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Letter from the Secretary of the Treasury, in answer to a Senate resolution of March 15, 1876, transmitting the report of a special agent on the Territory of Alaska and the collection of the customs-revenue therein.

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L E T T E R

FROM

THE SECRETARY OF THE TREASURY,

IN ANSWER TO

A Senate resolution of March 15, 1876, transmitting the report of a special agent on the Territory of Alaska and the collection of the customs-revenue therein.

MARCH 20, 1876.—Referred to the Committee on Finance and ordered to be printed.

TREASURY DEPARTMENT,
Washington, D. C., March 16, 1876.

SIR: In compliance with Senate resolution of the 15th instant, I have the honor to forward herewith the report of Mr. William G. Morris, special agent of this Department, on the Territory of Alaska and the collection of the customs-revenue therein.

Very respectfully,

B. H. BRISTOW,
Secretary.

Hon. T. W. FERRY,
President pro tempore United States Senate.

REMARKS AND OBSERVATIONS UPON THE TERRITORY OF ALASKA, COLLECTION OF THE CUSTOMS-REVENUE, COASTWISE TRADE, ITS PRESENT AND FUTURE GOVERNMENT, AND RELATION TO THE TREASURY DEPARTMENT.

TREASURY DEPARTMENT, SOLICITOR'S OFFICE,
Washington, March 23, 1876.

SIR: In pursuance of my duties as special agent of the Department, it is deemed incumbent to present for the consideration of the Secretary some reflections and conclusions which have been presented to my mind while on a tour of duty on the northwest coast, and which, upon further investigation, have become more forcibly impressed, in view of certain impending legislation by Congress, as indicated by the measure now before the Committee on Territories, entitled "A bill attaching the Territory of Alaska to, and making it a part of, the Territory of Washington, and providing for a civil government therein." Also the letter of the Secretary of War, dated February 26, 1876, transmitting "a copy of a brief on the subject of the jurisdiction of the War Department over the Territory of Alaska," wherein he earnestly recommends to Congress "such legislation as will more precisely define the duties of the War Department over the Indian country in general, and particularly over the Territory of Alaska."

In treating this subject, it may be well to briefly sketch some of the topographical and geographical features of this almost unknown region whose biography is a *terra incognita*. So much has been written and published about the Privilov group, (seal-islands,) that repetition here is deemed unnecessary.

ALASKA

is a country *sui generis*, utterly dissimilar to any in the habitable globe. It has an extent of sea-coast embracing over four thousand miles, estimated to be greater than that of the whole United States, and is only readily accessible but a limited number of miles from the sea. This calculation does not embrace the smaller bays and indentations, but is the shore-line, including the numerous islands which are a portion of the Russian purchase.

On entering Alaska from British Columbia, are observed the same rugged outlines as distinguish the adjacent shores of that province. Mountain-peaks tossed into every conceivable shape, every other point hill-clad, and rising above the level of the sea from one to two thousand feet, densely covered with timber and thick undergrowth, save only where the path of some avalanche has left a defined and barren track; island shores, steep to the water's edge, and their abrupt slopes prolonged under the sea to depths almost unknown. Hardly a spot of level ground is seen; except where some turbulent stream has worn the mountain-side and brought its scanty washings into sheltered inlets, where, undisturbed by the passing swift currents, the *débris* has been left to accumulate and the accretion of years produces a patch of soil. It is in these spots the natives have their huts and villages. With but few exceptions, this is the nature of the country from the boundary of British Columbia to Prince William Sound.

Following the coast still farther, the timber becomes more scanty and of the smaller growth, until, on the peninsula opposite Kodiak Island, it disappears entirely. Thence southward, the hills, where their rounded outlines indicate they have been submerged, are covered with rich heavy grasses, which, in the pleasant valleys of the Choumargin and Aleutian groups, are in midsummer waist-high. But all these islands are of volcanic origin, and the grace of outline and beauty of color of the grassy hills is constantly giving place to the barrenness of lava-bed, the dizzy heights of perpendicular precipices, whose faces are only broken by yawning chasms, precipices reaching unto mountain-summits, some of whose fires are still alive. Northward, along Behring Sea, there is more variety of country. The shores are low and flat, (being alluvial deposit of the rivers,) rising gradually into hills, (timbered,) which give place in turn to mountain-summits. In Bristol Bay, in this locality, is found the coldest winter and warmest summer on the sea-coast of Alaska.

