was 1½ cents a pound from Dawson.

Q. That instance occurred on the Canadian side?—A. Yes, sir; on the Canadian side.

Q. So that the construction of roads very considerably lessens the cost of living, working, and operating?—A. Yes, sir. At present we are paying from Dawson (our source of supplies) to our district on the upper Fortymile  $15\frac{1}{2}$  cents per pound for all freight. This amount is added to the price of all goods we buy.

By Senator DILLINGHAM:

Q. What is the distance between Dawson and your place?—A. About 150 miles.

Q. Is there any organized protection on the American side for life and property?—A. All the protection we have is one deputy United States marshal, and we have a commissioner at Steel Creek.

#### ONLY ONE CRIMINAL CASE IN FORTYMILE COUNTRY IN A YEAR.

And I must say that Fortymile is one of the most orderly camps I ever saw in my life on the American side. When the American miners get together they protect themselves, and are perfectly able to take care of themselves and behave themselves. There was only one criminal case before our commissioner during the entire last year in our district.

I am very much in love with the northwest police system, and have been ever since I have been here.

Q. That is the Canadian northwestern mounted police?—A. Yes, sir. I admire it not only for its preservation of order, but because of the statistics it collects. They know the amount of gold that is taken from every creek. Whenever there is the slightest dispute they know of it. They keep a record of everything.

#### CANADIAN NORTHWEST POLICE SYSTEM.

By Senator PATTERSON.

Q. Give us some idea of its operations in protecting individuals and property?—A. In winter, for instance, every traveler must register at each road house. Take it on the road between here (Dawson) and White Horse, they register at every road house every man that goes through. They register with the police when they arrive and depart. They take a record of every person traveling on the steamboats.

Q. Then, with the system of telephoning from station to station, it is hardly possible for a criminal to get out or an honest man to be lost?—A. Yes, sir; That is correct. They don't have names twenty-four hours before they are able to locate the persons.

Q. Does the production of gold here in Alaska tend to show that it is a good gold country?—A. Yes, sir.

#### FUTURE OF GOLD PRODUCTION.

Q. What is your opinion as to the future of Alaska as a gold-producing country?—A. It is very bright. It has not commenced to produce anything yet.

In 1897 the Fortymile country was thickly populated. It was what we call a stake country at that time. The people prospected between Fortymile, Circle, and the Stewart River. On the discovery of gold in Klondike the Fortymile district was deserted. After the high-grade work was done here (Klondike) the people began to look elsewhere for

prospects. There is room in the Fortymile country for 20,000 people right now.

Q. That is, they could live there by working the mines?—A. Yes, sir. The only trouble is that the rates for freight are excessively high and the cost of living is very great.

Q. Was this sample [indicating] which you showed us taken out in the solid form?—A. It was taken out from a blanket ledge.

Q. So that there is a great probability of discovering quartz lodes?—A. Yes, sir.

#### FORTY MILE DISTRICT AGAINST TERRITORIAL GOVERNMENT.

Q. About a Territorial form of government—how do the people feel about it?—A. I do not know of any one in our district who favors it.

Q. On account of the expense?—A. Yes, sir. I can not see that there is any dissatisfaction in the way Alaska is handled now except as to a few things, such as the matter of a road across there or a railroad. Any road that would come across there would come to the headwaters of the Tanana, Fortymile, and White rivers.

By Senator DILLINGHAM:

Q. You think there should be a military road or railroad on the American side?—A. Yes, sir. Up to this year there has always been a great deal of trouble in bonding freight through into our district.

#### BONDING FREIGHT THROUGH CANADIAN TERRITORY.

Q. The bonding privilege you have to get through the Canadian government?—A. Yes, sir. At the United States custom-house they enforce the tariff right to the letter, of course, which is right. At the same time it is quite a disadvantage to the small miner and prospector going into the country in this way. On American goods whether we have a United States consul's certificate or not, we are obliged to pay a certain amount on all tinned goods and goods put up in burlap or any other packages that had been previously imported into the United States. The duty is 90 cents per 100 pounds of sugar; \$1 on rice; \$1 per case on cream and milk or any other article put up in tin. The consumer has to pay this. The manufacturers in the United States ship into this country and get a rebate on all packages of this kind which have been imported previously into the United States. Our principal living here, as you know, is out of the can. Nearly everything is in tin cans. And you can see the hardship that comes to the small operator.

#### POPULATION OF FORTY MILE PRINCIPALLY AMERICAN.

By Senator BURNHAM.

Q. What makes up your population of 2,000 people—are they principally Americans?—A. They are principally Americans.

Q. They are engaged in mining?—A. Yes, sir.

Q. Are all of them permanent residents?—A. Yes, sir; nearly all of them are.

Q. Is there any agriculture in that district?—A. There have been some homesteads taken up there. We raise grass. We get our own wild hay there. We raise very nice vegetables.

By Senator DILLINGHAM:

Q. To what depth does the ground thaw out during the summer?—A. The land is different there than on the Yukon. On the Yukon it is gravel; there it is muck. A year ago it was thawed down to 20 feet when we used it in June.

GROUND THAWS FOUR FEET IN SUMMER.

Q. That was in mining—but on agricultural lands to what depth will the ground thaw there?—A. Not over four or five feet.

By Senator BURNHAM:

Q. How far are you from here?—A. About 152 miles. We have to go in a roundabout way to get there. We go north from here, and then a little southwest from the Fortymile.

STATEMENT OF JOHN RAAP.

HOTEL REGINA,  
*Dawson, Yukon Territory, July 11, 1903.*

JOHN RAAP was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. What is your full name?—A. John Raap.

Q. Where do you live?—A. I am living here at Dawson just at present.

Q. Your age is what?—A. Thirty-six.

Q. You have just returned from the Tanana Valley, and expect to return there very soon?—A. Yes, sir.

Q. From what part of the United States do you come?—A. California. I came here in 1895.

Q. How long have you been in the Tanana Valley?—A. I arrived there the 20th of March and left the 30th of June, this year.

Q. Substantially, three months?—A. Yes, sir. I was not prospecting there, but looking around to buy in something, if possible.

CONDITIONS IN TANANA VALLEY.

Q. Won't you state generally about the conditions existing there at the present time?—A. The original prospectors that went into that country and made discoveries of gold would immediately, as soon as it was found, file claims all the way up and down the streams where gold was found. The same men would stake every tributary of such a stream, whether gold was found there or not.

Q. That was done under powers of attorney or they would stake as individuals, leaving a space between their several claims?—A. It was by powers of attorney or as agents.

Q. So that the entire country, including the tributaries, was staked by the men who first went there and who were few in number?—A. Yes, sir.

Q. I understood you to say, in conversation, that there had been a great rush of miners into that territory. Won't you please tell us about that?—A. The rush was variously estimated. From 500 to 1,000 people went from Dawson. There was as many more from other

places along the Yukon who went in there. Almost as soon as they rushed in they rushed back again. They went out every day. One day we counted 78 who went out on their way back.

Q. What proportion of those who went in have come back again?—  
A. About nine-tenths.

Q. For what reason have they abandoned that country?—A. Some of them had a reason; others did not. Some of them went to the posts or towns and never got to the mines at all. They went entirely on what other people said. For example, at Fairbanks many of the people never got to the creeks to see for themselves. They would ask other people as to the prospects there and accept their statements. The talk was that they could not take provisions enough on their backs to get out of the old stake, or to get where there was vacant ground.

#### LARGE NUMBER OF CLAIMS STAKED BY FEW PERSONS.

Q. Was that the fact as you understood it?—A. Yes, sir.

Q. So that, as I understand your statement, the reason for the return of the people who rushed in there was that those who went in originally had staked all the ground and that the actual miners could not get claims without purchase?—A. Yes, sir. Without purchasing or going to unprospected territory.

Q. What is your opinion about the prospects of obtaining gold from that territory?—A. I think it is very good. From what I have personally seen and personally panned, I think the prospects are very good. I have worked ground on both Sulphur and Dominion creeks, which are right here in the neighborhood of Dawson, which were not any better than the prospects I saw in the Tanana.

#### TANANA VALLEY CAPABLE OF SUSTAINING SEVERAL THOUSAND POPULATION.

Q. What number of people is that country capable of sustaining as a mining district?—A. I could not say. We only saw a small portion of it. The last five days we were a hundred miles traveling before we got to the diggings, and still we were on the tributaries of the Tanana. It is hard to say what the district could sustain. It must be a good many thousand. Wash gold is to be found on any of the tributaries of the Tanana; and if this is so, there is coarser gold somewhere in the neighborhood.

#### AGRICULTURE IN TANANA DISTRICT.

Q. What do you say about the prospects of agriculture in that district?—A. Well, I think it is just the same as I have seen in this district (Dawson). Everything that is raised here can be raised there.

Q. And that covers everything in the vegetable line?—A. Yes, sir. Everything in the vegetable line. I do not think, however, that grain can be raised there. It is a great berry country; immense quantities of berries are found there.

Q. What about the grass?—A. There is lots of grass.

Q. Can it be cured into hay?—A. I am not a hay man and never tried it. I don't think it can, however, because of the great amount of rain that falls there.

By Senator BURNHAM:

Q. How far up the Tanana did you go?—A. The diggings are only about 225 miles, I should judge, from the mouth of the river. They are located in the neighborhood of Gold Stream, which is the main creek in the new diggings. Gold Stream flows into Lake Mentah, and Lake Mentah is drained by the Tulovana. The Tulovana flows into the Tanana about 125 miles from its mouth.

Q. The whole distance that you went from the mouth of the Tanana would be how far?—A. About 225 miles.

By Senator DILLINGHAM:

#### TANANA RIVER NAVIGABLE 215 MILES.

Q. How far is the Tanana navigable from its mouth?—A. That would be about 215 miles to Chena Station, and any of the big boats can go there.

Q. So that in the matter of freights you have to pack only from that point to the mines?—A. Yes, sir; from six to twenty miles would cover the whole district as far as prospected now.

Q. So that the diggings can be reached with a less degree of packing than many other portions of Alaska?—A. Yes, sir.

Q. What is the surface of the country—is it hilly or otherwise?—A. It is rolling country. Not very high mountains. The hills are not flat. It is a kind of a gradual roll. They say that the summer seasons in the Tanana are about two weeks earlier than on the Yukon.

Q. As far as you know, what is the feeling of the people in that district in respect to a government—whether they want a territorial form of government or whether they want to be let alone?—A. I haven't heard much about that. The only thing that I have heard is a lot of cussing and kicking against the power of attorney.

#### PROSPECTOR CAN STAKE AS MANY CLAIMS AS HE DESIRES.

According to a decision of Judge Wickersham, one man can stake as many claims as he desires, provided he leaves a space between each claim. He says that a man can take a whole creek if he wants to, provided he leaves a foot or two between each claim.

Q. And are there many abuses under that decision as there are under powers of attorney?—A. Yes, sir. There is some done. It is said that Mr. Barnett staked twenty-four claims on one creek in that district.

#### NO SENTIMENT FAVORING TERRITORIAL GOVERNMENT.

Q. So far as you know, there is no sentiment in favor of a territorial form of government?—A. No, sir. So far as I have heard, there is not.

Q. What measures, in your judgment, should be enacted by Congress for the development of that section—especially with reference to mining?—A. I would like to have three months' work required on each claim every year. They have now a year from the first of next January in which to do their work. I think that staking by power of attorney should be abolished; that three months' work should be done

on each piece of ground staked within a year after staking, as was required by the Canadian law in Dawson in 1897 and 1898.

#### DEVELOPMENT RETARDED BY USE OF POWER OF ATTORNEY.

Q. Your belief is that under our present system of staking claims by individuals under the decision referred to and under powers of attorney that actual development is very much retarded, if not destroyed?—A. It is very much so. It will be years and years before the country can be opened up on account of that decision and on account of the practice of using powers of attorney. Otherwise, the land could be opened up in a year.

Q. You spoke in conversation about the manner of keeping records. Will you please tell us about that?—A. No man can tell whether or not a certain claim is recorded or not without going through the entire records.

#### MINING RECORDS.

When I went to Circle City in March of this year I became acquainted with a young man there who told me that a certain claim was not recorded in December although it was staked in September. And he asked me to find out from the recorder's office whether or not it was recorded at that time—March of this year. I asked the recorder about it and he told me that he could not tell me, that he had no way of finding out unless I gave him the man's name who staked it. So we were unable to tell whether that claim was recorded or not.

#### MINING RECORDS IN YUKON TERRITORY.

Q. Are you familiar with the manner in which these records are kept here in the Yukon territory?—A. Yes, sir; somewhat familiar.

Q. How are they kept here in the Yukon territory?—A. Each creek has a separate book. There are two pages for every claim and two pages for every fraction of a claim. Claims are indexed by number. Anybody can go to the office here and get the book and find out all about any claim without anybody's help at all.

Q. In other words, there is a double index?—A. No. It is just according to the number of the claim. You ascertain the number of the claim in which you are interested, you then ask for the book containing the claims on that creek. That book will tell you all about the claim. It will show who owns it, if any portion of it has been sold or mortgaged, etc.

#### ROAD FROM FAIRBANKS TO GOLD STREAM.

Q. I understand that a road has been built by the residents from Fairbanks to Gold Stream. Have any other trails been built?—A. Yes, sir. There is one from Chena to Gold Stream.

Q. A distance of how far?—A. Of about 12 or 14 miles.

Q. How was that built?—A. By subscription of the people. The miners did not pay for it. It was the people in the two towns who subscribed for and built it.

**STATEMENT OF FRANCES L. BUTZ.**

DAWSON, YUKON TERRITORY,  
*Sunday, July 12, 1903.*

Miss FRANCES L. BUTZ, of the office of the United States consul at Dawson, Yukon Territory, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. Kindly state your name in full and what position you hold here.—  
A. Frances L. Butz. I am employed as consular clerk in the office of the United States consul here. I went into office the 15th of last September. My superior officer left on the 15th of October, leaving me in charge of the clerical work. Mr. Saylor, the United States consul, returned in February, and upon me devolved largely the clearing of goods for the American side of the river, and in that way I came in contact with almost all the miners who went to the lower country for the purpose of prospecting. Previous to that time I was employed in the office of Mr. McGowan, the present vice-consul, who was then and is now the solicitor of the Northern Commercial Company, having in charge practically all their Alaskan matters. In that way I came in contact with many prospectors and miners of the lower country. In speaking of the lower country I mean Alaska.

**FORTYMILE DISTRICT.**

By personal inspection of the Fortymile district in Alaska I have been able to come to a fair idea of what the needs of the country are generally in that district, and what the people want. There has been very little said as to the laws of Alaska, or of a legislature. Their principal idea is to hold their properties until the Government aids them by building roads, so that they may be able to take supplies into the country at a reasonable freight rate, and thus be enabled to work such properties at a profit. In many parts of the country it is impossible at the present time to take supplies in at all.

I have probably interviewed some 500 miners in Alaska, and the information I have derived has been principally through that source. It is almost impossible to reach Alaskan points during the early spring—April and May—on account of there being no roads. The river, which is the chief mode of travel during the summer, is unsafe at that season of the year, so that there is practically a period of two months in the spring and about the same in the fall when those living in Alaska are cut off from their source of supplies and, in fact, from the world.

**EXTENT OF FORTYMILE DISTRICT.**

Take the Fortymile district, which is the part of Alaska I know best. It is so large that the whole Klondike mining district could be set down over there and be lost in its vastness. There are many paying mines in that district which are being worked, but the whole country generally lies undeveloped on account of the expensive transportation charges. Many parts of that district can not be reached at all during the greater portion of the year on account of there being no roads and the trails being impassable during most of the summer months. Dur-

ing the winter they have dog trails, but they can not take any machinery in and only a limited amount of provisions.

#### RICHER THAN KLONDIKE.

It is a district which promises greater returns than the Klondike for this reason: That the Klondike district is spotted—that is, while some mines have proven immensely rich, almost beyond conception, others have been blanks—while, on the other hand, one can not take up a shovelful of gravel in the whole Fortymile district without finding “colors,” by which I mean prospects of gold.

During the winter the bed of the Fortymile River yields hundreds of “grubstakes” for the miner. It requires two or three hundred dollars for the miner to supply himself with provisions for several months. This is what is called a “grubstake.” They build fires, and rock on the bed of the river. The gravel taken from the bed of the river pays wages, or better than wages.

#### WAGES IN FORTY MILE DISTRICT.

Wages are rated at from \$10 to \$15 a day here (the Fortymile district). On my trip up the Fortymile River this spring to Lost Chicken Creek, where I own valuable mining property, we passed many prospectors who had stopped to “snipe”—(“snipe” is a mining term which means to stop for the time being to get money enough to go on)—for a stake to go on to Tanana. The process they employ is to cut down through the ice to the bottom of the river, and then shovel gravel into the rocker, washing out with water thawed in a tin can by an open fire.

#### BENCH CLAIMS.

The benches or uplands throughout the district have proven wage payers and better wherever prospected. In fact, the best paying claims on the Chicken and Lost Chicken creeks are the bench claims. The group in which I am interested contains five well-prospected bench claims. One dump taken from “The Maude” yielded about \$45,000, and a small dump from “The Mabel” about \$6,000, the dirt averaging about \$2 to the square foot of the bed rock uncovered.

These claims, in all probability, will not be worked at all this winter. We, as well as nearly every other mine owner in that district, while satisfied that we have fairly rich ground, are waiting to see whether or not the Government will build roads. The prices which we are now compelled to pay in that section for staples are almost prohibitory.

#### COST OF PROVISIONS.

For instance, a year ago this spring (in 1902) when flour was selling for \$7 a hundred in Dawson, we were compelled to pay \$32 a hundred on Chicken Creek, distant a hundred miles from Yukon Territory. From which point (or Dawson) we were compelled to freight our supplies. At the present time flour is selling for \$18 per hundred in that section, and for \$6.50 in Dawson. Ham and bacon sold there several days ago for 50 cents a pound, in Dawson 25 cents; Carnation cream \$22 a case, Dawson \$10 a case; potatoes 25 cents a pound, Dawson 6½

cents; onions 30 to 32 cents, Dawson 12½ cents. On all canned goods we pay an advance over Dawson prices of 65 per cent.

#### FREIGHT RATES.

The White Pass and Yukon Route are contracting freight from Seattle to Fortymile, Yukon territory, at the rate of \$70 per ton. From Fortymile, Yukon territory, we are compelled to pay 15 cents a pound freight. In the winter freighting is cheaper. Last winter we paid 10 cents, previous to that 25 cents a pound. Most of the freighting is done in the winter, but perishables must be taken in during the summer months, as they can not be freighted when the thermometer ranges from 40 to 70 degrees below zero.

Even under these conditions Fortymile district is more fortunate than the more remote mining districts, for we are able to get in supplies there during the winter months, while in some districts they are not able to get in supplies at all.

#### ROAD FROM EAGLE TO FORTYMILE.

If there was a good Government road into that section from Eagle it would help the miner and would develop that part of the country very materially. We are compelled to purchase our supplies in Dawson. They consist largely of American goods which have been landed here and the duty paid thereon. In selling, the merchant adds his duty, cost of transportation, handling, etc. The prospector purchases here at a figure he can ill afford to pay, and then is compelled to add freight charges and other expenses incidental to the transportation of the goods into Alaska.

#### ROADS BUILT BY DOMINION GOVERNMENT.

The Dominion government, realizing the importance of Alaskan trade, has built roads—good substantial ones, leading to the boundary, the Miller and Glacier trail, and also patrols the Fortymile River—in fact does everything within its power to keep the trade of the lower river in Dawson.

The Dominion government, realizing the importance of its northern possessions, has built roads to the mines and expended thereon, in round figures, about \$1,000,000—far in excess of government compensation of any kind that it will ever receive. There are no toll roads. They are all made for the benefit that will accrue to the miner and prospector and for the purpose of developing the territory.

The Dominion government has constructed and maintains a telegraph line through a country which is a perfect wilderness. They have received as tolls about \$120,000 during the fiscal year ending June 30; and even at this rate they have been at an expense in excess of the \$120,000 received as tolls, of \$80,000 cost of maintaining the line and payment of the employees. The line, after it passes through White Horse, leads down through an uninhabited country, which is an expense and which pays no revenue. No toll messages are sent over that part of the line.

## WHAT DOMINION GOVERNMENT DID FOR ONE CREEK.

The Dominion government widened the road leading from Bonanza Creek (in the Klondike) to Dawson. This, too, for the benefit of one man who was installing a large plant on Bonanza Creek. The machinery he brought into the country required such large trucks to haul it that the road was not wide enough; so they blasted rock and made it wider so that his machinery could pass. This is what the Dominion government has done for one man.

## YUKON RIVER IMPROVED BY DOMINION GOVERNMENT.

During the visit of your honorable committee here you have been able to see for yourselves the road work that the Dominion government has done within the past three years, which has been instrumental in opening up many mines of low-grade dirt, which otherwise would have remained undeveloped. It has also expended large sums in opening up the channel of the Yukon from White Horse to Dawson, to enable steamers to make better progress up and down the river. The Yukon is a very swift stream and large quantities of fuel are required by boats to go upstream. From Dawson to St. Michael the river has received no attention, and consequently transportation is much more difficult through Alaskan Territory.

## ROADS.

What Alaska needs more than legislature or, in fact, anything else at present, is for the Government to build roads, so that the miners and others may secure supplies at a reasonable rate and be able to take their supplies into a territory which is now in parts almost inaccessible. This is not a personal opinion, but is voiced by hundreds who seek their livelihood in Alaska.

The building of roads is the essential requisite for the building up of towns and a permanent population in Alaska. Build roads so that the miners can establish permanent abodes and proceed with their work, after which it is time to talk about the question of a legislature, schools, etc. At the present time the miner is not interested in how Alaska is governed, but in how he is going to get his supplies in for winter work. What he wants is to get his ground developed. With the same conditions which prevail in the Klondike at the present time—with Government roads and Government assistance in opening up the mines—Alaska in five years would be the home of thousands where to-day there is but a scattered population.

## AGRICULTURE.

You have seen what this country will produce in an agricultural way. Alaska in any part will produce the same, and along the south-eastern coast better crops can be grown than here (Dawson). In the interior of Alaska, through the Good Pasture country in the Tanana Valley, wild oats grow to a height of four feet, and can be cut green and used for feed.

Under existing conditions in Alaska valuable mining properties remain unworked. While we have ground that pays to handle by the old method, to wit, the windlass and fires to thaw the ground, it costs

about 75 per cent to work it. And we shall be compelled to hold it for an indefinite time without working it, or sell to someone else, for about one-fourth the real value, who can afford to wait until the Government builds roads and thereby decreases the cost of transportation. And ours is one case of several hundred.

#### ROAD FROM VALDES TO FORTY MILE.

Were a railroad to be built from Valdes, or from some other point on southeastern Alaska, to the head of the Tanana or Forty mile rivers, supplies could be landed during the summer at any point on the Alaskan Yukon at a small expense, for the course is downstream and the fuel used would amount to very little. This would enable the miner to import none but American goods, and in this way there would be no charge for duty. It would enable the miner to bring his goods direct from American ports into Alaska and thereby save the added cost of duty which he is compelled to pay when he ships his goods into Alaska from Dawson. The railroad, as suggested from Valdes, could be used the entire year, with a harbor at which all boats could land during the winter. Vast quantities of goods would not have to be stored as they are at present, and thus save storage charges and interest on money invested.

Our supplies coming by way of St. Michael have about 1,800 miles, with a swift current to contend with, upstream, which adds greatly to the expense.

#### OUTPUT OF FORTY MILE AND CIRCLE DISTRICTS.

So far this season \$63,000 has been shipped through Dawson for outside points in the Forty mile district, which represents but a small proportion of the gold taken out, as most of it goes downstream. The output of the Forty mile and Circle districts this season will be over \$1,000,000, and yet but a mere handful of men are at work there and but few properties operated.

In my position I come in daily contact with the prospector, and his complaint is not against the laws, but his sole prayer is that roads may be built, so that he can afford to take his supplies to sustain him while he is prospecting. He says that Alaska is as rich, if not richer, than the Yukon district, and argues that there is no good reason why ground as rich as the best here (Klondike) will not be discovered in Alaska, when supplies can be taken in reasonably and they are able to proceed into the interior.

#### QUARTZ LEDGES.

Supposed valuable quartz ledges have been discovered in the Forty mile district, but as yet there has been no development work done thereon, for the old reason—no roads and expensive supplies.

Supplies freighted into the Tanana this winter cost 50 cents a pound from Circle City for freight, the nearest point from which to obtain them, and, to quote a well-known prospector:

Ground would have to be almost all gold to stand such a freight rate added to the already high price we pay for supplies on the lower river.

Under present conditions, while Alaska is rich in minerals and timber, we can not hope to see a permanent or desirable population

there until the Government takes steps to build roads and establishes communication from the coast into the interior, so that mining machinery, farming implements, and provisions may be freighted in at a reasonable cost; for there is no ground, however rich, which will yield a profit to the owner at the present necessarily exorbitant freight rates. The miners have not been helpless in the matter of roads. They have come together and donated time and labor and money toward building neighborhood roads; but their means are wholly inadequate to confront the difficulties with which they meet.

The Government road from Eagle to Valdes is merely a trail for the mail carriers, and wagons and sleighs with heavy machinery are not able to make any practical use of it, and in fact it is only passable in winter, and then virtually only with dog teams. It is a practical impossibility to get through that country in the summer at all.

#### POWERS OF ATTORNEY.

Q. What do you know about the staking out of claims under powers of attorney?—A. During the month of January of the present year 106 powers of attorney passed through the Yukon-Dawson consulate for use in staking claims in the district of Alaska. In February 211 of the same instruments were executed here. Of course this is but a small portion of these instruments which are recorded in Alaska. The complaints in this direction are many and loud; for during the stampede to the Tanana the late comers were confronted with the fact that most of the supposed valuable ground had been staked under powers of attorney. There is great dissatisfaction expressed concerning the law which permits such practice to be followed. On account of this law there is not a prospector going into a district who does not want to take powers of attorney, for the reason that it is hard to get money. Prospectors are without funds and they take powers of attorney to get some one to advance the cash to procure necessary provisions and to assist him to get to the district to which he desires to go.

#### A UNITED STATES CITIZEN CAN STAKE UNLIMITED NUMBER OF CLAIMS.

Q. Under existing conditions, do you know what the practice has been on the part of prospectors in securing for themselves more than one claim upon any given stream?—A. A citizen of the United States may stake and hold as many claims on any creek and in any mining district as he pleases, if he does the assessment work. This is a law which, if taken advantage of, would obviate the necessity of a power of attorney. One man could go into a district and virtually stake every claim in it by merely leaving a fraction of a foot of ground between each claim, the requirement being that the claims shall not be contiguous. A man and his partner could go on a creek 50 miles in length and stake every other claim in their respective names and not be compelled to use powers of attorney.

In speaking with several miners who have large holdings under powers of attorney, they informed me that while there are objections raised to the law permitting the use of such instruments, it is a question either of letting someone else have the benefit of their knowledge of the ground and staking it for them in order to procure money to assist them in prospecting, or taking it all themselves if they desired.

## ASSESSMENT WORK.

Q. What can you say regarding the assessment work under the existing law?—A. The law requires that \$100 worth of assessment work shall be required yearly to hold a mining claim. But if a claim is staked on January 2 or 3 of 1903, for instance, the locator, under the law, may hold that claim without expending either money or labor upon it until December 31, 1904—virtually two years, or a year and a fraction of 363 or 364 days. This law works a greater hardship and retards the development of what might be a great mineral-producing country to a greater extent than the location of claims under powers of attorney; for, under the law, a man does not need a written instrument to give him authority to stake for another, a verbal agreement being sufficient.

## DELAY IN DEVELOPMENT.

Under the present law regulating assessment work a claim staked in January of one year can virtually stand two years, or a year and whatever fraction it may be. At the expiration of that period the original locator can have some one relocate the claim for him. Or, in the event of several claims being grouped together by different parties, they can abandon their respective claims, and Jones may stake the claim located two years ago by Smith, and Smith relocate the claim staked by Jones. And they can hold the same claims in this way for an indefinite time without any work being done at all. This has been done to my personal knowledge a number of times, and what may prove valuable claims eventually have been "juggled" about for a number of years without any assessment work being done.

I might say that under the present laws the changing of any one particular point would not have the desired effect of improving conditions in Alaska generally. What the miners want and need is a reasonable uniform law, and, above all, roads built so that they can reach the gold fields and transport their supplies for a reasonable price.

## TERRITORIAL GOVERNMENT.

Q. In your association, officially and personally, with the inhabitants now in the gold fields, have you heard any expression of desire for a Territorial form of government?—A. None at all. In fact, they prefer to be governed from Washington. A local government does not seem to meet with favor from those with whom I have discussed the question. The miner does not seem to impose very much confidence in the local officer, feeling that such officer's desire is more for personal gain and advancement than for the welfare of the district in which he is serving.

## AGRICULTURE.

Q. What do you know about the agricultural resources of Alaska?—A. From an agricultural standpoint Alaska will eventually rank very high. At present, immense crops of wild hay, which is a very good substitute for grain hay for horse feed, are cut annually by miners who use horses to haul wood for mining purposes throughout Alaska; but miners in that prosperous condition are not in the majority in Alaska, most of the work being done by hand. Wild berries, red currants,

blueberries, cranberries, raspberries and salmon berries grow in great profusion during the summer. In any part of Alaska that can be cultivated at all there can be raised large quantities of potatoes, radishes, cabbage, and most of the vegetables, while timothy and oats, though they do not mature—that is, ripen—can be used for hay.

The Government telegraph line which has been lately constructed through the interior of Alaska is much appreciated by the people on the Yukon River, but it does not prove of very much benefit to the interior miners.

Game—ptarmigan and grouse—are very plentiful in Alaska, as well as moose and caribou, so there is no dearth of meat. There is fish in all the streams. It is a country which, with a little help, could be almost self-supporting.

**STATEMENT OF LIEUT. WILLIAM MITCHELL, U. S. ARMY.**

EAGLE, ALASKA, *July 16, 1903.*

Lieut. WILLIAM MITCHELL, U. S. Army, was called before the committee and testified as follows:

By Senator NELSON:

Q. What is your full name?—A. William Mitchell.

Q. And your rank in the Army is what?—A. First lieutenant, United States Signal Corps.

Q. How long have you been in the service?—A. I have been in the service since May 20, 1898.

Q. How long have you been stationed in Alaska?—A. Nearly two years.

Q. Where have been your headquarters?—A. Eagle City.

Q. You are familiar with the telegraph system of Alaska?—A. I am familiar with all of it.

Q. You have been engaged in the construction of it?—A. I have had charge of the construction of the telegraph line from Eagle City to the Tanana Crossing and from Eagle City to the Salcha River.

**TELEGRAPH SYSTEM OF ALASKA.**

Q. Now, will you go on and describe the telegraph system in Alaska that the Government has established?—A. Beginning at the boundary on the Yukon, in the vicinity of Eagle, the American line joins the Canadian line at that point, and then runs to Fort Egbert (or Eagle) along the Yukon River; and thence from Fort Egbert in a south-westward direction across the valley of the Fortymile and the Tanana Valley, and then along the Copper River and across Thompson Pass to Valdez. This is a distance of about 465 miles by wire.

Q. Does it pass up through Mosquito Creek?—A. Yes; but that is a part of the Fortymile district.

Q. At what point does it cross the Tanana River?—A. The line crosses the Tanana River about 550 miles from its mouth.

Q. After crossing the Tanana you go through Mentasta Pass?—A. Yes, sir.

Q. How far is that from the Tanana?—A. 46½ miles.

Q. So you cross the Mentasta Pass; then you follow on the west side of the Copper River down to Copper Center?—A. Yes, sir.

Q. What is the distance from the summit of Mentasta Pass to Copper Center?—A. Do you want the trail distance or the wire distance? The trail distance is the longer.

Q. The wire distance?—A. It is 110 miles by wire.

Q. When you get to Copper Center you then go to Thompsons Pass?—A. The line at Copper Center cuts off the large bend of the Copper River and runs directly to Valdez by way of Thompsons Pass and Keystone Canyon to Valdez, a distance of 103 miles from Copper Center.

#### TELEGRAPH LINE FROM FORT EGBERT (EAGLE) TO ST. MICHAEL.

The line joining Fort Egbert (Eagle) with St. Michael begins at a point 96 miles south by west of Eagle, called Kechumstuk, and runs from there in a direction nearly west.

Q. Where does it strike the Tanana?—A. It strikes the Tanana at the mouth of Good Pasture River, a distance of 139 miles from Kechumstuk. The line then follows the Tanana River, cutting off the main bends, to Tanana City or Fort Gibbon.

Q. What is the distance there?—A. Three hundred and thirty-one miles by wire. From Fort Gibbon there is a branch line to Rampart, a distance of 72 miles by wire. The line follows the Yukon River down to Kaltag, a distance of 248 miles. It then leaves the Yukon, taking the old Portage Route to Unalakik. From Unalakik to St. Michael the line follows the shores of Norton Sound. The distance from Kaltag to St. Michael is 160 miles. There is a cable running from St. Michael to Port Safety, a distance of 120 miles, and then by land line from Port Safety to Nome, a distance of 40 miles. The cable is broken every year, due to the Arctic flow ice dragging on the bottom of Norton Sound.

#### CABLE FROM SKAGWAY TO JUNEAU.

There is also a cable from Skagway to Juneau along the Lynn Canal, a distance of 118 miles.

#### HOW TELEGRAPH IS CONNECTED WITH UNITED STATES.

Q. Will you please go on and state how the telegraph and cable system of Alaska is connected with the United States?—A. At present the telegraph system of Alaska is connected with the United States by the Canadian government telegraph lines, which run from the boundary, in the vicinity of Eagle, to a point on the Canadian Pacific Railroad called Ashcroft, and from there to the principal cities of the United States.

Q. What is its course from the boundary to Ashcroft?—A. The Canadian line runs along the Yukon River from the boundary, in the vicinity of Eagle, to Tagish Lake, thence via Atlin and Telegraph creeks to Ashcroft.

Q. These lines that you have described in Alaskan territory have all been constructed by the government?—A. Yes, sir.

Q. And the cables, too?—A. Yes, sir.

Q. And they are government lines?—A. Yes, sir.

Q. State briefly, in a general way, what portion of Alaska you have been over.—A. I am acquainted by personal observation with the

Fortymile district. I am quite familiar with the Copper River, the Tanana, and the Yukon. My work in connection with the construction of the telegraph line has brought me in contact with all these districts.

Q. How far is the boundary line from the mouth of the Fortymile River?—A. Twenty-one miles.

#### DESCRIPTION OF FORTY MILE DISTRICT.

Q. Please go on and describe the Fortymile district within the limits of Alaska.—A. The Fortymile River is about 200 miles long. Its tributaries drain the country on the east from the Sixtymile divide, on the west from the Seventymile divide and the headwaters of the Charlie River, on the north from the divide 16 miles south of the Yukon, on the south from the Tanana divide.

Q. Can you give us an estimate of the number of miles drained by that course—approximately the number of square miles covered by the river and its tributaries?—A. It would be considerably over 1,000 square miles drained by the Fortymile Creek and its tributaries.

Q. Is any part of the river navigable?—A. The river is navigable for nothing but poling boats.

Q. Give us the general topographical condition of the country.—A. The river, with the country included in this drainage system, is composed of hills running to an altitude of nearly 7,000 feet in the vicinity of Kechumstuk, and of large flats, such as the Mosquito Flats. They are found at the heads of the tributaries. These flats have good capacity for grazing.

#### TIMBER IN FORTY MILE.

The timber nearly all over the Fortymile country is of fair size for Alaska.

Q. What is it?—A. It is composed of spruce, cottonwood, birch, aspen, and various kinds of willows.

Q. Is the timber merchantable—that is, is it fit for lumber?—A. It is fit for domestic purposes—for fuel and building purposes.

#### AGRICULTURE.

Q. What are the agricultural possibilities of the country, if any?—A. It is a hard thing to tell as to the agricultural possibilities. Horses have wintered on the head of the Mosquito Fork for three successive winters with no forage put up for them. They had no forage other than that which they cropped themselves. The Mosquito Flat could be made a good hay producer, and as a good deal of the country in the vicinity of the Fortymile district is black loam, good vegetables could be raised, and probably grain, such as barley and rye and possibly wheat.

#### MOSQUITO FLATS.

By Senator DILLINGHAM:

Q. What is the extent of the Mosquito Flats?—A. They cover about 200 square miles at present. They are a sort of a swamp, Senator. The general character of the flats of the Fortymile country or the tributaries of the Tanana and in that vicinity consists of swampy

grass-covered land with spruce timber along the creeks and creek bottoms. The benches bounding these flats could be easily drained for agricultural purposes.

## GRASSES.

Q. What is the character of the grass upon these flats? When does it mature and how is it cured?—A. The character of the grass on these flats is of the variety known as the Alaskan red top and grows very thickly and to a height of about three feet. It matures in the latter part of July. On account of the prevalence of rain during that period—during July—it is necessary to put the hay immediately into cocks after being cut, to prevent it from being spoiled by rain. This is done by placing poles a little above the ground, and putting the hay into small cocks on these poles so as to allow a good circulation of air.

By Senator BURNHAM:

Q. What is the average size of these cocks?—A. About 8 by 8 by 8 feet.

Q. Is it first necessary to let this grass mature before it is cut?—A. Yes, sir; and to obtain satisfactory results only about two weeks in a year can be availed of for the purpose of cutting and curing hay.

Q. At what time is that?—A. From the middle until about the end of July.

By Senator NELSON:

Q. Wouldn't the grass be big enough to cut by the middle of July?—A. Yes. That is what I have said.

Q. Wouldn't it be fit to cut before the 15th of July?—A. You could not set down a given rule. It is all according to prevalent conditions. It is all dependent. The statement that I would give as to Mosquito Basin would not apply to some other sections.

Q. So that your statement as to curing hay is limited to Mosquito Basin?—A. Yes, sir; and country thereto adjacent.

Q. What is the distance from Fort Egbert, or Eagle, to the headwaters of Champion Creek, a tributary of the north fork of the Fortymile?—A. It is about 20 miles by trail.

Q. What is the distance from Eagle, or Fort Egbert, to the North Fork telegraph station?—A. The distance is 52½ miles by wire or about 70 or 75 miles by trail.

Q. Where is the mining carried on?—A. It is carried on principally on the Fortymile River proper and its tributaries.

## MINING IN FORTY MILE.

Q. Within our boundary?—A. Yes, sir; it is all placer mining. There is mining on all the tributaries of the south fork and on some tributaries of the Mosquito fork. Gold has been found on all the tributaries of the Fortymile River.

Q. Do you know on what creek they have found the most?—A. On Jack Wade principally.

Q. And on Chicken Creek?—A. Yes; but that is boomed a good deal.

Q. Have you any idea of the extent of the gold that has been taken from that region?—A. No, sir. That would be a very hard matter to

arrive at. It is the oldest placer-mining district on the Yukon. About 1,500 men wintered on the Fortymile and all its tributaries last winter.

Q. And they are engaged in mining now?—A. Yes, sir. It is of a low grade, but a very sure country.

#### SUFFICIENT TIMBER FOR MINING AND FUEL.

Q. Along these mining creeks is there sufficient timber for mining purposes and fuel?—A. Yes, sir. There is plenty of timber and water for mining purposes.

#### ROUTE OF WAGON ROAD FROM EAGLE TO TANANA RIVER.

Q. If a wagon route were to be constructed from Eagle over to the Tanana, what would be the natural course of it or the best route—such a route to take in the principal portions of the mining country on the Fortymile River and its tributaries?—A. The best route for a road connecting the principal mining settlements would be along the divide in a southward direction between American and Boundary creeks, along one side of O'Brien Creek and crossing the Fortymile at Steel Creek, up Steel Creek, down Jack Wade Creek, along Walkers fork, crossing the Mosquito fork and following the divide (or near the divide) on the left limit of the south and Mosquito forks, thence to the Tanana Crossing, following the divide between the head of the Denison fork and Raven Creek. The distance by that route would be about 220 miles. It would be necessary to follow the divide in order to get a permanent bed at smallest cost, because along the creeks the country is very swampy and subject to floods in spring and during the heavy rains in the summer time.

#### ROAD WOULD BE EXPENSIVE.

Q. Would it be an expensive road to construct?—A. I think it would be a very expensive road.

Q. Have you any idea of what the average cost per mile would be to make a fair wagon road?—A. To make a fair wagon road the cost would be about \$6,000 per mile.

Q. Then the entire cost would be over \$1,000,000?—A. Yes, sir; it would.

Q. Is there a trail through there now—a summer trail?—A. Yes, sir. It is a pack train route.

#### CHARACTER OF TANANA VALLEY.

Q. Will you please describe the character of the Tanana Valley? Describe it in the same manner as you did the other.—A. The Tanana River rises in the Alaskan Range of mountains, near the head of the White River and Copper River. The name "Tanana" is an Indian name, which means river of the mountains. For about 200 miles the river runs through high mountains and deep gorges. It then runs into a gravel-floored lowland. The valley gives one the impression of a series of connecting basins, bound on the south by the Alaskan Range of mountains and on the north by the Tanana-Yukon divide. Along certain portions the river is very crooked and gives one the impression of a succession of oxbow lakes.

Below Tanana Crossing, a distance of about 300 miles from the head of the Tanana, what are known as the Tanana Rapids are encountered. They are not rapids in a strict sense, being places where swift glacial streams enter the river from the south, causing the water to run very swiftly and to average from 7 to 20 miles an hour, and carrying a very great deal of driftwood. The river along this section is from 3 to probably 15 miles in width in places with numerous islands.

#### WIDTH OF TANANA VALLEY.

Along this stretch of swift water, from Tanana Crossing to Chena, the Tanana Valley is from 3 to 50 miles in width. The character of the soil is for a great part of black loam and has every appearance of being very fertile. In many places it is of a swampy nature, being composed of what are called "nigger heads" and moss tundra. By the term nigger head we mean bunches of grass that rise for about 3 feet above the level of the ground and are from a half to a foot and a half in width.

#### TIMBER AND GRASS.

The timber along this section is composed of spruce, cottonwood, hemlock, birch, aspen, and willows. Many blueberries, cranberries, raspberries, and currants are found. Some timber along this section is very large for Alaska, some trees being as large as 3 feet in diameter. Grass abounds in these valleys. It is a splendid grass country. The benches next to the lowlands are capable of cultivation. There are no people in that country now because of the difficulties of transportation and the distance from the base of supplies.

Q. Do you think that could become a stock-raising country?—A. Yes, sir. I think stock could be raised there for home use.

Q. Is there any mining there?—A. No, sir. No mining has been carried on between Tanana Crossing and Chena to speak of. The formation is mica schist. Granite and a great deal of bull quartz is found. The creeks all have good wash gravel and colors are to be found on all of them.

Q. And it is evidently to some extent a gold-producing country?—A. From the evidences, it is a good mining country to a great extent.

Q. Are there no traces of copper?—A. There are traces of copper on the head of the Tanana.

#### FUR-PRODUCING COUNTRY.

This reach of the Tanana is a good fur-producing country. Martin, foxes, bears, wolves, wolverine, lynx, mink, and otter are found quite abundantly. The game in the vicinity of the Tanana is composed of moose, great herds of caribou, and mountain sheep on the Alaskan Range. There are also ptarmigan and various kinds of grouse, and droves of geese in the summer time.

There are very few Indians along this stretch of river, probably not more than 20 families.

Ordinarily snow attains a depth of from 18 inches to 3 feet. The temperature is somewhat milder than on the Yukon, and being considerably more to the south than the Yukon, the Tanana receives sun earlier in the year.

Q. What is the range of the thermometer?—A. The average temperature is something above that of the Yukon. For instance, where we have three or four cold snaps on the Yukon, during which the thermometer would run down to 60° or 70° below zero, we would have probably only one in the Tanana.

FROM 10° TO 50° BELOW ZERO.

Q. The average, then, would be how much?—A. From 10° to 50° below zero during the middle of the winter.

Q. What about the rains in that country?—A. They are slightly heavier than farther north, on the Yukon.

Q. Does it have a rainy season?—A. You might say that light rains are prevalent during July, August, and September.

Q. It is not what is called a rainy country?—A. No, sir; the rains are only prevalent during July, August, and September.

Q. Vegetables could be raised there without irrigation?—A. Yes, sir.

OATS AND BARLEY.

Q. What about oats and barley?—A. I think oats, barley, and rye would mature in that country.

Q. And would grow without irrigation?—A. Oh, yes; you would not have to irrigate. Owing to the quantity of light we have here, the grain grows very high and very rank.

Q. What about hay in that country—the same difficulty in making hay there as on the Mosquito flats?—A. Yes, sir.

CHENA TO MOUTH OF TANANA RIVER.

Q. Now, will you give us the lower reach, from Chena to the mouth of the Tanana?—A. The distance is 270 miles by river.

Q. And you would call that the lower reach of the river?—A. Yes, sir.

Q. Give us the width of the valley.—A. Along this channel the river is more confined to one channel and the current averages from 3 to 5 miles per hour. On the north the river valley is bounded by the Tanana and Yukon divide, and on the south by the Alaskan Range of mountains. The valley is very wide. In some places it is as wide as 60 and 70 miles, and is interspersed with low ridges.

Q. Now, please describe the character of the basin.—A. The character of the basin is very much like the upper reach. It is gravel floored. The soil is about the same and the timber is about the same as that above. The mining and fur are not the same, the former being more developed than above. There are a great many more Indians and more white men here than above. Along this stretch the agricultural conditions are about the same as those previously described for the stretch between Tanana Crossing and Chena. The mineral features are a good deal the same, although coal is found on Nenana River.

Q. Is it lignite?—A. It is coal of the lignite variety.

Q. What about the mining in that country?—A. The mining conditions are quite encouraging. On the hills of Baker Creek considerable good properties are being worked now.

Q. Placer mining?—A. Yes, sir. Considerable placer mining is

also being done in the vicinity of Chena, on Gold Stream and on Chatanika River, which is one of the tributaries of the Tolavana; also on tributaries of the Little Chena. Placer mining is nearly all confined to the right limit of the Tanana, though I am informed that good prospects have been found on the head of the Nenana.

## POPULATION OF CHENA DISTRICT.

Q. Are there many people there?—A. At present in Chena and the whole district there are probably 400 people. I was there about two weeks ago, and I should judge about that many. On the tributaries of Baker Creek the number is greater than this, Rampart being the base of supplies for this district.

Q. There is probably in all that country about 1,000 people altogether?—A. Yes, sir; just about that number. Along the Tanana and its tributaries there are at least 1,000 people.

Q. Engaged in mining?—A. Yes, sir. The people in Rampart will tell you more about that than I can.

Q. How about the Indians there?—A. The Indians are very thick.

Q. How about fish in that district?—A. In the Tanana the Alaskan salmon (king and dog salmon) go as far as the mouth of the Good Pasture River. They are so worn-out by the swift current by the time they reach the Good Pasture River that they do not go up the Tanana above that in any quantity. Species of pike are to be found in the streams and creeks adjacent to the Tanana, also white-fish and ling, the last named resembling bullheads or catfish. Grayling are found in the tributaries and clear-water streams. There are few brook trout.

There are a great many Indians between Chena and the mouth of the Tanana. The fishing is good along this section, which provides a living for the Indians.

## WAGON ROAD FROM TANANA CROSSING TO CHENA.

Q. What about the feasibility and expense of constructing a wagon road from the Tanana Crossing down the valley to the head of steamboat navigation on the Tanana?—A. The distance would be about 300 miles. The expense of such a road would be greater than the expense of a road from Eagle City to the Tanana Crossing on account of the distance from the base of supplies.

Q. Would the character of the country be different?—A. There would not be much difference.

Q. Where do you put the head of navigation?—A. The head of navigation for ordinary steamboats is Chena. Above this point boats of a special kind would have to be used—boats built especially so they could go against swift water.

Q. How many Indians do you estimate are in the lower region of the Tanana?—A. In round numbers there are about 1,500 Indians on the whole lower reach.

## TRAILS ALONG TANANA RIVER.

Q. Are there any trails along the Tanana?—A. The Tanana River has Indian trails connecting the principal Indian villages. There are

trails crossing from different points on the Tanana to the Yukon, such as Circle City and Rampart.

Q. There are trails to the Copper River country by way of the Mentasta Pass, the Delta and Gako River, or Delta and Chistochina rivers. There are trails by way of the Nanana and Sushitna rivers to Cook Inlet, and on the head of the Tanana to the White and Copper rivers.—A. There are also trails via the head of the Toklat or Goschakat River to the headwaters of the Kuskokwim. These, for the most part are only old Indian routes—some of them hardly discernible.

#### COPPER RIVER DISTRICT.

Q. Please describe the Copper River from its head down to Mentasta Pass!—A. The Copper River rises in a spur of the Alaskan Range, and in the vicinity of Mount Allen and Mount Wrangell, the latter being about 17,000 feet in altitude, and then flows through a very mountainous country to the north for about 60 miles, and thence to the west about 70 miles to the point where the Slana River (that goes to form one entrance to Mentasta Pass) joins it; thence in a general southward direction for about 80 miles, and that brings it to Copper Center.

Q. Now, the upper reach of the river goes from its source to what point?—A. To the Slana River.

Q. Now, describe the upper reach of the river.—A. I have said that it is very mountainous.

Q. Little timber?—A. Yes; there is considerable timber, and there is a very great deal of volcanic silt.

Q. No mining carried on?—A. None; so far as I know. From the Slana River to the south the Copper River is a succession of silt bluffs.

Q. What is the width of the valley?—A. About 50 miles. Considerable mining has been done on the head of the Chistochina River, which is about 60 miles north of Copper Center.

Q. What is the character of the valley?—A. Volcanic silt bluffs.

Q. No meadows?—A. A good deal of grassy meadow land.

#### TIMBER IN VALLEY OF CHISTOCHINA RIVER.

Q. What is the character of the timber?—A. The timber is composed of spruce, cottonwood, aspen, birch, and willows; cottonwood predominating.

Q. Timber abundant?—A. Not as much so as on the Tanana. On the head of the Chistochina there is no timber. Miners living there have to use canvas flumes for mining purposes. Copper Center is 8 miles below the mouth of the Tazlina River.

Q. Any agricultural possibilities there?—A. Yes, sir; the agricultural possibilities are very good along this river.

Q. Isn't the climate somewhat milder than on the lower reach of the Tanana?—A. Yes, sir; but the ground is not as fertile.

Q. Do you think the country has stock-raising possibilities?—A. Yes, sir; but not as good as the Tanana district. There is too much volcanic ash there. That is the trouble in this district.

Q. Any Indians along this route?—A. There are a few. They are the poorest Indians in Alaska.

Q. Are there many white men here?—A. There are a few men on

most of the streams engaged in prospecting, and probably 200 men on the Chistochina River.

POPULATION CHISTOCHINA DISTRICT.

Q. In its whole reach, how many would you say there are?—A. About 1,500.

Q. Is there any copper along this belt?—A. Float copper in small quantities.

Q. No coal?—A. Not in great quantities. But there is coal scattered all over that country.

Q. Is there any game there?—A. Game is not abundant there. Fish have been abundant in the past, but are decreasing every year.

Q. Any salmon?—A. Salmon come all the way up the Copper River.

ROAD FROM TANANA CROSSING TO COPPER CENTER.

Q. What about a wagon route from crossing on the Tanana to Copper Center—what would be the distance?—A. 165 miles.

Q. What about the feasibility and expense?—A. The expense of the road itself would be much less than along the Tanana, or in the vicinity of Eagle, because the country is less rugged in character and the ground thaws more quickly. But on account of the present facilities for transportation the coast range of mountains are very difficult to cross, and consequently the cost of transportation would be more, making in the end about the same cost as the other reaches.

Q. And you estimate that, on account of the transportation, the cost would be about as on the other reaches of the road?—A. Yes, sir.

DIFFERENT REACHES OF ROAD.

Q. From Copper Center to Valdes would be considered as one reach, would it not?—A. Yes, sir. The distance is about 103 miles. You leave the Copper River at Copper Center and follow a low ridge to the Tonsina River, which is a distance of about 25 miles from Copper Center. From the Tonsina River to Teikel Station is 24 miles. From there to Saina is a distance of about 23 miles, and from there to Dutch Flat is about 13 miles. From Dutch Flat to Keystone Station is  $8\frac{1}{2}$  miles, and from Keystone Station to Valdes is about 12 miles. It is about  $2\frac{1}{2}$  miles from the mouth of Lowe River to Valdes.

Q. What is the character of this route?—A. It is very mountainous, being a trail across the coast range of mountains.

Q. There is not much timber?—A. The timber is spruce and is very good in the vicinity of Tonsina.

Q. Is there any gold or copper along this route?—A. Not much has been found.

Q. This reach has no grazing?—A. Very little. There is some, but nothing great.

Q. No mineral resources?—A. None have been developed.

Q. What about the construction of a road from this reach?—A. It is very difficult.

Q. There is a military trail there?—A. A military trail has been constructed from Valdes to Copper Center, and one from Copper Center to Tanana Crossing. It couldn't be called a wagon route.

Q. Is it a good pack trail?—A. Yes, sir; they have hauled carts over parts of it to Chistachina with difficulty.

Q. What about the feasibility of constructing a railroad through?—A. Of course I have not taken much notice from a railroad standpoint of the coast range. After the coast range is crossed a railroad would be entirely feasible.

Q. Are there any other points, Lieutenant, with which you are familiar outside of the Yukon Valley?—A. From information I have gained from persons who have been over various parts of Alaska, I have become somewhat acquainted with it generally.

#### TANANA VALLEY BEST PORTION OF ALASKA.

Q. Do you regard the valley of the Tanana, the Copper River Valley (the upper valley), and the valleys of the Fortymile Creek as the best parts of Alaska as to mining, agriculture, and timber?—A. I regard the Tanana as the best part of Alaska in every way. Of course, it is undeveloped, and there is no one in the country to speak of, but I am of the opinion that it is susceptible of great development.

Q. What would be the effect of a railroad through there? Would it develop the country?—A. Undoubtedly. There is no question about it.

#### STATEMENT OF J. S. ROBERTS.

EAGLE, ALASKA, *July 17, 1903.*

J. S. ROBERTS was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. Please state your full name and what your official position is?—A. J. S. Roberts. I am chief clerk of the Railway Mail Service at large.

Q. You are at present engaged in inspecting the Alaskan mail service?—A. Yes, sir.

Q. How long have you been engaged in that work?—A. Not very long—about thirty days. I have only recently left San Francisco and came here. I have been in the Railway Mail Service for about eighteen years.

#### MAIL SERVICE.

Q. If you have any information to give regarding the present conditions regarding the mail service in Alaska, or any suggestions to make regarding changes in the service, please proceed in your own way to do so.—A. The mail service in Alaska, especially the interior of it, is as yet in its infancy, but is greatly improved over conditions that existed prior to 1900.

#### WINTER MAILS CONSIST ONLY OF LETTERS.

In the summer season offices on the Yukon River have a weekly supply of all classes of mail, both to and from the States; but in the winter season the mails are limited to those of the first class only, and all newspapers, magazines, and merchandise are excluded therefrom, even though the same be put up with first-class postage.

Q. For what period?—A. From the close of navigation in the fall until the opening in the spring.

Q. A period of about how many months?—A. Eight months; from October to May.

Q. So that there are only four months in the year when the people can receive printed matter—reading material?—A. Yes, sir; four months in the year.

At present there is a contract for carrying the mail down the Yukon River from Eagle to Tanana, and from Tanana to St. Michael, which insures the transportation of 400 pounds of mail up and down the river.

Q. How often?—A. Once a week.

This 400 pounds includes all of the mail for all post-offices on the Yukon River, a distance of about 1,600 miles; for all offices situated on Norton Sound, Kotzebue Sound, and as far north as Point Barrow. This also includes mail for Nome city, Teller, a densely populated mining section and city as large as the city of Dawson. This limit of weight of course precludes everything except letters, and it sometimes happens that not all of the letters can be sent.

#### WINTER MAIL ROUTE FROM ILIAMNA BAY TO ST. MICHAEL.

There should be a contract route let from some point from navigable waters to St. Michael and Nome—navigable waters in the winter time—that would take all of the mails for Nome and St. Michael.

Q. From what port might this be done?—A. I believe that Iliamna Bay would be the nearest point to Nome and St. Michael at which to start the route, but it may be possible in the event that such a route is not necessary for such business, that it could be brought up over the all-American route and taken across country down the Tanana River to Tanana, thereby saving a distance of about 1,100 miles over the present method of reaching Nome and St. Michael via Skagway and through Canadian territory. Mr. Edward McGrath, who was my predecessor at this station, under orders from Superintendent Thrall, of the Railway Mail Service, has just completed a trip down the Tanana River, and informs me that he considers the route practicable. His report will be made to Superintendent Thrall, and by him to the Second Assistant Postmaster-General.

I believe that by letting an additional route, to carry not less than 600 pounds of mail for Nome and St. Michael, with the contract already in effect down the Yukon River from Eagle, that it would be possible to admit a considerable quantity of second-class mail on each weekly trip down the river.

Q. I will ask you, are there any post-office inspectors in the district of Alaska?—A. Not any.

Q. Is it your judgment that there should be inspectors here?—A. Yes, sir; inspectors should be here.

#### SUGGESTIONS AS TO POST-OFFICE INSPECTORS.

Q. Owing to the peculiar conditions here, growing out of the vast area of the district and the distances to be traversed, what can you suggest as to inspectors?—A. I suggest that all chief clerks of the railway mail service who are now stationed in Alaska be made post-

office inspectors, in addition to the duties they are at present performing.

Q. What office facilities have you for doing your work here, and if they are insufficient state wherein such insufficiency exists.—A. There are no office facilities here at present. There should be a file case to keep the records of this office in. There ought to be a desk and such other things as are usually found in an office of this kind.

#### STATEMENT OF COMMISSIONER SAMUEL N. GRAFF.

EAGLE, ALASKA, *Thursday, July 17, 1903.*

Commissioner SAMUEL N. GRAFF, of Wickersham, Alaska, was called before the committee and testified as follows:

By Senator BURNHAM:

Q. Please state where you reside and what your official position is.—A. I reside at Wickersham, and am United States commissioner for the Fortymile precinct of Alaska.

Q. Where is that?—A. Wickersham is on the Fortymile River at the mouth of Steel Creek.

Q. How far from the mouth of the Fortymile River?—A. It is 43 miles from the mouth of the Fortymile River, and 20 miles above the international boundary line.

#### DUTIES OF COMMISSIONER.

Q. What office do you hold besides that of commissioner?—A. The commissioners in this district are ex officio recorders, judges of probate, coroners, and justices of the peace.

Q. As recorder, your duties are what?—A. I record mining claims, homestead entries, deeds, mortgages, bills of sale, etc.

Q. The jurisdiction of your precinct, in brief, is what?—A. It embraces a triangle, one corner of which commences on the international boundary line about 15 miles north of its intersection with the Fortymile River; it extends thence along the international boundary line to the summit of Mount St. Elias; thence in a general northwesterly direction to Mentasta Pass; and thence northeastwardly to the point of beginning.

Q. How long have you been in the district of Alaska?—A. Since October, 1893.

Q. Where have you been located?—A. I lived at Juneau, Alaska, until 1897, and then went to Circle City, Alaska, and in the spring of 1898 to Dawson, Yukon territory. I remained, with Dawson for my headquarters, from that time until September, 1902. During that interval of four years I was in and out of this Fortymile country a number of times, and I have always been in close touch with the people and conditions.

Q. When were you appointed commissioner?—A. The 13th day of August, 1902. Since that time I have been in the heart of the Fortymile precinct.

Q. And are you familiar with what is known as the Fortymile district?—A. Yes, sir. The area comprised within the boundary lines as I have already given them.

Q. Have you been over the district extensively?—A. Yes, sir; extensively.

Q. So that you are familiar with its conditions?—A. Thoroughly familiar with its conditions.

#### MINING INTERESTS OF FORTYMILE DISTRICT.

Q. Now, in your own way, I wish you would state about the mining interests in this district.—A. At the present time there are nearly 2,000 people in the Fortymile precinct engaged entirely in prospecting, mining for placer gold. Within the past year a number of apparently valuable discoveries of quartz have been made. The mining proposition, as at present developed, embraces two-thirds of the area of the precinct, over which gold in greater or less quantities is found everywhere. The area of this territory is about 15,000 square miles. The discoveries of gold so far made have mostly been in places easy of access, and the work that has been done has been confined to the richer portions of the ground, for the reason that only the richer portions can be worked under existing conditions of roads and trails and the consequent high prices for labor and supplies. It is a tremendous field for extensive operations to be conducted in a modern way by the use of hydraulic dredging and steam-shovel machinery. At the present time, with no roads, it would be an absolute impossibility to bring heavy machinery, such as is necessary, into the country. The present freight rates to Chicken Creek are 15 cents a pound from the mouth of Fortymile River.

#### POPULATION OF FORTYMILE DISTRICT.

Q. Outside of the towns that you have named, where are the people located?—A. They are scattered. Out of the nearly 2,000 people that I estimate are there, probably not more than 400 could be found in one locality, and that is around Chicken Creek. The balance of the population are in fives and tens and twos and threes.

On Wade Creek there are perhaps 200 people; on Walker's Fork I should say 300; on the bars of the Fortymile River 200 more, and the balance scattered over the entire area. I have named all where there is any considerable number in any one place.

#### WHERE MINING IS CARRIED ON.

Q. In what localities has mining been most developed?—A. At Chicken Creek. At Chicken Creek work is being conducted in the most modern way; but Walker's Fork and Wade Creek are much older propositions, and on those creeks much more work has been done and much more gold produced. Almost the earliest discovery of gold in the Fortymile country was in Franklin Gulch. A conservative estimate of the product of Franklin Gulch since its discovery, about fourteen years ago, is \$3,000,000. The creek is not 12 miles long and it has not been worked to its head.

#### BONANZA CREEK.

Bonanza Bar, on the Fortymile River, about 12 miles above the boundary line, is one of the earliest propositions worked in the country.

Its product I would estimate at \$1,000,000. Going up stream for a distance of about 3 miles, or less, on the left limit is Nugget Gulch, which has also had a phenomenal production of gold. It was worked out and abandoned eight or nine years ago. By abandoned I mean that the cream has been taken off and what is left will not pay to work under present conditions. Continuing on up the river to the mouth of Steel Creek, about 20 miles above the boundary, and then traveling south over the divide for a distance of 14 miles, you strike Wade Creek, the production of which to date in gold may be estimated at a million and a half dollars.

#### NUGGET WORTH \$643.

On this creek spots have been found as rich or richer than anything in the Klondike region. I have seen solid chunks of gold taken from this creek that were worth over \$643, and a number of nuggets varying from that down to \$100 and \$250. Gold here is all quartz, well worn, but the creek is extremely pockety. A large part of the present work in the precinct is being done on Wade Creek.

Q. Has that been exhausted?—A. No. Wade Creek has perhaps been one-tenth worked. It is 18 miles long, but, as I have said, only the richer spots in these creeks can afford to be worked under present conditions.

#### WALKER'S FORK—DIFFICULTIES IN DEVELOPING.

Then, continuing across the divide to the south you strike Walker's Fork at the Fortymile River. Walker's Fork is about 25 miles in length, and is, and has been, a producer of gold for its entire length for fourteen years. The valley is wide, the bed rock is shallow, and the gold very evenly distributed, but with the primitive methods now in vogue, where men must sink to bed rock in the winter and hoist in wooden buckets, by hand, the gravel until spring comes, and then wash it again by hand probably, or by shoveling it into sluice boxes, labor at \$8 per day in nearly all cases, and supplies originally bought in Dawson at high prices, which cost is further increased to the extent of from 10 to 15 cents per pound—there is little left for the worker.

Q. The mining operations have been carried on to what extent on Walkers Fork?—A. From a standpoint of being worked, it has not been touched. One ten-thousandth part would be too much. It is 75 miles in extent, perhaps, and but few claims have been worked. Continuing down Walkers Fork to its mouth and passing by a score of its tributaries, some of which are good-sized creeks (such as Poker, Davis, Cherry, Turk, Twelvemile, Dakota, and many others, all of which show prospects, and some of which are at present being worked), we strike the Fortymile River about 4 miles above Napoleon Creek.

#### NAPOLEON CREEK.

Napoleon Creek to date ranks second, perhaps, to Franklin Gulch. Some work is still being done there. Below that, about 4 miles, is Little Napoleon, upon which very little work has been done. Buckskin Creek, a tributary of the Fortymile River from the left limit, with its tributaries, comprises about 60 miles of creek, all of which answers in

good prospects to the pick and shovel. O'Brien Creek, which enters the Fortymile River on the left limit, about 9 miles above the mouth of Steel Creek, has its headwaters at the base of the dome, from which, on the northern side, flow the creeks tributary to Mission and American creeks. It drains an area of 2,500 square miles, but has been developed but little to date, save in a few spots, on account of its inaccessibility. It is almost impossible to get in there.

#### CANON CREEK.

Entering the Fortymile River on the right limit, about 17 miles above the boundary line, is Canon Creek, which, together with its tributaries, forms 100 or 110 miles of water courses, the gravel found on which is gold bearing over the entire distance, as has been demonstrated by the work of the prospector. But it is low grade, evenly scattered over large areas, and will give no profit to primitive methods.

#### CHICKEN AND LOST CHICKEN CREEKS.

Now, I have picked out the larger creeks. About 12 miles above the mouth of Walker's Fork, entering from the left limit and close together, are Chicken and Lost Chicken creeks and their tributaries, Meyer's Fork, Central Fork and Stone House. The greatest number of people in the precinct are located here. The past year has witnessed the greatest amount of work in this locality. The results this spring were more than satisfactory to operators there, dumps washing up in every instance larger than was anticipated. All labor was promptly paid and all other obligations, and something in each case left for the miner. Continuing on up the river about half a mile you strike the Denison Fork of the Fortymile River. This is another proposition hard to get to. As yet, beyond the reports of a few scattered prospectors who have operated in that country and report gold, but little is known. The other fork of the Fortymile River at this point is called Mosquito, on the side benches of which on the left limit for miles and miles there have been recent discoveries of placer gold of more than ordinary richness. Flowing into the Mosquito Fork are Eagle Creek, Gold Creek, Old Man Creek, Old Woman Creek, together with all their tributaries, and constituting, I should say, 500 miles of water course, until the Ketchumstuk Mountains are reached, where the country becomes less mountainous, more open and rolling, and gradually running into a granite formation where gold has not yet been discovered. This in time will be valuable farming land, well adapted to the hardier cereals and vegetables and stock grazing. The winter season there is about two months shorter than on the Yukon side of the divide, which has been crossed at Ketchumstuk.

Though not in the Fortymile precinct, the north fork of the Fortymile River, which enters the same about 12 miles above Franklin Gulch, is a large stream draining an area nearly if not quite as large as all that I have just described. There are some extensive operations in the North Fork country, notably one, the property of Messrs. Peterson and Bower, situated at a point known as the Kink, so called from the fact that the Fortymile River at that point makes a loop, which the owners have cut through and thereby dried up and exposed to view about  $2\frac{1}{2}$  miles of the bed of the Fortymile River. This property shows

up well, and its owners are now having built some heavy modern machinery to work it. They will have to wait until the dead of winter and then haul the machinery over the ice to get it in there from the Canadian side.

Q. What are the general prospects in the territory you have mentioned last, compared to the first you have described?—A. The gold prospects on the north fork of the Fortymile River are more vague and less fully determined at this time than those described on the other portion of the Fortymile River. This is again the result, however, of its inaccessibility to the prospector. There is no way of having supplies there, save by packing on your back, and the ordinary man can do little better than pack enough to last him to go in and come back. Knowing this, the field is not an attractive one to the prospector.

I see no reason why, with the country opened up, it should not be an equal producer with the country before described and at present better known. The formation is the same, the gravel wash has the same appearance, and, in my opinion, the same original run of gold will be found in the North Fork country as has been found in the South, Walker, Mosquito and Medicine forks.

Q. How far distant is that North Fork district from here (Eagle)?—A. The headwaters of the North Fork of the Fortymile in a direct line from Eagle can be reached in less than 20 miles. The headwaters of O'Brien Creek can be reached from Eagle in an air line of from 12 to 15 miles.

#### DIFFICULTIES AND HINDRANCES TO MINING.

Q. I wish you would state in a connected way the difficulties and hindrances to mining operations in the section you have described.—

A. The difficulties confronting the miner in the region I have described consist not at all of climatic conditions, but altogether of the unusual, extraordinary, and heavy expense. The market of that country to-day is in Dawson, in the Yukon territory, where the costs are large enough to give the merchants there a large profit over and above the cost of their goods and heavy freight rates.

From Dawson into the country described in the winter time supplies must be hauled over the ice for a distance varying from 100 to 250 miles across the boundary line, where they are held up to pay a duty, as the goods are largely Canadian. The freight rate on these goods ranges from 8 to 15 cents per pound. When it is remembered that the temperature ranges from 20 to 70 degrees below zero during all the season of winter freighting it can be understood that no perishable goods, such as vegetables, potatoes, eggs, canned cream, etc., can be hauled. They must be gone without. So much for winter conditions.

#### DAWSON, YUKON TERRITORY, IS MARKET FOR SUPPLIES INTO FORTY MILE DISTRICT.

In the summer time the market is still in Dawson. The freighting of supplies from there to Fortymile, Yukon territory, is a trifling matter—about one-half a cent per pound. Here the goods must be unloaded and put in small freighting boats and then lined, poled, and dragged up the Fortymile River, for which freighters have yet to pay a freight rate of from 8 to 20 cents per pound. Of this traffic it may be said that the rates charged for freight are not exorbitant; that the

freighters earn their money. The work they do is really worth more, because on an average  $7\frac{1}{2}$  per cent of the supplies that come up the Fortymile River, which is only a mountain torrent, are lost and not infrequently the life or lives of the carriers. Again the duty proposition confronts the miner. He must again pay out.

