

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672
1414 SCOMM 52 JOINT SPEC. COMMITTEE ON LOCAL OPTION LAWS 1985-86

The monitoring committee met similar dismissals. It was interpreted by the planning agency as a monitor of Indian desk programs when, in fact, its implications are to monitor the work of criminal justice agencies which affect the bush.

The recruitment of the bush planner may have been widespread, but nobody I know had ever heard of the recruitment for the temporary staff position on the CJPA.

Flavin's reaction to the hearing was that he felt kept on the fringes. This has been the consistent treatment of advocates of reform of bush justice before CJPA. (I have attended these hearings since Boney represented the court).

On September 27 or thereabouts the CJPA is going to focus on Indian related projects at a hearing. Perhaps it will be another rubber stamp affair. It is clear that Lawson, the federal representative, is prepared to search widely for funds to subsidize bush-related projects. I doubt if Parker is smart enough to obtain this assistance. If the court is going to attempt to coordinate the use of funds by different agencies in the bush, it is going to have to hurry.

The LEAA consultants for the criminal justice center suggested adoption of a village plan peopled by paralegals much as I have described it. However, the criminal justice center will not receive the money available in Indian desk money to carry out this ambitious project. Furthermore, the court's attitude in stating flatly that it would do its training elsewhere has not strengthened its position regarding the purposes of the center.⁴ Finally, everyone is waiting to see if Jim Irany will use center money to feather his own nest.

⁴I cannot tell whether the court intends to conduct magistrate training in conjunction with the center or not.

I suggest that bush-related money, including but not limited to Indian desk money, should be channeled to the agencies and controlled through a small interagency task force on bush justice organized by the court.⁵ As much as I despise committees, the alternative will be to allow agencies to chase the LEAA and state money according to their own desire or lack of desire to develop bush programs. If the court adopts my plan or some modification of it, it can lead because it can demonstrate that cooperation and expansion of other programs is essential to the court's work.

For example, the Department of Public Safety would like to pay constable salaries with LEAA money to stave off demands that they pay constables out of their operating budget or, more significantly, that they "lower their standards" and take on more Natives as troopers for bush duty. Although this does not seem to be a useful goal for nonrecurring funds, there are other funding needs of the troopers that should be vigorously supported by an interagency task force. These include support for air transport to allow the troopers to have improved response capacity in the bush.

The Division of Corrections is not likely to pursue money which it could receive unless it is persuaded to expand its rural program.

Alaska Legal Services is left out of LEAA funding although arguments can be made that much of its work in areas of consumer fraud, etc., relate to improvement of criminal justice. A task force could encourage the public defender agency to join with ALSC and develop a paralegal program that is compatible with both departments.

⁵ Bill Nix suggested this to me and names people in each agency who were close to the top and strong in their own agencies.

In sum, although the criminal justice center will have a component on bush justice,⁶ in the near term the money for programs is elsewhere and coordination in absence of university leadership or expertise must occur elsewhere.

Interpreter program. The interpreter program has not begun. In fact, I learned on August 8th that the grant proposal had languished on Messick's desk and had only been sent to the LEAA district three days earlier. This illustrates the need to have at least one court employee who is a bush advocate and who can monitor bush programs.

Susan Burke's interagency memo on the senate bill on interpreters needlessly ruffled the feathers of some politicians when it was released as a letter. The treatment of the interpreter program illustrates some basic problems within the court bureaucracy.

First, interest in bush programs is very much dependent on the desire of one individual or another to take on, or appear to take on, responsibility for a project. The court staff does not really encourage other agencies to carry them out by helping other agencies secure funding to do so. Illustrations include the Nix attempt to draft ordinances for a few villages, the publicity showered upon the interpreter program as a court project while the actual implementation of the project languished, desire of Hicks to do research on bush justice although the Judicial Council is less interested in advocating solutions to bush problems, etc.

The magistrate supervisor must be perceived as a bush advocate. He should work closely with the monitoring committee set up at the Minto con-

⁶ See the relevant portion of the consultant report which I have included in this mailing.

ference. His occasional adversarial relationship may not please Snowden and others. However, it is clear that the other attempt to generally cover all of the bases--locating modular units, doing ordinances, etc.--has left everyone frustrated, including Snowden who complains that the court is doing it all.

The court should consider a crash program to obtain suitably trained interpreters for urban courts in each major dialect. According to Irene Reed, Eskimos known to her as ill-equipped to carry out this work interpret in urban courts. Perhaps the Yupik program should be expanded to allow for this in that language group.

Research and the Judicial Council

There are clear needs for further research tailored to policy reforms in the court. Some of this research concerns:

1. Basic information regarding magistrate activity.
2. Analysis of sentencing of village offenders in magistrate, district, and superior courts.

Development of basic research programs could take place at the Criminal Justice Center if personnel were willing to contract with one of several national centers on law and society to develop superior research projects and if the university designed the project in close collaboration with the interagency committee.

In this as in other arenas where work is not clearly delegated within the court, there is a scramble for responsibility and an ad hoc development of LEAA funding contacts to carry it out.

village TV networks and to use them in conjunction with training of magistrates in the village. I have given a list of potential films to Chuck Orr. (See below for later comments by Orr.)

Some immediate attempt should be made by the court to develop and record on tapes the basic rights advised during arraignment in Yupik, Inupiat, and in Athabascan so that district court and superior court judges can employ them whether or not they have access to interpreters during arraignment.

Judicial Service - The Cost Component and Its Bearing on Jurisdiction

Court interpretation of prevailing statutes suggests that local governments should bear the cost of judicial services. All court informants emphasized that this issue was treated as a separate contractual issue from the affirmative duty of the court to provide judicial services throughout the state. However, this severance is not really true where enforcement of local ordinances is concerned.

Nix advised the Aniak magistrate in December, 1973, that she could not enforce local ordinances unless they were examined by his office to see if they were constitutionally sound and some cost sharing arrangement had been worked out. This same magistrate told me that although she traveled into surrounding villages to hear state cases, she had been told that she could not enforce their local ordinances.

The issue of cost sharing as a contractual issue between the courts and local governments has been avoided because of the conflicts between Anchorage and the court system. I can foresee someone raising this as a substantive issue if the court:

1. Employs the magistrates primarily as local ordinance adjudicators;
2. Attempts to hold more jury trials in the bush since the local city usually puts up a bond for expenses.

I suggest that this issue be met head-on with some policy statement which reaffirms the court's commitment to serve rural cities which cannot at this time share these costs. As an alternative, the costs can be translated into in-kind contribution of physical space for hearings as is now the case in Fort Yukon and Fairbanks.

The Barrow Service Area

Nix suggested to Snowden that a district court was justified in Barrow by caseload as it is justified in Juneau, Ketchikan, and Wrangell. If Barrow cluster included all northern villages and if the district judge took on responsibilities comparable to Nora Guinn, a district court probably should be established there. The establishment of a district court there should be contingent on comparable moves by Alaska Legal Services and other agencies to provide either regular service or paraprofessionals in this area.

Organizational Intrigue and the Court

An example of the real blocks placed before useful coordination between justice agencies by court personnel is the recent attempt at collaboration on movie making between Alaska Legal Services and Chuck Orr of the court system.

Orr approached Legal Services concerning a colleague who was capable of making short legal education films. Legal Services had an education staff but no real funds or technical capacity to make films. Legal Services could provide scripts for the films. At the time, it was thought that there would

~~be sufficient Indian desk money to fund such a project. Orr requested ideas~~
for films and I provided them. Orr promised to write a preliminary draft of a grant proposal.

A meeting with a prospective film maker was arranged. However, before that meeting or a hard discussion of budgetary realities took place, Orr called to tell me that Bob Hicks had advised him against collaboration with Legal Services on such a project since the agencies were, after all, in an adverse relationship.

I am not suggesting that the film project was a good one. However, there are certainly areas where integration of agency effort must occur or reforms will not proceed.

Examples: Alaska Legal Service may be able to provide legal education material that court interpreters can try out in schools and public meetings as part of their training. The interpreter project may generate material for the legal education project of other agencies to use (in fact, the grant suggests this as a goal).

Sharing of information about the projects' progress and even cross-funding may be necessary to accomplish this.

A paralegal project must involve training for jobs available in Legal Services and the Public Defender Agency.

Yet it appears that these agencies and their own plans for training and placing paralegals will have no more status than "input" at public hearings when money for training paralegals is allocated to the Criminal Justice Center.

Our long-term relationship with the court staff has been replete with instances of being frozen out of information and involvement until we bitched sufficiently to you.

Rather than attack the interpreter bill with a letter that claimed the job had been accomplished, candor on the part of the court would have been the high road and would have won the support of Croft and others for funds the court needs.

What I am suggesting is that if the court is to push other agencies into action and demand candor from them, its staff must be more willing to deal with other agencies and university types with something other than disdain or as the enemy who will "find out about them" and "blow the whistle." Perhaps what I am hoping for is not of our bureaucratic world. I have seen individuals, such as Hicks, of remarkable talent and social commitment sucked into this maze of paranoia and tailor his relationships to uncertain perceptions of the desires of higher-ups, most notably Snowden and Rabinowitz.

At the moment the relationships are mellow because our relationships have mellowed.

Can the court system personnel focus on goals at the expense of self-interest in budget or project building? Can the personnel of any governmental agency? The personnel of the court are few enough and talented enough so that self-protection, organizational in-fighting and the scramble for funds and responsibilities within the court and the justice system can take a back seat to interagency planning. This may dictate sharing of funds and responsibilities for seeking funds for other agencies.

Open planning should flow naturally from the open concern for new ideas which you and other justices have demonstrated. It does not. How then can your people be made to feel secure enough within their own family so that they can share ideas, projects, and funding possibilities with other agencies that also desire to move the system forward? I do not have the answer. If the court system personnel cannot resolve this issue, it will be hard to expect other agencies to accomplish it. I can only suggest that you throw this question to a management consultant who, armed with your goals, could spend some time on the fourth and fifth floor, learn about other agencies, and raise this curtain of suspicion so that the court can work with other agencies as co-equals and pull the system forward.

ALCOHOL CONTROL AND NATIVE ALASKANS -
FROM THE RUSSIANS TO STATEHOOD:
THE EARLY YEARS

Alcohol Control in Village Alaska

by

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Alcohol Control and Native Alaskans--

From the Russians to Statehood: The Early Years--Abstract

A persistent thread throughout the legal history of Alaska since Russian contact with the Great Land until the present has been deployment of available legal resources to curb drinking by Alaska Indians and Eskimos. The long-held social belief on the part of white colonialists and government agents that Alaska Natives could not drink and became wild persons when intoxicated was translated into an unrelenting legal practice of focusing law and available legal resources on control of Native drinking and prosecution of those who supplied Natives with drink.

Even during four periods of territory-wide prohibition, the prohibition was enforced against Natives and suppliers to Natives, while enforcement was indifferent or nonexistent against territorial whites.

The historical overview confirms the propositions set forth by MacAndrew and Edgerton (1969) that American Indians can trace current drinking problems to the prior expectations implemented as government policy. It also suggests that dependence on law only as a mechanism to change drinking problems can, in fact, exacerbate drinking problems and create among the impacted group problems with alcohol which may not otherwise have existed.

The dependence on law as a vehicle for social control in Alaska in recent years may relate to an absence of alternatives. However, this singular dependence on law enforcement flows from a "grand tradition" of governmental paternalism which can be interpreted as being as much a cause of drinking problems among Natives as a solution to them.

Alcohol Control and Native Alaskans--

From the Russians to Statehood: The Early Years

If one seeks a single thread along which to trace the activity of legal authorities from the days of the Russian-American Company to the daily activities of troopers and police in modern day Bethel or Barrow, Alaska, no better selection is available than promulgation and enforcement of controls against alcohol.¹

Alaskans experienced four periods of official prohibition from 1875 to 1934, the repeal of national prohibition. Yet this experience was never one of uniform application of prohibition. The very limited resources of government in Alaska focused their attention upon prosecution of Natives who drank and those who supplied Natives with drink. Alaska Natives as "American Indians" and their suppliers were subject to unofficial military policies as well as other federal, territorial and municipal laws which were Native-specific.

Even after liquor was legalized in the territory and made subject to administrative regulations, Natives were, until 1953, banned by federal law from purchasing and using liquor.

After 1953, laws which controlled drinking behavior were, on their face, "color blind." However, statistics on application of such color blind laws demonstrate that Alaska Natives remained the primary targets of such statutes. The picture did not change with the decriminalization of drunken behavior in 1972 and the replacement of drunk in public statutes with jailings under protective custody or open bottle ordinances in use in towns and villages in the last quarter of the 20th century.

Alaska Natives have for more than 100 years been the special

and often exclusive targets of alcohol control policies. Researchers can only speculate on the impact of the persistent relationship between generation upon generation of Indians and Eskimos and a Western legal tradition which communicated by letter and by act that they could not be expected to "hold their liquor," that they lacked the self-restraint to imbibe without turning into wild men and women, and therefore needed external and paternal support structures of the law.

The unrelenting stream of prohibitory acts which flowed from official legal actors complemented the pronouncements of missionary sects who carved up the state into religious fiefdoms and proceeded to educate and civilize the Natives according to Christian, bourgeois standards of living.

Both missionaries and law enforcement agents (Oswalt, 1963; 1979:286) looked to politically active temperance movements for support in obtaining congressional appropriations. Thus, virtually all reports from the early period must be read with a "grain of salt."

If early anecdotal reports from Canada and Alaska are to be believed, the literal taste for alcohol by Northern Natives was not easily acquired (Hunt, 1975). However, whalers, fur traders, fish processors, the military and the prospectors soon developed a "seller's market" for liquor and traded it for labor, sex, fish and furs (Oswalt, 1979:293).

Manufactured liquor was supplemented with various forms of homebrew, described as deadly by commentators of the time. Accompanying the introduction of alcohol of high potency was a drunken comportment typical of the seaman or prospector, behavior

which involved no-holds-barred aggression and "letting off steam."

Thus, Natives received more than a taste for alcohol. They received a lesson in what was apparently the only comportment which flowed from drinking. Further, not only the suppliers, but, ironically, those who tried ineffectively to curb consumption and production of alcohol made the drug a commodity to be especially prized and consumed rapidly and in its entirety whenever and wherever it could be obtained.

Ironically, law enforcers and their allies in the religious community worked with their apparent adversaries, the alcohol suppliers, to make liquor for Natives at once a scarce valuable commodity.

Russian Period

Even before the purchase of Alaska from Russia, the Russians instituted a system of supplying alcohol to their vassals among Aleutian and Eskimo people in their domain (Hunt, 1975).

Murton (1965:ix) reports that the Russian-American Company had a policy of selling rum to the Natives in exchange for trade advantages. The company set up a policy of rationing liquor to Aleuts engaged in harvesting of fur seals and vigorously prosecuted manufacture of homebrew in order to secure dependence of the Native population upon its stores of alcohol (Crain, 1957).

[V]odka was a general palliative in the colonies, a weakness the authorities exploited, at least during the early years. As in all other commodities, the Company enjoyed a liquor monopoly; article II of the employment contract sought to prevent both the purchase of liquor from foreigners and its distillation at home:

"Everyone in the service of the Company is forbidden, under any pretext whatsoever, to distill liquor from herbs, roots, berries, Company grain, and so forth; or to buy or barter liquor

from visiting foreigners and trade in it on Company premises, to make loans or give money to each other for drinking purposes, then drink liquor or use it in any way at all. . . .

But in no way did this reflect a general prohibition attitude, for the Company was quite willing to sell liquor to its workers. Far from discouraging liquor consumption, alcohol was employed to get and to keep the employees in debt and hence to bind them to service in Russian America. Baranov admitted it quite frankly:

"Here there is no need of gold, silver, or precious stones. Among the provisions there is only one which is more expensive and more important. . . . Next to articles of clothing and footwear liquor is dearer to the workers than anything else in the world. And if it is a question of getting people in debt, just send over some [liquor] and have it sold in moderation when necessary, especially at times when the income is being divided up ['half-share' system], and you will see how much of the income will be passed out and how many people will get into debt" (Crain, 1957:117-118).