Veins of coal have been found, but unsuitable for steaming purposes. No indications have yet been discovered of the precious metals which would justify the outlay of capital or attract thither placer-miners. No well-defined ledge of auriferous quartz has been found to induce the expenditure of money in sinking shafts and running tunnels. In fine, the whole face of the country is so uninviting and unattractive, so difficult of penetration, so inaccessible to travel and exploration, that to-day but little more is known of the interior of Alaska than at the date of its acquisition. In the absence of any definite exploration, it can only be characterized as a desolate, watery waste.

INHABITANTS.

The several Indian tribes, numbering many thousands, indigenous to the soil, constitute the great mass of population, speak different lan-

guages, and have different customs and habits. The nature of the natives (I speak now of those on the sea-coast only) varies almost in due proportion to the changes in the character of the country. From the boundary of British Columbia to Prince William Sound, or, more strictly, Copper River, the rugged country is peopled by true Indians, careless of life, quick to take offense, and strongly imbued with an intense passion for intoxicating liquors. From and including Fort Etches, at the mouth of Prince William Sound, to the westward and southward, are the Innuits and other branches of the Esquimaux family. They are generally well-disposed, intelligent, and honest; indeed, there can be no hesitation in pronouncing the Aleuts in these qualities wholly unsurpassed among uncivilized people. They all belong to the Greek Church, recognize the marriage relation, and live steadily up to the precepts of their religion. Acts of violence are unknown among them, and will be, if they have not access to spirituous liquors. They are strongly addicted to intoxication, and will run any risk and part with anything to obtain the means to indulge their appetites.

The officers of the Treasury Department, lessees of the seal-islands, independent traders at the different trading-posts and cruising among the islands, a few Russian half-breeds, about forty white people of all nations at Sitka, half a dozen at Wrangel Island, and, occasionally, a few itinerant miners passing to and fro to the Stikine and Cassiar mines in British Columbia, constitute the remaining portion of the inhabitants of Alaska.

CIVIL GOVERNMENT.

It is for this motley crowd that Congress is asked to provide a civil government. No citizen is compelled to live in Alaska unless it be the half-breed Asiatics we acquired with the country. Many of those who go there are adventurers in the fullest sense of the word. Many of them trade in spirituous liquors, arms, and ammunition.

How to provide a suitable government for these people is a vexed question and problem of difficult solution.

Congress has extended over the Territory sections 20 and 21 of the act of June 30, 1834, entitled "An act to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontiers," which read as follows:

SEC. 20. *And be it further enacted*, That if any person shall sell, exchange, or give, barter or dispose of any spirituous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce or attempt to introduce any spirituous liquor or wine into the Indian country except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, or subagent, or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or subagent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court and forfeited, one-half to the use of the informer and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall, moreover, be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except military supplies as mentioned in this section.

SEC. 21. *And be it further enacted*, That if any person whatever shall, within the lim-

its of the Indian country, set up or continue any distillery for manufacturing sedentary spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be the duty of the superintendent of Indian affairs, Indian agent, or subagent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same; and it shall be lawful to employ the military force of the United States in executing that duty.

It will be observed that section 20 of the act just mentioned was amended February 13, 1862, but Congress subsequently, by act approved March 3, 1873, re-enacted this section as it stood originally in the act of 1834.

Congress has also specially extended the laws relating to customs, commerce, and navigation over the mainland, islands, and waters of the Territory.

It is probable that it will ultimately be held that all laws of a general nature were extended over the country *proprio vigore*, upon its acquisition; but to put the matter beyond doubt, Congress should pass an act declaring all such laws in force there.

If it should be determined, however, that a civil government is *actually required* for these people, the following suggestions are offered as a frame-work for such legislation:

Provision might be made for the appointment of magistrates at all the principal points in the Territory, who should have the power to take acknowledgments of deeds and affidavits, and invested with the authority of notaries public. These magistrates should have the power to arrest, try, and punish for all minor offenses, including the introduction, disposition, or sale of liquors to Indians or to any person whatsoever in the country, without a jury, and to examine, commit, and hold to bail, for trial in the courts of Oregon or Washington Territory, persons charged with felony and serious offenses. These magistrates might be appointed by the President or by the circuit court of Oregon, as circuit court commissioners are now appointed. All process issued by them should be served by some person specially deputed by them for that purpose.

The country might be divided into districts, and governed by prefects, with limited powers, clothed with authority to remove these magistrates in certain contingencies, and to fill vacancies in the office temporarily. It should be the duty of the prefect to make regular reports to the Secretary of the Treasury of the condition and wants of the country, and to perform such other duties as might be required of him by the Treasury Department.

