

LOUIS GOLDSTONE.

MEMORIAL
OF
LOUIS GOLDSTONE,

RELATIVE TO

The Alaska seal fishery.

MARCH 13, 1871.—Referred to the Committee on the Judiciary and ordered to be printed.

To the Senate and House of Representatives of the United States :

Your memorialist, Louis Goldstone, represents that he is a resident of the city of San Francisco, in the State of California, and has resided there during the past twenty-one years, having been engaged much of this time in extensive mercantile pursuits; that, as early as the year 1865, he made extensive explorations of the Territory of Alaska, at very great expense to himself, causing maps to be prepared, its resources to be investigated and reported, &c., with a view to the sub-lease from the Russian American Fur Company of the privilege of trade similar to that held by the Hudson's Bay Company, which was about to expire; that said attempted negotiations, which were in a fair way to be consummated, were finally broken up by the treaty with Russia for the acquisition of the Territory, but that as early as the years 1867 and 1868, a vessel of your memorialist, who is now associated with Taylor, Beudel & Co., whom he represents and joins in this memorial, visited the islands of St. Paul and St. George, built houses and prepared for operations, and employed the natives in seal-catching, by which several acts your memorialist became the pioneer, leading all others in the discovery of the wealth of Alaska, and pointing the way to the inestimable value of its commerce; that when the act of Congress of July 1, 1870, was passed, which was carried through Congress largely by the efforts and influence of the "Alaska Commercial Company," the members of that company, composed of gentlemen whose attention had been first drawn to the seal fisheries by your memorialist, insisted that said act gave them the preferred right to the lease of said islands for the twenty years provided in the act, which assumed right the Secretary of the Treasury, under the advice of the Attorney General, denied, and issued sealed proposals inviting all parties to a general competition under the terms of the law; that when all the bids were in, however, the Secretary, ignoring the rulings of the Attorney General, made the singular and unwarranted announcement that "it was the in-

tention of Congress to give a preference to the Alaska Commercial Company in the award of the contract," and that therefore he would give it to said company, if their proposal should not be more than ten per cent. below that of the highest bidder; that when the proposals were opened it appeared that your memorialist had bid *forty per cent.* more for the lease than said company, thus giving him the contract as against the company, notwithstanding the discrimination in their favor, the bid being, also, far higher than that of any other party, and settling the question in his favor, if he was "responsible," as to which there was no question; that the Secretary declared that said bid of your memorialist was "the most advantageous to the Government of all that have been made," if its detailed features were to be regarded as conformable to law, as to which he again sought the advice of the Attorney General, who, after due consideration, informed him that the bid *was* legal, and would "be binding upon Mr. Goldstone and the parties whom he represents when incorporated in the lease which shall be executed in pursuance of the act," and which said parties were ready and willing to have done; and that after said company had denounced his bid as illegal, and done everything in their power to prejudice his claims before the Government, they themselves offered, as a last resort, to take his bid literally, and execute its terms, which the Secretary of the Treasury allowed them to do, in utter disregard of his own solicited opinion of the Attorney General, in violation of the said act of Congress in its plain provisions, and without any regard whatever of his own official announcement that said company must bid within ten per cent. of the highest sealed proposal in order to be recognized under the law. Your memorialist files herewith, and makes part of the same, Executive Document No. 108, Forty-first Congress, third session, being "a letter from the Secretary of the Treasury in relation to the leasing of the Alaska seal fishery," which document and accompanying papers will fully verify all that your memorialist has set forth as to the action of the Government and the parties dealing with it in the matter referred to. And your memorialist is fully prepared to show, by official documents and otherwise, that the facts set forth by him as to his connection with said fisheries, and the trade of Alaska, are true, and that if the language of said act of Congress, which speaks of the leasing of said islands, "having due regard to the interests of the parties heretofore engaged in the trade," can have any legal reference to any party, that party is your memorialist, and not the Alaska Commercial Company.

Your memorialist therefore respectfully, but most earnestly, prays that said contract with said company may be canceled, having been obtained by a gross misconstruction of a plain statute, and that said bid of your memorialist, made for himself and those he represents, shall be declared legal, and accepted on compliance with the requirements of law, and such other action had as will make good to them whatever losses they shall have sustained by the wrong done them as herein set forth.

And, as in duty bound, &c.