#### WAGON ROAD WOULD MAKE EAGLE THE MARKET.

These conditions are responsible for the backwardness and apparent sluggishness of the development of this country. With such conditions relieved, with means of ingress and egress provided, with an American market established, which would be done immediately at Eagle City upon the completion of a road, workingmen in the Fortymile country would live better, more conveniently, safer, and with immediate reduction of, I should say, 40 per cent in the cost of their living. That accomplished, I do not hesitate to predict that two years would see the population of the Fortymile country at least trebled, and would make Eagle a town only less in size than Dawson.

#### WHERE ROADS SHOULD BE BUILT.

Q. Where would you suggest the building of roads to improve these conditions?—A. In the matter of road building I would suggest, first, a road out of Eagle, up Mission and American Creek to its headwaters, crossing a comparatively low divide there, about 2,700 feet, and then going down the headwaters of O'Brien Creek, striking the Fortymile River at the mouth of O'Brien Creek, about 30 miles from the international boundary line. The road should cross the Fortymile River just above the mouth of O'Brien Creek and would find a comparatively easy route up Polly Creek, crossing a divide of about 3,000 feet, and then running down the entire length to Jack Wade Creek.

Q. And the distance would be how much?—A. The distance would be, from the mouth of O'Brien Creek and the mouth of Jack Wade Creek, about 25 miles.

In order to get to the people on Walkers Fork it would be necessary to branch at the divide last crossed and follow around the head of Jack Wade Creek to the upper reach of Walkers Fork. This branch would be about 12 miles long—perhaps 14. In order to reach the workers on Chicken Creek and in that locality the road should be continued from the mouth of Wade down Walkers Fork, crossing the south fork of the Fortymile River at the mouth of Walkers Fork, and thence in a direct line to the Chicken Creek locality, which is a distance of about 12 miles. The road as outlined from the mouth of O'Brien and Wade creeks would cross the present mail route on the divide at the head of Polly Creek. It would again connect with the mail route after crossing the south fork of the Fortymile River at the mouth of Walkers Fork.

#### HOW ROADS SHOULD BE BUILT.

Q. Now, are there any other suggestions you would make about roads?—A. In the building of roads I would like to lay particular stress on the absolute necessity of their being confined to creek bottoms—that is to say, in the timber and off of the side ridges.

Q. For what reason?—A. The expense of building roads along the

side ridges in this country, which are comparatively level and dry, would amount to very, very little—perhaps an average of \$150 a mile would make a good road; but the grades necessary to get on the roads would be unsurmountable to heavy freight teams, and at best they would be useful only during the summer months, when freight rates are naturally higher than over sled roads, for the reason that the snowfall, cold, and wind would render ridge roads utterly useless for seven or eight months of the year. Nothing less than snowsheds from one end to the other would keep them open. With the wind blowing at a high velocity, and the snow drifting, it would not only be impossible to follow the road, but it would be almost suicide for driver and teams to attempt to travel on the ridges. In the valleys the snowfall is quite as heavy, but it does not drift. Large portions of the road would be through timber, and the road would easily be kept open, well broken, and a first-class thoroughfare during the entire year.

#### ROADS BUILT BY CANADIAN GOVERNMENT.

In 1889 the Canadian government built what they called a trunk line out of Dawson to the remotest creeks of the Klondike region, which followed along the main backbone or ridge of mountains running through the country, their idea being thus to save road building and open up the various creeks in the country by lateral branches from this main ridge. The idea has proved an utter failure. Thousands of dollars that were expended in the construction of the road have been wasted, and the proof of it is that to-day in the Klondike region every creek has its own road in the creek bottom, which are good, easy means of travel and freighting in all seasons of the year.

#### ROADS SHOULD BE BUILT IN LOWLANDS.

The objection that is sometimes offered to the proposition of confining roads to bottoms, on account of the marsh lands occasionally encountered, is hardly a valid one. Marsh lands that are found in these hills are difficult of explanation. On the tops of the highest ridges you will sometimes wade for miles waist deep in mud and "niggerheads," where one can scarcely figure why the water does not naturally drain off. My idea is that it is melting glacier that simply melts so fast and no faster; but the fact is that a ditch through these marshy places results in an incredibly short time in drying up this muck, as it is called.

In 1897 I walked from Dawson to the mouth of Eldorado and Bonanza creeks in the Klondike region, where for mile after mile I was above my knees in water and mud, the trip consuming fourteen hours and the distance being little more than as many miles. The present road up Bonanza was built through these marshy places by constructing two ditches, each about 8 feet wide and from 3 to 4 feet deep and about 20 feet apart. The material taken from these ditches was thrown upon the strip between them, and within a week there was a road built, the only objection to which was clouds of dust. At particularly bad places corduroying may be resorted to, but timber heavy enough for such purpose is plentiful, and, in fact, there will be but little of it needed. The ditching in nearly every case is sufficient.

## COST OF ROAD.

In the early spring, when the melting snow is soaking into these roads or the roads through marshy places, they will be for a short time quite boggy. This can be effectually cured by the scattering of gravel or broken rock over the road. In time, to make the road perfect, there are many miles that would have to be treated in this way. I believe that the road could be built for \$1,500 a mile.

Q. And suitable for the entire year?—A. Suitable for the entire year.

Q. What portions of the Fortymile precinct, as you have described it, where mining interests have developed, would be accommodated by such a road?—A. Practically all of it.

## EFFECT OF BUILDING ROAD.

Q. What effect would such a road have on business? Would it come from the American side or Canadian side?—A. The effect of such a road, apart from its great advantages to the miners, would have the immediate effect of diverting all the trade of the Fortymile precinct and the north fork of the Fortymile River into Eagle City. The population is, as I have before estimated, about 2,000 people. Their market at present is Dawson. They are Americans, and naturally prefer an American market; second, they are equally anxious to avoid the payment of duties. The freight rate on supplies bought at Eagle and transportation over such roads as I have suggested would not exceed one-third of the present freight rates. Therefore it is not a guess but a certainty that the minute communication is established between Eagle and the country described, just that instant the Canadian market loses that trade.

As for the growth of Eagle, it can be readily figured. To-day the market there is incapable of supplying a population of 2,000 people. Many Americans now engaged in the mercantile business in Dawson, whom I know personally, and many others whom I know of, who are dissatisfied with existing conditions there and anxious to get under the flag, would create a perfect stampede with their stocks of merchandise to Eagle in order to avail themselves of the new market and avoid the disaster that would attend the decreased market in Canadian territory. The transportation of their stocks from where they now are to Eagle would be a nominal matter—load them on a scow and in twenty-four hours they float to their destination. Land and town lots at Eagle can be had at a reasonable value; and the result, in an incredibly short time, you will find, will be the building of a substantial community and distributing point at Eagle that can not fail in years to come to grow and increase.

## PRICE OF PROVISIONS.

Speaking of markets, I will cite a few prices of staples at the stores in Chicken Creek: Beef by the carcass, 75 cents a pound, counting hoofs and horns and hide; potatoes, 28 cents a pound; flour, \$9.50 a hundred; sugar, 30 cents a pound; butter, \$1.25; hams and bacon were 60 cents a pound last March—since that time there have been none there at all; eggs are worth in the summer time—the only season when

they can be had—\$35 a case, the case containing 30 dozen; dried fruits, 43 cents a pound.

#### LACK OF MINING LEGISLATION.

Q. What other hindrances are there to successful mining, if any?—  
A. I would like to call your attention to the total lack of mining legislation that we have in this district. True, the general mining laws of Congress are applicable here, but they are too general and enter too little into detail to permit a proper abstract and record of titles. Under existing law the only requirement that is made is that mining claims shall be recorded within ninety days from the date of their discovery. The Revised Statutes provide that not less than \$100 worth of work shall be done within each year following the fraction of the year in which the claim was located, and the act does not provide for the filing of affidavits of annual assessment work. Taking up this discrepancy first, it results in this:

On the 2d day of January, 1903, a man locates claim No. 1, on Cherry Creek. Within ninety days he files his notice of location, and the possessory right to that 20 acres of ground becomes his. From the 2d day of January, 1903, until the 31st day of December, 1905, the law requires that man not only to do no work, but not even to be on the ground. As a matter of fact, it frequently happens that within a few months after the location is made the man leaves the country, but leaves it with that much ground tied up and closed to the prospector with the pick.

#### POWER OF ATTORNEY.

This case, in hundreds of instances, is still further aggravated by the power of attorney men coming in with from 50 to 100 delegated powers, taking up, say, 2,000 acres, and shutting out the prospector from any and all of that ground from the 2d day of January, 1903, until the 31st day of December, 1905.

So much for the excessive time limit in which to do annual assessment work. That is bad enough. At the end of 1905 the locator does some work—perhaps sinks a hole, runs a tunnel, builds a cabin, or opens a cut. Now he has complied with the law as it is in force up to 1906, during which year he does some more work, and nothing need be done until the year 1907. That year he leaves the country, and for the year 1907 no work is done. A man anxious to work, to get a piece of ground, comes along now. He goes to the commissioner's office and wants to know if No. 1 on Cherry Creek is open for location; but under existing conditions the commissioner does not and can not know, because none of these affidavits of annual work have been placed on record. The newcomer sees the ground, sees the stakes, knows that it was recorded, also sees the work; but how is he going to know whether that work was done this year, last year, or five years ago? If it was done this year the ground is not open, but if it is more than a year old that man might go to digging there any season. Now, the fact of the matter is that prospectors are poor men. They see a chance for a lawsuit—for litigation. Perhaps they don't know they are jumping some man's claim. The result is that they go on their way cursing conditions. This happens every day.

## REMEDY FOR FAILURE TO DO ASSESSMENT WORK.

The remedy for this latter evil is the compulsory filing, on or before the end of the calendar year, an affidavit that the annual work of representation on a piece of ground has been performed; this to be sworn to not only by the owner but by one or, better still, two witnesses. We can well afford in this matter to copy the law of Canada. The evil first spoken of can, in my opinion, best be remedied by some provision whereby the first annual assessment work must be done by the locator, sworn to by him and his witnesses, before he is entitled to record his location notice.

## “LEAD-PENCIL” AND “HATCHET” MINER.

That would effectually stop the bad faith that has been practiced all over this country so long that the “lead-pencil” and “hatchet” miner has become a byword. What I have said is not theory. It is not what might be, but it is what has occurred in my own personal experience, not only as a miner for a number of years, but as a recorder for the Fortymile precinct. It is a fact that is notorious to every man, woman, and child in this country, and unless it is remedied it can only result, in a few years at most, in titles in this country furnishing a perfect hotbed of litigation.

## EIGHTY-THREE CLAIMS STAKED BY ONE MAN.

As an instance, a man on Walkers Fork, about five years ago, staked 42 claims, 1 for himself and 41 for others whose power of attorney he merely claimed to hold. There has never been a shovel put in but 2 of these claims to my knowledge, but he holds the ground by resorting to this trick.

On the 1st day of each January he simply changes the names on the stakes, and what last year belonged to “A” this year will be in “B’s” name and may have been in “C’s” name, “D’s” name, and “E’s” name during other years. This is only one of a number of instances in the country that I have personal knowledge of and want to see remedied. The practice is so pernicious that it has been and is an absolute drawback to the development of the country. Litigation here is expensive, and men who come here to work and dig for gold, and so develop the country, will almost at any cost avoid the courts.

## POPULAR CLAMOR AGAINST POWERS OF ATTORNEY.

The evils that result from the use of powers of attorney, as they have been used in the past, have resulted in a popular clamor and cry against locating mining ground by powers of attorney. My own idea is that the lawful use, in good faith, of powers of attorney in the locating of mining claims is not a detriment, but the abuse of their use for this purpose certainly has been a very grave one. Speaking against the abolishment of the right to stake by power of attorney, I would use as a negative reason the fact that the agent might still carry on the evil. But as a measure of protection aimed at the abuse of the power-of-attorney business I would suggest, after having given the matter much careful thought, the enactment of a law whereby the

locator of a mining claim should be required to do the value of one year's annual assessment work on the ground he proposes to record before his location notice should be entitled to record.

Now, in order to avoid the hardship that that might force on the honest prospector, I would suggest that from the time of his staking this ground he should have the possession thereof for a given length of time in which to do the required amount of work. At the end of that time his location notice, accompanied by the affidavit of himself and one or two witnesses that such work had been done, should be filed. One can readily see the effect which this will have on the present abuse of the use of powers of attorney. If one gives another his power of attorney to locate him a mining claim under such a law, one must also supply his attorney with funds sufficient to have done that annual assessment work. That being an essential to the final record of the claim, it follows that a man must either work so much for the development of the country or he must spend so much of his money in the country to have the work done. Under such a law the promiscuous and wholesale staking of claims under powers of attorney would at once cease.

#### SUGGESTIONS AS TO AMOUNT OF ASSESSMENT WORK.

Q. As to the length of time and the amount of assessment work, have you any suggestions to make?—A. Yes, sir; I have. My suggestion involves the amending of the mining act of Congress which provides that the annual work shall be done during the calendar year following that in which the claim is located. The year in which annual assessment work should be done should be that year, commencing on the date of the location, and the amount of work necessary to represent a mining claim in a country where \$100 worth is a very small amount of work, should be at least doubled. So I should say that \$200 worth of work should be done within a given time on each claim located, vouched for by the affidavits before referred to, before the locator should be entitled to record.

#### LEGISLATION AS TO WATER RIGHTS IN MINING.

Q. Do you think of anything, Judge, in addition that you wish to state about mining?—A. Yes, sir; an important matter—only less valuable than mining ground—in this country soon will be water rights. Thousands of acres of gold-bearing gravel lie in the hills to-day worthless until water can be brought to them. In time this will be done either by the owners of the ground or by companies organized for the purpose of supplying water.

We have no provision at all as to the manner of securing water rights, and we should have. As it is, we have simply got the general right as citizens to appropriate portions of the public domain, but we have no form prescribed for the doing of it. The result is that one can not intelligently start in to acquire a water right, the development of which will perhaps run into hundreds and thousands of dollars with any assurance that his title will be good. Let me cite a special instance: Last January a man came into my office with a slip of paper on which were written two or three lines, in which he gave notice that he claimed 60,000 inches of water out of the Mosquito Fork. I knew

the man and asked him what he wanted to do with that piece of paper. He told me that it was a notice of location of a water right, and that he desired to put it on record. I told him that it would cost \$2.50 and that it was not worth it. He promptly informed me that the time would certainly come when all the people in that section of the country would have to buy water from him because he had taken all the water that was in the river.

#### YUKON TERRITORY LAW REGARDING WATER RIGHTS.

We might well copy the Yukon Territory law in this regard. It provides that for one to acquire the right to divert and use water for mining purposes one must file an application for a given number of inches of water, and in his application he must state, first, for what that water is to be used; second, upon what ground it is to be used generally; third, how the water is to be conducted from the point of divergence to the point of its use—whether by a ditch or by a flume or by both; fourth, the general direction in which the ditch or flume or both shall be constructed; fifth, the time in which it is proposed to complete such construction, which time is limited to six months where the ditch is less than 2 miles in length and to one year in all other cases. A failure to complete the ditch within the time specified in the application works a forfeiture of one's right. The law further requires that duplicate notices or copies of a notice of intention to divert water shall be posted at intervals of 500 feet along the line of the proposed ditch or flume or both.

Q. That in substance is the Yukon law?—A. Yes, sir.

#### AGRICULTURE.

Q. What statement can you make in regard to agricultural possibilities in this part of Alaska, from personal knowledge?—A. The agricultural possibilities of the Fortymile precinct are rather inconsiderable. There is some land of uncertain area in the valley of the Tanana as it lies within this precinct that is valuable agricultural land. There is perhaps enough of it to supply for some time to come the local needs; but, as I have said, it is very limited in extent and the growth and prosperity of the Fortymile precinct must be based entirely upon the mining industry. There have been recorded in my office within the past year but two homestead entries of 40 acres each—limited to that because that was the limit of the tract.

Q. Where was that?—A. One was at the mouth of Chicken Creek and the other a little above the mouth of Chicken Creek on the Mosquito Fork where there happened to be a small piece of agricultural land.

#### PRODUCTION OF GOLD IN FORTY MILE DISTRICT.

The output of gold of the Fortymile district for the present year will approximate nearly a million dollars.

Q. That is, in your precinct?—A. Yes, sir.

Q. In the matter of road building, have you given any attention to the question of how roads should be located; and if so, will you please give any suggestions you care to make, also the probable expense?—

A. In answer to that I would suggest that the work can be quite

expensive or not, largely by the means adopted for the surveying, building, and disbursing of the costs of the road.

#### WHO SHOULD CONTROL CONSTRUCTION OF ROADS.

In order to reduce such expense to the minimum I would suggest that, say, the Department of Commerce take up the matter, and in each precinct where roads are to be built let there be appointed from among the Federal officers now in the precincts a committee of road supervisors who shall be responsible to and report to the Department of Commerce. This will result in local engineers being employed at less cost to the Government, and with a further advantage of having men who live in the country and are personally familiar with the peculiar topographical and climatic conditions that should be fully known by men engaged in doing such work. The same reason will apply to the labor employed in road building. Men can be had here, and contractors, and a board of road supervisors could advertise for bids both for surveying and building, on the ground, at less cost and with less consumption of time than would be possible if the matter were handled direct from Washington.

#### JURISDICTION OF COMMISSIONERS' COURTS.

I should like to say a little concerning jurisdiction of commissioners' courts as they are at present established. Commissioners in Alaska have been given large powers—larger than is usual, but still not large enough to do the good which they might do. For instance, a plaintiff here may at his option institute civil proceedings of less than \$1,000, which is the limit of the commissioner's jurisdiction in either the commissioner's court or the Federal court. The designing plaintiff, under this power, can work a great hardship. For instance, in the heart of the Fortymile country there lives a man who is made a defendant in an action, say, for \$250. The plaintiff has brought his suit in the Federal court. The Federal court this year is being held nearly 1,000 miles away—at Rampart. Now, it follows that the defendant, no matter how good his defense may be, had better suffer the consequences of a default judgment than to spend three times as much money as is involved in traveling with his witnesses and counsel a thousand miles and back, and losing practically his whole working season. This is not fanciful. There are two men in the Fortymile country that within the last sixty days have suffered just such a burden.

#### REMEDY SUGGESTED.

The remedy that I would suggest is that the original jurisdiction in civil cases should lie entirely in the commissioners' courts, where the title to realty is not involved, in cases involving less than a thousand dollars. A great deal of good could be accomplished and a great burden lifted from the shoulders of the miners in the outlying districts of this country if the original jurisdiction in mining disputes was vested in the commissioners. Property that is just being opened up by men who have no money is frequently forfeited and given up because the holder of a claim has not sufficient money with which to go into the Federal court. The judge of this division has got a ter-

ritory to cover as large as a dozen States, and only once a year, and then only for a short time, does he get within a reasonable distance of the people. The right of temporary injunction and mandamus should also, to some extent, be vested in the United States commissioner.

**STATEMENT OF DAVID H. JARVIS.**

EAGLE CITY, ALASKA, *July 17, 1903.*

DAVID H. JARVIS, of Eagle City, Alaska, was called before the committee, and testified as follows:

By Senator DILLINGHAM:

Q. Please state your full name.—A. David H. Jarvis.

Q. What is your official position, and how long have you been in Alaska?—A. I am at present collector of customs for the district of Alaska. I have held that position since May 1, 1902. I first came to Alaska in May, 1888.

Q. You were then in what service?—A. In the Revenue-Cutter Service, and continued in that service on duty in Alaska. The winters we spent in San Francisco, but always aimed to be back to Alaska by the time navigation opened. From the spring of 1900 until I assumed my present position I was assigned as an acting special agent or special employee of the Department for duty at Nome and St. Michael and vicinity.

Q. In conversation with you yesterday you mentioned several subjects which you thought it might be advisable for Congress to deal with, and I would be glad to have you take them up now, one by one, and give us your views upon them.—A. The questions are matters that have come up from time to time in discussions with people of the country. While some are small, and may be considered small in cost and small in work, they mean considerable to the country.

**IMPROVEMENTS AT MOUTH OF YUKON RIVER.**

The first was concerning the mouth of this river (the Yukon), which forms the natural highway through the center of the country, and is perhaps the most important natural feature of it. The river navigation, of course, is easier and cheaper than anything else that can be had now. The river is large and deposits at its mouth a great deal of silt and mud, so there is shoal water many miles from the mouth, and there are three or four distinct mouths. The nearest harbor is St. Michael, which is 60 miles from the first mouth of the river, and is the transfer point of all ocean and river navigation.

Q. That is, north from the north mouth of the river?—A. Yes, sir. The three southern mouths are so far from St. Michael and the passage to them is so exposed to the rough water of Bering Sea that they are practically impassable for safe navigation by the river boats. The north mouth is a small one, and enters a sort of bay that gives more or less protection. This mouth is small, and has little or no current. The bar off the opening is shallow, and river steamers very often, when they load to their maximum draft of 5 feet, are compelled to wait outside this bar for the tide, which rises and falls 2 or 3 feet, and very often with that I have known them to be delayed as much as a week. With such a short navigation season on the river, that

means a serious delay and a serious loss of time in which to operate. It has been suggested by many people that possibly that bar could be improved, or possibly in some way the current be turned into the mouth of the river and the bar cut out, the same as is done with other river mouths.

#### ROCKS REMOVED AND BUOYS BUILT.

From St. Michael the steamers go out around St. Michael Island and between that and Stewart Island to come down to the mouth of the river. This is the most dangerous part of the passage, because it is deep water and the sea can be very rough. There is a canal, as it is called, separating St. Michael Island from the mainland for a distance of about 15 miles. This canal is used only by small vessels, on account of some scattering rocks through there. The masters and pilots say that if a few of these rocks were removed and buoys placed, the canal could be used to advantage and with safety to their vessels. This matter is a vital one to our navigation of the river.

The present traffic of the river being divided between this American route by way of St. Michael and the mouth of the river, and that through Canadian territory by way of the White Pass Railroad route and the upper waters, it would seem that we should do whatever is reasonable to improve the navigation through our own territory.

#### LIGHT-HOUSE DISTRICT.

The district of Alaska is included in the thirteenth light-house district. Alaska has now a few light-houses, and they have come only in very recent years. There are now probably three or four in operation in all the country. Others are projected, and one or two already building.

Q. Is it not true that only one inspection of the light-houses of the archipelago is made annually?—A. Yes, sir; that is what I believe, and this inspection is necessarily made hurriedly in the summer.

Q. So that if buoys get out of place after that inspection they remain out of place that entire season?—A. Yes, sir; it is too large a country to be handled as a part of an already large district—the district which includes Oregon and Washington.

#### SEPARATE LIGHT-HOUSE DISTRICT.

With the light-houses now being built and projected, and the buoys necessary, it would seem that a separate division is required to properly care for them.

Q. Under the conditions that you have named is not winter navigation between Seattle and Skagway and southeastern Alaska generally a very dangerous undertaking?—A. It is more or less dangerous in this way, that is, through what is called an inland passage, with land on both sides and with many rocks, reefs, and other dangers. It requires special knowledge to navigate ships there. Each one of the vessels plying regularly between Seattle and southeastern Alaskan ports carries two pilots for those particular waters, so that one can be on duty at all times, in addition to the master. Outside of this country I know of no place where such conditions exist for so great a distance.

Q. And the dangers are increased, I suppose, by the length of nights and darkness in the winter?—A. Yes, sir. In addition to that there are fogs and snowstorms, which greatly add to the danger.

## LIFE-SAVING STATION AT NOME.

Q. You spoke about a life-saving service.—A. At Nome; yes, sir. Nome is situated on a straight line of coast exposed wholly to the sea. During the season of 1902 there were landed at Nome, according to the records of the custom-house, some 38,000 tons of merchandise. I estimate also that nearly 10,000 people went back and forth from the steamers to the shore.

## VESSELS AT NOME ANCHOR A MILE FROM SHORE.

The steamers anchor about a mile from shore—from half a mile to a mile. Everything, both passengers and merchandise, must be transported from them to the shore in lighters or small boats. This passage is done with little danger in smooth water and good weather, but very often the weather is bad and the vessels must land their freight and passengers at any opportunity which offers, so that, with a rough beach, it is done with considerable danger. Vessels can not always safely lie off Nome; at times the largest and strongest vessels will have to go to sea or seek shelter behind large islands 20 miles distant.

Now, it would seem a most appropriate place, in view of the large commerce and the great number of people traveling from shore to vessels and back again, for a well appointed and directed life-saving station to be established at Nome. I have expressed that view to the Department several times, and two years ago, during the winter of 1900–1901, Congress appropriated \$2,000 to provide two life-boats and a Lyle gun, in connection with a life-saving station at Nome, but no provision was made as to manning the station. The boats and gun were placed there last year, and the remaining portion of the appropriation was spent in providing a building. There was not enough money to complete it and the city council of Nome provided the remainder of the money. During the fall the apparatus was manned by a crew from the revenue-cutter *Bear*, then in that neighborhood, and did valuable service. But that reduced her crew to such an extent that it crippled her somewhat. At the present time it is not operated at all.

## NOME A PERMANENT BUSINESS COMMUNITY.

I believe one of the things that has heretofore operated against the establishment of anything of this nature at Nome has been the reluctance of the people—of the Government, you may say—to believe that such a place as Nome, which is considered by many to be only a temporary mining camp, will have any length of life. It is a reluctance on their part to believe that a placer mining camp means anything more than a passing incident. They have become accustomed to the thought that there is little permanency to any business in Alaska.

Q. What do you say about that?—A. From my observations, Nome is to all intents and purposes a permanent business community; that is, it is the opinion of those who should best know that its real develop-

ment has not commenced, and there is nothing to indicate that it has yet an end in sight.

#### POPULATION OF NOME, SUMMER AND WINTER.

Q. Will you please state what is its population, in summer and in winter?—A. The population of Nome last summer I estimated as between 6,000 and 7,000. For the winter it was between 2,000 and 2,500. We keep a record of the people arriving during the summer, according to which there were last year between 3,600 and 3,700. We also had a record of the people going out, which was between 4,400 and 4,500. I believe there are many people coming in whom we do not get. I should estimate that the number of people coming in during the summer of 1902 was about 4,000.

Q. You would estimate the permanent population of Nome at how much?—A. On account of its situation on the sea and the ability of vessels to go directly there, vessels arrive at Nome as early as the people can begin their mining, and can leave Nome after the winter has actually set in and stopped the mining; so that many of the business people of Nome spend the winter in the United States because their work is done and it is cheaper and more pleasant than remaining idle during the winter. Counting many of such people permanent residents—for there are only a few who do not remain occasional winters at least—I should say that Nome's permanent population is in the neighborhood of 5,000 people.

#### CHARACTER OF PEOPLE OF NOME.

BY SENATOR PATTERSON:

Q. What is the character of the population?—A. The people are drawn mainly from the West. They are people of strong character and considerable resolution. The first boom element has now practically left the place and there remain a hard-working people, and people well able to care for themselves. They are an orderly people, with good intentions, and are alert every moment to take advantage of conditions and make the most of opportunities.

#### STORIES OF DISORDER EXAGGERATED.

The stories of disorder and much crime, etc., at Nome are not only exaggerated, but not true. It is an active business community. People are living there in the summers at a rapid pace, and in the winter under hard conditions, but there is as little real crime committed there as in any place of its size in the country. This is one of the strongest points to be observed all over the country. There is comparatively no serious crime in this country. Of course, there is some drunkenness, and small thefts, and the sale of liquor to Indians, gambling, and offenses of that nature; but when it comes to robbery, out and out, or murder, or real criminal assault and battery, there is almost none in Alaska.

#### IMPROVEMENT OF SNAKE RIVER AT NOME.

Q. You said something to me about the improvement of a creek at Nome?—A. The position of Nome on this straight beach and the ice

in the winter render it practically impossible to make a harbor there. The business must be done, as I have said, from ship to shore in lighters and small boats. In very bad weather these lighters are driven from their moorings and wrecked or driven high and dry on the beach, causing in many cases great damage and expense. There is a river called the Snake River, emptying into the sea through the town. All the people there think, and it seems worth considering, that if the mouth of that river was improved slightly they might run their lighters into it and discharge their freights in quiet water with less expense and less danger. But it is a small stream, and on account of the ice might require a small amount of work to be done upon it each year. The people at Fort Davis, which is 4 miles from Nome, where they have a similar river, made some such improvement last year. I am anxious to see how it turns out, in connection with the improvement I suggest on the Snake River.

#### NATIVES OF ALASKA.

The native population of the country is divided into about four different races—I say races, just to distinguish them from one another. There are the people of southeastern Alaska, who are similar to those found on Puget Sound and from there north—they are a race to themselves; the people of the Aleutian Islands; the Eskimo, who inhabit all the coast line from the Alaskan Peninsula north; and the interior natives or Indians, who are much the same as the Indians of the plains, with not so strong and steady a character.

The coming of the white man into the country has changed their position greatly. Until the time of the Klondike excitement, outside of southeastern Alaska the Indians were the principal people in the country, but since that time the country all over has changed into what can now be called a white man's country. While the native Indian figures little in the business of the country, he is entitled to some consideration and some attention. In southeastern Alaska I think the native population will survive contact with the white people. While some of them must go, many of them are improving wonderfully, not only in habits of life and ways of living, but also in comprehension and thought and education. In one or two generations I believe some of them will make as good citizens as many of the white people in the country.

#### INDIANS SUFFER FROM CONTACT WITH WHITE PEOPLE.

As to the others in Alaska (other than southeastern Alaska), they are not so strong physically and not so resolute. They suffer from contact with the white people. They have been wholly hunters and fishers and are generally a mild and gentle people—at least they are in these days. In the northwest they have been hospitable to the white people and generous and helpful to them. But contact with white people has caused them to adopt many different customs, wear different kinds of clothes, which they are not fitted for. White people who first came into the interior knew very little of the country or how to live or travel in it.

There were no road houses nor any places in which to live, other than what the Indians could furnish. The Indians harbored them and

helped them in many ways. They took care of the white men, provided them with food, etc. Things continued in this way several years, the effect of which, on a people like the Indians, whose margin of existence is always small, was to make them very poor. Some gave liquor to the Indians and got what they wanted in that way. All these things combined have brought these natives to a very low condition materially.

#### INDIANS IN SEWARD PENINSULA IMPOVERISHED.

Practically all the Indians in the Seward Peninsula are impoverished and in a weak condition, so that they can not resist the attacks of colds or other form of disease. During the summer of 1900 there was an epidemic of measles among the Eskimo, from which it was estimated that nearly one-third of all in that region died during that summer from their weak condition and inability to care for themselves.

#### DEPLORABLE CONDITION OF INDIANS IN ALEUTIAN ISLANDS.

The people in the Aleutian Islands—there are not many left now—are unfortunately situated in that they have nothing to live on but the fish in the sea. They do not have any means even of providing clothing for themselves. On the islands there are no animals but foxes—no bears, no squirrels, or anything else. Their chief means of existence were hunting the sea otter and seal. Sea otter is such a valuable fur animal that few now remain for them to hunt.

By Senator PATTERSON:

Q. What number of Eskimo are on these Aleutian Islands?—A. I should say not more than 2,000. Once their principal means of existence was hunting seals. When the treaty was made with Great Britain regarding seals, it prohibited the native population of the Aleutian Islands from hunting them at all. That cut off one of their principal means of existence. Deprived of this means of livelihood they can do nothing but fish.

#### USE OF REINDEER.

Q. What is the remedy?—A. I don't know, Senator, unless they could be turned to some other pursuit. We have a great many reindeer in the northwest that might do well there. The Russian Government, about twenty years ago, placed a few reindeer on Bering and Copper islands, which are near the Aleutian group. I am informed that these reindeer have increased to such numbers that they now form the principal food supply and also a profitable pursuit for the people. This might also be done in the Aleutian Islands.

The people of the north are so scattered that some one should be required to give them attention.

#### OPERATION OF GAME LAW.

Q. In this connection let me inquire regarding the operation of the game laws, so called, and the effect of those laws upon the Indians?—A. The law was passed a little more than a year ago. In southeastern Alaska and in southern Alaska it has been quite well observed and

enforced. I think I detect in this part of the country a disposition not to enforce it or to observe it for reasons of necessity. People in a new country must more or less live on the country, and the game furnishes the only meat in the country. But with a native population it is another and in some respects a more serious matter.

CLOSED SEASON IS TIME WHEN NATIVES HUNT.

The natives are given permission by the law to kill game for food and clothing, but not for barter and sale during the closed season. The closed seasons are practically the time of the year when they hunt most of the animals, and the closed season covers about three-fourths of the year. The open season generally is from some time in August or September until some time in December. While they hunt these animals mainly for food and clothing and not for barter of their skins, the sale of skins is the only means they have to obtain money. Take for instance the sea lion, which is protected by the game law. It is an animal for which a bounty is offered in California because it kills fish. The Indians use that animal for food, and his oil, and also his hide for covering boats or making rope or anything of that kind. The game law, strictly enforced, prevents them from selling that hide. The meat is the principal thing, but the hide can be sold and enable them to purchase some article of clothing or some tool to work with.

Under the operation of the game law the Indians can not hunt the walrus. It is impossible to get them during the open season because at that time they are too far away. The walrus follow the south edge of the ice pack and are more or less on it. When the ice moves north in the spring the native people on all the islands are out in their boats hunting them. That is the time when they get the walrus.

INDIANS WILL NOT EXTERMINATE GAME.

When the ice pack comes out in the fall, they are out. That time is during the closed season. They never kill many. It is a mistake to say that the Indians will exterminate any animal. They hunt them for food and for their hides and ivory, and some of the animals for oil. The ivory they sell to the white man, and with that money buy clothing etc. But by the game law they are prohibited from selling that ivory. They are also prohibited from selling any other game animal which they kill in order to purchase clothing and food. Being hunters, the chase of course is their means of livelihood.

So that while the game law is a good law in itself, every law of that character which restricts the natives slightly—and with the incoming of the white man who restricts the native's area and drives off the animals—every one of these things operates to bring him to a poorer existence.

GAME LAW SHOULD BE AMENDED.

Q. Then you would suggest a modification of that law regarding sea lions, walrus—A. And bears. The people of the country see no reason why bears should be protected. The bear will not be exterminated. The country is too large for that. There is one kind of bear in southern Alaska which is more vicious and dangerous than the grizzly. These animals are protected under the law, yet are so

numerous and so vicious that in certain seasons of the year people are actually afraid to travel where they are.

FRESH MEAT FROM PUGET SOUND.

Q. Won't you state generally about the condition in Alaska to-day regarding fresh meat?—A. Our meat all comes from Puget Sound. We are of course dependent on the boats coming and going. In the winter the weather is often so bad that the regular trips of the steamers are not made. They will do as well as they can, but the weather sometimes is such that the boats do not make their regular time and don't make connections. We have not gotten to the point of cold storage except in one or two places in the country, and we have to do the best we can by keeping what comes to us, therefore we do not keep on hand large supplies of meat. Last winter, in Sitka, for instance, we were several times without fresh meat for ten days. Almost always we have to be on hand when the steamer arrives, otherwise we will not be able to get any until the next steamer comes.

Q. If that is true in Sitka, what is the condition as to the interior?—A. In the interior of Alaska there is no fresh meat except game.

GAME LAW NOT APPLICABLE TO ALASKA.

Q. And that is one of the reasons why the people feel that, in regard to wild game, there should be more liberty?—A. Yes, sir. The law as it now stands is a law that would properly apply to the States, but the people of the interior, particularly, think it is drawing it too close upon a people living in a new country where they must depend upon the country more or less for their living.

Q. Is such an extreme law necessary in a country so vast as this?—A. I think it is too extreme. A game law is necessary, but the law we have now is designed, and its terms are almost as strict as those in older and more settled communities. While it is a good law, and better than none, it is not altogether applicable to a new and vast country like this where the people must of necessity live upon the game they find in the country.

GAME LAW SHOULD PERMIT KILLING OF FOOD ANIMALS FOR DOMESTIC USE.

Q. Would it not be proper to modify the law so as to permit the killing of food animals for domestic use or local use?—A. Yes, sir. One of the chief reasons for the passage of the game law was the wholesale slaughter of deer that was done in southeastern Alaska. This slaughter went on for many years. Nevertheless, the deer do not seem to have decreased to any great extent in that part of the country. Such slaughter was the principal thing desired to be stopped, and everyone recognizes that a proper game law is a step in the right direction.

But, as I have said, it seems to me that the present law is a little too extreme. Another thing that occasioned the passage of the game law was that in Cook Inlet, on the Kanai Peninsula, there is a field for sportsmen where they can get moose and caribou and mountain sheep and bear. Of late years many foreign sportsmen have been coming there and hunting merely for trophies. I have lately heard of these

people going there and killing moose after moose until they could get what they considered a fine pair of horns. The prevention of this is one of the reasons for the law, and a good one, of course.

#### SOUTHEASTERN ALASKA.

By Senator DILLINGHAM:

Q. I want at some time during the examination to call your attention to southeastern Alaska and the relation it bears to the remainder of the district in material interests. I will ask you to tell us what you have observed.—A. Southeastern Alaska, as it is generally termed, includes that part of the country from the southern boundary along the coast—the 30-mile strip—together with the outlying islands. That was the first part of the country inhabited by Americans and the first to have any towns. They grew first from fishing and from trading with the natives and from hunting furs, and later from mining. Recently other industries in the fishing and mining line have sprung up, until now they have quite a population scattered over the country and some considerable towns—many thriving and growing ones.

#### PERMANENT POPULATION IN SOUTHEASTERN ALASKA.

The people of these towns are all Americans, and they have grown to a period where you can call them permanent residents of the country more than the people of any other part.

The towns are well organized; some of them are under the incorporation act and are well governed. They have provided themselves with good schools and the people are content now to call the places their homes. The ability to have good schools for the children has contributed much to this. They are nearer to and have more regular and better connections with the United States than any other part of the country. They are in that way more in touch with the United States than any other part of Alaska, I think.

#### LITTLE COMMUNICATION BETWEEN SOUTHEASTERN AND NORTHWESTERN ALASKA.

They have little communication with the northwest part of the country. Their interests are to a considerable extent different. Both proceed through their own separate channels to and from the United States. All of them are Alaskans, of course; but I think that they all recognize that the people of one part of the country (like southeastern Alaska) are hardly more capable to tell what the people of another part (like northwestern Alaska) should do or have than the people of one part of the United States are competent to tell what the people of another part of the United States, the same distance away, should have. I think the northwest recognizes this fact. They have direct communication with the United States, but it does not go through southeastern Alaska.

#### SOUTHEASTERN ALASKA ALONE WANTS LOCAL GOVERNMENT.

The southeastern part of the country, being more settled and permanent, appeals more for local government than the northwest. The

northwest does not yet consider it seriously because they are too busy making their foundations of business permanency.

Q. What do they mostly seek?—A. They seek mostly such utilities as I have spoken of. At Nome, for instance, they want the mouth of this river improved, and elsewhere the matter of roads.

Q. Won't you speak about roads, as you know the people here want roads built?—A. Senator, I have been a sailor.

#### TRANSPORTATION BY WATER ONLY.

Q. But from a business standpoint?—A. The travel through the country has been almost entirely confined to the rivers and along the shores. It is a country where the only traveling that can be done must be done by water at the present time. The people are beginning to find things in the interior, but have great difficulty in reaching the interior. Take this Fortymile country as an illustration. The people have gone there and have found what everybody concedes to be the basis of the business of mining for a great number of people and for many years to come.

Q. The wealth of all this section is in its mining?—A. Yes, sir; at present. They have gone there and found gold and developed the section to a certain extent. The great disadvantage under which they labor is the extreme cost of getting provisions and other supplies. Their supplies come all the way from the United States, and then through foreign territory, which makes the cost of such supplies excessive. As they have to pass through the custom-houses on both boundaries, this adds considerable to their troubles.

#### GOVERNMENT SHOULD BUILD ROADS.

Now, the miners feel that the National Government at present is to them what their State or county or town government would be if they were in the United States; that the State or county or town provides roads for the people, and that the National Government should in this instance provide them with roads to the nearest town in their own territory, so that they can do their business cheaply enough to be able to live, which is hardly any more than they can do now.

#### EXCESSIVE FREIGHT RATES.

By Senator DILLINGHAM:

Q. Is it not true that the cost of bringing supplies from the waterways to the camps is from 15 to 25 cents per pound?—A. The present freight rate, for instance, from Fortymile, Yukon Territory, to Chicken Creek, which is the principal creek in the country this year, is 15 cents a pound, with 1 cent added from the mouth of the creek up to where the mines and stores are situated. This is in addition to the cost of getting them to the Yukon country, or, at present, to Fortymile, on the Yukon River. So that, in addition to the outside cost, they are paying for transportation 21 cents a pound on everything that goes in there.

Q. When you speak of the outside cost, you mean the price in Dawson?—A. No, sir; the cost in the United States.

Q. And that makes the cost of living so great as to retard settlement and development?—A. Yes, sir.

## ADVANTAGES OF ROADS.

Q. If wagon roads were built to convenient points for distribution of supplies to the mining camps, would the permanent population, in your opinion, materially increase?—A. Yes, sir; these regions will be opened up, even under present conditions. The people will stay—a certain number of them will stay—but it will not be a permanent population for a long time. If you give them a road so they can reduce the cost of their supplies, the country will at once develop.

Q. Would such a road tend to build up the American points on the river rather than the Canadian points?—A. Yes, sir; they want the road built to Eagle, so that they can come through American territory, so they can get rid of crossing the boundary. In this connection I wish to say that the Canadian government, recognizing the value of this particular field, has built a road from Dawson to the boundary to tap us. I have seen maps showing this road and stating under it that its purpose was to make Dawson the supply depot for the American territory and American miners.

## AMOUNT OF MERCHANDISE IMPORTED FROM YUKON TERRITORY INTO ALASKA.

Q. In this connection can you furnish us from your records a statement of the freight that has gone into the territory from Dawson for any particular period?—A. Yes, sir; I will endeavor to do so.

(The statement referred to is set out in the following letter:)

SITKA, ALASKA, *October 15, 1903.*

MY DEAR SENATOR: With regard to the statistics of merchandise imported into the Fortymile country from Dawson, Yukon territory, which I promised to furnish the committee, I have to say that I have been unable to obtain the data with that definiteness desired. I find the previous records have been so poorly kept that statistics from them can not be wholly relied upon, and I am compelled to give you what appears to me a careful estimate.

From Dawson, Yukon territory, about \$100,000 worth of merchandise goes to the Fortymile country annually. From Fortymile, Yukon territory, about \$200,000 worth annually. These estimates, I believe, will answer the purpose, and are not exaggerations.

With excuses for the delay, I am,

Very truly, yours,

D. H. JARVIS,  
*Collector of Customs.*

Hon. W. P. DILLINGHAM,  
*United States Senate.*

Q. You have an office on the Fortymile River in which such records are kept?—A. Yes, sir.

Q. And from that you can give us an estimate?—A. Yes, sir. There are about 550 people in that country, and their output this winter and spring they claim to be something over half a million dollars.

Q. And what you have said about the Fortymile district and its conditions would apply with equal force to the Tanana Valley and other places?—A. Yes, sir.

## ROADS WILL DEVELOP COUNTRY.

Q. Do you conceive of any other way of building up a permanent population than by such improvements as you have suggested?—A. I think the building of roads is the best way. The people will go and find these places, as they have; after that I think the Government should

come along and do for them what they individually can not accomplish. Give them a road—which a county or town does in any part of the world—or improve their river, or give them a life-saving station, or build a court-house, or anything which the general community needs. When you do that, you make just such a community here as you do in the United States. In that particular it occurs to me that people as a rule do not consider Alaska as a part of the same world as the United States. They seem always to consider Alaska as something fantastic and visionary—a place for sight-seeing and not for real living and business.

#### SALARIES OF GOVERNMENT OFFICIALS.

Q. In conversation with you my attention was called to the exceedingly high prices that prevail here for living expenses and the salaries that the Government officers receive—whether or not such salaries were adequate. Would you care to talk in a general way about that?—A. Generally the salaries are not sufficient—particularly as to subordinate officers—their salaries are not always high enough to get men of real ability. A stronger man is needed, as a rule, in this country than outside, because he has so often to depend upon himself and to be the judge of his actions; whereas in the United States he can appeal to some one over him for a decision. We need as strong men in the subordinate offices as we do in the higher offices. Take, for instance, this particular community. Good board and lodging can hardly be had for less than \$90 a month. With the high prices of provisions, a man could not live by himself for less than from \$60 to \$75 a month. The subordinate officer in the customs service here is paid \$2,000 a year; the other two officers are paid \$1,800. That just enables him to live and have some little comfort. If a man had a family, he could not live very well on that.

Then again the difficulty in the way of families is that a man going from one place to another to assume his office can not transport his furniture on account of the extremely high freight rates. So that you must confine yourself to a greater or less extent to single men or else get your men locally, which I think is the best thing to do. But you can't always get, in a small community, the kind of a man you want.

#### SALARIES IN YUKON TERRITORY AND IN ALASKA.

The salaries paid here might be compared with those paid in the Yukon territory. The subordinate men in the customs work over there are paid from \$100 to \$125 a month. They are regularly in the civil service. Their salaries can not be raised when they come to the Yukon territory, but they are given a living allowance in addition to their regular salary. That gives them from \$250 to \$275 a month. Then again the Canadian authorities have arranged that these men can spend several months every other winter in Canada. They say that it is not good for a man to be here too long in a Government position without rubbing against the world outside. Things of that kind, while they contribute to a man's worth, are, at present, impossible under our laws.

Q. How do the salaries here compare with those in the Yukon territory as to the higher officers?—A. They are generally lower, I believe.

## "CARPETBAGGERS."

Q. How about traveling expenses?—A. Traveling expenses are paid by the Government. In my own offices I have endeavored in the selection of men to confine myself to the people in the country, because they are acclimated, as it were—they are accustomed to the country. I mention that because there is considerable feeling growing up among the people here against what is called "carpetbaggers." They think that the people of the country should be chosen to fill the offices rather than those from the outside.

I do not wish to criticise any other Department's work, and do not mention this from that reason, but only from the desire to have better mail facilities.

## MAIL SERVICE.

Every improvement and every extension of the mail service would do much to make the people more content to stay here and develop the country. We are dependent in all parts of the country upon boats, and the times of sailings and arrivals are so wide apart everywhere that every boat of any established line or reputable character should carry mail wherever she goes. It also seems that mail to the interior in the winter time should include something more than first-class matter. At present the only way newspapers reach the interior during the winter is in the form of a few clippings in sealed envelopes. These must not be too large, either, or they will not be carried.

## TELEGRAPH AND CABLE.

I think that the telegraph system is one of the best civilizers in the country. In this connection a cable is now being laid from Seattle to connect with Sitka and Juneau. This is a Government line. This will give these two places telegraphic communication at a reasonable rate and independent of any connection with the Canadian government line; but to make the whole country independent it will be necessary to extend that cable to Valdes.

Q. There is telegraph communication from Valdes to here (Eagle)?—A. Yes, sir.

Q. And through to the other side, there is none except by way of the Canadian line?—A. None.

Q. What would make us independent of the Canadian line?—A. An extension of the cable now being laid from Sitka to Valdes, connecting with the present line through the country.

Senator DILLINGHAM. We must have that.

Captain JARVIS. It is desirable, also, that the rest of southeastern Alaska, other than Sitka, Juneau, and Skagway, be connected on this line. An extension should be built from Juneau south to Petersburg, Wrangell, Ketchikan, and other points. This is a thriving and growing port of the country and is badly in need of this connection.

## RESOLUTIONS OF CITIZENS OF EAGLE, ALASKA.

*To the honorable members of the Alaska Senatorial committee:*

We, the undersigned, chairman and secretary of a public meeting heretofore held by the residents of Eagle, Alaska, and vicinity, and called for the purpose of considering the needs or measures most urgent for the progress and welfare of the district

of Alaska, do hereby respectfully memorialize the honorable Senators now visiting Alaska, and state that the consensus of opinion of the citizens of Eagle in said meeting assembled as to the needs and necessities of this part of the district were as set forth in the schedule below from 1 to 8, inclusive. These needs or measures we believe as most important and worthy of your consideration:

1. The construction of a wagon road from Eagle City to the center of Fortymile mining camp with the ultimate end in view of constructing the same to Valdes, Alaska.
2. The abolishment of the custom of locating mining claims by power of attorney; or at least a more restricted use of the same.
3. The enactment of a law making it compulsory on owners of unpatented mining claims to file and record sworn proof of the kind and amount of annual labor performed upon such claims, the same to be attested by two witnesses.
4. A law prohibiting the location of more than one claim on each creek.
5. The necessity of a judge to reside permanently on the Yukon River.
6. A Delegate to Congress, elected by the people of the district.
7. Locally we recommend the reduction of the Fort Egbert Military Reservation to actual requirements.
8. If the means for the building of wagon roads in Alaska become available, we recommend that the construction of the same be done by contract, under the supervision of a board of commissioners appointed from the district.

Our reasons for recommending these measures are more fully set forth in the order stated above.

#### TRANSPORTATION PARAMOUNT.

1. In our opinion we regard the question of transportation as the paramount question in the development of the country. The lack of roads and trails over which to transport the miner's and prospector's outfit from his base of supply has been and is now the main drawback to the development of the country. Until wagon roads and trails are constructed over which freight and machinery can be hauled in greater bulk and at less expense than it can be done at present, the progress of the country in the interior will be slow. We have in this interior immense areas of deposits of gold-bearing gravel which could be worked at a profit if the roads were here over which to transport supplies and machinery. Under present conditions and expensive freight rates, due to lack of roads, the deposits barely yield a grubstake to the prospector and miner. With the necessary wagon roads, however, the distribution of miners' supplies and machinery would be facilitated, and the working of ground that now is unprofitable would be made profitable.

#### FREIGHT RATES IN YUKON TERRITORY.

For illustration: The freight rate on merchandise from White Horse to Dawson over the new wagon road, a distance of 327 miles, was only 20 cents a pound last winter; to have packed the same merchandise overland without the wagon road would have cost more than any merchant or miner on Eldorado could have afforded to pay, and would have been so high as to make it altogether prohibitive.

The wagon roads which have been constructed on the Canadian side have reduced the cost of working ground more than one-half, and where they could formerly only work ground that ran 5 cents or more to the pan they can now work ground with profit that runs less than 2 cents to the pan.

#### COST OF PROVISIONS AND MACHINERY.

When you consider that provisions, supplies, and machinery at Eagle City or at any other point on the Yukon River are two to three hundred per cent more than the original cost of the goods in Seattle or San Francisco, and then add to that price 25 to 50 cents per pound for transportation to the creeks, it will give one an idea what it costs the prospector and miner to live and operate in this country, and how rich the ground must be to pay working at all.

#### ROAD FROM EAGLE TO FORTYMILE.

A wagon road through from Eagle to the Fortymile country, with a view to its ultimate extension through the Tanana and Copper River countries to Valdes, would give us an independent ingress and egress through our own country and afford a highway of distribution to one of the greatest mineral districts in the world. From such a road as a trunk line, branches could be projected from time to time as new

strikes were made and as means became available. At present the Fortymile country is one of the best mining camps in the interior of Alaska, with something like 1,500 miners, and this camp in American territory is supplied entirely by Canadian merchants. Give us a wagon road through this country and the American merchant will supply this camp altogether, to whom the trade rightfully belongs.

## ADVANTAGES OF ROAD.

What will such a road do for the Government outside of local conditions? It will increase trade; it will enable the American merchant to supply his own trade; it will furnish a highway to the postal department and decrease the cost of delivery of mail. Where now the postal department pays \$35,000 to the mail contractor annually for making two trips a month each year with a few newspapers that are too old to read, the same could be used for the delivery of first-class mail at one-third the cost, and as quickly as the mail is now sent through Canadian territory via Skagway and Dawson. It will save the judicial department thousands of dollars annually in traveling fees and reduce the per-diem expense of marshals, witnesses, and jurors. It will save the War Department thousands of dollars in freight in the distribution of supplies in the operation and maintenance of telegraph lines, and finally open a large and extensive territory suitable for agricultural and grazing, the great possibilities of which have already been demonstrated.

## USE OF POWER OF ATTORNEY CONDEMNED.

2. As to the present custom of staking mining claims by power of attorney, the sentiment of the people is universal in its condemnation. The practice ties up the country indefinitely and is a drawback to its exploration and development. When a new strike is made anywhere, the few people on the ground will plaster the whole country in the vicinity of the strike with powers of attorney and prevent those who follow later from obtaining a claim. A law prohibiting the use of power of attorney would give everyone a claim in such cases, and consequently increase the number of men engaged in prospecting and developing a certain camp.

As an alternative in case the use of power of attorney can not be prohibited in the location of mining claims, we would recommend an increase of the amount of annual assessment work required at present to be performed on each claim to at least \$200, with rigid proof that the same has been done. This, we believe, will restrict the use of power of attorney to a great extent.

## SWORN PROOF OF WORK ON CLAIMS.

3. The enactment of a law making it compulsory on owners of unpatented mining claims to file and record sworn proof of the kind and amount of annual labor performed upon such claims, the same to be attested by two witnesses. This would enable the prospector to inform himself from the records whether the mining ground is open for location or not; or whether a claim once located, and been abandoned, is open for relocation. The miner and prospector is migratory in his habits, and a subsequent prospector who comes along and finds prospects sufficient to warrant him working an abandoned claim can not, under the present law, tell neither on the ground nor on the records whether he is entitled to go to work on an abandoned claim or not. A regulation or law making it compulsory to file and record proof of annual assessment work would enable the recorder to inform the prospector at a glance from the records whether a claim is open for location or not. It would also compel those who have staked several claims by power of attorney to do the necessary assessment work on each claim, which is very often neglected under the present law, by relieving the holder of a large number of claims from the necessity of showing by satisfactory proof that the assessment work has been done. A failure to file such proof should work a forfeiture of the claim.

## ONE CLAIM ONLY ON EACH CREEK.

4. A law prohibiting the location of more than one claim on each creek would materially increase the progress and development of the country. A similar regulation on the Canadian side meets the ideas of mining men generally.

## ADDITIONAL JUDICIAL DISTRICT.

5. At the present time the third judicial division extends from the Arctic Ocean to the southern coast, from the boundary line to Colville River, and 2,500 miles of

coast line. It is presided over by an able and energetic judge, who travels thousands of miles over snow in winter and several thousands of miles on water in summer, and who, notwithstanding his indomitable perseverance, has not yet been able to visit the country north of the Yukon, including the Koyukuk mining camp. In winter he is stationed in Valdes where he is entirely out of reach for seven or eight months of the year from litigants and attorneys living in the interior. At times valuable mining claims are jumped and worked with loss and detriment to the real owners of the claim on account of lack of a judge to whom to apply for equitable relief. For the protection of property rights and the dispatch of public business we should have a judge presiding over that territory, part of the present third judicial division, drained by the Tanana, Koyukuk, Yukon, and other rivers. At present prisoners and insane persons are held for a long time in jail before trial at a great expense to the United States.

DELEGATE ELECTED BY PEOPLE.

6. We ask for a Delegate in Congress to represent the wants and needs of the district in the national legislature, and we would suggest that he be elected by the people of the district, in order to make him more directly accountable to the people for his acts.

7. On account of the close proximity to the boundary line, we are entirely deprived of wood for fuel on the Yukon River above Eagle, and as it is impossible to bring wood from below against the strong current of the Yukon, it makes the fuel problem a most serious drawback to the citizens of Eagle. Another serious objection to the size of the reservation is the exclusion of all homesteaders from making entries of land suitable for agriculture in the vicinity of Eagle. We do not think there is the least necessity for so large a reservation to the exclusion of settlers who come here to open up and develop the country.

CONSTRUCTION OF ROADS SUPERVISED BY COMMISSIONERS.

8. If money should at any time become available for the building of wagon roads in the district of Alaska an economical expenditure of the same for the purposes intended should receive the most careful attention. We do not believe any of the officials now representing the different departments of the Government in Alaska would have the time or inclination to give the matter of building roads sufficient personal attention. It would seem that a better way would be to create or appoint commissioners, residents of the district, who were thoroughly conversant with the needs and conditions of the country for that special purpose, and who could give all their time and supervise the actual construction of the roads in person.

We believe that these wagon roads should be built by contract and supervised by the commissioners, who in turn should be under the control and direction of one of the departments of Government in Washington, to which they should be responsible for their actions. We also believe that the Department under whose direction the roads are constructed should designate what roads should be built, in order to avoid any local disagreement as to what roads should be first constructed.

CARL M. JOHANSON,  
*Chairman of Citizens' Committee.*

U. G. MYERS,  
*Secretary of Citizens' Committee.*

**STATEMENT OF ABRAHAM SPRING.**

RAMPART, ALASKA, *July 20, 1903.*

ABRAHAM SPRING, of Fairbanks, Alaska, was called before the committee and testified as follows:

By Senator PATTERSON:

Q. What is your full name, Mr. Spring?—A. Abraham Spring.

Q. You live where?—A. At Fairbanks. It is 300 miles up the Tanana River.

Q. How long have you lived in Alaska?—A. Since May 9, 1897.

Q. And you came to Alaska from where?—A. From Seattle, Wash.

Q. In what business have you been engaged since you have been in

Alaska?—A. Mining, trading, and lately have been admitted by the district court as attorney.

Q. What is your age?—A. Forty-three.

Q. You have given considerable attention to the mining industry of Alaska and its mining possibilities?—A. To placer mining; yes.

Q. Have certain abuses or needs in connection with placer mining and the law been called to your attention from experience?—A. There have been.

Q. Now, I wish, in your own way, you would commence and tell the story—what your observation and experience leads you to conclude regarding the mining laws in particular.—A. I desire at first to make a few preliminary remarks and then I shall address myself particularly to needed improvements. Generally speaking, we are, you might say, fairly well off. We are in the happy state which Webster describes as “the least legislation is the best legislation.” Our placer-mining laws can be concentrated into a very few lines. Consequently, theoretically speaking, we need ask for nothing more. Practically, however, we find that many abuses have arisen owing to the absence of laws. Doubtless each locality could make its own mining laws with better attention to detail than Congress can. The trouble is that the locality will not take enough interest to do it.

#### GREED OF FIRST COMERS.

Q. You mean by that that the miners of the different districts will not put themselves to the trouble of adopting rules and regulations for the government of the district?—A. That they will not do it is proven by the fact that they have not done it. As to why they don't do it I can't tell. Probably it is due to the greed of the first comers. They go to a new locality and proceed at once to gobble up as many claims as they can. Under the present laws there are hardly any restrictions. Those that follow them feel that is too late to better conditions, and thus a general carelessness prevails.

#### A MODEL MINING CAMP.

At one time in Circle City, Alaska, before the Klondike was struck, in the years 1894–95 and 1896, about 2,000 American citizens were there mining. They governed themselves by a system of local laws. Those laws were mutually agreed upon by the people living there, and in my judgment were model laws. Five hundred feet was the limit of a claim. Only one claim was allowed to one man in a given district. They provided for a local recording office. They watched closely the representation. Sham representation did not go. The result was that they had a model mining camp.

Q. When you speak of representation, you mean the annual work done on a claim by its owner?—A. Yes, sir. Those were local laws adopted in Circle City in what is known as the Birch Creek mining district. They were adopted, I think, in the summer of 1895.

Q. Are they observed now?—A. No. The rush to the Klondike drove the miners away from the camp. Scarcity of provisions in 1897 at Dawson drove many men back to the American line, and the rules adopted in 1895 have not been followed since.

Q. They act now under the law?—A. What is called the American law—the acts of Congress.

Senator PATTERSON. Go ahead, Mr. Spring, from the point where I interrupted you.

CONGRESS SHOULD ACT.

Mr. SPRING. I think that the placer mining is the principal industry of this part of Alaska at least; and since gold is the most valuable of minerals, Congress has more than a mere proprietary interest in the development of this industry. On account of such interests Congress should address itself to the needs of this district. I have no suggestions to make as to appropriations. There are many other things that we want, and I leave to others, who are more conversant with those subjects, to draw your attention to them. Personally, I believe that I speak the wish of the miners, and I desire to ask Congress, through you gentlemen who are representing it, that there should be a body of mining laws provided that can be put in a small, compact pamphlet. Such statutes should read clearly and be incapable of misinterpretation. The miner should have the opportunity to know what are his rights, what his duties, what his penalties if he does not comply with the law. I am confident that they will live up to the law diligently. The details I will now come to.

CLAIMS ACQUIRED BY DISCOVERY.

We know that the foundation of acquiring mining claims on the public domain is discovery. Yet discovery is grossly neglected in all placer regions. Whenever a strike is reported, everybody rushes there. If the miner would know that the law specifically requires that discovery must be made before locating a claim, he would be more particular in at least planning the surface before he stakes. Staking and locating is very indefinite at present. The interpretations of the court have been that as long as reasonable notice is given by the stakes that is enough. Not every miner, however, knows what is meant by reasonable notice. Right in this district it has been held by Judge Wickersham that, under the present laws, or rather absence of laws, and in the absence of local rules to the contrary, a miner can stake in any way he pleases. He can run up a creek ribbon-shape and stake its entire length, providing the ground taken is not more than 20 acres. That should be regulated. This brings us to representation.

ASSESSMENT WORK.

The change of the present time in which representation work must be done would, in my opinion, work a hardship. I might here insert that, taking it for granted that Congress is seeking to aid our conditions and not harass us, extreme care must be taken not to overburden the miner with too many restrictions and too many laws. Nine months from the day the claim is staked would be a proper time for the locator to commence his annual assessment work. But if you change the present representation law you do away with the calendar year and would then require too much watching to keep close time on the days of staking and the days when representation work should be commenced. The trouble is that, in such a case, you make uncertain dates. You would have to continually investigate. At the present time the miner has a full calendar year and a fraction of a year in

which to do his representation work. At times the fraction makes it two years. But hard as I have thought of the matter I can't see how it can be changed to improve it.

Q. Do I understand, under the mining law as it is carried into effect here, that the locator of a mining claim has all of the old year in which he locates it and all of the next year in which to do the \$100 worth of work required to be done?—A. It has been held repeatedly so by the court.

Q. So that if a placer claim is located January 2, 1903, the \$100 worth of work will be in time if it is performed before December 31, 1904?—A. Yes, sir. The locator's right to that claim is good until midnight of December 31, 1904.

#### LAW SHOULD BE CHANGED.

The amount of representation work now required by law to be done should be changed. When this law was passed by Congress in 1872 it was all right. It applied only to the States proper, and not to Alaska. It was a good law as far as it applied to conditions in the States. I am not disposed to criticise that part of it. But here in Alaska common labor is paid at the rate of \$10 a day. According to this a man need do only ten days' work on his claim in a year. That should be amended. The miner should be required to do at least one month's work on each claim every year. How that should be regulated, whether by fixing the amount of money to be expended or the number of days' labor to be performed, you gentlemen can best determine.

#### MINING CONDITIONS UNLIKE THOSE OF THE STATES.

Q. The complaint that you make is that in Alaska ten days' work is not sufficient under the present law requiring \$100 worth of work to be done?—A. Yes, sir. In other words, a man in Alaska, because of the high wages paid to labor here, does one-third of the amount of annual assessment work the miner in Colorado does; one-fifth of the work done in South Dakota, where there are still some placer mines worked. This same comparison would apply to other States. No miner can complain if the law requires him to do at least one month's work annually on a 20-acre claim.

#### POWER OF ATTORNEY.

This brings us to the power of attorney. I am absolutely opposed, as I think everybody in Alaska is, to the power of attorney as practiced here. A mining grant is given by Congress to every man wherever he will go and develop it. By means of powers of attorney a man can stake an entire creek for himself and friends and bar anyone else from taking up ground on that creek.

Q. There is, of course, you know, no provision in the acts of Congress permitting the use of powers of attorney?—A. No, sir.

Q. The practice of employing the power of attorney comes from the principle that what a man can do himself he can delegate another to do for him. He can authorize another person to sign notes, make contracts for him, etc. In the same way he can authorize another

man to locate a placer claim for him?—A. Yes, sir; that is correct. That is the foundation for our present system of staking by power of attorney, and in the absence of a prohibitory clause in the statutes there is no way by which the practice can be stopped.

I think the law should require a man to stake his claim in person. That single insertion in the statute would overcome the difficulty. All claims should be staked in person. This would stop the present abuses as to age. Our law reads "every citizen," and since the infant is a citizen, there is no limit to the age of the person staking. Canada makes the limit at 18 years; but as long as we provide that staking must be done in person we need provide no age limit. Any boy or girl who can walk to the creeks should be allowed to have a claim.

#### ASSOCIATION CLAIMS.

Association claims, as we know them, are formed by eight persons clubbing together and locating 160 acres in one location. Such a location necessarily involves powers of attorney. Yet I would advocate that the association claims be allowed to remain on the placer fields of Alaska. We have large quantities of gold-bearing gravel of a low grade. In most instances capital is needed to develop those properties. Capital will not invest where it is harassed. For this reason I think that association claims should not only be allowed by law, but should be properly provided for by statute so that proper security can be had for title. There should be reasonable restrictions, so that the power can not be abused and injustice be done in the use of powers of attorney on a large scale. The association articles ought to be recorded. The name of the man who represents the association should be recorded. He and he only should have the right to make such an association location. If I and some of you gentlemen in New York, for instance, have confidence that a certain creek will yield a good output and send a man here; let him stake eight claims, but let your association be recorded. As to the amount of annual assessment work that should be done on such association claim, that should be carefully looked into.

At present the Land Department holds that where eight claims are staked together, one man's representation work is enough. In other words, the Department allows eight men associated together on 160 acres of a placer-mining grant to perform the representation work of only one man. A miner who has staked 20 acres has to do \$100 worth of assessment work annually. Yet if eight men are in an association holding 160 acres, they don't have to do more than \$100 of work on the entire claim. This is the ruling of the Department; but it is manifestly unjust, and should be regulated. I am rather of the opinion that a sliding scale of representation would best fit association claims. I am willing that for one or two years Congress should be lenient with such claims, thereby giving capital a chance to purchase machinery and bring it here and put it on the grant. In this district, where transportation must always be taken into consideration, when it comes to placing large plants on mining properties the factor of time must be dealt with. For that reason I think the interests of the country as well as the interests of the investor would be best served by being lenient for the first one or two seasons. But when sufficient time has been given to such an association to prepare itself for actual work,

then no fooling should be tolerated. They should then work their plant in full blast; otherwise, it should become forfeited.

#### MINING STATUTES SHOULD BE SIMPLE.

Whatever statutes, however, that Congress is inclined to give us should be plain and simple, so that every intelligent miner could read and understand them. My reason for being thus urgent on this point is that in the States, and everywhere, statutes can be taken to the court on a test case and their meaning promptly determined.

In this Territory, owing to the long distances, the absence of roads, and the further fact that we only have open navigation for two months in a year and that the rivers are the only modes of locomotion other than traveling by foot, it is impossible for us to get to the higher courts, which can alone interpret statutes.

#### ROADS AND TRAILS.

Next to the great need of a comprehensive mining code are roads and trails. They are absolutely necessary for the development of the placer mines of Alaska. As to appropriations for this purpose I shall remain silent. Others more conversant with the subject have doubtless spoken to you enough about it. It is certain, however, that the main roads through the country can only be built by Congressional appropriation.

Q. You mean by main roads, wagon roads connecting the principal points from which local branches may be built?—A. Yes, sir. In that way you can help us to build laterals or feeders. Take right here from Rampart to Glen Gulch, the distance is 30 miles. The trail is practically impassable. I came from there four or five days ago and was up to my knees all the way. Now, that can be obviated by helping the miners to build their own trails. You can help them by permitting them to do their annual representation work on the roads. I would suggest, therefore, that in an organized mining district where the miners applied to the commissioner asking to be allowed to do their assessment work on the trail, he should be given authority by law to grant them such permission. The making of the proper record thereof should stand as the annual assessment work.

#### COMMISSIONER SHOULD HAVE CHARGE OF ROAD BUILDING.

I prefer to leave the decision of trail building to the commissioner rather than to the district court, because the judge is usually at some place distant from where the work is needed; while in each precinct we have a commissioner who knows the needs of the mining districts situated in his precinct. Generally we have been very fortunate in this respect. Our commissioners have been fairly good men, and we can well leave it to their judgment that no abuses will be practiced in this respect. Insignificant as the suggestion may seem, it is in my judgment of paramount importance, for no matter how Congress addresses itself to the building of roads in this district, it will be years before we can get them. But in the meantime if you enact the statute which I suggest concentrated work can be done on the trails, and traveling and hauling provisions from navigation to the diggings can be made much easier.

Q. Isn't it a fact that you can in certain seasons of the year get your freights within a reasonable distance by water transportation?—A. On the average our supplies and tools are laid down on the banks of the navigable streams within about 50 miles from the diggings. In Circle it is from 50 to 80 miles.

