

6-14-1890

Town sites in Alaska.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 2450, 51st Cong., 1st Sess. (1890)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

TOWN SITES IN ALASKA.

JUNE 14, 1890.—Referred to the House Calendar and ordered to be printed.

Mr. PAYSON, from the Committee on the Public Lands, submitted the following

REPORT:

[To accompany S. 1859.]

The Committee on the Public Lands, to whom was referred the bill (S. 1859) providing for the acquisition of land for town sites and commercial purposes in Alaska, and for other purposes, having had the same under consideration, report it back with certain amendments, and recommend the adoption of the same together with the original bill as passed by the Senate on February 14, 1890.

During the twenty-two years that this vast Territory has been in the possession of the United States, with the exception of the extension of the mining laws, there has been absolutely no legislation for Alaska which would tend to encourage the development of its vast and varied resources, or afford any protection for the investment of their capital and labor to the several thousand American citizens who have pushed into our most northern possessions for the purpose of engaging in business or for establishing homes.

Now that the future possibilities of this great country, embracing in area more territory than that contained in all of the United States east of the Mississippi River has become generally recognized, we believe that it is the duty of the present Congress to pass such laws as will allow citizens of the United States an opportunity to settle upon public lands in Alaska, and acquire title thereto.

With the exception of a few lots of land in the town of Sitka, upon which title to the original claimants was conferred at the time of the ceding of the Territory to the United States by Russia, and a small number of mineral locations upon which patents have recently been issued, not a foot of land is owned by private individuals. In Juneau, the chief town in the Territory, having a population of upwards of a thousand whites, nearly every branch of business is represented, thousands of dollars are invested in private dwellings and business houses, and the only title that can be acquired by a purchaser of property here, and in fact in all the towns of the Territory, is by a simple bill of sale. This fact alone will readily suggest the necessity for prompt legislation in this particular.

While the Senate bill proposes partial relief, we believe it does not go far enough. One of the important provisions of the bill is that citizens and corporations may secure title to land, not to exceed 160 acres each, for the purpose of trade and manufactures, and it is to this class of citizens that the bill under consideration seems to have been more

especially directed. There are in actual operation between forty and fifty salmon canneries in Alaska, costing from \$20,000 to \$100,000 each besides a number of salmon and halibut smoking and salting establishments and oil factories, and it is proper and right that these companies who have invested such a large amount of capital should have an opportunity to acquire title to the land upon which their buildings are located. But there is no provision in the bill under consideration for those who may desire to secure land for agricultural purposes, stock-raising, or for homes. We believe that this question should not be lost sight of.

Although Alaska may properly be considered a mountainous country there are some localities where there are large bodies of land that are comparatively level and entirely destitute of timber, and it is a fact that certain kinds of crops may be successfully grown thereupon. We believe that this class of land should be thrown open to occupancy under the same general rules that govern the homestead laws and the acquiring of title thereto.

From all the information we have been able to gather, with perhaps few exceptions, the level, or what might be termed land suitable for agriculture and stock raising, is not of sufficient area to justify the establishment of strictly homestead land districts, for the reason that where suitable land for such purposes exists it is surrounded by or immediately adjacent to high and abrupt mountains, making general surveys enormously expensive and utterly impracticable. We are therefore convinced that a system of surveys for Alaska must be created different from that which exists under the present homestead laws, and the one that recommends itself most favorably to us is that where land is to be taken as a homestead it shall be surveyed in the same manner as is provided for surveys in mining claims, and we believe the provisions of section 3 of the bill under consideration (S. 1859) should govern in this class of entries.

That portion of the Territory known as "southeastern Alaska," or extending from a point nearest to the State of Washington to Sitka, a distance by water of about 1,000 miles, embraces almost the entire settled portion of Alaska. The center of the salmon cannery establishments is at a point midway between the towns of Fort Wrangle and Sitka, which are about 300 miles apart. Juneau, the principal town in the Territory, is located between and about equidistant from these two towns, and is recognized as the most important point in southeastern Alaska. It is the chief seat of mining operations, and on account of its natural location, easy of access to the largest vessels and having a splendid harbor, and as the extension of the homestead laws to the Territory necessitates the establishment of a land office, we believe its location at this point will meet all the requirements.