This same use of legal controls on manufacture and consumption of quass continued as a legal policy into the mid-20th century when the Alaska Commercial Company purchased the assets of the trading company and the United States Treasury Department took control of the Pribilof Islands and the harvest of seals in that area (Hunt, 1975:247).

American whalers and their crews began an active trade of ammunition, liquor, tobacco and firearms in the 1830s for whalebone, ivory and the sexual favors of women which the Russians could not suppress (Hunt, 1975:132). By the time that Revenue Marine cruises became regular means of law enforcement, the liquor trade had been underway for more than 40 years (Hunt, id.). Drinking sprees coupled with over-hunting of island sea mammals by seamen resulted in widespread annihilation of coastal Eskimos

by famine and disease.

The Military Period

From the Treaty of Cession in 1867 to the passage of the First Organic Act of 1884, Alaska was without its own civil government. Law and order was meted out unofficially by miners' meetings and officially and unofficially by the military and by the collector of the customs.

Two weeks prior to ratification of the Treaty of Cession by the congress (June 20, 1867) the secretary of the treasury ordered Captain W. A. Howard and the Revenue Cutter Lincoln to proceed to "Russian America."

As Murton (1965:ix) related it, Howard anticipated the official policy of the Treasury Department, reporting to his superiors:

As I have received no instructions in regard to the course to be pursued toward these incendiaries, I shall, when our flag has been hoisted over the territory, destroy all liquors brought into it for traffic, and send the vessels away, if under American colors; if any other nation, seize and send them to the nearest port for adjudication. I hope this course will meet the approbation of the department. Until laws or regulations are perfected for the government of this territory I shall consider it as an Indian reservation, so far as liquors are concerned.

This extralegal policy anticipated the Congressional Act of 1868 which made of Alaska a customs district and gave the President authority to regulate importation and sale of distilled spirits. Thus, customs laws and general United States statutes governing Indian lands were the only official laws which were applied to Alaska until the First Organic Act of 1884 (Spicer, 1927).

General Hallack requested and received confirmation in 1867

that the territory was Indian country from E. Pershine, Examiner of the Bureau of Claims (Murton, 1965:ix), and directed Jefferson Davis to establish his headquarters at Sitka. He established forts near larger tribes and villages and began to patrol coastal regions of Southeastern Alaska. Sitka was designated a point of entry by the 1868 act. Along with the customs collector, U. S. Revenue Marine Officers of the Treasury Department were charged with enforcement of customs laws.

Although the Treasury Department Regulations were initially defined as not pertaining to the local brewing of hootch, customs officials soon became concerned with the manufacture and sale of locally brewed liquor (Nichols, 1924/1963).

Combined efforts by the military and customs continued to about 1877 when all military posts were closed. Customs officials continued to seize stills and lock up offenders in abandoned military stockades (Nichols, 1924/1963:12). Such efforts were determined to be extralegal by the secretary of the treasury (Nichols, id.).

When an 1872 case found that Alaska was not Indian country, congress passed special legislation for the territory to extend the liquor laws to the territory.

Though uncertainty over the War Department's jurisdiction continued to plague the Department, Alaska troops were dispatched to Sitka in 1874 to arrest anyone selling intoxicating liquor. The collector of customs at Wrangell was arrested (Nichols, 1924/1963:15).

The Army was reluctant to proceed with enforcement of law in the territory. Its jurisdiction over offenses other than liquor offenses was dubious; when it had transmitted cases to Oregon for trial, it had met with dismissals for failure to present defendants

for trial before civilian judges within five days.

When the military withdrew in 1877, their impact upon liquor control could be evaluated. They had taught the Indians to make hoochinoo.

Wheeler notes:

For the soldiers on liberty there was very little to do. Worse, liquor was forbidden in the district. This put quite a strain on the soldier's ingenuity but they proved themselves equal to the challenge. The Indians had been brewing an innocuous beverage made with bark and berries for generations; now the soldiers taught them how to beef up this bland stuff with molasses and yeast and then distill it. The result was a skull-splitting concoction that was called hoochinoo (a shortened form of which soon attained a place in American slang) (Wheeler, 1977:60).

Murton quotes Henry C. De Ahna on the situation in the white enclave of Sitka:

The state of things in Sitka is just as bad and disgraceful a state as can be imagined; there is no law or order of any kind, and no means to enforce either. In the town every other house is a clandestine distillery; and in the Indian village every habitation is one. The prohibition of liquor importation has no other result, so far, but that of changing drunkards of ordinary stamp, Indians as well as whites and half-breeds, into actual raving maniacs. Their home manufactured liquor (ouchenue) is almost equal to rank poison, and much worse in its effects than would be produced by the drinking of high wines direct and hot from the mouth of the still" (Murton, 1965: 38).

The military left the customs collector with the same improbable task of policing 34,000 miles of coastline with the same limits on budget and on transportation.

In short, the prohibitionists did little to control liquor and more to expand its use.

The Navy and the Missionaries

Sheldon Jackson, a Presbyterian minister, arrived in Alaska at the military's departure. This human dynamo, easily the most

significant figure in Alaska's history, returned to the contiguous United States to successfully lobby educators, churches and the congress to provide education for the Natives, provide civil government for the territory and, most importantly, enforce liquor prohibitions.

Temperance movements (along with Indian uprisings) spurred the introduction of the Navy as the mainstay of Alaska governance until the passage of the First Organic Act in 1884. Their efforts were assisted by teacher-missionaries who battled the smugglers and hootch manufacturers in coast villages throughout Alaska.

Lt. Beardslee arrived in the Revenue Cutter Jamestown at Sitka on June 14, 1879. He assisted the customs collector for about a month in making raids on smugglers in the harbor, but then gave up. He realized that Navy officials were not designated as enforcers of the importation prohibition. More pragmatically, he discovered that most of the liquor was manufactured in the district by Indians and not smuggled (Murton, 1965:56). When Captain Henry Glass replaced Beardslee, he sent four prisoners to Oregon for trial on illicit distillation of spirits. Three received sentences of a year in prison (Murton, 1965:58).

Glass threw the weight of his authority behind the missionaries and required Indian children to go to schools where temperance was taught in the classroom. Headmen of villages were fined or imprisoned when children failed to attend (Murton, 1965:58).

Pleas for civil government in Alaska were met in 1884 with the First Organic Act. It provided the territory with a governor, district judge, clerk of the court, district attorney, U. S.

marshall, four deputy marshalls and four U. S. commissioners.

The questionable legal position of prohibition was put to rest by Sec. 14 of the Act: (37 Stat. 512)

That the provisions of chapter three, title twenty-three, of the Revised Statutes of the United States, relating to the unorganized Territory of Alaska, shall remain in full force, except as herein specially otherwise provided; and the importation, manufacture, and sale of intoxicating liquors in said district except for medicinal and scientific purposes is hereby prohibited under the penalties which are provided in section nineteen hundred and fifty-five of the Revised Statutes for the wrongful importation of distilled spirits. And the President of the United States shall make such regulations as are necessary to carry out the provisions of this section.

The 1884 act marked the successful culmination of the missionary lobby to ban manufacture or importation of liquor. Yet, the 4,303 white minority of Alaska in the 42,000-person territory was swelled by the first of successive waves of miners in the period. Their position and that of merchants and other civilians was that congress had passed the prohibition law for the Indians and not for the whites. Sherwood reports five breweries and at least 60 places where liquor was either made or sold not including many clandestine operations (1967:310).

Grand and petit juries empaneled from among white citizens refused to indict whites charged with selling to whites; sale to Indians was treated as a serious offense (Nichols, 1924/1963:106).

When a missionary near Juneau was shot while attempting to prevent the landing of liquor, Nichols reports that "the court found him to have been guilty of piracy in boarding a ship without authority, and dismissed those responsible for his death, with fines for giving liquor to an Indian" (Nichols, 1924/1963:106).

A miners meeting in 1896, reflecting the local vigilante justice which assisted ineffective law enforcement by U. S. Marshalls, authorized sale of liquor to whites only (Murton, 1965: 142).

Outside interests lobbied congress on the liquor issue. On one side stood the Federation of National Temperance and religious organizations. On the other stood steamship interests and their congressional allies as well as the emerging saloon and brewery interests in the territory. Sixty thousand gallons of smuggled Canadian liquor flowed into the territory in 1898 (Nichols, 1924/1963: 160).

The four U. S. commissioners and four deputy marshalls appointed under the 1884 act found themselves at the mercy of the Alaska Commercial Company. When the deputy at Ounalaska on the Aleutian Chain, 2,000 miles from Sitka, ran afoul of company employees, he was denied goods and provisions by the store and forced to resign (Murton, 1965:73).

The same deputy charged the agents of the company with trading rum and liquors to Natives in exchange for furs (Murton, 1965:76). The same charge would be made against traders and their agents throughout Western Alaska.

Lack of transportation for marshalls or customs collectors made enforcement of law nearly impossible and gave free reign to traders west and north of Juneau. The new Ounalaska marshall asked the attorney general for a rowboat in 1891 (Murton, 1965: 85) and the second governor reported in 1890: .

The temptation for unprincipled men to engage in smuggling intoxicating liquor and opium into this Territory is very great; and yet the collector of customs upon whom is laid

the duty of preventing it, has been furnished only a single rowboat with which to patrol and guard 3,000 miles of coastline (Governor Knapp, quoted in Murton, 1965:85).

Attorney General Miller refused (Murton, 1965:86).

The absence of supplies, expense money, transportation and even law books (though congress had appropriated \$500 for them in 1895 [Murton, 1965:95]) spoke volumes regarding the influence of commercial interests who desired to employ liquor and breech-loading rifles in their trade with whites and Natives, particularly the Alaska Commercial Company, which by 1875 had established 23 trading posts along the coast (Murton, 1965:132).

Where enforcement of territorial prohibition occurred, Natives and not whites were the targets:

Officials in Alaska charged with the responsibility of enforcing this law, almost without exception, testified to the total lack of enforcement of it in so far as white men were concerned, the impossibility of enforcement with the means at hand, and to the consequent demoralizing effect of such a law, which as "constantly, openly and flagrantly violated," . . . upon law in general.

The United States district attorney for Alaska in a statement to the governor in 1891, relative to the steps taken to enforce the prohibition law, declared that the violations of the liquor laws had been the source of more anxiety and labor to all the officials in Alaska than all other violations of law combined, and that he found public sentiment almost a unit against the enforcement of the prohibition laws. The condition of affairs with respect to the liquor laws in Alaska as seen by the district attorney may best be stated in his own words, in the Governor's report:

There now are (1891), said the district attorney, and for many years have been, within the Territory two or three breweries manufacturing and selling beer for other purposes than those prescribed by the statutes. There are also many persons openly engaged in selling intoxicating liquors contrary to law. These facts I have laid before each grand jury, advising them that it was their sworn duty to indict all such persons. Yet in every instance

they have not only refused to indict, but have refused to hear any testimony upon the subject whatever. Some of these grand juries have been composed of the best representative citizens of the Territory, yet the sentiment is so universally against the enforcement of the present liquor laws that no indictment can be had and no conviction secured except where the liquor has been sold or given to a native (quoted in Spicer, 1927:54).

The Revenue Cutters

The Treasury Department sent the Revenue Cutter Corwin to the Bering Sea in the 1880s to rescue whalers, stop indiscriminate slaughter of fur seals and put down trade in illegal rifles and liquor among the Natives. In the following decade a refuse station was established in Point Barrow.

The Corwin, and the Bear meted out law and order by removing violent offenders for trial to the south. As became the case for nearly a hundred years thereafter, the law appeared, made its presence felt and then disappeared over the horizon.

In his report on his 1880 voyage through Arctic waters, Captain C. L. Hooper reported that he seized the American schooner Leo near Kotzebue Sound. The Leo was filled with cases of alcohol labelled "Bay rum," "Jamaica ginger," "pain-killer," "Florida water," none showed on the manifest (Hooper, 1881:21). Hooper contacted various settlements of Inupiat Eskimos and had his interpreter lecture them on "the evils of whiskey-drinking" (Hooper, 1881:26).

"Generally they seem to realize that they would be better off without it, but freely acknowledged their inability to refrain from drinking, when liquor is placed before them" (Hooper, 1881:27).

The Natives at Point Barrow reported to Hooper that several

years before many had failed to hunt seal for winter use and starved after a trader brought in a large quantity of liquor.

Hooper described the liquor trade as it then existed and offered a solution:

The manner in which the whiskey trade is carried on is well known. Vessels clear from San Francisco with alcohol for the Siberian coast, giving bonds not to dispose of it on the American side, and on their return produce a certificate, signed by some of the ship's company, but purporting to be from some person at Plover bay or St. Lawrence, in Siberia, to the effect that the alcohol was landed at one of those places. In all probability they have not been within one hundred miles of either place.

Even admitting that the liquor was landed as they claim, the result is the same; it is drunk by the Tchuktchis or carried by them to the American side and sold. Other vessels clear from San Francisco with large quantities of bay-rum, Florida water, &c., which are sold to natives for drink.

Still another class, which includes many whalers, take in a supply of alcohol at the Sandwich Islands. In order to break up this illicit traffic, I respectfully offer the following recommendations: That the collector of customs at San Francisco be instructed to refuse a clearance to any vessel having on board alcohol for the Siberian coast, as such commerce is in violation of the laws of a friendly power. A large portion of this whiskey, as before stated, finds its way to the natives of Alaska, either through fraudulent action on the part of the traders, or by native barter.

It is also respectfully recommended that all whalers clearing from San Francisco be notified that hereafter the laws relating to the introduction of fire-arms and liquor into Alaska, will be rigidly enforced. A revenue cutter should be detailed each year to cruise in the Arctic Ocean, until the illicit trade is entirely broken up. The vessel should leave San Francisco early enough to reach St. Lawrence Island in advance of whalers and traders, and should follow them into the Arctic, keeping a close watch on their actions, and searching them thoroughly, whenever found within the jurisdiction of the United States. With the co-operation of the Russian Government, this contraband trade might be wholly destroyed. Active measures on the part of Russia would not be necessary; the concession to the United States of the right to search suspected vessels for contraband goods on the Siberian coast would be sufficient. I would respectfully recommend that some action be taken by

our Government with a view to obtaining this concession.

A glance at the chart will show the impossibility of one cutter protecting the entire coast of Alaska. The Arctic coast-line between Cape Prince of Wales and Point Barrow is some seven hundred miles in extent. This is fully as much as one vessel can attend to (Hooper, 1881:63-64).

Reports of the Revenue Cutters continued to focus upon the impact of rum trade with the Natives for the edification of the congress and for the probable edification of temperance advocates who helped secure appropriations for such voyages.

Captain M. A. Healey noted in his 1885 report that the transformation of Eskimos under the influence of alcohol was remarkable.

Naturally peaceful, of a kindly and hospitable disposition and seldom, if ever, quarrelsome when sober, under the influence of a small quantity of liquor they become demonic. The most brutal fights occur when they are in this condition. Their long, sharp hunting-knives make frightful wounds, and their rifles are used without restraint and with deadly effect. In former years our surgeon has often been called upon to dress these wounds. On the bodies of several Indians [sic] I have seen marks of bullet wounds received in these drunken brawls, and the Amolek [leader] of the Diomeses, a comparatively young man, bears three deep scars which he proudly told me he had received in fights, and as proudly boasted of having killed two men while drunk (Healey, 1887:17).

