

DOCUMENTS.

[The editor would be pleased to receive manuscript documents bearing on the history of the Pacific Northwest for publication in this department of the Washington Historical Quarterly.]

Beginning of the San Juan Dispute.

Harry K. Struve, of Seattle, in an examination of the papers left by his distinguished father, the late H. G. Struve, came upon the following important and interesting document and promptly presented it to the Washington University State Historical Society. The signature was submitted to the inspection of R. E. Gosnell, Provincial Archivist of British Columbia, who pronounced it genuine. Mr. Gosnell is the author of the volume on Sir James Douglas about to appear in the "Makers of Canada" series. He is therefore probably the best living authority on the writings and history of Douglas.

Victoria, Vancouver's Island
26th April 1855.

To His Excellency
Governor Stevens
&c. &c. &c.
Sir

I have received a communication from Mr. Charles Griffin a British Subject, residing on the Island of San Juan, giving information to the effect that an armed party of American citizens ostensibly acting under the direction of a person named Barnes, who styles himself Sheriff of Whatcomb County, landed on the Island of San Juan, and demanded from the said Charles Griffin certain monies in payment of Taxes, on behalf and in the name of the United States of America, a demand which as a British subject, acknowledging no authority except that emanating from his own Government, he refused to pay.

Mr. Barnes and his followers during Mr. Griffin's absence, and while his servants were with one or two exceptions, dispersed at their several occupations did abstract a number of valuable sheep, which they put into boats, and were about to depart with the same when Mr. Griffin returned and demanding restitution of his property was menaced with violence and put in danger of his life.

I have taken the liberty of calling your excellency's attention to that matter for the purpose of learning from you if the said Mr. Barnes' proceedings were in that instance authorized or sanc-

tioned in any manner by the Executive Officers of Washington Territory. His own verbal statements induced Mr. Griffin to believe that he had authority from you to levy Taxes on British subjects residing on the Island of San Juan, but I am conscious that it would be doing you a great injustice to assume, without better evidence, the truth of such statements; and also prove an ungracious requital for the kindness with which you generously vindicated, at Washington, the cause of truth and justice when a groundless charge was brought against the character of this Government.

Should Mr. Barnes have acted under the orders of the Executive Officers of Washington Territory, it is the intention of the persons, who have been plundered of their property to bring forward a claim for damages, as against the United States, but on the contrary if acting in a lawless manner, without due authority they will proceed by criminal action against the parties as for a felonious carrying away of the property of British subjects on the Territory of Great Britain.

I trust your Excellency will take measures to prevent the repetition of such acts of violence on the part of American citizens, which must ultimately lead to dissension and bloodshed, an event which all would have cause to deplore.

The Island of San Juan has been in the possession of British Subjects, for many years, and it is with the other Islands of the Archipelago de Arro declared to be within the Jurisdiction, of this Colony, and under the protection of British Laws. I have also the orders of Her Majesty's Ministers to treat those Islands as part of the British Dominions.

If our claims be unfounded, the fact must be proven by other means than by acts of violence, which from the nature of the question at issue, must be at once a fruitless and mischievous waste of energy, as they can neither add force to the claims of the United States, nor detract from those of Great Britain, founded on Treaty stipulations, by which the Governments of both nations have agreed to abide.

Wisdom and sound policy enjoin upon us the part of leaving the question to the decision of the Supreme Governments, and of abstaining from enforcing rights, which neither party is disposed to acknowledge.

Any other course must eventually lead to dissension and be productive of the most serious evils. Our united force when exerted in the common cause of humanity is hardly sufficient to restrain the wily savage from deeds of Blood, and that influence must, in a great measure, cease with our friendly relations, and both countries will suffer from the absence of that wholesome controul, which now holds the native Indian Tribes in check.

I trust your Excellency continues to entertain the sentiments in respect to this question, which you expressed at our last interview and that every exertion will be made on your side, as well as on ours to prevent disorders, which will complicate, and render the question more difficult of settlement.

This Government will be responsible for the acts of British Subjects and punish all offences committed by such on the Arro Islands, and I trust your Excellency is disposed to exercise the same vigorous controul in that quarter over the conduct of citizens of the United States.

I have the honor to be
Your Excellency's
most obedient
humble Servant

JAMES DOUGLAS
Governor
Vancouver's Island.

Reply From Governor Stevens.

That Governor Stevens knew the case was important is shown by two events. In the first place he had the letter from Governor Douglas transcribed into his official records where it may still be seen in the archives in the capitol at Olympia. In the next place he replied in a firm and dignified manner. His reply is copied in the same volume. These two copies were found by Ashmun N. Brown, former Secretary to Governor Mead, and were made by him the basis of a valuable and interesting article in which he took occasion to call attention to the fact that this diplomacy over the sheep should supplant or be added to the old familiar pig story as being the foundation of the San Juan dispute. From Mr. Brown's article in the Seattle Post-Intelligencer for January 7, 1906, the reply by Governor Stevens is taken as follows:

Olympia, Washington Territory,
May 12, 1855.