Q. So that these trails that you speak of would be built from the nearest navigable stream or supply point?—A. Yes, sir.

#### TRANSPORTATION.

Q. Can you give us some idea of the difference between transportation in this country as a new raw country and the difference in other States and Territories when they were in their new raw state?—A. First of all, they had firm footing in the States and Territories for the roads. They had the Rocky Mountains to scale. I have climbed them myself. In the winter, traveling was out of the question, but in the summer it was comparatively easy. A burro laden with from 150 to 200 pounds could find footing everywhere, and every pound of freight which he carried on his back was eaten by his master. With us, traveling in the summer is out of the question. The season is short; mosquitoes—(well, you have seen some of them!); the roads swampy, the "niggerheads" sink to a man's waist, and the general conditions are such that traveling in the summer overland is impossible. You see the hydraulic mining plant which is now lying on the banks of the river here. That plant is losing this entire season. It is waiting here until next winter to be transported to the mines on frozen roads and then used next summer. Our traveling must be done in the winter, and in the winter the ground is covered with from 4 to 20 feet of snow. Consequently no food can be found for animals.

Q. When you speak of roads, do you mean wagon roads or trails?—A. I hardly think wagon roads will be in vogue in this country until richer discoveries are made. They will build trails over which sleds can go. Wagon roads will be built when a company comes in with \$100,000 worth of machinery; then they will have to use big sleds and wide-cut roads. Wagon roads will be out of the question for many years. You would have to put a bottom to the road in order to haul a wagon over it, unless you corduroy it.

At the present time our draft animals are dogs. On a journey we have to carry along their food, so that the dog must drag along on the sled what he eats. If a man's mine is located where the trails are good and the grades easy, a man with a dog team heavily laden will cover from 15 to 20 miles a day. But where there are no trails and high hills to climb, and you have to snowshoe and sometimes make a trail before your dogs can pass, you are lucky if you make 2 miles a day.

#### EFFECT OF ABSENCE OF TRAILS.

Q. What is the effect of this want of trails or roads upon the development of what we call low-grade sections of the country?—A. All the effect in the world. Our diggings are what are known as "grub diggings." When I use the word "our diggings," I speak for the Fortymile district near Birch Creek mining district, the Rampart district, and the lately discovered Tanana district. Nothing very rich has been found in any of these districts, but it all narrows itself down

to the question of how cheaply the gold can be extracted from the ground. At present it costs as much for the labor as is taken from the ground. For that reason we call them "grubstakes." By the time we get through paying our bills in the store for our grub we have nothing left. On the other hand, if we had good trails we would not have to put in nearly the entire winter in freighting our grub and tools from the stores and mines. Thus we could use part of the winter to drift in such portions of our ground as are too deep for summer work. Moreover, we could buy small plants and haul them over the trails at a little cost, and thus abandon the old-time pick-and-shovel idea and use modern tools, all of which would help us to work our ground cheaper. But one man can't build a road of 50 miles. If there were trails, men with small capital, with only \$3,000 or \$4,000 apiece, could invest money with safety. It does not take very much capital to work small placer plants. The dredger is the cheapest plant. It has been demonstrated now that small boilers are not economical. You have got to have a pretty good-sized boiler to work it with profit. A 30-horsepower boiler is necessary. It takes a pretty good road to haul over it a boiler of that size.

#### IMPORTANCE OF TRAILS.

Q. Do you know of anything more important for the building up of low-grade placer regions than some simple and effective system of trail building?—A. Trail building is the most important.

Q. Isn't it a fact that in this district of Alaska and elsewhere combinations have been formed by which miners have clubbed together for the purpose of building roads and trails?—A. Yes, sir. Every foot of trail that has been built in this country has been built by voluntary subscription. Understand, sir, that without building trails you can't go a mile in any direction from where you are now.

#### TRAILS BUILT BY SUBSCRIPTION.

Trails are built by subscription every year, but all such trails are in their nature temporary. In the fall we have to rebuild our winter trails and in the spring rebuild our summer trails, all of which makes it costly. I have put in a little over \$300 since I have been here on the American side in subscription for trail building. The bridges are washed away every spring by the freshets. A little scratching up is done every fall to make easier grades, and these are usually washed away with the snow in the spring. On the whole, we simply have to build the trails twice a year. It is at best a temporary makeshift. Men subscribe from \$10 to \$30 apiece for building the trail; others from \$1 to \$5; others from \$50 to \$500. The trading companies contribute. There is always from \$500 to \$2,500 raised every fall and spring by voluntary subscription. But it is all temporary in its nature. There is no intelligent supervision of the work; there is no engineering skill. Next spring it is all gone and we have to do the work over again.

Q. What would you say to the levying of a small percentage upon the output of each claim to be devoted exclusively to the construction of trails and roads?—A. It smacks of royalty. The prejudice is strongly against it. It would be hard to collect. Like all direct taxes, the cost of collecting it would probably eat it all up. I had in mind a record-

ing fee of \$7.50—\$2.50 to go to the recorder and the remaining \$5 to remain in his hands as a road fund. But I found that on consulting with many miners that idea was not popular. The American people don't like to be directly taxed; but that brings up the question between the Republican party and the Democratic party of direct and indirect taxation.

Senator PATTERSON. The people like to be taxed when they don't know it.

#### RESUMPTION LAW.

Mr. SPRING. This brings us up to what is known as the "resumption law." Under the present law when a man stakes a claim on January 2, 1903, following the original example, he has it under his control as against all the world until December 31, 1904. But that does not end it. Under the construction of the court he can stand there forever on that one claim, providing always that he has got there a second before anyone else. I think that when a man has a portion of the public domain in his control for the better part of two years, and has not complied with the simple requirements of the law, he ought to be satisfied and he ought never again be allowed to hold that grant as against anyone else or hinder anyone else from entering upon it. What is true of the assessment work is also true of the period in which location notice is required to be recorded. Under our present statute a man has ninety days in which to record his claim, and I hold that at the end of ninety days if he has failed to record it he should lose his claim.

#### FAILURE TO DO ASSESSMENT SHOULD WORK FORFEITURE.

The courts have held that the noncompliance with the statute will not work a forfeiture unless the statute so provides. I would therefore suggest that Congress should be explicit in providing that when a man has failed to comply with the law in the time given him, he should forfeit all of his rights to that claim and such claim should again become public domain.

By Senator DILLINGHAM:

Q. What proof would you have and how of representation work?—

A. I know that there are many who hold that an affidavit of annual assessment work should be filed with the recorder. Personally I do not think that that will help matters any. If men will not do their work because they think nobody sees them, they will just as quickly testify falsely about it. However, I do not think the question of sufficient importance to enter into it. If a grant is valuable the owner will naturally be watched closely to see that he does his work, otherwise some one else will come along and relocate it.

Q. Would it be better then to have only one witness instead of two?—A. It might be. But even that, in my opinion, would work a hardship. There are many instances in which it would be hard to prove by a witness that the work had been done. The country is so large that in many cases I don't see how it could be done.

Q. But, on the other hand, are there not numerous instances where men have really abandoned their claims—done no assessment work upon them—but others are prevented from staking them because of

the difficulty of proving that they were abandoned?—A. I don't think there are many instances of that kind. They may be isolated. There are always exceptions to all things. "The greatest good to the greatest number" is what must be taken into consideration when a legislature passes laws.

#### RECORDING FEES.

There is one other thing to which I desire to call your attention, and that is that in framing statutes—if I may be permitted to suggest it—requirements as to recording should not be burdensome upon the prospector. At present our recording fees are fixed by the Attorney-General. They are at the rate of 40 cents a folio.

The recording of the location notice now cost \$2.50. If you keep on adding many more instruments that must be recorded, including witnesses and affidavits, it will soon become a burdensome tax. It would be fattening up the commissioner at the expense of the miner. I am sure Congress has no such intention. I suggest that in this statute should be embodied such a schedule of fees as Congress approves of, and it should not be left to the Attorney-General to fix it at the suggestion of the commissioner. If a mining code were framed, I think that Congress should prescribe the fees in a fee bill.

#### FOREIGNERS HOLD MINING CLAIMS.

While Congress in its law says that only citizens or those who have declared their intention to become citizens should be allowed to make location, it is reasonable to presume that they meant that foreigners who have not declared their intention should be barred from locating on the public domain. And yet, by the holding of the courts, a foreigner has as much right as has either the citizen or those who have declared their intention; for the courts deny in a contest anyone except the Government to question citizenship. Thus, where a foreigner has located on a piece of mining ground and a citizen relocates it on the ground that the foreigner had no right to make such a location, he can not dispossess the foreigner unless the Attorney-General wants to come to his assistance. Since, usually, the Attorney-General is busy with other matters, Congress should provide some means whereby its wishes can be carried out.

#### JURISDICTION OF COMMISSIONERS.

At the present time our commissioners have ample civil and criminal jurisdiction. The statute gives original jurisdiction in matters where real estate is involved to the district courts. Real estate we have practically none. There has never been any survey. What we do have are possessory rights, and I would suggest that the commissioner be given original jurisdiction where disputes about such possessory rights arise where the value does not exceed \$1,000. I would not, however, be in favor of giving the commissioner any chancery jurisdiction such as granting injunctions and appointing receivers. Where you have a judge paid by Congress a liberal salary and provided with all the means to be independent, then chancery powers are safe. But where you have a number of commissioners scattered all over the district depend-

ing upon the fees of their office for their livelihood, it would be rather hazardous to give them such powers. If a commissioner had some friend to whom he would like to give a job, he could easily find an excuse for the appointment of a receiver. If he has some enemy whom he desires to punish, he can easily find enough law to grant an injunction. When we remember that for a certain number of months in the year—nearly nine months—all the usual writs that lie from the commissioner's to the district court are unavailable, owing to the long distance and the severe methods of travel, it can readily be seen that it would be very dangerous to grant the commissioners chancery powers.

Should Congress decide to enact a placer-mining law I would strongly urge that it should be enacted as a separate statute, not burdened with amendments or riders; that it should be carefully compiled and properly indexed and a large edition of it in pamphlet form be printed, such edition to be directed to the post-offices of Alaska with instructions to the postmasters to give a copy to each miner who asked for it. If it is against the custom of Congress to give those pamphlets free of charge, then fix a price, which would include the cost of labor and material and we will gladly pay for them.

#### GOLD NOT THE ONLY SOURCE OF REVENUE.

I wish to repeat that extreme care should be taken that the law contains no features that will make the prospector's life on these hills any harder than it is. The United States is not Canada. The gold fields of Alaska are not to them as are the gold fields in Dawson to Canada—the only source of revenue. It is not a question of making this district pay for itself; it has long done this. It is rather a question of enabling the prospector to thoroughly prospect and develop the immense gold fields which are deposited in the hills and valleys of interior Alaska.

#### FRACTIONS OF CLAIMS.

There should also be a regulation provided which would completely cover the question of fractions of claims. Wherever a man has embodied in a grant more than 20 acres, so much as exceeds 20 acres is called a fraction. But at which end of his claim or on what side of his claim such a fraction lies has never been settled by statute; it is often fruitful of costly litigation.

Senator PATTERSON. Where would you suggest that fraction should be?—A. I think our present custom should be followed.

Senator NELSON. What is that custom?—A. Our custom is simply to begin at the beginning. You stake me from my initial stake. If my claim is upstream, it is given 1,320 feet irrespective of where my upper stakes are; and this process is continued. Thus, there is always a fraction on the farther end from the initial stake.

#### JUDGE IS THE EXECUTIVE POWER.

In conclusion, there is another point which is, perhaps, not exactly germane to the question before us, and is in its nature political, but to which I desire to ask your attention, namely, to that of district judge.

Intentionally or unintentionally, the statute has made the governor of this Territory a nullity, but has made the district judge the judicial officer as well as the executive power; it is in reality a one-man power.

Senator PATTERSON. In what sense has the judge executive powers?

A. He appoints the commissioners and all the court officials, approves all bills, grants or withholds licenses, determines whether or not certain localities should be incorporated, decides between the school board and the city council of an incorporated town what part of the revenue should be expended.

#### REAPPOINTMENT OF JUDGE WICKERSHAM.

You can readily see that the district judge is indeed the one-man power. Now, I know that a government by one man, where the one man is the right man in the right place, is held by many thinkers to be the best kind of government. However that may be, we know this: That here in our district we have been fortunate in getting a man who has devoted the three years that he has been on the bench to learning our needs and wants. In plain words, he has become one of us. He is as much at home, if not more so, in the miner's cabin as he is on the bench. For him to travel 500 or 600 miles in the middle of winter, with two or three dogs, to a district where the miners need him to settle some litigation seems to be an easy matter. For these reasons I know that I voice the sentiment of the Yukon Valley when I ask that, if it is at all possible, he should be reappointed.

I know nothing of the political usage or custom in the matter of appointing or reappointing Territorial judges. Furthermore, I do not know but that I will be chided for speaking of a matter that does not concern me. My relations with Judge Wickersham are not such as to enable me to know whether he is seeking reappointment or whether he would accept the office again if offered to him. My relations with the judge are simply those of an attorney practicing before his court. And I repeat that I do not know whether he would accept, but I do know that, to say the least, if a new man is appointed next spring, it will take several years before he can learn to get things in the shape Judge Wickersham has done. With all of the judge's "mushing" abilities, with all of his intentions to devote day and night, if necessary, to meet the wants and needs of the district, it has taken him three years now before he has got things in hand so as to, in a measure, enable one man to hold court, settle disputes, and be an executive officer in a district as vast as the interior of Alaska. It is of no little consequence to us to have a man who is not only willing but able to travel winter and summer in order to be promptly where he is most needed. I am sure that if this matter could be brought to the knowledge of President Roosevelt Judge Wickersham would be reappointed. I do not know President Roosevelt personally, but from what I know of him I think he would set aside all custom and usual political practice in a matter like this, so that Mr. Wickersham might stay with us for five years from now rather than only one year. I say to you, gentlemen, as citizens, and, as I am convinced, well-wishers of Alaska, to bear that in mind. To us it is of great moment that the judge, who is practically our governor, who has learned to know us and who has learned to know our needs and wants, and in whom we have implicit confidence, should be allowed to remain with us.

## AGRICULTURE IN TANANA DISTRICT.

By Senator NELSON:

It has just been suggested to me by Senator Dillingham that you are somewhat familiar with agricultural conditions in the Tanana district. I want to ask you, Mr. Spring, a few questions regarding it.

Q. You are acquainted with the Tanana Valley, Mr. Spring?—A. I am.

Q. You have been through it?—A. About 300 miles.

Q. Have you been through the Copper River Valley?—A. No, sir.

Q. Have you been up the Fortymile country?—A. Some five years ago.

Q. I would be glad to have you state what you know about the agricultural possibilities of the Tanana Valley?—A. I am not a farmer, but I have seen things grow there to such an extent that three years ago I became interested enough to solicit from the Secretary of Agriculture a quantity of seeds. What caused me to do this was that the stores in Circle City were selling Government seed at 50 cents a package, which was, to say the least, reprehensible. Secretary Wilson did send me some seeds. We used them, and now have in Fairbanks some 25 or 30 small gardens. We have about the same number at Chena. All the hardier vegetables are raised in these gardens—cabbage, turnips, radishes, potatoes, lettuce, etc. Seeds are very difficult to obtain in this country. The difficulty is in transportation. Seeds must be ordered in one season for use during the third season. If you order seeds in 1903 they will get here in 1904, but too late to use them that year. All the fodder and all the vegetables can be raised in this country. At present probably two-thirds of the freight that comes up is fodder and vegetables.

Q. Is there good wild grass growing in the Tanana?—A. Yes, sir.

Q. Red top?—A. Yes, sir.

Q. And can be made into hay?—A. Yes, sir.

Q. Are there natural meadows there?—A. There are sloughs, and large numbers of them can be mowed. In the fall of 1900 I saw machinery at Fort Gibbon, which they used to mow hay.

Q. Did they use mowers?—A. Yes, sir.

## STOCK RAISING.

Q. Do you think stock could be raised there if they had good stables in the winter and put up hay?—A. Yes, sir.

Q. And the mining camps would make a good market for hay and vegetables, etc.?—A. Yes, sir. Right now quite a number of miners on Birch Creek have cleared from 2 to 4 acres of land and are raising their own vegetables and their own hay.

Q. Where is Birch Creek?—A. It is the country back of Circle City. They are wintering their horses there. I am sure that we can raise in the Tanana Valley all of our fodder and all of our vegetables. The lack of grain hay in this country can be overcome in this way.

Q. Do you think oats and barley can be raised in this country?—A. Yes, sir.

## STATEMENT OF D. A. MCKENZIE.

RAMPART, ALASKA, *Monday, July 20, 1903.*

D. A. MCKENZIE, of Coldfoot, Alaska, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. What is your full name, Judge?—A. D. A. McKenzie.

Q. You are commissioner for what district?—A. The Koyukuk district?

Q. What are its boundaries?—A. It extends from the Yukon River to the Arctic Ocean and from the Chandlar River to the Colville River. The district is larger than the States of New York, Pennsylvania, and New Jersey.

## POPULATION OF KOYUKUK DISTRICT.

Q. What is the population of your precinct or district?—A. About 500 whites, and, I should judge, in the neighborhood of 500 Indians.

Q. Where are most of the whites located?—A. Around Coldfoot.

Q. Are they all engaged in mining?—A. Yes, sir.

Q. Where is Coldfoot?—A. It is on the Koyukuk River.

Q. Following that river, on which this town is located, how far is it to the Yukon?—A. About 600 miles by water, and about 96 miles by land.

Q. Your supplies come in by way of that river?—A. Yes, sir; by way of the Koyukuk River.

## FREIGHT RATES.

Q.—Where do they come from and what are your freight rates?—A. They cost \$337 a ton at Coldfoot from Seattle and San Francisco.

Q. And on an average what does it cost to pack them from Coldfoot to the mining district?—A. From 10 to 20 cents per pound, according to the location, in addition to rate mentioned.

Q. How far is it from Coldfoot to the Yukon River over any practicable wagon route that could be built?—A. According to Mr. Frank Schrader, the Geological Survey man, it is 96 miles in a straight line from Coldfoot to the Yukon River. A practical wagon road that could be built there would be about 125 miles in length. It is not a difficult matter to build wagon roads through that country. The country is covered with moss, and when the sun is allowed to penetrate to the bottom the land is dried, and as good a dirt road can be built, where needed, as in any of the States.

Q. What is the point on the river at which boats bringing freight stop?—A. On the Koyukuk River?

Senator DILLINGHAM. Yes.

A. Bettles is the farthest point on the Koyukuk to which boats go. It is 540 miles from the Yukon.

Q. How far is it from there to Coldfoot?—A. Sixty miles.

## ROADS.

Q. Is that a country through which a road could be built?—A. Yes, sir. Almost any part of that country is. A road could be built

from the mouth of the Orinzie River, which is not on the map, to Coldfoot.

Q. Where is the Orinzie River?—A. It enters into the Yukon River about 100 miles below Fort Yukon.

From the mouth of this river a road could be covered in about 125 miles, taking advantage of the valleys and low passes.

Q. I suppose the northern portion of your precinct is uninhabited?—A. It is not inhabited. No white man has ever been there, so far as I know.

#### GOLD OUTPUT.

Q. You have said that most of the mining is done in the vicinity of Coldfoot?—A. Yes; there are some creeks which pay all the way from \$115 to \$125 per shovel to the man every day. By this I mean the amount of ground a man will shovel in a sluice box in ten hours will amount to that much. This is what we call per man, or per shovel. We have large quantities of low-grade ground worth all the way from \$8 to \$20 to a man. Most of the land is low grade. The country has been very little prospected even within 25 miles of my office. There is lots of ground we know nothing about. As I said, much of the land is of low grade, but we can not work it on account of the present high prices of provisions, including tools and machinery, etc. This low-grade ground will be worked when we are able to get supplies at the prices which prevail here on the Yukon River.

#### CHANGES IN MINING LAWS.

Q. What suggestions have you to make regarding changes, if any, in the mining laws in respect to Alaska?—A. I would suggest that the staking by powers of attorney be modified to a considerable extent. Whether it should be abolished entirely or not—I am not hardly certain as to that. However, as to a person living outside of a district and using such rights I believe that he should be compelled to do at least \$500 worth of work annually on his claim, of which labor \$100 worth should be performed on the claim before he is allowed to record it.

Q. In what manner would you provide for that—by the affidavit of two witnesses?—A. Let him make the affidavit and record it with the commissioner before the end of the year. If he should fail to do this, he would forfeit his rights in that claim.

Q. You think that that would substantially do away with the evils now occurring under powers of attorney and through agents?—A. Yes. As it is now, ninety days are allowed after staking a claim in which to file notice of it in the recorder's office. What each man staking a claim under a power of attorney should be required to do is to perform a certain amount of work upon it before the claim is recorded. I believe that persons staking under a power of attorney should be required to do \$500 worth of work each year, of which \$100 worth of work should be done before the claim is recorded. This rule should apply only to the one who takes a claim by power of attorney. In this way land would not be tied up, thus shutting out men in the country who would work and develop the ground.

Q. Have you any further suggestions to make?—A. I think that the mining laws should be generally looked after and revised to some

extent to meet conditions in Alaska. Precedents which apply particularly to the United States and not to Alaska are what hold us back. Conditions here are different from the United States. Until Congress can take a broad and progressive view of this matter it will be impossible to improve conditions here by precedents.

#### LOCAL MINING LAWS.

This would bring up the question of how far miners should have the right to make their own laws. If permitted to pass local laws, there should be some mode of organization and of placing the responsibility on these men. Incidentally it might be well that the commissioner be the secretary of all sessions held, and be required to keep in his office as public records all business transacted.

The old system of miners in this respect was to call the boys together when a controversy occurred over a claim. The fellow who had the most friends would be the man who would win the claim. It would not be the right or wrong that would be considered, but the number of friends that he would have. A vote would be had and all who were in favor, say, of Colonel Claypool here taking this claim would say "aye" and those in favor of my taking it would say "no." If such responsibility were put on the miners there would be some mode of organization, something after the manner which legislatures pass laws outside. It would be better, however, for Congress to make our laws direct in this respect. Of course that raises the question of whether Congress would pay us enough attention, or could do so in connection with all its other duties.

We can not, here in Alaska, go on the same idea as the early miner in California. I mean to say by that, that you can't depend upon the miner in Alaska as you could on the old California miner. He went there to make it his home. Conditions were much different than they are here. There he could plant a garden immediately, and without much trouble he produced food for himself. He also brought his family along.

#### ALASKA A COUNTRY WITHOUT HOMES.

Our country is a country without homes; and a country without homes is not fit to govern itself. I think it would be better for the people if Congress should take entirely in control through a commission the government of Alaska.

Q. You say Alaska is a country without homes. Will you please explain what you mean by that?—A. We have about 500 people in the community where I live. Out of that number there are about 20 or 30 women; the remainder are men. It is too expensive to keep a family there or bring your family to that district. The cost of living is too excessive. You have to pay 20 cents freight on every pound of goods you use. This is from Seattle or San Francisco. The poor prospector is the man who builds up those places first. All he has in the world he can load on a dog sleigh. He can not pay taxes or bear any burdens in the way of extra expense. You can not burden that man down until he has developed the claim he may find.

Q. And very often he is liable to go off without developing it?

A. Yes, sir.

## MINERS DO NOT INTEND TO REMAIN.

Q. What proportion of these men have come up there in your community with the intention of making the country their home, and what proportion of them have come there with the intention of getting out as soon as they have made money?—A. All of them.

Q. You mean that all are of the latter class?—A. Yes, sir. We all intend to get out of there as soon as we can get a stake.

Q. What can be raised in the way of vegetables in your district?—A. A good many things.

Q. Many vegetables, I suppose?—A. Yes, sir.

Q. What have you raised?—A. I have raised carrots, turnips, beets, cabbage, radish, onions, string beans, lettuce. Potatoes will grow, but I never could get the seed to start with. I had three-fourths of an acre of garden this spring, but the floods which were unprecedented destroyed all of it.

By Senator NELSON:

Q. You are familiar with the mining laws?—A. Yes, sir; somewhat.

Q. Will you describe what sort of a placer claim a miner can take under the law?—A. He can take 20 acres.

Q. Does the law prescribe any dimensions—frontage or length of the claim?—A. The law prescribes that he may take 20 acres, and that the boundaries should be well defined.

## DIMENSIONS OF MINING CLAIMS.

Q. What is the custom here in locating claims?—A. They are 1,320 feet in length and 660 feet wide.

Q. That has been the custom established all over?—A. Yes, sir; that is the custom in our community.

Q. Do you believe that that size claim is the proper size, and ought not to be any larger?—A. Yes, sir. I think it is all right.

Q. Under the law he can locate as many claims as he sees fit if they are not contiguous, so that the prohibition of the power of attorney would not benefit the case at all?—A. Yes; it would be a benefit, but—

Q. You and I can go on a creek and locate every claim on it in our respective names provided the claims of each of us are not contiguous?—A. Yes, sir. We have in our precinct, however, a local law that has been established by the miners. This local law provides that only one claim can be staked on any one creek or bar by any one man. This is only a custom in our community.

## ONE CLAIM ON EACH CREEK.

Q. In your opinion, should not the law be so amended that one miner could locate but one claim on a creek or its tributary, either directly or by power of attorney?—A. Yes, sir; and further, if a difference and distinction in rights may be made under the law between individual and power of attorney locating claims, I think that persons staking claims through power of attorney should be compelled to expend in labor or improvements at least \$500 per year, of which \$100 worth should be before recording the claim. In case of the individual locating in his own right, I think the expenditure of \$100 labor or improvements per year a sufficient condition of holding the claim. In all cases

this annual assessment work should be done within a year from the actual date of locating.

Q. Suppose I come up to a given creek in your district, what steps must I take to locate a claim?—A. First, you must select the piece of ground you want. I am speaking now of our locality. We do not get many newspapers, and I know nothing about other sections. We have certain rules that we have observed that are not incorporated in the laws of the United States.

#### MANNER OF LOCATING CLAIMS.

Q. State first what the laws of the United States require.—A. The laws of the United States say that you will first post a notice, describing your claim and the dimensions of the ground you desire to take, the date and the signature of the locator; that the boundaries shall be plainly indicated. It does not state how many stakes or monuments are required. In our section of the country the custom has been in staking of claims to locate the initial stake as near the creek as practicable, and then measure 1,320 feet up or down stream, as the case may be. We use six stakes, one at each corner of the claim and one in the center at each end of the bed of the creek.

Q. After you have done that, what next?—A. The next thing would be to go to the mouth of the creek and blaze a tree and name that creek.

Q. That is a custom?—A. Yes, sir. (Continuing.) Within ninety days you must go to the recorder's office and file your notice of location. The recorder is the same as the commissioner.

Q. What is the nature of that notice?—A. It describes the claim, in whose name it is staked, and the date of the location. The first claim will be called discovery and the claims are numbered 1, 2, and 3 above and below discovery. We took that custom from the Canadians.

Q. Then, under the law, you are required to do so much work on a claim in order to hold it?—A. Yes, sir.

#### WORK TO BE DONE EACH YEAR.

Q. And that is how much?—A. \$100 worth of work a year.

Q. How soon after the location of the claim must that be done?—A. Within a year and the fraction of the year after which the location was made.

Q. What do you mean by that?—A. I mean this, that if a person stakes a piece of ground on January 31, 1905, he has the remainder of that year and all of 1906, until December 31, 1906, in which to do his representation work.

Q. In order to hold your claim under a patent, what must you do?—A. As I understand it, all you are required to do is to perform \$100 worth of work for five consecutive years, etc.

Q. If you fail to do that within the year and the fraction of the year, as you describe it, you lose your claim?—A. Yes, sir.

#### NO PROOF OF REPRESENTATION WORK.

Q. Now, the law, as I understand from your statement, provides no method by which proof of representation can be made?—A. The law does not compel the filing of proof.

Q. How, then, can you reach that question?—A. You might bring suit for trespass.

Q. If you have a claim and I proceed to come there thinking that you have not done your assessment work, what must I do in order to secure possession of it?—A. You might inaugurate a suit in the commissioner's court, or the man who staked the claim might bring suit against you for trespass.

Q. In that case the claimant would have to show that he complied with the law as to the representation work?—A. Yes, sir.

Q. And if the man who staked the claim in the first place failed to comply with the law the action would not lie?—A. The man might annoy him.

Q. What I am driving at is this—how can you get rid of a man who has failed to do his assessment work?—A. Time answers that. I don't know as I just caught the question.

Q. The drift of my question was this—supposing you stake a claim this year, and supposing that neither this year nor next year you do any work on that claim; in what manner can that fact be established and some one else take your claim?—A. At the end of second year the locator's right would expire, and if he has made no proof of record—

Q. But there is no law requiring that?—A. No, sir.

Q. Here is the point—you stake a claim and do no work on it during the first and second years thereafter; I come along and see that claim staked out and see no evidences of work being done upon it; can I go and take up that claim?—A. You have to take your chances.

Q. How can you find out and determine that question?—A. You can't, under the law.

Q. How and where will you settle that controversy?—A. You will have to go to the district court.

Senator DILLINGHAM. Summing up the testimony of the witness, I understand him to say that proof that assessment work has been done is not required to be spread on the record; and if controversy arises as to whether or not such work has been done, it may be settled by suit in the district court.

Q. You are here attending court?—A. Yes, sir.

#### TRAVELED 1,000 MILES TO ATTEND COURT.

Q. What distance have you traveled to get here?—A. One thousand miles.

Q. How long did it take you to get here?—A. Twenty-seven days.

Senator NELSON. Is there anything in your public records here to show whether a placer miner who has located his claim does the required representation work?—A. We file a statement showing what is called annual proof of labor.

Q. But that is optional with the locator whether he does it or not?—A. Yes, sir.

Q. Wouldn't it be a good plan to go a step further and require them to file within a given time proofs of annual labor performed, and in default of such filing, there should be a forfeiture of rights?—A. Yes, sir.

Q. For a miner to file that proof, say, thirty days after the time required for doing the labor should work such a forfeiture, and leave

the ground open for the next man?—A. Yes, sir; that is exactly what we want.

Q. Do you think that \$100 worth of work, considering the high price paid to labor here in Alaska, is enough or too much?—A. I think that \$100 is sufficient. In this country it is often difficult to go into a district and do that much work.

Q. As I understand you, you believe that the right to locate claims under powers of attorney should be abolished, and you also agree that no man or corporation should be allowed to locate more than one claim on a creek?—A. Yes, sir.

Senator NELSON. Coming to the question of building roads to mining camps. Under the Canadian law the miner in one form or another contributes to the expense of the government. Here the miner pays no tax whatever unless it be the representation tax. No matter what he gets from his claim, he pays nothing. If we build roads into these mining camps the miner would receive the entire benefit of it, and would not in anywise pay for the road.

Q. Don't you think that the miners ought to pay something?—A. Yes, sir.

Q. What would you suggest?—A. I think that a tax ought to be levied according to the output in such a case.

Q. Would it not be well to levy a moderate tax on the output of each claim, such amount to be used for building roads?—A. Yes, sir; but the Government has got to take the initiative. Our community at this time could not pay any taxes for roads. The first steps in this respect must be taken by the Government. If the Government were to build the main arteries into this section we would build the tributaries.

#### OUTPUT OF GOLD IN KOYUKUK DISTRICT.

Senator BURNHAM. What was the output of gold in your district last year?—A. We had about \$225,000 last year, but it was a dry season.

Q. What is the output this year?—A. This year I think we will take out three or four times that amount.

Q. What would a road built across the country from the Yukon to Coldfoot cost?—A. It is a hard matter to estimate that. The matter of road building there, however, is not difficult. It is only a question of labor.

Q. What would be its probable cost?—A. It would be a guess with me, but I should say \$500 per mile for a wagon road.

I want to say this further word regarding the people of our community. They are at the present time receiving no protection from the United States in the way of protection to their property. This is on account of the great distance to the courts. It would cost a man to come to this district court here and bring his witnesses in a case some \$6,000 or \$7,000. People there have been driven off of their property and compelled to give it up to rascals, simply because the courts were beyond their reach. We should be given a reasonable government or let us run things ourselves.

Q. What do you mean by that?—A. I mean that courts should be located so as to be within reach, or the miners left to govern themselves and settle their disputes in their own way.

## THIRD JUDICIAL DISTRICT TOO LARGE.

I believe that the territory assigned to Judge Wickersham as the third judicial division is too extensive, and that it is impossible for him to cover so much territory.

It occurs to me that if what is now the first judicial division were cut off and given a Territorial form of government, which I understand the inhabitants urgently desire, and the remainder of Alaska were divided into three judicial divisions, it would permit of the district court holding sessions at all needed points.

## INDIANS IN KOYUKUK DISTRICT.

In our country we have two tribes of Indians, the Koyukuks and Kobucks. The former have been there for many years and the Kobucks have recently come into the country. They are a very fine class of Indians, of good habits, never drink or use tobacco, and they never were in court with any charges against them. The miners have come into that country, and, being brighter and smarter than the Indians and understanding hunting better than they, have virtually taken the game right from the Indians, and those poor devils are left there every year almost starving—sometimes they have starved. It seems to me that something must be done for those people. We bought them from the Russians and we assumed the obligation of taking care of them.

Q. How?—A. In the first place they should have some kind of schools, teach them how to raise vegetables, how to fight disease and all those things. There should be some means of feeding them. Some years they are able to obtain enough game and food for themselves; other years they are not. When such emergencies come the Indians should be provided with food. There should be some one employed to take charge of them.

One winter, some three or four years ago, we had very little snow. In the spring of the year, when the Indians went out to hunt, there was not enough snow for them to chase the game, and they came back almost starving. They passed by hundreds of white men's caches and not a thing was touched—they did not steal anything.

Two years ago whole families were wiped out by the "Russian grippe." I remember one poor fellow who was lying sick and asked us for medicine. We had none to give him. His wife and little children were lying about him also sick and helpless. I went down to St. Michael and reported the matter to the military authorities, but they could find no way to help them. Hundreds died off that year and almost depopulated some very large camps.

I would like to see some law passed to protect the Indians in the upper country when they can't get game. They are too good a people to starve in that way; they are really industrious Indians; they will work at anything you will give them to do.

Q. Do they attempt to garden any?—A. They know nothing about that, and have no seed, anyway.

## INCIDENT SHOWING CHARACTER OF INDIANS.

I will tell you a little incident showing the character of these Indians. There was an old sailor, whom we called "Tommy, the Horse,"

living at a little place called Bergman. He had a cartoon in his cabin of "Uncle Sam" barefooted. The Indians became interested in the bright-colored cartoon. He explained to them that it represented "Uncle Sam." The countenances of the Indians brightened and they said: "Me savy Uncle Sam." Then a saddened expression followed as they inquired: "Him no moccasins?" He answered: "No; Uncle Sam has no moccasins."

Nothing more was said, but a week later the Indians returned and handing him a fine pair of moccasins asked that he send them to "poor Uncle Sam." I regret to relate that the unsentimental Tommy appropriated the moccasins to his own use.

This incident shows the simple and kindly character of these Indians, and it is to be regretted that Uncle Sam is not as solicitous for their welfare as they are for his.

Q. How many people are there?—A. About 500. They are a religious people. They hold services on Sundays.

Q. To what denomination do they belong?—A. None in particular. They simply worship Christ. They don't use whisky and they don't use tobacco. In this connection I can not help thinking how the Canadians handle their Indians. They give each Indian \$5 a year. A special kind of dress is provided for the chiefs. It has gold lace on it to distinguish them from others. The Government sees that they do not suffer. Last year a large quantity of supplies were furnished them.

#### TERRITORIAL GOVERNMENT.

Senator DILLINGHAM. You may state whether or not, in your opinion, Alaska is ready for a Territorial form of government, and you may state in your own way your views on this question.—A. I believe that we should have a representative in Congress. A competent person can accomplish a great amount of good for the people of Alaska. Some of the people at Juneau and Skagway have been agitating the matter of a Territorial form of government. But Alaska is not ready for that yet. The population so far is not settled; very few men at present intend making Alaska their permanent homes. This is true at least of all this part of Alaska, and I believe it is true of Alaska as a whole. I can speak more intelligently perhaps regarding the precinct of Koyukuk. This precinct is larger than the States of New York, Pennsylvania, and New Jersey. There is only a small portion of this vast area that is inhabited, which is in the vicinity of Coldfoot. Now, if this precinct were formed into a county the people would be unable to pay the expenses of a county government. The same argument would prove true of the district of Alaska as a whole, excepting southeastern Alaska. For instance, should we send representatives to the proposed Territorial council, it would require six months to make the trip to Juneau and return, six months from Koyukuk district to Juneau and return, leaving sixty days for a session of the council. Travel is very expensive in this country. It would cost not less than \$3,000 for traveling expenses and allow the representative a reasonable compensation for his time. Nearly all of Alaska is about the same as we are in this respect.

Until Alaska has railways, so that these magnificent distances can be covered in a short time and at a reasonable cost, territorial form of government is out of the question. Then, we do not want to be con-

trolled and governed by the riff-raff that inhabit Nome and Skagway. They have not demonstrated as yet that they are capable of taking care of themselves.

I believe that Alaska would progress faster under the direct control of Congress, or a commission under the authority of Congress, provided the Government would pay some attention to us. Thus far we have been sadly, and, I may say, shamefully neglected. We have a governor, but were it not for the commissions of notary public we might not be aware of the fact that there is an official head of the district of Alaska. The attorney-general seems to have more to do with the control and regulation of affairs than the governor. It should be the duty of some one to look after us in the way of getting proper legislation through Congress and making such new laws and revising the ones now prevailing to meet the ever changing conditions.

Our laws are sadly in need of adjustment, and, in fact, some changes should be made in our laws before the machinery will work satisfactorily and smoothly. It seems strange that our Government spends so large sums of money in trying to civilize those foreign greasers, while wide-awake and intelligent American-born citizens here in Alaska can hardly receive any recognition whatever.

I have lived on the Koyukuk River nearly six years and we have only just got a postal service established, whereby we receive ten mails a year; but the carrier is compelled to bring but 150 pounds of mails each trip from Fort Yukon, so that we are shut out of newspapers, magazines, and reading matter of that sort. You can understand what this means to the average Yankee.

#### ELECTION OF DELEGATE.

Q. If a Delegate is to be sent to Congress, should he be elected or appointed; please give your views?—A. Under the conditions that exist here, an election of a Delegate by the people is impracticable. It would be better if that Delegate were appointed by the President and confirmed by the Senate.

Q. Why is an election impracticable?—A. There is so much of the Territory of Alaska that is so far removed from means of communication, that to hold elections would mean an immense expense to the Government and would take a great amount of time. It would be impossible for the people to elect delegates and send them to a convention to name the Delegate or candidate for Congress. It would be months perhaps after a nomination was made before we could find out who was running.

Q. That is to say it would be months after a nomination were made before you would be able to learn who was nominated?—A. Yes, sir; it would be out of our reach to have any voice in the selection of the candidate. We could not send a delegate down to Juneau to a convention because it would cost too much.

#### COST OF SENDING DELEGATE TO JUNEAU.

Q. What would it cost to send a delegate to Juneau?—A. Probably \$2,000.

Q. What do you say as to allowing Indians to vote in case there was to be an elected delegate?—A. The Indian in this country, if he

possesses enough intelligence, should certainly, in this country, have the right to vote.

Q. How are you to determine?—A. By some educational test. However, there are very few who would be able to cast an intelligent vote. The Indians should be treated as children by the Government as a parent—not the kind of a parent it has been to abandon their offspring and pay no attention to it whatever.

The system by which the Government pays commissioners is not calculated to produce the best results in this country. The present mode is by fees, as recorded. The principal income is from the recording office. The fees as commissioner and ex officio justice of the peace are very small, and as probate judge and coroner they are still less. The Government gives a commissioner a salary of \$3,000 per year, providing the fees of the office amount to that much. If they exceed that amount the Government takes the excess, but if they fall short they do not make up the difference to the commissioner. As far as the Government is concerned, it is a kind of “heads I win, tails you lose.” This naturally is an inducement to the commissioner to create business. In some instances they have been accused of initiating stampedes. This, in the winter time when the weather is extremely cold, might cause a loss of life and a large expenditure of time and money by people chasing these new strikes, which perhaps have no foundation in fact.

#### FEES OR SALARIES.

The system of fees as a judicial officer is entirely wrong. The incentive to the commissioner would be to stir up strife and make litigation, whereas it should be his duty to prevent litigation and keep the community peaceable and quiet. The Government does not take into consideration the different localities and expense of living. In my precinct a bag of flour is now worth \$11. A bag of flour can be bought in Nome for \$1.50. And yet there is no difference in the compensation for services. The Government should pay a stated salary of \$4,000 in this locality and furnish office supplies, building, and necessary help, for it is impossible for one person to take charge of all this business and do all that is required. There are several different kinds of services required—recorder, justice of the peace, probate judge, and notary public. Now, these duties sometimes conflict and require a person to be in different parts of the precinct. For instance, when acting as coroner or justice of the peace I am compelled to leave my office, but I must leave some one in charge to take care of business in my absence. Perhaps a miner may come a distance of from 50 to 150 miles to transact business in the recorder's office. I might be in the neighborhood of Beetles attending to some business requiring my attention, and this case would have to be looked after by some one in the office.

#### AMOUNT OF WAGES.

The price I would have to pay for help in the office would many times exceed the amount that the Government would allow me in acting in the capacity of coroner or justice of the peace. Common labor in this camp is worth \$1.25 per hour. In case of a lawsuit I can not attend to the recording office.

Q. What do you suggest in the nature of a remedy?—A. I suggest

that the Government place the officers on a stated salary; take all the fees of the office. I should suggest that that salary be fixed from \$1,500 to \$4,000; the salary of each commissioner to be fixed by the judge, who should make the appointment by and with the approval of the attorney-general. The judge, knowing the conditions in each precinct and the relative cost of living, will be the best person to decide that question.

RELATIVE COST OF PROVISIONS AT NOME AND AT COLDFOOT.

The illustration before given, of the fact that a sack of flour which costs \$11 at Coldfoot can be had at Nome and Juneau for \$1.50, can well be applied here.

Q. What have you realized from your office of commissioner?—A. I have expended more money in living and the expenses of running the office in the way of buying coal oil and fuel and stationery than I have received from the office.

Q. And how far has it interfered with your business?—A. I have devoted my entire time to it. I have had no time to give to anything else, and have often had to get help in the office at rushed times.

Q. As a matter of fact, how have you come out financially by reason of holding the office?—A. I am compelled to leave my resignation with Judge Wickersham. The same trouble is in the marshal's department. He is paid \$2,000 in our district. At Nome the marshal's salary is \$3,000. The expense of living at Nome is infinitely less than at Coldfoot. As an illustration of the difficulties of one in my position, let me say that I was doing business in a cabin not more than 12 by 14 feet. The entire business of the Government was conducted in this room, including jury trials. I tried to get the Government to build something there, but failed. They claimed that they could do nothing unless a term of court had been held there, and that then the district judge would be authorized to build a court-house not exceeding in cost \$5,000. The territory is so large that our district judge can not hold court at Coldfoot. Consequently, this building can not be erected. Last fall I spent \$1,500 in erecting a log building for office purposes at my own expense. This spring the unprecedented high water swept away my building, and at the present time I have neither building nor money to build another. I am about to tender my resignation.

I want to say, further, that I was unable to procure a copy of the United States Statutes and laws, so that the laws might be enforced and the revenue of the United States collected, without paying for it out of my own pocket.

I feel anxious and desirous that all these matters should be adjusted, although I do not expect to be continued in office for any further time than it will require the judge to select and appoint my successor.

STATEMENT OF JUDGE JAMES WICKERSHAM.

RAMPART, ALASKA, *July 22, 1903.*

Judge JAMES WICKERSHAM, of Eagle, Alaska, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. As before stated, this committee is in Alaska in search of information which they think may be of use to them in considering various

matters of legislation coming before the committee, and knowing that you have a general knowledge of the district, as well as a special knowledge of many portions of it, I would be glad to have you make such a statement in regard to matters pertaining to the district as will be of use before the entire committee. In your statement we would like to have it appear what office you hold, how long you have held it, how long you have been in Alaska, etc.—A. I am the district judge of the third division of the district of Alaska, and was appointed June 6, 1900. I reached Eagle City on July 15, 1900, and have been in the Territory ever since except for two months, when I went out to visit my family in the fall of 1902. I don't know, Senator, that I have any outlined statement to make. I would prefer that you ask questions in relation to such matters as you desire information upon.

Q. You may state what portions of the district you have traveled over as judge, and what places you have visited during that time.—A. I have held court at Eagle City, Circle City, Rampart, Valdez, Unalakpa, and Nome, and have traveled over almost every portion of the district of Alaska south of the Yukon River and some portions north. I have traveled all along the coast and the whole length of the Yukon River several times, through the Tanana country, and have spent much time at Nome, St. Michael; have visited the Cape Prince of Wales, Juneau, Ketchikan, Skagway, and all parts of the southern archipelago—merely as a visitor, however, down there.

#### MINING, THE PRINCIPAL INDUSTRY.

Q. From your observation we would be glad to have your views as to the future development of Alaska, and especially along what lines you expect that development to come.—A. Alaska is primarily a mining country. The gold placer deposits are very extensive, especially along the Tanana and Yukon rivers, at Nome, and on the Copper and Koyukuk rivers. From the mouth of the Tanana southward and eastward to the British line near Dawson, the whole country seems to be filled with such placer deposits. There is hardly a stream running into the Tanana or Yukon in this area which does not carry gold, some of them in paying quantities, though most of them have been very little prospected. The Koyukuk River to the north of the Yukon is also known to contain gold placers, in many instances of great value. The Alaskan mountains have been very little prospected, although gold is found there. The region near Mount McKinley has not been explored at all. I have just come from a trip to Mount McKinley, and spent something like forty-five or fifty days on the trip with four young men who are connected with the court. We found a stream about 30 miles this side of Mount McKinley that looked very good. We spent a day in prospecting there and found very good indications of gold. A prospector whom we met informed me that along the Cantwell or Ninana River he found good indications of placer gold. Gold has been found on all the streams running into the Tanana on both sides. At the head of the Tanana have been found indications of rich deposits of copper.

#### COPPER RIVER DISTRICT.

In the Copper River country they have found extensive copper mines and valuable placer gold on the Nizina River. The copper mines

on the Chitna River are said to be extremely rich. On Slate Creek and on nearly every stream running into the Copper River are deposits of placer gold. The Sushitna River country north of Cook Inlet has been very little prospected. There are immense areas of Alaska which have not been at all prospected, though wherever the prospector has gone he has found indications of placer gold.

#### COAL ALONG YUKON RIVER.

There are very fine indications of coal along the Yukon, but it is a lignite and not a first-class coal. These indications crop out along the Tanana and along the Yukon from the mouth of the Tanana up.

#### WILL BE AS DENSELY POPULATED AS DAKOTAS.

Q. You say that the district has been prospected in some sections and that in many sections no prospecting has been done at all; but from what has already been disclosed, what do you say about the future wealth and development of the district?—A. I think that within such a reasonable length of time as it takes a commonwealth to grow, this region will be as densely populated as the northern part of the United States—that is, the Dakotas and Montana—and will be as good and valuable a country from a mining standpoint, and possibly from an agricultural standpoint.

Q. Is it your opinion that agriculture can be developed before the mining industry has been more fully developed and furnishes a market for agricultural products?—A. No. I think they must go together. There are some very good areas of agricultural land in this country.

#### AGRICULTURE IN TANANA DISTRICT.

Q. Where in particular?—A. Particularly on the Tanana. The Katishna Valley comes into the Tanana about 80 miles above the junction of the Tanana and Yukon. It is probably 50 miles wide on an average. It is a very rich region and covered with a beautiful growth of timber, and in the summer covered everywhere with a luxuriant growth of grass. In the forests we saw and heard birds of many kinds, including the robin, canary, and a wide variety of song birds; and swan, geese, ducks, and innumerable water fowl breed in the lakes and streams. It is the greatest moose country in the world, and bear and caribou are abundant. It is a northern sportsman's paradise—plus mosquitos.

Q. The committee has observed that all of the hardy vegetables grow to perfection. They are not so fully informed regarding grains. Do you know to what extent grains can be ripened?—A. I do not know further than what I have observed growing in gardens and by way of experiment. Most of the grains, such as grow in a northern country of this kind, seem to grow here and mature. I have no doubt of the agricultural value of this region after proper experiments have been made to determine the products most suitable to our climate and soil.

#### GROWING SEASON.

Q. What is the growing season in the section you have mentioned?—A. From the 1st of May. Generally April is a warm month, but on

the higher ground the snow does not disappear before the 1st of May. During the late spring and all of the summer months we have twenty four hours of daylight, and plant life develops very rapidly.

Q. When do you begin to get frosts?—A. Along in September. I have seen it snow, however, in the latter part of August on the high hills, at which time it would rain in the valleys.

#### MINING LAWS ARE SATISFACTORY.

Q. Coming back to the question of mining, are there any conditions now existing which retard the development of that industry which could, by reasonable legislation, be obviated? If so, I wish you would state them.—A. Senator, I am very well satisfied with the mining code of the United States. The principal objection that I hear to it is that it is too liberal—that men may stake mining claims by powers of attorney. This is the principal objection that I hear made to it, but personally I think the United States mining laws ought to be preserved without too much amendment. They have been very carefully considered by all the courts of highest resort. It is a well-settled code; everybody knows what it is and what it means. The miners could remedy most objections by local rules and regulations, but do not do so, which shows that they are either not united or do not care to do it.

#### COST OF PROVISIONS.

Q. It has been suggested to the committee by miners and others that the cost of getting provisions from the navigable streams—particularly the Yukon—is so high as to be almost prohibitory. This fact prevents them, in many cases, from working the country which really contains wealth, and the attention of the committee has been called to the fact that there should be highways from the waterways to the camps. We have not received as much information as we would like as to the method of affording this help. We would be glad to have you give us the benefit of your judgment?—A. I think that that aid is needed more than any amendment to the mining laws. The difference in the price of provisions at Nome and those portions of the Yukon country which are undeveloped arises from the fact that Nome has cheap transportation. Provisions are laid down in Nome as cheap as you can buy them in Seattle, Portland, and San Francisco, plus an ocean freight rate with strong competition. The miners at Nome have that advantage over the miners in the distant interior. The result of the advantage is the development of large areas of low-grade ground in the vicinity of Nome, of which you will learn when you reach there. The miner can not get his provisions to a placer deposit in the Yukon country except in the winter time. The provisions reach the company's stations in the summer on the companies' boats, and the miner is obliged to pay the rate to St. Michael by ocean, and then the additional high rate up the Yukon River, where there are no competing lines.

Q. These goods are brought in by the two companies on their lines of steamers on the river?—A. Yes, sir; and necessarily the rates are so high as to prevent the miner from working low-grade ground.

The following table was prepared from the tariff sheets of the North American Transportation and Trading Company and the Northern

Commercial Company, the only transportation companies doing business on the Yukon River in American territory. The local and through rates are the same for both companies. (The table referred to is as follows:)

*Alaska freight rates, 1903, from St. Michael to Yukon River points.*

| Destination.           | North American Transportation and Trading Company's local-freight tariff between St. Michael and Dawson. (Rates in dollars per ton of 2,000 pounds or 40 cubic feet, at ship's option.) |            |              |        | Northern Commercial Company. Through-freight tariff between San Francisco or Seattle and Yukon River points. (Rates in dollars per ton of 2,000 pounds or 60 cubic feet measurement, April 10, 1903.) |              |
|------------------------|---|------------|--------------|--------|---|--------------|
|                        | Miles.  | Up-stream. | Down-stream. | Miles. | North bound.  | South bound. |
| St. Michael .....      | 0   |            | \$45.00      | 1,601  | \$30.00   | \$27.00      |
| Kotlik .....           | 67  | \$15.00    | 43.00        | 1,534  | 35.00   | 30.00        |
| Andreafski .....       | 181   | 18.00      | 41.00        | 1,420  | 38.00   | 32.00        |
| Russian Mission .....  | 293   | 22.00      | 39.00        | 1,308  | 40.00   | 34.00        |
| Holy Cross .....       | 358   | 24.00      | 37.00        | 1,243  | 40.00   | 34.00        |
| Anvik .....            | 405   | 26.00      | 36.00        | 1,196  | 40.00   | 35.00        |
| Greyling .....         | 427   | 27.00      | 36.00        | 1,174  | 45.00   | 35.00        |
| Kallag .....           | 570   | 31.00      | 33.00        | 1,031  | 50.00   | 38.00        |
| Nulato .....           | 610   | 33.00      | 32.00        | 991    | 50.00   | 39.00        |
| Koyukuk-mouth .....    | 630   | 34.00      | 31.00        | 971    | 50.00   | 39.00        |
| Novikakat .....        | 762   | 38.00      | 28.00        | 839    | 55.00   | 42.00        |
| Weae-Tanana .....      | 901   | 42.00      | 25.00        | 780    | 55.00   | 45.00        |
| Baker Creek .....      | 981   | 60.00      | 45.00        | 1,000? |   |              |
| Chena-Fairbanks .....  | 1,201   | 70.00      | 55.00        | 700?   | 80.00   | 65.00        |
| Rampart .....          | 981   | 44.00      | 23.00        | 620    | 55.00   | 47.00        |
| Fort Hamlin .....      | 1,072   | 46.00      | 21.00        | 529    | 57.00   | 49.00        |
| Dahl River .....       | 1,082   | 47.00      | 21.00        | 519    | 57.00   | 49.00        |
| Fort Yukon .....       | 1,224   | 50.00      | 18.00        | 377    | 60.00   | 52.00        |
| Circle .....           | 1,309   | 53.00      | 15.00        | 292    | 65.00   | 54.00        |
| Star City .....        | 1,479   | 56.00      | 12.00        | 122    | 70.00   | 58.00        |
| Eagle .....            | 1,499   | 56.00      | 11.00        | 102    | 70.00   | 58.00        |
| Cliff Creek .....      | 1,537   | 57.00      | 10.00        | 64     | 70.00   | 59.00        |
| Fortymile-Cudahy ..... | 1,548   | 58.00      | 10.00        | 53     | 70.00   | 59.00        |
| Dawson .....           | 1,601   | 60.00      |              | 0      | 70.00   | 60.00        |
| Bergman .....          | 1,070   |            |              |        | 100.00  | 75.00        |
| Bettles .....          | 1,150   |            |              |        | 135.00  | 95.00        |

LOCAL FREIGHT RATES.

The local freight rate cuts but little figure in the matter of miners' supplies. These reach the country either up the Yukon River via St. Michael, or down the river via Skagway and Dawson, and the through tariff from San Francisco or Puget Sound fixes the price at which the miner buys. Take the Koyukuk miner for instance: It costs \$135 per ton to land supplies at Bettles, some distance below Coldfoot, the center of the mining industry. From Bettles the supplies are forwarded to Coldfoot in the summer time by a scow pulled by a horse along the river bank, or in polling boats, and in the winter on dog sleds, at an additional tariff of \$200 per ton, a total of \$335 per ton at Coldfoot. It costs 6½ cents per pound freight at Bettles and 16½ at Coldfoot. The freight on a 50-pound sack of flour to Bettles is \$3.37½, while to Coldfoot it is \$8.37½. A 50-pound sack of flour sells for from \$10 upward, and all other supplies in proportion, and yet several hundred miners are industriously working the placers of the Koyukuk each season under these conditions.

FREIGHTING BY PACK TRAINS.

The Fairbanks miners on the Tanana River have only \$80 per ton to pay to the general distributing point, but they still pay the 10 cents

a pound, or \$200 per ton, freighting by pack trains to their mines, or \$280 per ton. At Rampart the rate is \$55; at Circle it is \$65; and at Eagle \$70; to which must be added the pack-train tariff of from 10 to 20 cents per pound before it is ready for the support of the laborer in the mine. He gets nothing in the way of supplies for less than \$250 per ton, and more often pays \$450, on account of the want of roads and the necessity for transporting everything either in poling boats, on pack train, or on dog sleds.

The companies can not reduce these tariffs to any great extent, probably, for they can only make from one to four trips up the river in one season, and their boats are necessarily idle from October until the next June.

#### TRANSPORTATION IN WINTER.

In the winter time the miner is compelled to use five dogs to the sled, and draw his supplies from the distributing point on the Yukon to his mine over the snow trails. He can not do that until after the 1st day of January, and from that time on until the break up in the spring he gets out his supplies for the year. In the summer time he can get his supplies from Rampart, for instance, out to the mines near here by loading them on horses. He can do that also at Circle and at Eagle.

They pole most if not all of the supplies for the Fortymile mine up the Fortymile River from Canadian stores. The Canadian authorities have built good trails from Dawson to the boundary line near the American mines, and Dawson merchants are thus able to sell their goods to these mines cheaper than Eagle City, which is nearer and has a lower tariff than Dawson.

#### ROAD FROM VALDEZ TO EAGLE.

If we had a road from Valdez across to Eagle City by way of the Fortymile River—a plain wagon road—it would be a great help to the opening up of a good country. A branch road from the neighborhood of the crossing of the Tanana, running north along the Tanana Valley to Fairbanks and thence across to Rampart, would open up a larger and better country. A branch road from Circle City across to Fairbanks would open up all of the Birch Creek region, which is an old and very rich placer country. A continuation of the Tanana Valley road to Coldfoot, on the Koyukuk, would practically open the great Yukon interior to the miner. Branch roads from these main trunk lines could be built, and especially if the law provided a proper poll tax for that purpose. The miners are willing to pay a proper tax.

#### SUGGESTIONS AS TO ROAD BUILDING.

Q. Have you given any consideration to the question of how best we could reach this result of building roads? We are troubled by the lack of road machinery with which to do this work. Perhaps you can make some suggestions as to needed legislation?—A. I can suggest very promptly that the labor of building roads ought not to be imposed on the district judge; the district court now has so many duties of an administrative character to perform that it is almost swamped. It occurs to me that the governor of this Territory receives a good

salary and has very little to do. Usually he wants to do very much more than he is permitted by the law to do. It is my judgment that he ought to have practically the management of the road question. There are now three divisions of the district court of Alaska.

#### A ROAD COMMISSION.

There is a large sum of money raised in each division from licenses paid outside of the incorporated towns which could be used for the building of roads, and it would be very satisfactory to the people to have it done in that way. I think that there ought to be three men in each judicial district who should have the management of this matter, and the governor ought to be *ex officio* a member of each commission. There ought to be no contract for a road above a certain cost let to anybody without the governor's approval and consent. I think that in that way you will get reasonably good value for your money.

Q. And you think those three persons should have the power to determine where the roads should be laid and have charge of the construction of them?—A. I do.

By Senator NELSON:

Q. Wouldn't it be well in those cases to give them the power in the first instance to lay out these roads as public roads?—A. Yes, sir.

Q. But you would have all of it subject to the approval of the governor. Would it not be a good plan to have it done by competition and then determine whether the road should be laid out?—A. Yes, sir; and I think that it ought to be done in such a way that we would get general thoroughfares, main trunk roads, and not local roads to particular mines or mining camps.

#### APPOINTMENT OF ROAD COMMISSIONERS.

Q. By whom, in your judgment, should these officials be appointed?—A. That is a matter of some concern, and I don't know just what to say in answer to it—probably by the governor. The objection to their being appointed by the governor is that they would be inclined to be controlled by him too much.

Q. How would it be by the governor and judges combined?—A. That might be done. It might be a good thing to have a report made to the court, but I am inclined to think not. I would rather see these matters controlled by the executive branch of the government than by the judicial. But the matter of roads is the most important, I think, in the development of Alaska. We have rich mines, but no method of getting to them or of carrying our supplies there.

Q. Your thought is, that with the opening of roads and the cheaping of transportation charges, there will be a development of the mining interests that would bring in a permanent population?—A. Yes, sir.

Q. And would that open up the market for agricultural products?—A. Yes, sir; there are now many persons taking homesteads along the Tanana and other rivers in the vicinity of the mines to raise supplies for the miners.

#### SCHOOLS OUTSIDE TOWNS.

Q. Before leaving this question, it has been suggested by Senator Burnham that there are some places outside of the organized towns

where there should be educational advantages offered.—A. Yes; I do not know how many, however. For instance, this immediate neighborhood where we are now situated [Rampart] is not an organized town and has no schools. Circle City is not an organized town and has no schools.

Q. There are children in both places?—A. Yes, sir.

Q. To what number?—A. Not a large number. Probably a dozen here; probably more, counting native children and half-native children, at Circle.

Q. How could the schools be provided for in such localities?—A. I suppose the commissioner of education could establish schools under the existing law where he finds it necessary.

Q. Will you let me interrupt you in this connection to ask if it wouldn't be a good plan to let the three highway commissioners of which you spoke act also as school commissioners for their respective districts, and establish schools where they deemed them necessary?—A. I don't see any objection to that, Senator; I think it would be a very good plan.

#### DELEGATE.

Senator DILLINGHAM. The committee had under consideration last winter the question of providing a Delegate for Alaska in Congress, but the bill presented for that purpose was somewhat complicated and no progress was made. One of the questions we have investigated is how best Alaska might be represented in Congress—whether the Delegate should be appointed in some way, by the President or otherwise, or whether legislation should be had by which an election for the district could be held, and whether the district should have a Delegate. If you have considered that question, we would be glad to have your views upon it.—A. I am very much inclined to think that there ought to be a Delegate from Alaska, probably two or three. There ought to be a Delegate, even if he is appointed, but I am sure that the people of Alaska are much more in favor of electing the Delegate, although the matter of holding an election is a very serious one. Points where elections would be held are so far distant from one another, and the means of communication are so slow, and the means of determining who are and who are not voters are so crude, that the election can hardly be satisfactory under any circumstances. But with as many safeguards as you can throw around it, I think that an election would be better than the appointment of a Delegate. But there ought to be a Delegate from Alaska.

#### TWO DISTRICTS.

Senator BURNHAM. If two Delegates were to represent the district, how should the district be divided for that purpose?—A. Nature has divided the district at Mount St. Elias by impassable glaciers. The Eskimo tribes go no farther south than those glaciers and the Thlinket tribes go no farther north. That point ought to be the division between the future commonwealths. I think that southeastern Alaska ought to be given a Delegate, and the district north of Mount St. Elias ought to have another, or possibly two. The needs and wants of these distant districts are so dissimilar that they have no relation one with another at all. All the transportation lines in southeastern Alaska run to Puget

Sound down along what we call the inside passage; they thence run north to Skagway. Southeastern Alaska is now settled by a permanent population at Skagway, Juneau, Ketchikan, Sitka, and will probably be ready for a Territorial form of government before the northern part. I think conditions demand three Delegates, two from the northern part and one from the south. There is nothing in common between the districts. It would be impossible to hold a Territorial court in southeastern Alaska and expect an attorney from the north to reach it. If he were required to make the journey and attend the session of court, it would take him, in all probability, a year in which to do it.

INTERESTS OF NORTHWESTERN ALASKA OPPOSED TO SOUTHEASTERN ALASKA.

Q. Your idea would be to divide Alaska into two or three districts, one of which should be what is known as southeastern Alaska, and the other out of the remainder of Alaska?—A. I am very firmly impressed with the belief that that should be done. All of the transportation lines coming into the Nome country and to St. Michael for the Yukon River region come entirely outside of southeastern Alaska, hundreds of miles from it; they have no trade or political interests in common, and their needs in many cases are diametrically opposite, and certainly two Delegates, one from the north and one from the south, ought to be provided for.

Q. You would include in southeastern Alaska the country that lies east and south of the Alaska Peninsula, including Cook Inlet?—A. No; I would draw the line at Mount St. Elias.

Q. Simply take in the archipelago and what is called the Panhandle district?—A. Yes, sir.

Q. You would not include Valdes?—A. No, sir.

Q. Would you include Yakutat?—A. Yes, sir.

Q. In other words, you would go up to where the one hundred and forty-first meridian intersects the ocean?—A. Yes, sir; include only what we know as the Sitka country.

Q. Freights can come into Alaska proper from Skagway, we will say, only by way of British territory?—A. Yes, sir; and never can come in at any other point south of Valdes, owing to the rigors of the mountainous climate through there.

Q. The natural entrance for all supplies to this country as it now exists is through the mouth of the Yukon and up that stream?—A. Yes; or from Valdes.

GOVERNMENT AID FOR WAGON ROADS.

Q. But to accomplish it from Valdes there must be a road built from that point?—A. Yes, sir. I think some Government aid should be given in order to build a railroad from Valdes to Eagle City. This aid should be given by a direct loan of money, or bonds, and not by a land grant.

Q. What is your objection to a land grant?—A. Very largely because the land is of a mineral character.

REGARDING COMMISSIONERS.

Senator BURNHAM. Have you any suggestion to make regarding the powers now exercised by commissioners, whether additional powers should be granted or not?—A. In what respect?

Q. In extension of their jurisdiction in certain cases, granting them the right to issue a temporary injunction, for instance?—A. Well, of course, that suggestion arises from the hardships that come from the fact that the country is so large and the points at which the district court sits are so far distant that it is practically impossible at times to reach the district judge. I have no doubt that there are hardships of that kind and that it might be an advantage if the commissioner had some power to maintain the status quo between rival claimants of a mining claim preceding the termination of the matter by the district court; but I think it is better for the communities to have what we ordinarily call justice-court jurisdiction and that matters of title be determined by the district court. It does not take very long to get such cases determined in the district court; certainly not in the first and second divisions, where the courts are held at one place all the time.

#### ALASKAN CODE SATISFACTORY.

Q. So that, practically speaking, so far as it comes under your observation, there is no great reason why such changes should be made?—A. No, sir; I know of no great hardships that have occurred even in this district, and there are certainly none such in the first and second divisions. The Alaska code is a very satisfactory one, in my judgment. I have practiced law in the State of Washington for twenty years, while it was a Territory and after it was admitted as a State. We had a code there almost exactly like the code provided for the Territory of Alaska. The code we have is a very good one. There are some minor defects in it, as would be expected in any code, no matter how well drawn, but both the criminal and civil codes are equal to all ordinary occasions.

#### SALARY OR FEES.

Senator NELSON. It has been suggested by some of the gentlemen who have given statements before the committee, that it would be a better plan to have the commissioners given a salary instead of the present fee system. What do you think of that?—A. My answer to that, Senator, is that it does not make much difference.

Q. You find no difficulty in getting good commissioners under the present system?—A. No, I do not. I think the people are just as well served under the present system as if the commissioners had a salary of a fixed sum. As it is, they must attend to business, look after things closely, and they are kept up to a pretty good standard in their accounts. Commissioner McKenzie, from the Koyukuk, seems to be unable to make the maximum salary in his district, but I think it arises more out of Mr. McKenzie's goodness of heart than from the conditions which exist there. He is very much inclined to settle all kinds of cases and force people into a settlement, and that does not give him any fees. Of course, that system is to be commended, but I am afraid all of them would not follow it as closely as he does.

#### LICENSE MONEYS OUTSIDE TOWNS FOR ROADS.

Q. Under recent legislation the incorporated towns get all their license money and all their occupation tax for the use of the corporation. The money received outside of the incorporated towns from occu-

pation tax and licenses goes into the Treasury of the United States, and the Secretary of the Interior may expend one-half of it for schools and the other half is left in the Treasury. Wouldn't it be a good plan to use the money received from outside the incorporated towns, or a part of it, to build roads in Alaska?—A. Yes, all of it.

Q. Since the enactment of the recent law giving the incorporated towns all of the license money and occupation tax received within the towns, don't you think the incorporated towns are well provided for now under that legislation?—A. Yes, sir.

Q. Would you suggest any material changes in that respect?—A. No, sir.

#### INCORPORATED TOWNS.

Q. What incorporated towns have you in this division?—A. Eagle City and Valdes.

Q. These are all?—A. Yes, sir. There are applications, however, for the incorporation of Rampart and Fairbanks.

Q. Circle is not an incorporated town?—A. No, sir.

#### ADMINISTRATIVE DUTIES OF JUDGE.

Q. Now, Judge, will you be kind enough to state to us briefly what are your administrative duties as distinguished from your judicial duties?—A. They relate very largely to the appointment of commissioners, the examination of commissioners' accounts, and matters of that kind. It is the duty of the district judge to lay out all the commissioners' districts, or precincts, as we call them; to determine the boundaries of these precincts; to determine where the commissioners shall reside and hold their courts, and provide them with all the necessary books and everything necessary to maintain their offices and to audit the accounts and pay for all these things. He is required to approve the commissioners' bonds, and the commissioner is required to make a quarterly report of all of the fees received by him. These accounts are all examined by the court and approved or corrected.

Q. In that respect you act as auditor?—A. Yes, sir. Of course, I leave the examination of these accounts to the clerk of the court, who is very competent to do it, and I only give them such an examination as to know that they are in accordance with the law. Out of these fees they receive a salary of \$3,000 per annum, if that amount is collected; all fees received beyond that amount they are required to turn into the treasury. The expense of maintaining the office is paid from those fees.

Q. Then you have the granting of liquor licenses?—A. Yes, sir; and of all other business licenses.

Q. All of the applications and petitions are presented to the judge, to whom discretionary power is given in that respect?—A. I do not so understand the statute. I have gone upon the theory that any man may take out a license if he complies with the law.

Q. Have you had many applications for the sale of liquor outside the incorporated towns?—A. Yes, sir.

#### BOUNDARIES OF TOWNS.

Q. In addition, you have the power of establishing these incorporated towns?—A. Yes, sir; that is another part of the administrative

duties. I have to determine the boundaries of the towns, whether or not they have sufficient number of inhabitants, whether the town is liable to be permanent, appoint some of the officials—the election officers in the first instance.

Q. What are the limitations, if any, as to the population of proposed towns?—A. They must have at least 300 permanent inhabitants.

Q. What is the limitation as to boundary?—A. The area is not limited by law, further than the town-site act of Alaska provides that no more than 640 acres shall be embraced in one town-site entry. The court fixes the boundaries of the incorporation. I think the law for the incorporation of municipalities in Alaska is now a very satisfactory law.