Continuation of Indian Police-Colonialism American Style

Governor Swineford, the territory's second governor, appointed in 1885, discovered that the Indian police, leaders and the chiefs of villages near Sitka appointed by the Navy, had not been paid in six months. He made himself personally responsible noting:

The Sitkan native policemen are exceedingly proud of their blue uniforms, and being the recognized chiefs among their people exercise a dual authority, which is universally respected and obeyed. Their authority is confined to their own village and to such an extent it is respected, so faithfully and diligently do they discharge the duties devolved upon them, that the

manufacture of the vile intoxicating compound known as "hoochinoo" has been entirely broken up--a fact, I am informed which does not apply to any other native village in the territory (Report to the Secretary of the Interior, Vol. 2, 1885; Annual Report of the Governor, 1885:920).

Swineford asked for 30 more Native police "for the promotion of cleanliness, sobriety and good order among the Indians, without which conditions first obtained, the work of the teacher and the missionary cannot be productive of permanent good" (id.).

Territorial Indian police became a fixture of rural law enforcement for at least 22 years. The 1904 Governor's Report notes Indian police in Sitka, Haines, Wrangell, Ketchikan, Hoonah, Kasaan, Klawak, Metlakatla, Kake, Saxman, Circle, Tanana, Iliamna, Rampart and Bethel. Police were appointed where white contact was extensive (Annual Report, 1904:3). In 1907, seven police were listed including ones in Juneau and Petersburg. (Annual Report 1907:25)

Indian police were not unlike toyons (Crain, 1957:139) appointed by the Russians among its conquered Native peoples to maintain authority through traditional leadership. At least one graduate of this system became a liquor suppression officer (letter from Governor Troy to Secretary Ickes, 1933).

Evolution of the Alaska System in 1899 and a New Approach to Liquor Control

In the late 1890s the great Alaskan gold rush began. "A dozen paddle-wheeled steamers and launches plied up and down the Yukon River carrying hundreds of frenzied miners (Jenness, 1962: 13). After the Yukon rush came the Nome rush and the town exploded into a city of 20,000 persons. The law was challenged to move from its bases of operation in Sitka and the Aleutian Chain to Interior Alaska and the Western Coast. Pressure was laid

upon congress to expand the judiciary and law enforcement and to provide Alaska with its own set of criminal laws.

Natives were impacted in new areas of Alaska and with a new intensity.

Jenness describes the impact: "Prospectors wandered into Eskimo settlements, hunted and trapped in hereditary Eskimo hunting-grounds and engaged Eskimo men to transport their supplies by boat and dog-sled" (1962:13).

This new influx of whites jointed international "Jabbertown" communities of whalers in place on the North Slope since the mid-19th century, seasonal communities of fishermen near Bristol Bay and long-established and perhaps the only semicivilized communities of whites in Southeastern Alaska.

Non-Native communities, then, were in the main barbaric in their attitude toward liquor and Native women. Binge drinking prevailed among the white minority to which some Natives appended themselves.

In miners' camps, the Natives "were mere hewers of wood and drawers of water; but they welcomed every opportunity for wage-employment on tasks with which they were already familiar, and on mechanical jobs, such as operating marine and stationary engines" (Jenness, 1962:13). King Islanders were longshoremen at Nome when the ships unloaded. Other Eskimos operated motorized schooners.

Contact with liquor followed contact with miners and their settlements.

In 1897 President McKinley, taking note of the gold rush in his first address to congress, demanded a system of local government and at least two additional judges (Naske, 1973:4).

The first piece of legislation extended homestead laws to Alaska and made provision for reciprocal duty-free imports between Canada and Alaska. The second piece was more important; it introduced a code of substantial and procedural criminal law.

Liquor

Along with legislation to create criminal (and later civil) law in the territory were modifications of the federal position on liquor for whites. After Senator Dolph of Oregon discovered, on his second visit to Alaska, no fewer saloons or breweries than in 1886, he introduced a bill which substituted high license fees for prohibition. This position was supported by the territorial marshall, judge and district attorney and by a Juneau grand jury (Alaska Legislative staff memo No. 14, 1956:7). Temperance people opposed it (Nichols, 1924/1963:118).

Breweries paid \$500 and sellers \$2,000 for towns over 1,500; \$1,000 over 1,000; and \$500 otherwise. The attractive feature of the new approach was that revenue was captured to be used for public schools and for public buildings. For example, when two new judgeships were created, one in Nome and one in Eagle, liquor revenue built the courthouses and jails (Wickersham, 1938:39).

Liquor revenues, thus, became a mainstay of public funds and, in fact, continued to be so into the late 1940s.

Along with new judges came new marshalls and U. S. commissioners for each judicial district (Alaska Legislative Council staff memo No. 14, 1956:18). Purchases by or sale to Alaska Natives, intoxicated persons or habitual drunkards continued to be prohibited by law.

That if any person shall, without the authority of the United States, or some authorized officer thereof, sell, barter, or give to any Indian or half-breed who lives

and associates with Indians, any spirituous, malt or vinous liquor or intoxicating extracts, such person shall be fined not less than one hundred nor more than five hundred dollars or be imprisoned in the penitentiary for a term not to exceed two years.

That the term "Indian" in this act shall be construed to include the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood, who have not become citizens of the United States (Report of the Governor, 1909:41).

Thus for a time, the letter of the law came to reflect the actual operation of liquor laws against Native people. It had been impossible to impanel a grand jury to indict or petit jury to convict violations other than sales to Natives (Report of the Governor, 1896:203; Report of the Governor, 1897:176).

In 1909 the law was amended to reduce the license fees from \$2,000 to \$1,000, eliminate the graduated fee, and to provide for \$500 licenses for steamboats and roadhouses (Alaska Legislative Council staff memo No. 14, 1956:8).

Four years later the new territorial legislature passed a law making the act of giving or selling to a Native a misdemeanor punishable by a fine of not less than \$120 nor more than \$500, or imprisonment in the federal jail of not less than 60 days nor more than 250 days, with a fine and imprisonment of greater severity for subsequent convictions. Natives soliciting or attempting to purchase alcoholic beverages were subject to the same sanctions as the seller (Alaska Legislature Ch. 51, SLA 1915). This last law outlived national prohibition and was not repealed until 1953 when federal law prohibiting drinking by American Indians passed from the scene.

Enforcement in the Early Twentieth Century

As the above statute indicates, vigorous enforcement of liquor laws occurred only against Natives and those whites who sold it to Natives. At the height of the gold rush, for example, only 22 of 100 saloons in operation in Nome had paid the \$1,500 license fee (Wheeler, 1977:148).

However, enthusiasm for stamping out liquor trade among the Natives continued unabated. Both a 1905 grand jury and the 1907 governor's report recommended making giving or selling liquor to Natives a felony (Governor's Report, 1905:99). The 1905 grand jury report from Nome also requested that businessmen of Nome be requested not to give Natives any articles of food or clothing or in any way encourage them to become beggars and vagrants (Governor's Report, 1905:99).

Some measures should be secured to prohibit native families from living in Nome, and the government should build small comfortable cabins at the larger villages and such places . . . and offer each native family a little home as an inducement to move away from this camp and other undesirable localities where they can not obtain liquor and become demoralized (Report of the Grand Jury, Second Judicial District, District of Alaska, on conditions in the district, Appendix K.)

Said the 1907 report:

The worst enemy of the native is the whiskey peddler, and notwithstanding the efforts of the officers of the law to prevent this whiskey traffic, it has increased with the Indians' earning capacity. It seems therefore desirable that the sale of whiskey to the Indians should be made a felony, punishable by imprisonment in the penitentiary, and that a small appropriation should be made to secure the services of one or more men to hunt down this class of lawbreakers and bring them to punishment (Governor's Report, 1907:12).

Congress responded immediately with a \$6,000 appropriation to employ special agents to enforce the liquor laws against Natives

(Governor's Report, 1908:15), and in 1909 passed the felony statute so long desired (Governor's Report, 1909:10).

Another appropriation of \$12,000 allowed the special agents to obtain indictments against 20 white whiskey peddlers in the First Judicial District (Governor's Report, 1911:19-20).

Special agents for the suppression of liquor among the Natives appointed by the governor now joined appointed Native police in each judicial district. Their work would continue and be reported upon until 1933. It was hampered as was the work of U. S. marshalls by distances and lack of funds and equipment.

In 1914 the governor reported on the liquor situation and the role of law enforcement:

The natives of Alaska, like the aboriginal people of nearly every country of the world, are not exempt from the thirst for intoxicating liquors, and are, therefore, easily the prey of unprincipled white men who are found in nearly every community and who are the means by which the natives are enabled to obtain the vilest kind of whiskey. In more remote villages the natives at times manufacture a kind of beer brewed from yeast cakes, and other ingredients, of which they partake until it has the desired effect. To their credit be it said that many of the educated and more intelligent natives are doing all within their power, by example and precept, to show their brothers that the path of sobriety is much more to be desired than the devious way of drunkenness and debauchery.

Operations for the suppression of the liquor traffic among the Indians were continued throughout the year under the appropriation made by the Congress for this work, the amount available being \$12,000. The work was carried on in the first, third, and fourth judicial divisions, three white special employees and one native police officer being regularly employed, and two temporary assistants being employed for short periods. The reports of the special employees show a total of 63 cases instituted. This number, of course, does not include cases instituted by other officers, such as deputy United States marshalls, of which there were a considerable number. Of the cases instituted by the special employees 13 were against natives for being drunk and disorderly, fines being

imposed in amounts ranging from \$30 to \$100. Fifty other persons were proceeded against, and of these 5 were not apprehended, having evaded arrest by leaving the country; 8 were released upon preliminary hearings before United States commissioners or upon investigation by a grand jury; 20 were either convicted or pleaded guilty, of whom 4 were fined; 13 were given jail sentences, and 3 were sentenced to the penitentiary; while 17 were awaiting action by the grand jury or trial in the district courts at the end of the fiscal year. In this connection it may be stated that while good work has been accomplished in the suppression of the liquor traffic, the activities of the special employees are more far-reaching in their effects than appear on the surface. Their presence and work in the different judicial divisions where they are employed have a deterrent effect upon the operations of the worthless white "bootlegger" and upon the Indian who craves the liquor which the bootlegger furnishes. Therefore these special officers, it may be justly claimed, prevent much illicit selling of liquors and the consequent debauchery which attends it. The special employees working under the direction of this office have a large area to cover, much of it by water, where transportation facilities are usually inadequate. This is especially true of the interior--in the Yukon, Tanana, and other valleys. The need of additional transportation facilities was recognized by a grand jury of the fourth division, sitting in Ruby, on August 22, 1914. The jury after commending the work of the special employee of that division, stated that he was "handicapped in the matter of transportation, as on occasion cases have been reported to him from a distance up or down the river, and he had to wait many days for a steamboat"; and the jury recommended "that an independent means of transportation be furnished him, such as a gasoline boat in the open season and a fast dog team, to consist of not less than seven dogs, for the closed season." These recommendations I strongly indorse(sic).

Upon the recommendation of this office the Congress has increased the appropriation for this work for the fiscal year 1915 to \$15,000, which will materially aid in the effective enforcement of the law. A special employee has been appointed for the second judicial division, where hitherto none was stationed because of the insufficiency of the appropriation, but where the services of such officer were urgently needed (Annual Report of Governor, 1914:36-37).

Which Indians?

The Treaty of Cession between Russia and the United States and the Organic Acts drew a distinction between civilized and uncivilized Natives in Alaska (Cohen, 1942:403).

Civilized Natives were, according to Judge Wickersham, either those persons immediately affected by the benefits of naturalization under the treaty or those members of "uncivilized" tribes who had voluntarily taken up residence separate from any tribe of Indians and who had adopted the habits of civilized life (In re Minook, 2 Alaska 200, 1904).

Civilized Natives could become citizens and attend schools with whites. Uncivilized could not. The territorial government continued to draw this distinction by providing in 1915 that Natives who had abandoned tribal customs and adopted the culture of civilization could apply for citizenship (Territorial Act of April 27, 1915, C 24, Laws of Alaska, 1915, p. 52, repealed by C 34, Laws of Alaska, 1933, p. 73).

Would such a distinction be made between civilized and uncivilized Natives when drinking was applied?

A man was sentenced in Juneau for selling liquor to an Indian under the 1909 act. He appealed arguing that Natives of Alaska who lead a civilized life should be able to buy liquor. The territorial governor argued in his 1911 report that should his view be upheld, a new liquor law should be drafted to include all Natives again (Annual Report of the Governor of Alaska, 1911:20).

"The establishment of the right of Alaska Indians to purchase liquor and of white men to sell it to them means the utter ruin and ultimate destruction of a superior native race" (Governor's

Report, id.).

Thus, the position of territorial law made no distinction between deacculturated (or civilized) Natives and their tribal brothers and sisters.

In 1913, the governor argued for expanded enforcement of liquor controls:

While the present success achieved in the third and fourth judicial divisions has not been as great as could be desired, substantial progress has been made in discouraging the illicit sale of liquors and the enforcement of the law by the presence in these districts of the Government agents. As a result of their work saloons which were notorious for furnishing liquor to "bootleggers" and natives have been denied licenses.

Conditions on the lower Yukon River, in the fourth judicial division, are not as satisfactory as could be desired, due to the great distances that the special agents must cover and the delays incident to transportation. A power launch should be provided for the patrolling of the Yukon River between Eagle and Holy Cross, so that the special agent could move swiftly and without his departure from one place to another becoming known and the information transmitted to other law violators. These special agents should also be given the authority to search cabins, houses, boats, etc., for contraband liquor without having to secure a search warrant and warrants for arrest for those suspected of giving or selling liquor to natives. A special agent should be employed in the second judicial division, with headquarters at Nome, where during the open season of navigation natives go in large numbers from outlying points for the purpose of selling their furs and wares, and where it is comparatively an easy matter for them to obtain liquor, for which they spend the money which should be used to buy food and clothing. The special agents for the suppression of the liquor traffic among natives are under the supervision of this office (Report of the Governor, 1913:25).

Reports from the Field

Though this study is dependent upon appropriation-seeking higher officials who might have been tempted to "play" to the temperance movement, there are scattered among the early records reports from the field.

Two of these are relevant to our study since they dwell upon the situation of Eskimo families of the Yukon-Kuskokwim Delta, persons whose descendants would later relate to Bethel and its liquor supply and law enforcement.

The first is drawn from Walter E. Cochran, who directed a school and reindeer station in Mountain Village as a member of Sheldon Jackson's Bureau of Education from 1909 to 1915. He reported to the governor that the 5,000 Eskimos in the region had at that time met few white men other than Bureau of Education employees and Roman Catholic priests. Thus, he reported, their situation was far different from Eskimos to the North who had been exposed to substantial contact with foreigners (Report of the Governor, 1915:31).

His letter reveals how liquor control was tied to plans implemented by teacher-missionaries to settle Eskimos into villages and to introduce village councils as forms of self-government:

[The Eskimos] are kind, peaceable, can be taught to be industrious, honest, and reliable members of the native population of the north, and no difficulty need be encountered in bringing about this desirable result if they are understood.

To accomplish this, two courses of immediate procedure are necessary: First, the complete abolition of the making of intoxicating drinks by native traders and others, and, second, the consolidation of the scattered villages of underground igloos into central community

centers at desirable and sanitary locations, where sanitary cabins may replace the damp, cold, and filthy underground igloo. The conditions that now exist in these igloos no human being can describe--one can only know after he visits them.

The first result can, in my judgment, be accomplished only in one way, and that is by placing a special agent for the suppression of the liquor traffic in the delta. The special officer for the suppression of the liquor traffic in the second judicial division I have met and believe him to be a sincere officer, but unless an agent can devote his entire time to this vast region no permanent results will follow; and if a man who understands these natives can spend one winter or rather one year in this delta, he can stop this traffic that is destroying this race, and can do it without prosecuting except in very rare instances. Furthermore, by bringing them together in larger communities and establishing mild forms of self-government among them, it will be easy after this is accomplished to reach them with any influence necessary for the complete eradication of this degrading and destructive practice. I have talked to large assemblages of these natives, and I am not guessing at what may be done, but am certain that the plans suggested can be carried out, to the salvation of the worthwhile people.