There might also with advantage be enacted a local code of laws, sufficient to regulate the ownership and transfer of property, and the record of deeds and other important instruments. The transfer of property by will could also be regulated. These records could be made and kept by the magistrates, who could also be clothed with the authority of registers of wills. A good basis for such a code can be found in "An ordinance for the government of the territory of the United States northwest of the river Ohio," commonly known as the ordinance of 1787.

These suggestions are merely advanced provided Congress should decide to legislate upon this subject. In my opinion there is no occasion for a civil government in Alaska; the population substantially are Indians, and but few white people have any business there except of an illicit character.

OBJECTIONS TO SENATE BILL NO. 87.

The legislation proposed in this bill is of too cumbersome a character and of too complex machinery for the Territory over which it is sought

to be enacted. The cursory view given of the topographical features and of the disposition and status of its inhabitants goes to show that these people in no sense of the word require representation. No taxation is imposed, and no corresponding benefits can arise from the expense of representation in the legislature of Washington Territory.

It is difficult to conclude how election-returns could be transmitted within a reasonable time to the county-seat, which is located at Sitka in the proposed bill. It is distant coastwise fifteen hundred miles from the island of Ounalashka, seventeen hundred miles from the seal-islands, and twenty-five hundred miles from Saint Michael's, the most northern trading-post situate near the Arctic Ocean. There is no direct communication between these points, and only occasionally, perhaps once in a twelvemonth. The only regular means of communication is via San Francisco; that infrequent and of no regularity. Polling-places would have to be had at remote and isolated points, and the ballots when counted would await transportation for months.

All laws of the Territory of Washington, of every name and nature, excepting only those that are local and special, are extended over the country. This is a sweeping enactment.

A sheriff is to be elected and reside at Sitka, the county-seat. His fees and mileage will probably correspond with other sheriffs of Washington Territory. It is impossible to calculate what the fees and expenses of this office alone would amount to.

The whole paraphernalia of a district court and probate court, with attendant expense, is contemplated. Other county-officers are to be elected, the salaries of which will, of course, as far as the judiciary is concerned, have to be paid by the United States. Fees in United States civil and criminal cases will be multiplied *ad infinitum*.

Section 8 of this bill declares all the land-laws of the United States, mineral, agricultural, and timber, specially in force in said Territory, and the register and receiver of the land-office at Olympia, Wash. Ter., have full jurisdiction thereover. This contemplates surveys, maps, plats, and all the machinery incidental thereto. A general enactment might be framed to protect the actual settlers when the country is surveyed, if ever, or a locator on timber-lands for milling purposes or on coal-lands. If placer-mines or lodes of auriferous quartz are ever discovered, and miners flock thither, they can adopt their own code of mining-laws, similar to those of California, which have stood the test of the courts.

The whole United States are directly interested in this seven-million purchase, and because this Territory is *adjacent*, a thousand miles nearer than any portion of our country, it is proposed to erect this vast domain with its invaluable seal-fisheries into a *single county*, and let Washington Territory swallow it up.

The seal-islands are now virtually governed by the Secretary of the Treasury, and no good can arise from a change. Section 6 of the "Act to prevent the extermination of fur-bearing animals in Alaska" empowers the Secretary of the Treasury to make all needful rules and regulations for the comfort, maintenance, education, and protection of the natives of said islands. The lease delivered August 31, 1870, was accepted subject to these conditions, and it affords me pleasure to state, from what I can gather from concurrent testimony, that the lessees in this respect have faithfully observed the rules and regulations imposed upon them, and the Aleuts in their employ, and those living on the islands of Saint Paul and Saint George, are happy, contented, and in prosperous circumstances.

Further criticism is unnecessary, the tenor of these whole observations being only directed to the point of having Alaska entirely controlled by the President and Treasury Department.

THE PRESENT GOVERNMENT.

is of a mixed and anomalous character, of a *quasi* military nature, with customs-officials and lessees of the Treasury Department exercising different powers. The Indians are not governed at all, but maintain their tribal relations undisturbed and unobstructed, save in the question of liquor alone, as before the acquisition. It is only declared to be "Indian country" so far as the introduction of spirituous liquors and wines is concerned. (See opinions of the Attorney-General August 12, 1873, and November 13, 1873.) The jurisdiction exercised by the War Department is indefinite and uncertain, and Congress has been specially asked by the Secretary to precisely define the duties thereof. Better do away with it altogether.