Q. Have you examined this recent act that was passed for the incorporation of private incorporations?—A. I have read it, but very hurriedly. I have not given it very careful consideration.

Q. Is there any immediate necessity for adding to that, provisions as to educational or religious corporations?—A. I think there is no such necessity in this part of Alaska. What is needed in southeastern Alaska I do not know.

#### JURISDICTION OF COMMISSIONERS.

Q. What is the jurisdiction of commissioners and what are their functions?—A. They are justices of the peace, ex officio recorders, judges of probate, and perform the duties of notary public and coroner.

Q. Outside of those duties have they no other functions?—A. None whatever.

Q. Then all of your territory, outside of the incorporated towns, has simply these administrative officers—the district judge and these court commissioners with their manifold powers?—A. Yes, sir.

#### SHOULD SCHOOLS BE CONTROLLED BY COMMISSIONERS?

Q. Wouldn't it be well, in your judgment, to give them additional powers to establish schools throughout the district outside of the towns?—A. I don't see any objection to that.

Q. If you cover these two points, and with the necessary machinery, and give them the funds, it would cover the administrative vacuum for the territory outside of the towns?—A. Yes, sir; I think the first great need is the election of a delegate; the second, to furnish means to build trunk roads, and the third, the matter of schools outside incorporated towns; then I think the situation is very well covered.

#### ELECTION OF DELEGATE AND BUILDING OF ROADS IMPORTANT.

Q. Is there anything else that you think it might be of advantage for us in Congress to know? We come here to secure, and give to the Senate, as much information as we can, for the purpose of doing what is best for Alaska.—A. No, Senator; I do not know of anything further than of urging the two most important matters, namely, the election of a delegate and the building of trunk roads.

Q. It has been suggested that provision should be made for an additional judicial district for Alaska. What is your opinion as to that?—A. It will have to be done soon. This is a very large judicial division.

It extends from the British lines to the outer Aleutian Islands; from the Pacific to the Arctic oceans. The judge is compelled to travel all the time. When he is over on the coast it is almost impossible for the business of the court in the interior of the division to receive attention. Heretofore it has received fair attention, but the business is rapidly increasing, and I recommend the creation of another judicial division by dividing the Third judicial division along the line of the sixtieth parallel to Lake Clark; from thence to Mount McKinley, and from that magnificent glacier-capped dome along the summit of the Alaskan range to Mount St. Elias. All north of that line should be one district, and all south another.

#### STATEMENT OF E. J. KNAPP.

RAMPART, ALASKA, *July 22, 1903.*

E. J. KNAPP, of Rampart, Alaska, was called before the committee, and testified as follows:

By Senator DILLINGHAM:

Q. Your position here is that of lay missionary of the Protestant Episcopal Church?—A. Yes, sir. Bishop Rowe, residing at Sitka, is the bishop of the diocese.

#### INDIANS ALONG YUKON RIVER.

Q. How long have you been here?—A. I have been engaged in the work here at Rampart City as a lay missionary for a little over four years. During that time my work has been chiefly among the Indians. I have observed their life in their homes, and also from time to time on the trail—chiefly in the winter time. The Indian people living along the Yukon in this neighborhood are not destitute people, properly speaking. They live in comfortable cabins, which they themselves construct of logs. An objectionable feature to these cabins is that they are, most of them, one-room cabins—a plan rendered almost necessary, however, by the intense cold of the winter climate. It would be difficult and more expensive to heat a cabin of several rooms. In order to heat such a house there would have to be a stove in every room. They live during a good part of the year now, as they have always lived in the past, chiefly by hunting and fishing.

During the summer season they camp along the Yukon River shore in tents and fish for salmon, large quantities of which they dry and save for winter use for themselves and their dogs, which are their draft animals. When the fall rains commence at the beginning of cold weather at the close of the fishing season, they move into their cabins, where they live until about the 1st of February. Then they are accustomed to leave their cabins and go on the hunting trail. They follow up the tributaries of the Yukon into the highlands and hunt moose, caribou, and other animals, on which they live, the meat of which they market in the settlements, trading with it. When the warm weather returns, it finds them at the headwaters of these tributaries of the Yukon. They construct boats of lumber, which they whipsaw, and stretch skins over the framework, and on these boats they go down the streams to their permanent cabins. In the neighborhood of settlements, such as Rampart and Tanana, they trade with the company

stores. They usually have enough to trade with to obtain all the necessaries of life. This, in a general way, describes their manner of life the year around.

On the lower river near the seacoast and in the remote parts of the country it is true, I am told, that the Indians often suffer from lack of proper food and clothing and medical attendance. When I state, as I did just now, that the Indians along the Yukon in this neighborhood are not destitute, properly speaking, I refer to those in the immediate neighborhood of considerable settlements where there is ample opportunity for trading. To illustrate the material condition of the Indians, in this immediate neighborhood at least, I might add that they possess in their cabins such articles of personal property as sewing machines, which the women know how to operate, stoves of outside manufacture, cooking utensils of various sorts, clocks, fire arms, carpenters' tools, steel traps, oil lamps, etc.

#### MORAL CONDITION OF INDIANS.

As far as the moral condition of the Indian people is concerned it is often very deplorable. The intimate association between the Indians and the whites in and about settlements on the river results unfortunately in the moral degradation of the Indians, both men and women. The Indians naturally crave whisky, which is the chief trouble of which I am speaking. The Indians seem to have no difficulty in getting all the whisky they may want. The law forbidding the sale of whisky to the Indians is not easily enforced, but which of course should be strictly enforced. Indians are not accustomed to frequent the saloons, but it is very easy for them to induce disreputable white men to purchase the whisky for them in payment of a slight commission. The whisky once purchased in that way is passed to the Indian outside of the saloon in some retired place. The sale of whisky to the Indians is most often made through middlemen, who buy the whisky in the store or saloon, take it out of doors and pass it to the Indian.

The laws for Alaska relating to the whisky question are good laws enough if they were more strictly enforced. In this connection I might state that the retail liquor-license law here in Rampart, at least, is not enforced with the strictness with which it should be enforced. For example, the law requires a man intending to engage in the retail liquor business to take out a license before engaging in the business. In point of fact, he is permitted to engage in business and remain in business for months after making deposit with the deputy clerk of the United States district court of his license fee, and without the consent of the citizens, etc., preceding the actual issuance of the license itself. This often results in the starting of numerous saloons, which are often run by disreputable men.

I would like to say this, that in respect of the whisky evil the most deplorable one of all is the moral degradation of the Indian women by bad white men who ply them with whisky when opportunity favors. There is a class of white men in the country who have absolutely no conscience, seemingly, in regard to that iniquity. The Indians themselves—men and women—are easily led and readily fall into temptation whenever the opportunity to get whisky is offered. If I might make a suggestion, I would say that the penalty for the giving of whisky to an Indian, even to the extreme penalty of the law as it now stands, is

not as great as it might be. The extreme penalty now is six months' imprisonment in the county jail. If the offense were made a felony, instead of a misdemeanor, and the severest penalty enforced, possibly this might produce or tend to produce a better state of affairs than at present exists.

#### PHYSICAL CONDITION OF INDIANS.

The physical condition of the Indians is not satisfactory. They are extremely liable to pulmonary afflictions, and they are scrofulous, due to too close intermarriage, and are often syphilitic, due to loose living.

Q. What have you to suggest, outside of the whisky question, in the way of legislation that would be of any advantage?—A. I do not think that the plan of putting the Indians on reservations would work well in this country. It is a very cold country, and a country in which the Indians would find it difficult to follow their usual pursuits on a reservation which would give them a livelihood. The Indians in this neighborhood value their liberty, and have often assured me that they would not want to live on a reservation. I think it is better for them to roam as far as they please, and hunt where they can find the best game. There are parts of Alaska where it is said the soil is well adapted to agricultural purposes, and if the Indians could be made to take an interest in agriculture and settle down on farms, then it would be feasible and proper to put them on reservations; but Alaska is not a farming community. The interior of it at present is not. Whether it ever will be or not remains to be seen.

The laws of Alaska relating to the killing of game animals and fur-bearing animals are more honored in the breach than in the observance, and it seems to me that wardens to protect the animals should be appointed.

The presence in the country of unlicensed trappers is a menace to the interests of the Indians. On returning from their winter hunting trip this past season the Indians report the presence of increasing numbers of white men—trappers, prospectors, and miners—in remote regions among the hills at the headwaters of the tributaries of the Yukon, where they are accustomed to go to hunt. They say that large tracts of country are being burned over through fires being started by white men, and are being ruined for hunting purposes. The Indians themselves, I have found, are careful in lighting and extinguishing fires in the woods, and especially careful during a dry season. They appreciate the importance to themselves of keeping the country from being burned over, for forest fires drive away the game. White men, on the contrary, do not feel the same interest in the matter or responsibility concerning it. It is no uncommon occurrence for white men during the summer season to start forest fires to obtain relief from the mosquitoes. In the immediate neighborhood of a mining gulch a forest fire is, in a way, a distinct advantage to the miner, for it does not completely destroy the trees, but it chars and kills them and causes them to dry, and the wood thereby becomes better suited to burn and more useful for carrying on mining operations. No doubt it may be true that forest fires are sometimes started by Indians, but I believe the responsibility for them is properly more often to be laid to the whites.

## STATEMENT OF M. V. HENDRICKS.

RAMPART, ALASKA, *July 23, 1903.*

M. V. HENDRICKS, of Chena, Alaska, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. Where do you reside, Mr. Hendricks?—A. At Chena.

Q. And your full name is, what?—A. M. V. Hendricks.

Q. What is your business?—A. I represent the North American Trading and Transportation Company.

Q. How long have you been in Alaska, and in what parts of it have you visited?—A. I first came here in the spring of 1892. I spent most of that summer up in the Fortymile district, and I came on down the Yukon, and went up the Koyukuk and put in about two years and a half up the Koyukuk. Most of the time I was up north of the Arctic Circle, mining and prospecting. Then I came down and went over toward the Kuskokwim, and I put in about two years and a half upon that river.

Q. That is, on the lower Yukon?—A. Yes, sir. From there I was on business along the Yukon for two or three years, and during the last two years I have been established up the Tanana River.

## ROUTES FROM YUKON RIVER TO SOUTHERN COAST.

Q. I understood you to say in conversation that you had made two overland trips from the Yukon to the southern coast?—A. Yes, sir.

Q. Following what routes?—A. The first trip out was made up the Tanana to the Cantwell River, and up the Cantwell and down to the Sushitna to the head of Cook Inlet, and across to the Kenai Peninsula and Resurrection Bay. It is the same route over which the Alaskan Central Railroad proposes to build its road. The second trip out I made up the Tanana as far as the Delta River, over to the head of the Chitsletchina River, and down the Copper River to Copper Center and then across the government trail to Valdes.

Q. Will you kindly give us a brief description of the two routes, comparing one with the other, as they seem to you.—A. Neither route seems to me to be particularly difficult as far as getting through is concerned. There are no high places nor difficult passes to get through. The Coast Range is the difficult matter about getting into the interior of Alaska. Of course there are more or less rough and rugged places. The route from Resurrection Bay is much longer, for the reason of having to cross the Kenai Peninsula. It is almost a hundred miles across that to reach the head of Cook Inlet. It is a rough country and rugged. It is much nearer by way of Valdes to reach the Yukon, and it would be a little bit harder to get over the range out of Valdes to the Copper River Valley. That could be accomplished easier, I think, than to make the extra distance by the other way. After once reaching the Copper River Valley, then you are into a much better country than by the other route. After getting into these valleys the passage is easy all the way through.

## VALDES ROUTE.

Q. In your judgment which route would best serve to open up and develop the interior of Alaska?—A. The Valdes route, by long odds.

Q. For what reason?—A. In the first place, Valdes is the nearest port to Puget Sound which is open all the year; for another reason, that the Government has established a line of telegraph communication out of Valdes right through the central part of Alaska.

## TANANA VALLEY.

Q. You have already said that the route would be the shortest?—A. Yes, sir. This route would be the shortest, and would open up that part of the country. If the country is possible in an agricultural way at all, it will open up the best part of the country, because it would penetrate the two largest valleys in Alaska. I believe the Tanana Valley is the largest valley in Alaska. That is, you understand, more acres would be possible to be put under cultivation than even in the Yukon itself. The Yukon most of the way is well confined by the hills, and then, of course, you have only the valleys of the tributaries. The Tanana is a very wide valley. I should estimate that its average width is 35 miles, with a length of 800 miles.

## TIMBER.

Q. In this connection, won't you state about the length of the warm season in that valley and the other characteristics of it that would relate to successful agriculture?—A. The season is anywhere from ten days to three weeks earlier in the spring than the same in the Yukon Valley. It is about the same length in the fall. I think we could safely figure on a three weeks' longer season than is anywhere on the Yukon River. The valley is well timbered. There are all the resources in the way of timber that are at all necessary for domestic use. The indications are that it will be one of the richest mining districts of Alaska. That, of course, is a matter of the future. The indications are good, however. The finds in the Fairbanks district at present are undoubtedly good. That has been opened about one year—a little less than a year.

Q. The population that rushed in there is remaining?—A. A big part of it. The greater part of the people who left there spent all of their money getting in there, and the camp was not far enough advanced to give them work to do, and they had to get out to get money to live on.

## PROSPECTED GROUND VERY PROMISING.

Q. Is the ground that has been prospected in that valley promising enough so that you expect to see a large and permanent population there which will create a demand for agricultural products?—A. Yes, sir; I think it is. I don't think there is any question about that at all. The first five years I was in this country I did nothing but prospect and mine. I have been out there and it has been necessary for us (our firm) to examine the mines quite thoroughly, and I believe that on the examinations that I have personally made there is no question in my mind at all but that country is going to have very exten-

sive camps and will produce a great deal of gold. It will be slow, but it will be a good producer within the next two or three years. It seems to me it will be a long-time camp. It will be a camp that will be developing for a number of years. The territory is new, but they are finding prospects over a very big strip of territory. I should say that they are finding good prospects there at present over a strip of territory of about 150 miles in length. And in the center of that is the Fairbanks district. Ground there is paying very well.

#### HOMESTEAD ENTRIES.

There have been to my knowledge ten or twelve preemption claims for homesteads taken out under the recent law. They are going right ahead clearing the ground and getting it ready for next year's seeding.

#### COPPER RIVER VALLEY.

Q. Now, if you please, take up the other valley—the Copper River Valley.—A. The Copper River Valley is a little bit more of a high plateau and a little bit more of a tableland. It is not too high, I should say, because the growth there reminded me very much of the Tanana Valley. It is not as extensive a valley as the Tanana, but I should say what there is of it would be as valuable in agriculture as the Tanana. I should say that there might be a stretch of land there 40 miles wide and 200 miles long that would be very well adapted for agricultural purposes. Further than that I could not say, because I don't know anything about the Copper River Valley outside of that. In mineral resources it is perhaps ahead of the Tanana, at least as far as development goes, because they have there those copper properties that are generally conceded to be very extensive and very rich. They have developed in that section very good placer diggings, which support quite a population. They can work only the richest of the ground there, because they have to pack their supplies over in the summer time and pack train or sled them in the winter a distance of about 200 miles, so that the average price of provisions there at Chistochina diggings is \$1 a pound. It makes living expenses very high. There are at present in that immediate section about 250 men during the summer season. The inability to get supplies at a reasonable price is one thing that has kept that country back for many years. Men have not been able to get in there to do anything. By the time they would get into the country their provisions would give out and they would be compelled to return.

Q. The problem, as it presented itself to you, is that of a railroad or highway which will reduce the cost of maintenance of those who go in there?—A. Yes, sir; that is the problem.

#### AGRICULTURE.

I was told by reliable men who came in this spring from Valdes through the Tanana region that there were about 75 people who came from Valdes and went into the Copper River Valley and into the upper Tanana, taking with them plows and picks, and were going to take up land and see what they can do in an agricultural way.

Q. To what point on the Tanana is navigation to be had?—A. To the foot of Bates Rapids, which are at Chena.

Q. And beyond that other means of transportation must be provided?—A. Yes, sir.

#### AGRICULTURE SECONDARY TO MINING.

Q. The committee have been impressed by the evidence which has been taken with the fact of the enormous riches and wealth of Alaska yet undeveloped. I would like to ask you what, in your opinion, is most needed in order that immigration may be secured and a permanent population established in the different districts?—A. I believe that there is no question but that the agricultural feature will have to be for the present the outcome of the mining; that is, the mines will have to furnish the market for the farm products. Then, of course, that being the case, whatever would tend to develop the mines would indirectly bring about the other. I think that it would be brought about in that way quicker than in any other. The railroad will do more to develop the mines in this country than anything else. Until we do get a railroad, the next thing of importance is the wagon roads and trails.

#### FIFTEEN CENTS FOR CARRYING ONE POUND OF FREIGHT 20 MILES.

The thing of importance to-day is wagon roads and trails. For instance, take where we are at Chena. That is a distance to be packed over of perhaps 20 miles. Those people on the creeks have to pay 15 cents a pound to get their supplies up those 20 miles. Now, there is ground that can be prospected that carries quite a little body of pay, but of such low grade that they have to look to something else because they can't meet the expense of developing that property. If we had a good wagon road over that 20 miles we could have freight put out there at from  $1\frac{1}{2}$  to 2 cents a pound. It means a difference to the man who develops fully as great as the full cost of his living; that is to say, the difference in the freight that he would have to pay would buy his living for the year. It is practically impossible to get in heavy machinery at the present time. They will have to have a road before they can get in heavy machinery. But they can work ground by machinery that they can not work by hand profitably; they can not, however, get machinery into the mines without roads.

#### POWER OF ATTORNEY.

I consider as one of the greatest detriments to the development of this country the location of claims by power of attorney.

Q. What remedy would you suggest for the evil?—A. I would suggest that the power of attorney be literally cut out in the location of mining claims in Alaska.

Q. Prohibited by law?—A. Yes, sir. If it is not possible for so broad a thing as that to be done, to have the power of attorney limited to the location of not to exceed one claim by power of attorney in each judicial district of Alaska, and that any man giving the power of attorney could have only that one claim in that district.

Another feature comes in the matter of the time of developing claims. Under the present law a man can locate a claim on the 2d day of January and hold it, without doing any work upon it, within two days of

two years. I should say that it would be an excellent thing if a man had to do a certain stated number of dollars' worth of work—that he should have to sink a shaft to bed rock, or as near as possible. He should be required, say, to sink a shaft to bed rock, unless water in the ground prevented, within ninety days of his location. I would require him to make proof of that. It is always possible to make such proof. Wherever there is a man at work there are always more, and he could make out his statement and have it witnessed, and there are always opportunities to send it in to the recorder.

#### TOWNS PRIOR TO INCORPORATION.

Another thing is regarding the towns. Under the late law for the incorporation of towns they are given, I think, all that they can hope to ask for after they have become incorporated, but prior to that time there was a great deal of difficulty. For instance, you take it in the rush that was made into the Tanana this last winter. People came in from all parts of the country—all kinds of characters came in. They were people who had no more respect for other people's rights than—they had no respect at all for other people's rights. It almost resolved itself into a man simply taking his gun and holding out for what belonged to him. It got to such a stage that one portion of the people in Chena took the matter up with the commander of the post at Fort Gibbon, asking him, if possible, to send some relief. He said that it was impossible for him to do anything, and that the matter would have to be taken up with the civil authorities.

There were men who had located in this town who left town temporarily to go to the diggings. On their return their property was confiscated and they were kept out of their own buildings by Winchester. There was no civil authority there at that time and there was no provision of any kind. We had no law providing for any temporary organization by the citizens to establish temporary regulations. They had no power whatever.

#### SUGGESTION AS TO LEGISLATION.

Q. What do you suggest by way of legislation to reach that condition?—A. I would suggest that there should be authorized a provisional government, preceding the incorporation under the present government.

Q. Is it not true that when that condition existed Judge Wickersham hurried in there and appointed a commissioner and did what he could to meet the situation?—A. That is true. Judge Wickersham did nobly and did all in his power. But if you follow the history of these camps in Alaska, there has never been a town in this country that has not been that way unless the law gets in there. That is the difficulty. There were about 300 people in that little place (Chena), but they had no power to act.

#### TEMPORARY GOVERNMENT IN UNINCORPORATED TOWNS.

Q. Your opinion is that there should be some provision for a temporary government on the part of the residents until the town can be incorporated under the general law?—A. Yes, sir. You take the present condition there. The town of Chena has made application to be

incorporated, but a man hardly dares to leave his property there for any length of time without he can reasonably expect to be involved in a law suit. Some one will come along and jump his property. There are two men, Messrs. Kirkpatrick and Shott, who located a cabin and put up their stores and warehouses and were living there. They went up the river to procure logs for their buildings. When they returned they found none of their property remaining but the ground on which their cabins stood.

Q. Judge Wickersham has held court in that district?—A. No, sir; the people are obliged to come to Rampart to attend court.

Q. If Judge Wickersham was to order a term of the district court to be held at Fairbanks that would accommodate the people of that community?—A. Yes, sir.

Q. The sum and substance of your suggestion is, as I understand it, that in this mining country, where new diggings are discovered, there is always a rush which is followed by a period during which disorder reigns, and that the law should be so amended as to give to the people in each of those sections power to organize for their own protection preceding an application for incorporation under the general law?

#### MAIL FACILITIES.

A. Yes, sir; that is the idea. Another thing in which we are interested up there is the matter of getting our mail. I had the recommendation of General Randall on this matter of a route through from Valdes down the Tanana for the Alaska mail. We (the North American Trading and Transportation Company) carried the mail on the lower river for four years. I should say that three-fourths of the mail that comes to Alaska points comes to the Tanana post-office and westward bound—the most of it for Nome and that section of the country. Now, this camp opening up in the Tanana will undoubtedly require provision for mail facilities. It is right on the line of this main route.

Q. You mean the railroad route?—A. Yes, sir; I talked the matter over with General Shallenberger in Washington three years ago. The Department was then very much interested in the Bering Sea coast route for supplying Nome and that section. Since then I believe they have given it some attention, from the fact that one of the inspectors made a trip through this section last winter. The idea is that that mail can be gotten through to the mouth of the Tanana River, at the junction of the present route, about twenty days earlier than the way it comes at present.

Q. Now it comes up the river?—A. Yes, sir.

Q. And you would have it come overland?—A. Yes, sir; for the winter service; from Valdes and down the Tanana Valley. I think that the big majority of the people can be reached in about twenty days' less time by that route than as at present.

Of course we feel that if we were represented in Congress that it would be of benefit to the country. But as to holding an election in the country, I do not believe that it is at all practicable. It would be almost impossible to get the scattered population centralized, and to send delegates to a convention would be an enormous expense. It is my opinion that the appointment of a Delegate would be just as satisfactory in the end as an election of such Delegate by the people.

## STATEMENT OF FRED T. MERRITT.

St. MICHAEL, ALASKA, *July 28, 1903.*

FRED T. MERRITT was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. You are commissioner for this precinct?—A. Yes, sir.

Q. What territory does it cover?—A. It runs up the coast from St. Michael about 150 miles, and down the coast to the lower mouth of the Yukon River, and follows the Yukon River up to the dividing line between the second and third judicial districts, which, by the route of the river steamers, is nearly 800 miles from St. Michael.

Q. How long have you held this position and where have you lived?—A. I have held it nearly three years, and live at St. Michael.

Q. You mentioned in conversation to-day the subject of schools and some of the difficulties that you have encountered regarding this subject. We would be glad to have you make a statement.—A. I suggested last summer to the Interior Department the advisability of having a teacher appointed for the public schools at St. Michael. It was the first teacher we ever had here.

Q. You had to apply to Washington?—A. Yes, sir. They appointed a teacher at a salary of \$100 per month, upon condition that the residents of St. Michael furnish a building. Major Wilson, post commander of the army here, provided a room in one of the army buildings, in which the school was conducted. The highest number of Indian children that attended was 32; the average was 20. The average number of white children and half-breed children was 14. The teacher had so much to do that he could not handle them all at one time. He found it necessary to divide the children, allowing the white and half-breed children to attend three hours in the forenoon and the Indians three hours in the afternoon. This spring Major Wilson and myself received a letter from the head of the department of education for Alaska—

Q. Who is that?—A. Dr. Sheldon Jackson.

(Continuing.) Saying that it would be necessary to reduce the salary of the teacher to \$80 per month or close up some of the schools on account of lack of funds. This salary is less than the wages of ordinary workingmen here, who receive \$60 per month and board, and board at a hotel costs \$60 per month here. I know of at least 50 pupils who will attend the school this next year, and probably the attendance will be considerably greater. I have made application as one of the trustees of the school for an additional teacher, but I understand the finances of the Bureau of Education are in such condition it will be impossible to get the other teacher. In my opinion sufficient funds should be provided for the establishment of a public school here with two or three teachers. A manual training school should also be established here for the Indians in connection with the public school. This is the center for a large Indian population, and would be an admirable location for such a school, especially as, being a commercial center, all Indians who had acquired a trade could find employment here. The native Indian scholars last year showed remarkable ability in their studies. They took great interest in the work, many of

them taking their books home at night. Many of them could not speak a word of English in November, but were able to read in the second reader in May. In my opinion the Government should do all that it can for the education of these Indians here, and especially to enable them to learn some mechanical trade and become self-supporting. But under the present law there is not sufficient funds to give us the kind of a school we ought to have.

#### ST. MICHAEL ISLAND A MILITARY RESERVATION.

By Senator NELSON:

Q. St. Michael being a military reservation can not become an organized town under the existing law?—A. No, sir.

Q. And is therefore unable to take advantage of the provisions of that law?—A. No, sir.

Q. And all persons who live here are mere tenants by sufferance?—A. Yes, sir.

Q. These two commercial companies and everybody else?—A. Yes, sir; they have no right to the land they occupy except by sufferance.

#### INSANITY PERSONS IN ALASKA.

By Senator DILLINGHAM:

Q. You also spoke of the insane. I would like to have you take that subject up.—A. Under the present law in Alaska, and the construction of the governor and the court placed thereon, no person can be held under a charge of insanity except under an order of the district court. Then a commission must be appointed to investigate the charge, and if the court finds upon the report of the commission that the party is insane, a certified copy of the evidence must be transmitted to the governor of the district at Juneau. He must approve the findings and send back an order to the marshal before the party adjudged insane can be taken out to the hospital for the insane of Alaska.

Q. And where is that?—A. It is at Steilacoom, Oreg. It is now impossible for any commissioner to even hold or order the arrest of any person charged with insanity, except that they are sometimes held under a charge of vagrancy. In such case, if he is held in winter by a commissioner away from the district court, he must either be sent, at great expense, over the ice to the district court for trial for insanity, or kept until the opening of navigation and then sent. By the time the district court could find him insane, and an order be received from the governor for his removal to the asylum, navigation might be closed again. This would certainly be true if a person was found insane during the summer season.

#### COMMISSIONERS SHOULD HAVE JURISDICTION OF INSANE.

It would seem to me that commissioners who have general probate jurisdiction, and have power to adjudge parties insane for the purpose of appointing a guardian for their property, should also have the power to commit them to the insane asylum direct. We have had a great many insane persons at St. Michael. Some were sailors, and we succeeded in getting them out on revenue cutters to Unalaska.

Others we have been compelled to hold under the charge of vagrancy or disorderly conduct until we could make some disposition of them. But we were compelled to hold them under some such charge, or not at all, and we did so simply because we had to protect the community. Some provision should at least be made to authorize commissioners to arrest and hold them on a charge of insanity until the district court can act.

Q. Do you think in any event that it should be referred to the governor?—A. I do not see any reason for it whatever. Under the present law, however, they will not receive insane persons at the asylum until the governor has passed upon the papers and issued an order to take them there. At present it takes three or four months and sometimes longer to get papers to the governor and back. The insane person during the meantime must be held here in jail or under special guard, and can not be sent to the asylum.

#### COMMISSIONERS.

Q. Have you any other suggestions to make?—A. I would like to make a suggestion with reference to commissioners. In my opinion, the present jurisdiction and idea of commissioners is very good, but it is difficult under present conditions to secure men with proper legal qualifications to hold these positions. Commissioners have probate jurisdiction, civil jurisdiction as justices of the peace up to \$1,000, criminal jurisdiction as justices of the peace over all misdemeanors, and act as committing magistrates in cases of felonies; they are coroners and recorders and act in other capacities. Such powers require men of legal training. In order to get men with such training to hold these places, they must be certain of reasonable compensation. Under the present system of fees, outside of a mining district, a commissioner can make little in the way of compensation. In a mining district a commissioner might make his full fees during a boom year, and the next year not make enough to pay his fuel bill. In St. Michael the fees of a commissioner would not pay rent, but by special authority from the Attorney-General I hold the office of deputy clerk of the district court also, and receive a salary as such.

Q. What salary do you get as deputy clerk?—A. \$2,500. This office is all right, but it is of other commissioners I speak. Passing through this district are millions of dollars worth of property and thousands of people, and there are hundreds of thousands of dollars worth of property here. But my district is so large that I can not from here give people and their property on the Yukon River the protection to which they are entitled, nor will the outside parts of my district support a commissioner from the fees. So that under present conditions it is practically impossible to give nearly half the Yukon River any protection of law. If provision were made for the appointment of commissioners and deputy marshals at a salary of say \$100 or \$125 per month with fees up to \$3,000, as at present—if they were certain of that salary and whatever fees they could earn up to a total of \$3,000 a year, good men could be secured and full protection be given to all people in these districts that will not otherwise support those officers. The only commissioner between St. Michael and the Alaska Peninsula is a man who lives in a little town on the Kuskokwim River. He has no jail nor deputy marshal. He has to appoint private persons to serve process

issued by him. During the last winter he held a party to the grand jury, charged with child stealing, and had to bring him 400 miles through the snow and over the mountains at his own expense and turn him over to the deputy marshal here and then go back again.

#### INSUFFICIENT COMPENSATION.

And he will be obliged to wait some time before he can be reimbursed for his expenses. He would be entitled to only his actual expenses, or mileage. His mileage would not pay for the dog feed, and the Department does not understand the great expense of traveling in this country in winter and is inclined to cut expense bills far below what it actually costs a person to make such a trip. So in any event the person who makes such a trip can get nothing for his time and hardship and is liable not to be able to get even what the trip necessarily cost him. Provision for a deputy marshal and a jail in such a territory would save this expense.

Q. Where is that commissioner's office located?—A. On the Kuskokwim River, about 250 miles from its mouth.

The other districts on the Seward Peninsula I do not know much about, but I would like to have it made possible to have more commissioners in the districts up the Yukon and on the Kuskokwim rivers.

#### OBJECTIONS TO ALL OF ST. MICHAELS ISLAND BEING A MILITARY RESERVATION.

Q. Does that complete the list of your suggestions?—A. I am very much interested in the matter of this military reservation. To my mind it is very important that some part of this reserve be thrown open to the public, so there can be competition on the lower Yukon and its tributaries. I think that the present conditions greatly retard the development of the lower Yukon. St. Michael is a port of entry, it has a post-office, a term of the United States district court is required to be held here once a year, and there is a court-house, jail, marshal's, and clerk's office here and a United States commissioner, and formerly there was a land office here. It has a summer population of from 500 to 1,000 white civilians, and a winter population of from 150 to 300 white civilians. And the business here would make this place a prosperous commercial town if people were allowed to live and do business here freely as in other places. It is the only place on this coast where freight and passengers can be transferred between the ocean and river steamers. It is, in fact, the key, and the only one, to the lower Yukon River and its tributaries. Being a military reservation, no person is permitted to live or do business here without permission from the War Department, and then he acquires no title to property here. He can not transfer the land he occupies, nor even his improvements, without permission from the War Department. I know of many persons who have tried for years to get such permission to do legitimate business here, but were unable to obtain it. The result is that the trade here and the transportation business on the lower Yukon is entirely controlled by the two commercial companies who have secured locations here.

#### LACK OF COMPETITION.

This lack of competition makes prices here from 25 to 50 per cent higher than at Nome, where it costs much more to land freight, and

the prices of merchandise and freight rates on the Yukon and its tributaries have been and still are out of all reason. Flour up the Kuskokwim River costs \$27 per 100 pounds, and other things in proportion, in spite of its easy access by water. This is because the Northern Commercial Company has entire control of transportation and business on that river. Their store there is called by all the miners the "Big Funnel," because, in order to live, the miners have to put into it everything they take out of the ground. Freight is only \$10 more from Seattle to points on the lower Yukon than from here, for the reason that at Seattle the company must compete with the White Pass Railroad, while from here there is no competition, both companies having agreed on rates. Independent traders must buy from one of these two companies here, and pay much more than they would elsewhere, and then pay the high freight rates, or if they buy elsewhere, still they must pay the companies the high freight rates, with lighterage, storage, etc., which brings prices to the miners so high as to drive many of them from the country. It is almost impossible for a prospector with small means to remain in the country, which has and always will greatly retard the development of the country. But with free competition on these great natural highways, the people in this country could afford to remain, and it would be rapidly opened up and developed. But this competition is not and never will be possible so long as both sides of this harbor remain a military reservation, giving the two companies who were here before the reservation was created an absolute monopoly of the port through which all Yukon traffic must pass.

Only two possible reasons are or can be given for retaining this large area at this point as a military reservation. One is to enable one of these companies to hold over a mile of water front here, most of which they could not hold under the general law. (The other company has no more land here than it could hold under the general law.) The other reason is to enable these two companies to control the trade and transportation of the Yukon. The military need and use only a small portion of this island, and no one except the two companies and one small store use any of the balance of the island nor any part of the mainland, which is 3½ miles across the bay, but within the reservation. If the companies need more land here than they could hold under the general law it would be proper, with their large plants and interests, for them to have all that is reasonable. But this could be easily done by retaining their plants within the reservation, opening the balance to the public. What I have said is not from any antagonism to the War Department or its officers, who are my friends, nor to these two companies, with whom I am also friendly, except so far as a desire to see free competition on the Yukon River is antagonistic to them. Every person on the Yukon and its tributaries feels the importance of the matters I have stated, and a great many of them have spoken to me about them. I sincerely hope, for the good of the people who are braving the rigors of this climate to open up and develop this vast and rich country, that this committee will do all in its power to have so much of this military reservation as is not needed for military purposes opened up for public use.

One other matter I wish to speak of is about Government aid for poor or frozen people here. Every winter many persons are frozen on the trail, and many have no means of providing medical treatment

for themselves or of getting out of the country. We have had some arrested for vagrancy and then cared for them as prisoners. We had to do this to save their lives. But the Government should give the marshal authority to go after such persons, where necessary, and to care for them. Where there are military posts it should be made the duty of the military authorities who have dog teams, men, hospitals, and surgeons to go after and care for persons who are destitute or sick or frozen on the trail and unable to care for themselves.

By Senator NELSON:

Q. Are there any mining camps in your district?—A. One at Bonanza Creek, in the northeastern part of my district.

Q. Coming to the matter of the insane. You, as commissioner, exercise the powers of a probate judge, and as such have power over estates of intestates, etc., and can appoint guardians for minors?—A. Yes, sir; and I appoint guardians over the property of insane persons.

Q. Don't you think it would be wise to give you, as commissioner, the same powers the probate judges have in the States over the insane—allow the probate judge to hold an inquest and call a doctor as a witness and pass upon the question of the man's sanity, and if he finds him insane commit him; the probate judge can also call a jury?—A. I think that certainly is what should be done.

Q. And if you and the doctor who examined him both certify—you certify as to the proceedings and the doctor certify his opinion as to the man's sanity—that would be sufficient?—A. Yes, sir; and there would be no danger of sending sane men to asylums.

Q. Would it not be advisable in localities where you have two doctors to use two doctors?—A. Yes, sir.

Q. But in all cases to have one doctor?—A. Yes, sir; that would be sufficient.

Q. As I understand you, you think that because of the great distances in Alaska, lack of communication, the requirement to wait until the governor passes upon the papers in insanity proceedings and the return of them, the present system is a failure?—A. Yes, sir.

Q. Do you think it would be advisable to give to the United States troops in Alaska here power to act as constables and arrest criminals, after the system of the Canadian Northwest police, and bring such criminals before the court commissioners?—A. That would be all right, Senator, except that the troops are located where there are commissioners already.

Q. Wouldn't it be well to scatter them?—A. Yes, sir; it would.

Q. You have now in Alaska a lot of telegraph stations in connection with the Government telegraph lines. Wouldn't it be well to use the men at those places?—A. Yes, sir.

#### CARE OF INDIANS BY GOVERNMENT.

Q. Does the Government do anything for the Indians of Alaska?—A. No; the Government does nothing directly for the Indians here; it has no general care of them.

Q. Nothing like the way they care for them in the States?—A. Nothing of that kind whatever.

Q. Wouldn't it be well to authorize the army here to help them in cases of distress?—A. Yes, sir.

Q. In connection with that, provide that no relief should be given to Indians unless they would first work, and allow them to work for the Government in opening up these military posts; and where the country was suitable, prepare meadows or chop wood for the army post—would it not be proper, in your opinion, to do that?—A. Yes, sir.

Q. Wouldn't that be the best way to help the Indians in case of distress?—A. That would be true, as far as this part of the country is concerned. In the north there are no army posts. In such places the deputy marshals or missionaries could be given food and clothing for distribution among needy Indians.

#### STATEMENT OF I. N. HIBBERD.

ST. MICHAEL, ALASKA, *July 28, 1903.*

I. N. HIBBERD, of St. Michael, Alaska, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. Please state in a general with what company you are connected and what your position is.—A. My position is superintendent of transportation for the Northern Commercial Company.

Q. And you have held that position how long?—A. Since the organization of the company. This is their third year. Previous to that time I held the same position for three years with the Alaska Exploration Company, which was one of the parent companies of the present corporation.

Q. And during all of this time you have made St. Michael the headquarters for your operations?—A. Yes, sir.

#### COMMERCIAL IMPORTANCE OF ST. MICHAEL HARBOR.

Q. Will you state in your own way what you deem the importance of St. Michael as a harbor?—A. St. Michael is the only harbor in the country tributary to the Yukon River, and all freight for the Yukon, Tanana, and Koyukuk rivers and their tributaries must be landed at St. Michael for transshipment to the river vessels for those points.

Q. Will you undertake to furnish the committee with a statement showing the amount of business done through this harbor by the different companies?—A. Yes, sir.

Q. That will include the Yukon River trade?—A. Yes, sir.

Q. What is the distance of St. Michael Harbor from the real mouth of the river—that is, the mouth of the north channel of the Yukon River?—A. 60 miles.

Q. Will you describe the nature of the water and the difficulties in transportation for river boats in getting to and from the river and St. Michael?—A. It is only by exercising the utmost care and often making it necessary to lose from one to ten days' time, during a season which consists of ninety days, that we are able to take river boats around to the mouth by way of Stevens Pass. In the year 1899 the *Louise* and three barges were washed ashore on the northeast part of the island through being caught at sea, and their decks washed off and the hold filled, making a property loss of \$200,000, without counting the cargo, which consisted of Government supplies bound up the river, which if

included would make the total loss between \$350,000 and \$400,000. Between that time and 1902 a number of vessels were damaged more or less; some of them had narrow escapes, but managed to get through safely. But in 1902 the *Isom* and her barges in attempting to make a trip between St. Michael and the Yukon got into trouble. One of the barges got adrift and went through Stevens Pass out into Bering Sea, finally being picked up by a tug and brought over from the *Isom* to Egg Island. The other barge drifted along the shore, and was finally picked up by the *Meteor* and towed into St. Michael. The third barge got to the mouth of the river but had most of her cargo destroyed, being damaged by sea water. The *Isom* was delayed that trip about ten days getting those other barges reloaded and loaded again.

Q. The dangerous point of these 60 miles is where located?—A. Between St. Michael and Stevens Pass, and then for about 10 miles the other side.

Q. Which side?—A. The south side, where it is exposed to the Bering Sea. Altogether there is a dangerous passage of about 25 miles.

#### CANAL EAST OF ST. MICHAEL.

Q. What is the name of the canal that is situated east of St. Michael?—A. It has no name. It is just known as the canal between St. Michael and the river.

Q. What is the length of this canal?—A. Twelve miles.

Q. If that could be used, what distance would be cut off from the regular course from the mouth of the river to St. Michael?—A. Fifteen miles.

Q. Would that relieve traffic of danger?—A. Absolutely.

Q. Would you explain how?—A. There is, of course, no danger in going through the canal, which is a narrow, deep channel; but at present it has a number of difficult curves, six of them being especially difficult to pass by with a steamer or barge. At one place out on the southern and west end of the canal you enter a channel that carries you right off Point Romanoff straight down to the mouth of the river. By taking a Government chart you will notice there are flats where the water is 4 or 5 feet deep outside of this channel, thus furnishing a perfect breakwater, as it is impossible for any sea to get up a swell in that depth of water. If this channel were improved sufficiently to allow steamers to pass through, there would be no danger whatever in making the mouth of the river in any kind of weather.

#### COST OF IMPROVING CANAL.

Q. What, in your opinion, would be the cost of improving this canal?—A. I think I would want to look into that a little carefully before estimating.

Q. In a relative sense, is it rock cutting?—A. Not a bit. It is smooth mud. I should say that \$50,000 would certainly be sufficient to take out some of the worst curves.

Q. And with that improvement, you think, as I understand you, that it would remove all danger both to life and property in bringing in river boats?—A. Absolutely. There would be no danger whatever. This very summer the *Isom* made three attempts to get to the mouth of the river, and laid here seven days before she could get out.

## BREAKWATER AT NORTH END OF WHALE ISLAND.

Q. Are there any other suggestions you want to make in connection with the harbor?—A. I should like to see a breakwater off the north-east end of the island of Whale Island.

Q. Tell us the advantage of that?—A. If it was taken off Whale Island, it would make a perfect harbor for vessels drawing from 20 to 21 feet. Most of the business is carried on by vessels drawing that amount of water, owing to the fact that if we use deep draft vessels we can't get to them.

Q. To make that clear, I understand that an average ocean vessel draws how much?—A. 20 feet.

Q. Average river boats draw how much?—A. Six feet is the maximum. If we had a breakwater it would mean that we could send our river vessels out to the ocean vessels and transfer freight there without transferring otherwise. Under present conditions it has to be brought ashore and rehandled.

Q. Do the mud banks of the canal wash to any extent?—A. No, sir; there is no current.

Q. That canal connects St. Michael Bay and Norton Sound?—A. Yes, sir.

Q. And that channel is already deep enough for any traffic?—A. Plenty deep enough. It is from 12 to 16 feet deep. All that it needs is cutting of these corners. At either end there are mud flats. You can enter at either end at half tide.

Q. Is there anything else you would like to state?—A. Nothing further regarding the harbor that I now think of.

## STATEMENT OF J. W. LYSONS.

ST. MICHAEL, ALASKA, *July 28, 1903.*

J. W. LYSONS, of St. Michael, Alaska, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. What is your full name, Mr. Lysons?—A. J. W. Lysons.

Q. What office do you hold here?—A. I am deputy collector of customs at St. Michael.

## POPULATION OF ST. MICHAEL.

Q. I wish you would tell us about what is the summer population of St. Michael.—A. During the two summers that I have been here it has been about 1,000.

Q. What is the winter population of St. Michael?—A. I have not spent any winters here, but I think the population here in the winter time is about 150.

Q. What is the winter population made up of?—A. It is made up of the company employees who are left here in charge of the offices, the Federal officials and the army officials. That would not include the enlisted men in the Army here.

Q. And of those there is one company?—A. Yes, sir.

Q. I understand that St. Michael is a military reservation?—A. Yes, sir.

Q. How far does the military reservation extend?—A. It includes the entire island of St. Michael.

Q. Under whose authority is all this territory?—A. I should say that it is under the authority of the commander of the army post.

#### RESHIPMENT OF OCEAN FREIGHT FOR YUKON RIVER.

Q. Freights coming by steamers from the United States must be transhipped if sent into the interior through the Yukon River?—A. Yes, sir.

Q. And this is the only port at which such transshipment can be made from deep-sea vessels to shallow-river steamers—this is the only port at which such transshipment can be made?—A. Yes, sir; this is the only port for the Yukon River.

Q. And freights on all Yukon River steamers must be brought here to be transhipped to outside points?—A. Yes, sir; all freight coming down the Yukon River is transhipped here.

Q. So that makes St. Michael an important point for all Yukon freight traffic?—A. Yes, sir; it is the only point.

Q. How much of St. Michael Island is within the military reservation?—A. All the island is within the military reservation.

Q. So that no individual or company or corporation can come here to do business without permission of the military authorities?—A. No, sir; they must have permission from the military authorities.

Q. And then they can get no title to the land, simply the authority to erect buildings?—A. Yes, sir; they come on the island on a permit, which is revocable at any time by the commanding officer. Both sides of the harbor are within the reservation—both on the mainland and on the island.

Q. Do you know whether the companies located on the island and doing business here are here other than by the authority of the military department?—A. It is my understanding that they are here with the permission of the department.

#### STATEMENT OF CAPT. P. C. RICKMERS.

ST. MICHAEL, ALASKA, *July 28, 1903.*

P. C. RICKMERS was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. You are an employee of the Northern Commercial Company?—A. Yes, sir; captain of the steamship *Sadie*.

Q. Over what route does that ship go?—A. It runs from St. Michael to Kotzebue Sound and all way ports.

Q. How long have you been running that boat?—A. I have been running it for two years.

Q. You have come in contact with the Eskimo Indians all along the coast?—A. Yes, sir.

Q. And have had dealings with them?—A. Yes, sir.

#### CONDITION OF ESKIMOS.

Q. Won't you state, in your own way, their general condition, as you have observed it?—A. They are very poor, especially in the

north. They have no way of caring for themselves when they get sick, and they are very liable to sickness. I carry a medicine box along on all trips, and have often had to administer to them. They suffer from a fish disease which looks like leprosy.

Q. What is that the result of?—A. Eating too much fish. They have nothing else to eat; and this disease is caused from the continual eating of fish, with no change of a different kind of food.

Q. You say that they are poverty stricken?—A. Yes, sir; they are very poor, especially around Shishmaref and Cape Espenberg.

Q. Can you give any reason for their extreme poverty?—A. Their only means of living is by the seal and walrus. Under the game law they are permitted to take the walrus only for two months of the year. But they don't have the walrus then. When they are present they can't take them because the law stops it.

Q. Do I understand you as saying that they are dependent upon the seal and walrus, and there are only two months of open season for taking walrus, and during those two months there are no walrus? A. Yes, sir. During the open season, when the law allows the walrus to be taken, they are not present. They follow the ice where they can't be reached at that time.

Q. That is under the game law?—A. Yes, sir.

#### GAME LAW SHOULD NOT APPLY TO ESKIMOS.

Q. What do you suggest as to that by way of a remedy?—A. The game law should not apply to the Eskimos. They will not kill enough walrus to exterminate them. They make their boats from the walrus and get their food from them.

Q. And you think that the law should permit them to take the walrus at any time and that no harm would come by reason of it?—A. Yes, sir; that is what I think.

The natives on Kotzebue Sound have nothing whatever now except salmon. That is their only means of living. The same thing is true of the white men.

Q. Why is that?—A. Because there are no stores up there. The last time I was up there the natives came along the sides of the ship with hundreds of black bearskins, but we were unable to give them flour and provisions for them because there is a penalty of \$200 under the game law. That is a hardship to them.

Q. Do you know of any reason why the bear should be protected?—A. No, sir.

Senator NELSON. There are no mountain sheep up there for the bear to kill?—A. No, sir. They can't sell the bearskin outside of the two months. They must dispose of their skins during that time or else they are useless to them.

Q. If they had the right to kill the bear at any time, the sale of the skins would enable them to buy flour and other articles of food which, I understand, they are in need of?—A. Yes, sir.

Q. Are not the Eskimos dying off very rapidly on account of poverty and disease and lack of proper food?—A. Yes, sir; dying off very rapidly.

#### ESKIMOS SUFFER FOR WANT OF FOOD.

Q. And they suffer from lack of food?—A. Yes, sir; they asked me a week ago, when I was up there, for biscuit.

Q. And they had furs to give you for flour, but you did not dare to give it to them for their furs on account of the game law?—A. Yes, sir.

Senator PATTERSON. Captain, is it not a fact that the Eskimos are a people generous to a fault, and that they give the white men anything they ask for, and that the white men have taken advantage of that to rob them and then leave the Eskimos in their present deplorable condition along the coast?—A. Yes, sir; that is true.

Q. Is there any remedy that you know of, or is there any available plan by which the Government could supply the Eskimos with food and get any kind of return from it?—A. Yes, sir; if they established two or three stores along the coast it would settle the question.

#### INDIANS ON RESERVATION.

Q. Some one has suggested that they should be placed on a reservation and the Indians gathered together.—A. Yes, sir; but they would not stay in the same place. They are always traveling around.

Q. Is there anyway by which you can clearly discriminate between the Indian and the Eskimo?—A. No, sir.

Senator NELSON. At what places do you touch on Kotzebue Sound?—A. At Deering, which is at the mouth of the Inmachuk River.

Q. What is the next place?—A. Keewalik, which is at the mouth of the Keewalik River.

Q. Where is the next?—A. At Point Blossom, which is on the north side.

#### LIGHT-HOUSES ON WESTERN COAST.

Q. Tell what, in your opinion, is the necessity for lights and buoys and beacons along the western coast of Alaska?—A. There is one light-house in Unimak Pass and another there in the course of construction. There are no other light-houses or beacons on the western coast.

Q. Unimak Pass is in the vicinity of Dutch Harbor?—A. Yes, sir.

Q. How much water does your ship draw?—A. Six feet.

Q. Are there any harbors along this coast?—A. Golofnin Bay; I can go in 15 miles. At these other points there are no harbors. Nome is an open beach. Teller has a fine harbor. There are no harbors on the south side of Kotzebue Sound.

Q. At what points do you suggest lights?—A. At the north of Unimak Pass. There ought to be a light at Univak; that is about half-way between Nome and Dutch Harbor. It is on the line of all ocean steamers.

Q. Do they pass to the west or east of it?—A. To the west of it. Going from there up the coast there ought to be one on the east coast of St. Lawrence Island. It is on the line of ocean steamers. We pass about ten miles off. We pass on the east side of it. Then on Sledge Island there should be a light. It is south and west of Nome.

Q. They are on the route to Nome. But going north on the route you mentioned, where would you suggest lights?—A. If there was a light at Kings Island, that would cover the whole Bering Sea; that would be sufficient.

Q. There are four lights, then, that you would suggest for the coast?—A. Yes, sir.

Q. Is there any difficulty in constructing light-houses at those points?—A. No, sir; they are all rocky islands with good foundations,

and 600 and 700 feet high, and would have ample room for light-houses and light-house keepers.

Q. How often do you make trips to the north from here?—A. I make three trips a month. I make about nine trips a season. The last one is in October.

Q. Coming to the mouth of the Yukon, don't you think there ought to be light-houses there?—A. The mouth of the river ought to have buoys. If there were buoys at the south mouth of the river it would have a fixity. There ought to be a light-house on Point Romanoff, after you get out from the Yukon. Then there should be one at the north end of St. Michael Island, at Point Stebbins.

#### HOSPITAL FOR SAILORS.

Q. Is there here in Alaska any place to take care of sick sailors?—A. Yes, sir. There is a marine hospital at Nome.

Q. How long has it been there?—A. About two weeks.

Q. Should there not be one at Dutch Harbor?—A. Yes, sir; as well as at Nome, because it is a naval coaling station.

Q. Do you think there ought to be any below there?—A. There is no other place except Sitka and Juneau where medical assistance can always be had.

Q. Is there anything else you desire to state?—A. There is no law protecting ships against stowaways. If we find them on board we have to take them along and land them. Only recently the captain of the *Ohio* had 23 stowaways on board from Seattle to Nome. Rather than permit them to have the privilege of that passage he brought them back to Seattle from Nome—did not permit them to land at Nome. He had to pay \$100 fine for depriving them of their liberty. He thought he was doing right, but this fine was levied against him because he refused to allow them go ashore at Nome.

There is one more thing I want to say. The latest chart between Cape Prince of Wales to Point Barrow is the British chart of 1826.

#### STATEMENT OF JUDGE C. S. HANNUM, OF NOME, ALASKA, ON PRESENTATION OF RESOLUTIONS ADOPTED BY THE CITIZENS OF NOME AND VICINITY. (See resolutions, page 160.)

NOME, ALASKA, *July 30, 1903.*

HONORABLE SENATORS AND GENTLEMEN: When the news was proclaimed in northwestern Alaska that a Senatorial committee was to visit us it created great rejoicing, and everyone was made glad, because it was believed that the Senators composing that committee were coming to Alaska for the purpose of learning of its resources, its possibilities, and its people and report the result of their investigation to the American Congress, so as to enable it to enact laws beneficial for this district and its people.

Since you embarked upon your tour of investigation at Seattle, you have traveled a greater distance to reach Nome than it required to cross the continent from the national capital to the city of Seattle. Your route through southeastern Alaska from the time you entered its borders until you arrived at Skagway was over the most picturesque inland passage on the face of the earth, over which thousands of tourists delight to travel every year. As you passed along that scenic

waterway and viewed the imposing scenery, you also observed thriving towns and settlements peopled by American trail blazers, laying the foundation for great States; you saw in operation the greatest stamp mill in the world, the machinery of which does not stop from one year's end to another, except for two days in each year. One of those days is devoted to Christmas festivities, and the other to celebrate the anniversary of our national independence. From Skagway you traveled by rail over White Pass, made famous by the great rush to Dawson in 1897, to the headwaters of the Yukon, thence down that great waterway over 2,000 miles and again reached the seaboard at the mouth of that river in northwestern Alaska, and thence to Nome, the youngest but largest city in Alaska, where you have been received in a manner characteristic of our citizens' hospitality.

But, Senators, we Alaskans realize that when you shall have completed your journey as now contemplated, going from here to Dutch Harbor and thence along the southern coast of Alaska and crossing the North Pacific Ocean, now known as the Gulf of Alaska, to historic Sitka and thence to Juneau, you will have seen but a small portion of that vast territory purchased by William H. Seward and named by Charles Sumner, and that it will be impossible for you in the limited time you will have to devote to Alaska to acquire a personal knowledge of her many resources and magnificent possibilities, and learn of her many needs for her development and the prosperity of her people; and feeling that you will welcome an expression of the people relating to legislative needs in aid of the development of this great territory and the welfare and prosperity of its inhabitants, the citizens of Alaska residing at and in the vicinity of Nome selected a large committee representing the city council of Nome, the commercial and shipping interests, the miner and the mine owner, the railroads and the bankers, the professional and business men generally, and the Arctic Brotherhood, an Alaskan order; to prepare a number of resolutions and suggestions to be presented to you for consideration, embodying the requests and recommendations of our citizens for legislation in the interest of this district.

A number of resolutions and suggestions were prepared by a subcommittee appointed for that purpose, which were submitted to the general committee, composed of more than sixty persons, at a special meeting called for the purpose of considering those resolutions and suggestions, at which meeting each resolution and suggestion was separately read and discussed, and those that were approved by the committee of the whole will be presented to you later; therefore it will not be necessary for me to take the time to read them, and I will only refer to them briefly. We are confident that you will receive them for the purposes for which they are offered, and we feel assured that when they are considered by you in connection with the knowledge you will have acquired of Alaska, that you can not escape the conclusion that every request contained therein is founded upon right and justice and should be granted at the earliest period possible.

#### TERRITORIAL GOVERNMENT.

The first resolution read and discussed by the general committee recommended a Territorial form of government for Alaska, and after a full discussion the resolution was adopted. In support of this rec-

ommendation we wish to direct your attention to the fact that it has been the policy of the United States Government to organize Territories soon after permanent white settlements are made in any of the unorganized districts. The first permanent settlements of whites were made in Dakota in 1859, and the Territory was organized in 1861. Permanent white settlements were made in Alaska as early as in 1872, since which time its population has been steadily, but not rapidly, increasing. Many of the earlier settlements have grown into thriving towns, which have become the distributing centers for many new towns and settlements, and these in their turn will soon become centers for other settlements and mining camps. The Territory of Minnesota was organized in 1849, and at that time embraced the Dakotas; in 1858 Minnesota was admitted to statehood. When the Territory of Dakota was organized in 1861 it included Montana and Wyoming, since which time four great States have been formed and admitted into the Union from that Territory. The great State of Colorado was organized as a Territory in 1861, with a population of only 6,000 people—about one-tenth of the white population of Alaska—and fifteen years later was admitted into the sisterhood of States. The great Territory of Oregon was organized in 1848; eleven years later she was admitted to statehood, since which time Idaho and Washington have passed from the Territorial period to Statehood, and were formed from the original Oregon Territory. And we believe that if Alaska is organized as a Territory, in the same period of time two or three great States will be formed from her territory.

The committee also beg to direct your attention to the fact that the white population of Alaska is permanent, and composed of American citizens who are loyal to the Government and are anxious to be brought under the Constitution of the United States. They possess American pluck and energy and being imbued with the spirit of enterprise, have migrated to Alaska to discover and develop its vast resources, build homes, rear and educate their children, and lay the foundation of self-government. You have been among our people and you have observed that they are intelligent, active, industrious, and law-abiding, and capable of self-government; that they believe in Alaska, and are day by day demonstrating to the world that she possesses immeasurable wealth in gold, copper, tin, iron, coal, oil, and granite; you have seen and learned since coming here that she has magnificent agricultural possibilities, and before you have finished your journey you will conclude that her fisheries can supply the markets of the Western Hemisphere. These brave, active people who, by their energy and perseverance, have uncovered and brought to light this hidden wealth and proven the wisdom of those statesmen who favored the purchase of Alaska now ask at the hands of the American Congress the right to govern themselves.

#### TWO JUDGES FOR SECOND JUDICIAL DISTRICT.

Second. We recommend that the second judicial division of Alaska be given two judges. We ask this because the volume of business before this court is too great for any one judge to dispose of. The conditions of this section of Alaska are such that it is impossible to expedite the business before the court with only one judge. You have learned that we are isolated and can not communicate with the outside world for nearly eight months each year; that there is a great influx

of people into this part of Alaska every spring, many of whom depart in the fall, and with them come the criminal classes. It is during this season of the year—the season of open navigation—that the greatest amount of crime is committed, owing to the criminal classes that come here at that time. The criminal business consumes a large portion of the time of the court during this season, and this can not be avoided, for the reason that all persons convicted of crime who are sentenced to imprisonment at McNeills Island—the Government prison—can only be taken out during the time Bering Sea is open for navigation. The result is that the trial of causes involving valuable mining claims, as well as important admiralty causes and other equity cases, are necessarily postponed, to be tried at a season of the year when it is very difficult, and in many instances impossible, to secure the attendance of witnesses, thus causing great inconvenience and expense to litigants. Many of these litigants are compelled to leave here in October, before the close of navigation, and can not return on account of the closed sea until the following spring. All appeals taken from the decisions of this court, in either criminal or civil cases, rendered in the latter part of the season, can not be perfected until the following year, as our appellate court is the ninth circuit court of appeals and sits in San Francisco, and it is impossible to have transcripts of the record prepared and sent to the clerk of that court to be printed and returned and briefs prepared and filed before navigation closes. If we had two judges who would sit here during the entire summer season the business before the court would be expedited, titles to valuable mining claims would be speedily settled, and the development of the country enhanced.

Senators, we urge this as one of the most important measures to be enacted at the earliest possible date.

#### LAND OFFICE AT NOME.

Third. The next suggestion that the committee has to offer relates to the immediate establishment of a land office at Nome.

You will appreciate that with the land office situated at Juneau, as it now is, any person desiring to secure a patent to a mining claim who elects to publish the notice of application for patent just previous to or after the close of navigation renders it impossible for adverse claimants to prepare and file their protests within sixty days. That being the time required within which protests must be filed under the rules of the Department and the Revised Statutes of the United States, it will be readily observed how a mineral claimant with an inferior title can obtain a great advantage over a person holding the superior title. Our courts have been compelled to resort to the extraordinary remedy of enjoining the publication of notices of application for patent to mineral lands where the applicant has attempted publication of his notice at a time when it would be impossible to file a protest within the time required. Our courts have done this in order to prevent frauds upon the Government, as well as to the adverse claimant. This proceeding, however, is regarded both by the courts and lawyers as very questionable, but the conditions rendered it almost imperative.

#### IMPROVEMENT OF SNAKE RIVER AT NOME.

Fourth. The committee beg to direct your attention to the pressing necessity of improving Snake River for harbor purposes for small

vessels, tugboats, and lighters, as well as to provide a safe harbor in which passengers can be landed. You have observed that Nome lies upon an open roadstead and that all deep-sea vessels entering and departing from here are required to take on board and discharge their passengers and cargo through the surf by means of lighters, barges, and tugboats; that when storms prevail, as you have seen to-day, it is impossible to discharge passengers or cargo under the present conditions during heavy storms, and the one you have witnessed to-day is but an infant in comparison to those you would see if you were to remain with us a few weeks more. We have seen old ocean rolling up waves upon waves until they washed over the walks of Front street and threatened to undermine all of the large business houses on the south side of the street; during these storms small coastwise vessels, barges, and lighters, unable to put to sea for safety, are often driven ashore, breaking away from their anchors, and many wrecks occur each year. A moderate appropriation properly expended at the mouth of Snake River would render it a safe harbor for all small vessels, barges, and lighters, and a safe and convenient landing place for passengers. Had such a harbor been constructed before you arrived you would have escaped many misgivings about being safely landed on shore, as well as the drenching you received from the surf.

#### REPEAL OF TAX LAW ON BUSINESS.

Fifth. The next suggestion to which the committee invite the attention of Congress is the repeal of the tax law on business conducted and carried on in the district of Alaska. Our citizens feel that they have a right to complain about this license tax on business; that it is oppressive and burdensome, and that Congress should immediately repeal the same. We are unable to understand why the people of this northland should be taxed and the money received for the taxes paid covered into the Treasury of the United States, except those taxes collected within the limits of incorporated towns; the greater number of people in Alaska reside outside of these incorporated towns, and the fact that the moneys collected in these towns are turned over to the town authorities to spend appears to us to be a double injustice upon those who reside outside of the limits of one of these municipal incorporations, and it must be borne in mind that it is inhabitants who live in the mining settlements that are the producers of wealth, and they are the ones that are day by day bringing to light the hidden resources and making Alaska the Mecca for thousands of people who desire to improve their financial condition. The people of Alaska are like those fearless, brave, and courageous sons of toil who left the security of the home fireside in the far East and migrated to the West and caused that vast territory lying on both sides of the Rocky Mountains to bountifully respond to their husbandry, and also delved into the hidden recesses of that vast mountain region and caused the mountains to give forth their hidden treasure. Our people possess that spirit which has kept the star of empire moving westward, and they are following the receding glaciers across the Arctic Circle and reclaiming this far northland, and are adding untold wealth and increased commercial importance to the United States. Taking into consideration the hardships they endure and the obstacles that have to be overcome, we ask the question, "Why should they be taxed?" and the money covered into an overflowing Treasury of a great nation like ours.

Senators, you rode to-day over a narrow-gauge railroad that has been constructed by some of our enterprising citizens on the marshy tundra for the purpose of transporting miners and mining supplies from the seaboard to the mines lying north of Nome, and as you traveled over that line could you see any good reason why the Government of the United States should tax that little railroad—which can not be operated but five months in the year, during the period of open navigation—\$100 per mile each year? Small as that road is, it is a blessing to our people, and, being a blessing to the people, it should not be taxed. Railroad building in this country should be encouraged and aided by the Government to some extent, the same as the Government aided the first roads built that tapped the great agricultural and mineral belt of the West. They are now building a standard-gauge road from the mouth of Solomon River over the divide into Council City, an inland town and a great mining center. The distance is 50 miles, and under the present rate of taxation that road will have to contribute to the United States Government the sum of \$5,000 annually for the privilege of running over a barren waste. The bankers of Alaska have to contribute \$250 annually to the United States for the privilege of buying the miner's gold dust and giving him in return therefor the money of our country. When some enterprising man constructs a dock on any of the waterways of this district to facilitate the landing of cargoes from the ships that come here, some one has to pay the Government 10 cents per ton for every ton of freight that passes over that dock. Whenever some enterprising citizen engages in any mercantile business out in some of the mining settlements to supply the miners with food and clothing, and after he has hauled his stock in trade over a trackless country, or packed it there with pack animals, before he can do business he must obtain a license and contribute his share to the Government. When some one goes away out into the mountains 50, 75, and in many instances 100 miles away from any settlement, and builds what we call a road house to furnish shelter and food for the hardy prospector, he too is required to contribute to the National Government for the privileges he enjoys in this far northland. But who in the end pays all of these taxes? It is not the merchant, the banker, the railroad owner, nor the shipper; it is the prospector and miner who pays it all in added cost for supplies and transportation. We, therefore, ask Congress to relieve him at once by repealing this license tax law.

#### IMPROVED WINTER MAIL SERVICE DESIRED.

Sixth. The next suggestion we ask you to consider relates to an improved winter mail service for Nome. Our winter mail comes by the way of Skagway, a distance of more than 2,000 miles, and it is hauled over this distance by dog teams and sleds, on a schedule of sixty days' time. Owing to frequent storms it is impossible for the mail carriers to deliver this mail on time, and if they succeed in bringing it through in seventy days they are doing exceedingly well.

It will be seen that it requires more than four months for residents here to receive an answer to any winter communication by the present mail route. We believe that this condition as to time can be materially shortened by bringing the mail by the way of Illiamna Bay, an all Alaskan route. There are responsible men here who are

familiar with this route who are willing, under heavy bonds, to undertake to bring the mail from the seaboard to Nome from that point in thirty-five days with dog teams. We respectfully urge that this matter be brought to the attention of the Post-Office Department.

And in this connection it has been suggested that Congress appropriate sufficient funds to construct an ice boat to run from Dutch Harbor to Nome and other points on this coast during the winter months, or grant such subsidies as will enable private enterprise to undertake the construction and operation of an ice boat between those points. Experienced navigators will tell you that it is practicable to navigate Bering Sea at all seasons of the year, with the possible exception of the month of May, during which time the ice breaks from the shore and is carried by the currents through the Straits into the Arctic Ocean. Other countries less wealthy and progressive than ours have aided in installing an ice boat service in aid of commerce. We believe that this suggestion is worthy of careful consideration.

#### COMPLETION OF TELEGRAPH LINE.

Seventh. In view of our limited mail service, both in summer and winter, we urge the completion of a telegraph line to Nome. During the season of open navigation it requires at least twenty days to receive an answer to a communication by mail between Nome and Seattle, and having called your attention to the time that it takes in the winter season, the urgent necessity of a telegraph line is apparent.

How many of the Senatorial party would like to be able to touch the wire to-night and find out how matters stand on the outside, with family and friends, and how much more would you appreciate the value of a line if you were required to remain with us all winter? We Alaskans, who remain here during the entire year, who are here when the rays of the midnight sun in summer kiss the mountain tops, and are here when the long nights of winter spread their dark pall over all, can and do enjoy the comforts and conveniences of life the same as our kindred who live in the shadow of the Dome of our national Capitol.

#### NEW COURT-HOUSE FOR NOME.

Eighth. All of you gentlemen have been at the court-house, and some of you have been at the commissioner's office; but I am informed that all of you have so far escaped the jail, and in visiting these places you have observed that both court-house and commissioner's office are without fireproof vaults, and the valuable records of this judicial district are without any protection against loss by fire. Twice since May 25, 1901, these records have been in great danger of being destroyed by fire; in both instances the Golden Gate Hotel was destroyed, and other large buildings in close proximity to these public buildings. The suggestions of the committee in respect to this matter set forth at length the urgent necessity for a new court-house, so I will pass this recommendation without further comment.

#### ROADS AND TRAILS.

Ninth. The people of northwestern Alaska desire to press upon Congress the urgent necessity of making a liberal appropriation to be

expended in building roads, trails, and bridges from seaboard towns to the mining camps and settlements in the interior that are not reached by river boats. With good roads the cost of transporting mining supplies would be reduced at least 60 per cent. Permit me to call your attention to a few facts relating to the cost of taking supplies to the mining camps in the vicinity of Nome. It is 60 miles to Iron Creek, where there are active mining operations going on, and it costs \$200 per ton to haul supplies to this point under the present conditions. One pair of horses can haul about 1,200 pounds at a load, and it takes six days to make the round trip. With good roads the same team could haul 3,000 pounds and make the round trip in four days. If you had the time to go around to Kotzebue Sound and then up the Inmachuk River you would find at least 1,000 men at work in the placer mines on that river and its tributaries. These mines are about 30 miles from the coast, and it costs 17 cents a pound to take the supplies to those mines. I can multiply these instances, but those cited will suffice to illustrate the benefits that would be derived from good roads to the miners. But this is not all; good roads, well marked with guide boards, would be the means of saving many lives during the winter months. When storms prevail it is hazardous to the lives of the persons who are compelled to travel or who are caught in one of these storms; and among these persons are public officials who are required to make frequent trips during the winter months in the discharge of their duties, and the life of the mail carrier is in constant peril.