The second course for their permanent betterment is industrial education. This can be accomplished easily when the above-mentioned communities are established and the liquor problem is solved, and assuredly not before. . . .

The Bureau of Education has been unable to reach very far into this tundra, on account of limited appropriations, but where they have gone the results are manifest and serve to illustrate my contention that where a chance is given them they will do their part.

The Jesuit fathers in the Akularak region have done much good and saved many lives of children, but their work is necessarily local, and their mission is absolutely unable to cope with the liquor situation.

The chief thing needed in the beginning is legally constituted authority, combined with patience, common sense, and a knowledge of the people, a man of backbone yet who has sympathy and honest motives, and the results of the work of such a man will be evident within a few months after the beginning of this service.

The idea of consolidating the scattered villages, industrial training, and the establishment of new herds of reindeer is undoubtedly the solution of the problem (Cochran letter in Annual Report of Governor, 1915:31-32).

An Agent Reports

The Governor continued:

Thomas Gaffney, special agent for the suppression of liquor traffic among the Indians, for the second judicial division, who, under instructions from this office, investigated conditions on the lower Yukon and adjacent coastal plains, reported as follows:

The Yukon delta is composed of numbers of sloughs and watercourses, rendering it impossible for anyone unacquainted with the topography of the country to discover any particular place. The immensity of the vast stretch of this low-lying land, barely above ordinary high water, has to be seen in order to form any idea of the territory embodied therein. The natives, with which this report has to deal, live on the south branch of the Yukon, known locally by the name of the Kusilvak River, which name is no doubt derived from the lofty mountain situated on the same side of the river and about 50 miles inland. With a good light-draft launch I reached the headquarters of the Akoulavak River. The river is about 50 miles from the open sea, and along this stretch I visited 10 villages with a population of 350 persons. At the head of the Akoulavak I met the missionary fathers from St. Marys Mission, situated about 50 miles inland. The Akoulavak is one of the many rivers or sloughs which break from the main river and empty into the sea, some as far south as Hooper Bay. The natives I met at the various fishing villages live inland on these sloughs in the wintertime, and quite a few of them around the mission, where the United States Bureau of Education maintains a school, employing one of the sisters for teaching the natives, the Jesuit father told me, but owing to the primitive conditions existing here the progress is necessarily slow. They condemned severely the practice prevailing among the natives of making "cold whisky," and were most optimistic with regard to the benefits that would accrue from the presence of a Government agent among them. They promised to inform the natives in the various places they would visit of the nature of my mission, and assured me they felt thankful that some steps were being taken to stop this most pernicious practice. There are, I should

judge, about 1,000 people in this section between this bank of the river and the Kuskokwim delta. They are the most primitive in their ways and their mode of living of any natives I have met in this division. Their habits of life are very uncleanly and progress along sanitary and hygienic lines is very slow. This is distinctly noticeable among the elder natives, the younger ones showing a very good tendency toward improvement. Owing to the nomadic life of these natives development is bound to be slower than in other sections. Their slight intercourse with civilization also accentuates this condition. Not many white men visit this section, except the trader, as its economic wealth lies in its furs principally, if not entirely. The value of the furs gathered in this section I should estimate conservatively at from \$60,000 to \$75,000 yearly. There are skins of the hair seal, and oogaruk and seal oil are other products of the coastal plain and serve to provide clothing, food, and fuel. The scarcity of wood in the interior and the natural indolence of the natives in gathering wood makes the seal oil the only source of fuel and light in the wintertime.

But it is in connection with the dealings of the traders and the natives that my report specifically relates, as it is through the traders and their subagents that the use of "cold whisky" or "sourdough" is carefully cultivated and encouraged. For years these primitive people knew no law or code of morals except such as was propounded to them by the white trader, many of whom they looked upon with reverential awe. It is needless to say the code of morals inculcated did not serve to advance the interests of the natives either morally or materially. The Eskimos are proverbially shrewd in bartering or trading and it is in order to set aside their natural shrewdness and caution that some traders (not all of them I must say) have had to resort to the most depraved and criminal methods, namely, the debauching of the natives by the vilest kinds of whisky or extracts, composed of 50 per cent of alcohol, until they became easy victims of the trader's cupidity. Through the vigilant efforts of the superintendent of native schools of this district, assisted by the school-teachers and the missionaries, the traffic in straight whisky and extracts has been greatly minimized, and, I may add, that through their endeavors principally the sale

of extracts has been entirely abandoned. But a worse and far more injurious method has been introduced which reduces the native to the uttermost depths of poverty and human degradation. This is the "cold whisky" or "sourdough" beverage, made from flour and sugar fermented, which, instead of being used for human sustenance, is used for this vile purpose, leaving the native totally impoverished. The destitution from this source alone last winter in this region was something dreadful.

Mr. Cochran, the Government teacher at Mountain Village, assured me last winter that he had been told by natives from the Kusilvak that destitution was widespread from this cause. And knowing Mr. Cochran's good work among the natives, and his familiarity with them, I have no doubt this statement is correct. It was toward the abolition of this evil that I concentrated my efforts during my short trip in the month of June. This beverage, drunk in a half-fermented state, produces stupefaction and sickness of the stomach simply indescribable. Not only does it leave the victim a prey to the unscrupulousness of the trader, but it severely undermines the health of male and female. The most wanton distribution of this stuff is done by subtraders employed by the big traders, who are all natives recruited from their people on account of certain merits they possess, such as cold, deliberate cunning and physical prowess, both of which traits are brought into requisition to separate their credulous and timid people from their worldly goods. That some of them are inveterate scoundrels goes without saying. The Hon. Frank Waskey, first Delegate to Congress from Alaska, and now United States commissioner at Marshall, ran across one of these fellows last spring while on a trip through this country, and found on his sled a small barrel of this "cold whisky" which he was using for trading purposes. He dumped the stuff out after taking a sample bottle, which he forwarded to the United States district attorney at Nome for examination.

. . .

Before concluding, I beg to state that too much credit can not be given to the school teachers and the missionaries for the good work they have done and are doing among the natives in the various sections I have visited this past years (Gaffney letter, Annual Report of the Governor, 1915:32-33).

The enthusiasm of teachers and missionaries for suppression of drinking as a prerequisite for "civilizing" the Natives drew them into active efforts at law enforcement. Along with requests for additional law enforcement to protect Natives from whites and to protect Natives from themselves, Bureau of Education Director Jackson had petitioned with success for his teachers to be named as marshalls (Report of the Commissioner of the Bureau of Education, 1908).

By the Act of March 3, 1909, (Section 318 C.L.A.) the Attorney General was empowered to appoint, in his discretion, persons employed in the Alaska school service, under the Bureau of Education, who may be designated by the Secretary of the Interior as special peace officers with authority to arrest, on warrant duly issued, natives of Alaska charged with certain violations of law, or white men charged with violation of law to the detriment of any native of Alaska, and provided further that such peace officers should also have authority to make such arrests without warrant for a crime committed or attempted in his presence, or when the person arrested has committed a felony, although not in his presence, or when a felony has in fact been committed and he has reasonable cause for believing the person arrested to have committed it. That law was passed for the special protection of the Indians and enforcement of the laws among them (Unpublished memorandum for Governor Parks on Power of Officer Appointed for Suppression of the Liquor Traffic Among Indians in Alaska, 1925:2).

Teachers also moved to encourage their villages to establish village councils as vehicles for order-keeping. These councils were first used as vehicles for enforcing rules related to school attendance (e.g., no late night dancing in the Kosga), as well as church edicts against sin reflected in village rules which existed into the mid-twentieth century (Milan, 1964:59). Eskimos turned councils to more flexible institutionalized forms of their own system of law ways (Hippler and Conn, 1973).

From the perspective of an Eskimo in the delta, it must

have appeared that Western government had no other purpose than suppression of alcohol.

Reports received in 1916 indicated some improvement, but also apparent integration of hootch into traditional ceremonies. White officialdom desired an end to both ceremonies and hootch:

[T]he work of the special agent in the country adjoining the lower Yukon having been of great benefit to the natives in breaking up the "hootch" makers. Mr. Koen adds:

One arrest and conviction in this precinct has had a salutary effect on them, as the news of the conviction was carried the whole length of the river, and it was the means of making a lot of natives who did nothing else than brew this deadly liquor find new residences. A special agent should be kept on the lower river at all times and every assistance given him in making arrests and in securing convictions, as this is the only way to break up the practice. This lower river country is an asylum for medicine men and "hootch" peddlers, and a law should be enacted for the prosecution of the medicine men, who levy tribute on the other natives through fear, but who can not be reached under existing law. A jail sentence is torture to a native, as he can not stand confinement.

Potlatching, or the making of gifts by the more opulent natives to their less fortunate brothers, but who invariably expected an ample return of their benefactions, once prevalent, is rapidly passing, although the potlatch is still found in some of the less civilized communities. It usually takes place at the close of the fishing season or the beginning of winter, and it is at this time that the natives gather at a central point and spend many days in feasting, dancing, giving and receiving gifts, the hilarity of the event being greatly accentuated if a supply of whisky or "hootch" can be had. It is safe to predict that a few more years will witness the final passing of the potlatch (Report of United States Commissioner Charles J. Koen, St. Michael, in Annual Report of the Governor, 1916:29).

As the foregoing reports from the field suggest, alcohol control among the Natives served many purposes. It justified further efforts at civilizing Natives through the work of missionaries and teachers. It explained the failures of programs already established.

Native groups had to be contacted, their numbers drawn into villages and their "fallen" culture brought up to the standards of temperance not often found in the North country.

Governor Strong's pop sociological description of the alcohol problem signaled the coming of a new push for temperance throughout the territory:

It seems that the aboriginal races of most countries readily acquire a thirst for intoxicating liquors, probably not attained until after the advent of the white man. Whatever may be the case among the native peoples elsewhere it is recorded that the Alaska natives were a sober people until after the advent of the Russians, from whom they learned the use of intoxicants, and with a keenness of imitation, having acquired the taste, when they could not secure the white man's liquor set about themselves to brew a liquor that would produce the desired state of intoxication. There are different kinds of these native brews, but alike in one result--that all produce drunkenness and debauchery. In recent years there has been a marked decrease in the making of these liquors, called in the vernacular "hootch," "sourdough," or "cold" whisky, "quass" or native beer. All are deadly and demoralizing in their action upon the native, physically and mentally. The native, as a rule, only resorts to the manufacture of this poison when he is unable to secure the whisky or beer of commerce, the chief offenders being the denizens of remote villages of the interior, western and northwestern Alaska.

Notwithstanding the continuous activity of the special agents employed by the Government under the direction of the department and this office for the suppression of the liquor traffic among the natives there are still to be found worthless white men and even some proprietors of saloons who are always ready to take the native's money in exchange for bad whisky. While these violations of the law are found in various towns, the most frequent infractions occur in the remoter sections; but in all places a marked decrease in the

consumption of liquor by natives is noted. This is not wholly due to the operations of the preventive agents, although their work is efficient, but another cause is found in the fact that as education spreads among the Indian tribes they are enabled to see that the use of intoxicating liquors is the bane of their people and some of the strongest advocates of temperance and sobriety are found among them and the example set by those earnest men is having a most salutary effect (Report Governor of Alaska, 1916:28).

Strong presented a complete and nearly unique picture of law enforcement by special officers as it existed in 1916 (Report of the Governor, 1916:63-66). Nearly one-half of the 84 cases occurred in more settled areas of Southeastern Alaska (the First Judicial Division). Cases against non-Natives generated fewer convictions than cases against Natives (Appendix 1).

All of this activity was not without its repercussions. State Senator Sutherland explained the role of liquor suppression agents to congress during hearing on the bone-dry law (U.S. Congress, House Committee on the Territories, Prohibition of Liquors in Territory of Alaska, 1917:32):

SENATOR SUTHERLAND: We have in Alaska a number of men whose duty it is to suppress the sale of liquor to Indians. They thus take upon themselves the power of detectives. They go anywhere to find violations of the law. They go to extremes in many cases in working among the Indians, and the Indians seem to feel that they are meddling with them. Nevertheless, in a great many cases they accomplish what they are supposed to accomplish. They find out these violations of law and get hold of those who are selling the liquor to the Indians.

Now. I would have the power which is extended to them extended also to the game wardens and other officials.

MR. CURRY. Does that mean the immigration officials?

SENATOR SUTHERLAND. Yes.

MR. JOHNSON. Would it go to the governor of the Territory?

SENATOR SUTHERLAND. Yes; I think it would even include the governor of the Territory.

Bone-Dry in Alaska

Territorial Governor John A. Strong, a Wilson appointee in 1913 and newspaper owner, encouraged his Ruby editor Chester Snow (soon to be known as the father of the Bone-Dry Law) to introduce a joint resolution to the territorial legislature in March 1915 that provided for a vote on whether white voters desired to have a "wet" or "dry" territory. Snow later agreed to allow territorial blacks to vote as well; uncivilized Natives could not vote (Smith, 1973:174).

Governor Snow signed the bill in April and passed the pen to the Alaskan representative of the Womens Christian Temperance Union (Smith, 1973:Id.). The following month the W.C.T.U. held its first territorial convention.

The temperance supporters were well organized. Yet, on the side of the saloons and brewers was the argument that five of sixteen incorporated towns were dependent entirely on revenues generated from licences (Smith, 1973:179).

Heavy-handed attempts by liquor interests to turn editorial and popular opinion against prohibition had the reverse effect of building sentiment for it (Smith, 1973:179).

By a 9,052 to 4,815 vote, proportionately uniform in all parts of the state, white Alaskans voted in support of prohibition (Smith, 1973:178).² Ex-judge and now Delegate Wickersham had a stringent bill introduced into the U.S. Congress, one that prohibited the manufacture and sale of any alcohol in the territory. A rider to the bill transferred the "Alaska Fund" from Congress to the legislature so that it could be spent on schools and other services in incorporated towns (Smith, 1973:178).

Unincorporated towns included all native villages. These looked to the Bureau of Education for federal aid for education of the Natives. Territorial law enforcement in the bush where Natives lived was limited exclusively to special employees for the suppression of liquor traffic among the Natives appointed by the governor (Spicer, 1927:67) (Annual Report of Governor, 1918:58).

That Bone-Dry was directed at Natives and "their" problem seems apparent from reports in the years that followed

BONE-DRY ALASKA.

During the fiscal year there were 91 arrests made by the special officers for the suppression of liquor traffic among the Indians for violations of the liquor laws--78 convictions and 13 acquittals. Fines amounting to \$8,410 were collected, and jail sentences aggregating 1,168 days were imposed. Other arrests were made by the marshals of the several judicial divisions and convictions obtained which are not included in the above.

Under an annual appropriation by the Government of \$15,000, there are four special officers for the suppression of the liquor traffic among the Indians employed--one in each of the judicial divisions. To properly enforce prohibition this appropriation is absolutely inadequate; the distances are too great, the expense of travel too heavy. Very little real whisky is now coming into the country, but the resourceful bootlegger is distilling his own "hootch" in neat stills which can be set up on a kitchen stove. Some of the stills captured are marvels of ingenuity. The product of these illicit stills (commonly known as "white mule," on account of its color and powerful "kick") is vile in the extreme and most injurious to health. Another source of drunkenness is found in sweet cider to which has been added raisins or other agents which cause fermentation. There is no prohibition of the import or sale of sweet cider, but cider in a very short time can be made into a powerful intoxicant. If prohibition is to be thoroughly enforced there must be more officers for its enforcement and a fund to be expended in detective work.

On the whole the Alaska "bone-dry" law has been very successful and its beneficial results are seen everywhere, particularly in the homes. Families formerly living in practical destitution are now well cared for and happy. I should like to see the law rigidly enforced, with, perhaps, an amendment which will allow the use of grain alcohol for medicinal purposes. Doctors advise me that had alcohol been available during the epidemics of influenza a great many lives could have been saved (Annual Report of Governor, 1919:64-65).