By direction of the President May 21, 1875, the commanding officer of the United States troops in Alaska, stationed at Sitka, was appointed under section 2062, and subject to the limitation in section 1224 of the Revised Statutes, to execute the duties of Indian agent in controlling the intercourse with the Indians in Alaska, including the Aleutian Islands, and to act *ex officio* as Indian agent over the tribes in said Territory.

The War Department claims to have *exclusive* jurisdiction over the introduction of distilled spirits and wines under the act of March 3, 1873, as construed by the Attorney-General. It may be a question, however, whether this provision of said act is now in force, as it is nowhere to be found incorporated in the Revised Statutes. Under the rule laid down in section 5596, the question arises, is it not already repealed, unless it be considered of a local character, so as to bring it within one of the exceptions in said section?

Section 4 of the act of July 27, 1868, (15 Statutes, 241,) provides "that the President shall have power to restrict and regulate, or to prohibit, the importation and use of fire-arms, ammunition, and distilled spirits into and within said Territory." But the Attorney-General, November 13, 1873, decided that Congress, by the act of March 3, 1873, enacted section 20 of the Indian-intercourse act, and that, "as to this matter, Alaska is to be regarded as 'Indian country,' and that no spirituous liquors or wines can be introduced into the Territory without an order by the War Department for that purpose," thus virtually deciding section 4 of the act of 1868 to be repealed; but this very section is reproduced (see section 1955) in the Revised Statutes, and hence arises the question whether the amendment of the act of March 3, 1873, which only referred to the first section of the act of July 27, 1868, and which the Attorney-General holds to operate as a repealing clause, has itself been repealed by being omitted from the Revised Statutes.

SENATE BILL NO. 87.

The bill introduced by Senator Sargent, of California, entitled "A bill to repeal the last clause of the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1874, and for other purposes,' approved March 3, 1873," will, if passed by Congress, repeal sections 20 and 21 of the Indian-intercourse act of 1834, and thus definitely settle the question of jurisdiction of the War Department.

THE TREASURY DEPARTMENT.

The President and Secretary of the Treasury should have sole jurisdiction over the entire Territory. Illicit traffic can only be successfully prevented by armed cruisers, propelled by steam. Troops operate within a limited sphere, and their operations confined to the posts which they garrison; two posts only at present being occupied, Sitka and Fort Wrangel, on Wrangel Island, at the mouth of the Stikine River, leaving the 1,200 islands in the Alexander (Sitka) Archipelago, the Kodiak and Ounalashka districts, the region around Bristol Bay and Cook's Inlet, and Saint Michael's, without any preventive force whatever.

The Treasury Department should control the entire trade of the Territory, and not the military. A recent instance is recorded where the commanding officer has recommended to the general commanding the Department of the Columbia that "the introduction of molasses into the Territory be entirely prohibited, and that all grades of unclarified sugar be allowed only in limited quantities," for the reason that some of it had been distilled by the Indians into a certain kind of liquor called "houchinau." This same officer actually issued an order, as a police measure, prohibiting the sale of molasses and sugar in the vicinity of the post, and says, "I would have extended the order all over the Territory, had I been in possession of the means of enforcing obedience to it." General Howard, in reviewing the communication of this officer, says, "A recommendation in which I did not concur, nor am I aware of any law under which it can be done."

Another instance is cited of extraordinary misconception upon the part of the military. Captain Campbell, U. S. A., when assuming the duties of Indian agent, published a long general order, No. 96, and dated "Headquarters, Sitka, Alaska, July 12, 1875," in which he exacted from all persons then trading in the Territory a bond in the penal sum of \$5,000, conditioned for the faithful observance of all laws and regulations made for the government of trade and intercourse with Indians in Alaska. This was made a condition-precedent for the issuance of a license to trade and transact business.

General Howard directed the suspension of the order in this particular, on the ground that it was in the nature of an *ex post facto* law, and forwarded the order to the War Department and Indian Bureau for approval or modification.

The Board of Trade of Portland, Oreg., adopted a strong remonstrance against this provision, and requested General Howard to countermand it, as being "against the interests of trade and commerce with Oregon." The true effect of this order would be to divert the traffic of small traders, unable to give bonds, into the hands of British smugglers from Vancouver Island. The "molasses" order would cause the Indians, as stated by the collector at Sitka, "to visit British trading-posts, taking with them their furs and peltries, receiving in exchange anything and everything they require."