#### LIFE-SAVING STATION.

Tenth. Senators, if you had been down at the beach, abreast of the open square, at 6.30 o'clock this evening, you would have witnessed a scene there that would have appealed to you much more strongly than any words of mine. You would have seen a boat containing two faithful employees upset by the angry billows, and your hearts would have been touched with pity, and the deepest sympathy would have gone out to those unfortunate men as you saw their boat swept from their grasp by the power of the waves, leaving them helpless and to their one fate—death. There could have been but one result if it had not been for the heroic efforts of three brave, courageous, determined men who, at the peril of their own lives, manned a boat and put out into the raging sea to rescue those men; and you must have heard the cheers of the assembled people as they shouted encouragement to those brave men who were willing to risk their own lives to save a fellow man. As a result of their heroic efforts both men were saved. Occurrences of this kind have been frequent along this coast since Nome was settled, and many persons have been saved from a watery grave by just such heroic efforts. Since 1899 about 50 persons have been drowned in this vicinity, most of whom could have been saved if Nome had been furnished with a thoroughly equipped life-saving station.

Last year a life-saving equipment was brought here, and an appropriation of \$500 secured to erect a building. This sum proved insufficient to construct the small building you saw down in the open square, and the city council donated the sum of \$200 to finish the same. An attempt was made to secure a volunteer crew to man the equipment, but it proved a failure, owing to the fact that competent

men could not be secured who were able to devote the necessary time to drill and stand by during a storm, which usually continues for three or more days. We are all of us proud of the splendid and elaborate life-saving service established in the United States, and it is gratifying indeed to read of the grand results accomplished. In view of the commercial importance of this section of Alaska and the extensive shipping interests, and, above all of this, the danger to the lives of the thousands of people that arrive at and depart from Nome every year, we desire to impress upon you the imperative necessity of establishing a permanent life-saving station at Nome during the season of navigation.

#### DEPLORABLE CONDITION OF ESKIMOS.

There is another very important matter which the white people of this section of Alaska desire to press upon your attention, and ask you to give it immediate consideration. It is a grave and serious question to our people, and its importance will at once appeal to you, and the necessity of relieving our people from the constantly increasing burden will be apparent. I refer to the present deplorable condition of the native Eskimo of northwestern Alaska. They are without homes or means of support, and a large per cent of them are unable, owing to the ravages of the disease that prevails among them, to provide sustenance for themselves.

They have always shared their miserable abode and scanty food with any unfortunate prospector who has been overtaken by storm and has sought shelter with them, and they in turn expect aid and assistance in their distress. They assemble in the towns and settlements, and their wretched and starving condition has appealed to our charitably disposed citizens, who have aided them from year to year. They inform others of their number who likewise seek aid and assistance at the hands of our people, and in this manner the burden has been augmented until it has become burdensome and too great for our people to carry any longer. Our hospitals have been crowded with their sick, and our physicians and surgeons have been called upon daily to attend to their sufferings. As a race they are fast dying out in Alaska. They have become diseased by association with the despicable wretches of all nationalities and color who come into these northern waters on the whalers, and being ignorant of any means to relieve themselves of the affliction, the disease has spread, and hundreds of them are in a pitiable condition; and the sins of the parents have been visited upon the children to an alarming extent. These unfortunate beings assemble in large numbers in our towns and settlements, and coming in contact with the white people endanger their health.

These people, like the Indians of the plains, are wards of the Government, and we entreat Congress to provide for their support and maintenance under the supervision of established agencies.

Senators, you have listened patiently to the suggestions of our citizens, as set forth in these resolutions, and have also given your undivided attention to the suggestions of the individuals who have had the honor of meeting you during this visit, and I assure you that our people are profoundly grateful for the interest that you have taken and expressed in the interest of this Territory. We believe that your visit will be fruitful of great results favorable to the development of Alaska and the prosperity of its people. We appreciate that our requests are

numerous, but we insist that they are not unreasonable, and therefore should be granted. We regard you as the friends of Alaska, not alone because you have manifested such a deep interest in all things that pertain to her welfare, but because you have been among her people; you have seen and appreciate her magnificent possibilities; you have viewed some of her grand and sublime scenery; but the most majestic and gorgeous are yet in store for you. We wish you a safe and pleasant journey home, and hope that when you arrive at a place where you can communicate with the loved ones, that you will find that they are all well and happy, and we believe that when you have arrived at the home fireside it will be somewhat difficult for you to dispel the idea that you have been traveling with dog teams over perpetual ice and snow.

#### RESOLUTIONS ADOPTED BY THE CITIZENS OF NOME.

**GENTLEMEN OF THE SENATORIAL COMMITTEE:** The citizens of the United States residing at and in the vicinity of Nome, northwestern Alaska, represented on this occasion by their chosen committees, beg leave to submit for your consideration the following suggestions relating to the welfare of this Territory, and to urge you to present the same to Congress by appropriate bills, to the end that laws may be enacted in aid of the growth and development of this district and the welfare and prosperity of its people.

#### TERRITORIAL GOVERNMENT FOR ALASKA.

We realize that Congress has the power to expand the United States by the acquisition of territory, but we contend that it is repugnant to the principles on which our Government rests, and upon which it continues to exist, that the acquired territory should be held and governed by Congress with absolute authority beyond a time when the population and development of the acquired territory will justify self-government, restricted only by the powers delegated to the General Government by the Constitution.

And we respectfully direct your attention to the fact that the settlers of this district are loyal citizens of the United States, supporters of its Constitution and laws, and favorable to its form of government, who, being imbued with the spirit of enterprise and progress, migrated to this district to discover and develop its resources, build homes, rear families, and lay the foundation of self-government.

We believe that the natural resources of Alaska will be more rapidly developed and the general welfare of the people promoted if the laws for the government of Alaska are made by representatives chosen by its citizens from among their number, thus bringing the law-making power into unison with the governed and securing to the people of Alaska all the privileges and immunities enjoyed by citizens throughout the United States under the Constitution, to the end that this Territory may speedily become a constituent part of the United States, possessing sovereign power, with the right to be represented in the National Legislature and participate in the government of the United States; and realizing that the great fundamental principles of our Government have long since been settled, and that the organization of a Territorial form of government is the initiatory step to the establishment of a State government: Therefore, be it

*Resolved,* That Congress, by appropriate legislation, delegate to the citizens of the United States residing in Alaska the right to govern themselves, and with this object in view, we respectfully urge that a Territorial form of government be established in Alaska at the earliest period possible.

#### TWO JUDGES FOR SECOND JUDICIAL DIVISION.

We respectfully submit for the consideration of Congress the urgent necessity of providing two district judges for the second judicial division of Alaska.

The volume of business before the court is by far too large for one judge, and owing to the fact that persons convicted of crime, who are sentenced to imprisonment at

McNeil's Island, can only be taken there during the time Bering Sea is open for navigation, the criminal business before the court has precedence and consumes a large part of the time of the court during that period; and it is during this period that the greater number of crimes are committed, owing to the influx of the criminal class which comes to Nome at the opening of navigation and depart, if possible, before it closes. The trial of important civil cases, involving the title to the rights of possession of valuable mining claims, as well as admiralty causes, are thus necessarily postponed, to be tried at a season of the year when it is very difficult, and in many instances impossible, to secure the attendance of witnesses; also causing great inconvenience and large expense to litigants, many of whom are compelled to leave Nome on the last sailings, in October, to attend to their business on the outside, who can not return on account of the closed sea until the following spring.

All appeals taken in causes tried at or near the end of the open season can not be perfected until the following year owing to the impossibility of sending the transcripts of the record to the appellate court during the closed season and procuring the same to be printed and returned and briefs prepared and filed.

With two judges, holding court during the entire open season, the administration of justice would be materially expedited, adverse claims to valuable mining property speedily determined, thus removing serious obstacles to the development of our mineral resources, settling titles, and encouraging the investment of capital.

#### LAND OFFICE AT NOME.

We urge the immediate necessity of a land office at Nome in order to prevent fraud upon the Government and claimants to mineral lands.

With the present land office at Juneau it is impossible for adverse claimants to mineral lands to prepare and file their protest to applications for patent within sixty days, that being the time required by the United States Revised Statutes, and the rules, regulations, and practice of the land department, to publish notice of application for patent, and within which time all protests must be filed, in the event the applicant for patent elect to post and publish his notice just previous to, or immediately after, the close of navigation; this practice has been indulged in to some extent.

In view of existing conditions and this practice, our courts have resorted to the extraordinary remedy of enjoining the publication of notices of application for patent to mineral lands in order to prevent fraud.

The power of the court to resort to this extraordinary remedy is regarded, both by the court and the lawyers, as very questionable.

#### IMPROVEMENT OF SNAKE RIVER FOR HARBOR PURPOSES.

We respectfully call your attention to the fact that all ocean-going vessels entering at or departing from the subport of Nome are required to land and take on board their passengers and discharge their cargoes through the surf in an open roadstead, by means of lighters, barges, and tugboats, at great expense to the shippers, thus adding to the cost of all merchandise and supplies discharged at this port; and that during stormy weather neither passengers nor cargo can be landed, and when heavy storms prevail, barges, lighters, tugs, and small coastwise vessels, unable to put to sea for safety, are frequently driven on shore during these storms, and many wrecks occur each year.

This condition can be largely remedied by a small appropriation by Congress judiciously expended at the mouth of Snake River, where a safe harbor can be made for tugs, barges, lighters, and coastwise vessels, and a safe and convenient landing place for passengers and cargoes.

#### REPEAL OR REDUCTION OF LICENSE TAX ON BUSINESS.

We urge the immediate repeal of all that portion of an act of Congress entitled "An act to define and punish crimes in the district of Alaska," and amendments thereto, approved March 3, 1899, except that portion of the act relating to wholesale and retail liquor license, which act requires any person or persons, corporation or company doing business in Alaska to apply for and obtain license so to do from the district court, and pay for said license for the respective lines of business and trade mentioned in said act; or at least a substantial reduction in said license tax, for the reason and upon the ground that said license tax is unjust and burdensome, and tends to retard the development of the Territory by adding to the cost and transportation of all kinds and classes of merchandise and supplies consumed and used by persons engaged in the development of Alaska.

## IMPROVED WINTER MAIL SERVICE.

Ample provisions have been made for the carrying of the mail to and from Nome during the season of open navigation, but we submit that the winter service can be much improved.

The distance from seaboard at Skagway to Nome is about 2,000 miles, over which distance the mail is now hauled by dog teams and sleds on a schedule of sixty days' time, thus placing us, during nearly eight months of the year, at a decided disadvantage of having to wait one hundred and twenty days, or four months, from date of dispatch of a letter until it would be possible to receive a reply. This does not allow for delays on this long route, which are frequent and unavoidable, owing to storms, during which travel is difficult and dangerous to life, and often impossible. This can be materially improved by an all-Alaskan route by Iliamna Bay to Nome, a distance of about 1,000 miles, one-half the distance via Skagway, and the mail can be delivered at Nome from seaboard by this route in from thirty to thirty-five days, instead of from sixty to seventy by the present route. This route was tried in 1901, under a system which contemplated the use of horses instead of dogs, resulting in partial failure. Able and willing men of experience, and familiar with this route, are willing to undertake under heavy bonds to bring the mail from seaboard by this route in thirty to thirty-five days with dog teams. The importance of this section of Alaska demands the best and quickest mail service possible for the Government to furnish.

We therefore urge immediate consideration of this subject by the Post-Office Department.

## CONSTRUCTION OF ICE BOAT.

Experienced navigators maintain that it is practicable to navigate Bering Sea at all seasons of the year, with the possible exception of the month of May, during which month the ice breaks from the shore and is carried through the straits by the current into the Arctic Ocean.

In view of this fact, therefore, we ask Congress to appropriate sufficient funds to build an ice boat, to run between Dutch Harbor and Nome during the winter months, or to grant such a subsidy as will induce private parties to engage in the undertaking; and we suggest that the development and commercial importance of this section of Alaska justifies such an appropriation being made.

We further submit that the pioneer work already done by those hardy and hopeful men who have been instrumental in opening up this country deserves recognition in the institution of this ice-boat service.

## NINE JURORS IN ALL CIVIL CASES MAY RENDER VERDICT.

We recommend that the Code of Alaska be so amended as to allow nine trial jurors to render a verdict in all civil cases.

## COMPLETION OF TELEGRAPH LINE TO NOME.

Under the most favorable conditions it requires at least twenty days to communicate with Seattle, Wash., by mail during the season of open navigation and receive a reply, and at least 130 days during the season navigation is closed by the present mail route. In view of this the pressing necessity of telegraphic communication between Nome and the States is apparent.

We therefore urge the immediate completion of a telegraph line to Nome, and that ample provision be made to maintain the line in working order during all seasons of the year.

## NEW COURT-HOUSE AND JAIL.

The court-house at Nome is entirely too small for the transaction of the business of the various departments of the Federal Government.

The clerk is at present hampered in the proper conduct of the affairs of his office from lack of room. The main office, inside of the front counter, is 14 by 20 feet, and inside of this space the routine of office work is carried on. With file cases, desks, bookcases, and stationery closer, there remains but little room for the six clerks necessary to transact the business of this office. Exhibits, which are often bulky, must be stored in different parts of the court-house. The clerk's private office is a room 8 by 10 feet, and contains a large safe and roller-top desk, and that constitutes the entire room fitted for the United States clerk's office. There are no vaults for the safe-keeping of the records, and in case of fire incalculable loss would result.

The same conditions exist in the offices occupied by the United States marshal, the rooms being about the same as those provided for the clerk. The quarters are entirely too small for the proper transaction of the business of this office, and no vaults or safes for the proper keeping of their records are in either department.

The court room is a room about 28 by 40 feet, and is entirely inadequate for the purpose of a court room. It affords a seating capacity for about 70 persons.

The building in general is practically a wreck, and to remodel would be to rebuild. A new building is needed, as it would be impossible to remodel the present building except at great cost.

We therefore urge and recommend that a new court-house be built as soon as possible; that said building be large enough to furnish commodious and suitable quarters for the district court, district attorney's office, clerk of the court, and the marshal's office, and also quarters for the United States commissioner and ex-officio recorder; that fireproof vaults be furnished for the safe-keeping of the records of the various departments.

The Government owes this protection to the public as well as to its officials. Public interests generally demand better facilities for carrying on the work of these offices, and protection against irreparable loss of files and records that could never be replaced.

We also recommend the construction of a new jail, the present one being inadequate to meet present requirements.

#### LIFE-SAVING STATION.

We desire to emphasize the momentous need of a life-saving station at Nome, and in doing so direct your attention to the fact that terrific storms, destructive to shippers and shipowners and hazardous to life, frequently occur on this coast during the season of open navigation.

Since Nome was settled, in 1898, nearly 50 persons have lost their lives during these storms in its vicinity, and the lives of many others have been saved by the heroic efforts of volunteers, at the risk of their own lives.

In June, 1902, a life-saving equipment was secured and landed at Nome, and an appropriation of \$500 secured to erect a building, which sum proved insufficient to erect the present inadequate station, and the city council of Nome appropriated \$200 to complete the structure. After its completion the apparatus was installed and placed in charge of the deputy collector, and an attempt was made to secure a volunteer crew, which proved futile, owing to the fact that competent men could not be found who could afford to devote the necessary time to drill and stand by during a storm, which usually continues for three or more days. Soon after the apparatus was installed a vessel was wrecked and the captain and mate drowned, and the commander of the *Bear*, in response to a communication from the deputy collector, furnished an officer and crew to man the life-saving station until the close of navigation in 1902, who did excellent work during the remainder of the season, and saved many lives. It was hoped that the officer's report would be sufficient to procure the establishment of a permanent station.

Being informed that no provision has been made in this direction, we therefore urge that a thoroughly equipped life-saving station be maintained at Nome during the period of open navigation, and that sufficient money be appropriated to strengthen and enlarge the present building to a size sufficient to provide quarters for the crew.

#### PROVIDE FOR SUPPORT OF NATIVE ESKIMOS OF NORTHWESTERN ALASKA.

We beg to call your attention to the deplorable condition of the native Eskimos of northwestern Alaska, and respectfully urge you to direct the attention of Congress to the necessity of providing means for their support without delay.

These people as a whole are under their present condition, unable to take care of themselves. They are without homes or means of support. A large percentage of them are afflicted with tuberculosis to the extent of rendering them incapacitated to provide sustenance and clothing for themselves by means of hunting and fishing. They are thus rendered largely dependent upon charity for the necessities of life. They congregate in large numbers in the settlements and depend upon the white population for support. Their pitiable condition has appealed to the charitably disposed residents of these communities, who in so generously responding to the dire needs of these unfortunate people have encouraged others of their number to seek aid, thus augmenting the burdens until the demands upon the charity of our citizens in behalf of these natives have become too great to be borne. Our hospitals have become

crowded and overburdened with their sick, and our physicians and surgeons are daily called upon for medical and surgical attendance. The Federal officials and army officers have been asked to furnish assistance to help maintain and care for these wretched people, but have only responded by saying that they are not authorized to furnish it from the Department under which they are employed.

Thousands of dollars are supplied by our citizens and expended each year to clothe, feed, and house these natives, and furnish medicines to relieve their sufferings. Our citizens are unable to longer carry this constantly increasing burden, and the Interior Department should act at once in this matter.

We therefore urge that immediate action be taken by Congress to the end that suitable reservations be set aside for the native Eskimos of Northwestern Alaska, and suitable buildings erected in which they may be housed and maintained under the supervision of established agencies.

#### AMENDMENTS TO THE MINING LAWS.

We earnestly recommend amendments to the mining laws, and to this end suggest that a special committee of Congress be appointed to investigate this subject.

#### TRAILS, ROADS AND BRIDGES.

We respectfully urge upon Congress the necessity of a liberal appropriation to be used in building permanent roads, trails, and bridges between Nome and settlements in the interior and on the coast where there is much travel, and that the trails and roads be provided with guideboards or stakes of sufficient height to be readily observed above the snow line.

The importance of these marked trails or roads as a safeguard against the loss of life of persons who are compelled to travel in this arctic region during the winter season must be apparent. Among the persons thus exposed will be found public officials who are often required in the discharge of their duties to make frequent journeys which are hazardous to life over an unmarked wintry waste, and the life of the mail carrier, owing to the absence of marked trails and roads, is in constant peril.

PUBLIC MEETING, COURT-HOUSE, NOME, ALASKA, JULY 31, 1903, 9 A. M.

Senator DILLINGHAM. Since we have been at Nome various suggestions have been made to us individually by different persons regarding various matters which it was thought we should be informed about in relation to proposed legislation for Alaska. We have told such persons that we would set aside this morning for such hearing, and we are now here for that purpose. We have summoned no one, but would be glad to hear statements from those desiring to make them.

#### STATEMENT OF HON. JOHN RUSTGARD, MAYOR OF NOME, ALASKA.

Senator DILLINGHAM. Mr. Rustgard, I understand you have some matters to present to the committee. For our record I will ask you some preliminary questions.

Q. You are the mayor of this city?—A. Yes, sir.

Q. And your business is what?—A. I am engaged in mining and prospecting.

Q. How long have you been here?—A. I have been in Nome since June, 1900, and have been engaged in prospecting and mining ever since.

Q. You were elected mayor when?—A. Last April.

#### POPULATION OF NOME AND VICINITY.

Q. I think it would be well for you to state what the population of Nome and this vicinity is in the summer months and the winter months

as well.—A. It is very difficult to ascertain with any degree of exactness the population of Nome and vicinity, but I would estimate the city to have had a population last winter of about 3,000 people. The country tributary has quite a considerable population of people who are operating claims in the winter, and also many people who are prospecting claims on the various creeks.

Q. What would you estimate the population at outside of Nome?—

A. In the Nome mining district there were probably in the neighborhood of 1,000 people last winter, working winter diggings or prospecting. On Seward Peninsula there might be 8,000 people altogether during the winter. This spring or summer, at the opening of navigation, if I remember correctly, there have been 5,500 people who came in this season. That is a little more than last season, but it is about what it has averaged since we had the rush in 1900.

Q. Of those who remained during the winter, what proportion of them are men of family—what proportion of them bring their families here to remain through the winter?—A. I don't believe I am prepared to answer that question. It is very difficult to ascertain; but, if I remember correctly, there were 150 pupils in the schools last winter. But as to the number of families here, I better not state, for fear that it would be very far from a correct estimate. There were 1,400 voters registered at the last election. That was about 80 per cent of those who had a right to vote. The rest are women and children.

Q. What would you estimate as the permanent population of Nome, including the Nome mining district?—A. I wouldn't like to answer that question directly. Nome is the headquarters of the Seward Peninsula, and people come and go all through the winter, all the way from the Kotzebue Sound country, and in fact, from all the Seward Peninsula. To state what would be approximately the permanent population of Nome and contiguous territory I would state what I believe to be the population of Seward Peninsula during the winter months. They all, more or less, call Nome their home. I would state that there are about 8,000 people in the whole district—Seward Peninsula.

#### CHANGES IN MINING LAWS.

Q. You had some suggestions you wished to make to the committee about certain laws?—A. Yes, sir; I would say that the prospectors and miners throughout this part of Alaska have been longing for some change in the mining laws, which is absolutely necessary for the development of the country. I might state, to begin with, that the trouble with the mining laws is their abuse by the people generally. They are taken advantage of to stake any and all ground they come across, and the "pencil" and "hatchet" miners, as they are called, have covered every creek and all parts of the creeks several times, so that it is very difficult now to go on any creek and find out who owns any particular piece of ground. People will stake out not only dozens but hundreds of claims.

#### ANYONE CAN STAKE AN ENTIRE CREEK.

Senator NELSON. By powers of attorney?—A. Yes, sir. They started out that way for friends, but since it was ascertained that they had the right to stake contiguous claims in their own names, they have

staked whole creeks in their own names, there being no mining rules to the contrary. The abolishment of the power of attorney would in no case abate the nuisance. Anybody can stake a whole creek, provided he will swear that he found gold in any part he stakes. The result of that was that people could run around over the country in the winter time and locate claims by the score by simply sticking a small willow twig in the snow. When the next man comes along he finds nothing there to show that the claim has been taken up, and he will locate possibly in the same manner. The result of it would be that very little prospecting would be done, and if a person prospects a claim and makes a strike he will soon find that a number of other parties will claim the same ground. The suggestion I would make is that the miner should be compelled to put up corner monuments of a permanent nature; because now, where a pay channel is discovered, stake moving is a common evil. As it is now, stakes can be put down and very easily taken up and their position changed. The locator then comes along and claims that his stakes were moved, and a contention will then arise as to the location. To prevent this a stone or sod monument should be erected.

#### MINING CLAIM BOUNDARIES.

Senator PATTERSON. In your opinion, should it be made a penal offense to interfere with anyone's monument?—A. Yes, sir. But that would not materially cure the evil I speak of. You go to work and locate a pay channel, and the next morning you will wake up and find all kinds and manners of stakes taking in the valuable part of your ground. You charge a man with jumping your claim and he will tell you he located the ground long time ago, but that somebody had carried away his stakes; the other fellow will tell you that you had moved his stakes and that he just moved them back where they originally stood. When you go into court you have simply a swearing match on your hands. To the legitimate prospector there is no trouble to throw up a sod monument. But it will do me no good to do it unless the other fellow does it also on his claim.

I would say that in the spring of 1901 the miners of this district held several meetings that were well attended. Changes in the mining laws were intelligently discussed and a set of rules for the district were adopted. One of those provisions was that to prevent the moving of stakes the boundaries of claims should be earthen mounds or monuments, which should be permanent in their nature.

Senator PATTERSON. Can you furnish us with a copy of those rules?—A. I could not. But a year ago I sent a copy of those rules to Senator Nelson.

Senator NELSON. I think I still have them among my papers in Washington.

Mr. RUSTGARD. Another thing adopted by that meeting was that at least \$100 worth of work should be done within sixty days after the claim was located, and that I know now meets the approval of the prospectors and miners in this country.

#### ASSESSMENT WORK.

Another feature of the mining law is the assessment work in this country. If you sink a hole in the frozen ground after summer is

over and the hole has thawed it is next to impossible to find what was the depth of your hole. The ground settles in and there is nothing to show how much work was done. This results in a very great deal of fraud, as it renders perjury hard to detect and expose. The miners who have been in the Klondike country, and a large percentage of those here have been, are in favor of laws for Alaska similar to those of the Northwest Territory, requiring that a claim should be worked every season of the year for a reasonable time, so that full assessment work would be done; in other words, that a man should be compelled to work his claim or let some one else work it.

Q. Do you mean by that both summer and winter?—A. No, sir; I would recommend that he be required to work his claim not less than thirty days every twelve months. Personally, I would be in favor of more.

Q. In one stretch?—A. I think I would allow him to divide up his time to suit himself, so that altogether he would do thirty days' work on it.

Q. How would you have proof of that made?—A. I would have an affidavit filed, the affidavit stating who performed the work, and the dates it was done. I would also have the law state that that work should be done on the claim itself, because in doing assessment work the people commence to count the time going to claims and coming back again as part of the assessment work on the claim. They count the time going and the time coming back. Whether that is the law or not I do not wish to discuss, but it has been accepted as the rule in this country.

Senator NELSON. In connection with that, wouldn't it be well to require one witness to the affidavit?—A. The objection to that is that a person may be in a position where he has no witness. There are a lot of people going out alone in this country, and there are many cases where they could not furnish witnesses. I would recommend that such an affidavit be absolute proof of the facts therein stated, in order that the title to the claims may be perfected and bona fide purchasers protected.

Senator PATTERSON. That might work a very great hardship, making the affidavit of the owner of a claim absolute proof.—A. The reason I suggested that was that several parties owning claims have sent out people to do their assessment work and paid them to do it and took their affidavits as to the work done. They believe that it has been done until somebody comes along and contests it. I think that some scheme ought to be devised for protecting the man who pays for the doing of the assessment work. It might be provided by punishing such an offense as perjury, which it is not now. The affidavit should be at least *prima facie* evidence, which it is not here.

Senator NELSON. It is not only a question between owner and the man he employs, it is a question between him and the third parties.

#### INCREASE IN ASSESSMENT WORK SUGGESTED.

By Senator PATTERSON:

Q. At present if a claim owner does not do his annual work he does not forfeit his claim; it is open for relocation, which he himself can do, and as soon as he recommences his annual work others are prevented from interfering. Should not the failure to do the assessment

work be an absolute forfeiture?—A. Possibly. I think that the most essential change that should be made in our mining laws is the increase of the amount of assessment work and the requirement of the discovery work within, say, sixty days after location.

#### ONE PERSON LOCATING TWENTY CLAIMS.

Q. And then make certain that it will be done?—A. Yes, sir. Under the Canadian law that has to be a matter of record. In order to prevent the fictitious and wholesale location of ground the number of claims staked by each party ought to be limited to something. I would suggest that a person be allowed to stake 2 claims and no more within thirty days, or some such limitation. I myself have seen often, in the dead of winter, people go out and come back in a day after having located 15 or 20 claims, and no question can be asked. The question of discovering gold on a claim before you stake it amounts to nothing, because you can't prove that he did not discover gold, and if the claim turns out to be a good piece of ground there are very few people who would not go on the stand and swear that he did discover it, if it comes to a showdown. For this reason this requirement is of no effect whatever.

Q. You have colors in this country everywhere—that is all that is necessary?—A. Yes.

Q. Let me ask you this, Mr. Mayor: You are familiar with a great number of miners of this district?—A. I am.

Q. You have conversed with them about these abuses?—A. Yes, sir.

Q. Do you believe that you have voiced the common opinion of these miners in what you have said to-day?—A. I certainly do.

#### LOCATION OF PLACER CLAIMS.

By Senator NELSON:

Q. The mode of locating a placer-mining claim is this: The miner is supposed to have discovered gold, staked out his claim, filed notice of it with the recorder; is he required to accompany that with an affidavit of facts?—A. No, sir. He is required by the law to describe his claim with regard to natural objects or permanent monuments. That is all, but that means nothing in practice.

Q. There is nothing in the law to prevent the location, and then on top of that the location of another notice?—A. Nothing to prevent that; it is done every day.

Q. Are not claims located and relocated that way without limit?—A. Yes, sir.

Q. And does that not lead to endless litigation?—A. Yes, sir.

Q. Isn't it a fact that under the law as it now exists that the locator can practically have almost two years to do his first annual assessment work?—A. Yes, sir.

Q. Wouldn't it be well to make it a shorter time?—A. I would require the assessment work to be done within twelve months from the time of the location of the claim, in addition to the discovery work.

#### RECORDS OF CLAIMS.

By Senator DILLINGHAM:

Q. Will you tell me how the records of claims are indexed?—A. I was going to call your attention to the records, and can probably best

do that by an illustration taken from our experience here. When Gold Run was first struck as a mining proposition in 1900 the creek was called "Gold Run," and was staked under that name. A short time after that others came along and said that it was the creek they staked under the name of Eureka Creek, and located their claim. Then men came along and stated they had staked the creek under the name of Matilda Creek. That will illustrate how little we can find from the records as to titles of any mining ground in the district. Oregon Creek was first staked by a party numbering the claims consecutively above and below "discovery." Shortly afterwards, I believe the same summer, other parties came along and found some stakes there and heard the creek was called Oregon Creek. But they started to stake and give the claim names, such as Gold King, Fancy, etc. A prospector may go on a creek and stake a claim and number it, and another man may do the same thing and give it any number or name he sees fit, with the result that there are several duplications on a creek. The first party prospecting comes along in the winter and stakes discovery near the mouth of the creek. The next party strikes the creek from the other end, and they will start to stake the first claim as discovery claim at the head number, and then down creek accordingly. Now, when you look at the records of No. 2 above or below discovery of such creek, you don't know what claim you are dealing with as far as the records go. I think this will show how nearly absolutely worthless the records are in showing any conflict in titles.

I believe that the recorder of this district is the best witness on that subject. He has made a comprehensive index of the claims, giving first an index of each creek, with the claims on each creek, something in the manner of tract index in the register of deeds offices in the States. But there are a lot of claims staked that don't give the creek, and don't tie the claim to any natural monument, to enable the recorder to tell where the claim is located. There are also a number of locations filed naming the creek but giving neither name nor number of the claim. Suppose, for instance, you go to the recorder's office to look up the title to "Last Chance" claim on Anvil Creek. The books will show you the claim of title from the original locator, but they don't show you whether that ground is covered by any other location or not. There may be several locators ahead of you, and there may be several subsequent to you. The books can not tell you. You can only find out after you have made a strike and everybody puts in his appearance as claimant. If you require the location notice to give a minute description of the claim you are apt to make it too technical for the average prospector to comply with. But you can with good grace require him to erect and maintain substantial sod monuments, and to work the ground or let somebody else work it. That is a hardship only on the speculator. All a prospector and miner asks for is a chance to prospect and mine.

Q. You think that the index is as complete as possible under the circumstances?—A. Yes, sir.

#### SURVEYS.

By Senator BURNHAM:

Q. Don't you think there ought to be surveys made?—A. Yes, sir; because if surveys were made we would have to take the claim under the surveys.

Q. But that is not done?—A. No, sir; but the trouble with surveys is that the country is staked first and the surveyors come along afterwards. I think that when a man comes to a creek he should be compelled to erect some kind of a permanent marking to which other claims should be tied. Very frequently we have staked claims according to the monuments of the Coast and Geodetic Surveys which have been erected here. But they have decayed, no attempt being made to keep them intact.

Q. Isn't it a fact that a great amount of litigation has been caused because of this uncertainty of locations?—A. Undoubtedly so.

Q. And the development retarded because of the uncertainty of title?—A. Yes, sir; immediately around Nome there is a lot of ground that many of us would be only too anxious to take up and prospect if there were any way to ascertain who owned it, so that we could hold it after we began to work upon it. A great deal of ground in this district is just like that.

Q. If such ground turned out to be valuable you would certainly be opposed by other claimants?—A. Yes, sir.

Q. Wouldn't it be well to provide that one location notice could not be mounted on another location until the prior location had been canceled?—A. Yes, sir; I think that would be a very wholesome rule. The trouble with that is that you don't often know what location is ahead of you.

#### ASSESSMENT WORK.

Q. Wouldn't it be a good plan to require affidavit of assessment work to be filed within thirty days after the end of the year, and file an affidavit with the recorder setting forth the nature and amount of it; and if that was not filed then the locator's right should be forfeited without ceremony?—A. Yes, sir; I certainly agree with that. And such affidavit should state when and by whom the work was done.

#### MUNICIPAL GOVERNMENT.

Q. Wouldn't it prevent litigation?—A. Yes, sir; it would.

There is another thing that I would like to call your attention to, and that is municipal government in Alaska. I believe that municipalities in Alaska ought to be empowered to enact their own charters under a law modeled on the plan of the laws of some of the eastern States, empowering the district judge to appoint a commission whose duty it should be to submit to the vote of the people amendments to the city charters. That I believe would be a very wholesome law here. There are several amendments that ought to be made to the municipal laws of Alaska. For instance, I believe that our government in the city here ought to be modeled on the same plan as governments in larger cities to this extent—that the legislative and executive departments of the city ought to be distinct, and each department answerable separately to the voters directly. Under the present law we elect our councilmen at large.

#### COUNCILMEN.

Senator NELSON. You mean the law of last session?—A. The law of 1900. We are not allowed to divide up the city into wards, but we must elect seven councilmen at large, and if one leaves the city, as often

happens, a vacancy occurs, and it can not be filled except by a special election, which is rather expensive.

PRESIDENT OF COUNCIL IS MAYOR.

The seven councilmen constitute the common council, and they elect the presiding officer, who is ex officio mayor of the city. That vests the executive and legislative department of the city government in the same body, in effect. The result of it is not satisfactory. The council will enact ordinances, provide rules for the government of the city, and immediately proceed to pay no attention to them. The mayor can not go and give any order to any of the employees of the city. Take, for instance, the chief of police, who is elected by the council. Before he acts he must ascertain whether he has the majority of the councilmen with him, and if he has not the majority with him he will have to refrain from acting.

By Senator PATTERSON:

Q. What you mean by that is that he is afraid of hostile opposition?—A. Yes, sir.

Q. Has the city council power to remove the mayor?—A. Yes, sir; at any time. The city council can remove their presiding officer at any time.

Q. And the presiding officer is the mayor?—A. Yes, sir; all employees of the city must ascertain whenever they make a move in any direction whether or not they have a majority of the council to stand by them, and if their majority should come to be a minority there is trouble in store for them. It makes the city government very weak and vacillating. If city government in Alaska has been a failure, it has been due to a large extent to this. A great share of it should be charged to the present law.

STATEMENT OF HENRY SMITH.

By Senator DILLINGHAM:

Q. What is your full name?—A. Henry Smith.

Q. What is your occupation?—A. Miner.

Q. In what section of Alaska?—A. The Nome district.

Q. How long have you lived here?—A. I came here in 1901.

Q. I understand that you have been a miner in the Klondike district, and that you desire to make some comparisons between the laws of that district and Alaska?—A. Yes, sir; I think there ought to be some improvements in our laws.

POWER OF ATTORNEY.

Q. We would be glad to receive any suggestions you wish to make.—A. One suggestion that I would make is that we do away with the power of attorney; another would be that no person should be allowed to stake more than one claim upon any one creek during the time that he holds a claim; another is that he should mark his ground by stone or sod, and mark it well, so that it could be readily seen. No person should be allowed to restake that property until it reverted to the Government.

By Senator PATTERSON:

Q. How about assessment work and the time to do it?—A. That a man should do \$100 worth of work for the first year, and do it within sixty days after staking; \$250 worth of work should be done the second year; the third year he should continuously operate it. If he failed to do any of this the property should revert to the Government.

Q. In the meantime he could take steps to secure a patent?—A. Yes, sir.

Q. If the law would hold out inducements or make it economical to induce the miner to secure a patent for his claim, that would do away with a good deal of trouble, wouldn't it?—A. Yes, sir; that would be very helpful.

Senator NELSON. You remember that one great distinction between our law and the Yukon territory law is that there the miner never gets title; he is simply a tenant from year to year. Here the miner becomes practically the owner in fee if he does the proper assessment work. What do you think of the proposition of requiring failure to do assessment work to be an absolute forfeiture of a claim?

A. I think it should be.

By Senator PATTERSON.

Q. You are pretty well acquainted with the miners of this locality, are you?—Yes, sir; fairly well acquainted.

Q. Have you heard these questions discussed among the miners generally?—A. Yes, sir.

Q. I will ask you to state whether or not you represent the sentiment of the genuine bona fide miners of this locality in the views that you have expressed?—A. I believe I do.

#### STATEMENT OF P. J. COSTON.

##### ASSOCIATION CLAIMS.

By Senator DILLINGHAM:

Q. You may state how long you have lived here and what your business is?—A. I am an attorney, and have lived here a little more than three years. I have listened to the statement made by Mr. Rustgard and the suggestions made by Senator Patterson in relation to the amount of assessment work to be done, in which I am in hearty sympathy. But there is one other matter which I think might tend to put a stop to the wholesale appropriation of the mining ground in this country. Under the present laws, eight persons may locate 160 acres of ground by a single discovery, or any less number may locate 20 acres to each individual.

By Senator PATTERSON:

Q. Isn't that possible only where there is a Government survey?—A. No, sir; it is settled by the rules and decisions of the Land Department that the land need not be surveyed.

Q. You mean by what you have stated that eight men may locate as an association together as one claim?—A. Yes, sir.

Q. It would be what you might term an association claim?—A. Yes, sir. As the law is now, to make a location of a 20-acre tract by an individual he must make a discovery. I can see no reason why if

eight persons locate 160 acres they should not be required to make eight discoveries instead of one, as now. Under the decision of the Supreme Court of the United States \$100 worth of assessment work will hold the eight claims, or 160 acres, thus located, the court holding it to be one claim so far as assessment work is concerned.

Q. If they are permitted to continue these association claims—that is, locate 160 acres as one claim—wouldn't the end that you have in view be attained if, instead of requiring them to do \$100 worth of work, they be required to do \$800 worth of work on the entire claim?—A. Yes, sir.

#### LAND OFFICE AT NOME.

We are in a very embarrassing situation in attempting to get patents here, for the reason that there is only one land office in Alaska, which is located in the town of Juneau. The surveyor-general's office is at Sitka, where I am informed there are but two mails a month. The result is that during the "open season," as we term it, meaning the season of navigation, we are very fortunaté if we can get two letters from here to Sitka and return during that time. It practically prohibits the procuring of patents to lands. There have been attempts made to establish other offices in the district of Alaska, but the offices have not paid. The compensation is only by fees. It is only \$500 per annum for each the register and receiver. I would suggest, for the purpose of aiding us here to get patents for our ground, that a local office be established at Nome. In order to meet the objection heretofore made that the offices do not pay, residents of the locality should be appointed. It is clear that the compensation of the office will not be sufficient to warrant persons coming here from outside to accept them; but local persons might accept the offices and hold them even if the fees are small.

Senator NELSON. My recollection is that you once had three land offices in Alaska, and the last report showed that the business was almost nominal. The offices were abolished because it appeared that there was an insignificant amount of business being done.

Mr. COSTON. Senator, I think that was before Nome was so well known as now, and before this region had become permanently settled, as we believe it to be now.

#### RESIDENT OFFICIALS FOR LAND OFFICE.

Senator NELSON. I think you are right about that. I think you ought to have a land office here, if residents of Nome could be appointed to this office.

Mr. COSTON. Yes, sir; that is true. It would not pay persons from the outside to come here and hold these offices unless they had some other means of support.

Senator PATTERSON. Do you know of any serious objection, Mr. Coston, to having officials for Alaska appointed from Alaska?

A. No, sir; I most assuredly do not.

Q. Referring to the trouble you have spoken of regarding the land office being so far away, is this one of the difficulties you have: An application may be made for a patent and communication is so difficult and so long between here and Juneau that persons having adverse interests can not be heard?—A. Yes, sir.

Q. So that the dishonest claim owner may make application for a patent, and by reason of the distance the real owner may find that the Government has issued a patent to such dishonest claimant before he (the real owner) has an opportunity to be heard?—A. Yes, sir. Here is an illustration of it: In securing a patent for the town site of Nome I have to send the papers to Juneau. I could not calculate upon less than thirty-five days under the most favorable circumstances at this season of the year to get a report back from the Juneau office.

If the mail missed connection at Seattle that time would be extended. Anyone desiring to advertise an application for a patent under section 2326, R. I., during the closed season would find it impossible to do so and come within the requirements of that section.

#### APPELLATE COURT.

There is one other suggestion that I would like to make. I present it as a member of the bar. The appellate jurisdiction for this district is lodged in the ninth circuit court of appeals. Under our statute no appeal can be taken unless the amount involved is more than \$500. It is a matter which works a hardship to us here in a great many cases. As it is now, there is absolutely no appeal from a judgment rendered here by the district court unless more than \$500 is involved. This matter has not been discussed formally by the members of the bar, but informally a number of times. We think that there ought to be some changes in this particular.

Senator PATTERSON. Wouldn't that be in part remedied if two of three judges were to sit together and hear appeals of that character?

A. Yes, sir.

By Senator NELSON:

Q. If you gave such appellate jurisdiction to your district court, judges sitting in banc as an appellate court, you would limit it to Territorial cases and not Federal cases?—A. Yes, sir.

Q. When could such a session be held without interfering with the work of the judges in their several districts?—A. In the summer. Personally I do not think the judge here should hold court except for emergency business during the open season. I think the people ought to be given long opportunity to work when they can and not be taken from their vocations to serve as jurors.

#### ADDITIONAL JUDGE.

Q. Last night attention was called to the need of another judge in this judicial division. I wish you would tell us what territory is embraced in this division.—A. It is a colossal matter.

Q. At what places do you hold court?—A. That is the only place. There was a special term held once at Dutch Harbor.

Q. And you want two judges here?—A. I didn't know that recommendation had been made. I would not indorse it. Such a scheme would only benefit the summer residents.

Q. Your district extends approximately how far?—A. About a thousand miles in both directions, north and south.

Q. Is the Kuskokwim country in this district?—A. Yes, sir.

## BOUNDARIES FOR MINING CLAIMS.

I want to say a word further about the necessity for some action being taken by Congress regarding the marking of boundaries of mining claims and doing actual work upon them in order to disclose a discovery.

Q. Doesn't the law now require that a man must have made a discovery before he can file a claim?—A. Yes, sir.

Q. But there is nothing requiring him to make an affidavit of that fact in his notice?—A. No, sir.

Q. Wouldn't it be well to require him to make such an affidavit of that fact, to accompany the notice of location, so as to show that the spirit of the law has been complied with?—A. It might be so if it were made a penal offense. I am not prepared to say, however, whether it would or not. This method has been tried in Montana, but my information is that it has not had the desired effect.

Senator PATTERSON. The trouble about that is that you can take a pan of dirt and if you get colors you can make the affidavit. Colors are found here almost any place.

Mr. COSTON. My own idea is this: If a man makes a discovery—finds a color—he should be required to do exactly what is required under the Colorado statutes. The statutes of that State require that the discoverer shall put up a stake at the point of discovery, give his claim a number or name, the date of discovery, the direction in which he intends to stake his claim, and sign his name as discoverer. I think he should hold that claim surveyed and recorded. I think if that were done it would stop the promiscuous location of claims in this country. I think that if some such method were adopted it would relieve the situation.

Senator PATTERSON. That would be no hardship to the bona fide miners and prospectors?

A. No, sir.

Q. How universal among the miners of the Nome district with whom you have come in contact do you find these complaints that you have voiced?—A. They are in the majority, especially among those who come from the Klondike country and had their mining experience there. Among the old miners and prospectors who have come from the mining regions in the States there is no complaint except as to the uncertain way of marking the boundaries of the claim and showing a discovery.

It may be said that the miners can remedy some of these matters by adopting rules and regulations governing them. But our experience in this part of Alaska has been that miners' meetings are controlled by mountebanks, as a rule, and that the results tend more to confuse than elucidate. Again, I think there should be a universal rule or law, and not a different one in every mining district.

**STATEMENT OF MR. DUDLEY DU BOSE.**

Mr. DUDLEY DU BOSE, a practicing attorney of Nome, Alaska, appeared before the committee and made the following statement:

If the committee will kindly permit me, I desire to refute the statement made by my friend, Mr. Coston, that it will be well to have two district judges at Nome in the winter and one in the summer. I think the better plan would be, if possible, to have two judges in Nome in

summer and one only in the winter. The volume of business before the court is too large for one judge to transact during the summer months. Criminal cases take precedence and consume much time. This delays the trial of important civil cases until the winter or until the following summer. It is almost impossible to try important civil cases during the winter, as many of the litigants and most of the witnesses leave the country during the winter. This difficulty could be remedied, as I have said, if we had two judges here in the summer time, and at the end of the open season let one of these judges go to southeastern Alaska for the winter.

While I am on my feet, I would like also to state that I do not think that Senator Nelson's proposal to make the record of assessment work conclusive proof of the fact that the assessment work has been done on mining claims is a good idea, for there would be many false affidavits made as to the assessment work, and the men who committed perjury would reap the benefits of their falsehoods.

#### 20,000 CLAIMS RECORDED AT NOME.

The records show that in the Nome recording district alone there are over 20,000 location notices filed for record, and out of that number of claims located I do not believe that there are over 500 claims actually being worked. I do not believe that there is \$5,000 expended in labor for actual assessment work for any one year in the entire district. Ninety per cent of these 20,000 claims lie idle, as no development work is done upon them at all, and if a man should relocate one of these claims upon which no assessment work had been done, and should go upon it and strike pay, the original locator would immediately begin suit and claim his prior location, and prove, by himself and friends, that he had done the work, notwithstanding the fact that he had not. The law of the United States regarding assessment work on mining claims as it is now would be all right if it were capable of enforcement, but the physical conditions existing here prevent the detection of perjury in these cases.

#### NO REMEDY SUGGESTED.

Senator PATTERSON. Judge Du Bose, what is the remedy you suggest for this evil?

A. I do not know any specific remedy for this evil.

Senator PATTERSON. There must be a remedy, for a law which permits the conditions you describe is not right?

A. I, like others, am in favor of a remedy for this. It makes no difference, as you gentlemen know, to the lawyer what the requirements of the law are, so that it is a fixed rule in all cases.

By Senator NELSON:

Q. Do not these conditions, more than anything else, prevent the development of this country?—A. Yes, sir; there is no question about that.

Q. Is not that the great bane of this country, and does it not do more harm than anything else?—A. Yes, sir.

Q. If you could cure that evil you would do more than anything else to build up this country?—A. Yes, sir; but how to do that is the question.

Q. And how to reach it is what the committee wants to know more than anything else. If you could put your heads together on that point and agree upon something it would be of great assistance to us.

Senator DILLINGHAM. If those engaged in mining—prospectors in particular—and the chamber of commerce, and the members of the bar, could get together and appoint a committee for the purpose of pointing out the evils of the present mining laws and their practical working in Alaska, and suggest remedies and forward them to the Committee on Territories, it would be a great help to us. And wouldn't it come very nearly reaching and remedying the evils of which you complain?—A. If that could be accomplished it would be what we need.

Senator NELSON. Get your prospectors and miners together, and agree upon what changes should be made. They could suggest the amendments which would be approved by all the people. We in Washington could take them up and prepare a code of mining laws if we were authoritatively asked in that way. I would suggest that you take steps of that kind, and send the results of your work to Senator Dillingham.—A. We will do that, Senator. It has occurred to us heretofore that Congress would be reluctant to pass different mining laws for Alaska than for the States in general.

Senator PATTERSON. Congress would pass different laws for Alaska because the conditions here are different.

#### STATEMENT OF M. J. COCHRAN.

By Senator DILLINGHAM:

Q. Your name is what?—A. M. J. Cochran.

Q. How long have you lived here?—A. I have been here at Nome three years and been in Alaska for five years altogether.

Q. Your business is what?—A. I am a lawyer.

#### MINING LAW INADEQUATE.

Q. The committee would be glad to hear from you.—A. I heard the statement of Mr. Rustgard relative to amendments to the law regarding the location of placer mining claims, and while I concur in most of what he says, it seems to me that it is a good deal in the nature of locking the stable door after the horse has gone. I say that for the reason that I don't believe there is a creek within 200 miles from where I am now sitting which is not staked, recorded, and located under the present system. My notion about the conditions here is that the Federal law is inadequate, or rather that the administration of the law and the application of it in the location of claims here, and the decisions of the courts of last resort, are of such character as to render the administration of the law absolutely impossible, or that it brings about conditions that absolutely tie up the whole country. I can illustrate that better by saying this: A large portion of the miners who came to this country in 1898, 1899, and 1900 came here from British Columbia or the Yukon territory, and a great many of them located claims here in the same way as they are located there.

## MINING LAWS IN YUKON TERRITORY.

While they practically did the work on the ground in the same way that they do it there, they failed to follow the requirements of the Yukon territory law.

When a miner goes on a stream in the Yukon territory and makes his stake on discovery he is entitled to claim a certain additional amount of ground, and for each member of the party a like amount of ground. When they come to record their claims they go to the gold commissioner, who is the recorder of their district, and fix the exact location on the stream by what they call the initial stake. The gold commissioner then makes a record of that initial stake, and the claims are called No. 1, 2, and 3, above and below discovery, as the case may be. The position of the initial stake is definitely fixed. I have known where the gold commissioner would go out and locate the exact position of a claim. When they commenced here they would go and locate what they called discovery claim. They would mark the boundaries, possibly, and in some cases it was very hard to mark boundaries because there was no timber, and they simply had to mark them with small willows. They would go to the recorder's office, then, with a notice of location, and, after citing that they were citizens of the United States and qualified to locate claims, say that they had staked 20 acres of ground 1,320 feet up or down stream and 640 feet wide.

## NO REQUIREMENT AS TO NOTICE.

Ninety-nine per cent of the location certificates that were filed here in 1898, 1899, and 1900 contain no reference whatever to any natural object or permanent monument. Under the Federal law there is no requirement of posting a notice on the claim or recording any notice of the claim. Local districts may make rules for the location of mining claims and provide for recording. In almost all the districts of the Seward Peninsula rules were made providing that claims should be recorded. That is not a part of the statutory requirement, but under the Federal law and under the Alaskan code, miners may make rules not inconsistent with the Revised Statutes. Most all of this district provided for a record of these mining claims, but I know of only one district in which the failure to file a claim worked a forfeiture.

## BOUNDARIES OF CLAIMS.

Q. Where was that?—A. The Kougrok district. Now, in this district here there is no forfeiture whatever in the local rules providing for the recording of a claim, nor does the imperfect recording of a claim work a forfeiture. In the Yukon territory where a claim is once staked and the boundaries are marked it is the duty of the locator to keep those stakes standing or renew them when they have been torn down. We have the condition here within 10 miles of this town where there are hundreds of claims, located in 1898, 1899, and 1900, where there is no vestige of a stake remaining and no record by which you can locate those claims. Yet, should a strike be made, many persons would claim to own the ground. This is the reason why so much of the country is undeveloped to-day. I doubt whether there is one claim within 5 miles of this district, excepting only Anvil Creek,

which has not from one to five locations on it. A person desiring to develop one of those claims goes to the recording office, but can find no record of it. It is easy, however, to find witnesses if you discover anything.

#### CREEK SURVEYS.

Congress has power, in my opinion, to pass a law providing for creek surveys. General surveys are out of the question and unnecessary. Creek surveys, however, could be provided for. Any one of these creeks could be surveyed and plats of the survey could be filed in the office of the commissioner, and all persons claiming title to any particular ground would be required to prove such title within a given time, just as they would be required to make proof of a squatter's right in agricultural land. The legislature of British Columbia passed an act providing that one of the justices of the supreme court of British Columbia should sit as a commissioner, and that all claims to mining property in that district should be filed before that court within a certain length of time, and that all persons contesting such claims should file their claims within a certain length of time. Then the commissioner was given absolute final jurisdiction. Between July 28 and September 15 that commissioner settled over 1,500 cases.

Q. What year was that?—A. In the year 1899.

#### CLASSIFICATION OF CLAIMS.

I think there should be some classification of claims. Sluice-box claims should be one kind. Then there is the bench claim and the hydraulic claim. I think there ought to be some means by which those lands could be acquired in large bodies by people who would spend money on them. I think there ought to be some means by which lands of that character could be sold and the title acquired immediately, so that these large ditch schemes could be put on some kind of a basis without having to be held up by some man who stands in the way by demanding an exorbitant price for his land. I think the 160-acre proposition is all right, but there should be some limitations upon it. There should be some provision for supplying water and working them.

I might say that I have held the office of United States commissioner in this district, preceding Mr. Reed (the present commissioner) at Nome, and we both agree upon the question of creek surveys. There should be a deputy mineral surveyor in each district. Such officer should have no fees, but should receive a stated salary. Have surveys made and tax up each claim owner with a certain fixed fee.

Senator NELSON. Or you might do as is done under the homestead law, and distribute that equally on each creek?—A. Yes, sir; there is not a creek here that would not pay for such a survey.

Q. I understand from what you have said that you consider the best way to settle the question of titles is to give your judges power to investigate all claims, require all claimants to file proof of their claims within a certain time, and all contestants to claims to file their proof, and then let the court decide the question of title and clear the decks?—

A. Yes, sir.

Q. Is that the greatest good that could be done immediately?—

A. Yes, sir.

Q. That would cover up the past?—A. Yes, sir.

Q. Then you could address yourself to the future?—A. Yes, sir. We have got enough ground within 25 miles of Nome that could be worked at great profit for many years if title could be secured.

#### STATEMENT OF WILLIAM A. RUST.

By Senator NELSON:

Q. How long have you lived here?—A. I have been here for three years.

Q. In what business are you engaged?—A. I am in the saloon business and also own a number of claims.

Q. I understand you have a statement to make to the committee; if so, we will be glad to hear it?—A. I wanted to suggest one thing about mining claims. Of course, all these people who have talked here this morning are lawyers, and you know when a lawyer gets through with a claim there is not much left for anybody else.

Q. You must not overlook the fact that we four Senators were admitted to the bar at Rampart a few days ago.—A. Men come in here with powers of attorney from friends all over the United States. They go over this country and stake it by powers of attorney and prevent the real prospector from doing work. These men hold such claims for speculation. I want to say that this power of attorney is the ruin of this country.

Senator PATTERSON. When you speak of the practice of using powers of attorney, you must understand that the mining laws contain no such provision. It is merely the ordinary rule of permitting one person to do through any agent what he can do himself.

#### ONE CLAIM ON A CREEK.

A. A law should be passed that will allow each miner to stake one claim on a creek and do the assessment work within six months instead of a year. The law at the present time is that he can do his work within a year. I own 30 claims out here. I have got a lot of friends here who go out and stake claims and never do any assessment work at all. As soon as the time is up they go out again and locate the claims over again and that's all there is to it. But if a man could take up only one claim on a creek and the assessment work had to be done in six months, and if it were not done anybody could go and stake it, he couldn't get his friends to come and stake it. This country would be developed a great deal if some such law were passed. If a man could have but one claim on a creek, and that creek is a good one, he has all he wants in that one claim. If the creek is not good he can let go of it.

#### GAMBLING.

Here is another great evil. Of course all the newspapers in this country uphold gambling and corrupt practices. I am in the saloon business myself and know it. We ought not to have women in saloons. Last summer two men, having in their possession \$1,700, were robbed of every cent of it by women in saloons. The same thing happens every week. There is gambling going on here all the time.

Q. All that has been stopped in Nome, as I understand it.—A. No,

sir; it has not. Last year the district attorney got word from the Attorney-General in Washington to stop all gambling and lawlessness. They did stop crap games and roulette, and "Black Jack," but in every big saloon over here, with the tenderloin right back of it, gambling goes on. You don't see any money on the tables, but they get their chips over the bar. They go right to the bar and pay for the chips. It is just the same as money. Still the deputy marshals say there is no gambling. There is no money in sight, but they go to the bar for the chips and gamble just the same.

I can go over to the recorder's office here and record a claim that I have staked. In an hour you can go over there and record right on top of it. Of course, if either the first locator or the second locator works it and makes a strike the matter will go into court. The man who has the most money will win out in court.

Q. Let us not go into that.

Senator PATTERSON. What you want is the right kind of officials.

Senator DILLINGHAM. We have nothing to do with the records or acts of your officials. There is not a member of this committee who does not sympathize with any citizens who have been wronged in the administration of the law. We are not here, however, to investigate such matters. They should be placed before the Department of Justice.

#### STATEMENT OF HERMAN A. RING.

By Senator PATTERSON:

Q. Where do you live?—A. I live in the Blue Stone country. It is in the Port Clarence mining district of the Seward Peninsula.

Q. How far is it from here?—A. By water it is about 65 miles; overland it is about 50 miles.

Q. What is your business?—A. I am a miner and prospector.

Q. How long have you been in Alaska?—A. I have been in this locality nearly three years. I have also been in the Dawson country and in Atlin prospecting, and was engaged in mining before coming to Alaska.

#### MINING LAW ABUSED.

Q. Now you may proceed, Mr. Ring, with any statement you desire to make?—A. I think we have a very liberal mining law if it were not abused. The trouble is that it is easy to abuse the law. To overcome the abuse, I think the only way to do is to compel a man to do certain acts, and if he don't perform them, compel him to give up his ground. For instance, I go on a creek—I am a prospector. I go there to stay and develop the ground. If I am a stamperder I go on the creeks and stake everything in sight. A stamperder never stops to find a color of gold or anything else. He ties that country up, and when the prospector comes along he can secure no claim.

Q. The stamperder gets in ahead of you?—A. Yes, sir. Now the prospector wants to get into the country which is not located. He comes along and sinks a hole 18 inches or 2 or 3 feet deep. He finds a color of gold. He gets encouraged. He stays there. He works and pans and finds more. If he does get more he works still harder, until he gets a fairly good prospect or something that indicates one. He never leaves that ground for any length of time until he gets good

money out of it. He will not put up a single stake and walk away from it. He will stay there. The compulsion of thirty or forty days' work on that man before filing a location notice is no hardship in any shape or form. On the other hand, the stamperder stakes claims everywhere and walks away.

Q. And your position is that the genuine prospector will not consider it a hardship to do a reasonable amount of work before being allowed to take up a claim?—A. Yes, sir; it would be no hardship upon the prospector to compel him to do a certain amount of work before taking up his location.

#### STAMPEDEES AND PROSPECTORS.

It would be a hardship to the stamperder to do a certain amount of work on each claim that he takes. The stamperder is the individual who starts out with a bundle of stakes on the mouth of a creek, or any part of a creek, and locates all the creek as far as his stakes will hold out. Then he records these claims without ever having put a shovel in the ground. Sometimes he stakes these claims when there is 20 feet of snow on the ground. That is the stamperder's way of working. Those claims are tied up for two years against the bona fide prospector. Should the prospector happen to run across any of that part of the country, if the country has been staked in the winter, he will not find, possibly, a single stake to indicate that there had been any locations made. On the other hand, should he stop and prospect and find anything there he will find in the course of a few days that he has no right to the ground, but that it is owned by some one else.

The prospector is the man who will take his little "grubstake" and pick and shovel on his back and go across country prospecting for minerals. Should he find anything he will stay right with that piece of ground or in the neighborhood until he can actually locate a mine. The burden of doing assessment work or any other work is no burden to him, because he is compelled to do it. He would do it anyhow. He is willing to stay there ten years and longer if necessary. He would do those things—the assessment work and all that—of his own accord.

#### STAMPERDER ABUSES LAW.

The mining law is not abused by the miner and genuine prospector. It is only abused by the stamperder and by people who get locations through friends. That is why the mining law is abused. It can be remedied if the miner is compelled to do a certain amount of work—say twenty or thirty days' work each year of actual development work—before he puts the location on record. In addition to that, make him specify in such statement the character of the work he has done, the dimensions of his diggings, their length and breadth, so that they can be readily ascertained by other parties. The assessment work should be done in this country in the open season, during the summer, say before the 1st of August. The reason for that is that the climate in winter time don't permit a man to do a day's work on top of the ground if it is done right. Another reason is that if it is done in the summer time you can see the evidence there that the work has been done; it is not covered with snow. For instance, five men make up their minds to go into a new country. These men usually take a

camping outfit with them in the winter time. They will stake everything in sight and do no prospecting at all. I can swear positively where this has been done on miles and miles of ground.

#### STAKING CLAIMS.

They merely start out and put up one stake on a claim, if they have a stake with them, and put up a location notice which will read this way:

“Having complied with the mining laws of the United States, etc., the following claim has been located by so and so: Commencing at this initial stake, thence running eastwardly 330 feet; thence 1,320 feet southwardly to a stake, so and so, whatever the case may be [but there is no stake there]; thence 660 feet to the southwest corner to a stake [but there is no stake here]; thence 1,320 feet in a northwesterly direction, possibly to stake number four [but there is no stake here]; thence 330 feet to the initial stake.”

The claim will be known as No. 10 above discovery on such and such a creek. Then it is recorded and that is all there is to it for two years, invariably. After those two years are up another man comes along and does the same thing over again.

#### CLAIMS STAKED BUT NOT WORKED.

There are many creeks in the Blue Stone region on which there is not a single individual working. Every inch of ground upon them has been taken up, but no actual work is done. In June, 1900, there was a great stampede on Gold Run. I was there prospecting when there was not a single person there. Then the stampede came along and within ten days there were 3,000 people on the creek. They located everything in that neighborhood for a distance of 25 miles, whether it contained any mineral or not. In the meantime only two or three claims were worked. All these people went away. The following winter there were only two or three men on the whole creek. That ground has been tied up since. From August, 1900, until January, 1902, all that ground was held by individuals that would do no assessment work or anything else. Then, in 1902, in the spring, a number of stamperders came there. They went out on dog sleds and located the ground over again. In the meantime that ground is held up. We prospectors can do nothing with it.

The claim holders who do assessment work wait until the last moment to do it. Then often they will offer a man \$25 to go out and do the assessment work. One hundred dollars' worth of work is required to be done. But that man is not going to do \$100 worth of work for \$25. However, the affidavit that is filed will show that he has done \$100 worth of work. A good many of them just go out to the claim and stay around there for a day or two, and then make the affidavit that the work has been done. There are parties who just file the affidavit of assessment work without doing any work at all. They just simply hand the recorder \$2.50, and that is all there is to it. The way to remedy this, in my opinion, is to require the claim holder to file an affidavit showing just exactly what kind of work was done and when and by whom.

Senator PATTERSON. And if they swore to a lie?

A. Give them twenty years. That is what they should get.

Q. You are speaking as a practical prospector and miner?—A. Yes, sir; I am.

Q. And voice the views of the genuine bona fide miner?—A. Yes, sir.

Q. The men who are out in the country?—A. Yes, sir; the men who do the work with pick and shovel. I am not making my living here in Nome. I am making my living out in the creeks prospecting, where I remain both winter and summer.

(And here, at the hour of 1.30 p. m., the subcommittee adjourned to meet again at 3 p. m.)

(At the hour of 3 p. m. the subcommittee reassembled and continued the hearing of statements at said public meeting in the court-house of Nome, Alaska.)

#### STATEMENT OF ALEXANDER DE SOTO.

By Senator DILLINGHAM:

Q. What is your full name?—A. Alexander De Soto.

Q. Where is your home?—A. In New York and Seattle.

Q. Are you a temporary resident of Alaska?—A. Yes, sir.

Q. In what connection are you here?—A. I am here as the manager of the De Soto Mining Company.

Q. How long have you been in Alaska?—A. I have been here off and on a good many years.

Q. For what number of years?—A. For about eighteen years, off and on.

Q. Where are the properties of your company?—A. Principally in the Council City district.

Q. And you are known as Doctor De Soto?—A. Yes, sir.

Q. Are there any matters in connection with mining or your other experiences in Alaska that you would desire to present to the committee?—A. Nothing especially, except regarding the Council City district as looked upon from a mining man's point of view, or from a capitalist's point of view. I am thoroughly familiar with all the placer mining camps of Alaska except the Tanana and Nizina districts. For five years I have been in this country investigating and examining properties for our company, which is an old company, to find where we could operate them with heavy machinery.

#### COUNCIL CITY DISTRICT.

We have not been looking for high-grade properties, but such as were large enough to warrant the investment of large capital. After five years of investigation I have found that the Council district is the only district that would warrant the investment of large capital. As a consequence our company has secured some 9,000 acres by purchase in that district. In the Council City district we have, first of all, a harbor, namely, Golofnin Bay. It is the only harbor on Seward Peninsula outside of Port Clarence. A vessel drawing 18 feet of water can enter that bay with perfect safety. I demonstrated this by taking a steamship in there this season. I have thoroughly sounded that harbor, and have found that by spending about \$400,000 we can dredge a channel whereby a vessel which draws 22 feet of water can go along-

side the wharves and discharge its cargo. We have not asked the Government for any appropriation. We hope to be able to make this improvement ourselves. When I was in Washington I had a talk with President Roosevelt in regard to this matter, and he thoroughly understands our idea. He told me that if we should make this improvement the Government ought to reimburse us. From Golofnin Bay up to Council City, a distance of 58 miles, we have almost a navigable river. Steamers that draw 2 feet of water go from Golofnin Bay up to White Mountain. There we connect with other steamers that go from the mouth of the Niukluk River up to Council City. We are able to take up with our present means of transportation 100 tons of freight a day. The trip can be made from Golofnin Bay to Council City in eleven hours.

#### GOLD-BEARING LAND.

There is to my knowledge over 150,000 acres of gold-bearing gravel in that district that averages all the way from 50 cents to \$12 a cubic yard. Our company is now ready to operate there the largest placer mining dredge that has ever been built. We also have a steam shovel with a capacity of 15,000 yards a day. The expenses of operating a plant like this are about \$300 a day. The profits that can be derived from operating successfully such a plant can hardly be estimated. Wherever we have prospected gold will average from \$1 to \$6 a cubic yard. The expense for starting a plant like this will be about \$250,000. There is in the Casa de Paga region several thousand acres of just as good land. Running into the Casa de Paga River is a number of creeks which are rich with gold-bearing gravel. On the other side, running into the Niukluk River, is Ophir Creek, which has already turned out \$1,000,000 in gold. To my knowledge there have been 14 miles of this creek prospected, and there has never been found a single blank upon it. Crossing the divide from Ophir Creek is Warm Creek, which has paid \$45 per shovel per man in ordinary sluicing. No machinery of any kind has been put in there.

The Anaconda district, at the side of Ophir Creek, has hardly been prospected, and is a very peculiar country. When you cut through the tundra, or frozen muck, clear blue ice is found from 4 to 8 feet thick. Then you strike frozen volcanic mud ash. After it has been thawed out it cuts like cheese, and very heavy gold is found therein. Some of the nuggets weigh as much as \$17. We now have 12 men digging in that part of the district. The Anaconda district, which is in the Council City country, slopes down toward the Fish River Valley, and has an area of tens of thousands of acres.

#### QUARTZ LEDGES.

We also have several quartz ledges in Council at the head of Crooked Creek and in other places. I have here [indicating] with me several samples of it. It has not yet been opened up. We have many good things in Council that are not to be had in other districts of Alaska. We have good timber there. There is room enough and ground rich enough to work 100 dredges there for twenty years. There is now a railroad being projected from Golofnin Bay to Council.

· Senator PATTERSON. How far is Golofnin Bay from Nome?

A. Eighty miles east of Nome.

Senator PATTERSON. And Council City?

A. Council City is 158 miles from Nome by way of Golofnin Bay and thence inland.

The Fish River itself will yield anywhere from 50 cents to \$1 a yard where we have prospected. The river is from 250 to 400 feet wide and some 60 miles long. There is room enough there for 500 companies to operate for many years to come.

The mining interests in this district are the best I have seen in Alaska. I don't know much about agriculture. However, the people there have raised some vegetables and good hay. On Fish River we have mowed hay and timothy, and there has been enough to keep our horses. There is excellent grazing there for cattle. The season is very short, though. We have not had any cattle over winter yet, so we don't know how they will turn out.

The Bering Sea and Council City Railway propose to run a line from Nome to Council. The company is incorporated under the laws of the State of New Jersey, and a concession or grant was received from the Government in last January. They expect to commence building this road next year. London capital is behind this road. It will connect with our road from Golofnin Bay to Council.

#### CASA DE PAGA DISTRICT.

I have seen a clean up on the Casa de Paga River from a small winter dump which had been worked by two men in sluice boxes, which amounted to \$4,000. It was the result of the winter's work of these two men. A company is now starting in to operate a hydraulic plant on Dry Creek. Their ground prospected from \$5 to \$6 per yard, and they expect with their plant to handle 10,000 yards daily. I have no doubt but that their clean up will average \$50,000 a day in handling 10,000 yards, which they claim to be able to do.

Most of the men who go in there are poor. They have only four or five days' grub with them and have to come back again.

Senator PATTERSON. Have the stampeders got in there?—A. Yes, sir; but they have come back again.

#### POPULATION OF COUNCIL CITY.

Senator NELSON. You call this region the Council City district?

A. Yes, sir.

Q. How many people are in Council City?—A. About 500.

Q. And how many in the district?—A. About 3,000.

Q. That would make 3,500 altogether.—A. Yes, sir.

Q. Are they all Americans?—A. Practically all of them. There are some Canadians.

Q. How many of them stay through the winter?—A. I should judge about 600 people. It might be more, but not much more than that.

Q. The bulk of the 3,000 or 3,500 people are miners and prospectors?—A. Yes, sir.

Q. And they go out during the winter months?—A. Most of them do.

Q. In your opinion, is there anything that Congress should do to assist the people in that district?—A. I don't think there is. We have everything we want in the Council district except schools. We have to send children to Nome to school.

Q. How many children are there?—A. About 100. Outside of that, we are well provided for and want nothing.

Q. The country is becoming more and more permanently settled?—A. Yes, sir; faster than any part of Alaska that I have seen. Thirty buildings are now being constructed in Council.