However, by 1933 the Bone-Dry Law was viewed by Alaskans as a curse and not a blessing. In his report to the Secretary of the Interior, John Troy urged:

Congress should speedily pass Delegate Dimond's bill for the repeal of the "Alaska Bone Dry Law." Public opinion in Alaska is practically unanimously in favor of repeal. Twice the Territorial Legislature has attempted to repeal the Alaska Bone Dry Law, but local court decision held that the Territorial Legislature had no authority to legislate on the subject. To make the situation clear and definite, there should be congressional action (Alaska Bone Dry Repeal, Ch. 2, S.L. of Alaska, 1933). (Alaska Territorial Governor's Report, 1933:35).

Alaskans missed their chance, however, for Bone-Dry in Alaska was followed by national prohibition. When the Volstead Act was repealed in 1932, Delegate Wickersham had changed his tune:

It's about time. Alaskans have known for two decades that their prohibition laws were a failure. Dry laws never did work in Alaska and I don't think they ever will. It's high time we repealed them," he repeated, giving the floor a hearty thump with his cane.

Continuing, he said: "They tell me I can expect the saloons back any time now in Alaska, once the repeal movement gets underway. But what of it? Better have saloons than smuggling, bootlegging, and other evils of an unpopular, unenforced law" (quote in Atwood, 1979:369).

As Bone-Dry failed for white Alaskans so the attempt to suppress liquor among the Natives also failed.

The reasons are many. When Carl Lomen, head of the controversial reindeer corporation complained to Governor Parks of "the seeming freedom that some few whites in the [Nome] Division have of making and dispensing liquor," (letter to Parks, August 24, 1929), Parks told him that lack of cooperation by the Nome marshall forced him to close that office. Parks had no control over the marshall's office. In addition, he related that when a prohibition officer was sent to Nome a few years before, he had been arrested by local

authorities. Further, when Parks had sent in a liquor suppression officer from another division most of the cases he had made had been dismissed (unpublished letter from Governor Parks to Carl Lomen, September 19, 1929).

Local authorities acting in league with local business interests were capable of "rewriting" the law on liquor sales to Natives.

A second reason for failure was the calibre of suppression officers. One officer was accused by citizens of demanding kick-backs from bootleggers. His arrest record was indeed very low in comparison with other officers (Appendix 2).

Two reports from officer H.E. Seneff in 1930 and 1933 (Appendices 3 and 4) offer more insight. Moonshine whiskey was manufactured by whites for sale to Natives and by Natives in many places.

The Indian like the white man throughout the Fourth Division has become adept in the ways and means of screening himself from the eyes of the law, hiding his illicit distillery in secretive places, where the officer would hardly be expected to visit or look for distilleries. The whiskey once made, is cached in secluded spots and not drawn on, until wanted for sale or drunken parties. These places being off of the regular route of travel and out of sight and ear shot, the officer in search and travel on hurriedly trip; will most likely overlook them (letter from H.E. Seneff to Governor George Parks, July 1, 1930, p. 1).

Then, as now, in rural Alaska the law came to the village and then departed.

Nonetheless, when Governor Troy received word that the officers were to be taken from him and phased out, he was outraged. In a telegram to Assistant Secretary Burlew he emphasized that the agents gathered general information and collected territorial taxes (telegram from John Troy to Burlew, May 25, 1933).

In a letter that followed he described their more general use and backgrounds of the agents:

The purpose of this service has always been to keep in intimate touch with native affairs throughout the Territory, having in mind particularly the suppression of liquor traffic among the natives and the manufacture and use of liquor by the natives in the several divisions. This requires much local knowledge of the Territory by the agent, who becomes acquainted with each village and its occupants and studies their activities and living conditions throughout the year. Each village is a separate study, and these agents have been chosen for their intimate knowledge of Indian affairs. Daily reports are made by them to the Governor of Alaska, following general instructions by the Governor to investigate and report on certain sections at times best adapted to the seasonal traffic in each locality. A great deal of investigation is involved.

In addition to suppressing the liquor traffic, these agents are called upon by the Governor from time to time to report upon many special conditions, such as indigency; epidemics, which are not uncommon; sources and amount of food supplies; probable earning power per capita of the various villages; disposition of their money earned; and in general to aid the Governor's office at any time and in any manner required. Much of their investigative work is of a confidential nature, often relating to the white population as well as native, and is of great value to this office in administering the affairs of the Territory.

Inasmuch as these men work in the various sections of the Territory in which they are best informed and inasmuch as each division of the Territory has climatic and geographical peculiarities differing greatly from that of any other, it is my opinion that it will be extremely difficult to direct the activities of these men from Washington, D.C., as is required by the order in question. Most of the time the agents in the Third

and Fourth Divisions are out of contact because of lack of telegraphic communication and the uncertainties of long distance mail service. Because of this, it is very doubtful if the efficiency and value of this service can be maintained if the Order continues in effect.

At the present time Phil Herriman, Special Agent in the Third Division, is in the Bristol Bay area, which is the fishing center of western Alaska, and as the fishing industry involves the employment of some ten or fifteen thousand men who are transported from the states to carry on their work during the summer months only, this visit is highly important. It is doubtful if Mr. Herriman can be advised of this change within the next twenty-five or thirty days, and as his summer's work has been carefully planned and laid out to cover the possible transportation of liquor into that area and its disposition to the natives, we think no change should be attempted at this time in his status.

In the case of H.E. Seneff, Special Agent for the Fourth Division, who also covers the Second Division, he is now at Nenana with instructions to proceed down the Yukon River from Circle in a small boat to Russian Mission, there to make the portage to the Kuskokwim River and then work all of the villages in that valley and down as far as Good News Bay, then back into the Second Division on the Seward Peninsula. Because of the climatic conditions and the river route transportation, including the portages between the rivers, this plan should be carried through or the benefit of the season's work will be lost.

Mr. J.W. Wilson, Agent in the First Division, operates under the following plan: he owns the boat he uses and is required to live thereon, the Government paying expenses of his per diem, gas and oil while away from headquarters at Juneau. As all of the villages in southeastern Alaska are reached by boat, his work consists of almost continual travelling between these various Indian settlements, and it is not uncommon for him to be out of communication for ten days or two weeks at a time. During these expeditions he makes reports on all conditions involving the natives, many of which are peculiar to the general economic welfare of this territory.

Wm. Jackson, Special Agent at Yakutat, is an Alaskan Indian who is the sole remnant of the old Territorial Indian Police, and he has been retained at Yakutat as Liquor Suppression Officer for many years at a salary of \$20 per month. Jackson is a native of known integrity

and rating among his people and is the only peace officer stationed in Yakutat. While a Commissioner's Office is maintained, there is no marshal and the town does not have any local police facilities. The work done by Mr. Jackson is of value to the native people in his community. His knowledge of the English language is very limited and it is doubtful if orders transmitted from Washington could be understood or executed by him.

In addition to the above duties, these men are utilized in the collection of taxes due to the Territory, and they are paid for their collections on a percentage basis by the Territory. Of course, this amplifies their federal salaries and brings their total earned to an amount sufficient to employ agents of much higher type, thereby increasing the efficiency of their suppression of the liquor traffic work, as well as to increase the territorial revenues.

The enormous unsettled expanses of Alaska contribute to long distances between villages and remote sections, from which we can obtain practically no reports except through these agents. This is also an important factor in their work and it is doubtful if any other branch of the federal or territorial service can furnish this valuable information to the Governor's office (letter to Harold L. Ickes, Secretary of the Interior, May 27, 1933b).

In view of movements then emerging to place Natives upon reservations in the 1930s (a move rejected by Native groups [Crain, 1957:289]) and to assert more directly the influence of the Bureau of Indian Affairs onto Native affairs, the governor may have suspected that his single team of informants were being removed from his control in order to weaken control of Natives by the already weak territorial government.

Since one finds little, if any, socioeconomic information in available reports by agents, the governor's pleas may have been overblown. Taken at face value, however, his letter serves as an admission that the single form of ongoing contact which the rural Native person experienced with territorial government was the liquor suppression officer. Such was the interest of the territory in his situation.

Beyond Prohibition

Although prohibition gave way in the territory with the repeal of the Volstead Act and replacement of earlier licensing schemes by a centralized control system, prohibition remained a fixture of rural Alaska legal process. (Ring, 1979).

In the mid-1930s, the Indian Reorganization Act was extended to Alaskan villages. It provided a structure of tribal government for Native villages, a structure which included further³ legitimization of the fining and jailing authority of village councils (Case, 1978:130).

Such activity by Alaskan city councils was made illegal when at statehood, the Alaska Constitution provided for a centralized judicial system (Fischer, 1975:113). Nonetheless, village councils in towns without judicial officers continued to act as judicial

authorities to the present day (Angell, 1979).

The Law and Order Division of the Bureau of Indian Affairs encouraged Native villages to pass and enforce ordinances which banned use and possession of liquor (interview with Roy Peratrovich, 1974). Such ordinances reflected federal and territorial law of the era. They also anticipated a plan to designate Indian reservations for Alaska Natives, a plan that was later aborted.

What is relevant is that villages continued to perceive themselves as dry and to enforce ordinances against possession or use of alcoholic beverages with the explicit or implicit blessing of federal Indian, territorial and later state officials long after the legal basis for doing so was removed from the statute books. (Conn, 1980)

The Military--The New Sourdoughs

The 1940s and 1950s, World War II and the Cold War which followed brought new waves of contacts between outlying Eskimo villages and the military. Commission of young men to the Eskimo guard and establishment of bases at the doorsteps of villages had major impacts on the social life and behavior of young men and women.

Typical of such impact was the situation of Gambell, a St. Lawrence Island Eskimo village a mere 40 miles from the Siberian coast. Anthropologist Charles Hughes chronicled the situation of this village in the early 1950s in An Eskimo Village in the Modern World (1960).

One of the recurring problems to come in with the soldiers was that of liquor. For some forty years, at least, one of the most strongly supported village laws had been a prohibition against drinking by any native and even against bringing alcoholic beverages to the island. Much of the basis for this legal norm is said to come from bitter memories of the Great Starvation in 1878. But with soldiers has come liquor, and, as a consequence, progressively increasing breeches in the village liquor law, especially by some of the young people. The village council has had to step into the situation more than once to impose fines on or otherwise punish village members for procuring beer and selling it to young people, both boys and girls. Moreover, the example of drunkenness set by soldiers is not easily forgotten as an illustration of one aspect of the white man's way of life:

Those first air force boys were welcomed to the villagers around here. Everytime when they done wrong around here, when they come to the village pretty drunk, they restricted them for one week.

And a more recent example of the same behavior:

They do not have trouble at all, when they first getting down here. But last summer when those drunk G.I.'s came down to the village late at night, that is why they made their curfew very short.

Throughout the years that a military post was near the village this issue arose periodically. Characteristically, after each outbreak the council tightened the curfew and severely restricted the hours during which the military were allowed in the village for visiting and buying ivory or skin sewing. In some cases they were banned altogether for a few days. Although sometimes it was unequivocally stated by the council that the ban might be permanent or at least in effect for a long time, it was soon quietly broken and disappeared after a few days--a happening which the villagers themselves came to predict. The pressures from wanting ivory sales and other benefits were apparently too much.

In one case of a broken liquor law which happened during the summer of 1955, the council's principal move in handling the violation was to turn it over to the U.S. marshal on the mainland. This action cogently brought out a tendency that could be seen in many of its decisions during the year--that of leaning on an outside authority for guidance and direction in matters over which it nominally has control (Hughes, 1960:300-301).

In the Towns

Population growth among Natives flowing from eradication of serious epidemics of measles and influenza in the 1920s and 1930s as well as high rates of infant mortality and tuberculosis throughout the first half of the twentieth century, were coupled with economic opportunities in the "hub" towns of Nome, Barrow and Bethel related to the establishment of federal bureaucracies in these places. This resulted in increased migration into these places and the villages near towns. (I.S.E.G.R., 1973).

In the towns Natives found liquor more readily available, but also harsh justice meted out by Native and non-Native commissioners and U.S. marshalls.

Joseph Senungetuk, renowned Eskimo artist, writes of his family's migration to Nome from Wales in the early 1950s in his autobiography, Give or Take a Century (1971). He describes the racism Natives confronted including segregated movie halls and job discrimination (Senungetuk, 1971:176), all of which was theoretically outlawed in the mid-1940s (Report of the Governor, 1945:2).

The tug-of-war between church-lead prohibitionist elements and the bar life of Front Street left no middle ground (Senungetuk, 1971:111). Senungetuk observes the embarrassment with which Natives persons read the names of friends and neighbors listed among those arrested for being drunk in public or disorderly. The focus of drink-related statutes on Natives served to reinforce the stereotype of "drunken Native" among both newly arrived Natives and whites (Senungetuk, 1971:125).

Although records of the late days of the territory are difficult to obtain, it appears that even before the prohibition against sale to Natives was repealed in 1953, sales to Natives were not vigorously prosecuted. However, cases of public drunkenness resulted in jail

sentences as long as six months (U.S. Commissioner, Bethel records). Furthermore, the Bethel marshall maintained a blacklist of known drunkards. Those who sold to persons on the blacklist or who themselves were on the list and drank were prosecuted.

Villages continued to mete out their own justice, supplemented with periodic visits by the U.S. marshall and territorial police who concerned themselves with supporting the council and with arresting persons charged with violent crimes for transport back to towns for justice.

When statehood was obtained, Native Alaskans had been legally granted the right to purchase and consume liquor for six years. However, prohibitionist opinion dominated the villages and towns were marked by vigorous enforcement of laws against drunken behavior, particularly drunken behavior in public by Native people.

Such was the inherited legal tradition of Alaska on the subject of alcohol control in rural Alaska.

Implications for Our Study

This brief review of the legal experience of Alaska Natives with liquor and the law is revealing in several regards.

It appears that there has been no period of white contact in which legal authority by statute and by practice has not concentrated upon alcohol use by Natives. Consistent also has been the social belief conveyed through legal practice that Alaska Natives cannot be expected to "hold their liquor," that liquor use leads to uncivilized conduct requiring special attention not necessary for the non-Native population.

Along with the introduction of liquor has come role models of drunken mayhem, offered to Alaska Natives by the American military, whalers, sourdoughs and other derelicts from white civilization. The contrasting role model has been one of steadfast prohibition offered up by teacher-missionaries and by government personnel (although the conduct of bureaucrats on the frontier included both abstention and alcohol abuse).

Craig McAndrew and Robert B. Edgerton (1969) propose

[A]s an alternative to the disinhibition theory of alcohol's workings, that in the course of socialization persons learn about drunkenness whatever their society presumes to be the case; and that, comporting themselves in consonance with what is thus imparted to them, they become the living confirmations of the society's presumption (McAndrew and Edgerton, 1969:136).

Although they do not explore the role of law as it affected drunken comportment among American Indians, they do explore the historical literature of white observers of Indian society (as we have) in order to test their formulation on the American social belief that "Indians can't hold their liquor."

They conclude that "Indians of this continent took as their exemplars of alcohol's effect on comportment the drunken doings of the very white men who introduced alcohol to them" (McAndrew and Edgerton, 1969:id.).

Alaska Natives' experiences with riotous non-Natives, whose "time out" behavior while drunk was markedly different from their more disciplined behavior while in the military ranks or before the mast must have left an impression upon them.

McAndrew and Edgerton look, in addition, to certain misconceptions which characterize reports of early observers and colored their beliefs about alcohol and its effect on American Indians. Chief among these

was the notion that but for alcohol Indians had no intragroup violence; they were the "noble savages." Another notion was that they had no "time out" behavior, periods when members of their group could "let off steam" without fear of retribution.

Both ideas were erroneous for American Indians generally and for Alaska Natives. Alaska Natives suffered intragroup and intergroup violence before their contact with whites and alcohol according to most ethnographers. Fights over women, for example, were not unknown. Each group had developed a system of law ways both to avoid violence confrontations and to deal with problems when they occurred.