In southeastern Alaska, and more especially in what is known as "to the westward," there are unmistakable indications of large coal deposits of a superior quality. Although these deposits have been known for many years very little effort has been made to develop them for the reason that there has been no law by which title could be acquired. The development of this resource in Alaska is of inestimable importance not only to the inhabitants of the Territory but to the large shipping interests there, and for the accommodation of the steam whalers cruising in Alaskan waters as well as to the Government vessels in their trips in the northern Pacific, Behring Sea, and the waters adjacent, thus offering a strong argument in favor of Congressional action tending to place these valuable coal deposits within the reach

of those who are willing to invest their money in developing the same. We suggest that the manner of surveying these coal lands be in accordance with section 3 of the bill under consideration.

The organic act of May 17, 1884, establishing a civil government for Alaska, contemplated, and section 7 of said act provides, that the laws of Oregon, so far as applicable, should apply to the district of Alaska, but they have been found entirely inadequate for the government of the Territory for the reason that they were formed for a State having town, city, and township organizations and where its officers are elective. This condition of affairs has left this vast extent of country practically without laws for its government and the protection of its people. If Congress is to allow citizens of Alaska to secure title to town property some provision should be made by which they can make laws for local government, power to levy and collect taxes for the maintenance of town organization, school districts, and making public improvements.

By the act of May 17, 1884, the cutting of timber in Alaska is absolutely prohibited. A strict interpretation of this law imposes a fine and imprisonment upon any person who cuts timber even for domestic purposes. The natives are allowed to cut it for their own use but not for the purpose of sale to mines, canneries, fuel for steamers, or for any purpose whatever. Doubtless when that law was formed a wrong and extravagant idea concerning the extent and value of Alaska timber prevailed, and it was without doubt adopted for the purpose of preserving the timber from wholesale depredations or by the gobbling up of the supposed vast forests by speculators. Since the Territory has become settled investigation into the timber resources has shown that while the general appearance of the country suggests an endless extent of forests, and it is a fact that the prevailing spruce and hemlock is of dense growth, yet extensive bodies of large timber are very rare, and it is the rule that where fine bodies of timber do exist it is in extremely rugged districts, in many places almost absolutely inaccessible, and on account of the dense undergrowth it is a matter of great expense and incessant labor to fell the timber and get it into the water for rafting.

When it is remembered that the settled portion of Alaska is nearly 1,000 miles from Puget Sound, the nearest point where lumber can be obtained, if the present law restricting the cutting of timber is executed great hardship must fall upon the white settlers and cut off from the natives a source of revenue by which they have been enabled to make good wages and provide a means of livelihood. There are at present a half dozen saw mills in the Territory, and from these the towns and mining camps have depended for lumber for their houses and other wants. But one attempt has been made to export Alaska timber, and in that instance the Government promptly seized the timber and imposed a heavy fine upon the depredators.

On last September, upon the attention of the Land Department being called to the fact that timber was being cut in Alaska, and the restrictions of the law of May, 1884, being cited, a special agent was sent into the Territory to investigate and report the result of his observations. After several months' inquiry a lengthy report was submitted to the Commissioner of the General Land Office, showing an approximate estimate of the timber depredations; but this report showed that it was a matter of absolute necessity for the welfare and comfort of the settlers, and the special agent recommended that in most instances the parties be relieved from prosecution. After a thorough investigation into the law and the facts as reported by the special agent the Commissioner of the General Land Office submitted his report to the honorable Secretary

of the Interior, and recommended that the prosecution of the parties be tempered with leniency.

The honorable Secretary of the Interior, after going into the case at length, finally decided that while the necessities of the people of Alaska might justify the depredations upon the timber, the law was emphatic in its provisions, and while this law remained it was the duty of the Department to see that it was observed. Consequently he called the attention of the Department of Justice to the situation, and asked that the United States attorney in Alaska be instructed to proceed at once against all parties who had cut timber, which Department immediately issued the necessary instructions and doubtless by this time action has been commenced. Scarcely a mining company, a cannery company, or individuals having property interests in Alaska will escape prosecution under this attitude of the Department, and such a course will involve endless litigation, trouble, and expense to the Government and besides impose upon those people injury and wrong that we believe the merit of the case does not warrant.