Q. Have you any timber there?—A. Yes, sir; we have a quantity of it. We get \$5 a cord for it.

## TIMBER.

Q. What is it—spruce?—A. It is what we call silver pine.

Q. But the same general character as spruce?—A. Yes, sir.

Q. How much of that country is covered with this timber?—A. There are stretches of it. I couldn't say exactly. I know what we have on the Neukluk River. On this river I should judge there is about 9,000,000 feet. On the Fish River there is plenty of timber, and also over the range of the Anaconda. But that is a country where very little prospecting has been done except for quartz.

Q. You look forward do you for profitable quartz mining?—A. Yes, sir; very much so.

Q. Very considerable quartz claims?—A. Yes.

Q. Have you given any attention down there to agricultural matters?—A. About the same as they have done here (Nome).

Q. The flat country is all tundra?—A. No, sir; it has a layer of from 12 to 18 inches of moss. The rest is gravel and sand.

Q. Has it a reasonably level surface?—A. Yes, sir. It is a country very easy for transportation. You can build roads at a very small cost.

## TRANSPORTATION.

Q. Who is carrying on the transportation?—A. Our company has done most of the transportation from Chinik up.

Q. What do you charge a ton?—A. \$27.50.

Q. What do you charge for passengers?—A. \$10. It used to be twice that much.

Q. Who owns most of the claims around Council City?—A. Different companies. I could not enumerate them all. There are probably 1,000 claim holders there.

Q. Are there many prospectors working their own claims?—A. Yes, sir; two or three or four men and up to twenty.

Q. Are supplies up there dearer than here (Nome)?—A. They are considerably dearer, because they have to come from Nome. They are transported by steamers to Golofnin Bay and up the river.

Q. What steamers go there?—A. The *Sadie*, *Discovery*, *Elk*, and some few others. The only steamer from the States to go there this year was *The Jeanie*. A mining company by chartering its own vessel can land its freight there from Seattle for \$7.50 a ton. The companies charge \$15 a ton. From my own experience I know that there is a good profit at \$9 a ton.

Q. There is a railroad being built to Council—where does it start from?—A. From Solomon.

Q. Where is Solomon?—A. About 36 miles from here (Nome) down the sound.

Q. And a railroad is being built up to Council from that point?—A. Yes, sir.

Q. Is there a harbor there?—A. No, sir.

Q. Who is building that road?—A. The North Star Company.

Q. Have you any suggestions to make in reference to the mining law?—A. Nothing further than what has already been said here to-day.

Q. Your company bought most of its claims up from individual holders?—A. Yes, sir. Some people would not sell to us, and we took their claim on a twenty per cent basis. We give them twenty per cent of the output.

Q. Goods can be carried by water from Chinik to Council?—A. Yes, sir.

Q. How far up Golofnin Bay before you strike timber?—A. On the Fish River.

Q. Is there timber on the creeks branching from that river?—A. Not on all of them, but on a good many.

Q. Timber enough for the needs of the country for cabins and fuel?  
A. Yes, sir. We have coal up there, but it has not been developed.

Q. I suppose it is a lignite?—A. Yes, sir.

Our company is also interested in the sulphur industry. On Unalaska Island is Makushim crater. It has a great sulphur deposit. I should call it a sulphur geyser. The top of the mountain consists of thousands of small holes throwing out a continual vapor of sulphur steam. Our company has blocked out 200,000 tons. On the side of the mountain there is a glacier. At the foot of this glacier there is a grayish matter which we call working sulphur. It contains 30 per cent sulphur. There is enough sulphur on this mountain to supply all the world.

Q. How far is it from where the sulphur is found to the shore?—A. About 14 miles the way we have to go.

Q. And you have to pass over the glacier to bring it out?—A. Yes, sir.

Q. How wide is the glacier?—A. About 3 miles.

#### STATEMENT OF E. W. JOHNSON.

By Senator DILLINGHAM :

Q. You are a resident of Nome?—A. Yes, sir.

Q. What is your business?—A. I am engaged in the lighterage business here.

Q. How long have you been here?—A. Since 1900.

Q. And have been engaged in the lighterage business since that time?—A. Yes, sir. Before that I was engaged in this work on Puget Sound, and previous to that on the lakes for sixteen years.

#### LIGHTERAGE AT NOME.

Q. State, generally, what you mean by lighterage?—A. It is carrying freight from ships to shore by small boats where the water is too shallow for large vessels to come; that is, where ships have too great a draft of water to allow them to come to the shore.

Q. Perhaps you had better describe the existing conditions here at Nome.—A. Here at Nome all vessels have to lay off about a mile from the shore, and their freight has to be transferred to lighters or scows and brought to the beach. Part of the freight is put on the beach and

part is put in warehouses, and from there distributed to the merchants. This work of bringing freight from the vessels to the shore costs at this time from \$3.50 to \$5 a ton. Coal costs \$3.50 a ton, and other merchandise from \$4 to \$5 a ton. Heavy machinery, of course, costs more.

Q. Are there any difficulties attending the landing of freight?—  
A. Yes, sir; a great many. The exact cost of doing lightering that way does not amount to near as much as we get for it; but the storms—we have run it up sometimes until we are very lucky if we do not run behind in the lighterage business.

## SHIPS DELAYED IN LANDING PASSENGERS.

By Senator PATTERSON:

Q. What is the effect of a storm—even a comparatively light storm—in preventing you from transferring goods and passengers from sea to shore, and what length of time have passengers been delayed by an ordinary gale of wind?—A. They are often delayed a great many hours and days. A ship often has to come in two or three times before she can get her passengers who desire to leave Nome. There is a very heavy current running here, from  $1\frac{1}{2}$  to 3 miles an hour. It runs from the eastward, though it changes with the wind. It is a continuous current. This current carries with it a great deal of sand. From 2 to 6 inches along the boundary of this bay is a moving bed of sand. That is one of the reasons why a harbor here is out of the question. The least storm that comes along scatters this sand into the river again and makes it difficult for the scows to enter the river.

Senator DILLINGHAM. You are speaking of the Snake River?

A. Yes, sir.

Q. Do you do lightering on the river?—A. Yes sir.

Q. There is no other river here than the Snake River?—A. No, sir; no other.

## LIVES LOST.

Q. You have not told us about the violence of the surf and the difficulty and danger of landing passengers.—A. It is very dangerous, and of course we don't attempt to lighter when we think it is dangerous. We use a good deal of care in that. There has been quite a number who have lost their lives in trying to get out with boats each year.

Q. You have not been able to do any work during the last two days on account of the surf?—A. No, sir; I have not done any work for two days because of the surf.

Q. Have you any suggestions to make regarding a remedy?—A. I think that Snake River, by two piers being put out there, could be made a safe harbor. Also, there can be warehouses to take care of the freight for the merchants which I figure will make a difference to Nome of from \$75,000 to \$100,000 a year in the saving of damage to things which can not be helped in lightering. In front of Nome here there is a reef—a rock reef—about 300 feet from the shore that forms a bar. It is directly across in front of the Snake River. The sandy beach is inside of that rocky reef. About 500 feet out there is 11 feet of water. Across the reef the water is only  $3\frac{1}{2}$  feet deep.

Q. Does this reef that you speak of project above the sandy beach?—  
A. From 18 inches to 2 feet.

Q. How wide is the reef?—A. About 16 feet.

Q. And that runs parallel to the shore?—A. Yes, sir.

Q. At low tide what is the depth of the water on the reef?—A. From  $2\frac{1}{2}$  to  $3\frac{1}{2}$  feet. As I look at it, the condition here is identical with rocks that I have seen on the eastern shore rivers and on Lake Michigan, where they have built piers and have from 12 to 18 feet of water. The same current exists and there is a bar of sand.

Q. What do you think of building a pier?—A. It is my idea that it can be done.

Q. Won't you describe how you would do it?—A. I would build through this reef a channel out into the deep water, with cribs on each side.

Q. If those cribs would stand, why wouldn't a good big wharf built with timber and stone stand?—A. The cost would be so much greater, and then, again, the driving of the piles would cost so much. A hydraulic would have to be used to drive those piles. It is a big job, and it would be taken out by the ice.

Q. You think you would build cribs for a dike?—A. Yes, sir. You have a surf out there most of the time, and a ship could not lay along a dock. That would be the condition in case of a dock, and it would make a dock almost useless.

Q. What distance would you carry out these cribs?—A. I would have it go out about 600 feet. It would go out to about 1,200 feet of water. The other one would go out about 450.

Q. Do you think that the current along the shore would be sufficient to carry off the silt?—A. Yes; I do.

Q. Without a bar being formed?—A. Yes, sir.

Q. Would Snake River require dredging?—A. Not often; possibly it might in the fall of the year. It is pretty hard to tell that. In spring there is no danger, because of the quantity of water.

Q. What depth of water would you ordinarily expect to get if that plan were carried out?—A. Eight or 9 feet.

Q. Would there be sufficient current in the river to keep the channel clear?—A. Yes, sir.

Q. Would that obviate the difficulty that is now experienced in getting through the surf?—A. Yes, sir.

Q. Jetties would extend right out across the most dangerous part of the surf?—A. Yes, sir.

Q. As you get out there seaward the surf becomes less and less dangerous?—A. Yes, sir.

Q. Where would you get the timber for this?—A. It would have to come from the outside—from Puget Sound.

#### COST OF JETTY.

Q. What about the rock?—A. The country is full of it.

Q. What, in your opinion, would be the cost of putting in this break-water or jetty?—A. About \$100,000. It could be built in one season. If the contractor got his timber in in the fall and was prepared, he could complete it in one season.

Q. Can you give the committee any idea of the amount of freight landed here in a season?—A. Last year about 40,000 tons were landed.

Q. And how much the year before?—A. According to an estimate that was made by the transportation people, it was about 35,000 tons.

Q. And the year before that?—A. 100,000 tons.

Q. What are the indications this year?—A. It will possibly run up to 45,000 or 50,000 tons.

Q. If this improvement were made that you suggest, at what rates could you do the lightering work?—A. At \$2.25 or \$2.50 a ton. That is my idea of it.

#### STATEMENT OF T. L. MORGAN.

By Senator DILLINGHAM:

Q. How long have you been in Alaska?—A. Since 1898.

Q. You have been in Nome since that time?—A. I came to Nome in 1899.

Q. Have you had occasion to give attention to the problem presented by the difficulty of landing merchandise and passengers from vessels here at Nome?—A. Yes, sir.

Q. Tell us what that has been.—A. I was asked last winter to look into the matter of improving the harbor here.

Q. You have been engaged in such work before?—A. Yes, sir; I was connected with the St. Louis Packing Company for a number of years, and have been on the Mississippi from the lower Eads to St. Paul, and have had experience in building dams and jetty work on the Mississippi in dredging out and deepening the channel.

#### IMPROVEMENT OF SNAKE RIVER.

Q. You say that you were requested to examine the conditions here?—A. Yes, sir.

Q. Will you tell us what you did?—A. I went over to the spit here at the mouth of the Snake River and looked over the ground and made a rough estimate of the distance to be channeled and what is the best way to do it.

Q. You mean the distance of channeling at its mouth?—A. Yes; as the river runs now it makes a circular run.

Q. Your idea, then, as to the best means of getting into Snake River is to cut open a channel?—A. Yes, sir; I think it can be easily done. Some care must be taken of course. You would have to put down filling and fill in with Portland cement. It would have to extend through 500 feet from the beach and cut off Snake River right above the bridge and then run your channel through 40, 50, or 60 feet.

Q. It turns to the left before reaching the beach?—A. Yes, sir.

Q. And flows eastwardly and then turns again toward the sea and flows into it?—A. Yes, sir.

Q. What distance would that be?—A. I should judge about 400 or 500 feet.

Q. How far out would you carry your wings?—A. It would have to be extended over to the stony reef; about 500 feet, I should say.

Q. Now, you may come back and tell us what your idea is about building those wings.—A. It would have to be concrete.

Q. You could not do it by stone?—A. No, sir; I do not think so. Breakwaters at Chicago on the lake are made of Portland cement, and most breakwaters are made that way. That gives the ice no chance to freeze to it in the rise and fall of the tide.

Q. Are you of the opinion that the current of that river would keep the mouth free from a bar?—A. Yes, sir; it would.

COST OF IMPROVEMENT.

Q. What expense would it be?—A. From \$130,000 to \$150,000 would be necessary to dredge out the bay and put in the piling.

Q. You include in that dredge work, the canal outside?—A. Yes, sir.

Q. How wide would you make it?—A. From 50 to 60 feet.

Q. And how deep?—A. From 7 to 10 feet. Seven feet would let in almost all of our small vessels.

Q. What do you say the total cost would be?—A. Including the dredging, it would be in the neighborhood of \$150,000.

Q. Are you estimating that cost on what it would be here or outside?—A. That is what it would cost here in Alaska and not outside.

STATEMENT OF JOHN T. REED.

By Senator DILLINGHAM:

Q. You reside at Nome?—A. Yes, sir.

Q. How long have you lived here?—A. Nearly three years.

Q. You have some suggestions to make about mail routes?—A. Yes, sir.

WINTER MAIL FOR NOME.

Q. We will be glad to hear them.—A. I was asked by two gentlemen who are the mail carriers to give you this map from Nome to Iliamna Bay. It was thought it would be of help to you. The dotted line shows the way the mail is carried at the present time. The dotted line running toward Iliamna Bay shows this proposed route. The figures show the distance from point to point. These men have made the trip several times.

Q. What are the benefits to be derived from this proposed mail route?—A. As I understand it, it is required by the contract that mail must be delivered at Nome from Skagway in sixty days during the winter. But it always takes longer than that. People going from here up the Yukon have no trouble in passing the mail carriers in winter.

Q. That is going over the present mail route?—A. Yes, sir. Iliamna Bay can be reached by sea in all seasons of the year. When you gentlemen get back to Washington you will find there a statement which these two carriers have submitted to the Post-Office Department, offering to bring the mail in from Iliamna Bay to Nome in not less than thirty days.

Q. What is the time consumed in carrying the winter mail from Skagway to Nome under the present arrangement?—A. The contract time is sixty days, but I am not prepared to state what time they do get it here.

Q. Will this proposed route shorten the time probably one-half?—A. The mail carriers think almost one-half; and by building the relief stations exhibited on this map they will have no difficulty in bringing in the mail regularly.

Q. They will build their own stations?—A. Yes, sir.

Q. Would that include first and second class mail?—A. Their idea was for the first-class mail only, as it is now.

Q. What would the relative cost be to the Government?—A. I do not know that, Senator; I have only been asked by these gentlemen to present this matter to you. I am sorry that they are not in town now to present it to you themselves.

Q. Is Iliamna Bay deep enough for ocean vessels to enter?—A. These gentlemen tell me that the large vessels can enter it without any trouble.

Q. Have they sent in their proposals to Washington?—A. Yes, sir; their representative is in Washington now.

Mr. RUSHER. I have spoken to a large number of people at various times regarding the rates of mail, and I dare say that I voice the sentiment of the people in Nome when I say that they are willing to pay first-class postage on second-class mail matter if they could get it in here in the winter. Many times this has been done. But no second-class matter is brought to us during the winter, no matter if it does have first-class postage on it. I say this because last winter and previous years hundreds of newspapers were directed to us, being paid for as first-class matter, and we did not receive them until spring.

#### STATEMENT OF JOHN C. BARR.

By Senator NELSON:

Q. Where do you live?—A. Tacoma, Wash., is my present home.

Q. You have been here in Alaska in recent years?—A. Yes, sir.

Q. State what business you have been engaged in while in Alaska and how long you have been here.—A. I came here first in 1892 for the purpose of building a steamboat for the Yukon. I built the boat at St. Michael and wintered it at Nulato, and the following spring went to the Fortymile. I came out in the summer of 1893 and returned to build another boat in 1896. I was on the Yukon and at St. Michael for three years. Part of the time I was running boats on the Yukon. During that time I had considerable experience with the Indians, and used them in various ways.

Q. In what capacity did you use the Indians?—A. Helping to build steamers and in running steamers, as deck hands, for me. I have found them a very quiet and peaceable people. While they were not able to do as much work as the white man, they were perfectly willing to do whatever they could. In that connection it occurs to me that, in view of the conditions they are facing now, it would be well for somebody to recommend something for them to do to enable them to live.

Q. What is their condition now?—A. It seems to me that they are taken away from their ordinary pursuits—in making curios, for instance—instead of providing for the things which are necessary for their existence in winter, in gathering furs and the like. I think that if they were set apart in a sufficiently large portion of Alaska—and I think it is large enough for some of it to be set off for the Indians—and allow them to pursue their own life in their own way that they would be self-sustaining and prosperous. I think that it is possible and feasible to set apart a portion of this Territory for the Indians which will never be a gold-bearing country.

Q. They would have to have a reservation where they could get fish and game?—A. Yes, sir.

Q. They would have to be located so that there would be two reservations—one for the coast and one for those who live in the interior?—  
A. Yes, sir. It is possible, though, to get all those conditions in one reservation in this country.

Q. Can you think of such a place where they would not interfere with mining?—A. Yes, sir.

#### INDIAN RESERVATION.

Q. Or the pursuits of the whites?—A. I think that if they were located in the valley of the Yukon, the Kuskokwim, and the Koyukuk—from the Tanana down to the mouth of the Kuskokwim and round the coast to the head of Norton Bay on the south side of this sound.

Q. You would go practically around from St. Michael along the coast over to the mouth of the Kuskokwim?—A. Partly, and I would also include Unnivak and St. Lawrence islands. I would give them all of the Kuskokwim Valley up to the Tanana and the lower Yukon.

Q. You would take that country bounded on one side by the Yukon, on the second side by the Kuskokwim and by the ocean?—A. I would take the country bounded by the ocean on one side, from the head of Norton Bay to the mouth of the Kuskokwim, up the Kuskokwim to the Tanana, down the Tanana, crossing the Yukon to the Kuskokwim with a straight line running from there to the head of Norton Bay.

Q. Would you include any part of the Tanana Valley?—A. Yes, sir; that part of it on this side which is not considered a mining country. I think that the natural conditions of that portion of the country would furnish a reservation to the three classes of Indians—the Malamute, Inuit, and Tinneh—and would necessitate moving but a very few Indians, because the majority of them are living within these boundaries.

Q. Would you include the territory on the right bank of the Yukon below the Koyukuk?—A. All of it.

Q. How far back from the Yukon would you go?—A. I would go back to the head of the Nulato River and along a line drawn from there to the head of Norton Bay.

Q. It would practically include the country back of St. Michael?—A. Yes, sir. It would include places like Nulato, Holy Cross, Andreafski, and smaller points.

Q. Is there no mining development in that territory?—A. None that I know of.

Q. The Kuskokwim Valley has some agricultural possibilities?—A. I have heard that it has some.

Q. You would put all these Indians and Eskimos in this 'big reservation and put them in charge of an Indian inspector?—A. Yes, sir.

Q. And then leave them to rustle for themselves?—A. Yes, sir; though I would advocate on behalf of the Indian that his surplus of products should be taken care of by some Government agent who would market his products.

Q. Would it not be a good plan to give him the right to furnish the Government with hay and wood along the river?—A. Yes, sir; I think that would be a good thing. These people will take to anything. They have taken to wood chopping, and have been very glad to do it. As I said, I would advocate the Government taking their surplus products and having them brought to a market by the Government

acting as their agent and selling everything for them to purchase their supplies. They need particularly a ready market for what they produce in the winter.

## INDIAN POPULATION.

Q. Have you any idea of the population of Indians in Alaska?—A. I would not say as to all of Alaska. I can say, however, for the territory this side of Eagle on the Yukon River. No one ever sees all of the people. To make a rough estimate, I would say that from Eagle to St. Michael on the Yukon there are about 6,000 souls. This is merely hearsay.

Q. The condition of the Indians has become worse since the large influx of whites into the country?—A. Yes, sir.

## DEPOPULATION OF INDIANS.

Q. And they have been dying off very rapidly?—A. Yes, sir; the missionaries tell us that. I understand from what I could learn that it is probably a fact that there were at least 20,000 Indians on the Yukon delta fifty years ago. They were flourishing and did flourish for years before. But since they came in contact with whisky, the stories are told us that they began to fight among themselves. They never were known to do it before.

Q. Is there any other statement that you would like to give on this subject?—A. I can not think of anything; but I would suggest that it would be well to establish a small reserve for reindeer on this peninsula.

Q. What would you do with the Eskimo north of here?—A. I would put them east of the Kotzebue Sound.

Q. There is gold reported on the Kowak River?—A. Yes, sir; for a good many years. The Indians reported it some years ago. There was a great stampede into that part of the Koyukuk country some few years ago, and it would not be proper to make a reservation where there has been a stampede for gold. The whites would not stop at the reservation line.

## GAME LAW.

Q. Coming down the river we have heard complaints about the game law, particularly in respect to the Indians; what have you to say about that?—A. It works a hardship to the Indians. I have had some experience on the Yukon River in connection with the Indians and the game law. Any game law which prevents the Indian from hunting and disposing of game to enable him to buy provisions is not right. The game law prevents the Indian from killing and selling ptarmigan.

Q. Don't you think that the game law is not only unjust for the Indian, but also for the white people in this country?—A. Yes, sir; I think it is unnecessary. I think it is not right to prevent them from killing game for food in this country, not only for the Indian, but also for the white man, for their own use and home consumption.

Senator PATTERSON. What is the difference between the Eskimo and Indian?

A. I don't think there is any difference any more than that of their language. They seem to grow in stature as you go up the river and

grow less as you come down, and their food and life is somewhat different. If they are on the shore or near the ocean they live on whale oil and such as that. When they get farther up the river you find them living on salmon almost entirely. Farther up the Tinneh Indians live in the woods.

Q. Take the coast Indian and the Eskimo; are they practically the same in mode of life and habits?—A. Yes, sir; I think there is very little difference in the habits of the Indians from Bristol Bay to the Kotzebue Sound.

Q. So that a condition of life which would be applicable and favorable to one would be applicable and favorable to the other?—A. Yes, sir.

#### DEPLORABLE CONDITION OF ESKIMO.

Q. The citizens around Nome and elsewhere, speaking of the Eskimo, have depicted his condition as absolutely deplorable; that their habits seemed to have changed by contact with the whites; that they are unable to care or provide for themselves; that they become dependent, whether in health or in sickness, on the whites for help, and that if the whites do not help them they are liable to die of starvation. How about that?—A. I think that is the case. When I first knew the Indians, they were industrious. They seemed to work and provide for themselves. I do not know of any reason for their present condition unless it be the contact with the whites.

Q. I have heard the statement that they are naturally a generous people, and that in the earlier days they gave the white man whatever he wanted.—A. Yes, sir; that is the case. They were not only generous, but very honest.

Q. But that the white man, finding that to be his condition, imposed upon him?—A. Yes, sir.

Q. That method of treating him seems to have totally demoralized the Indian?—A. Yes, sir.

Q. And yet you have no hostility here?—A. None whatever.

Q. And it has become simply a question of common humanity to take care of the Eskimo and the Indian in some way which depends upon the generosity of the white inhabitants of Alaska and the generosity and duty of the Government?—A. Yes, sir.

Q. And it is simply a question whether the one or the other will assume this grave responsibility?—A. Yes, sir; and the General Government is the only one who can take charge of such a large question. The Indian does not understand the use of money. The unit of all articles here used to be the mink skin. Everything was counted by its value in mink skins. In that way they needed no money. The Indian had no use for money. Even now he does not recognize its value. He will take three dollars in silver rather than a twenty-dollar bill, because the silver has the appearance to him of being more valuable. He has no use for paper money at all, and will not sell his goods for it. He always wants silver.

#### DUTY OF GOVERNMENT.

Q. You have no hesitation about the duty of the Government to step in and take charge of this disappearing race of people?—A. No, sir; I think it is the duty of the Government to take charge of them.

Q. Do you know of any reason why the Government should put the Western Indian upon a reservation and dole him out annual provisions that would not apply with equal force to the Alaskan Indians?—A. No, sir.

Q. Do you know whether the Government has ever appointed any commission to investigate the condition of these Indians and provide for their needs and wants?—A. No, sir; I think none has ever been appointed. The reports of Governor Brady are the only thing on this subject.

Q. Don't you think it would be wise for the Government to appoint a commission with a view to determine the exact condition at the present and what may be the future state of the Indians in Alaska and then make proper provision for them?—A. I think that would be a very good plan; but I think it would be better, however, to take steps looking to their immediate assistance, so that they may have relief at once.

Q. But the Government ought to be officially informed by its own chosen representatives?—A. I think the Government has been informed by Captain Jarvis.

Q. That is not the way the Government does things, however?—A. No, sir.

#### STATEMENT OF MAJ. J. F. A. STRONG.

By Senator DILLINGHAM:

Q. Where do you reside?—A. At Nome.

Q. What is your business?—A. I am editor and proprietor of the Nome Nuggett, a semiweekly newspaper.

Q. How long have you published that paper?—A. Nearly four years.

Q. Where did you live before coming here?—A. In the Klondike, and before that in Skagway, Alaska.

Q. You have been acquainted with conditions in Alaska for how many years?—A. Since 1888, when I first came to Alaska on a trip.

Q. We would be glad to have you go on and state your views about the Eskimo and Indians in Alaska; their present condition; how their condition has been affected by the great influx of whites, and what you think ought to be done for the relief of the Indians, and also regarding the game law.—A. Briefly, I may say that I have taken a particular interest in the welfare of the Eskimo ever since coming here in 1899. In 1899 there was an abundance of beach wood scattered along the coast from Norton Bay to Cape Prince of Wales. The influx of white men quickly denuded the shores of wood which was necessary in a great measure to the comfort of the Eskimo.

#### INDIANS HOSPITABLE AND GENEROUS.

The establishment of towns and settlements along the coast has naturally attracted the Eskimo, and it means that with the coming of the white men they have lost their energy. They congregate around the towns and settlements. By such association they have lost their own virtues and have acquired all the vices of the white man and have learned none of his good qualities. They are a hospitable, generous, open-hearted people. I take it that probably, in their primeval state, they were the most honest people on the face of the earth; so honest

that the old timers in this section—good reputable men—tell me that stealing among them was ten or twelve years ago punishable by death.

Senator PATTERSON. That is, under their laws?—A. Yes, sir. They never robbed and they never lied. Lying was accounted by them a crime next to theft. I have given considerable attention to the care of the Eskimo. I have called the attention of the United States authorities to the deplorable condition of these people that has existed and come under my observation. In some cases I have been instrumental in enlisting governmental aid from the United States marshal's office and the military authorities at Fort Davis. In the spring of 1900 an epidemic swept all along this coast where the Eskimo people are scattered. Up in the Kugruk district there was famine and disease. The military authorities stationed at Fort Davis sent out a relief expedition and distributed supplies as far north as the Inmachuk on Kotzebue Sound.

#### ESKIMOS IN DIRE EXTREMITY.

The severe winter conditions of this country often reduce the Eskimo to dire extremity. The influx of whites seems to have cut off their source of supplies. They gather fewer furs. Ptarmigan is becoming less numerous. The beach wood with which they used to build fires is gone. I have noted during the last four years that the condition of the Eskimo has steadily grown worse, until now it is well nigh desperate. Previous to the influx of white men the Indians were self-sustaining and self-supporting.

#### SELF-SUSTAINING FORMERLY.

They asked nothing of anybody. They managed to live, notwithstanding the rigors and hardships of this climate. It seems to me, in justice to these people, that the Government should take immediate steps to care for them. They are one of the most patient and gentle people I ever knew. They are gradually decaying. The lack of attention to these people by our Government has been a wonder to me.

Senator PATTERSON. You speak of their deplorable condition, which is gradually growing worse, yet a number of them are strong and healthy. What is their disposition to work? Is it against their nature?—A. I think that their contact with the towns and settlements has been a source of demoralization to them. They come into the towns and see white men who are apparently doing nothing. They may be upon the streets and apparently do nothing. They acquire habits of idleness in this way. They are an imitative people. They think that if the white men can live without working they can do so as well.

#### SALE OF LIQUOR TO INDIANS.

The sale of intoxicating liquor to them by saloons, and the presence of unscrupulous white men who will sell them "hooch," has also tended to demoralize this people.

Q. Before the advent of the white man his occupation was that of fishing and hunting?—A. Yes, sir.

Q. And what work the white man does in the towns he is unable to do, and that causes his disability?—A. Yes, sir. I have favored the segregation of the Eskimo.

Q. By that you mean the coast Indians?—A. I mean only the Eskimo. I do not consider the native of the upper Yukon an Eskimo. I would favor the segregation of those people into reservations, perhaps along the lines followed regarding the plains Indians. In their primeval state they are an industrious people. They received their daily sustenance from the sea or from hunting. They might be given the instruments of labor. Many of them had vessels of their own. Many of them along the coast had boats of various kinds with which they hunted. But they have lost them. When they lose their means of livelihood they are helpless. It might be possible to assist them in this way through boats and furnish them with the instruments with which to earn a livelihood. But they would have to be placed under the care of honest men. They might be placed on reservations. I believe that if such treatment could be devised for them they would be as self-supporting as before we Americans came here.

#### GAME LAW.

The Alaskan game law has worked a hardship upon the natives of Alaska. I will read section 2 of the law:

That it shall be unlawful for any person in Alaska to kill any wild game animals or wild birds except during the seasons hereinafter provided: Large brown bears from April fifteenth to June thirtieth, both inclusive; moose, caribou, walrus, and sea lions from September first to October thirty-first, both inclusive; deer, sheep, and mountain goats from September first to December fifteenth, both inclusive; grouse, ptarmigan, shore birds, and water fowl from September first to December fifteenth, both inclusive: *Provided*, That the Secretary of Agriculture is hereby authorized whenever he shall deem it necessary for the preservation of game animals or birds to make and publish rules and regulations which shall modify the close seasons hereinbefore established, or provide different close seasons for different parts of Alaska, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality.

#### VIOLATING GAME LAW.

Up to this last winter the Eskimo brought in many ptarmigan for sale. It is a delicious bird. We all like it. In the spring of the year, when the cold-storage meat is not what it ought to be, the ptarmigan is very good. They used to sell them in large quantities, but under the law they have not been able to do so. I want to say that I have bought ptarmigan during this last winter, knowing that I was breaking the law in receiving it; but I bought it in the first place to help the natives, and in the second place to get that kind of game.

Senator PATTERSON. The statute of limitations has not yet run against that offense.

Major STRONG. Section 4 of the game law provides as follows:

That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals or game birds in Alaska, or to sell, or offer for sale therein, any game animals or game birds, or parts thereof, during the time when the killing of said animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession any game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

The Eskimo are the hunters of this country. Before this act went into force the individual Eskimo could bring into town and sell to the highest bidder any furs, birds, or game. Under the operation of this

law they are forced to sell their furs to the traders at any price which the trader will give them. There is no competition. The trader buys the fur and he takes the chance of shipping it out of the country. There is no necessity for such a rigorous game law, as applied to the Eskimo. I think that the game birds of this country should be protected, but I do not think that the law should be so stringent as to the shipment of furs out of Alaska by the natives.

Senator PATTERSON. Don't you believe that if the Government would take immediate steps to relieve their immediate wants, and then appoint a competent commission having in view the investigation of their condition and report same to Congress it could pass proper laws for their relief?—A. I think it would be well to do that. Last winter it was reported that the natives were starving in the country north of here. A young Eskimo came to me and told me, "My people sick; no provisions. My wife very sick." I knew him very well. He is an intelligent young fellow. He said, "What can I do; must they die?" I said, "I don't know; I will see what I can do." I came to the United States marshal's office and reported the case. It was a family living at Cape Nome. The United States marshal said he could do nothing, but that he would communicate with the commander of the post at Fort Davis. He did so, and Captain Sargent, commanding the post, issued rations to those people, saying, "I do this largely upon my own responsibility, but knowing the conditions as I do, and that these people are in absolute want, I will take the responsibility." He did that same thing in many other cases, and rescued numerous people from death by starvation. The people of Nome have been generous in responding to the needs of the natives. Thousands of dollars are supplied by our people every year to clothe and feed these people and relieve their suffering. But the people here should not be required to do this.

#### STATEMENT OF PETER KOKRINE.

By Senator NELSON:

Q. Are you an Indian or an Eskimo?—A. I am an Indian of the Tinney tribe.

Q. Where do you live now?—A. At present at Holy Cross.

Q. What are you doing?—A. Engaged in the trading business.

Q. Are you a full-blood Indian?—A. I am.

Q. Will you go on and please state what you know about the condition of the Indians on the Yukon River, and what their needs and wants are, and what the Government should do for them?—A. I have nothing to say about these Eskimos down here, because I never lived down here. I have been down at St. Michael, where there is a lot of them, but I know very little about them. But I could give you much information about the Yukon River.

Q. Tell us about your tribe.—A. My tribe never had a history from generation to generation, but they have some kind of a story. They never had any written history, but they had a tradition.

Q. What is that tradition?—A. That they had been living along there on the Yukon River.

Q. In what manner did they support themselves before the whites came?—A. In hunting and fishing. Of course I don't know much about it.

Q. You have heard the old people speak of it?—A. They used skins and furs for clothing, and their food was fish and game only.

Q. And did they live in houses?—A. They lived in moose-skin houses—something like tents.

Q. Did they build log houses?—A. From what I heard they had some log houses and what they call huts.

Q. Covered with skins?—A. Yes, sir; and made of logs and birch bark.

Q. Were they living well under those conditions?—A. Not all the time.

Q. They were sometimes short of provisions?—A. It was very seldom that they were short of food.

Q. How has it been in recent years since the Americans came here?—A. Game seems to be scarce since whites came in, and some of the Indians have a hard time in making their own living.

Q. And is fish getting less, too?—A. No; the fish always come in good quantities, and they can get plenty of them.

Q. Are the Indians as ready to work as they were in the old time—prepare food and supplies for the winter, as they were in the old time?—A. Most of them are not very willing to do what their old custom used to be.

Q. They want to be like the whites?—A. Yes, sir.

Q. They want to drink whisky?—A. Only in the mining camps, but not where they are by themselves.

Q. They don't get drunk when they are by themselves?—A. No.

Q. They get their whisky from the whites?—A. Yes, sir.

Q. Do you make any effort to raise vegetables, potatoes, or any garden vegetables?—A. Most of them never saw any gardens at all.

Q. And don't care anything about that?—A. They never saw them, and naturally don't care about them.

Q. Were they an honest people?—A. Yes, sir.

Q. And lived at peace—did not fight among themselves?—A. When the Russians were here, the different tribes would fight.

Q. But they would not fight among themselves—members of the same tribe would not fight among themselves?—A. No, sir.

Q. Did they have one wife or many?—A. They used to have many wives, I have heard. At the present time I have seen some natives on the river, on the left here, coming down the Yukon who had a couple of wives, but they are very few. They were the old people.

Q. The young people have but one wife?—A. Yes; but in the old time they had more.

#### GAME LAW.

Q. What do you think about the game law? Do you think it is unjust to the Indians?—A. It was kind of unjust last winter.

Q. That was the first winter you had it?—A. It didn't affect us on the Yukon, because there were no white settlements and there was no one to make complaints, so they helped themselves. I understand at St. Michael this last winter there were natives who had game, but could not sell it; but they managed to sell their furs, but the game they could not sell.

Q. And they would have to sell their fur by stealth?—A. I guess they did.

Q. And could not get the price they could if it had not been for the game law?—A. Yes, sir.

Q. Do you think those game laws ought to be wiped out for the Indians?—A. I do; I think it is better for them not to have such laws.

Q. What do you think the Government of the United States should do for the Indians to help them?—A. What Captain Barr said was all right.

Q. Make for them a great big reservation?—A. Yes, sir; for the orphans only.

Q. You understand that Captain Barr's plan was to take all the Indians and Eskimos and put them in a great reservation and let them have it all to themselves. Do you think that would be a good plan?—A. That is all right.

Q. What were you going to say about the orphans?—A. There is a lot of orphans and old people who are unable to help themselves.

Q. Don't their relatives and children help them?—A. Yes, sir; but many of them died off during the epidemic.

Q. Have many died up where you are?—A. Yes, sir; up as far as Unalaklik.

Q. What was the sickness mostly?—A. It was composed of every thing—mostly consumption, pneumonia, measles, and typhoid fever. And they had no help.

Q. They have no doctors among the Indians?—A. No, sir.

Q. And they don't use any medicine?—A. Only when they can get it from the white people. While I was at Holy Cross the Indians would come and get medicine. They were told how to use it and they did use it. When they had fever they would just go out and lie down and die. There were some who died because they had nothing to eat. There was nobody to help them, to cook for them, or attend to them.

Q. Do you use bread and have flour?—A. Yes, sir.

Q. And tea?—A. Yes, sir. Lots of them use sugar, but some of them don't use sugar at all.

Q. But they use tea?—A. Tea and flour.

Q. They don't use any coffee?—A. No.

Q. What do they buy mostly from the white man in exchange for their furs?—A. Flour, clothes, and tobacco.

Q. Do they buy any whisky?—A. Yes, they do buy it.

Q. Do the white men sell any whisky to them?—A. I do not hear of it at the present time. There was lots sold at Nulato last winter.

Q. You have been at Nulato?—A. I am acquainted up there.

Q. In general, from what you know of them, how are the Indians getting along?—A. They seem to get along all right, but some of them are almost starving. Their contact with the whites—

Q. Has done them more harm than good?—A. Yes, sir; in general. Some of them live very poor, and some are much better than they used to be.

Q. But most of them live poor?—A. Yes, sir; very few are better than they were before.

Q. And many of them much worse?—A. Yes; they don't get as big wages as the whites.

Q. Is there anything else that you would like to say?—A. There ought to be some relief for those Indians who are suffering.

Q. Do you think that if the Government gave them a good big res-

ervation they would get along all right?—A. I think the Government would have to take care of the reservation.

By Senator PATTERSON:

Q. What is your age?—A. Twenty-three.

Q. Do you go to school at the Mission at Holy Cross?—A. Since I was ten years old. I was there four years.

Q. Have you been with the Indians very much?—A. Yes. There are some of my people that want a school and have taken up the civilized life and have taken up some claims and recorded them. Some of them were good claims and the whites took them away because they said they had no right to take claims because they were not citizens of the United States—that they were uncivilized. I understand that there were some Eskimos around here who had some good claims and could not hold them because they were uncivilized. For myself, I have taken up some claims before. It was not in the United States, but in Canada, and I took up some claims, too, that were **no good**. I have staked a claim once and was told that I would have to be a citizen of the United States before I could hold a claim in my own name.

Q. Does anybody tell you that you are not a citizen of the United States?—A. No; not now. When this Cape Nome district was struck first I was going to come over here, but some miners told me that I could not hold a claim in my own name and that I could not stake any because I was not a citizen. If I were a citizen, then I might be entitled to one.

Senator PATTERSON. If you find a claim, take it up and stand by it, Peter, like a man. Don't let these men fool you for a minute.

Senator NELSON. You can take up a homestead if you want to.

WITNESS. Lately I have been inquiring from Colonel Grigsby how I stand and I have written him a letter of my own statement and he gave me a written opinion about it. It goes through the laws of the United States and shows that I am a citizen.

Senator PATTERSON. Is there anything else you want to say?—A. If there is going to be a reservation for the Indians I would not like to be on that reservation unless I need to be.

Senator PATTERSON. You will not be on the reservation, Peter; don't worry. You are all right.

#### STATEMENT OF CHRIS ANSON.

By Senator PATTERSON:

Q. You live here in Alaska?—A. Yes, sir.

Q. How long have you lived in Alaska?—A. I have been running on boats here for several years. I came in to Nome on the United States boat *Patterson*. I have been following the Territory ever since.

Q. I understand you are acquainted with the condition of the Eskimo?—A. Yes.

Q. If so, state what you know.—A. To my knowledge men in this town of Nome have been hanging out with the Eskimo women. I have gone through Norton Bay and Council, and all the way around there, and have found men of my own blood and color hanging up with the Eskimos. You understand, Senator.

Q. What do you know about the condition of the Indians as to their needs and wants?—A. When I came here they lived on what the coun-

try produced, but now they are getting onto a good many of the white man's ways.

Q. Has that improved them?—A. I would say that it is worse.

Q. What have you in mind for these conditions?—A. If a white man mixes up with the Indian women make the United States judge see that they are married. I can name people right here in town who have mixed up with the Indian women and do so right now.

Q. Outside of that, have you anything to say as to how the Government should protect them?—A. That is one way that I think of. The white man has used them as a tool.

Q. You don't think the white man has used them right?—A. No, sir.

Q. How about the game laws?—A. The Indians ought to be allowed to look out for themselves, and hunt and sell whatever they can.

Q. Is there anything else that you would like to say?—A. I would like to see something done to prevent this hanging out of white men with Indian women.

Q. You don't want any squaw men?—A. I don't believe in having squaw men.

#### STATEMENT OF CAPT. JOHN ELLESSEN.

KARLUK, ALASKA, *August 10, 1903.*

Capt. JOHN ELLESSEN was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. You have had charge of the mail boat during the winter months from what points?—A. From Valdez to Unalaska.

Q. During what time?—A. The winter of 1902 and 1903.

Q. And you are well acquainted with the entire coast between these two points and all the harbors and their conditions during the winter?—A. Yes, sir; I think I am.

Q. For how long a time have you been navigating these waters?—A. Five years.

#### MAIL ROUTE, SOUTHERN COAST TO NOME.

Q. It has been suggested to us that a mail route should be established from the southern coast of Alaska to Nome overland for winter service. If you have examined the matter, I wish you would state what route, in your opinion, would be the most feasible.—A. According to my experience last winter, I would suggest the Chignik Bay route to be the best. It would give service to the companies and settlements on the Bering Sea side at the same time. All the companies would get news from their properties if this route were selected. The Chignik Bay is open and safe at all times—summer and winter.

#### PLAN OF ROUTE.

Q. From where would you have the route go?—A. It should begin at Chignik Bay and go to Unangashik, then along the Bering Sea side to Ugalek, then to Igagik, then to Kiniaak and Koggung, then to Nushagak and Anagnak, then over the portage to St. Michael and Nome.

Q. That route you think would occupy, with dogs and sleds, how long a time?—A. Starting, say from St. Michael and Chignik Bay,

at the same time with two carriers and have them meet at Nushagak, I should judge, with favorable weather, they could make the route in four weeks—three weeks from St. Michael.

Q. Your plan would be to have one carrier start from Chignik and another from St. Michael and have them meet?—A. Yes, sir; at Nushagak.

Q. To travel the whole distance from Chignik to Nome would occupy how long a time?—A. They could make it in four weeks at the outside.

#### ILIAMNA BAY NOT SAFE.

Senator NELSON. What do you think the advantages of this route you have described would have over the route from Iliamna Bay across to the Kuskokwim, and thence by way of Kaltag on the Yukon to St. Michael and Nome?

A. In the first place, Iliamna Bay is not a safe harbor. You can hardly effect a landing there in a northeast wind. In February and the last of January it freezes over. Nine times out of ten you might not be able to land your mail there on account of the ice. In the second place, this route gives the people and companies along Nushagak and the stations on the west side of the Alaskan Peninsula a mail service. The Iliamna Bay route would take in only Kaskanakh, and the Bering Sea don't come in at all until you get to St. Michael.

#### CHIGNIK BAY ROUTE PREFERABLE.

Senator NELSON. You think that if a winter mail route is established to Nome and St. Michael it ought to be from Chignik Bay, across to the Bering Sea side, and then along the coast touching the settlements up to Nushagak, and thence across the portage to St. Michael and Nome, and you think that is the only feasible route?—A. Yes, sir. It may be a little longer, but it is the best route. The bay is always open—never freezes. And from Chignik to Nushagak you are near the settlements; you are not more than twelve hours' travel from a station at any time.

Q. And when you get to a station you accommodate it?—A. Yes, sir, that is it; and at the stations you can get provisions for the carrier and dogs.

Q. What business are you engaged in?—A. Master of steam vessels for the last eight years in the waters of South Alaska.

Q. And you have carried the mail?—A. Yes, sir; last winter from Valdez to Unalaska.

Q. Iliamna Bay is hard to land in?—A. Yes, sir; and it is not open to navigation the year round. During a part of the winter season it is frozen up.

Q. And what is the condition of Chignik Bay?—A. It is open and safe at all times. It never freezes over.

#### STATEMENT OF ERNST MOSES.

KODIAK, ALASKA, *August 12, 1903.*

ERNST MOSES was called before the committee, and testified as follows:

By Senator NELSON:

Q. Where do you reside?—A. On Wood Island.

Q. Adjoining Kodiak Island?—A. Yes, sir; opposite it.

Q. What business are you engaged in?—A. I am with the North American Commercial Company.

Q. You have a station at Wood Island?—A. Yes.

Q. What business does your company carry on at Wood Island?—A. General merchandising and fur trading.

Q. What population have you at Wood Island?—A. Including the mission, I should say about 125.

Q. What is the mission?—A. It is under the Baptist Home Mission Society of New England.

Q. And the population, big and small, is 125?—A. Yes.

Q. What proportion are pure whites, in round numbers?—A. Five.

Q. The balance are mixed bloods?—A. Yes, sir; Aleuts mixed with white blood.

Q. What have you got over on Wood Island in the shape of buildings?—A. The company has 19 buildings.

Q. What other buildings are there?—A. The Baptist Mission.

Q. What do they do?—A. I think you better ask the missionary about that.

Q. You have a Government school there?—A. Yes, sir.

Q. With two teachers?—A. One teacher.

Q. There is a Greek Catholic Church?—A. Yes, but without a priest.

#### AGRICULTURE.

Q. Is there any agricultural work of any kind carried on at Wood Island?—A. Yes, sir; the mission raises barley and oats and a good deal of vegetables, garden truck, and potatoes.

Q. Do the barley and oats ripen?—A. I think they are making a success of it in a small way. Part of it comes up.

Q. Will the grain ripen?—A. Sometimes it will and sometimes it won't.

Q. Is there any meadow land over there?—A. They cut a kind of hay.

Q. A kind of red top?—A. Yes, sir; it is wild.

Q. Wood Island is wooded.—A. To a large extent.

Q. With spruce?—A. Yes, sir. The trees average about fifteen inches in diameter.

Q. About how big is that island?—A. I think it is about  $2\frac{1}{2}$  by 2 miles—5 square miles.

Q. Are there any little farms on the island?—A. Nearly all the natives have a patch of hay or have small patches for raising potatoes.

Q. They raise good potatoes here?—A. They are watery. Vegetables are raised only at the mission. They are good.

Q. Do most of the natives keep cows?—A. Yes, sir; about two-thirds of the native families keep cows.

Q. And the natives are of a mixed breed?—A. Yes, sir.

#### CATTLE.

Q. Do the cattle do well?—A. Considering that the cattle are left to forage for themselves, they do well. They don't make any stables for the cattle. They are left out in the open during the winter.

Q. How comes it that they don't stable the cattle and feed them?—A. The natives are two lazy and shiftless.

Q. The village of Kodiak is across the bay from Wood Island?—A. Yes, sir.

Q. About how far?—A. Two miles going directly.

Q. Kodiak village is on Kodiak Island?—A. Yes, sir.

Q. Are you acquainted in Kodiak?—A. Yes, sir.

Q. About how many people are there?—A. About 250.

Q. About how many of those are whites?—A. I should say about fifteen or twenty. The balance are mixed bloods—Aleutians and whites mixed.

Q. What companies and industries are represented on that side?—

A. The Alaska Commercial Company doing a general merchandise and fur-trading business; and one other man, by the name of Otto Craft, who has bought our place in Kodiak, who is doing general merchandising; and two saloons.

Q. What other buildings or institutions are there outside of these at Kodiak?—A. There is a Russian mission superintended by a Russian priest and an assistant priest and several deacons.

Q. They have a mission here and a church and a mission school?—A. Yes, sir.

Q. Has the Government got a school here?—A. The United States Government has a Government school here with two teachers.

Q. What else is there at Kodiak outside of what you have mentioned?—A. The stock-raising business.

#### STOCK RAISING.

Q. I want you to tell us what you know about the stock-raising industry on Kodiak Island and adjoining islands? Has stock raising been carried on here for a number of years?—A. In a primitive way by the natives. They have been keeping cattle here for years, since the Russian times. They have kept cows and bulls, steers and heifers.

Q. And with what success?—A. When the winters were moderate they did not lose many cattle. They always lost some. The natives were not in the habit of stabling the cattle or feeding them in the winter. They left them to shift for themselves, and in the hard winters some of them perished. They did not perish from starvation, but from being blown over the cliffs. Not any of the cattle were frozen, but perished on the ice, being blown from the cliffs, or something of that kind. There is a man here who did stock raising at a profit down on English Bay.

#### SHEEP ON KODIAK ISLAND.

Q. Aside from this keeping of cattle by the natives and this one instance you have referred to, what has been done outside of that recently in the way of keeping cattle here?—A. In October last the Frye-Bruhn Company, of Seattle, sent up about 750 sheep as an experiment in sheep raising in this country. These sheep were driven out on the Kodiak hills and stayed there for a couple of weeks, when they were divided, some being left on Kodiak Island and some put on Near Island. During the winter they were fed on hay imported from Seattle, but about 50 per cent perished on account of lack of shelter. They had no sheds for them, and they were left out of doors. They perished from lack of shelter.

In July of this year the steamship *Melville Dollar*, chartered by the Frye-Bruhn Company, brought 7,500 sheep, 250 cattle and yearlings, 11 horses, a lot of agricultural implements, and 10 herders. They were all in charge of one man. The shipping of these cattle and sheep is an initial experiment, and in case it turns out to be a success, Frye-Bruhn Company will send up next year enough sheep to make the total number about 20,000. Next year, also, they will send up some thoroughbred bulls for propagation purposes.

Q. And have more cattle here if it turns out well?—A. Yes, sir.

Q. So far the cattle and sheep have done well?—A. Yes, sir; where they have had proper attention.

Q. There is plenty of feed here for them?—A. Yes, sir; plenty of it.

Q. Good pasture?—A. Yes, sir.

Q. Do you know anything about the people taking homesteads here on the island?—A. Not many have availed themselves of that.

Q. Have any homesteads been taken?—A. I don't think more than five persons have taken homesteads.

Q. Is anything being done in the fishing business?—A. Yes, sir; the fishing business gives food for the natives. It is simply for domestic purposes. Very little is for commercial purposes. It is for the natives; mainly for food in the winter time.

Q. In addition to fishing, the other industry of the natives is that of gathering furs?—A. Yes, sir.

Q. What are the principal furs they get around here?—A. Red fox, cross-fox, creole, silver gray, land otter, ermine, bear.

Q. Is there any other industry carried on of any consequence?—A. No, sir; a few of them make money by selling curios.

#### NATIVES LAZY.

By Senator DILLINGHAM:

Q. You speak about the mixed population making their livelihood by fishing and hunting; how good a livelihood do they gain? what is their general condition?—A. Bad; the natives are lazy. They won't work unless it is necessary. The sea gives him a living. He lives on smoked salmon, part of which is fit for white people to eat and the balance fit for the natives and dogs.

Q. Your company is going out of business at this point, is it not?—A. Yes, sir; we have closed our stores at Wood Island.

Q. For what reason?—A. Because trade is dull.

Q. You speak about one portion of the natives keeping cows—one or two cows—and fail to shelter them in winter. Do they make any provision for them by cutting hay?—A. Yes, sir; but they cut only about one-tenth of the quantity that is necessary.

Q. How is the curing done here?—A. It is done in two ways—one in the ordinary and usual way and the other by the silo method.

Q. Do they have any difficulty in drying hay here?—A. Yes, sir; in this rainy weather it is very hard.

Q. With what success can hay be dried, season by season, if the men seeking to do it have a fair degree of energy?—A. I think it can be raised with success.

Q. Take this grass here, which you call redtop; can that be profitably cut and cured?—A. Yes, sir; I think men could do it if they took proper care and had energy. If the white man takes hold of it, I think he could make a success of it.

By Senator NELSON:

Q. What kind of fish do the natives catch here?—A. In summer, salmon of four varieties—red, silver, “humpback” and dog.

Q. What other kinds of fish?—A. All the year around they catch codfish, sculpin and halibut.

Q. And herring?—A. Yes, sir. They do not amount to much, however.

Q. What do you know about the mineral resources of the islands here?—A. You will have to ask some one else about that. I am something of a pessimist on that subject.

#### VEGETABLES.

By Senator BURNHAM:

Q. What is the extent and quality of the vegetables raised here?—A. With the exception of small vegetables, the natives raise scarcely anything. The companies and mission raise some garden truck, and it does fairly well. To make a profit out of it, I don't think it has been done. The natives won't raise anything. The potatoes are very watery and sweet in taste.

Q. Are they small or large?—A. Medium in size.

Q. Don't you think they could raise good potatoes here if proper care were used?—A. No, sir; I do not. They have tried it with proper manure, but for some reason potatoes are all watery.

By Senator PATTERSON:

Q. How long have you been here at Kodiak and vicinity?—A. Since September 22, 1902.

#### MAILS.

Q. Will you tell us your experience in the matter of mails for this locality?—A. The mails came in regularly during the month of October. There was no mail during November. The mail came in in December shortly before Christmas. The *Newport* broke her shaft in November; that was the reason we received no mail in November. They then put in a cannery tug, of about 60 tons, called the *Shelikof*. It came in here in December with the mail. The next trip that was made here was on January 11, 1903. On the 16th of January it came from the westward. The reason for this short time was that the company thought the *Shelikof* was wrecked, and they sent the *Santa Ana* to look for the *Shelikof*. The *Santa Ana* met the *Shelikof* at Saldovia, exchanged mail there, and arrived at Wood Island on the 16th of January.

Q. I don't think you need go into those details. Tell us how often you had mails from the States that winter.—A. We had mails three times in five months.

Q. What three mails do you refer to?—A. From November to April we had three mails, namely: No mails in November; mail in December, just before Christmas; mail on January 16 and February 15; no mail in March; mail on April 21.

Q. So that the dates for the three mails were what?—A. December, January, and February. There was no mail in November and March.

Q. Is there, in your opinion, any insurmountable difficulty in having the mail on schedule time?—A. No, sir.

Q. What, in your opinion, is the reason for the irregularity of the mails during the winter?—A. There is no proper supervision from the Post-Office Department. The company puts in the worst boats they have on the run from Juneau to Unalaska.

Q. Does the company have boats sufficiently powerful to deliver the mails regularly?—A. They have three boats sufficiently powerful—the *Santa Ana*, *Excelsior*, and *Nome City*.

Q. Then, in your opinion, the reason for the irregularity of mails during the winter has been the failure of the company to use boats of sufficient size and power to overcome the difficulties of winter navigation?—A. Yes, sir; and of summer navigation the same thing. They don't live up to their contracts.

Q. And if they would use good boats for carrying the mails, you believe the difficulties would be almost entirely removed?—A. Yes, sir.

#### STATEMENT OF CURTIS P. COE.

CURTIS P. COE, of Wood Island, was called before the committee, and testified as follows:

By Senator PATTERSON:

Q. You live where?—A. On Wood Island, just across from Kodiak.

Q. What is your occupation?—A. I am superintendent of the Baptist Orphanage on Wood Island.

#### MAILS.

Q. I wish you would state what your experience has been in the matter of mails, especially during the winter months.—A. During the summer the mails have been reasonably satisfactory. The winter mails have been far from satisfactory, owing principally to the poor equipment on the steamship line. There have been wrecks of three of the mail steamers since the mail service in the winter was begun about three years ago. None of the steamers upon the run have a sailing capacity of more than 8 knots an hour, and usually less. There are times each winter when we have no mails for two months, and two months and a half sometimes.

Q. And the contract calls for monthly mails?—A. Yes, sir.

Q. This place is on what mail route?—A. On the route from Juneau to Unalaska. That is the winter mail route.

Q. You know of no cause for this trouble other than what you have mentioned?—A. No, sir. It seems to me that the payment for the mail service is ample.

Q. What do you understand that is?—A. I do not remember now, but I have seen the figures, and when I saw them I thought the amount was ample.

#### STATEMENT OF CAPT. MAGNUS HANSEN.

MAGNUS HANSEN was called before the committee and testified as follows:

#### LIGHT-HOUSES.

By Senator NELSON:

Q. How long have you been sailing in Alaskan waters?—A. I have been sailing here now for eight years.

Q. As master of vessels?—A. I have been acting as master of vessels for three years.

Q. And you are familiar with the waters around Kodiak Island and Shelikof Strait?—A. Yes, sir.

Q. In your opinion, should there be any light-house or buoys in this neighborhood?—A. Yes, sir.

Q. Where?—A. There should be a light-house on Cape Tolstoi or at Point Cheniak for ships entering Kodiak or St. Paul Harbor.

Q. Is there any other place that should have a light-house?—A. I think it is necessary to have one at the south end of Chuyak Island, on Chuyak Strait. I think it is very necessary to have one there.

#### STATEMENT OF PHILIP GALLAHER.

KODIAK, ALASKA, *August 12, 1903.*

PHILIP GALLAHER was called before the committee, and testified as follows:

By Senator DILLINGHAM:

Q. You are a resident of Kodiak?—A. Yes, sir.

Q. And you are United States commissioner here?—A. Yes, sir.

Q. How long have you held that position?—A. Since 1897.

Q. And have been a resident here for how long?—A. Since that time.

Q. You have had occasion to give attention to the condition of the Indians in this locality?—A. Yes, sir; regarding the Indians on Afognak Island.

#### ABOLISHMENT OF FISH RESERVATION.

Q. Will you kindly state the result of your observations?—A. The result of my observations is this: The natives on Afognak Island are not allowed to fish on that island except for their own use. They can't sell any fish caught there nor any wood from that island. A year ago, by a special ruling of the Treasury Department, they were allowed to sell dried fish. That year the natives cleared up \$3,000 or \$4,000 in this way. But they are not permitted now to sell fish. The island is a fish reservation and also a timber reservation. The last time I was at Afognak Island the natives were getting up a petition to Congress for their relief, asking nothing more than that they be allowed to fish and sell their fish. As it is now, the island being a fish reservation, they can not sell a single fish. And fishing is the only means of support these people have. I do not know anything about the forest reservation, nor did the natives either. But when they did hear of it they stopped cutting timber, and then they had no means of support whatever. They can fish for their own use, but they can't sell any fish with which to get money to buy other provisions.

Q. So that when they can neither sell their fish nor cut timber they have no means of sustenance?—A. Yes.

Q. What number of natives are on that island?—A. I should judge about 350 or 400.

Q. What is their general condition?—A. It is bad, because they are unable to earn any money. They will work usually when they can get anything to do. But fishing is their principal occupation, and when they are unable to sell their fish they are without means of support.

Q. What remedy do you suggest?—A. The natives—and the natives only—of Afognak Island should be allowed to fish and sell their fish taken on that island. In that way they will be self-sustaining. They should be allowed to sell their fish to the canneries. The canneries will buy the fish from them.

Q. For what reason was this island made a fish reservation?—A. I do not know. The report was that it was on account of a little spite work on the part of the acting fish commissioner here. The real reason I do not know.

Q. What is the population of Kodiak?—A. I should think 350 or 400.

Q. What proportion of them are pure whites?—A. I do not consider any of them pure whites except the white men from the States.

Q. How many are they?—A. About 35.

Q. What are the balance?—A. Two-thirds or three-fourths are what we term creoles, who are part white and part Russian. There are very few full-blooded Russians in Alaska. They all claim to be Russians, but there are not many full-blooded Russians.

Q. How are those mixed bloods engaged?—A. In fishing. They go to the canneries at Karluk and along the coast in the spring and come back in the fall. Some of them work in the mines during the summer.

Q. They come back here in the winter?—A. Yes, sir.

Q. What do they do in the winter?—A. Not very much. They hunt a little and fish a little. But there is very little work to do in the winter.

#### STATEMENT OF A. C. GOSS.

A. C. Goss, of Kodiak, Alaska, was called before the committee and testified as follows:

By Senator DILLINGHAM:

Q. You reside at Kodiak?—A. Yes, sir.

Q. And are the agent for the Alaska Commercial Company at this place?—A. Yes, sir.

Q. You have been here how long?—A. Eight years last April.

Q. And you are well acquainted with this island?—A. Yes, sir.

Q. We are here seeking information about this country, and especially in respect to those matters that may occur now or in the future requiring legislation, and we would be glad to have you go on in your own way and speak of any matter that will be of interest to us, taking up first the agricultural and stock raising proposition and any of the other industries.—A. I don't know just what to commence with. Perhaps these matters could be best brought out in answer to questions by you.

#### CATTLE AND SHEEP.

Q. Tell us whether or not cattle and sheep are kept on this island?—A. Yes, sir; they are.

Q. And to what extent?—A. Nearly every Russian family has a cow; some of them two or three and more sometimes. They build no stables for them, however. They don't take proper care of their cattle.

Q. What we want to know is whether, if cattle here were properly looked after, they would thrive?—A. Yes, sir; they would.

Q. There is sufficient hay and forage here for them?—A. Yes, sir;

everywhere on this island there is an abundance of forage. There is red top of various kinds and it is very high.

Q. In your judgment, could stock raising be made profitable here?—  
A. To an individual it could be made profitable. I don't think stock raising by a corporation will be successful or profitable, because of existing conditions. It is impossible to land a thousand head of cattle and move them from one bay to another without losing them in the gorges. Two hundred sheep were lost here the other day in bringing them through a gorge. The same thing would happen to cattle. In small bands they can be raised here if they have proper care; there is no question about it. But conditions are not suitable for raising them in large numbers by companies.

Q. Do you cure your own hay?—A. Yes, sir.

Q. How about meadows and pasture land?—A. There is an abundance of meadow and pasture land on the island. There is plenty of grass land; but the ground is very rough, covered with weeds and stumps and brush.

#### OATS AND BARLEY.

Q. What about grains, like oats and barley?—A. I don't believe they can be raised here to maturity. We tried it two or three years and it never got beyond the milk.

Q. What is your mean temperature in the winter?—A. About 30° above.

Q. Do you get very much snow?—A. No, sir; we get no snow on the water front. Of course, there is snow on the hills. I never saw any place where cattle will fatten so quickly on grass as on Kodiak Island.

Q. There are no flies here?—A. No, sir; and no mosquitoes.

Q. You want to be understood, then, as saying that if stock raising is conducted by individuals and with a reasonable degree of care it could be done with profit?—A. Yes, sir.

#### TIMBER.

Q. How about the forests?—A. On this part of the island there is an abundance of timber.

Q. What is the size of it?—A. Trees can be secured here 3 feet through. They are scarce, of course, but there is any amount of them 2 feet through. The timber is spruce. There are many of them 30 inches through.

#### INDIANS.

Q. In conversation you spoke of the condition of the Indians in certain sections by reason of the operation of the fish and game laws. Have you any suggestions to make on this point?—A. You would have to know the entire circumstances. Afognak Island, in 1892, was made a fish and forest reservation. On this account the Indians living there are prevented from selling the fish they catch on that island. The corporations used to buy the fish from them, but they do not do so now. The canneries did no fishing there themselves, but they bought from the natives. It is impossible for the natives of that island to make a livelihood without selling their fish.

Q. Do the conditions you have described work a hardship to the

Indians; and if so, how?—A. Yes, sir; these conditions do work a hardship upon the Indians, because they are not permitted to sell their fish. They are permitted only to catch fish for their own use.

Q. And they have no means of getting provisions and necessities except by the money they can obtain by selling the fish?—A. The out-and-out Aleut does not. Four hundred dollars was their entire output for furs this year, and outside of that they had no means of support.

Q. How many of them are there on the island?—A. There are about 50 Aleut families.

Q. What suggestion have you to make by way of a remedy?—A. They (I mean by this the natives alone) should be allowed to fish all they please and to sell to anyone who will buy them, either fresh or dry.

#### INDIANS CAN NOT SELL FISH.

Q. You think that is a matter of justice to the Indians?—A. Yes, sir. In the first place they maintain their tribal relations. If 20 men go out to fish, those who remain at home share in their catch. They don't need any assistance from the Government if the natives (and the natives alone) be allowed to sell the fish. They will not rob Litnik Bay of fish so that it will be crippled or so that it would need a hatchery. I would not allow the canneries to do fishing there. The restriction is all right, but it should not apply to the Indians living on this island. I have not dared to buy any fish of them, even for dog food, and I was notified that if I did I would be indicted for it.

Q. What market would the Indians of Afognak Island have if they were allowed to sell the fish which they take?—A. The canneries would buy them. They bought them from the Indians up to the time the island was made a reservation. The Semedi Propagation Company, of which I am manager, have five islands stocked with blue foxes, sufficiently well stocked so that the islands do not supply enough food for them, and artificial food has to be provided. I have bought eight tons of dry fish this year and would be glad to buy more of it for fox food.

Q. You have been unable to procure enough dry fish for that purpose?—A. Yes, I was able to, but not from the Afognak Aleuts on account of that restriction. I have been able to buy the fish from the natives on Kodiak Island, who needed assistance.

Q. In other words, this restriction prevents the Indians on Afognak Island, who are good for nothing except to catch and put up fish, from following this occupation, and it makes them destitute?—A. Yes, sir; that is it exactly.

#### POPULATION.

By Senator NELSON:

Q. How many people have you at Kodiak?—A. About 400.

Q. About how many of these are white people—I mean pure white?—A. 35.

Q. The balance are all mixed bloods—whites and Aleuts?—A. Yes, sir; and they are called creoles.

Q. Wood Island is right across here from Kodiak?—A. Yes, sir.

Q. How many people are over there?—A. About 100.

- Q. And they are principally Aleuts?—A. They are all mixed bloods.
- Q. You have at this place two saloons?—A. Yes.
- Q. Greek Catholic church with two priests?—A. Yes, sir.
- Q. Who preach in the Russian language?—A. Yes, sir.
- Q. You have a government school here with two teachers and about how many pupils?—A. There is an enrollment of about 90. The average attendance is very light.
- Q. Does the Russian mission here have a school?—A. It is a kind of Sunday school. It is principally catechism.
- Q. Across at Wood Island they have a Baptist mission there?—A. Yes, sir; under the auspices of the Baptist Church.
- Q. What do they do?—A. They have an Indian school and home for native orphans.
- Q. Do you know about how many inmates they have?—A. About 32.
- Q. There is a Greek church over there?—A. Yes, sir; but no priest.
- Q. And there is a Government school there with one teacher?—A. Yes, sir.
- Q. About how many pupils?—A. There are about 40 pupils.
- Q. The natives both here and over there may be called creoles in the sense you use it here?—A. Yes, sir; they are of mixed blood.

## INDUSTRY OF PEOPLE.

- Q. What is the chief industry of the people here at these two points?—A. I furnish employment to about 20 men.
- Q. Outside of that, in general how do they make their living?—A. By fishing and hunting for themselves and to sell.
- Q. What is the character of the fishing industry?—A. It is salmon fishing.
- Q. Part of that they smoke and dry for themselves and part they sell fresh?—A. Yes, sir.
- Q. Do they sell dry salmon?—A. Yes, sir; for dog feed.
- Q. What other fish do they catch?—A. Codfish, which they sell.
- Q. And halibut?—A. Yes, sir; for home use only.
- Q. And herring?—A. For their use.
- Q. Do they do any lumbering in the woods?—A. They cut their own timber in winter for their own use.
- Q. And aside from that, they have no other market than what the company gives them here?—A. Yes, sir.
- Q. What company does business here?—A. The Alaska Commercial Company.
- Q. What is the nature of your business here?—A. Trading and keeping a general store.
- Q. What is the character of your trade with the natives, is it barter?—A. No, sir; we buy for cash and sell for cash.
- Q. What do you buy from the natives?—A. Fish and fur.
- Q. What class of goods do the natives buy?—A. Just the necessaries of life—flour, sugar, calico, shirts, and that kind of stuff.
- Q. Do the natives here keep any stock?—A. All of the Russian families keep cows.
- Q. How many to a family, generally?—A. About one or two cows to a family, generally. But they are very negligent in the care of their stock in winter. They don't stable them and have very little feed for them. They lose their cattle because of negligence.

Q. Is it your opinion that if they stable their cattle properly and put up enough hay for them the cattle will do well here?—A. Yes, sir.

## VEGETABLES.

Q. You have got good grass here and can make good hay?—A. Yes, sir.

Q. Red top?—A. Yes, sir; and timothy grows well here. White clover grows here.

Q. Vegetables can be raised here?—A. Yes, sir, the common vegetables—onions, carrots, turnips, lettuce, radishes, celery, cabbage, cauliflower.

Q. Beets don't grow well here?—A. Very poorly.

Q. I understand that, as a rule, the natives do not raise many vegetables. They raise potatoes, and nothing else?—A. Yes, sir; that is correct.

Q. What experiments are now being made in cattle and sheep raising here by people other than the natives, and by whom?—A. Last October Frye-Bruhn Company landed 850 sheep here.

## SHEEP.

Q. Any cattle?—A. No, sir. The sheep were turned loose on the island with no herders. One man stayed here at the village to look after them. They were given no shelter all winter. They had no barns to put them in. Only about thirty days' forage was brought along for the entire winter. They got along nicely. The loss was only about 10 per cent until April. During the heavy spring rains from April 20 to May 20 about 275 of them died, nearly all heavy with lambs. On the 4th of July of this year they landed 8,500 more sheep here and 250 Hereford heifers, and are keeping them here and are going to winter them here. They intend to put up their hay here. They are going to put up sheds for them, and intend to do better than they did with the sheep last winter. They are satisfied that if they had taken care of their sheep last winter they could have made a success.

Q. And it is your opinion that individuals can raise cattle and sheep on a small scale with success if proper care were taken of them?—A. Yes, sir; very profitably.

Q. And you can raise vegetables, including potatoes?—A. Yes, sir. The potatoes are of good size, but they are watery and have a sweetish taste. The vegetables are good.