"Time out" behavior, or behavior which would otherwise be unexcused, also existed. McAndrew and Edgerton note that, "[T]he Indian's precontact cultures already contained an ample array of time out ceremonies and supernatural agents (e.g., witchcraft, dreams, spirit possession, etc.) under whose 'influence' a man became less than strictly responsible for his actions" (McAndrew and Edgerton, 1969:148-149).

Such was also the case for Alaska Native groups. Much has been written, for example, about Arctic hysteria among Northern Eskimos (Foulks, 1972). Just as non-Natives honor the state of drunkenness as an excuse (within limits), or at least an explanation for otherwise inappropriate behavior, so Western law repeatedly reacted and continues to react to behavior by Natives while drunk as an excuse or, at least, an explanation for deviant act.

In another paper, the author (Conn, 1977) points to the oft heard separation of the sober person and the drunk person when conduct of Natives is assessed within the social group. Because, for example, Eskimo law ways was a sophisticated system of social

cues, being crazy with drink meant that the normally well-behaved person could have explained or excused behavior which "tuned-in," that is to say, rational persons would not engage in.

White Law and Native Law

Native law ways were if anything more pervasive and more sophisticated than the white law introduced by Native police, liquor agents and others. Native law was interrelated to family groups, status and ongoing relationships. The particular harmful effect of the introduction of liquor and occasional white legal presence preventing its use was that intoxication and white law wiped out opportunities for Native law to develop means to contain drinking behavior.

The message of white man's law was that without its preventive effects, nothing could be done.

Viewing the use of alcohol from a modern perspective, Foulks comments:

Using alcohol rather than assuming some other symptom such as depression is often seen in individuals whose culture has conflicting values regarding the use and place of alcohol (Chafetz, 1969:1013). Many natives in Alaska overtly condemn the use of alcohol and at the same time demonstrate an unusual fascination and pre-occupation whenever the topic of alcohol is brought up in conversation. Thus, when one drinks, one does so with conflict and guilt. Reportedly such circumstances enhance the potential of the individuals turning to this troubled psychophysical pattern in times of stress or malaise. This disorder represents the commonest psychiatric problem now experienced by the Alaska native (Foulks, 1972:126).

The conflict and guilt which Foulks describes may have its basis in the disempowering effect of Western alcohol control law over a period of more than 100 years and in its socializing effect.

Alaska Natives and other American Indians were taught by often well-meaning people that once "under the influence" of alcohol, they were incapable of controlling their own lives and their own destiny. Only white man's law could save them from themselves.

The problems experienced by some Alaska Natives today reflect more than comparable problems faced by non-Natives with alcohol, because the message of Russian, territorial and, finally, state law has been that because of their "special" propensity to disintegrate socially under the influence of alcohol, Alaska Natives must defer to Western control.

Whether this message was true or false a century ago, its reoccurring educational effect has left a bitter legacy for Alaska Natives, American Indians generally and, in fact, for many other indigenous people throughout the world subjected to Western colonialism.

Compared to it, social scientific explanations of modern day problems with alcohol among Alaska Natives as the result of external factors such as oil development, threats to subsistence, inappropriate education, or internal factors such as child rearing, disproportionate adult-child ratios, etc., all become secondary to the larger social message conveyed to Natives regarding alcohol.

Alcohol control law in rural Alaska taught Natives to lose faith in their own power as individuals or as groups to control and shape their own destiny.

No greater harm could be done to any person, any group or any culture than to encourage it to lose faith in itself.

That Alaska Native people have not lost faith is a tribute to their tenacity.

FOOTNOTES

1. The federal prohibition of the sale of intoxicants to Indians first appeared in the Intercourse Act of 1802 (Act of March 30, 1802, ch. 13, sec. 21, 2 Stat. 139, 146). As 25 U.S.C. Secs. 241-50 was repealed by the Act of June 25, 1948, ch. 645, sec. 21. 62 Stat. 683, 862. Thus, prohibition of sales to Alaska Natives was a policy inherited as a portion of the "received" Indian law doctrine of the contiguous United States. See Felix S. Cohen, "Indian Liquor Laws" in Handbook of Federal Indian Law (1942) pp: 352-357.

However, peculiarities in the legal status of Alaska Natives (and the territory of Alaska) determined that, according to Cohen, "Alaska [was] not covered by the [national] Indian Liquor Laws" (Cohen, 1942:357). Congress passed special legislation on liquor for the territory, including a grant to control liquor traffic to the territorial legislature. Act of April 13, 1934, 48 Stat. 583, 584.

Cohen summarizes the Alaskan situation as follows:

The Act of July 27, 1868, 15 Stat. 234, 241, R. S. § 1955, gave the President power to regulate importation and sale of distilled spirits in Alaska. Four years later the case of United States v. Seveloff, 27 Fed. Cas. No. 16252 (D. C. Ore., 1872) decided that Alaska was not Indian country and that the special Indian liquor laws did not extend to the new territory. In the following year, Congress extended the Indian liquor laws to Alaska by the Act of March 3, 1873, 17 Stat. 510, 530. Again by the Act of May 17, 1884, 23 Stat. 24, Congress prohibited importation, manufacture, and sale of intoxicants to all of Alaska and its inhabitants. This measure was amended by the Act of March 3, 1899, sec. 142, 30 Stat. 1253, 1274, to limit the prohibition to selling to Indians.

As amended by the Act of February 6, 1909, 35 Stat. 600, 603, the Act of 1899 remains in force [in 1942]. In answer to the question of the Secretary of the Interior as to whether the Indian liquor laws apply to Alaska, the Acting Solicitor of the Department of the Interior in 1937 gave his opinion that they do not. His opinion reached the following conclusion:

It is evident, therefore, that Congress did not regard those provisions i.e. the Indian liquor laws, as having application to the natives of Alaska; otherwise, the enactment of section 142 above [30 Stat. 1274] would not have been necessary. That the territorial legislature entertained a like view is shown by the fact that it has also seen fit to deal specially with the subject of liquor control among the Alaska natives (see section 4063, Compiled Laws of Alaska, 1933). In any event, the enactment by Congress of a special liquor law for the natives of Alaska makes the general enactment found in Section 241 [25 U.S.C.] locally inapplicable (Op. Sol., I.D., M.29147, May 6, 1937, pp. 18, 19) (Cohen, 1942:357).

The federal and territorial statutes in Alaska, however, had the same doctrinal content and were repealed at the same time that federal legislation on Indian liquor control passed from the scene.

As will become apparent, however, control on Native drinking as articulated by statutes passed through several periods when statutorially and theoretically the entire Alaska population was barred from the importation, consumption or use of intoxicating beverages.

2. Evangeline Atwood writes that the mining camps voted two to one in favor of prohibition, [T]his disproved the campaign argument that the roughneck and freedom-loving workmen could not be procured to take out the gold in interior Alaska mines if 'the lid was on' (1979:310). What it may have proved was that the belief was widely held that the new prohibition would not be directed against white men.

Atwood describes many irregularities which may have contributed to the lopsided margin:

Military personnel stationed in the territory were not eligible to vote, yet they did; Eskimos and Indians who were not American citizens had voted; second division voters were not required to register, as they were elsewhere; individuals voted in districts where they did not have legal residence; technically, hundreds of ballots could be declared void, depending on who made the determination; if wholesale voiding of ballots was resorted to, it could be anyone's race.

At Ouzinkie the natives used Democratic sample ballots instead of official ballots and their names appeared in the registry in the same handwriting. At Tanana, a small trading post at the confluence of the Yukon and Tanana Rivers, 145 votes were cast, which was proof that the soldiers at Fort Gibbon had voted, though ineligible to do so. At Utica, where Wickersham won a plurality, the Democratic officials claimed the election was illegal because official ballots were not used. At Susitna, where Wickersham got every vote, the United States commissioner was replaced eight weeks later (1979:310).

3. I suggest further legitimization because the work of village councils established by teachers and missionaries which involved enforcement of village ordinances could be said to have been made legal by territorial legislation that allowed communities which had no judge or U.S. Commissioner to employ their city councils as police courts.

LIQUOR TRAFFIC AMONG THE NATIVES.

The work of the special employees for the suppression of the liquor traffic among the natives of Alaska during the fiscal year has been noteworthy, first, because of the number of cases that have been successfully prosecuted and the very apparent effect that their work has produced in a preventive way. This is apparent from the fact that there is less drinking of liquors by Indians and fewer cases of illicit manufacture of native intoxicants, and with it a decrease in the commission of other crimes caused by the liquor traffic among the natives. The number of arrests and convictions of offenders for crimes other than selling and giving liquor to Indians may be noted. These arrests were a direct result of the traffic and caused by it. While the average native takes to red liquor as naturally as a duck takes to water, it is worthy of note that there are many earnest and sincere natives who are real workers in the cause of temperance and sobriety among their people, and the drinking of intoxicants is discouraged, both by precept and example; and the efforts of these men are beginning to bear some fruit. Such natives cooperate with the Government special agents in their work of suppressing the traffic, and accordingly excellent results are apparent.

Four special employees were employed during the year, one in each of the four judicial divisions, their respective headquarters being at Juneau, Nome, Valdez, and Ruby. Each of these officers covers an extensive territory, and in the second, third, and fourth judicial divisions they frequently must make long journeys, both by land and water, with the means of transportation often slow and uncertain. They are required to make monthly reports to the governor's office showing their itineraries and the results of their work each day of the month. These reports show that a total of 66 persons were arrested by or at the instance of the special officers during the year. In addition to this number, cases were prosecuted upon evidence obtained by deputy United States marshals. Of the cases presented, 41 were in the first judicial division, six in the second, 20 in the third, and 17 in the fourth. The charges preferred against the several defendants, and the disposition made of the cases in the first judicial division are as follows:

Furnishing liquor to natives (prosecutions under the Federal statute).—Two persons arrested and dismissed upon hearings before commissioner for lack of evidence; one dismissed upon hearing because of failure of complaining witness to appear; one case taken direct to grand jury, which failed to indict; two bound over, indicted, and found not guilty upon trial in district court; three bound over, indicted, found guilty, and given two months each in jail; three bound over, indicted, found guilty, and given three months each in jail; two bound over, indicted, found guilty, and given four months in jail; two bound over, indicted, found guilty, and given five and six months, respectively, in jail; one bound over, indicted, found guilty, and given two years in the penitentiary.

Giving liquor to Indians (prosecutions under chapter 51, Session Laws of Alaska, 1915).—One discharged upon hearing before commissioner owing to lack of evidence; one (Chinese) pleaded guilty and was fined \$200; one pleaded guilty and was fined \$150; one (native) found guilty and given two months in jail; four found guilty and given three months each in jail; four found guilty and given 100 days each in jail; one found guilty and given four months in jail; three found guilty and given jail sentences of 200, 250, and 260 days, respectively.

Drunk and disorderly (prosecutions before the municipal courts of Juneau and Ketchikan).—Seven natives were successfully prosecuted; one was given a jail sentence of five days, one was fined \$15, two were fined \$20 each, two were fined \$25 each, and one was fined \$75.

The special officer in the first division performed a large amount of patrol and investigation work during the year, which was fruitful of results in preventing violations of law and in preserving order in outlying communities not usually visited by regular peace officers.

Six arrests were made by the special officer working in the second judicial division during the fiscal year; five of the defendants were bound over to the grand jury, one defendant being released upon a hearing before the United States commissioner. The grand jury returned true bills against four of the defendants, who were bound over to await its action and a not true bill as to the other one. Upon trial the four persons indicted were found guilty; one was fined \$100 and one was sentenced to three months in jail; one was sentenced to a year

and one to 15 months in the penitentiary. This officer also did a large amount of patrol and investigation work throughout his division during the year, traveling several thousand miles, both by steamer and by dog team.

Twenty persons were arrested by or at the instance of the special officer in the third judicial division during the fiscal year. The charges brought against the several defendants and the disposition made of their cases were as follows:

Assault with deadly weapon.—One white man bound over and case awaiting action of grand jury at the end of the fiscal year.

Furnishing liquor to natives (prosecutions under the Federal statute).—One white man bound over, indicted, pleaded guilty, and sentenced to one year in the penitentiary; one Japanese bound over, indicted, found guilty, and sentenced to one year in the penitentiary; one native bound over, indicted, found guilty, and sentenced to 130 days in jail; three white men, one Japanese, and one native bound over and cases awaiting action of the grand jury at the end of the fiscal year.

Giving liquor to natives (prosecutions under chapter 51, Session Laws of Alaska, 1915).—Three natives were convicted before the United States commissioner and sentenced to 60 days each in jail; one native was convicted and a fine of \$120 imposed, which was served out in jail at the rate of \$2 per day; two white men were convicted and sentenced to four months each in jail; one was convicted and sentenced to six months in jail; one was convicted and sentenced to three months in jail; one was convicted and sentenced to two months in jail, and one was convicted and sentenced to one month in jail.

Selling liquor without a license.—One white man convicted before commissioner and fined \$500.

The special officer for the third judicial division performed a large amount of patrol and investigation work in the district during the year and much good was accomplished in this way.

In the fourth judicial division 17 persons were arrested by or at the instance of the special officer during the fiscal year. The charges brought against the several defendants and the disposition made of the cases were as follows:

Assault.—Two natives found guilty upon hearing before the commissioner and sentenced to 60 and 90 days, respectively, in the Federal jail.

Attempted rape.—One native bound over to the grand jury, indicted, found guilty upon trial in the district court, and sentenced to 12 years in the penitentiary.

Disorderly conduct.—Two natives found guilty before the commissioner and fined \$25 and costs and \$10 and costs, respectively.

Disturbing the peace.—Two natives found guilty before the commissioner and fined \$30 and costs each, the fines being served out in jail.

Furnishing liquor to natives.—Two natives arrested, but dismissed upon hearing before the commissioner and held as witnesses in a case against a white man; two white men bound over to the grand jury and awaiting action of that body at the end of the fiscal year.

Purchasing moose meat in the close season.—One white man found guilty before commissioner and fined \$200.

Rape.—One native bound over to the grand jury, indicted, found guilty upon trial before the district court, and sentenced to a term of 10 years in the penitentiary.

Selling moose meat in the close season.—One native, dismissed upon hearing before the commissioner.

Selling liquor without a license.—One white man found guilty before the commissioner and fined \$100 and costs, the same being served out in jail.

Sending poison through the mails.—One white man bound over to the grand jury, indicted, found guilty upon trial before the district court, and sentenced to a term of two years in the penitentiary.

Vagrancy.—One white man found guilty upon hearing before the commissioner and sentenced to 100 days in jail.

TERRITORIAL OFFICERS.

I have to renew the recommendation contained in the last two annual reports of this office that the offices of the surveyor general and ex officio secretary of Alaska be segregated and that an annual appropriation be made for the maintenance of the latter office. There is nothing in common between the work of the offices as at present conducted, and the needs of the Territory require that the surveyor general shall give undivided attention to that office. With the promised extensive development of Alaska and the increase of population the office of the secretary of Alaska will become more and more important. For the present it might be attached a bureau of immigration and industrial statistics, two lines of endeavor of vast importance to the Territory not only in the immediate present, but in the future as well. The same office might also assume the duties of registrar of vital statistics, an office created by the Territorial legislature, which is now being filled by the surveyor general as ex officio secretary of the Territory. He receives fees to the maximum amount of \$2,500 a year for services rendered the Territory in connection with his duties as secretary of Alaska and as registrar of vital statistics. It may be added that Congress has never made any provision for the maintenance or equipment of the office of the secretary of Alaska. The offices of the Territorial treasurer and Territorial inspector of mines were created by the legislature, session of 1913, these officials being appointed by the governor for a term of four years. The office of the attorney general was created at the 1915 session of the legislature. The office is elective and will be filled at the general election in November, 1916. The treasurer of the Territory receives a salary of \$4,000 a year; the Territorial mine inspector \$3,000, with an expense allowance of a like amount; and the attorney general will receive a salary of \$5,000 per year. There are also four road commissioners, one in each of the four judicial divisions, these officials being elected for the term of two years.

