

the General Government can do is to protect the fish against extermination, and the native, dependent solely upon a salmon diet, in his right to an abundant supply of salmon for food. These two things are easy of accomplishment if immediate steps are taken, but if neglected much longer the task will be a most difficult one.

In order to protect the salmon streams the laws must be enforced, and it is, unfortunately, only too true that up to date there has not been a united attempt made to enforce them.

The United States commissioner at Fort Wrangell—one of the few fearless ones who only know their duty—wrote me a full account of how the law is disregarded, evaded, and not enforced by officers whose duty it is to uphold the law at all hazards. The letter covers a wide field, and is quite plain and outspoken, using men's real names, the printing of which in my report is not now considered necessary; I will therefore suppress names and quote only a few passages relating to salmon matters.

Case after case has been compromised at the instance of attorneys for their clients in criminal cases. Take one example: In July, 1893, Mr. J. G. Brady, who was then acting United States attorney in the absence of Mr. Johnson, entertained a complaint of the natives against cannery men for obstructing salmon streams. Mr. Brady prevailed upon Commander Burwell, of the U. S. S. *Pinta*, to convey him and other necessary officers to Klawak and Loring. They came via Fort Wrangell and requested me to accompany them. The *Pinta* reached Loring in the night, and we found the river "fenced" from shore to shore, and about 4 tons of salmon in the traps and nets. We caused the arrest of Mr. Heckman, the superintendent of the cannery, and placed him under bond of \$3,000, requiring him to appear before the United States district court at its next session.

The law, as you are aware, imposes a fine of \$250 for every day a stream is obstructed. Court did not convene until after the retirement of the district attorney, Mr. —, and the appointment of his successor, Mr. —, who agreed to accept the nominal fine of \$100. Superintendent Wadleigh, of the Klawak cannery, was also placed under bonds, and although two terms of court have since been held he has not been required to appear. The — is lending a hand in helping to whitewash his case.

These two cases, including the trip of the *Pinta*, have cost the Government more than \$1,000.

The officers who placed the men under bonds have been humiliated, while the violators of the law, aided by officials disloyal to the Government, have won a great victory.

I could cite many cases in which official positions are used to shield crime and defeat the ends of justice.

Your obedient servant,

WM. A. KELLY, Commissioner.

Were it necessary to add to or confirm the commissioner's words, I would say that while at Loring in 1894 Hon. C. S. Hamlin, Assistant Secretary of the Treasury, accompanied by Capt. C. L. Hooper, commanding the revenue cutter *Rush*, attempted to go up the river in a small boat, but soon found themselves barred out by the identical "fence" mentioned in the commissioner's letter.

The Wadleigh case referred to was called in court at Juneau last May, and in my presence his attorney arose and said: Mr. Wadleigh had written and offered to pay as much as it would cost him to travel back and forth on the steamer from Klawak to Juneau, some \$40, on condition that the Government dropped the complaint.

Now, here is a case where the man was taken red-handed in the act—he does not attempt denial—and yet, although it happened in 1893, he has not been brought to trial, but instead of answering the summons of the court he impudently writes back his ultimatum, which was seriously considered by the district attorney, who would have accepted it had I not been present and strongly protested against the whole farce.

In justice to the present district attorney for Alaska, I will say all these things happened prior to his appointment.