Q. Do you know anything about the mineral resources on this island?—A. Very little. There is some prospecting being done. There is a quartz mine on Uyak Bay. It has a stamp mill.

Q. Do you know of any other?—A. There are some quartz mines on the south side of the island, but the mineral is of a poor quality.

Q. Your opinion is that if the Indians on Afognak Island were allowed to catch all the fish they wanted and dispose of their surplus fish outside of the island, they would be prosperous?—A. Yes, sir.

Q. In their present condition they are starving?—A. Yes, sir; and they would be absolutely destitute were it not for the Alaska Commercial Company, which supports many of them and supplies them with provisions. It has done this in the past and does it now, and it never expects to receive a cent in return for it.

Q. You have been here eight years?—A. Yes, sir.

Q. Are the natives increasing or diminishing?—A. They are diminishing.

Q. Largely, or to a limited extent?—A. There is a gradual decrease.

Q. What is the cause of it—more deaths than births I suppose?—A. Yes; poor living and lack of care. Down at the bottom of it is mixture with whites. They can not live with the whites; that is the cause. There are two small Indian settlements at the south end of Kodiak Island. Those Indians would be glad to raise potatoes if they had seed.

Senator NELSON. Do you think the Agricultural Department should furnish them with seed potatoes?—A. Yes, sir.

Q. And if they had seed they would raise potatoes?—A. Yes, sir.

Senator NELSON. Then they would have something to eat with their fish.

#### KODIAK STATION, ALASKA, *August 12, 1903.*

Senators DILLINGHAM, NELSON, BURNHAM, and PATTERSON,  
*U. S. S. McCullough.*

GENTLEMEN: Continuing our conversation of this afternoon, would beg leave to say that:

#### CATTLE RAISING.

Cattle have been raised on this island and those adjacent thereto since the earlier Russian occupation, and we believe successfully. They were never properly cared for, or at least since the Russians evacuated the Territory, as the native element know nothing of the care of stock or its requirements.

Speaking of our experience in the stock business, would say that while we have never given them care as to herding or proper pasturage, we have made more or less a marked success of it. Some years ago 3 cows and a bull were placed on the island of Chirikoff. From this have sprung 47 head, which are in a semiwild state, never having received any care or attention. At Long Island, a distance of 7 miles from Kodiak, we have met with similar success, our principal losses in all cases being from falling from the cliffs in early spring when the feed first starts. Climatically the island is admirably located, and for small herds the country is all right; but I believe that it would be impracticable to range in large herds. The broken country makes it impossible to range in large bands, the gorges being so precipitous they would kill themselves in moving from one bay to another.

I further would say that in connection with our business we purchase from natives in this immediate locality about 30 head of beef cattle, which is about two-thirds of what is marketed from here each season. I have never seen a locality where cattle do better or fatten quicker than here, as we have no flies and the grass is always green and sweet. The matter of making hay is difficult, as the inclement weather prevents the proper drying, but this could be overcome in a measure by silos.

#### FOX RAISING.

There are many islands, small and worthless from any other standpoint, where foxes could be propagated to advantage, and many would

avail themselves of these islands if title could be obtained. Some of them are too large and others too small to homestead, that is, in the shape prescribed by the homestead laws. If some special grant could be made to them upon special application the industry could be fostered. The Semedi Propagating Company, of which the writer is business manager, has, prior to this, leased the islands of North and South Semedi, Ukamok, Long Island, and Whale Island for the above purposes, and while they have made no great success of the business as yet, they still have hopes to do so. The above-mentioned islands were exempted from the homestead act on account of the investments that had been made and the leases obtained prior to this act, and if this could be done in several other cases for individuals there would be more islands stocked and operated under this fox industry by furnishing employment to many of the natives, as well as the whites.

Trusting that I have made myself plain, and wishing you well, if I can be of service to you, command me.

Very sincerely, yours,

ALASKA COMMERCIAL COMPANY,  
By A. C. GOSS, *Agent*.

VALDES, ALASKA, *August 14, 1903.*

At the above-named place and date the following statements were made to the committee, the subject and speaker being chosen by a committee representing the town of Valdes:

**STATEMENT OF E. A. HENDERSON, OF VALDES, ALASKA, DEPUTY CLERK U. S. DISTRICT COURT.**

“THE NECESSITY FOR AND ALASKA’S RIGHT TO HAVE A DELEGATE IN CONGRESS.”

“Why Alaska should have a Delegate in Congress,” is a subject easy to talk about. It is taken for granted that you gentlemen and visiting Senators, thus far on your journey, have seen enough of the Territory of Alaska and of the intelligence of her people to know that, barring custom, the Constitution, and everything else, we are clearly entitled to a Representative in the Halls of Congress. We ask access to your committee rooms and the privilege of advising with you on the floor of Congress. We feel that we are only asking what you are unani- mously willing to concede when we ask for immediate legislation authorizing the people of Alaska to themselves elect whom they would have represent them.

The very name Alaska, selected by the distinguished Senator Sumner, is derived from the Indian word Al-ak-shak, which means “Great country.” You have skirted one edge of this great country and have been borne on the bosom of one of its great rivers. Do you realize that that river is longer than the Mississippi, is navigable for 1,965 miles, is 60 miles wide at its mouth, and discharges more water into Bering Sea than the Mississippi River into the Gulf of Mexico?

**ENORMOUS AREA OF ALASKA.**

The coast line of Alaska is 26,000 miles, or 7,860 miles greater than that of the Atlantic seaboard of the United States. Alaska is twice as

large as Texas and twelve times as large as the Empire State of New York. Place Alaska on the map of the United States with Point Barrow at the northern boundary of Minnesota and the narrow strip of Alaska upon which Sitka and Juneau are situated would extend to the Atlantic Ocean at Georgia; the Nome district would fall in western South Dakota near the Wyoming line, and the most westerly of the Aleutian Island group would lie upon the Pacific coast line near Los Angeles. Placed in the eastern portion of the United States, Alaska would cover, in whole or in part, twenty-three States and Territories.

Clearly, considering size or bulk alone, Alaska is entitled not only to one, but to half a dozen Delegates in Congress.

#### TREADWELL MINE.

Alaska was purchased in 1867 for \$7,200,000. One mine, the Treadwell, the largest producer of low-grade ore in the world, has since produced \$22,000,000 in gold from a little island so small it is not a flyspeck on the map. Mines just back of Valdes, in this the first season of their development, will send in to Valdes within the next thirty days \$300,000 in gold dust. The gold output of Alaska proper this year will be not less than \$5,000,000, and, with legislative aid to better means of communication, this may be increased in future to an almost limitless amount.

#### FISHERIES.

The fisheries industries of Alaska last year sold in the open markets of the world \$9,000,000 worth of salmon, every fish of which was taken from Alaskan waters. No account is taken of the cod, the herring, the halibut, and the mackerel, which are also in abundance and are beginning to be shipped to the markets of the world.

#### VAST COPPER DEPOSITS.

The copper properties back of Valdes, in the words of mining experts who recently visited them, are so rich that, "when transportation is provided to the seacoast, Butte, Mont., and the Calumet and Hecla mines of Michigan will be wiped off the map."

#### COAL, OIL AND TIN.

The coal mines, oil wells, tin mines, forests, and farms of Alaska are yet to be developed and will add untold millions to the commerce of the Territory, which, exclusive of gold, already has amounted to \$20,000,000 in the past ten months.

Do you doubt that the present magnitude and diversity of our industries and the necessity for their future development entitle us to a self-chosen representative in the halls of Congress? We feel that we are at least as well entitled to a representative in Congress as are the natives of Hawaii.

ALASKA PAYS ANNUALLY TO GENERAL GOVERNMENT \$350,000 MORE THAN COST OF MAINTENANCE.

Another reason why Alaska should have a Delegate in Congress may be found in the fact that the Territory pays to the General Govern-

ment a surplusage over the total cost of maintenance of nearly \$350,000 a year. Without representation we furnish Uncle Sam with enough money to pay the salary of one Senator from every State in the Union and leave a surplus of over \$100,000 for a jack pot. In the office administered by me, where the license taxes for a subdivision of the third judicial district are collected, there has been collected between March 1 and August 1 of the present year, \$63,800. This, for the period of one hundred and fifty days, is an average of over \$425 a day. Of this sum, \$56,338, in less than half a year collected from a district comprising one-sixth of the Territory, has been placed to the credit of the General Government.

#### SPECIAL LICENSE TAXES.

Alaska not only pays the same Federal taxation levied in any other portion of the United States but by direct legislation is forced to pay a large additional tax for Federal purposes not levied anywhere else where the flag of the United States floats. The people of Alaska are compelled to pay special license taxation for every separate kind and character of business in which they engage. Every stamp mill in Alaska is mulcted by a special tax for each stamp which it uses in crushing the ore which it takes from its own patented mines.

The Federal taxation collected in Alaska, including these special taxes, returns to the Federal Treasury an amount equal to \$350,000 annually in excess of all the money expended by the Federal Government for every purpose within the district.

#### UNJUST TAXATION.

The people of our new possessions are relieved of the payment of this Federal taxation. The people of Alaska pay all the regular Federal taxes and a special and onerous Federal tax from which the people living in the States and other Territories are exempt.

Do you need any further evidence of the injustice done this people? Did our Revolutionary forefathers have any more irritating example of taxation without representation? We as a people are patriotic, loyal, and friendly, though critical. We ask of you that we be allowed to call from our bench or bar an able advocate, a man of character, an enthusiastic lover of Alaska, and that when we commission him to represent us that you recognize his credentials. Later on, when you have allowed us to expend our own money in developing our own resources, and have given us judicious aid as we shall merit it, we shall ask for statehood. Out of this great empire we shall carve enough States to furnish at least as many United States Senators as comprise your committee which is now investigating conditions in Alaska.

#### STATEMENT OF J. L. STEELE, OF VALDES, ALASKA.

##### OUR RESOURCES.

To the eastward, along the coast some 120 miles from Valdes and just at the mouth of the Copper River, lies the great Kayak oil fields. Prospecting for petroleum has been carried on for three or four years in a desultory way, but not until last year were any satisfactory results

obtained. In August, 1902, however, a gusher was struck and petroleum, equaling in purity and market value that produced in Pennsylvania and Ohio, spouted out of the ground to a height of 60 feet.

#### KAYAK OIL FIELDS.

More than 100,000 acres have been located in the past twelve months in this oil field, and prospecting is being carried on in a much larger way than heretofore, and the Kayak oil fields most certainly have a very promising future. Just back of these oil lands a large body of very good coal has been found, which bids fair to rival that of British Columbia.

On this side of the Copper River, near its mouth, are two large salmon canneries that pack each year from 90,000 to 100,000 cases.

Along the coast, from the mouth of the Copper River to Valdes, a distance of some 90 miles, many copper deposits have been located. One of these is now shipping ore at the rate of about 500 tons per month to the smelters, 1,400 miles distant.

#### COPPER RIVER VALLEY.

As I must be brief, I will ask you to leave the coast and come with me to the interior and view the great Copper River Valley.

We start at the head of the Bremner River, where gold was discovered in 1901, and cross over to the head of the Chitina, thence to the Chititu, Nizina, Chistochina, Gokona, Delta, and Sushitna rivers. Gold is found on all these streams. We have been following the contour of the Alaskan range on the southern slope for a distance of about 300 miles in length, and allowing 10 miles as the modest width of this gold belt—that gives us an area of 3,000 square miles of placer country in this small portion of this great land. But let me ask where else in any land where floats the Stars and Stripes can you duplicate it? Let us proceed.

#### COPPER DEPOSITS OF GREAT RICHNESS.

A little higher up in the mountains lies the copper belt that has been so well described to you by other speakers this evening, and allow me to say that if the claim owners are able to realize one-hundredth part of their expectations—and judging from the surface indications I do not believe they are building any air castles—there will be developed in the Copper River Valley copper-producing properties that will make such mines as Anaconda and Calumet and Hecla pale into insignificance, and the Copper River Valley will produce as much copper as all of the rest of the world combined.

#### AGRICULTURE IN COPPER RIVER VALLEY.

Below the placer belt and in the valley proper lies the agricultural lands that have been so well described to you by others, covering in extent from 20,000 to 25,000 square miles of territory, and rich as is to be found in any country.

To quote from an army captain that had spent two years in the country: "If you had a few acres of this land in New England or the Middle States, you could sell it by the pound for fertilizer." While this may be a little strong, emanating from one who might be over enthused,

still, when we take the official statements from such men as Prof. C. C. Georgeson, we must conclude that the agricultural possibilities are such that the Copper River Valley will be and is capable of sustaining the army of miners, prospectors, machinists, and all such labor as are necessary to develop its great mines.

#### NECESSITY FOR TRANSPORTATION.

With all these natural resources in such abundance our greatest need is that of transportation.

Let the Congress of the United States appropriate the necessary money to make the trans-Alaskan military road a road in truth as well as in name. As this road now exists it is only a well-defined trail, with occasionally a bridge that is fast falling into decay for lack of funds to keep it in repair.

The road where it has been cleared at all is fast growing up with rank vegetation of the country, and may be favorably compared with an Eastern cow path.

Give us a wagon road and the hardy pioneer will soon develop this country to such an extent that "Seward's Folly" will become an empire so rich and so thickly populated with the best blood of America, and citizenship will raise so high a standard, that our people will be proud to rise up on all occasions and proclaim that they are Alaskans.

#### INQUITOUS LICENSE TAX.

There is a license tax imposed on every line of mercantile or manufacturing business carried on in Alaska, and every dollar (except in incorporated towns) goes into the general Treasury of the United States. Last winter some large-hearted members of Congress introduced a bill, and it was passed and became a law, allowing incorporated towns to keep what belonged to them. What munificence! Is there any other portion of God's green footstool where flies the Stars and Stripes, the flag we dearly love—yes, Alaskans love it as well as those who live in more favored localities—is there any other portion of the United States where the people are struggling for an existence, enduring the hardships of the pioneer, trying to better their conditions, trying to open up a great country, but suffering from an iniquitous license tax that is paid yearly into the Treasury of the United States?

Each year there is a pamphlet issued by the Treasury Department entitled "Commercial Alaska."

#### ALASKA PAYS GENERAL GOVERNMENT ANNUALLY \$350,000 MORE THAN COST OF MAINTENANCE OF DISTRICT.

In the last issue they point with pride to the revenue paid into the Treasury from struggling Alaska, showing a balance to our credit of \$350,000 annually. What we want is Congress to return to us what is rightfully ours, to assist us in opening up this great and glorious northland by appropriating Alaska's money for Alaska's needs. Give us a wagon road from the gateway, Valdes, to Eagle on the Yukon, and we will carve out two or three great States from this northern empire that will be a credit to our glorious country and the pride of our posterity.

## DELEGATE SHOULD BE ELECTED BY THE PEOPLE.

You have been told to-night, Senators, that we want a Delegate to Congress. We certainly do. And we want to elect him ourselves. The American people are a patient and long-suffering people, but we remember the lessons taught us as little children, and one was, that Americans had at least the right to be heard through their representatives; another was, that taxation without representation was tyranny. Now, we ask you in all fairness, don't these sayings apply as much to-day as they did in 1776. Give us American road through all American territory and a Delegate to Congress. These things we demand as American citizens, and as honest men we can accept no less.

## STATEMENT OF MR. G. C. HAZELETT, OF VALDES, ALASKA.

## "MINERAL RESOURCES OF COPPER RIVER VALLEY."

I have been asked to speak on a subject which, to say the least, belongs largely to the realm of speculation. Perhaps some of my good friends present may take issue with me and say that such an assertion at such a time and in the presence of the honorable gentlemen sent here by Congress to investigate our needs is uncalled for and out of place; but I happen to belong to the class of individuals who believe it better to underrate a proposition than to overrate it. And I believe if the truth had always been told about the mineral resources of the Copper River Valley, instead of having drawn flowery pictures from the depths of our imagination, the country would have been far better off to-day. Hence what I say to-night about the minerals of the Copper River shall be what I have seen and know to exist, content to allow others to draw on their imagination as much as they please. If they are able to see mountains of gold, silver, copper, platinum, iridium, irodiun, and all the other "irs" and "ums" belonging to the mineral kingdom, well and good—I hope that they exist. Not having seen them, I can not speak of them.

## DESCRIPTION OF COPPER RIVER VALLEY.

If you refer to a map of Alaska for a moment, you will find that the Copper River has its source in a glacier lying on the northern slope of Mount Wrangell, the only active volcano in this portion of Alaska. From its source it flows northerly a distance of some 50 or 60 miles, where it swings boldly to the westward, separating the Wrangell from the Alaska range of mountains, and at its most northerly point reaching within a few miles of some of the branches of the Tanana River. At a distance of about 100 miles from its source it again changes its course, taking a southerly direction for some 350 miles, where it empties its waters into the Pacific Ocean, having a length of between 400 and 500 miles and resembling a large fishhook in appearance.

The principal tributaries from the north, having their sources high up in the Alaska Range, are the Salina, Chistochina, Gacona, Gulcana, and Tazlena, while those from the west and south, having their sources in the coast range which surrounds our town, are the Klutena, Tonsina, Teikhal, and Tasnuna. The rivers from the east that drain into the Copper take their rise high up in the Wrangell, Blackburn, and

St. Elias ranges of mountains, and, beginning at the north, are the Sanford, Kotsina, Chitna, and Bremner. The Chitna, with its numerous tributaries, is by far the largest stream draining into the Copper River, and takes its rise just north of Mount St. Elias, draining practically all of the northern slope of the St. Elias Range into the Copper River.

#### AREA OF COPPER RIVER VALLEY.

The valley of the Copper, therefore, extends from the Pacific Ocean northward about 400 miles, and has an average width of about 250 miles, comprising almost 100,000 square miles, or about one-sixth of the whole area of Alaska. It is walled in on the south and east by the St. Elias, Wrangell, and Blackburn ranges, a continuation of the Cascade Range of mountains, and on the north and west by the Alaska Range, or what is known as the Rocky Mountain Range in the States.

To the casual observer a glance at conditions like this would suggest vast stores of mineral wealth, and, acting on this theory, a few of us, in the year 1898, undertook to find some of that wealth.

#### PLACER GOLD FOUND IN EVERY PAN OF GRAVEL.

Crossing over the glacier back of this town and pulling our supplies on hand sleds, we reached Copper River at a point fully 200 miles from its mouth. From every pan of gravel taken from the bars of that river we could get placer gold; not, however, in sufficient quantities to justify work. This was no surprise to those of us who had made a study of the question, for we did not expect to find gold in paying quantities in a mighty river like the Copper. But to others it was the last straw that "broke the camel's back." They sold their supplies and quit the country in disgust.

#### COARSE GOLD IN COPPER RIVER VALLEY.

The few of us who believed that gold might be found in paying quantities if we could reach the headwaters of the stream proceeded to transport our outfits in any way we could up the river, and on the 18th day of May, 1899, after a long winter spent in hard prospecting, I found the first coarse gold which seemed to be in quantities sufficient to justify work. The next spring other discoveries were made, and to-day we have a little district comprising about 100 square miles from which over three-quarters of a million of dollars were taken up to the close of last year. And I am confident that for the next ten years this district alone will produce from \$500,000 to \$1,000,000 annually.

#### PLACER GOLD ON QUARTZ CREEK, TONSINA RIVER.

Discoveries of placer gold were made about the same time on Quartz Creek, a tributary of the Tonsina River, and on Fall Creek, a tributary of the Teikhal River. These propositions are not what is considered in this country good shoveling propositions, but after having looked them over I am fully convinced that if worked hydraulically they would yield big returns; in fact, good hydraulic propositions may be found almost from the time one leaves this bay all the way through to Mantasta Pass in the Alaska range. I, myself, will under-

take to show no less than a dozen localities where plenty of gravel, running from 25 cents to over \$2 per cubic yard, may be found. These, however, can not be handled until there is some means of transportation in the country other than we have at present.

#### GOLD, SILVER, AND COPPER ORE.

Go with me into the Alaska Range of mountains, and I will show you great bodies of low-grade gold ores. I will show you lignite coal suitable for steam and heating purposes; I will show you silver ore, copper ore, and iron ore in abundance, but they might as well be in Hades as where they are, until there is some means of transporting machinery and supplies to the ground. Cross over the Copper River and enter that portion of the Wrangell and St. Elias ranges that drains into this river, and you will have a similar condition confronting you.

#### AREA OF COPPER-PRODUCING COUNTRY.

In 1899 copper ore in the form of bornite and copper glance was found in what was believed to be paying quantities. Since that time hundreds of locations of these two ores have been made, until to-day it is possible to trace them over a stretch of country 100 miles in length. How deep they extend into the earth remains yet to be determined. And I want to say right here that, in my opinion, if some of the money and energy that have been spent in locating great numbers of claims had been devoted to the development of one or two of the more promising we would know much more to-day about what the country will produce in copper. And yet to those endowed with the gift of prophecy it is easy to see some great mines coming out of all this great mass of surface showings.

#### GOLD OUTPUT OF BREMNER RIVER IN 1902.

Two years ago placer gold was discovered in the same locality on the Bremner River. It was worked last year, and upward of \$50,000 was taken out. Last year people prospecting for copper discovered placer gold on the Nazina River, a tributary of the Chitna River, and without any preparations for such work took out \$25,000 in dust. This year work is being prosecuted on the Nazina, Young, Rex, White, and Dan creeks, employing between 250 and 300 men, and, in my judgment, they will produce from \$250,000 to \$500,000. To the average prospector these creeks present some striking characteristics. I have seen within the last thirty days gold, silver, and copper nuggets taken from the same sluice box—gold nuggets weighing as high as an ounce, silver up to two ounces, and copper from a few grains up to many pounds. I am told that in every clean-up these three metals appear, and I am quite sure that I saw more pure copper than a four-horse team could pull, which had been extracted from the boxes during the process of sluicing.

#### LIGNITE AND CANNEL COAL.

Both lignite and cannel coal is found in this locality, but whether in commercial quantities or not remains yet to be determined. Building stone abounds everywhere, and great quantities of the very best lime

show up on every hand, as does also iron, thus furnishing all the flux necessary for the reduction of copper ores.

Looking back over the results of the past four years, it strikes me that the people whose interests lie in the development of the mineral resources of the Copper River have no cause for complaint. Four years ago the first placer gold was found on the headwaters of the Copper, followed the same year by the discovery on Quartz Creek, 150 miles south. In that year also the first copper properties were located, and each year since has seen new and greater discoveries made. Two new placer fields have been opened up in the meantime and made producers, so, that when we take into consideration the difficulties under which we have labored in opening up a new and untried country, I believe we can well congratulate ourselves. However, the greater portion remains yet to be done. The country, from a prospecting standpoint, has not been scratched; there are hundreds of places in the watershed of the Copper River which are well worth looking at, where white men's feet have never trod. And greater than all the prospecting is the work of developing what we have already found. We might as well look this question squarely in the face, and in doing so I believe that we will arrive at the conclusion that large sums of money are absolutely necessary to the future development of the country.

#### TRANSPORTATION MOST IMPORTANT QUESTION.

Not alone are the mines to be developed, but their products must be reduced to commercial value and transported to the sea; therefore transportation is the first and foremost question that stares us in the face to-day, for without it the mines can not even be developed, let alone the ore reduced to commercial value. Therefore let us all pull together for some means of transportation. If we can not get a railroad we must show Congress the necessity of widening the present military trail into a wagon road, and by so doing give us a chance to show the world the magnitude of our resources.

In conclusion I now make one prediction: That after this country has been developed, while the mineral resources may take first place, the Copper River Valley holds mines other than mineral, of which but few have as yet thought, but which are destined sooner or later to be developed and become a source of great wealth. Gentlemen, I thank you.

#### STATEMENT OF JAMES FISH, OF VALDES, ALASKA.

“ALASKA'S NEED FOR MORE LIBERAL APPROPRIATIONS FOR CARRYING ALASKA MAILS THROUGH ALASKA TERRITORY.”

The subject assigned to me is one that is very dear to the hearts of every man and woman in Alaska. We who have come here to carve out a home and fortune in this great north land all look forward to the letters from our dear ones left behind in the United States. The Post-Office Department has always acted very liberally in the sums apportioned for the Alaskan mail service, but it is hard for them to realize that what was adequate mail service a year ago is not sufficient at the present time. As you are all aware, mail contracts are let for a term of four years, and eighteen months ago the Post-Office Depart-

ment advertised for bids for carrying the mails from Seattle, via Juneau, Sitka, Yakutat, Kayak, Nutchek, Orca, Ellamar, and Fort Liscum, to Valdes, the running time to be limited between Seattle and Valdes to seven days. This speed would necessitate putting on considerably faster vessels than have heretofore been employed. The lowest bid submitted was \$35,000 per annum for the service. The Department considered the price excessive and readvertised, with the result that the contract was awarded to the Pacific Packing and Navigation Company at a compensation of \$20,600 per annum.

After struggling along for one year, during which period the average time consumed was ten days instead of seven days, the Department made an arrangement with the contractors extending the running time to nine days. The distance covered by this service is approximately 1,640 miles, and as there are numerous narrows and other shallow places on the route, through which the vessels can only pass at a certain stage of the water, and a total absence of light-houses and other aids to navigation at the entrances of the ports called at, it often happens that a vessel must lay over from three to fifteen hours to get into port.

#### DISTANCE FROM SEATTLE TO VALDES.

The distance from Seattle to Valdes direct, via the Strait of Juan de Fuca, thence steering a direct course to Cape Hinchinbrook, at the mouth of Prince William Sound, and thence to Valdes, is 1,207 miles, and a vessel making but 10 knots an hour can make this run in about five days, which is one-half the time required by the vessels under the present contract.

The route from Valdes to Eagle is a short, sure, and practical way for transporting Alaskan mails to all points along the Yukon River and Nome. The time consumed, however, in landing mails at Valdes is six days longer than is required to land the mails from Seattle to Skagway. Hence, while the distance of overland travel from tide water to Eagle is 100 miles shorter by way of Valdes, yet the six days lost in ocean transportation is more than can be made up over the superior all-American route. Last winter, the Post-Office Department had an arrangement with the Canadian Government, whereby that Government was to transport the American-Alaskan mails through its territory, the United States to pay their pro rata of the expense.

#### WINTER MAIL SERVICE FOR YUKON RIVER POINTS AND NOME SHOULD BE VIA VALDES.

Now, gentlemen, what we wish you to do is to take up with the Post-Office Department the advisability of discontinuing the dispatch of Alaskan mails through Canadian territory, and diverting the money now paid to the Canadian Government and awarding the contract to an American steamship company for a direct service twice a month from Seattle to Valdes, and a running time not exceeding five days, in addition to the present service. This additional service to be in effect at least from November 1 to April 30, as under present conditions during the season of open navigation on the Yukon the mails can be more expeditiously transported via the Canadian route than via Valdes.

#### WAGON ROAD FROM VALDES TO EAGLE.

And now in regard to this wagon road from Valdes to Eagle, that every man in Valdes and every man along the route to and including

Eagle needs so badly. I want to say to you, gentlemen, that you have heard many arguments why this road should be built, but I desire to present a statement to you showing that this wagon road can be made a profitable investment to the United States Government. The transportation of the mails from Valdes to Eagle is now a most expensive undertaking. It costs the Post-Office Department \$44,000 per annum for a twice-a-month service, May 1 to November 30, and a four-times-a-month service, December 1 to April 30, and the compensation for carrying this mail is absolutely the only revenue that can be derived from the contract. Had we a wagon road from here to Eagle, it would open up traffic between all American towns and mining camps on the Fortymile, the Yukon, and the Tanana rivers, and we should soon have a daily stage line between Valdes and Eagle, and the carrying of the mails would be but a side issue, the principal receipts being derived from carrying passengers and express.

WAGON ROAD WOULD REDUCE GOVERNMENT EXPENSES.

It is safe for me to say that the Department would have no difficulty in awarding the contract at not exceeding \$15,000 per annum as soon as the wagon road was completed. The War Department expended last year for transporting supplies between Valdes and Mentasta—one-half the distance to Eagle—the sum of \$35,000. These supplies are necessary for the maintenance of the telegraph-station keepers and operators who are now required to maintain the military telegraph line between Valdes and Eagle. There is undoubtedly another \$35,000 spent by the commanding officer at Fort Egbert (Eagle) for transporting supplies from that post to the Tanana River. There is no question but that these supplies could be transported for one-third the present cost if they could be hauled in wagons, thus effecting a saving of over \$46,000 by the War Department and \$31,000 by the Post-Office Department. These amounts would pay a handsome dividend on the original cost of the construction of this road.

Gentlemen, we need for the development of Alaska a wagon road, and I doubt if Congress can appropriate any public funds for any purpose whatsoever that will benefit the people of Alaska, and of the whole of the United States for that matter, more than the building of this road, and I ask you, when you return to Washington, to present our wants in such a way to your colleagues as shall result in the commencement of this road at an early date and the establishment of a direct mail service between Seattle and Valdes.

**STATEMENT OF EDWARD DE GROFF.**

*SITKA, ALASKA, August 19, 1903.*

EDWARD DE GROFF was called before the committee, and testified as follows:

By Senator NELSON:

Q. You are a resident of Sitka?—A. Yes, sir.

Q. How long have you lived here?—A. I have been in Alaska for twenty-three years.

Q. What position do you occupy at present?—A. I am United States commissioner here.

- Q. With your headquarters at Sitka?—A. Yes, sir.  
 Q. How long have you occupied that position?—A. Since July, 1900.  
 Q. You are familiar with conditions in this part of Alaska?—A. I am.

## DELEGATE.

Q. The committee would be glad to hear your views as to what legislation, if any, should be enacted for the Territory, and what in your opinion ought not be done, and what the needs and wants of the Territory are.—A. With regard to legislation, the first necessity, in my opinion, is a representative for this country in Congress, in order that we may have some direct mode of making our wants and wishes known. There are many reasons for this. One good reason would be that heretofore many gentlemen representing different interests in different parts of the Territory have gone to Washington on their own individual account, but we would prefer to have some one man represent it all, and one through whom we could gain what should be required.

## HOW CHOSEN.

Q. Have you any notion how he should be chosen?—A. Preferably by election. We would prefer selecting our own Delegate. I am of the opinion that the majority of the citizens of this immediate vicinity are opposed, at the present time at least, to a Territorial form of government for Alaska.

Q. What objections occur to you to that form of government at this time?—A. Well, the expense; the character of the country—that is, its size, and the small number of people.

Q. Has the lack of means of communication anything to do with it?—A. A great deal to do with it. It is one of the most important things connected with it. The Territorial form of government in my opinion would be a very expensive matter, one which I think at this time is not at all necessary. I am not opposed to a Territorial form of government at some time in the future when a population is here of people who intend to make Alaska their home. That number at present is very small.

Q. Have you any views to express in reference to the mining laws—any changes or modifications in the mining laws?—A. I don't think so. Probably there are other gentlemen here who may.

## OIL FIELDS AND COPPER MINES.

Q. Is there any mining carried on here in your district?—A. Yes, sir; quartz mining. Then there are oil fields and copper mines in the vicinity of Yakutat, which is in my district.

## INDIANS IN GOOD CONDITION.

Q. Have you anything to say in reference to the Indians in this part of Alaska, as to what ought to be done for them, if anything, and as to their condition?—A. I consider the condition of the Indians in this part of Alaska as very good at this time. They are industrious and fully able to take care of themselves. They will work for a livelihood. They are not altogether reliable and steadfast when it comes to a steady employment, but they support themselves.

Q. They are, then, in this section of Alaska, in your opinion, capable of sustaining themselves without any Government assistance?—A. Yes, sir.

Q. Are there schools among them?—A. Yes, sir. Professor Kelly, who is present here, is superintendent of the Government schools here, and will be able to give you exact information about them. There are sectarian and nonsectarian schools among the Indians.

#### SEPARATE LIGHT-HOUSE DISTRICT.

Q. Have you anything to suggest in reference to buoys and light-houses and other aids to navigation?—A. There is no question in my mind but that Alaska by itself should be a light-house district, and the headquarters of the district located in Alaska, with the proper officers in charge all to be located here, because the commerce of Alaska is growing so fast and the necessity for buoys and other needs of navigation are becoming greater every day.

Q. You are now a part of another light-house district?—A. I understand that Congress has passed a law making another light-house district of Alaska, but it is not completed. I understand that its headquarters are to be in Seattle.

Q. If the headquarters are in Seattle you are not a separate district?—A. No, sir. Some years ago a light-house service officer in charge of the Thirteenth light-house district made a trip to Alaska, and it was understood that he was looking for headquarters for a separate district.

By Senator NELSON:

Q. I don't think you have a separate light-house district here in Alaska, but I believe you ought to have one.

Q. You have a marine hospital here?—A. We have a United States naval hospital. It is under the United States Navy. We have here a United States assistant marine hospital surgeon who is under the Department of Commerce.

#### AGRICULTURE.

Q. What have you to say about the agricultural possibilities of this section of Alaska?—A. I regret that I could not take you gentlemen out to the experimental station here, so that you might see for yourselves. It is my opinion that wherever the land can be cleared in this part of the country, things can be raised.

Q. What crops?—A. All kinds of garden vegetables—potatoes and things of that kind.

Q. Oats and barley?—A. I think so.

Q. Cattle can be raised here?—A. Yes, sir.

Q. I suppose the difficulty is in clearing the land?—A. Yes, sir; that is the difficulty. The soil is good when once the land is cleared.

#### POPULATION.

By Senator PATTERSON:

Q. What is the white population of Sitka?—A. I should say between 500 and 600, judging from the last census.

Q. Everybody I have heard speak of it says 900 Indians and a white

population of about 300. How large a population, in your opinion, should a district or country have before it is permitted to make its own laws?—A. I would not pretend to be up on that question. But I would consider that they should have a much larger population than we have at present for so large an area of country.

Q. You would not express an opinion as to the number. I am assuming that there are about 35,000 white people in Alaska, and you think that is not a sufficiently large population to permit Alaska to make her own laws?—A. Considering the size of the country, I don't think so. I think there ought to be a resident population of at least twice that much.

Q. So far as southeastern Alaska is concerned, there is not much trouble about communication?—A. Not much.

Q. Except in the winter, communication is very easy?—A. Yes, sir; throughout southeastern Alaska.

Q. The chief population of northwest Alaska is along the seacoast and the Yukon River and through the Copper River region?—A. Yes, sir.

#### FLOATING POPULATION.

Q. Do you believe that a body of men elected from 45 States, with headquarters 6,000 miles away from here, is capable of making local laws for 30,000 or 35,000 people in the hills and mountains up here?—A. Under some circumstances yes, and others no. When I speak of 35,000 people I speak also of the condition of this population with reference to the country they are living in. Of those 35,000 people, there are a large number who are not enough interested in Alaska to make Alaska their home. They are here to-day and away to-morrow. They come in the spring and go away in the fall. They don't stand, in reference to the country, as the New England farmer. The Alaskan man is a good man, but he is not in many cases permanently interested in the country. He is here to-day and away to-morrow. There is a large quantity of drifting population. They are good men, but they are all moving.

Q. Is the white population of Sitka changing?—A. Gradually.

Q. You might say that with reference to any western city?—A. Yes, sir; in the last five years Sitka has changed slowly; some have gone and others have replaced them.

Q. Alaska is peculiar and different in many respects from any other portion of the American domain?—A. Yes, sir.

Q. And most of the laws that Alaska requires apply peculiarly to the conditions here, and not to those of any other part of the United States?—A. Yes, sir.

Q. Do you know of anyone who could better determine what those laws ought to be than those who live here?—A. No one.

Q. The population that you speak of—say 35,000 people—they are here as a rule to better their condition of life?—A. Yes, sir.

Q. They come here hoping to become interested in mines or agriculture, or business of some kind. Some of them realize their expectations and some do not?—A. Yes, sir.

Q. Those who are disappointed go back?—A. Yes, sir.

Q. Those who succeed may go out in the winter, yet have a sincere interest in the welfare of Alaska?—A. Yes, sir.

Q. You have great confidence in the future of Alaska?—A. I do; yes, sir.

Q. You believe it is going to be a great mineral-producing country and will in time have a very large population?—A. Yes, sir.

Q. The population of Sitka is largely official?—A. A per cent of it is official.

Q. When you speak of the population of Sitka you mean the men, women, children—families?—A. Yes, sir.

#### STATEMENT OF WILLIAM R. MILLS.

WILLIAM R. MILLS was called before the committee and testified as follows:

By Senator NELSON:

Q. What is your present business?—A. General merchandise.

Q. How long have you been here in Sitka?—A. I have been here nineteen years.

Q. In Alaska?—A. Yes, sir.

Q. And at Sitka?—A. Yes, sir.

Q. And have been in business here all that time?—A. All that time.

#### DELEGATE.

Q. Will you give the committee your views as to what are the needs of Alaska and what Congress or the General Government ought to do for it?—A. We want a Delegate to represent our views.

Q. What are your views as to a territorial legislature for Alaska at the present time?—A. I don't think we are prepared for it at the present time. I would like to say right here that as a member of the chamber of commerce of Sitka we have talked this question over and had a vote upon it, and it was the almost unanimous expression that we do not desire territorial government.

Q. That was your chamber of commerce?—A. Yes, sir.

Q. You are a member of the chamber of commerce?—A. Yes, sir.

Q. And that it is the unanimous opinion of the chamber of commerce that you do not want a Territorial form of government for this district?—A. Yes, sir; and that we do want a Delegate.

Q. Should that Delegate be elected or appointed?—A. It seems to me that we ought to choose him if we could.

Q. What do you say about the agricultural possibilities of the country?—A. Well, I don't know very much about agriculture. I have confined myself strictly to my business since I have been here. I know very little about the agricultural possibilities except as I have seen around Sitka.

Q. Please state that briefly.—A. They can raise almost any kind of vegetable. Potatoes are raised; radishes. If there is any fault with the country it is that things don't know when to stop growing.

Q. Can they raise small grain like oats and barley?—A. Yes, sir.

Q. And hay?—A. Yes, sir.

Q. Do you have any trouble curing it?—A. In the dry seasons there is no trouble to cure the hay, as much of it as is required.

#### INDIANS IN GOOD CONDITION.

Q. What is the condition of the Indians here at present?—A. They seem to be prosperous and get along well.

Q. They don't need any Government aid?—A. No, sir.

Q. Are they self-supporting?—A. I think they are.

Q. Have you any views to express in reference to the mining laws?—

A. I have not. There are men here in this room who are interested in that question who are familiar with mining conditions, while I know little about it.

Q. Is there any other matter that occurs to you that the Government ought to do for Alaska outside of these matters you speak of?—A. Nothing in particular except what has been mentioned. We have no electric lights. One reason of that is that taxes are so high that an electric-light plant will not pay in a place so small as Sitka.

Q. Do you think the Government ought to supply the town with electric lights?—A. No, sir; I do not ask that. But the tax laws ought to be changed a little.

Senator NELSON. We passed a new law last winter by which the town gets all the occupation tax for municipal purposes and can levy an additional tax, if the town is incorporated.

A. But our town is not incorporated.

Senator NELSON. If your town were incorporated you would be in a good condition and could raise funds for municipal purposes. Is there anything else that occurs to you?

A. No, sir.

#### ELECTION OF DELEGATE.

By Senator PATTERSON:

Q. You say you think you ought to have a Delegate in Congress?—

A. Yes, sir.

Q. One whom your own people would elect?—A. I think so.

Q. That would necessitate an election. Do you know of any reason why, if you elect a Delegate to Congress, you could not at the same time select a body of citizens from the different parts of Alaska to discuss local needs and enact local laws, etc.?—A. That would be right as to the Delegate. The Delegate elected by the people should be one who is supposed to know what the needs of the people are.

Q. Of course you need an agent in Washington?—A. Yes, sir. I don't claim that the Delegate should be elected by the people, neither claim that he should be chosen by the President.

Q. As an American citizen and a citizen of Alaska, have you no choice in this matter?—A. Yes, sir; I want to vote for my man.

Q. And that is about the view of every American citizen in Alaska?—

A. Yes, sir.

Q. Don't you believe that if at present you elected a body of representative men to meet at the capital here and make local laws that they would make better laws for Alaska than Congress, 5,000 miles away?—

A. Perhaps it would, but can we stand the expense?

Q. It would be a year before you would have to pay any expense. Congress would make an appropriation to meet the expenses of the first legislature.—A. I did not know that.

Q. Then you think it is really a matter of expense more than anything else as to whether or not a local legislature should make local laws?—A. I think it is.

Q. Has your chamber of commerce discussed the danger of fixing the capital at some other place than Sitka?—A. Yes, sir. We want it to remain here. It seems to us that Sitka is the natural place.

Senator PATTERSON. I think it is the natural place. I don't know of any more delightful place for it than Sitka.

## STATEMENT OF FERDINAND ROLL.

FERDINAND ROLL was called before the committee, and testified as follows:

By Senator NELSON:

Q. Where do you live?—A. Here at Sitka.

Q. How long have you lived here?—A. For about five years.

Q. How long have you lived in Alaska?—A. Nearly eight years.

Q. What is your business?—A. I am in the general merchandise business.

Q. Are you president of the chamber of commerce?—A. Yes, sir.

Q. Will you please go on and state what you think Congress or the Federal Government ought to do for the people of Alaska and what should not be done?—A. I think at present we don't care for any more new laws except that we would like to have a Delegate.

## PEOPLE ELECT DELEGATE.

Q. Do you believe that Delegate should be elected by a vote of the people or appointed?—A. I think he should be selected by the people.

Q. Do you think you ought to have a Territorial form of government?—A. No, sir; we are not prepared for that.

Q. The means of communication are very small?—A. Yes, sir; and it would be very expensive. The expense would be in the communication. It would be difficult to get a legislature together. The expense of running the government would be enormous.

Q. Wouldn't there also be danger of political schemers running you into debt?—A. Speaking for myself I think that is just exactly the trouble, people would look out more for themselves than for the Territory.

Q. Isn't it more likely that Congress, being a disinterested party, would give you better laws for the Territory as a whole than a legislature which might be controlled by boomers and schemers from the different towns? Isn't it likely that Congress would treat you more fairly than a set of boomers here at home?—A. Yes, sir.

Q. And if you had a delegate who was thoroughly familiar with conditions in Alaska, Congress would be more apt to be impartial as between the different localities than a legislative body here at home?—A. Yes, sir; I think so.

## TOO LARGE FOR ONE TERRITORY.

Q. With the great distances, the lack of communication, say, between Nome and St. Michaels and here, that section might pull one way and you here pull another.—A. The country is too large for one Territory anyhow.

Q. And the interests are divergent?—A. Yes, sir.

Q. And Congress would be more apt to treat all localities fairly than a local legislature?—A. Yes, sir; I think so.

By Senator PATTERSON:

Q. You are a merchant?—A. Yes, sir.

Q. And president of the chamber of commerce?—A. Yes, sir.

Q. How many merchants are there in Sitka? I don't mean sample rooms; I mean merchants.—A. Seven.

Q. And your business is practically confined to Sitka?—A. No; we do some outside.

Q. But it is principally confined to Sitka?—A. Yes, sir.

## NEW LAWS.

Q. Do I understand you to say that you don't think you need any new laws?—A. Yes; for then we may get laws that don't fit us.

Q. So far as you are concerned you are perfectly happy with the laws you have?—A. If the laws were changed the chances are that we might get the wrong laws.

Q. And if you had a Territorial government you think you would not get good laws?—A. We can not stand the expense.

Q. Is it because of the expense that you are opposed to local government?—A. Yes, and I do not think this is the right time.

Q. And you are afraid that there might be boomers and bad people in the legislature, and dishonest people—they have those troubles elsewhere?—A. Yes, sir; but it is expensive.

Q. Suppose Congress should bear the expense?—A. That would be very nice.

Q. You don't know of any good reason beyond the expense why 25,000 people living here in Alaska should not make their laws?—A. It may look like 25,000 who are here, but I don't think there are more than 10,000 people in Alaska who are bona fide residents of the District. But there are other people who don't live here who claim to have interests in the Territory and they don't have any interests in the Territory at all.

Q. Is it your notion that because there is danger in local self-government, and that there might be bad laws passed and bad people in the legislature, that it would be better to have a sort of autocratic government?—A. That is not my opinion; I am opposed to a Territorial form of government because of the cost. I do not think Congress would pay the expense.

Q. The first expense would be an election, wouldn't it?—A. Yes.

Q. Congress would pay for that. If you had a Territorial form of government the governor and general State officers would be appointed and paid by the General Government, as now. So you see you are getting the difficulty of expense removed.—A. I am glad to hear it.

Q. You are not opposed to home rule?—A. No, we are for it; but to create the whole Territory into one government with counties and officers is where the difficulty is.

Senator PATTERSON. I will not discuss that with you.

Q. What are the conflicting interests of Alaska? You have your fisheries, your mines of gold and copper, I hope, and a good many other minerals, I hope; you have coal, and then you have agriculture. Now, what conflicting interests are there in Alaska?—A. Properly speaking, there are no conflicting interests.

Q. Do you know of any section of the United States whose natural products and interests would be more likely to be more homogeneous than those of Alaska?—A. No, sir; I don't.

## STATEMENT OF WILLIAM A. KELLY.

WILLIAM A. KELLY was called before the committee, and testified as follows:

By Senator NELSON:

Q. You live here at Sitka?—A. Yes, sir.

Q. How long have you lived here?—A. Most of the time since 1885.

Q. What work are you engaged in?—A. I am superintendent of the training school and local superintendent of the Government school.

Q. What is the training school?—A. It is under the auspices of the board of home missions of the Presbyterian Church. The Government school is under the Bureau of Education.

Q. Under Sheldon Jackson?—A. Yes, sir.

## REVISION OF GAME LAW.

Q. Please go on and state what you desire to state.—A. The Chamber of Commerce of Sitka asked me to speak to you regarding a revision of the game law. The game law has been in operation for about two years, and it is entirely too stringent both as to the natives and the whites. The views of the chamber of commerce on this matter are unanimous, first, that the game law should not apply to waterfowl—geese, ducks, and the like.

Q. I suppose that is because they are a migratory bird—because they come and go. They are here in the spring and fall, I suppose?—A. Yes, sir; and the law restricts as to their use at the time when we would like to have them on the table. The law prohibits the killing of brown bears. I do not think there should be such a restriction. These bears are so numerous that there should be no law prohibiting the killing of them, except possibly as to the large bears on Kodiak Island.

Senator DILLINGHAM. Do I understand that you make an exception as to Kodiak Island?—A. Yes, sir; that is my own personal view. The largest bears in the world are found on Kodiak Island, and I think they should be protected.

## PROPOSITIONS OF CHAMBER OF COMMERCE.

Q. They have just brought 10,000 sheep there?—A. I don't know whether the people there would like it or not. The chamber of commerce said nothing about the bear on Kodiak Island. I simply put this in as my own statement. The propositions of the chamber of commerce were as follows:

First. The open season for deer should be extended. It is now from September 1 to December 15. It should be extended at least until February 1, because the deer is the main meat food for the natives and the miners of the country. There is no fresh meat in this town of Sitka now. The young deer are being weaned now in this month, and I see no reason why now in the middle of August or September 1 we should not begin to kill deer. As they shut it off the 15th of December, it makes a very short season. I see no reason for this. I think it ought to be from the 1st of September to February 1.

Second. The sale and shipping out of the district of hides, skins, and

heads of such game animals as are lawfully killed should be permitted to be done.

Q. You think a longer time should be given for shipping the skins outside?—A. The Treasury Department has ruled that no time shall be given at all after the closed season. I think the originators of the law intended that there should be fifteen days after the close of the season in which to ship out skins.

#### INDIANS SELF-SUPPORTING.

By Senator NELSON:

Q. What have you to say in regard to the Indians?—A. The Indians are self-supporting in southeastern Alaska.

Q. How are they getting along?—A. Very well. They are good providers. As far as the fishing laws are enforced they get along all right.

Q. You think there is nothing in the fishing laws which harms the Indians?—A. I think not—as a whole.

Q. We have heard some farther up. Is the law enforced?—A. The fish inspectors have been powerless. They have had no vessels to get around. In the last two or three years the laws have been well enforced.

Q. Complaint has been made up in the northern country, upon the Yukon and at other points, that the fish laws worked a great hardship on the Indians—did not permit them to catch certain kinds of fish, smoke salmon, at the time when they should be permitted.—A. I am not acquainted with the conditions up there.

Q. I am satisfied that the fish law up there worked a hardship on the Indians.—A. The natives, of course, are in a deplorable condition in the northwest. I was census officer for the northwest territory in 1900, and my agents there told me that the Indians were in a pitiable condition. This is true also of the Copper River.

Q. But down in this section they are doing well and don't need any help?—A. Yes, sir; they have one trouble here. There ought to be a law to aid them in giving up their old customs. Their potlatches keep them down.

Q. What is that?—A. It is a public feast the Indians hold. They settle in it their own difficulties. A commissioner may try a case between Indians and that should settle it. But they will ignore the commissioner and punish an offender and often work hardship in this way.

Q. Do they drink and carouse in those potlatches?—A. No, sir; but it is compulsory upon the members of the clan to contribute for the celebration of a potlatch. A man can't build a house without having a potlatch. Whenever he builds that house he is compelled to have a celebration, at which all the natives attend, and he has to pay the expenses attached to it.

Q. Isn't that a good deal like the western frontier custom of the natives when they build a house—end it by having a bee?—A. A good deal of wrong occurs among themselves on account of their superstition.

Q. Aren't they getting rid of it?—A. Yes, sir; but it dies hard.

Q. Do you give the Indians in your school an industrial education, or is it merely mental?—A. Industrial.

Q. On what lines?—A. Carpentering; for instance, gardening, boat

building, etc. Here is an Indian working out on the steps who is a carpenter.

Q. What do you teach the girls?—A. Cooking, knitting, washing, general housework.

Q. You teach the boys manual labor?—A. Yes, sir.

Q. Do they succeed in it?—A. Fairly so.

Q. Have you noticed what they do after they leave you?—A. Yes, sir.

Q. Do they relapse back into their old condition?—A. To some extent. As a whole, they hold their own considering their environments. We have out there in the village as good a set of Indian people as you will find anywhere. The condition of the country is against the Indian, but they need encouragement. I am in favor of citizenship for the educated Indians who have separated themselves from their tribal clan. Such Indians ought to be citizens. They will make as good citizens as many of those who are naturalized in the courts.

Q. And do the Indians want it?—A. Yes, sir. I have had two or three of them naturalized in the court, but the courts are prejudiced against it. Down in Metlakatla some of Mr. Duncan's Indians have gone to Seattle to be naturalized.

Q. You think the game laws should be changed as you have indicated both for the Indians and whites?—A. Yes, sir.

#### TERRITORIAL GOVERNMENT.

Q. Is there anything else that you think ought to be done for Alaska?—A. In putting one's self on record here a person has to be very careful, for this testimony will be printed. When you are talking about a territorial form of government for Alaska, the thought occurs to me that one reason why it is not needed so badly is the fact that all the towns can be incorporated, if they desire, and they can have local self-government.

Q. Under the recent legislation?—A. Yes, sir.

Q. You are familiar with the fact that at the last session of Congress we passed a homestead law giving 320 acres to a settler in Alaska?—A. Yes, sir; and I think it is a good law, but the amount of land may be large, considering the quantity of good land in Alaska.

Q. Isn't it a fact that often a man must take a good deal of mountain in order to get his piece of land?—A. Yes; I think that might be true.

Q. Have you anything to suggest regarding the mining laws?—A. It is the same law we have in the other parts of the United States. I am a member of the bar, and I have heard attorneys discuss it. I think mining men should not be allowed to take up claims by agent or power of attorney. I think that a man should not be allowed to take up more than a couple of claims on a creek, whether it is here or at Nome. But they are allowed to take up too many. I think the power of attorney should be limited.

#### DELEGATE.

Q. What is your opinion about the necessity of a Delegate—are you in favor of a Delegate to Congress?—A. I suppose we ought to have one. There are some objections. It is unpopular to take the stand

that I do. But why elect a Delegate when we can't elect our judges, marshals, and commissioners? Why not have the same power to appoint the delegate? I would rather have this commission or some other competent authority appoint the Delegate than have him elected. If we are going to elect the delegate, we will not elect men who have been here in Alaska for twenty years, like Mr. Mills.

#### ELECTION.

But they would take up the ward politicians who are agitating this question from Ketchikan to Skagway. These men are socialists on this question. If we can't appoint our judges and commissioners and other officials why should we elect our Delegate? Our condition here does not permit the electing of judges, and why should it permit the election of a Delegate? I would prefer an appointment of the Delegate by the President. If conditions here were different; if we had roads to the interior, so we could have honest elections, I would favor it. But conditions here are against electing a Delegate by the people. If an election were held the ward politicians would control it. Men who did not own a hundred dollars worth of property in Alaska would be in power. An honest election is not possible under existing conditions. If men who have built up their own business in the country and own something—who are the permanent residents—could control it, I would say with all my heart let us elect him; but as long as we are to be controlled by a few towns who have a floating population and which are controlled by people who are interested in the towns above everything else—the country at large—I am against it.

#### TERRITORIAL GOVERNMENT.

Q. What are your views as to a Territorial form of government?—  
A. Under a Territorial form of government the principal officers are all appointed. Why not appoint the rest of them? These mining laws, the general laws, the Federal laws are applicable all over the United States. If they are good for the people of the East they are good for the people here. I don't see the reason for all this clamor for a Territorial form of government. The conditions here are not suitable for it now. It is premature. We will get along better under the direct control of Congress. I am opposed to it.

#### INCORPORATION OF TOWNS.

Q. Don't you think this law we passed last winter in reference to the incorporation of towns which turns into the municipal treasury all of the occupation taxes—don't you think that is a good law?—A. It is a good law, and in a large measure satisfactory to the people. If these towns get incorporated they can have self-government. They have their own police magistrates and can tax themselves as they wish.

Q. You don't believe in a Territorial form of government?—A. Not at this time. The permanent population is overdrawn. We are not ready to make our own laws.

Q. What is the class of men who are clamoring for Territorial government?—A. It is the floating element—the office seekers, non-producers, the ward politicians. It is not the miner out in the hills, not

the laboring man. They are saloon bummers and loafers and ward politicians. Some of them were officeholders under Cleveland's Administration and other administrations. I am very much in favor of home rule if it were not for the danger I see.

Q. Your idea is that this floating population would control the election and work hardship upon the permanent population of the Territory?—A. Yes, sir. Not in this town of Sitka especially, but at some of these towns where the large floating element would dominate and control them.

Q. You are aware that a town like Nome has three times as much population in summer as in winter, and so along up the Yukon River the population fluctuates—they come and go—and if you had a Territorial form of government and elected members of the legislature, this floating population would be apt to control?—A. Yes, sir.

Q. And that, to a large extent, would injure the permanent interests—the business people—of the district?—A. Yes, sir; that is what I fear. The young industries would suffer at the hands of a Territorial legislature.

Q. It is not the danger of expense, but such dangers?—A. Yes, sir.

Q. Don't you think that Congress, with a Delegate from your Territory, and with the information that the most intelligent men can acquire about the country, that Congress is more apt to deal fairly with all the different interests and localities in this vast Territory than any local legislature at present could do?—A. Yes, sir; that is my opinion.

Q. Now, is there any other topic that you would like to mention that you have not referred to?—A. No, sir.

By Senator PATTERSON:

Q. Who is the United States marshal of this district?—A. Marshal Shoup.

Q. I am told, and have heard it repeated a number of times, that Marshal Shoup says that eight out of ten of the inmates of the jail here are graduates of the mission. Have you heard that statement?—A. I went to Mr. Shoup and he said that he never said that. He denied it. It is not so.

Q. I am with you. I don't believe that education and religion have a deteriorating influence upon anyone.

Q. I understand that you are of the opinion that if the rest of the territory, of the cities and towns consisted, as does Sitka, with good, hard-working, honest, intelligent people as you have here, then you would be ready for self-government?—A. I think that we would be ready.

Q. I am always glad to see a man have a good opinion of his own home. Do you say the same thing about Nome?—A. History proves it different. Look at the district court scandals.

Q. I have heard Mr. Jarvis say that Nome was slandered; that Nome has as good a community as any part of Alaska. Isn't it possible that you are mistaken about Nome?—A. I think that our own history condemns that statement.

Q. Do you believe that bad men should not vote—lazy men, ignorant men?—A. Yes, sir; vote, but not be in power.

Q. So that, with you, the trouble about self-government is that you

have not the proper standard of manhood in Alaska?—A. Yes, sir; we have too few homes here.

Q. I have heard a number of speeches made by Alaskans; we have had banquets and we have had witnesses come before us and give testimony, and until I have heard you, the universal statement has been that the very best type of American manhood is here in Alaska—the bold, the venturesome, the ambitious?—A. Yes, sir; that is true, but the wrong element would control politics.

#### STATEMENT OF ROBERT WITZ.

ROBERT WITZ was called before the committee and testified as follows:

By Senator NELSON:

Q. You live here in Sitka?—A. Yes, sir.

Q. How long have you lived here?—A. Ten years.

Q. What business are you engaged in?—A. Brewing business.

#### AMENDMENT OF LICENSE LAW.

Q. What do you desire to say about the license law?—A. According to the license law I am charged \$500 for the right to brew beer. It makes no difference whether I make 10 barrels or 50 or 1,000 barrels of beer. The license is the same whether a large or small quantity of beer is brewed. I would like to have a change made.

Q. You believe the license should be modified so that it would be in proportion to the amount of beer made?—A. Yes, sir; I would like to have it as the internal-revenue tax is. The internal-revenue law requires me to pay according to how much beer I make. The license law makes me pay \$500, no matter how much I make, whether it is large or small.

Q. Is there anything else that you would like to state?—A. All the money that is expended here for beer goes down to Seattle. I have my business closed up now.

Q. I can see the injustice of it, between the brewery that brews 10 barrels and the one that brews 1,000 barrels. Each should be taxed according to the amount it makes?—A. The internal revenue is all right. This local license law is what is wrong.

Q. Is there anything else that you would like to state?—A. No, sir.

#### STATEMENT OF JAMES W. KEEN.

ON BOARD THE U. S. S. McCULLOCH,  
*Saturday, August 22, 1903.*

JAMES W. KEEN was called before the committee, and testified as follows:

By Senator NELSON:

Q. What is your occupation?—A. I am a pilot in the Revenue-Cutter Service.

Q. What business have you been engaged in for the last twenty-five or thirty years?—A. I have been piloting vessels in the waters of

Alaska since 1868 in the Revenue Service, men-of-war, and merchant marine. I have been master of vessels on and off at different times.

Q. You are familiar with the navigable waters of Alaska?—A. Yes; perfectly so.

#### LIGHT-HOUSES.

Q. The committee would be glad to have you tell us what you think the Government ought to do in the way of aid to navigation in Alaskan waters, in establishing light-houses, beacons, and other matters to aid navigation, and at what points. You might commence at the lower end and work up from Dixon's Entrance?—A. It is very necessary and important that a light-house and fog signal should be erected on Boat Harbor Point. It is on the mainland near Cape Fox. There should be a large beacon established on Hog Rocks in Revillagigedo Channel.

There should also be a beacon on Spire Island Reef. It is in the Revillagigedo Channel on the north side of Annette Island.

There should be a red lantern on Idaho Rock buoy in Tongas Narrows. Idaho Rock buoy is in the Tongas Channel between Penok Island and Revillagigedo Island. This red light should be placed right abreast the Saxon Mission. The people at the mission could keep it hung out and the expense would be very small.

There should be a red light and beacon on Rose Reef, at the upper end of Tongas Narrows on the west side.

There should be a light-house and fog signal on Guard Island, at the head of Tongas Channel.

There should be a light-house and fog signal on Lincoln Rock, near Abraham Island in the upper end of Clarence Strait.

There should be a light on Key Reef in Clarence Strait.

Also there should be a light on the northeast point of Bushy Island in Snow Passage, Chatham Strait.

There should be a light-house established on Cape Decision, at the entrance of Sumner Strait.

I would recommend a bell buoy to be placed on Sheep Creek Flat in Gastineau Channel.

A large beacon should be placed on Favorite Reef, Saginaw Channel.

A fourth-order light should be established on Eldred Rock in the Lynn Canal. This is the place where the steamer *Clara Nevada* was wrecked and all hands lost.

A light-house of fourth order and fog signal should be placed on Battery Point in Chilkat Inlet, near Haines Mission.

There should be a light-house and fog signal on Point Retreat on Mansfield Peninsula between Saginaw Channel and the Lynn Canal.

Next, a light-house on Fairway Island, at the entrance of Peril Strait.

There should be a light-house and fog signal also on Cape Spencer. It is at the entrance of Icy Strait, and is used by all vessels coming from Prince William Sound and Cook Inlet to Juneau.

A light-house should be established in the vicinity of Sitka on Kayak Island, between the middle and eastern channel leading to Sitka. There should also be a very large buoy placed at a very dangerous place, called Rocky Patch, on the eastern channel leading to Sitka.

There should be a buoy on Makhnati Rock, off Makhnati Island. There was a buoy here formerly, but it has been removed or displaced

for some reason. It is a great help in coming from one channel to the other.

There should be a spar buoy on Topeka Shoals, at the north entrance of Wrangell Narrows.

#### BUOY-TENDER BOAT.

It is very essential, too, that a buoy-tender boat should be placed in Alaskan waters to look after the buoys and see that they remain in their places. At present they come only once a year, and the buoys sometimes are out of place before their work is completed one month. At the present time there are three buoys out of position in Wrangell Narrows, and one buoy entirely gone.

All these light-houses, lights, buoys, beacons, and fog signals that I have referred to above I regard as very essential for navigation in Alaskan waters, and steps should be immediately taken for their establishment. I also regard many of the charts of Alaskan waters as very imperfect, especially in the westward.

#### STATEMENT OF MR. L. A. BABCOCK, OF KASAAN, ALASKA.

NEW HAVEN, CONN., *May 19, 1903.*

DEAR SIR: Referring to my recent interview with you relative to Alaska at your office in Montpelier, and in accordance with your request that I should put on paper and forward to you my views as to needed legislation for the district, I beg to say that what seems to be the most pressing need at this time is legislation providing for the election by the people of Alaska of a Delegate to represent them in Congress.

Owing to the immensity of the territory included in the district and the wide diversity of interests in the several sections, it would seem to be difficult to find any one man qualified to represent impartially all the sections. This being so, it appears to me that a much better plan would be to divide the district into, say, three grand divisions, and to allow each division a Delegate in Congress.

#### THREE DELEGATES TO CONGRESS.

Let southeastern Alaska constitute one division, to include all the panhandle of the district and the territory to the westward, possibly to and including the Prince William Sound district, and extending 30 to 50 miles inland. Let the second district consist of all the remaining territory south of the Yukon, and the third district of all the territory north of the Yukon. My reason for suggesting that the southeastern district be made so much smaller than the other two is that this section is more thickly populated than they are and the interests of the people to be included in this division more nearly identical, perhaps, than in either of the other sections.

When we come to consider the fact that the district of Alaska covers a territory half as large as all the States of the Union, such a representation as is here suggested would seem to be no more than just.

As to the manner of electing the Delegate, it seems to me that by establishing voting places at all points where there is a resident United States commissioner, making such commissioner the supervisor of the

election in his district, and giving him authority to appoint such assistants as may be necessary, a very general vote of the people can be obtained. It is possible that the establishment of some few voting places at points where there are no United States commissioners might be advisable, the district court being given jurisdiction in such cases, and all returns to be made to it.

You are no doubt aware that there is a rapidly growing sentiment in favor of the organization of a Territorial form of government in Alaska, and that several clubs have already been organized for the purpose of still further agitating the question.

A liberal homestead law would, I believe, be of great benefit to the district, stimulating immigration and thus hastening the development of all its immense and varied resources. The lands available for agriculture being, in many sections, limited in extent and widely separated, it has been said by some that a donation of 320 acres to each homesteaders, as is proposed by Congress, is too liberal. This might possibly apply to some sections of southeastern Alaska, but in the grazing country of western Alaska, and of some portions of the interior, 320 acres would seem to be none too many.

The establishment of a forest reserve on the islands of the Alexander Archipelago by proclamation of President Roosevelt, in August, 1902, is, it seems to me, likely to greatly retard the development of southeastern Alaska, and of Prince of Wales Island in particular. This island has an area about equal to that of New Jersey, and contains untold mineral wealth, including deposits of gold, silver, and copper, and marble of an exceptionally fine quality. Millions of feet of lumber will be needed in the development of these properties. If lumbermen are compelled to go to the mainland for logs, and assume the additional risk of towing their booms 50 and sometimes 100 miles and more, across bad waters, the price of lumber must be very materially advanced, making the cost of developing the properties spoken of much larger than it need be if the timber of the islands can be utilized. All timber thus far cut has been exclusively for local use; in fact, as you are no doubt aware, the shipping of lumber out of Alaska is already prohibited by law. Under these circumstances the establishment of a forest reserve on these islands would seem to be a mistake. I think the matter should receive the attention of the commission.

#### SALMON CANNING INDUSTRY.

Some provision should be made for propagating salmon in sufficient quantities to assure the permanency of the supply. The present law requiring the establishment and maintenance of a hatchery by each company engaged in the canning business, and the planting, so to speak, of 10 red salmon fry for every red salmon caught, never has been and never can be enforced without great expense. As a matter of fact, if the law were to be strictly enforced many of the smaller canning companies would be forced out of business, the cost of maintaining a proper hatchery being greater than the profits of the business will warrant. The proper thing to be done, then, would seem to be for the Government to establish and maintain a hatchery, or hatcheries, at suitable points in Alaska, and compel the canning companies to buy at these hatcheries the necessary number of fry to comply with the requirements of the law; the fry to be distributed, if thought

necessary, under the supervision of a competent Government employée. This plan, or one similar to it, is advocated by Mr. Kutchin, the agent of the United States Fish Commission, in his report for 1902. Such a law would meet the approval, I think, of the majority of the people engaged in the canning business.

Under the present law no protection is given to the canneries maintaining hatcheries, but, on the contrary, any man or association of men has a perfect right to take advantage of such compliance with the law by coming onto the fishing grounds replenished by artificial propagation and taking any quantity of the fish that they may be able to catch, even to the extent of so crowding the bay or inlet with their boats as to practically bar out the people who, through their compliance with the law, have made the bays and inlets profitable fishing ground. You will realize the injustice of this. If the canning companies are to be compelled to maintain hatcheries they should, in all justice, be given exclusive rights, within certain reasonable bounds, to fish the waters made prolific at their expense. I am impressed with the belief, however, that the Government should propagate all the salmon and distribute the fry as above indicated. Under such an arrangement it might be right to leave the waters free to be fished by all comers. This matter of the proper propagation and distribution of salmon with the view to keeping unimpaired this valuable food supply is worthy of the careful investigation and earnest consideration of your commission.

Other matters might be taken up, but this letter is already much too long.

I sincerely hope that you and your fellow commissioners will make a special effort to visit the Kasaan Bay district of Prince of Wales Island. It is one of the most important points in southeastern Alaska, and is being more rapidly developed than almost any other section.

If you will let me know on what date you expect to arrive at Ketchikan, I will be pleased to meet you there with our launch, which we will gladly place at your disposal during your stay in the Ketchikan and Prince of Wales district.

I expect to leave for Alaska in a few days, and trust that I may have the pleasure of meeting you there.

Yours, very respectfully,

L. A. BABCOCK.

Hon. W. P. DILLINGHAM,  
*Montpelier, Vt.*

PUBLIC MEETING, JUNEAU, ALASKA.

CHAMBER OF COMMERCE,  
*August 20, 1903.*

WM. M. EBNER, president of Juneau Chamber of Commerce, made the following statement: We have here with us to-day a committee of the United States Senate who are in Alaska investigating its needs and wants as regards legislation. They are here on their return after traveling through a large portion of the district, and they are here for the purpose of gathering information and facts, and I hope that all of you who have something to say will do so.

I wish to say to this committee that you are in the town of Juneau and the Harris mining district; you are upon historical ground; you are on the spot where gold was discovered and where mining was

first carried on and gold shipped in paying quantities in the district of Alaska. There are a great many of the old pioneers here—some of them who are here in this hall came here over twenty-four years ago and have remained here ever since—who have seen this camp, when it was a placer camp. This was at one time a flourishing placer camp and has merged into a quartz camp. Placer mining was carried on only to a limited extent. We have some of the largest quartz mines in the world in this vicinity and we expect more than to double and treble the output of gold in this vicinity in the next two years. There are 1,100 stamps dropping within a radius of 50 miles from here.

#### JUNEAU PERMANENT.

Gentlemen of the Senatorial Committee: This is one of the towns where you will find the people engaged in permanent business; where they have come and stayed and expect to settle. Their business is of a permanent nature. It is probably one of the few towns within the district that has reached that stage. There is no doubt but what you have visited a great many camps throughout the district on the route over which you have traveled. You have seen them in the different stages, from the small placer camp up to the large quartz camps in this vicinity.

We have not only mining, but we have lumbering and fishing. Those industries, as well as mining, are in their infancy. The statistics show that the output for the last year has increased over that of previous years, and there is no doubt but what it will keep on increasing, especially in the way of mining.

Gentlemen, we are glad to meet you. We are business men and we may not have much to say, and when we remain silent you may consider that we are contented.

There was a committee appointed by this chamber of commerce to formulate a report, but you came in upon us before we had the same finished, but we expect to furnish you with copies before you leave the city. We set forth in that report not only our needs and wants, but the position that we occupy on the highway of commerce, and what we expect to accomplish in the future.

I shall call upon a few of our citizens to address you.