PUBLIC BUILDINGS.

In 1910 Congress authorized the erection of a public building at Juneau, the capital of Alaska, to cost, with the site, \$200,000. A site was purchased at a cost to the Government of \$22,500—an excellent

ARRESTS by Special Officers, Fiscal year ended June 30th, 1925.

	Arrests	Convictions.	Fines	Jail Sentences aggregating	Bail	Brought to Grand Jury	Appealed to District Court
Claude Shea (resigned): July 1, 1924 to March 31, 1925.	*29	27	\$7850-	5 years 5 months 5 days (17 cases)	\$2000-	3	0
Hugh P. Allen Apr. 1, 1925 to June 30, 1925.	1	1	(Released by Judge with promise that he go home.)		-----	0	0
Robert James	17	12	\$3400-	3 years (6 cases)	\$1650-	6	1
L. E. Seneff	**10	8	\$118-	7 mo. 15 days. (3 cases)	\$3500-	**2	0
L. E. Wilson.	**18	17	\$1840- and costs.	1 yr. 20 days. (7 cases)	\$3500-	3	0
W. Jackson	6	4	\$95-	0	-----	0	0
TOTAL	61	69	\$13,303-	10 yrs. 1 mo. 10 days. (34 individual cases)	\$10,650-	14	1

- * Of these arrests, one was made for possession of 2 sea otter skins. Plead guilty; and One case ordered to leave the country.
- ** Of these arrests there were 2 cases pending June 30th, 1925.
- ** Of these arrests, two were made at Petersburg for violating game laws, having deer in their possession. Fined \$100 each and costs.

NOTE: This report does not include arrests made in assisting U. S. Marshal's Office.

TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

Tanana, Alaska, July 1, 1930.

GOVERNOR'S OFFICE

Hon. Geo. A. Parks,
Governor of Alaska
Juneau, Alaska.

NOTE:- Second Division Report of
arrests listed on page 7.

Dear Sir:

I have the honor to submit herewith my annual report as special officer for the suppression of the liquor traffic among natives in the Fourth division of Alaska, for the fiscal year ended June 30, 1930.

A good gas boat with a house on it, where an officer could make his home during the summer season while patrolling the waters of the several rivers in the division, would do much in putting an end to the liquor traffic and drunkenness among the natives. The Indian like the white man throughout the Fourth division of Alaska, has become adept in the ways and means of screening himself from the eyes of the law, by hiding his illicit distillery in secretive places, where the officer would hardly be expected to visit or look for distilleries. The whiskey once made, is cached in secluded spots and not drawn on, until wanted for sale or drunken parties. These places being off of the regular route of travel and out of sight and ear shot, the officer in search and travel on hurriedly trip; will most likely overlook them. If it were possible for the officer to remain some length, at these places and make a careful search, where liquor conditions are known to be notorious; there is no doubt but what his efforts would be rewarded by arrests and convictions.

The following is a report of liquor conditions where I have visited or otherwise obtained through substantial sources,

Yukon River Section:-

Circle:- For a small place, I considered conditions bad. The several arrests which I made during the spring of 1929, should improve matters, however, Circle should be visited again during the spring of 1931, in order to hold it in check.

Fort Yukon:- Conditions among the natives are fair, considering the large native population, but there are a number of illicit stills known to be scattered in and around that section of the country. The natives on Salmon River, are reported to be drinking heavy. In order to get results, one should remain there for a month.

TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

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Beaver:- Conditions not bad, however, there are some liquor made and drank in a small way. One white man has been reported to make "moonshine" whiskey and sell it to all that wish to buy it, and some three natives have stills, they are said to be making for their own use and not selling much if any.

Stephen's Village:- Conditions not good. The natives, a number of them are said to have real copper stills, and some of them are making "moonshine" whiskey for the market. Considerable drunkenness have been reported, since my last visit. If it were possible for an officer to drop in there at the right time, he nodoubt be able to clean the place up in good shape. To do this would mean a gas boat trip either out of Tanana or from Circle down stream. The latter preferable.

Rampart:- Conditions are pretty good. One white man and about two natives are about all that are said to be making, which is in a very small way.

Tanana:- Conditions are good. The liquor that reaches this place, is brought in from a distance, however some drinking at times are noticed among the natives, but this is not frequent.

Kelland:- A couple of white men have been reported to be making "moonshine" whiskey in a small way, and some of the liquor has been reported to have been sold in Tanana, however the signs are not noticeable.

Kokrines:- Conditions have improved some, but at that it is far from being good. One white man has been reported to be making beer and selling to natives, and about all of the natives make liquor in some form and drink it. They are a bunch of drunks.

Ruby:- Conditions good. One man is said to be making beer and selling it to white men, however, some of the natives along the river in that vicinity make "moonshine" whiskey for their own use, but in the whole the out put is very limited, and a drunken person is seldom seen.

Kuyokuk Station:- Conditions not good, a great many of the natives, are reported to be making "moonshine" whiskey and drunkenness is said to be in vogue.

TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

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Nulato:- Conditions are not the best, a great many of the natives are making "moonshine" whiskey and drinking heavy, however they keep under cover pretty well. They do most of their drinking while on their trap lines and not so much as heretofore at their fish camps.

Kaltag:- Conditions bad, as the natives like Nulato and Kuyokuk Station, make liquor and get drunk quite frequently.

Anvik:- Conditions fair. Some of the natives here make whiskey and sourdough mash, but that section is not so bad as in and around Nulato.

Holy Cross:- Conditions good, taking it as a whole among the natives.

Shageluk Slough Country:- Conditions bad, but have improved a lot over two years ago.

Russion Mission:- Conditions very good. None of the natives here are said to be drinking or making.

Marshal:- Conditions not bad, but conditions are said to be bad in and around the South mouth of the Yukon extending down stream to Old Hamilton. Sourdough mash is what is made in this section by the natives. This is ofcourse in the Second division.

Galena:- Fifty miles below Ruby. Conditions fair, but some of them make whiskey and are considered to be heavy drinkers.

Koyukuk River section:-

The lower end of the Koyukuk River, during the trapping season, where the Nulato and Koyukuk Station natives go to trap, for about 200 miles up stream, is not good, here is where they operate their tin-can stills, and there is much drinking and drunkenness. The summer time, is different as most of the natives are on the Yukon River fishing, and this part of the river is almost depopulated.

Wiseman:- Conditions, just fair. One white man is claimed to be operating a still and selling to both natives and whites. The natives themselves, do but very little distilling liquor, some make beer, however there is some drunkenness among them. aside from this, nothing has been reported.

TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

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Tanana River Section:-

Chena Village:- Conditions not good. The natives buy their whiskey in Fairbanks, and drink it at the village. None of the natives here, make whiskey, but there is two known bootleggers in that vicinity that makes whiskey and sell it to them occasionally, but most of their product is sold in Fairbanks.

Nenana:- Conditions fair, however the natives drink whenever they can buy it, but the bootleggers are getting pretty well thinned out. The natives here are hard drinkers, but very few of them make whiskey, some of them make beer. The natives here must be held in check, in order to keep them away from the distilling of whiskey, of which they are apt to do at anytime.

Minto Village:- All of the natives drink heavy, they buy it from outlying places, very few if any are making whiskey, but some are making beer.

Tolovana:- Conditions good. No distillery here, what liquor there is, comes in from other places.

Hot Springs:- Conditions bad. Three white men reported making "moonshine" whiskey and selling it to Natives as well as white men. Considerable of drinking going on at Hot Springs. One native near Dugan Creek is said to make whiskey and sell it to natives. Most of this native's whiskey is disposed of along the river at Tolovana and Minto Village. I have searched both this native's place and the white men's, but for the last two years, I have had little success.

Cochamet Village:- Conditions not bad, some beer has been made there and one native is said to be making whiskey, but there is very little drunkenness.

Kantishna River Section:-

A number of white men have been reported to be making whiskey and selling to natives. The entire river should be patrolled. Some of the natives are also making whiskey and beer, but, they are also scattered from one of the Kantishna River to the other. I visited this section some years ago and found several stills, one being a 40 gallon still, but was unable to connect the owners of the stills and of course made no arrests.

TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

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Kuskokwim River Section:-

Good News Bay country:- Conditions bad, the natives here are making sourdough mash, and drunkenness is reported to be everywhere; there is also several white men said to have stills and they sell to the natives and trade the whiskey to them for fur etc.

Bethel:- Conditions good. A few white men are claimed to be making whiskey for sale.

Akiak:- Conditions among the natives are pretty good, however some two or three white men have been reported to be distilling whiskey, and there is times when some of the natives have known to be drunk.

Ohogomute and up stream to McGrath, all of the natives, are reported to be a drunken bunch. Sourdough mash, is what the natives are making and drinking. The still outfits are found around McGrath and Tacotna, which are in the hands of the white man, some of this liquor I am told is sold and traded to natives.

During the fiscal year just ended I have traveled by railroad, steamer, gasoline launch, horse team, dog team, row boat and by foot miles, investigated more than 200 cases in connection with the liquor traffic, made arrests, procured convictions, paying fines, with jail sentences, assessed fines aggregating some \$ total time served by all prisoners combined years, seized illicit stills, about gallons "moonshine" whiskey together with quantities of mash for the manufacture of whiskey; all of which was destroyed after trial and conviction of each case.

The following are the names of persons arrested by me, showing fines and jail sentences imposed on them during the fiscal year ended June 30, 1930.

1 Joe John, (Indian) Tanana, Alaska, arrested July 5th, for violating the Alaska Dry Law, convicted July 6th, fined \$50.00 which he paid.

2 Mike Nicolai, Tanana, Alaska, also a native, arrested July 5th, for violating the Alaska Dry Law, convicted July 6th, fined \$50.00 which he paid.

THE TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

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- 3 Joseph Nicolai, (Native) Tanana, Alaska, arrested July 5th, convicted July 6th, fined \$50.00 for violating the Alaska Dry Law, fine was paid.
- 4 Abraham Hunter, (Indian) Tanana, Alaska, arrested July 5th, for violating the Alaska Dry Law. Sentenced July 6th, sentenced to 30 days in jail and to pay a fine of \$60.00, fine was paid.
- 5 Zacharia Reece, (Indian) Tanana, Alaska, arrested July 5th, convicted July 6th, sentenced to 5 days in jail and to pay a fine of \$60.00, fine was paid.
- 6 Joe Landers, Ruby, Alaska, arrested July 23rd. for haveing in his possession 1, 30 gallon still set-up and in operation together with 10 gallons of whiskey and 250 gallons of whiskey mash and other paraphernalia for the manufacture of "moonshine" whiskey, in violation of the Alaska Dry Law, entered a plea of guilty the same day of arrest and was sentenced to serve 3 months in jail.
- 7 Andrew Pilot (Native) Koyukuk Station, Alaska, arrested August 2nd, for haveing a still in his possession, mash and 2 qt. bottles of "moonshine" whiskey, convicted under the Alaska Dry Law, August 3rd, sentenced to 3 months in jail and to pay a fine of \$50.00, fine paid.
- 8 Mathew Charles, (Native) Koyukuk Station, Alaska, arrested August 2, for haveing a still out complete in his possession together with mash and "moonshine" whiskey, sentenced August 3, to 2 months in jail.
- 9 Julius Negolsa, (Indian), Koyukuk Station, Alaska, arrested August 2nd for haveing a complete still outfit in his possession together with "moonshine" whiskey and mash, entered a plea of guilty under the Alaska Dry Law, August 3rd, and was sentenced to serve 60 days in jail.
- 10 Sarah Yaska, (Native) Tanana, Alaska, arrested September 3rd for being drunk and disorderly, fined \$10.00 which she paid.
- 11 Joe John, (Indian) Tanana, Alaska, arrested Sept. 3, for being drunk and disorderly, entered a plea of guilty Sept. 4th, and was fined \$10.00 which he paid.
- 12 Oscar Emerson, Tanana, Alaska, arrested March 7th, for selling intoxicating liquor to indians, tried and convicted same day of arrest, sentenced to 4 1/3 months in jail.

TERRITORY OF ALASKA

PROTECTION OF GAME SUPPRESSING TRAFFIC IN INTOXICATING LIQUORS

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- 13- George Bailey, Tanana, Alaska, arrested March 7th, for selling intoxicating extracts to natives, arraigned same date of arrest, entered a plea of not guilty, released on bond of \$250.00 for his appearance in local court March 10th. The case was dismissed without prejudice, there being not sufficient evidence to warrant a jury trial.
- 14
2nd. Divn. --- Jake Topolsky, Nome, Alaska, arrested June 23rd, for having a still complete and three gallons of whiskey in his possession; on June 24th entered a plea of guilty for possession and was fined \$300.00 which he paid.
- 15- John Swedeman, Nome, Alaska, arrested June 26th, and John Wagner for having a large distillery together with large quantity of whiskey in their possession, found at their still house, which is located by following a well broken trail from their living quarters direct to said still house. This still outfit is acknowledged to be the largest of its kind in the Nome district. The trial of which has not come up, and further details of it will appear in next years business or 1931.

The summary of my work is as follows:

Miles traveled.....	5190
Arrests made.....	16
Convictions secured.....	13
Cases still pending.....	2
Persons paying fines only.....	5
Persons paying fines with jail sentences.....	4
Persons serving jail sentences only.....	4
Jail sentences suspended.....	1
Stills seized and destroyed.....	10
Whiskey seized and destroyed.....	40 gls.
Mash seized and destroyed.....	1448 gls.
whiskey seized but not destroyed.....	52 gls.
Fines Imposed.....	\$640.00
Total Jail sentences combined.....	16½ mo.

All intoxicating liquors, mash, whiskey, stills together with the paraphernalia for the manufacture of the same was destroyed at time of seizure or after trial/conviction of each case. The Swedeman and Wagner case's are pending in court, therefore, all evidence is being held. All of which is respectfully submitted.

H. E. Leneff
Special Officer.

TERRITORY OF ALASKA

Suppression of the Liquor Traffic in Alaska

Tanana, Alaska,
July 1, 1933.

Hon. John W. Troy
Governor of Alaska
Juneau, Alaska

Dear Sir:

I have the honor to submit to you an annual report of my activities and findings as special officer for the suppression of the liquor traffic among the Natives in Alaska, showing conditions effecting the Fourth and Second Divisions for the fiscal year ending June 30th 1933. Also as a, Special Agent.

The following is a report of the liquor situation and drunkenness among the natives in the districts that I have visited, obtained through correspondence or by persons whom I met and conversed with.

Conditions Kantishna River

I have not visited the Kantishna River district for a number of years, but in talking to a number of white men that are trapping in that district, I would say that conditions as to the liquor situation among the Natives, are quite good, everything considered, however there are a number of illicit stills operated by white men living on the Kantishna and one or two of them have been reported as selling "moonshine" whiskey to the Natives - no drunkenness among the Natives, have been reported to me from this district this year.

Nenana River Section

Kobe and along the Alaska R. R. to McKinley Park: White men operate distilleries in a small way, one outfit was reported to be operating in the vicinity of Kobe Station, section, two at Healy, another near the Healy coal mine's and two or three in and around McKinley Park district - some of this liquor I am told does reach the Indians.

Tanana River Country

Nenana:- Illicit distilleries are being operated here by the white men and all of them sell to the natives. Conditions for drunkenness among the Indians has always been bad enough here, and when the Natives have money, they can always buy intoxicating liquors from the bootleggers - about two of the natives in this district is said to operate illicit stills at times, but none of the natives are said to be selling it.

Minto Village:- Conditions are not bad here, however, all of the Indians, will get drunk when ever they have enough of money to buy from the white man.

Tanana River continued

Minto Village continued:- The bulk of the liquors drank by the natives here, comes from Nenana, where they buy it and trade their fur to the white men bootleggers. Infact Nenana is quite a source of supply for the natives to buy and trade for intoxicating liquors. Some of this liquor reaches the natives for some forty miles up the Tanana River, taking in Wood River Village, and down stream to the mouth of the Kantishna River - the Chena Village Indians buy their whiskey and beer from Fairbanks.

