
IN THE SENATE OF THE UNITED STATES.

MARCH 15, 1888.—Presented by Mr. Dolph, and ordered to lie on the table and be printed.

LETTER OF JAMES G. SWAN, ASSISTANT COLLECTOR PORT TOWNSEND, WASHINGTON TERRITORY, RELATIVE TO FUR SEALS IN THE WATERS OF ALASKA AND IN THE BEHRING SEA.

PORT TOWNSEND, WASH., *March 7, 1888.*

SENATOR: I have the honor to inform you of the arrival here of the first vessel of the Gloucester, Mass., fishing fleet—the schooner *Mollie Adams*, Captain Johnson, which arrived here on the 3d instant. This vessel is owned by Capt. Solomon Jacobs, of Gloucester, who has taken command of her, and she sails to-day on a sealing expedition from off the mouth of the Columbia, following the herd north. Seals are reported as being unusually numerous this season and are in myriads. California steamers report running through one herd which extended 100 miles, and the seals appeared to be as thick as they could swim. After the sealing season is over the schooner will engage in the halibut and codfishery and send their catch in ice to the Eastern markets.

Another of Captain Jacobs's schooners, the *Webster*, will be here in April, and several others will be here this season. Next year between fifty and sixty vessels are expected, and they will be followed by others, and within two years a colony of several hundred of these fishermen will be here to develop the wealth now dormant and hidden in our waters.

Since I returned from Queen Charlottés Island, in 1883, I have persistently urged on Professor Baird the necessity of sending one of the U. S. Fish Commission steamers to the Pacific to develop our fisheries, and shortly before Professor Baird's lamented death he wrote me that the *Albatross* would be sent to our waters, and she is now on her way out.

These Gloucester fishermen will render valuable assistance to Captain Tanner. It is to the fishermen of Gloucester, Cape Cod, and the coast of Maine that the U. S. Fish Commission is largely indebted for much of the valuable information respecting the Atlantic fisheries, which has been published by that admirable bureau of the Smithsonian Institution.

Hitherto no protection has been given our Pacific fishermen by our Government. The treaty of 1818 does not allude to the Pacific coast, nor does the present treaty, so far as I am informed, make any provision for or allusion to the fisheries of the North Pacific. British Columbia is, as it were, sandwiched between Washington and Alaska; our interests are identical, and at present the most harmonious and kindly feelings exist between the people of British Columbia and ourselves. Every

steamer for Alaska which takes the inside passage passes through the waters of British Columbia, affording a means of delightful recreation to thousands of tourists. This kindly feeling should be encouraged, and particularly in reference to our fishermen who wish to fish the waters of the coast from the Columbia to Alaska.

But these New England fishermen ask more than to fish along the coast; they wish to explore the waters of Behring Sea and the Arctic Ocean, and to be permitted to take any of the products of the ocean in American waters without the annoyance they have been subjected to for so many years on the Canadian coasts of the Atlantic.

Ever since the lease of the Pribylov Islands to the Alaska Commercial Company, that powerful monopoly has persistently deceived the Congress of the United States and the American people by arrogantly asserting that all the fin seals of the North Pacific Ocean congregate on the Islands of Saint Paul and Saint George, and that the indiscriminate slaughter of those seals would soon exterminate the race. The latter part of this assertion is true, but the first, I assert, is a physical impossibility. The seals of the North Pacific, in countless myriads, could not, by any process of their own, find room on those two comparatively insignificant islands, and I am prepared to prove that the southern seals, from the Gulf of Tehuantepec and Gulf of California, which come north every season, differ from the seals of the Pribylov Islands, and never "haul out" on that group. The indiscriminate slaughter of fin seals in early days on the island of Massafuero, on the coast of Chili, and on the San Benito Islands of Lower California, drove the seals away from those once famous rookeries, and they seem to have acquired new habits. A paid writer of the company, Henry W. Elliott, in an otherwise excellent monograph on the fin-seal islands of Alaska, boldly asserts that the seals of the North Pacific all congregate on the Pribylov Islands. He further asserts that those seals have their pups on land, and that if a pup is thrown into the water it can not swim, but will sink like a stone, and takes me to task for asserting that the pups of the seals taken at Cape Flattery can swim as soon as born and even when taken alive from the mother's womb.*