From what we are able to gather, there is a vast extent of territory in Alaska where timber for the use of the people can be spared without denuding the country of valuable forests, and we believe that all just requirements for such uses should be permitted. To this end we recommend a system of stumpage, under such rules as the Secretary of the Interior may adopt, to apply to this Territory, and we further recommend that the cutting of timber by residents of the Territory in the past, where wanton depredations have not been committed, shall be relieved from prosecution or penalty, and that the Department of Justice instruct its attorney in Alaska to withhold all action against such parties as in his judgment seems proper and right.

The seat of government for Alaska was, by the organic act, located at Sitka. Doubtless the reason for this place being selected was the fact that it had been the old Russian capital and the other towns in the territory at that time were small and insignificant settlements. During the occupancy of Alaska by the Russians nothing whatever was known of the mineral wealth of southeastern Alaska. The great fishing interests, now assuming such vast importance, had not been utilized. There are at present, outside of the Government officials, not to exceed fifty whites in Sitka. It is not and never will be a town of any commercial importance. The portion of the Territory known as "Southeastern Alaska" extends from Tongas settlement, at the extreme southeastern point, to Mount St. Elias, a distance of about 1,000 miles, embracing territory extending from tide-water line 30 miles into the interior, together with an archipelago, a number of which islands are several hundred miles in length and extending the whole distance along the coast, thus sheltering the main-land from the ocean, and on one of these islands, furthest from the coast, is situated the town of Sitka.

We have shown in the foregoing report something of the importance of the town of Juneau. We will further add that it is located in the central portion of southeastern Alaska, geographically and commercially, besides being on the direct route from Puget Sound to all the principal canneries, settlements, and mining camps of southeastern Alaska. It is also the only point in the Territory from which miners outfit for the great Yukon. We wish to further call attention to the important geographical position of Juneau, which must soon figure largely in the development of the interior of Alaska, which promises vast resources, mineral and otherwise. There are two routes from Southeastern Alaska into the interior, diverging from Juneau: one by

the way of Takou Inlet, and the other by the way of Chilkat. The Takou route, besides affording a practical route into the interior, is attracting considerable attention as a gold-producing section, and is an outlet to the head waters of the Mackenzie and the Yukon tributaries in British Columbia.

Recent investigations have demonstrated beyond a doubt that a practical and feasible route into the interior of Alaska can be had by the way of Chilkat, which is on the main-land, and from which point the navigable waters of the Yukon can be reached by passing over a portage of but 30 miles in extent, and which is used by the Yukon miners at the present time, thus affording communication with the great valley of the Yukon to its confluence with Behring Sea in a few days, while, by the way of Sitka, several weeks must be consumed, to say nothing of the dangers and hardships attending navigation along the rugged and bleak coast of the North Pacific Ocean. Your committee are impressed with the future mineral prospects of the Yukon and its tributaries. Gold prospects are being developed on this stream, and it is already known that there are extensive quartz districts in that section.

There is a town laid out at the junction of Forty Mile Creek with the Yukon, and in the winter it is a rendezvous for the miners and a depot of supply for the whole interior region. From Puget Sound to this point, Juneau is on the direct line, and is in the geographical center of an immense mineral belt several hundred miles in length, extending along the coast line. Hundreds of thousands of dollars have been invested in mining enterprises, and all the official surveys have radiated from this point.

The only argument that can be used for the longer retention of the seat of government at Sitka, is that the necessary buildings for Government use are already there, but they are mostly constructed of logs, built many years ago by the Russians, and are now in a bad state of decay and rot, unsafe for occupancy, and are not worth the expense of putting them in proper condition.

In view of the important legislation contemplated in this bill, and the relocation of the seat of government must necessarily soon occur, that its location at Juneau will better meet the demands and requirements, and better facilitate the transaction of all business, public and private, of the Territory, we therefore recommend that such action be taken at this time.