Tolovana:- No Indians here to speak of and what liquor they get, is claimed to come from Nenana. Dugan Creek, one native operated still near here, but is now in jail facing term in penitentiary, however, some liquor from Hot Springs finds its way to most of the camps along the Tanana.

Hot Springs:- (Manley) Ever since the marshal's office has been discontinued at this place, distilleries and white men bootleggers are doing lots of business - I destroyed two large "moonshine" plants here last fall - my previous reports will show that in the past that I have arrested and convicted most of these fellows, but they will not quit - Indians can buy liquor from them, and they do - several persons here burned to death in their cabins, while others froze to death from drinking whiskey bought from these bootleggers. - my movements last fall was ~~was~~ rushed to the men in their distilleries, before I could reach them.

Tofty:- Just one white man operating still here, I got his distillery last fall, but missed getting him, as he too was notified by phone - his whiskey, lots of it reaches the Indians - some years ago I picked him up in his distillery - he was fined \$500.00 which he paid.

Coschacket Village:- Natives buy their liquor from Hot Springs - some beer made here by the natives, but on a small scale.

The Yukon River

Eagle:- Conditions are very good, no liquor violations among the natives reported here.

Circle:- Conditions fair, some beer made and one native said to operate still once in a while, while on trap line - some intoxicating liquor reported to reach the Indians here over the Steese Highway from Fairbanks.

Fort Yukon:- Conditions not so good here, the natives are making beer and some whiskey, and a number of the white men operate stills, some give to natives while others sell it to them - a good time and about the only one is to pick them up out on their trap lines, thats the time they distill whiskey - some of the natives make intoxicating liquor in their fish camps - useless to try to catch them right after the ice goes out in the spring. one illicit still destroyed here.

Yukon River, continued

White Eye:- It is said that whiskey is made here at times by a white man and sold in Fort Yukon, I looked the camp over here last spring, but found nothing in the way of any intoxicating liquors or no signs of any liquor being made on the premises.

Beaver:- Moonshine whiskey is said to be made here in a small way at times ~~but~~, both by the Indians and about two white men, however, there has not been much drunkenness reported in this district.

King Slough Village:- Small Village of Natives lives here, no drunkenness reported at this place and there is no violations around Moose Island committed, in the way of intoxicating liquors being made or sold.

Stephen's Village:- There is both "moonshine" whiskey and intoxicating beer made at this place by the Natives, and at times there is quite a bit of drunken natives - it is a hard place to get in to, as it is so far away by itself, and to get there, when the natives has the liquor or on a drunk, is another thing, that is not easy to do. (Two stills destroyed)

Rampart:- Conditions are pretty good, however there is about one white man that makes whiskey sometimes and about two or three natives and half blood natives that operate stills or makes beer, but it is reported to be on rather a tame order and no big drunken parties.

Tanana:- Some beer made here among the white men and the natives can buy it from them, also some "moonshine" whiskey is made during the freeze-up and when the ice is running, down stream from Tanana, in or around Grant Creek and Kallands - 3 arrests and convictions here this winter - one for beer and the other two for "moonshine" whiskey violations (white men) but convicted for selling and giving intoxicating liquor to Indians. Rather the giving of intoxicants to a Native, was a bind over case to the Grand Jury.

Kokrines:- Is noted for quite a drunken place, made four arrests here last summer and had four convictions, one still outfit destroyed here - the natives here operate stills and make malt syrup beer and get drunk and fight among each other. Since these arrests conditions are said to be much better.

Ruby:- Conditions not so good, yet it is much better than Kokrines, 1 large still outfit destroyed here on my last summer's trip of the Yukon - no arrest made - no one with outfit.

Galena:- Conditions not so good here, but it is not so very bad either, however I stopped twice at this Village up and on my down river trip last summer and I found no liquor violations at that time, of course, the natives at least a part of them make "moonshine" whiskey and beer during the year and get on big drunks, but they try to have none around that an officer can find if they can help it.

Koyukuk Village:- Conditions not good, many of the Natives manufacture "moonshine" whiskey and make beer, and they are well known here as a drunken bunch of Indians. One Indian arrested here and convicted for manufacturing liquor and possession of intoxicating liquor.

Nulato:- Conditions not good, there is both "moonshine" whiskey and beer manufactured and sold here - the Indians a great many of them manufacture liquors and get drunk, and the jail usually has a native prisoner or two locked up in its cells, seldom is it empty.

Kaltag:- Conditions bad, the natives here have stills, make whiskey and beer - they are a drunken lot of Indians, of course not all the time, but a greatdeal of their time.

Anvik:- Conditions, pretty good so far as drunkenness among the Indians are concerned - it is at this point where the Shageluk Indians come out to the Yukon River to fish in the summer time, and they are a bad degenerated drunken lot of Indians. The time to get these fellows is when they are fishing on the Yukon River, or just before they go out trapping and hunting in the Fall, or after they come in from ratting in the spring in the Villages Holikachacket and Shageluk, on the Innoka River. (usually spoken of as the Shageluk Slough)

Holy Cross:- Conditions good, however, one 30 gallon still is said to be operated at times near Holy Cross on the Yukon River below Holy Cross - a white man is said to be the owner. He is married to a native woman.

Russion Mission:- The start of the 2nd, Division. Conditions are very good, none of the Natives are said to be manufacturing any intoxicating liquors of any kind soever, and there are no drunkenness there.

Marshall:- There is said to be some beer and whiskey both made by the natives and whites in this vicinity, so it has been reported to me by white men also natives.

Yukon River 2nd Division, cont.

The Villages around the South mouth of the Yukon and at Old Hamilton and vicinity and all along the Yukon from Marshal down in the fish camps of the Natives, it is a known fact that the natives are manufacturing a sourdough-mash and much drunkenness prevail among them, most of the time - some white men are said to operate stills and manufacture "moonshine" whiskey, and one man at least is said to be selling whiskey to the natives both for cash and their fur. This part of the Yukon River should be looked over for liquors and stills this summer or fall, anytime before the fishing season ends.

St. Michaels:- Some sourdough mash is made here and drank by the Natives, and some drunkenness is in evidence at times, however, it is not so bad as at the South Mouth of the Yukon or around Hamilton and vicinity.

The Nome and Behring Sea District:- The white men here are trafficking heavy with intoxicating liquors among the Indians and Eskimos, infact the bootleggers are very numerous all over this country, and most of the liquor that the natives consumes comes from the white man bootlegger - a few of the natives make some intoxicating liquors, but they buy most of it, at least that is my observation of the matter.

Kuskokwim River

Stoney River Village:- Conditions not good, one white man is said to be making here and selling to the Natives, and most of the Indians are making a sourdough mash and much drunkenness prevails in and around this village.

Sleetmute:- Conditions not good, lots of Natives manufacturing sourdough mash and much drunkenness prevails in and this village - no white man operating stills at this place.

Napamute:- Conditions not good in this Village or in the vicinity of Napamute - sourdough mash is the principal drink all along on the Kuskokwim River by the Natives.

Ohogomute:- Conditions not good, all or nearly all of the natives make sourdough mash and hold drunken parties, at their fish camps. One arrest made here.

Aniak Village:- Lots of sourdough mash made here and drank by the Natives, conditions not good. Two arrests made here, which was of the worst offenders.

Tulaksak Village:- Conditions quite good, very little drunkenness among the Natives in this village.

Kuskokwim River

Akiak Village:- Conditions, very good, so far as any manufacturing of intoxicating liquors are concerned by the Eskimos and Indians, but there are about two white men in this section that makes "moonshine" whiskey, and some of this whiskey gets to the natives.

Akiakchok Village:- Conditions very good, no intoxicating liquor made or drank here.

Bethel:- Conditions good, no intoxicating liquor made or drank here by the natives, and I know of no white man manufacturing liquor or selling intoxicating liquors.

Kokuk Village and around mouth of Kuskokwim River:- Conditions not good, practically all of the Natives(Eskimos) manufacture intoxicating sourdough mash and are very much of a drunken degraded bunch of natives - made one arrest here.

Good News Bay country:- Lots of Eskimos and lots of drunkenness from drinking sourdough mash - conditions are said to be very bad in this section clear around to Nushagak, which is of course getting into the Third Division. This section of the Koyukuk, rather Kuskokwim River, should be by all means visited this summer and well run out for intoxicants.

During the fiscal year just ended I have traveled by railroad, steamer, airplane, automobile, horses, gas boat and by foot 5167 miles, investigated over 200 cases in connection with violation of Liquor traffic among the Natives and miscellaneous investigations along the Alaska Railroad, made 11 arrests, procured 10 convictions, having 1 case bound over to Grand Jury, 7 with jail sentences, 3 paying fines, aggregating some \$400.00, total jail sentences, 1 year, 7 months and ten days, seized and destroyed 12 illicit stills together with intoxicating liquors and mash and all paraphernalia for the manufacture of intoxicating liquors, where found, or after trial and conviction of each case - liquor when used for evidence, was stored with the marshal's for safety.

The following are the names of persons arrested by me, showing fines and jail sentences imposed on them during the fiscal year ended June 30, 1933.

1 No.66 Julius Negolsa,(Native) arrested July 8, 1932 at fish camp, resident Koyukuk Village, Post Office, Nulato, Alaska, tried and convicted July 8, at Nulato, before Geo.T. Towne, U. S. Commissioner, sentenced to 6 months in Federal Jail at Nulato, crippled in hip, walks lame, age around 50 years - the charge was manufacture. Also selling to Indians.

2 Kyogan, (Eskimo) arrested July 24, 1932, at fish camp at Kokuk, Alaska, for possession of intoxicating liquor and for being drunk and disorderly, Kokuk, is at the Mouth of the Kuskokwim River. Tried and convicted at Bethel Alaska, before U. S. Commissioner, C. M. Link, July 25th, sentenced to 50 days in the Federal Jail at Bethel Alaska. Age about 27 years old, short built, about 5 ft. 4 inches tall and weighed about 150 pounds.

3 No. 96 Alexy Danjarak, (Native Indian) Aniak, Alaska, Kuskokwim River, arrested at his fish camp on August 5th, 1932, by warrant of arrest, charged with possession of intoxicating liquor and drunk and disorderly, tried and convicted before Geo. Morgan, U. S. Commissioner, on same day of arrest at Kalskak, Alaska, sentenced to 50 days in the Federal Jail at Bethel, Alaska.

4 No. 97 Kereala Ekumkaksluk, (Indian) Aniak, Alaska, Kuskokwim River, arrested August 5th, 1932, at his fish camp, by warrant of arrest, charged with possession of intoxicating liquor and for being drunk and disorderly, tried same day of arrest before George Morgan U. S. Commissioner, at Kalskak, Alaska, convicted and sentenced to pay a fine of \$100.00 which he paid.

5 No 292 Basil Cleaver, Kokrines, Alaska, arrested September 3, 1932, on the Yukon River, for violation of the Bone Dry Law, tried and convicted same day of arrest, before Wm. N. Growden, U. S. Commissioner, Ruby, Alaska, sentenced to serve 30 days in the Federal Jail at Ruby, Alaska. Native Indian, tall goes lame, slender, smooth shaved, age 41 years.

6 No. 293 James Johnson, (Indian) Kokrines, Alaska, arrested September 3, 1932, at Kokrines, for violating the Alaska Bone Dry law, tried and convicted same day of arrest before U. S. Commissioner, Wm. N. Growden, Ruby, Alaska, sentenced to serve 30 days in the Federal Jail at Ruby, Alaska. Age 23 years.

7 No. 294 Moses Williams, Native Indian of Kokrines Alaska, arrested September 3, 1932 for violating the Alaska Dry Law, tried and convicted same day before U. S. Commissioner, Wm. N. Growden, Ruby, Alaska, sentenced to 30 days in Federal Jail at Ruby, Alaska, age 26 years.

8 No. 295 Evan Hardluck, Kokrines, Alaska, (Indian) arrested September 2nd, 1932, for having illicit still outfit in his possession, whiskey and alcoholic mash for the manufacture of "moonshine" whiskey, tried and convicted before Wm. N. Growden, U. S. Commissioner, at Ruby, Alaska, for violating the Alaska Bone Dry Law and was sentenced to serve five(5) months in the Federal Jail at Ruby, Alaska.

9 No 42, Paul Fromming, Tanana, Alaska, was arrested here first on January 27th, for violation of the Alaska Bone Dry Law, being Case No.41, which was dismissed and Case No.42 filed under Chapter 51 of the Session Laws of Alaska 1915 was entered against him in U. S. Commissioners Court, and on February 1, 1933, Paul Fromming was again arrested and tried on the same day of arrest in Commissioners Court, Jessie M. Howard, U. S. Commissioner, by a jury, which resulted in a hung jury, 10 to 2 in favor of conviction - not being enough talisman in the district for a second trial, the U. S. Attorney of Fairbanks, Julian A. Hurley, ordered that the case be held and not dismissed, but to rearrest Paul Fromming and file another charge against him under Chapter 2022 Compiled Laws of Alaska, and bind him over to the Grand Jury, which was done on February 10th, 1933, under bond of \$1000.00 for appearance before said Grand Jury-sometime next spring - this Case was No. 43 - A. G. Vachon and George Lindsay was Fromming's bondsmen. It will be noticed that there has been three arrests in all, and that I am making one Case only out of it - one of these charges will be dropped against Paul Fromming in Fairbanks, by the U. S. Attorney, before the case comes up in court. Paul Fromming, is accused by John Larson, husband of Lucy Larson, a full blood Indian woman, of giving his wife, Lucy, intoxicating liquor to drink and getting her drunk on the evening of January 27th, 1933- I had Mr. Larson file the complaint against Paul Fromming and had S. E. Heeter, U. S. Deputy Marshal, serve the warrant, in order that I myself could legally prosecute the case, which I done. Paul Fromming served a year in the Federal Jail in the Second Division for violating the liquor laws, and later shot and killed two white men at Anchorage in his own house, for which he was acquitted by a Jury. Fromming has taken out his first Citizenship papers. He should never be allowed to get his Second papers - he's a bad actor and should be deported.

10 No.45 George Bailey, Tanana, Alaska, arrested at Tanana for possession of over 5 gallons of "moonshine" whiskey found in his place of business, under search warrant on March 18th, 1933 tried same day before U. S. Commissioner, Jessie M. Howard, entered a plea of guilty, and was fined \$150.00 which he paid.

11 George Lindsay, Tanana, Alaska, arrested March 18th 1933, for possession of intoxicating liquor, which was found in the pool hall, cigars and soft drink place, owned by himself and George Bailey, entered a plea of guilty same day of arrest for possession of "moonshine" whiskey, before Jessie M. Howard, U. S. Commissioner at Tanana, Alaska, and was fined \$150.00 which he paid.

(9)

During the month of June, I was assigned to miscellaneous investigations along the Alaska Railroad by J. A. Ramsey, Special Agent in Charge of the Division of Investigations, Anchorage, Alaska. For the large number of employees, from Seward to Fairbanks, employed by this railroad, I must say that I found conditions very good, taking it as a whole, from one end to the other of the Railroad.

The summary of my work is as follows:

Miles traveled,.....	5167
Amount of fines collected,.....	\$400,
Arrests made,.....	11
Convictions secured,.....	10
Cases bound over to grand jury,.....	1
Cases still pending in District Court,.....	1
Persons serving jail sentences only,.....	7
Persons paying fine only,.....	3
Cases lost,.....	None
Number of stills seized and destroyed,.....	12

All intoxicating liquors, mash, paraphernalia for the manufacture of intoxicating liquors together with stills, were either destroyed at the time of seizure or after trial and conviction of each case or was turned over to the deputy u. s. marshal for safe keeping or to be held by him, while securing additional evidence etc. All of which is respectfully submitted.

H. E. Seneff
Special Officer,
Special Agent.

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