In 1883 I was instructed by Professor Baird to investigate the habits of the fin seals and to make a report thereon, which report may be found in the Bulletin of the U. S. Fish Commission (vol. 3, 1883, page 201). In that report I have shown by thirteen witnesses, some of them Government officials, that the fin seals of Cape Flattery do have their pups in the water, on the kelp, and at other places not yet discovered, and that the pups swim as soon as born; this evidence as against Mr. Elliott's unsupported, dogmatic assertion that the pups will sink like a stone. I believe that Mr. Elliott is correct so far as the seals of the Pribylov Islands are concerned, and I know that I am correct so far as regards the seals of Cape Flattery, and, believing that both of us are correct, it proves incontestably that the seals which come from the south to Cape Flattery differ in their habits from those of Behring Sea.

These Eastern fishermen, knowing the value of the rookeries, are desirous that the law protecting the seals on the Pribylov Islands, as well as the provisions of the lease to the Alaska Commercial Company, should be rigidly enforced. But they do not believe that the term "adjacent waters" named in that lease ever meant or was intended to mean all the waters of the North Pacific Ocean. They believe that they, as American citizens, have a right to fish or hunt in the American waters

* U. S. Commission of Fish and Fisheries, Special Bulletin 176, a Monograph of the Seal Islands of Alaska, by Henry W. Elliott, 1882, page 166, last paragraph.

of Behring Sea, outside of 3 nautical miles from any island or the mainland of Alaska. They believe that William H. Seward did not purchase Alaska for the Alaska Commercial Company, but for the whole nation. These fishermen from New England demand as a right that they be permitted to pursue their honorable business in the American waters of the North Pacific, Behring Sea, and the Arctic without being treated as criminals and hunted down and seized and imprisoned by the piratical revenue cutters of the United States, at the dictation and for the sole benefit of the Alaska Commercial Company. These fishermen already here and the colonies which will be here next year with their fleets of schooners, are of vastly more importance to the American nation than the monopoly of the Alaska Commercial Company. And they have requested me to address you, Senator, and other Senators, respectfully asking you to kindly look into this question and have it ordered by the Treasury Department that American citizens can take any of the products of the ocean outside of 3 marine miles from any island in Behring Sea or the coasts of the mainland of Alaska.

Hitherto the outrageous arrogance and assumption of the Alaska Commercial Company has been only met by feeble protests from merchants of San Francisco and a few Portland traders. But now a new order of things is about being inaugurated. An intelligent and valuable class of New England fishermen are coming here to reside among us and become citizens of Oregon, Washington, and Alaska. They know their rights as American citizens and they are determined to have their rights.

It is time that the farce played by the Alaska Commercial Company was ended and that the sorry sight of American revenue cutters hunting down our own citizens for the benefit of that huge monopoly should forever cease.

I have given this subject careful attention for many years, but have had no occasion to take any particular interest in it until now, and now is the time to speak and act. These determined, energetic fishermen of New England are here and more coming. All they ask is their right as American citizens to hunt and fish in American waters outside 3 miles from land. Strictly enforce the law prohibiting the taking of seals on the Pribylov Islands; strictly enforce the law prohibiting the introduction of spirits or fire-arms among Indians; but give the fishermen the right to develop the wealth in our waters, encourage them to make new discoveries, aid them in every legal manner to pursue their avocations, and they will prove a new source of wealth to our Pacific States, and add to our population a new and a most desirable element.

I have had the honor, Senator, to address Senator Mitchell and Senator Stanford upon this important question, and if there are any points on which you would like further information, I shall esteem it an honor if you will address me, and I will give you all the information I possess. I want to see Behring Sea and all American waters open to American fishermen, and I earnestly and respectfully solicit your kind consideration of the question.

I have the honor to be, Senator, with great respect, your most obedient servant,

JAMES G. SWAN.

Hon. JOSEPH N. DOLPH,
Senator in Congress from Oregon.