The Commissioner of Indian Affairs expressed his opinion "that the restrictions placed upon trade and commerce in Alaska by the provisions of Captain Campbell's orders aforesaid, are not justified by law, and that such orders, so far as relates to everything except the twentieth and twenty-first sections of the intercourse act of 1834, should be revoked."

Alaska is a remote sister, and our entire intercourse with her is purely of a commercial character, principally with California and Oregon

The rules and regulations governing the customs-service, trade, and commerce should not be interfered with by the military; the civil service should, in this respect, be paramount.

Appended hereto will be found a letter from Ex-Secretary William A. Richardson to the Secretary of War upon this subject, *i. e.*, military officers acting as officers of the customs.

If ardent spirits are kept out of Alaska there is no danger of any trouble with its inhabitants, and this can be as effectively done by the Treasury as by the War Department. Establish a civil government there, as contemplated by Senate bill No. 67, and I venture the opinion in a very short time a first-class Indian war will be the result.

REVENUE-CUTTERS AND CRUISING-GROUND.

A steamer should be stationed in the waters of the Alexander Archipelago; she need not be large, but a good sea-boat, bark-rigged, economical in the consumption of coal, and able to burn wood. At least twice a year, oftener if necessary, every Indian village and trading-post should be visited, and communication had with the chiefs, headmen, and traders.

The region west of Copper River (the Alaskan district proper) should be visited during the summer months by the cutter from Puget Sound or that from the Columbia River station; the latter can best be spared. A cutter leaving either point direct for Kodiak or Ounalashka, would in five or six days, good weather, reach her destination; whereas by the inland passage, via Sitka, as has heretofore been the custom, as many weeks are usually consumed in making the voyage, and full notice by means of Indian signals given the Indians and traders.

The natives have great fear of a gunboat, which they call "a fire-ship," having been at times severely punished by American and British naval vessels, their villages shelled and burned, and themselves whipped into submission.

From latitude 54° 40' to Copper River, the cutter should cruise as frequently as possible.

The commanders of these vessels should be directed to rigidly enforce the act of 1868.

If it is deemed advisable for the cutter to visit the seal-islands and extend her cruise into Behring Sea, it will be necessary to have a coal-ing station established at Captain's Harbor, Ounalashka Island. In fact, this should be in any event made a coal-depot.

CONCLUSION.

The following propositions are advanced why the Secretary of the Treasury should govern Alaska:

1. Because all the trade and traffic with Alaska is a part of the coasting trade of the United States, carried on vessels from San Francisco and Portland, Oreg., which are documented and controlled by the Treasury Department through the collectors of those ports.
2. Because all violations of the navigation and commercial laws are investigated by the Treasury Department and tried in the courts.
3. Because the trade with the seal-islands in Alaskan waters is controlled by contract with the Treasury Department, into which all revenue is paid derived from that source.
4. Because all the white inhabitants therein live near the coast, and the only communication therewith is by sea, which is essentially and absolutely of a maritime character.

5. Because the military arm is a land-service, with no natural affinity, sympathy, or adaptation to the management of commercial affairs, and it is contrary to the policy of our form of government to relegate its civil functions to the War Department, or rather subordinating the civil service and our commerce with that section of our country to the control of the Army.

6. Because there can be no proper administration of affairs where the execution of the laws is a divided responsibility between two branches of the Government, one of which is not a peace establishment.

7. The employment of the revenue-cutters in Alaskan waters could be had with much more reason and propriety than the Army.

All of which is respectfully submitted.

WM. GOUVERNEUR MORRIS,
Special Agent.

Hon. BLUFORD WILSON,
Solicitor of the Treasury, Washington, D. C.

TREASURY DEPARTMENT,
Washington, D. C., February 26, 1874.

SIR: I have the honor to return herewith, as requested in your communication of the 13th instant, the letter addressed by the commanding general of the Military Division of the Pacific to the Adjutant-General of the Army, under date of January 15, 1874, concerning the introduction of distilled spirits and wines into the Territory of Alaska.

The commanding general submits the following propositions in reference to the subject just named:

1. That spirituous liquors or wines shall not be shipped for any point in the Territory of Alaska, except from the ports of San Francisco, Cal., and Portland, Oreg.

2. That such shipments shall not be made from those ports without a special permit in each case from the commander of the Military Division of the Pacific, or the commander of the Department of the Columbia, accordingly as the port of shipment may be San Francisco or Portland.