The act of May 17, 1884, made provision that the different missionary societies having stations in Alaska should be allowed land not exceeding 640 acres at each station. This provision was made in the States of Oregon and Washington, and was incorporated in the organic act for Alaska of May 17, 1884, and we believe the same provision should be made in this act. Indeed, the justness of this proposition appeals especially to Congress, for the reason that the different religious denominations more perhaps than to any other source may be attributed the peaceable and quiet and generally law-abiding character of the natives, and in the absence of proper laws for the Territory, upon the missionary people has devolved the important task of educating the natives to a disposition of friendship towards the white settlers, which has vastly contributed to the comparatively easy access to unknown regions and the development of valuable resources.

Dahl Island, being about 2 miles wide and perhaps 40 miles long, and Long Island being about 2 miles wide and 10 miles long, are occupied by what is known as the Hydah tribe of natives. These islands possess

unusual facilities for supplying the natives with canoe timber, upon which this tribe has depended for many years, and to such a degree of perfection have they attained in their manufacture, that they have a wide reputation among the white and native people of southeastern Alaska for their superior sea-going qualities. On these islands different varieties of game exist, and there are innumerable streams in which fish abound in large numbers and upon which these natives have entirely depended for their food and fish supply for generations. The location of these islands being almost at the lower or southeastern extremity of Alaska, immediately bordering upon British Columbia, and of such close proximity thereto that the natives trespass upon these grounds for the purpose of obtaining fish and canoe timber, thus depriving the natives in the United States Territory of supplies that should of right be reserved for their use. We therefore recommend that these two islands be reserved for these natives, subject to such rules and regulations as may be prescribed by the Secretary of the Interior.

We cannot close our report without strongly recommending that to the Metlakatla natives, now occupying an island about 1 mile in width by 9 miles in length, located towards the lower or southeastern extremity of Alaska, be set aside for their occupancy and ownership. Probably few instances of such self-sacrifice and devotion to the natives of the continent appeals more strongly to the good offices of Congress than that of Rev. Mr. Duncan, who for thirty years has labored among these people whom he found in a complete and totally uncivilized condition, but to-day nearly all of the adults, numbering about four hundred out of a total of about seven hundred people, are professors of religion, strictly moral, and surprisingly industrious. They are self-sustaining, and engaged in most of the pursuits of civilization.

The Senate committee, of which Mr. Dawes, of Massachusetts, was chairman, in their visit to these people last summer, made a thorough investigation into their condition and found them living in an apparent state of entire contentment. Their execution of rustic designs upon silver wrought by themselves into bracelets, rings, and all kinds of jewelry is marvelous. Rev. Duncan, who for many years was a missionary in British Columbia, but on account of his liberal teachings incurred the displeasure of the English Church under whose control he had been, in order to enjoy more religious freedom, moved his natives across into Alaska about eight years ago.

It seems to us that the demands of the people of Alaska, variously estimated to number from 3,000 to 7,000 whites, at this time are modest, and should receive the hearty indorsement of Congress. They ask for no appropriation or any financial aid from the General Government, and only pray for the same rights and privileges accorded to other portions of the Great West. Ever since the purchase of this Territory from Russia the United States has received a large revenue from it, which has in no way redounded to the benefit of the people, and the Government has just contracted a new lease of the seal islands, which promises a revenue of \$1,000,000 a year. Venturesome and intelligent Americans are forging their way to this country, for so many years supposed to be a vast wilderness of ice and snow and freezing temperature, but all accounts now agree that tropical plants flourish in our Arctic possessions, and fruits of delicious flavor and numberless varieties abound in spontaneous growth, while the waters of the inland seas and ocean coast swarm with food fishes enormous in size, apparently unlimited in quantity, and of such quality as to promise not many years hence to become the great source of production for the whole continent.

The enormous wealth of gold, as exemplified by the largest mill in the world, which for several years has been in constant operation in Alaska, and the very promising results of other mining operations in the Territory, together with the startling gold and silver indications in many parts, as well as that of iron, copper, lead, and almost every known mineral, give promise that to this portion of the United States may yet belong the credit of possessing the most valuable and most extensive mineral deposits on the face of the globe. In view of all the circumstances and facts presented to your committee, we recommend the passage of Senate bill 1859 with the amendments herewith submitted.

Strike out the words "the last two preceding sections" in lines 14 and 15, Sec. 4, and insert "this act." Add sections Nos. 5 to 14, inclusive, as appear on the accompanying bill.

○