Sir—I have the honor to acknowledge the receipt of your communication of April 26, in which you state that information has been received by you “to the effect that an armed party of American citizens ostensibly acting under the direction of a person named Barnes, who styles himself sheriff of Whatcom county, landed on the island of San Juan and demanded from Charles Griffin certain moneys in payment of taxes on behalf and in the name of the United States of America. A demand which as a British subject, acknowledging no authority except that emanating from his own government, he refused to pay;” that Mr. Barnes and his followers “abstracted a number of valuable sheep,” and that upon Mr. Griffin's demanding restitution he was menaced with violence and put in danger of his life.

Of the matters detailed by you I have no official information save from your communication. It is known, however, that Mr. Barnes is the sheriff of Whatcom county. You further state that you have called my attention to the same for the purpose of ascertaining “if the said Mr. Barnes' proceedings were in that in-

stance authorized or sanctioned in any manner by the executive officers of Washington territory."

The sheriffs of the various counties come under the supervision of the executive in the exercise of the pardoning power, and in the case of a resistance of the laws they act under certain prescribed laws, and to these laws they are responsible for a proper discharge of their duties.

By the act of the legislative assembly of the territory of Oregon, previous to the separation therefrom of the territory of Washington, the boundary line as between the two governments was held to run through the Canal de Arro, and by the act of the legislative assembly of the territory of Washington, "to organize the county of Whatcom," the island of San Juan is included within the bounds of that county.

The sheriff in proceeding to collect taxes acts under a law directing him to do so. Should he be resisted in such an attempt, it would become the duty of the governor to sustain him to the full force of the authority vested in him.

You say, "The island of San Juan has been in the possession of British subjects for many years, and it is with the other islands in the Archipelago de Arro declared to be within the jurisdiction of this colony and under the protection of British laws. I have also the orders of her majesty's ministers to treat those islands as part of the British dominions."

The acts before referred to have declared these islands to be within the jurisdiction, formerly of the territory of Oregon, now of the territory of Washington, and the general laws of those territories, so far as they may be applicable have thereby extended over them.

The ownership remains now as it did at the execution of the treaty of June 15, 1846, and can in no wise be affected by the alleged "possession of British subjects."

The contemporaneous exposition of the treaty as evinced by the debates in the United States senate shows the Canal de Arro to be the boundary line as understood by the United States at that time, and the doubt of the British government as to any claim beyond that line is plainly manifested by the note of Mr. Crampton, the British minister, to Mr. Buchanan, secretary of state of the United States, dated January 13, 1848. Indeed in Arrow-smith's map of Vancouver island and the adjacent coast, published in London April 11, 1849, the boundary line is laid down as running through the Canal de Arro.

The map is compiled from the surveys of Vancouver, Killett, Simpson and others, and would seem to establish that even as late as some three years subsequent to the treaty, the great English navigators and hydrographers, as well as the American government, considered the Canal de Arro, as in the terms of the treaty, the channel which separated the continent from Vancouver island.

I shall take the earliest opportunity to send a copy of your communication and of this reply to the secretary of state of the

United States, and in the meantime I have to reciprocate most earnestly your hope that nothing may occur to interrupt the harmony and good feeling which should characterize the relations of neighboring states.

I have the honor to be

Your obedient servant

ISAAC I. STEVENS

Governor of Washington Territory.

To His Excellency

James Douglas

Governor Vancouver Island.

Establishing the Navy Yard, Puget Sound.

The following letter from Lieutenant A. B. Wyckoff and the accompanying documents will be useful to the future historians. The originals of the documents have been placed in the library of the University of Washington:

Branch Hydrographic Office.

Port Townsend, Wash.,

November 20th 1907.

Sir:—

I take pleasure in mailing you copies of orders and letters in relation to the starting of the Navy Yard, Puget Sound. The original name was "Puget Sound Naval Station," but some years since Congress changed the name to Navy Yard, Puget Sound, because of its increasing importance. "Bremerton Navy Yard" is a mis-nomer, without official sanction, and should never be used.

The first official act in connection with this navy yard was an Act of Congress in 1888 directing the appointment of a commission of three naval officers to examine the coast north of the 42nd parallel of north latitude in Oregon, Washington and Alaska for a suitable site for a navy yard and dry-docks.

Hon. W. C. Whitney, Secretary of the Navy, appointed Capt. A. T. Mahan, Commander C. M. Chester and Lieut.-Comd. C. H. Stockton and they recommended several sites on Puget Sound and Lake Washington, June 30th, 1890, Congress authorized a second commission to consist of two civilians, two naval officers and one army officer to select a site for a dry dock at some point on the shores of the Pacific ocean, or the waters connected therewith, north of the parallel of latitude marking the northern boundary of California, including the waters of Puget Sound, and also Lakes Washington and Union in the State of Washington. The commission appointed was Hon. Richard W. Thompson, ex-secretary of the navy, ex-senator T. C. Platt, Col. Geo. Mendell, U. S. A., Capt. T. O. Selfridge, U. S. N. and Lieutenant A. B. Wyckoff, U. S. N. The report was made Dec. 23rd, 1890, and favored a site on Port Orchard as first choice.

Senator John B. Allen secured an amendment to the naval appropriation bill authorizing the Sect. of the Navy to acquire for