Senator BURNHAM. I wish to say a word only occasioned by your remarks. I desire to say for Senator Dillingham, the chairman of the committee, that he is detained upon the boat on account of a slight indisposition, and regrets very much that he is unable to be here. I will endeavor to take his place.

As has been stated by the president of your chamber of commerce, we have visited Alaska and have traveled over quite a large extent of the Territory. We have gone down the Yukon River to St. Michael; we have visited Nome; we have come along the western and southern coasts of Alaska and have passed around to this point, which will be the last place we will visit. We are interested in the same questions that you are interested in, and we are anxious here, as elsewhere, to obtain from you full information and facts as to your wants, as to what legislation you may desire, and then upon our return to Washington to gather up such information, and to make such use of it as will be of benefit to you and to the entire Territory of Alaska.

Mr. EBNER. I will call upon Hon. Thomas S. Nowell.

**STATEMENT OF HON. THOMAS S. NOWELL.**

MR. CHAIRMAN AND GENTLEMEN OF THE SENATORIAL COMMITTEE AND GENTLEMEN OF THE CHAMBER OF COMMERCE: I assure you that it affords me great pleasure to meet the committee from the United States Senate and to know that you have come to our Territory for the purpose of gathering information as to our needs in order to lead to wise legislation in the interest of the Territory. I am one of many that have been identified with the Territory for eighteen years, and I have felt that the great danger that has threatened us is excessive legislation rather than not enough. We are peculiarly situated—unlike any section of the public domain of the United States—and the laws that would be suited to the Territories or States or sections that can be carved into States are entirely different from our own.

**INCORPORATION OF TOWNS.**

We have in a measure been isolated from each other as citizens of Alaska, owing to the fact that the only mode of communication is by water. The laws that were passed last session have proven very beneficial to the Territory, enabling communities to organize themselves into a government where they can make their own ordinances and laws to govern themselves. That legislation has been beneficial in its results, and with a few improvements and amendments to that law it will prove very effective, and, I think, so far as we are concerned, it will be all that will be required for many years to come.

**TERRITORIAL GOVERNMENT.**

I am not in sympathy with a territorial form of government, for the reason that the conditions that surround us really unfit us for that condition and for the conditions that would be created through a territorial form of government. It will be many years, in my judgment, before we will be prepared for a government outside of the towns. In my judgment there is no people under the canopy of heaven that are more free and more thoroughly protected than the people of the district of Alaska. We are engaged in developing the resources of the Territory, which are vast. The great consideration is that we have laws enacted that will give confidence in the people and those having capital to invest, in order that we may be successful in developing the resources of the country. Southeastern Alaska is not a poor man's country, for the reason that the mines are principally quartz mines, and of that character which requires large capital to develop them. For that reason we must conform ourselves to conditions here in order that men may join us with their means in helping to develop the Territory.

I predict that from you Senators coming here to Alaska and journeying through the country and understanding the conditions that surround us, the results will be beneficial in a large measure to the Territory of Alaska as well as to the nation at large.

## INVESTMENT OF CAPITAL.

We have a broad and rich field here, and all we need is the energy of the American people to make it one of the greatest producing sections of the world. It is only a matter of time. One great advantage that we should have is capital. It will do more toward developing the interests of Alaska than any single act of Congress. We want rapid communication with the outside world; we want it economically. We want your committee to see that we have it economically. Water transportation is all that we can acquire to the States, and we want that at the lowest price. We want very little legislation, and that wise, and we will move on and accomplish results that will be a credit to our community and to the nation also.

SENATOR BURNHAM. May I ask how long you have been a resident of Juneau?—A. My home has been until the last two years in Boston. I have been in Alaska this time over a year. I have spent my summers here for the last eighteen years. I have two sons who are identified with me in our mining industry, and they have given personal attention to the business during my absence.

Q. Where are your mining interests located?—A. Sheep Creek, Silver Bow Basin, Seward, Alaska, in the Berners Bay district.

## REQUIREMENTS OF VOTER.

Q. In your opinion, is there any legislation that would be beneficial by way of amendment to the present laws?—A. I am not as familiar with those matters as some. There are some amendments and additions that should be made, and our legal fraternity will have that presented to you in an intelligent manner. I think that we should have a Delegate in Congress, and that Delegate should be elected by the people. With that bill Congress should make an ample appropriation for the purpose of dividing the Territory into precincts in order that we may have an honest election. I should say that the person should be a resident of the Territory for not less than a year and a resident of the precinct for not less than six months before he is allowed to vote. There is every necessity for guarding the ballot box in that respect.

Q. Do you suggest any changes in the mining laws?—A. I think that the power of attorney should be abolished. It is retarding the development of the mining interests of the country. It is a barrier in the way of that industry, which is paramount to all interests of the Territory. I believe in protecting the poor man—where he locates a claim—as far as possible.

Q. Is there any other matter that you care to speak of?—A. I will say this, that we need but very little legislation. There is more danger in giving us too much legislation than not enough. What little legislation we want, we want it right. It is limited. If we have such legislation I believe that in the next ten years we will build up in south-eastern Alaska a population in wealth and numbers that will give us a good claim for asking to be admitted as a State into the Union.

MR. EBNER. It is not a question of making a talk altogether. These Senators have come here for facts and information. And if you will come forward quietly and let them ask questions, that will be all that is desired. I would like to hear from Mr. C. W. Young. He is one of the old timers here.

**STATEMENT OF C. W. YOUNG.**

By Senator BURNHAM:

Q. You are a resident of Juneau?—A. Yes, sir.

Q. How long have you lived in Alaska?—A. Over eighteen years.

Q. And in Juneau?—A. Yes, sir.

Q. What is your occupation?—A. Hardware and building materials.

Q. Some matters perhaps have occurred to you in connection with legislation for the Territory that you would like to speak about?—A. I don't believe there is anything at the present time that I care to mention.

Q. Any changes in the present laws with reference to Alaska that you would like to speak of?—A. I would prefer to leave that to the legal fraternity.

Q. Have you any views to express in reference to the matters that Mr. Nowell spoke about?—A. I approve of all he has said.

Q. Do you wish to add anything further?—A. I don't know of anything in addition to what he said.

Q. The question is suggested as to whether you favor or do not favor a territorial form of government?—A. I think it is too early for a territorial form of government, in my opinion.

Q. And your objections, briefly stated, are what?—A. There is not enough permanent business and settlements in the Territory to carry it along at the present time.

Mr. EBNER. I will call upon Mr. G. F. Forest.

**STATEMENT OF G. F. FOREST.**

Mr. FOREST. I might say that my opinions were expressed by Mr. Nowell in full. I don't believe that I can add anything to what he has said. I consider his ideas as valuable, and that they set forth the wishes of the people of this community.

**STATEMENT OF F. C. HAMMOND.**

F. C. HAMMOND. I would prefer not to have anything to say on this matter. There are a number of old settlers here and business men who can be called upon. I am simply an employee of a corporation and I think some of the heads of that corporation should be called upon. I want to say that I most heartily indorse Mr. Nowell's statements.

**STATEMENT OF JOHN G. HEIT.****POWER OF ATTORNEY.**

JOHN G. HEIT. I don't know that I can add anything in addition to what Mr. Nowell has said. I would suggest, however, that there should be an abolishment of the law or practice permitting the location of claims by power of attorney. It might be that if the locator failed to perform his annual work he should be prevented from relocating that claim. It is a practice that has grown up very much of not doing any work upon a claim. At the present time it is simply a matter of taking claims and segregating them from the public domain and no work done upon them. If a man does not do the work upon his claim

I think he should not be allowed to hold that claim. A man should not be permitted to relocate and hold it year after year without doing any work upon it.

I indorse everything Mr. Nowell has said about a Territorial form of government. There are about 30,000 white people in Alaska, giving only about one person to the square mile. It is absolutely impracticable. The expense of maintaining a Territorial form of government would be ruinous. The expense would fall practically upon a few people. Of that 30,000 population there are perhaps 15,000 here to-day and away to-morrow. The expense would fall upon practically half of the people of the Territory. I think that under the existing conditions the matter of Territorial form of government should wait ten years or more.

#### REPRESENTATION.

I think that Alaska should be represented in Congress. The great question is, which is the best way to select such Delegate. The American way is to vote for him by the people. If you take into consideration the great distances of the people in one section from another—if an election were held in Nome we would not hear the returns here until the next June unless the election could be held in three divisions and the returns sent in to a central committee. To be held as one election throughout the district, it would be impracticable.

Q. What do you suggest as the most practical way of selecting a Delegate?—A. We feel that we want a Delegate, and if we can't have him by popular election we will take the next best thing.

Q. And if by appointment, by whom?—A. By a commission, for instance. We would not like to have it placed in one man's power to appoint him.

Q. And a commission constituted how?—A. I suppose the officials of the Territory would probably form that commission. As I say, it is a sort of an un-American way of selecting a representative. But under the conditions here—the topographical and geographical conditions—it might justify an exception to the rule.

Q. You have been a resident of Juneau for how long?—A. For nineteen years.

Q. And in business here as what?—A. Practicing attorney.

By Senator PATTERSON:

Q. With reference to the mining law, when you speak about power of attorney you are aware, I suppose, that there is nothing in the mining law about it?—A. No, sir.

Q. It is simply a method of doing that which could be done without the power of attorney?—A. Yes, sir.

Q. What you want changed is the law that permits that thing to be done?—A. Yes, sir; that is the point.

Q. In other words, this right, if it is a right, that is exercised under the statutes, permitting a man to locate as many claims as he sees fit, you think that should be abolished for the welfare of Alaska?—A. Yes, sir. In the interior it is permitted; it should be abolished.

#### RELOCATION OF CLAIMS.

By Senator BURNHAM:

Q. Won't you explain more fully what you mean by relocation?—A. A man goes out and locates not one claim, but ten or twenty in one

season. It is impossible for him to perform the annual work on all those claims. Yet he has that ground located. It is absolutely segregated from the public domain. No one can locate that ground until he fails to perform his annual work. Men come along in the summer and find the posts indicating the claims, but there is no use for them to locate that ground to develop it, and they go off. Now, we will assume that that man has not performed his annual work. On the 1st of the next January he will relocate that ground and no work need be done for that year. If he locates the ground in January, he need do no work upon it until the last day of December of the next year. That ground is held up for two years. At the expiration of that time the original locator can go and relocate the claim, and it is held up for two years more.

By Senator PATTERSON:

Q. Under the law as it is now, a man may locate a claim on January 1 and he has until the second 31st of December to hold the ground?—A. Yes, sir.

Q. If he concludes that he doesn't want to do the work on that claim during those two years he relocates the same claim, and holds it in the same manner for practically two years again?—A. Yes, sir.

Q. In other words, while an honest miner must do \$100 worth of work each year, such a man, by the present system, might hold that ground for ten or fifteen or twenty years without doing a dollar's worth of work upon it?—A. Yes, sir.

By Senator BURNHAM:

Q. You are a lawyer. I wish you would give some remedy for that evil?—A. He should be compelled to forfeit his right to the mineral land, which should be treated as if it never had been located, notwithstanding his relocation thereof.

Senator NELSON. It could be cured by providing that a man who had forfeited a claim should not be allowed to locate it again?—A. Yes, sir; that would be a remedy. I know some cases where men have fifteen or twenty claims. If they paid as much money on their claims in developing them as they do for recording, they would do the country some benefit. Some do nothing more on their claims than pay the recording fees.

#### STATEMENT OF JUDGE ARTHUR K. DELANEY.

MR. CHAIRMAN AND SENATOR BURNHAM OF THE SENATORIAL COMMITTEE: I don't know that I feel like saying very much to this committee, for several reasons. One reason is that I have gained the impression from personal contact with the members of the committee, as well as from watching your trip up the inside passage and over the divide and down the Yukon and out the Bering Sea and around here again—I have gained the impression that the committee is here for business. And I am awfully pleased to believe that you are. I have a lurking suspicion that the committee are not looking for any hot-air speeches or any buncombe resolutions or any chaff dinners. Personally, I happened to know one of your members a good many years ago, and I know it is true as to him and I believe it to be true of you all. I have the impression in my mind that what you came up here for—the object and purpose of your visit as the representatives of the Senate Territo-

ries Committee as a whole—is to obtain information, data, facts, intelligence concerning this great country, and in conjunction with that use your own personal observation and experience as applied to the facts which your trip might develop.

Therefore I don't feel like saying very much to you; and there is another reason why this is so: When you came up through this inside passage I went up with the committee to Skagway and had the honor and pleasure of giving in a general way my views concerning this country. I have not changed them since. I do not know that I could add anything to them, but I think some of my friends here who are quite as sincere as I am in wishing to develop this country, at least by their actions, are going to develop an unnecessarily partisan and factional fight over this matter of legislation. I want to avoid it if I can. Of course I allude to this question of Territorial government. I have not the slightest doubt in my mind that if the question were put to the people of Alaska—not to the Juneau Chamber of Commerce or any other chamber of commerce—I haven't the slightest doubt in my own mind on a fair and honest vote of the entire district from Nome to Cape Chacon there would be 75 per cent of the people in favor of a Territorial form of government. I haven't the slightest doubt of it. I want to say this, gentlemen: I don't want to be a party to springing up any unnecessary factional difference here which may tend to stop such legislation as I believe the Territory demands. I understand Brother Maloney to say that the resolutions which he contemplates presenting to-night do not include the turning into the city treasury the money arising from the tax on business under the license law as well as the tax on the wholesale and retail liquor traffic. I would not indorse any resolutions that omitted that. If the committee meets to-night I am going to be on hand. I am going to be present to oppose it. If you take revenue from Juneau there is no good reason why that revenue, so far as the local self-government of the municipality itself is concerned, should not be covered into the treasury of the people who pay that revenue. Therefore I would include, in connection with the tax on liquor business, every dollar that is raised under that act, in case Congress deems it wise to continue that system of legislation.

#### ADMINISTRATIVE POWERS IN JUDICIARY.

There are one or two things in addition to that which I want to suggest, and my friend, Judge Brown, who sits beside me here, agrees with me as to them. I am utterly and unconditionally opposed to, and will fight it to a finish, the placing of administrative powers in the hands of the judiciary. Therefore, I am opposed to that provision of the law which grants to the judiciary of this district the power to grant, control, and reject the whisky license business. It is not a judicial function. And if Brother Maloney is right in the position that the judge would like to be relieved of it, God knows I would like to have him relieved of it. It goes back to fundamental principles, Senators. Our Government was organized in three branches—the executive, legislative, and judicial. I do not think that the vesting in a United States district judge of the power to issue liquor licenses is a legitimate exercise of that officer's functions. Therefore, I am in favor of such legislation as will vest in the city the entire control of

the city saloons, gambling houses, sporting houses—throw it all upon the city. I believe that the judge would like to be relieved of it because it is, to put it mildly, a nuisance. Sixty days of the time of this court were taken up with these little petty scrapes. The district attorney, the grand jury, and all the paraphernalia of a great court to get some evidence to fine and convict some fellow \$10 and costs. It is degrading. The district court is the highest tribunal we have here. It is above such petty things as that. If you can't give us Territorial government, please see that such matters as this are corrected. (If I had my way about it I would cut off this southeastern Alaska and make it a territory by itself, but I know that can not be done; I know that is impossible.)

There may be some little things that I would like to suggest which I have promised to communicate to my old friend, the Senator from Minnesota, which are not necessary to call to your attention now.

I want to say this to you, gentlemen, that I hope when you get back home and when you go down to Washington and meet your colleagues in the greatest legislative body there is on the globe—the Senate of the United States—that you won't forget this trip; that you won't forget us boys up here; that amid your other multitudinous duties you will find time to steer us a little in the way of legislation. As Mr. Nowell has well said, we have a great country (and incidentally let me say that he is right about the power-of-attorney business being a fraud). We have a great country here; you are satisfied as to that from the trip you have made. God Almighty has put the resources in our hands. They are here. We can put our hands upon them. To aid us we want you to give us a little bit of legislation. Give us an opportunity to turn this country loose. And when the time comes—it may not come in my day—but it surely will come, when a great population of thousands and hundreds of thousands of Alaskans will bless the day William H. Seward bought Alaska for \$7,200,000. Personally let me express to you my most profound gratitude for your visit and attendance with us; and I want to wish to all of you the hope that in your career in the station in which your constituents have placed you, your career may be honorable and successful, and such as your constituents will indorse, and redound to the honor of our common country. [Applause.]

#### STATEMENT OF JUDGE MELVILLE C. BROWN.

Gentlemen, I am prepared to answer any question you may see proper to ask.

By Senator BURNHAM:

Q. You are judge of the United States district court?—A. Judge of the first division of the district of Alaska.

Q. And have held that position how long?—A. Three years and a little more.

Q. You are acquainted with all of Alaska?—A. No, sir.

Q. With what portion?—A. Southeastern Alaska, going as far north and west as Valdes and out in the peninsula somewhat.

Q. It would please the committee if you would state in your own way wherein you think there should be changes in the laws relating to Alaska.—A. Senator, my duties here are judicial, as you know, and not political. I hardly feel it my province to make any recommenda-

tions whatsoever as to such matters as may be considered political. As to this matter of Territorial government, that interests the people here. They speak for themselves. If I were to make a recommendation it would be based wholly upon wishes that I have heard expressed by the old residents of this country, and I would only in expressing an opinion reflect their opinion. So far as I am able to learn from many conversations with the people in this section, those who represent the money interests of the country in a very large proportion do not, I think, favor what is called Territorial government.

#### PEOPLE WANT TERRITORIAL GOVERNMENT.

Taking the people as a whole throughout the district, or this division of the district of Alaska, I should say that if a vote were taken the majority would be largely in favor of a Territorial form of government. Of course, men who come here to-day and are gone to-morrow, when asked what they want would be ready to shout for almost anything that is suggested by another. They have no substantial interests in the country, and their wishes would, in my opinion, be of very little value to anyone. But of those who live here, those who make their homes here, the majority of those, in my opinion, if a vote were taken, would favor Territorial government. But as opposed to the general vote, you would have the merchant, the mechanic who has gathered up a little property, the miner who has something at stake, men engaged in various callings of life that are permanent and substantial—a large majority of these, in my opinion, would vote against Territorial government.

#### OBJECTIONS TO TERRITORIAL GOVERNMENT.

Q. May I ask what reasons are suggested against a Territorial government by those with whom you are familiar?—A. Many are urged, but the most important I have heard suggested is the expense. A Territorial government at best is the merest makeshift of a government. From many years' experience in the Territories I am satisfied that a Territorial government is the worst that has ever been suggested by the ingenuity of man to dignify it with the name of government by the people. It is a makeshift, and as a makeshift probably under our form of government is the best the Territory could have or the best we could get. I think Senator Patterson, who has had a number of years' experience in Territorial government, would agree with me as to the low quality of that kind of government.

Senator PATTERSON. Might I make a suggestion, Judge? The only serious trouble we had in the Territory of Colorado was when the Executive sent in appointees that we had no voice in. We elected our own legislature. We enacted our own laws. They were the laws the people wanted. Colorado under a Territorial form of government was ready for statehood in a very limited period of time. We commenced our Territorial government with only 7,000 population and an area of 104,000 square miles.

Judge BROWN. And when you emerged to statehood you doubled your population and wealth in a very short period?—A. Yes, sir.

Judge BROWN. And that is where a Territorial government is bad. It is a mere ghost of a popular government at best.

AMENDMENTS TO MINING LAWS.

Q. Are there any amendments to the mining laws that you think should be made?—A. Yes, sir; I think the right of one man to locate a large number of claims, whether quartz or placer, is a great error. Under our law as it is to-day I know of no reason why a man may not go out here in the wilderness, and if he discovers a lode, and it crops out three or four thousand feet or more, take three claims on that lode instead of one. If he stakes in a placer gold field, such as Nome, I know of no reason why he might not claim the whole country—one claim after another, with 20 acres to each claim.

MINING LAWS HAVE WORKED INJURY.

I think that bad legislation. I think that the mining law of the United States has worked great injury in this country, inasmuch as it has permitted such locations. The present law enables a few persons or corporations to occupy a large number of these mining claims to the exclusion of the bona fide prospector. It advances the interests of the speculator to the injury of the actual miner.

DISPOSITION OF LICENSE TAXES.

There is another matter I would like to call your attention to—the disposition of moneys collected as license taxes.

*Statement of license moneys collected in the district of Alaska, division No. 1, during the period from July 1, 1900, to June 30, 1903, both inclusive, and disposition of the same.*

|   |             |              |
|---|-------------|--------------|
| Licenses collected outside of incorporated towns: |             |              |
| 1900 .....  | \$28,610.28 |              |
| 1901 .....  | 63,815.98   |              |
| 1902 .....  | 68,174.68   |              |
| 1903 .....  | 30,532.62   |              |
|   | <hr/>       | \$191,133.56 |
| Licenses collected inside of incorporated towns:  |             |              |
| Juneau—   |             |              |
| 1900 .....  | \$18,895.50 |              |
| 1901 .....  | 19,572.75   |              |
| 1902 .....  | 23,976.95   |              |
| 1903 .....  | 115.00      |              |
|   | <hr/>       | 62,560.20    |
| Skagway—  |             |              |
| 1900 .....  | 22,301.81   |              |
| 1901 .....  | 19,478.29   |              |
| 1902 .....  | 14,645.99   |              |
| 1903 .....  | 1,385.00    |              |
|   | <hr/>       | 57,811.09    |
| Ketchikan—  |             |              |
| 1900 .....  | 3,005.00    |              |
| 1901 .....  | 7,623.34    |              |
| 1902 .....  | 6,974.34    |              |
| 1903 .....  | 2,224.00    |              |
|   | <hr/>       | 19,826.68    |
| Treadwell—  |             |              |
| 1901 .....  | 1,020.00    |              |
| 1902 .....  | 3,170.00    |              |
|   | <hr/>       | 4,190.00     |
| Douglas—  |             |              |
| 1902 .....  | 15,532.96   |              |
| 1903 .....  | 85.00       |              |
|   | <hr/>       | 15,617.96    |

## Licenses collected inside of incorporated towns—Continued.

|  |             |             |                   |
|--|-------------|-------------|-------------------|
| Valdes—  |             |             |                   |
| 1901.....  | \$3,715.00  |             |                   |
| 1902.....  | 750.00      | \$4,465.00  |                   |
|  |             |             | \$164,470.93      |
| Total license moneys collected.....  |             |             | <u>355,604.49</u> |
| Paid to incorporated towns:  |             |             |                   |
| 1900.....  | 22,101.15½  |             |                   |
| 1901.....  | 25,704.69   |             |                   |
| 1902.....  | 32,525.12   |             |                   |
| 1903.....  | 140.00      |             |                   |
|  |             |             | 80,470.96½        |
| Paid for court expenses:   |             |             |                   |
| 1900.....  | 4,533.10    |             |                   |
| 1901.....  | 23,529.06   |             |                   |
| 1902.....  | 14,815.15   |             |                   |
| 1903.....  | 9,584.71    |             |                   |
|  |             |             | 52,462.02         |
| Covered into United States Treasury:   |             |             |                   |
| 1901.....  | \$78,167.43 |             |                   |
| 1902.....  | 108,942.66  |             |                   |
| 1903.....  | 21,903.72   |             |                   |
|  |             | 209,013.81  |                   |
| Of which amount the United States Treasurer apportioned to the fund for maintenance of schools in the district of Alaska, outside of incorporated towns: |             |             |                   |
| 1901.....  | 9,083.71½   |             |                   |
| 1902.....  | 35,471.33   |             |                   |
| 1903.....  | 15,903.72   |             |                   |
|  |             | 60,458.76½  |                   |
|  |             |             | 60,458.76½        |
| And covered into National Treasury:  |             |             |                   |
| 1901.....  | 69,083.71½  |             |                   |
| 1902.....  | 73,471.33   |             |                   |
| 1903.....  | 6,000.00    |             |                   |
|  |             | 148,555.04½ |                   |
| Total amount of license moneys used for the district of Alaska, division No. 1.....  |             |             | 193,391.75        |
| Amount of license moneys covered into United States Treasury..   |             |             | 148,555.04½       |

## RECAPITULATION.

|  |              |
|--|--------------|
| Total license moneys collected .....                 | \$355,604.49 |
| Expended for district of Alaska, division No. 1..... | 193,391.75   |
| Covered into United States Treasury.....             | 148,555.04½  |

*Statement of expenditures of the United States marshal for division No. 1, not including salaries of deputies.*

|              |                   |
|--------------|-------------------|
| Fiscal year— |                   |
| 1901.....    | \$74,260.52       |
| 1902.....    | 74,561.29         |
| 1903.....    | 74,644.23         |
| Total .....  | <u>223,466.04</u> |

Under the act of June 6, 1900, one-half of all license moneys collected within incorporated towns was paid over to the several treasurers of said towns. Under the act of June 13, 1902, the boundaries between the divisions were changed. It will be observed from the statement that the amount collected in the incorporated town of Valdes for the year 1902 decreased to \$750. This town had been included

within the boundaries of the first division, but by the act aforesaid was placed in the third division of the district; the amounts collected therefore for 1902 were the collections made prior to the passage of the act of Congress changing the boundaries of the towns.

By the act of March 3, 1901, it was provided that one-half of moneys collected outside incorporated towns and that was covered into the Treasury of the United States might be expended under the direction of the Secretary of the Interior for school purposes. All of these moneys were paid into the fine and forfeiture fund, and were subject to the payment of court expenses. After these expenditures were made, as provided by law, the remainder was paid into the Treasury of the United States. The total amount of license moneys collected outside incorporated towns to the 1st day of July, 1903, as appears by the statement submitted herewith, amounted to the sum of \$191,133.56. The largest amount collected outside incorporated towns in any one year was in 1902, \$68,174.68. Of this amount there was apportioned to the fund for the maintenance of schools in the year 1902, \$35,471.33. There was covered into the Treasury for general purposes a like amount.

#### LICENSE TAXES.

By the act of March 2, 1903 (vol. 32, pt. 1, Stat. at Large, p. 946), it was provided that all moneys collected for business carried on within the limits of any incorporated town, should be paid over by the clerk to the treasurer of such corporation, to be used for municipal and school purposes. By the same act 50 per cent of all license moneys collected for business carried on outside incorporated towns should be covered into the Treasury of the United States and set aside to be expended by the Secretary of the Interior for school purposes outside incorporated towns in said district of Alaska.

It will be observed the only difference between the latter portion of this act and the former act of 1901 is that the former act subjected all the moneys collected from outside incorporated towns to the payment of court expenses, 50 per cent of the remainder to be covered into the Treasury to be expended for school purposes, etc.; the later act provides that 50 per cent of all moneys collected shall be covered into the Treasury of the United States for school purposes, etc. Including in this amount a small sum that had been collected a prior year and had not been paid into the Treasury, there has been covered into the Treasury since the first of the present year and to July 1, \$15,903.72. The total collections of taxes for three years last past to July 1, 1903, amount to \$355,604.49. There has been paid out to incorporated towns \$80,470.96½; for court expenses, including purchase of courthouse at Skagway, the building of jail, furnishing and repairs of courthouse and jails, and other expenditures provided by law, \$52,462.02. There has been covered into the Treasury, to be expended outside incorporated towns in Alaska for school purposes, \$60,458.76½; making a total of license moneys used and expended for the district of Alaska, division No. 1, \$193,391.75. In addition to this there has been covered into the Treasury of the United States for general purposes \$148,555.04½. (See statement inclosed herewith.)

During the three years last past there has been expended by the United States marshal in this division, not including salaries of deputies,

rents of offices for marshal, district attorney, court-house and chambers for judge, and clerk's office—

For fiscal year—

|           |             |
|-----------|-------------|
| 1901..... | \$74,260.52 |
| 1902..... | 74,561.29   |
| 1903..... | 74,644.23   |

|            |            |
|------------|------------|
| Total..... | 223,466.04 |
|------------|------------|

or \$74,910.99½ above what has been paid into the Treasury for general purposes from collections in Alaska.

#### TAXES IN INCORPORATED TOWNS.

Under the law as it now stands, all the moneys collected within incorporated towns is required to be paid over to the treasurer of the incorporated towns for school and municipal purposes. Fifty per cent of all moneys collected outside incorporated towns is to be paid into the Treasury to be expended by the Secretary of the Interior, if necessary, for school purposes. It will be seen that the other 50 per cent of moneys collected outside incorporated towns, together with fines and forfeitures, must bear the entire expenses incurred by the court.

The average annual expenditures made by the court amount to about \$17,487.34. This includes the purchase of a court-house at Skagway, under act of Congress, repair of same, repairs of jails in the district, the furnishing of books and stationery for the clerk of the court, and books for commissioners and recorders, the court library, salaries of deputy clerks of the court, United States attorney's clerk and stenographer, and a clerk and stenographer for the judge of the court, and many other expenditures too numerous to mention.

The salmon catch for this year seems to be much smaller than in former years, and the revenue from this source will be decreased. It seems probable that the largest amount realized from licenses that will be left under the present statute to the disposal of the court will not exceed \$30,000. Deducting from this the average expenditure of \$17,487.34, and there will remain \$12,512.66 to be covered into the Treasury of the United States for general purposes.

#### ALASKA PAYS DIRECT TAXES FOR EDUCATION OF INDIANS.

I desire to call attention to the fact, however, that the \$30,000 or \$35,000 that may be covered into the Treasury for educational purposes, if necessary, is nearly all used for the support of Indian schools. I don't know how the money is apportioned per capita between the Indian children and the white children outside incorporated towns, but if at a certain sum per capita the amount that would necessarily go to the Indians, they being in greater numbers, would take much the larger portion or nearly all of this sum it would seem for their educational training. This in my opinion is wrong. With all due deference to the Congress of the United States that enacted this law, I feel constrained to say that never in the history of our country have the inhabitants of a Territory or district paid direct taxes for the support or education of the Indians of that Territory.

## BURDEN OF TAXES.

Why, under conditions such as exist in Alaska, that are harder than are to be found elsewhere in the United States, these people should be taxed for the education of the Indian is beyond my comprehension. If any man can give a good reason for placing this exceptional burden upon the people of this district, it will be gratifying for me to hear.

From the figures presented in the foregoing statement you can form some idea of the expenses that the people of Alaska are required to bear under our present form of government as compared to what that would be under the territorial form.

## GENERAL GOVERNMENT SHOULD SUPPORT INDIANS.

If our present district government is to continue I think it will be admitted that the General Government should provide for the education of the Indians, and for the support of such Indian schools as may be properly established. It seems to me unfair to make an exception of Alaska, and to require the inhabitants of this district to pay by direct taxation upon their business energies the expenses of educating the natives—an expense that has heretofore been borne by the General Government in all other parts of our country. In order that the law under which we now collect taxes should come clearly within the purview of the Constitution of the United States, all moneys collected within the district should be expended for purposes of government within its limits. There are little hamlets here and there scattered throughout the district that are without schools and school money, and this \$30,000 or more that is now covered into the Treasury of the United States and used mainly for the education of the Indians should be used in some proper way for the education of the white children so far as it may be needed for that purpose.

## SCHOOLS OUTSIDE OF TOWNS.

Q. So I understand you to say that there is no provision for educational purposes outside incorporated towns?—A. None except what is made by Mr. Jackson, who has charge, as I understand it, of the distribution of these funds, under the direction of the Secretary of the Interior. Doctor Jackson comes out from Washington annually, I believe, and passes up and down the coast visiting the Indian schools, and it is well understood that he is very deeply interested, and properly so, perhaps, in the maintenance of Indian schools and the education of the Indians. The white children get very little benefit from these moneys. The money that is taken from the people in Alaska, in my opinion, should be expended for their benefit, to establish such schools here and there throughout the district as may be necessary, and these schools should be under the control and supervision of the people of Alaska; and the expenditure of this money should under no circumstances be under the control of nonresidents—even under the control of so good a man as Doctor Jackson.

## PAUPERS AND INSANE PERSONS.

We have no means for the support of poor and paupers. There is no provision made for the indigent sick. This money should be used

in part for their care and support. We haven't a large number of paupers, but we have some; and there ought to be some way established for their care and maintenance. We have none. I am not permitted to expend a dollar of this money that is gathered here in taxes to provide for the people who are poor and sick, nor is there any power given to anyone to do it. The insane of Alaska are quite numerous. I don't know the cause.

Senator NELSON. Natives or Americans?

A. There are some natives who have been cared for. There are a few Americans, but there are many Europeans who come into this country who become insane. Congress has provided for their support by an appropriation from the general Treasury, but I think we should be permitted to use some portion of this \$60,000 a year that is collected here for the care of the insane, for the care of the poor and paupers and indigent sick, for the establishment here and there of schools for white children throughout the district, and for such other purposes as it might be used for in the interests of this people. What there would be left, after properly providing for paupers and the indigent sick and insane, I am not able to say. I don't believe it would be a sum more than sufficient to establish such schools as should be established at various points outside the incorporated towns.

#### SCHOOLS IN INCORPORATED TOWNS.

Now as to the incorporated towns and the moneys collected within their limits. I am permitted, under the law that you have passed, to set aside such portion of that, not to exceed 50 per cent, as may be needed for school purposes. I doubt whether 50 per cent of this money is sufficient to sustain the schools properly in any of these incorporated towns.

Now as to the amount of money that is collected in this district in the three years that I have been here. We have collected in all \$321,262.87. And I am proud to say that not a 5-cent piece of it has gone anywhere except for the purposes provided for by the Congress of the United States—not even a half a cent.

#### APPEALS AND WRITS OF ERROR.

We need some changes in the laws concerning appeals and writs of error. At the present time the law provides that these appeals and writs of error shall be taken under the laws of the United States to the Federal court of appeals in San Francisco. Under the United States statutes a man may not have any execution issued against him until the judgment has been entered here for ten days. Sixty days is given to perfect an appeal. That is not long enough. When we are holding court here every day from the first Monday in December till March, judgments being entered, attorneys busy in court, a stenographer working all the time perhaps in court, he can not get up the record so that the attorneys can perfect their proceedings in the appellate court. The time should be lengthened.

Q. What time would you suggest?—A. Ninety days. And this should be done in addition to that: The law should provide that a supersedeas bond may be filed immediately after judgment, so that the party shall not have an execution issued against him pending the ninety days that it takes him to make up his record.

Senator PATTERSON. Is there any great obstacle to making the three judges a court of review, requiring that certain exceptional cases should go to the circuit court of appeals?

A. We do not like to have a judge who tries a case review his own decision. That is the only objection that I know of.

Q. Is there any objection in the way of time or distance for the members of the bench to meet together at the capital once or twice a year to hear appeals?—A. They could do so in the summer very well.

Senator NELSON. Wouldn't it be a good plan to allow appeals in all cases, except Federal cases, to be decided in the Territory by your three judges sitting in banc?

A. You could hardly arrange that under the laws of Alaska as they stand.

Q. Wouldn't it be well to provide such a system?—A. Yes, sir; it might be done. I would not, however, have the judge who tried the case sit on the appeal.

#### APPELLATE COURT.

Senator PATTERSON. Say that another judge should be appointed, who would be the chief justice and would not be a trial judge, and he would sit with the other two judges, excepting the judge who tried the case?

A. That system was well settled in some of the Territories. There were four judges, three of whom sat in the supreme court. No judge would sit in the supreme court who heard the case below.

Senator NELSON. You would have three districts and four judges, and not have the nisi prius judge hear the appeal in his own case?—A. Yes, sir; I think that would be very well to do.

By Senator BURNHAM:

Q. Is there anything else that you would suggest?—A. There are some other minor changes. I will run through them and make a memorandum of them. They are little things that need correction.

Q. We will be glad to have such data.—A. I will give you the exact data—forward it to you—and you will have no trouble in finding it in the statutes.

Q. Is there anything else that you have not alluded to? Some of the gentlemen here have alluded to the Delegate question, is there anything that you care to say about that?—A. I don't know as I care to speak about that. It is wholly political and outside my field of investigation.

#### ELECTION OF DELEGATE.

I am not afraid to express an opinion about anything as far as that goes. I am very frank. I doubt the propriety of an election for a Delegate in this community. I don't know just how you would arrange the machinery for the election. In a State or Territory a legislature has members from every section of the State and Territory, and they know just how to provide for these things in detail. How the Congress of the United States could provide all the details for an honest and fair election is a little beyond my comprehension. If they undertook it they should first investigate the situation very thoroughly.

By Senator NELSON:

Q. Under the recent legislation of Congress incorporated towns receive, as you have stated, all the license money, and all the occupation tax, and in addition to that they can levy a limited amount of taxes themselves?—A. Yes, sir.

Senator NELSON. They get all the license money and all the occupation tax?

A. Yes, sir; and they get it without any expense for collection.

#### ROADS AND TRAILS.

Q. That leaves the territory outside of the incorporated towns in the air, as it were. Of the money collected outside one-half may be expended for schools by the Secretary of the Interior and the other half goes to the General Treasury of the United States. Don't you think it would be a proper course to have all that money outside of the cities go to the people outside to be devoted to the building of roads and trails, for schools for white children, and for the relief of paupers and insane, and provide some machinery for the expenditure of that money?—A. Yes, sir; that is what we need. [Applause.]

Q. Don't you think that if we could meet this by some such legislation as we have for the incorporated towns wouldn't it be a great relief to the country?—A. Yes, sir; it would undoubtedly; it would give a very substantial relief.

Q. In connection with that, what machinery would you provide—in what mode would you have that money expended? I think roads and trails and schools first of all should be looked after. Now the question is, In what mode should this plan be carried out?—A. That is difficult to say.

Q. Is that one of the most important problems here?—A. It is the important problem. If you are to continue this government as it is, as a district, if a commission were to be established to have charge of this money and its expenditure, that commission would necessarily be appointed by the President of the United States.

#### ROAD COMMISSION.

Q. Suppose you had three commissioners, one from each judicial district—Alaskans—appointed by the President or some other authority to control that fund, with jurisdiction to build roads and trails, establish schools, and also take care of the insane and paupers—wouldn't that be a feasible way of reaching it?—A. I prepared a bill and sent it down to Washington about a year ago covering that very ground, but I never heard of it afterwards.

Q. I am sorry I never heard of it.—A. It provided for a commission. It provided for a superintendent of schools for the district who should be a resident of Alaska—who should have resided here not less, I think, than two years; that he be appointed by the President; that this money should be deposited in a Government depository and subject to the draft of this superintendent of schools, as to so much of it as should be expended for that purpose. That it should be expended, first, for the maintenance of the insane. There is complaint of the growing expenditure, but it is done by contract and we know just what it is from year to year. I would provide a reasonable sum for the

maintenance of the poor and sick. That done, the next thing necessary, in my opinion, is setting aside a portion of this fund for school purposes. Your commission, if you had one, would simply set aside a portion of this fund for the support of the insane, a certain portion for the support of the poor and sick, and a certain other fund for school purposes. If that did not exhaust it, then they could apply whatever might be left for roads and trails and for any other purpose of government that they might think necessary. That is my idea about it.

#### VASTNESS OF TERRITORY.

Q. I want to call your attention to a fact which illustrates the vast extent of your territory here. We all discovered as we were going down the Yukon River that the great need of that portion of Alaska was roads and trails. The people there had little to say about schools. Their great want was roads and trails, and they wanted a large portion of that money devoted to the building of roads and trails. Now, here in this locality you don't need roads so much, because you have water communication. There the great difficulty is to get over the trails and back to the camps on the creeks. Would you have a superintendent of schools in each judicial district?—A. I would have a superintendent for each district.

Q. Might he not also have the duties of looking after the poor?—A. Undoubtedly he might.

Q. His duties as superintendent of schools would not occupy his entire time?—A. No, sir.

#### CARE OF INSANE.

Q. At St. Michael the court commissioner called our attention to the great difficulty in taking care of the insane; that an insane man could not be committed except by the district court; that before the insane could be sent to the hospital the papers had to be sent to the governor of the Territory and returned with his approval; that it often took six months and a year to commit a person to the asylum; that the commissioner often had to commit such persons as tramps until the court and district judge could pass upon the question of their sanity. Have you experienced the same difficulty?—A. The difficulty they complain of does not exist now. Under the contract that was made by Governor Brady, he undertook to say that the asylum at Salem, Oreg., should not receive any insane person from Alaska until he had approved the order of confinement. The Secretary of the Interior, when that matter was brought before him, very promptly overruled the governor, so that when the order of the court is made that a person shall be taken to the insane asylum, that is the end of it. Under our statute the court has authority to arrest an insane person, and, if he has means, appoint a guardian for him, and in that way provide for his care. But that is the extent to which the law goes. There is no authority vested in the district court by statute to order the confinement of these people. It is only by the exercise of the equity powers of the court that we are enabled to order a confinement at all. In this division I have directed the commissioners, where men were alleged to be insane, to issue their warrant for the arrest of the insane person, and, if he should be without means of

support, that the warrant should be returned to the district court. In that way the marshal brings them in, and under his warrant for their arrest their maintenance is paid by him. Of course our court here is open almost all the time.

Q. And you can always be reached, especially during the winter time?—A. Yes, sir.

COMMISSIONERS—ADDITIONAL JURISDICTION.

Q. Along the Yukon they have no means of communication in the winter except dog sleds, and in many cases it is not possible for the district judge to pass upon cases of insanity for several months. I would like to have your views upon the question of giving the commissioners here, who are probate judges, the power to pass upon such cases, to call in a physician, as is done in most of the States, and upon his report and the evidence presented decide upon the sanity or non-sanity of such persons. Why wouldn't that, owing to the conditions of your country, be the proper course here in order to expedite the disposal of those cases?—A. There isn't any doubt about the propriety of it. It would save a great deal of expense and trouble. For instance, here is a man at Ketchikan, 200 miles away, put under arrest because he is insane. He is brought from Ketchikan to Juneau and examined here at Juneau, and then sent back to Ketchikan, and then on to Salem, Oreg. That is a good deal of expense that could be avoided just as well as not.

Q. And would that be the proper solution of it?—A. Yes, sir; that is what should be done. It would not meet the situation, Senator, at Nome. You would have to make some provision for their care and maintenance during the winter season—during the closed season. This side of the Aleutian Islands we of course can always reach the outside.

Q. We will be glad if you will send us the memorandum of what changes should be made in your practice.—A. I will as to all those matters. I will call your attention to the present statute, so that you will understand just the changes that should be made.

Q. Also the question of appeals, and also the matter of an additional judge in all cases which are not Federal cases.—A. Yes, sir.

Mr. EBNER. If there are any other gentlemen in the house who have anything to say on any points that have not been touched upon, the committee will be glad to hear from them. Perhaps there is something that has been left undone. If there is no one further who desires to speak, the meeting will be declared adjourned.

---

JUNEAU, ALASKA, *August 20, 1903.*

MY DEAR SENATOR: I have been requested by the common council of the city of Juneau to submit to the committee a set of resolutions which the council have adopted in reference to needed legislation, and inasmuch as the mayor and common council were not able to formulate the resolutions and get them in shape for the use of the committee, I have taken the liberty of sending this communication to the committee through you, with the request that you will present the resolutions to the committee. I will esteem it a favor if you will see that the resolutions are presented to and properly considered by the committee, as the substance of what they contain may be fairly considered as the expression of the sentiments of the people of Juneau on the questions therein stated.

Very respectfully,

A. K. DELANEY.

Senator KNUTE NELSON.

The resolutions referred to are as follows:

*To the Territorial Committee of the Senate of the United States:*

Whereas the present laws governing municipal corporations in the district of Alaska are insufficient and inadequate to give the common council of such corporations sufficient power and authority to successfully and satisfactorily legislate for the incorporate cities and towns organized in said district; and

Whereas it is the desire of the people of the district of Alaska that the common council of the different incorporated cities and towns in said district be fully empowered to legislate concerning, and control, all matters that are purely local and affect only the inhabitants residing within the corporate limits of their respective cities: Therefore, be it

*Resolved by the common council of the city of Juneau,* That the Territorial Committee of the Senate of the United States be respectfully petitioned and requested to favor such legislation by the Congress of the United States at its next session as will accomplish the following results:

1. That all liquor traffic, wholesale and retail, including the granting and rejecting of licenses therefor, within each incorporated city or town of the district of Alaska, be placed under the exclusive control of the common council of such incorporated city or town.

2. That all money arising from licenses granted to wholesale and retail liquor houses, as well as all moneys arising from the present tax on liquor and business in the incorporated cities or towns of Alaska, be turned into the treasury of such incorporated city or town to be expended for school and municipal purposes under the direction of the common council thereof.

3. That all moneys arising from fines upon conviction of any misdemeanor committed within the corporate limits of any such city or town be covered into the city treasury of such city or town, to be applied and expended for school and municipal purposes under the direction of the common council of such incorporated city or town.

4. That all misdemeanors committed within the corporate limits of any incorporated city or town in the district of Alaska, be placed under the exclusive jurisdiction of the municipal magistrate of such incorporated city or town, and that appeals from the judgments of such municipal magistrate shall lie to the district court for the district of Alaska, in case such judgment exceeds a fine of fifty dollars or imprisonment for a period of twenty-five days.

5. That the common council of any incorporated city or town be authorized and empowered to open, regulate, widen, extend, vacate, and improve streets, alleys, and sidewalks within the incorporated limits of such incorporated city or town, and be further authorized to condemn private property for the purpose of opening, widening, extending, and improving streets, alleys, and sidewalks.

[SEAL.]

O. H. ADSIT,

*President of the Common Council of the City of Juneau and ex Officio Mayor.*

Attest:

NATHANAEL GREENE, *City Clerk.*

UNITED STATES OF AMERICA,

*District of Alaska, City of Juneau.*

I hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the unanimous vote of the common council of the city of Juneau on the 20th day of August, 1903.

NATHANAEL GREENE,  
*City Clerk of the City of Juneau.*

---

RESOLUTIONS ADOPTED BY THE COMMON COUNCIL OF THE CITY OF SKAGWAY, ALASKA,  
REGARDING CERTAIN PROPOSED LEGISLATION.

*To the Territorial Committee of the Senate of the United States:*

Whereas the present laws governing municipal corporations in the district of Alaska are insufficient and inadequate to give the common council of such corporations sufficient power and authority to successfully and satisfactorily legislate for the incorporate cities and towns organized in said district; and

Whereas it is the desire of the people of the district of Alaska that the common council of the different incorporated cities and towns in said district be fully empow-

ered to legislate concerning, and control, all matters that are purely local and affect only the inhabitants residing within the corporate limits of their respective cities: Therefore, be it

*Resolved by the common council of the city of Skagway,* That the Territorial Committee of the Senate of the United States be respectfully petitioned and requested to favor such legislation by the Congress of the United States at its next session as will accomplish the following results:

1. That all liquor traffic, wholesale and retail, including the granting and rejecting of licenses therefor, within each incorporated city or town of the district of Alaska, be placed under the exclusive control of the common council of such incorporated city or town.

2. That all money arising from licenses granted to wholesale and retail liquor houses, as well as all moneys arising from the present tax on liquor and business in the incorporated cities or towns of Alaska, be turned into the treasury of such incorporated city or town to be expended for school and municipal purposes under the direction of the common council thereof.

3. That all moneys arising from fines upon conviction of any misdemeanor committed within the corporate limits of any such city or town be covered into the city treasury of such city or town, to be applied and expended for school and municipal purposes under the direction of the common council of such incorporated city or town.

4. That all misdemeanors committed within the corporate limits of any incorporated city or town in the district of Alaska be placed under the exclusive jurisdiction of the municipal magistrate of such incorporated city or town, and that appeals from the judgments of such municipal magistrate shall lie in the district court for the district of Alaska in case such judgment exceeds a fine of \$50, or imprisonment for a period of twenty-five days.

5. That the common council of any incorporated city or town be authorized and empowered to open, regulate, widen, extend, vacate, and improve streets, alleys, and sidewalks within the incorporated limits of such incorporated city or town, and be further authorized to condemn private property for the purpose of opening, widening, extending, and improving streets, alleys, and sidewalks.

[SEAL.]

L. S. KELLER,

*President of the Common Council of the City of Skagway and ex Officio Mayor.*

Attest:

W. S. McKEAN, *City Clerk.*

UNITED STATES OF AMERICA,

*District of Alaska, City of Skagway:*

I hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the unanimous vote of the common council of the city of Skagway on the 7th day of September, 1903.

[SEAL.]

W. S. McKEAN,

*City Clerk of the City of Skagway.*

The town of Wrangell, Alaska, by its common council, adopted the same resolutions as above set out on the 27th day of August, 1903.

# INDEX.

|   | Page. |
|---|-------|
| A.  |       |
| Afognak Island should not be fish reservation as against Indians, A. C. Gallaher. |       |
| A. C. Goss .....  | 214   |
| Agriculture in Fortymile district, Frances L. Butz .....                          | 50    |
| Agriculture:  |       |
| Generally, A. P. Swineford .....  | 19    |
| Difficulty in clearing land, Edward De Groff .....                                | 230   |
| Ground thaws 4 feet in summer, Wm. Davis .....                                    | 43    |
| What part of Alaska best suited for, James Wickersham .....                       | 120   |
| In Tanana Valley, Wm. Mitchell .....  | 59    |
| Abraham Spring .....  | 106   |
| In Copper River Valley, J. L. Steele .....  | 221   |
| Appeals and writs of error, change in law, Melville C. Brown .....                | 260   |
| Assessment work (see <i>Claims; Power of attorney</i> ), Frances L. Butz .....    | 53    |
| H. A. Ring .....  | 182   |
| Increase of, D. A. McKenzie .....   | 108   |
| Samuel N. Graff .....   | 76    |
| John Rustgard .....   | 166   |
| Failure to do, should work forfeiture, Abraham Spring .....                       | 96    |
| Association claims more than one man's work should be done upon them,             |       |
| Abraham Spring .....  | 98    |
| B.  |       |
| Boundary question, T. A. Marquam .....  | 35    |
| Buoys in canal between St. Michael Island and mainland, D. H. Jarvis .....        | 80    |
| C.  |       |
| Claims (see <i>Assessment work, power of attorney</i> ):                          |       |
| Classification of .....   | 179   |
| Marking of, John Rustgard .....   | 166   |
| Mining laws should not permit location of many claims by one man,                 |       |
| Melville C. Brown .....   | 255   |
| Switching of, Wm. M. Davis .....  | 39    |
| Coal, E. A. Henderson .....   | 219   |
| Commissioners:  |       |
| Additional jurisdiction of, Abraham Spring .....                                  | 103   |
| F. T. Merritt .....   | 141   |
| Jurisdiction of, James Wickersham .....   | 126   |
| S. N. Graff .....   | 78    |
| Salary of, James Wickersham .....   | 127   |
| Should not be appointed by judges but by President, A. K. Delaney .....           | 27    |
| Copper River Valley, M. V. Hendricks .....  | 135   |
| Deposits of copper, J. L. Steele .....  | 221   |
| E. A. Henderson .....   | 219   |
| Area of, G. C. Hazelett .....   | 224   |
| Gold and copper, G. C. Hazelett .....   | 224   |
| Council City mining district, Alexander De Soto .....                             | 184   |
| Council, president of, is mayor of town, John Rustgard .....                      | 170   |
| D.  |       |
| Delegate:   |       |
| Necessity for, E. A. Henderson .....  | 218   |
| Appointed or elected, James Wickersham .....                                      | 125   |
| Appointment by President, reasons for, A. K. Delaney .....                        | 27    |



| J.  |  | Page. |
|---|--|-------|
| Judges:   |  |       |
| Additional for Alaska, James Wickersham .....                                     |  | 129   |
| Additional for Alaska .....   |  | 93    |
| D. A. McKenzie .....  |  | 114   |
| Additional at Nome, C. S. Hannum .....  |  | 153   |
| Dudley Dubose .....   |  | 176   |
| Melville C. Brown .....   |  | 261   |
| Judicial and administrative functions, A. Spring .....                            |  | 104   |
| James Wickersham .....  |  | 128   |
| Juneau, resolutions of town of .....  |  | 265   |
| Jurors in civil cases, C. S. Hannum .....   |  | 162   |
| K.  |  |       |
| Kodiak, population of, Ernst Moses .....  |  | 207   |
| Kodiak Island, agriculture and stock raising on, Ernst Moses .....                |  | 207   |
| A. C. Goss .....  |  | 212   |
| Koyukuk district:   |  |       |
| Population of, D. A. McKenzie .....   |  | 107   |
| Area of, D. A. McKenzie .....   |  | 107   |
| Freight rates in, D. A. McKenzie .....  |  | 107   |
| Production of gold in, D. A. McKenzie .....                                       |  | 113   |
| L.  |  |       |
| Land office at Nome, C. S. Hannum .....   |  | 154   |
| P. J. Coston .....  |  | 173   |
| Legislation, danger of, by Congress, A. P. Swineford .....                        |  | 15    |
| License tax:  |  |       |
| Repeal of, C. S. Hannum .....   |  | 155   |
| E. A. Henderson .....   |  | 220   |
| J. L. Steele .....  |  | 222   |
| M. C. Brown .....   |  | 257   |
| As applied to brewing business, Robert Witz .....                                 |  | 241   |
| Life-saving station at Nome, D. H. Jarvis .....                                   |  | 81    |
| C. S. Hannum .....  |  | 158   |
| Light-houses and inspection, D. H. Jarvis .....                                   |  | 80    |
| Alaska should be separate light-house district, D. H. Jarvis .....                |  | 80    |
| In southeastern Alaska, J. C. Hunter .....  |  | 10    |
| J. W. Keen .....  |  | 241   |
| In southern Alaska, Magnus Hansen .....   |  | 211   |
| In northwestern Alaska, P. C. Rickmers .....                                      |  | 150   |
| Liquor traffic, control of should be in municipality, not judge, A. K. Delaney .. |  | 26    |
| George Irving .....   |  | 33    |
| M.  |  |       |
| Mail service:   |  |       |
| In Yukon Valley and in Nome in winter, J. S. Roberts .....                        |  | 64    |
| Changes suggested, J. S. Roberts .....  |  | 65    |
| Valdes to Eagle, James Fish .....   |  | 228   |
| In winter, D. H. Jarvis .....   |  | 91    |
| C. S. Hannum .....  |  | 156   |
| For Yukon River points and Nome should be via Valdes and Eagle, James             |  |       |
| Fish .....  |  | 227   |
| Mail route, in winter, from Nome to south Alaskan coast, John Ellessen .....      |  | 204   |
| John T. Reed .....  |  | 192   |
| Mail service at Kodiak, Curtis M. Coe .....                                       |  | 210   |
| Mining, difficulties of, Samuel N. Graff .....                                    |  | 68-70 |
| Mining laws of United States not applicable to Alaska, Abraham Spring .....       |  | 87    |
| Mining is principal industry of Alaska, James Wickersham .....                    |  | 119   |
| Mining laws should not be amended, James Wickersham .....                         |  | 121   |
| Mining conditions generally, P. J. Coston .....                                   |  | 172   |
| Herman A. Ring .....  |  | 181   |
| M. J. Cockran .....   |  | 177   |
| N.  |  |       |
| Nome:   |  |       |
| Number of claims actually being worked, Dudley Dubose .....                       |  | 176   |
| Court-house at, C. S. Hannum .....  |  | 157   |
| A permanent business community, D. H. Jarvis .....                                |  | 81    |

| Nome—Continued.  | Page. |
|--|-------|
| Population of, John Rustgard .....   | 164   |
| D. H. Jarvis .....   | 82    |
| Character of people of, D. H. Jarvis .....   | 82    |
| Resolutions of town of .....   | 160   |
| O.   |       |
| Oil, in Kayak district .....   | 220   |
| P.   |       |
| People:  |       |
| Character of, A. P. Swineford .....  | 13    |
| Character of; only one criminal case in Fortymile district in a year, Wm. M. Davis ..... | 41    |
| Crimes, no serious, in Alaska, D. H. Jarvis .....  | 82    |
| Police, Canadian northwest, Wm. M. Davis .....   | 41    |
| Population:  |       |
| Of Alaska (bona fide), A. K. Delaney .....   | 28    |
| F. Roll .....  | 235   |
| Permanent, A. P. Swineford .....   | 14    |
| Will be as large as Dakotas and Montana, James Wickersham .....                          | 120   |
| Poor and paupers, support of, Melville C. Brown .....                                    | 259   |
| Power of attorney (see <i>Assessment work, power of attorney</i> ):                      |       |
| Evils of use of, John Raap .....   | 46    |
| Frances L. Butz .....  | 52    |
| Samuel N. Graff .....  | 74-75 |
| Dudley Dubose .....  | 176   |
| H. A. Ring .....   | 182   |
| Everybody opposed to it, Abraham Spring .....  | 97    |
| D. A. McKenzie .....   | 110   |
| M. V. Hendricks .....  | 136   |
| Abolishment of, would not remedy conditions, John Rustgard .....                         | 166   |
| Henry Smith .....  | 171   |
| William A. Rust .....  | 180   |
| Power of attorney, William A. Kelly .....  | 238   |
| Provisions, cost of, John Raap .....   | 44    |
| Samuel N. Graff .....  | 73    |
| D. H. Jarvis .....   | 90    |
| F. H. Butz .....   | 48    |
| D. A. McKenzie .....   | 118   |
| Jas. Wickersham .....  | 121   |
| D. A. Hendricks .....  | 135-6 |
| R.   |       |
| Records of mining claims, John Raap .....  | 46    |
| Relocation of claims, Frances L. Butz .....  | 53    |
| Resolutions adopted by—  |       |
| Town of Eagle .....  | 91    |
| Town of Juneau .....   | 265   |
| City of Nome .....   | 160   |
| City of Skagway .....  | 265   |
| Town of Wrangell .....   | 266   |
| Roads in Koyukuk district, D. A. McKenzie .....  | 107   |
| Cost of, D. A. McKenzie .....  | 107   |
| Roads and trails, Melville C. Brown .....  | 262   |
| William Mitchell .....   | 58    |
| Necessity for—   |       |
| F. L. Butz .....   | 49-50 |
| John Raap .....  | 47    |
| D. H. Jarvis .....   | 89    |
| C. S. Hannum .....   | 157   |
| Abraham Spring .....   | 99    |
| Cost of, William Mitchell .....  | 58    |
| Commissioners .....  | 94    |
| Judge Wickersham .....   | 124   |
| Judge Melville C. Brown .....  | 262   |

|  | Page.   |
|--|---------|
| Roads and trails—Continued.  |         |
| Miners raise money for, by subscription, Abraham Spring .....  | 101     |
| Representation work should be done on, Abraham Spring .....  | 99      |
| License tax should be used for, A. K. Delaney .....  | 27      |
| Establishment of, more necessary than amendment of mining laws, James<br>Wickersham .....                    | 129     |
| Where they should be built, S. N. Graff .....  | 71      |
| How they should be built, S. N. Graff .....  | 71      |
| Who should have control of construction of, James Wickersham .....   | 123     |
| From Eagle to Tanana Crossing, William Mitchell .....  | 58      |
| From Valdez to Yukon River, M. V. Hendricks .....  | 133     |
| From Valdez to Eagle, James Wickersham .....   | 123     |
| James Fish .....   | 92, 227 |
| In Yukon territory and in Alaska, William Daily .....  | 9       |
| W. M. Davis .....  | 40      |
| S.   |         |
| Salary—  |         |
| Officials should have, and not be paid by fees, George Irving .....  | 34      |
| Of customs officers, D. H. Jarvis .....  | 90      |
| Skagway, resolutions of city of .....  | 265     |
| Snake River, Nome, improvement of, E. W. Johnson .....   | 188     |
| C. S. Hannum .....   | 154     |
| T. L. Morgan .....   | 191     |
| D. H. Jarvis .....   | 82      |
| Southeastern Alaska—   |         |
| Should be separate Territory, A. P. Swineford .....  | 16      |
| A. K. Delaney .....  | 252     |
| George Irving .....  | 31      |
| Residents of, are permanent, D. H. Jarvis .....  | 87      |
| Interests of, different from remainder of Alaska, D. H. Jarvis .....   | 87      |
| Needs and wants of, different from remainder of Alaska, James Wickersham .....                               | 126     |
| St. Michael Island should not be entirely military reservation, Fred T.<br>Merritt .....                     | 139     |
| St. Michael:   |         |
| Importance of, in transportation, I. N. Hibberd .....  | 145     |
| Improvement of canal in vicinity of, I. N. Hibberd .....   | 146     |
| D. H. Jarvis .....   | 79      |
| Population of, J. W. Lysons .....  | 147     |
| Stock raising in Tanana Valley, William Mitchell .....   | 59      |
| Kadiak Island, E. Moses .....  | 207     |
| Surveys, A. P. Swineford .....   | 14      |
| Surveys on creeks, M. J. Cockran .....   | 179     |
| T.   |         |
| Tanana district, conditions in, population it will support, John Raap .....                                  | 44      |
| M. V. Hendricks .....  | 134     |
| Wm. Mitchell .....   | 58      |
| James Wickersham .....   | 118     |
| Taxes, Melville C. Brown .....   | 258     |
| Alaska pays \$350,000 to General Government more than cost of Alaska's<br>maintenance, E. A. Henderson ..... | 218     |
| J. L. Steele .....   | 222     |
| Telegraph system, William Mitchell .....   | 54      |
| D. H. Jarvis .....   | 91      |
| Telegraph system, necessity for completion of, C. S. Hannum .....  | 157     |
| Territorial government:  |         |
| Majority of people desire it, A. K. Delaney .....  | 30, 252 |
| Melville C. Brown .....  | 254     |
| Reasons against, Melville C. Brown .....   | 254     |
| Necessity for, A. P. Swineford .....   | 16, 21  |
| Reasons for, C. S. Hannum .....  | 152     |
| All Alaska too vast for, A. K. Delaney .....   | 22, 29  |
| People in Tanana district do not want it, John Raap .....  | 45      |
| Alaska not ready for, Edward De Groff .....  | 229     |

|   | Page. |
|---|-------|
| Territorial government—Continued.   |       |
| Miners do not want it, Frances L. Butz .....  | 53    |
| Alaska not ready for, D. A. McKenzie .....  | 115   |
| Wm. R. Mills .....  | 232   |
| T. S. Nowell .....  | 247   |
| Towns, legislative and executive departments of, should be separate, John<br>Rustgard ..... | 171   |
| Transportation:   |       |
| Impossible in summer except by water, Abraham Spring .....                                  | 100   |
| Is paramount .....  | 92    |
| W.  |       |
| Wages paid to laborers, Abraham Spring .....  | 97    |
| D. A. McKenzie .....  | 117   |
| Water rights in mining, necessity for legislation regarding, S. N. Graf .....               | 76    |
| Wrangell, resolutions of town of .....  | 266   |

## INDEX OF WITNESSES.

---

| A.                                |  | Page.  |
|-----------------------------------|--|--------|
| Anson, Chris, Nome .....          |  | 203    |
| B.                                |  |        |
| Babcock, L. A., Kasaan .....      |  | 243    |
| Barr, John C., Nome .....         |  | 193    |
| Brown, Melville C., Juneau .....  |  | 253    |
| Butz, Frances L., Dawson .....    |  | 47     |
| C.                                |  |        |
| Cockran, M. J., Nome .....        |  | 177    |
| Coe, Curtis M., Kodiak .....      |  | 210    |
| Coston, P. J., Nome .....         |  | 172    |
| D.                                |  |        |
| Daily, William, Skagway .....     |  | 9      |
| Davis, William M., Dawson .....   |  | 37     |
| DeGroff, Edward, Sitka .....      |  | 228    |
| Delaney, A. K., Juneau .....      |  | 22-251 |
| DeSoto, Alexander, Nome .....     |  | 184    |
| Dubose, Dudley, Nome .....        |  | 175    |
| Duncan, William, Metlakatla ..... |  | 3      |
| E.                                |  |        |
| Ebner, William M., Juneau .....   |  | 245    |
| Ellessen, John, Karluk .....      |  | 204    |
| F.                                |  |        |
| Fish, James, Valdes .....         |  | 226    |
| G.                                |  |        |
| Gallaher, Philip, Kodiak .....    |  | 211    |
| Goss, A. C., Kodiak .....         |  | 212    |
| Graff, Samuel N., Eagle .....     |  | 66     |
| H.                                |  |        |
| Hannum, C. S., Nome .....         |  | 151    |
| Hansen, Magnus, Kodiak .....      |  | 210    |
| Hazelett, G. C., Valdes .....     |  | 223    |
| Heit, John G., Juneau .....       |  | 249    |
| Hendricks, M. V., Rampart .....   |  | 133    |
| Henderson, E. A., Valdes .....    |  | 218    |
| Hibberd, I. N., St. Michael ..... |  | 145    |
| Hunter, J. C., Skagway .....      |  | 10     |

|                                    | Page. |
|------------------------------------|-------|
| I.                                 |       |
| Irving, George, Ketchikan.....     | 31    |
| J.                                 |       |
| Jarvis, David H., Eagle.....       | 79    |
| Johnson, E. W., Nome.....          | 188   |
| K.                                 |       |
| Keen, James W., McCulloch.....     | 241   |
| Kelly, William A., Sitka.....      | 236   |
| Knapp, E. J., Rampart.....         | 130   |
| Kokrine, Peter, Nome.....          | 200   |
| L.                                 |       |
| Lysons, J. W., St. Michael.....    | 147   |
| M.                                 |       |
| McKenzie, D. A., Rampart.....      | 107   |
| Marquam, T. A., Skagway.....       | 35    |
| Merritt, Fred T., St. Michael..... | 139   |
| Mills, William R., Sitka.....      | 232   |
| Mitchell, William, Eagle.....      | 54    |
| Morgan, T. L., Nome.....           | 191   |
| Moses, Ernst, Kodiak.....          | 205   |
| N.                                 |       |
| Nowell, Thomas S., Juneau.....     | 247   |
| R.                                 |       |
| Raap, John, Skagway.....           | 43    |
| Reed, John T., Nome.....           | 192   |
| Rickmers, P. C., St. Michael.....  | 148   |
| Ring, Herman A., Nome.....         | 181   |
| Roberts, J. S., Eagle.....         | 64    |
| Roll, Ferdinand, Sitka.....        | 234   |
| Rust, William A., Nome.....        | 180   |
| Rustgard, John, Nome.....          | 164   |
| S.                                 |       |
| Smith, Henry, Nome.....            | 171   |
| Spring, Abraham, Rampart.....      | 94    |
| Steele, J. L., Valdez.....         | 220   |
| Strong, J. F. A., Nome.....        | 197   |
| Swineford, A. P., Ketchikan.....   | 12    |
| W.                                 |       |
| Wickersham, James, Rampart.....    | 118   |
| Witz, Robert, Sitka.....           | 241   |
| Y.                                 |       |
| Young, C. W., Juneau.....          | 249   |

## INDEX OF WITNESSES BY TOWNS.

|                         | Page.  |
|-------------------------|--------|
| <b>Dawson:</b>          |        |
| Butz, Frances L.....    | 47     |
| Davis, William.....     | 37     |
| Raap, John.....         | 43     |
| <b>Eagle:</b>           |        |
| Graff, Samuel N.....    | 66     |
| Jarvis, David H.....    | 79     |
| Mitchell, William.....  | 54     |
| Roberts, J. S.....      | 64     |
| <b>Juneau:</b>          |        |
| Brown, Melville C.....  | 253    |
| Delaney, A. K.....      | 22-251 |
| Ebner, William M.....   | 245    |
| Heit, John G.....       | 249    |
| Nowell, Thomas S.....   | 247    |
| Young, C. W.....        | 249    |
| <b>Kodiak:</b>          |        |
| Coe, Curtis M.....      | 210    |
| Gallaher, Philip.....   | 211    |
| Goss, A. C.....         | 212    |
| Hansen, Magnus.....     | 210    |
| Moses, Ernst.....       | 205    |
| <b>Karluk:</b>          |        |
| Ellessen, John.....     | 204    |
| <b>Ketchikan:</b>       |        |
| Irving, George.....     | 31     |
| Swineford, A. P.....    | 12     |
| <b>Metlakatla:</b>      |        |
| Duncan, William.....    | 3      |
| <b>Nome:</b>            |        |
| Anson, Chris.....       | 203    |
| Barr, John C.....       | 193    |
| Cochran, M. J.....      | 177    |
| Coston, P. J.....       | 172    |
| De Soto, Alexander..... | 184    |
| Dubose, Dudley.....     | 175    |
| Hannum, C. S.....       | 151    |
| Johnson, E. W.....      | 188    |
| Kokrine, Peter.....     | 200    |
| Morgan, T. L.....       | 191    |
| Reed, John T.....       | 192    |
| Ring, Herman A.....     | 181    |
| Rust, William A.....    | 180    |
| Rustgard, John.....     | 164    |
| Smith, Henry.....       | 171    |
| Strong, J. F. A.....    | 197    |
| <b>Rampart:</b>         |        |
| Hendricks, M. V.....    | 133    |
| McKenzie, D. A.....     | 107    |
| Spring, Abraham.....    | 94     |
| Wickersham, James.....  | 118    |



|                       |     |
|-----------------------|-----|
| St. Michael:          |     |
| Hibberd, I. N.....    | 145 |
| Lysons, J. W.....     | 147 |
| Merritt, Fred T.....  | 139 |
| Rickmers, P. C.....   | 148 |
| Sitka:                |     |
| DeGroff, Edward.....  | 228 |
| Kelly, William A..... | 236 |
| Mills, William R..... | 232 |
| Witz, Robert.....     | 241 |
| Skagway:              |     |
| Daily, William.....   | 9   |
| Hunter, J. C.....     | 10  |
| Marquam, T. A.....    | 35  |
| Valdes:               |     |
| Henderson, E. A.....  | 218 |
| Steele, J. L.....     | 220 |
| Hazelett, G. C.....   | 223 |
| Fish, James.....      | 226 |



LIBRARY OF CONGRESS



0 017 188 559 0