3. That shippers receiving permits shall give bonds to the collectors at the ports of shipment that the permitted articles shall be delivered, on arrival at the port of Sitka, to the collector of customs or his representative.

4. That the distribution of the spirituous liquors or wines, after delivery to the collector, shall be regulated by the chief military officer at Sitka.

5. That in all cases of shipment of goods of any kind to Alaska from any ports of shipment, the actual shippers shall personally appear before the proper customs-officers and make oath to the manifest of their shipments.

6. That all goods arriving at ports in the Territory of Alaska shall be subject to the inspection of the military authorities, if deemed necessary to prevent the introduction of liquors or wines in violation of regulations.

7. That the twentieth section of the Indian-intercourse act of June 30, 1834, be published for the information of all concerned.

In reference to the first proposition, your attention is invited to the fact that by the proclamation of the President, dated February 4, 1870, the shipment of distilled spirits to ports, places, and islands within the Territory of Alaska is prohibited by the refusal of clearance to any vessel bound to those ports, places, and islands with distilled spirits on board. This proclamation is made the basis of article 213 of the customs regulations, issued January 1, 1874.

By the act of March 3, 1873, the provisions of sections 20 and 21 of the Indian-intercourse act of June 30, 1834, are extended to the islands, mainlands, and waters of the Territory of Alaska, and section 20 of that act provides that no wine or spirituous liquor shall be introduced into the Indian country except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department.

To carry out the provisions of this act and the first proposed regulation, in view of the proclamation of the President and of the regulations of this Department, it will be simply necessary for this Department to give instructions to the collectors of customs at San Francisco and Portland to allow shipments of liquor to that Territory whenever requested so to do by the commanding general, for the purpose and uses named in said act. The act of 1834 includes wine, while the President's proclamation relates only to distilled spirits, and, if your Department so desire, the instructions to

the collectors at San Francisco and Portland will include wine, and the refusal of clearance at other ports will likewise be extended to that article.

By the same article vessels clearing for any other port or places, and intending to touch, trade, or pass through or within the waters of Alaska with distilled spirits on board, are required to give bond in double the value of the spirits that no part shall be landed or disposed of within the Territory of Alaska, and this bond is only released upon the certificate of the proper customs-officers within the Territory. If, in your opinion, it shall be necessary or expedient to extend the prohibition and bonds to wines this Department will, as before stated, take action accordingly.

The second proposition of the commanding general appears to be sufficiently answered by the preceding paragraph, except so far as the proposition may be intended to apply to vessels clearing for other ports, but intending to touch or trade at Alaskan ports. In such an event, it is the opinion of the Department that the object in view may be sufficiently obtained by the bond given at the port of clearance, and by the due exercise of vigilance on the coast and within the Territory of Alaska, which is admitted to be part of the Indian country, and therefore subject to military supervision and regulation in certain respects.

With regard to the third proposition, it is the opinion of this Department that the end in view can be sufficiently accomplished by action within the scope of the authority of the collector of customs at Sitka. As no distilled spirits can reach Alaska by sea without the execution of a penal bond at the port of clearance, and as that bond cannot be released without the certificate of the collector at Sitka that the bonded articles have not been landed or disposed of, it appears to be the right and duty of that officer to take any and all suitable precautions to prevent any landing or disposition of spirituous liquors, by taking the same into his own possession, or placing an inspector on board the vessel and sealing the hatches or store-rooms thereof, or in any other sufficient and proper manner.

In reference to the fourth proposition, this Department concurs therein.

In reply to the fifth proposition, attention is invited to articles 199 to 203 of the customs regulations, by which it will be seen that the duty of manifesting the cargo of coasting-vessels, where a manifest is required, is one appertaining to the master of a vessel, and to section 4 of the act of July 27, 1868, from which it will be seen that the penalty for landing distilled spirits in Alaska accrues against the vessel offending, and the master thereof, and not against the shipper.

With respect to the sixth proposition, I have to say, that this Department will cheerfully co-operate with your Department to reach the end in view, and for that purpose will give instructions to the collector of customs at Sitka to allow under no circumstances the landing of any wine or distilled spirits without there being produced to him written authority therefor from the proper officer of your Department. This is as far as I can consistently give my approval to the sixth proposition.

The last proposition meets the concurrence of this Department, and the propriety is suggested of publishing the designated provisions of law in military orders, for the information of all concerned.

I am, very respectfully, your obedient servant,

WM. A. RICHARDSON,
Secretary of the Treasury.

Hon. W. W. BELKNAP,
Secretary of War.