

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2361 SCOMM 99 • HOUSE SPEC. WORLD TRADE... RELATIONS, 1995-1996 656

"I have a feeling that we are flunking our national test. We are depending on a Neutrality Act, a dilute of words against a sea of need and blood. We are asking men to consult the national interest first, at a time when the interests of their children clamor for ears. We are asking the little man to die. That is the measure of the smallness of our approach."

"The stage for war, the stage for our participation, is being set. It is a bare stage and on it are a few kitchen chairs, an empty table, a congealing stove; in one of the chairs sits a man who fears the morning and who will accept any hope that comes. So far, we have been afraid to look at him."

EXHIBIT 3

THE RIGHT OF AMERICAN SOVEREIGNTY OVER WRANGELL ISLAND

(David B. Nolan* and Mark J. Seidenberg†)

ABSTRACT

The dispute over rightful sovereignty to Wrangell Island today continues as an international issue of the Arctic. The Soviet Union, United States, the United Kingdom, and Canada at one time or other have asserted interests over this frozen piece of tundra and mountain. The proximity of the island to both the U.S. and Russia has great strategic value in our push-button nuclear age. The issue itself has implications for the resurgence of American military might, for superpower detente, and for international law.

The history of Wrangell Island is filled with courage and tragedy. It is a tale of kidnapping and death.

The valiant Captain Calvin L. Hooper, the *de facto* governor of the Alaska territory, was the first to land on Wrangell Island. He claimed the island for the United States which perfected this claim through effective occupation in accordance with international law.

The Soviet government seized control of Wrangell Island in 1924 and took American citizens into custody. This act is held to have been in violation of international law and American statutes that sought to protect U.S. territorial rights.

Hence the Soviet Union is believed to have occupied Wrangell Island illegally until the present time. International law does not allow any nation to gain sovereignty in such a fashion. The U.S. sovereignty over Wrangell has never been legally ceded to the Soviet Union, either on account of treaty or due to U.S. inaction.

Extensive exploration of the Arctic did not occur until the nineteenth century. It is not surprising that Wrangell Island, one of the largest yet most inaccessible islands in the Arctic did not become known to the world until this time.

Wrangell Island² is located eighty-five miles off the northeast coast of Siberia and two hundred seventy miles northwest of Cape Lisburne, Alaska. It straddles the 180° meridian and the 71° parallel and encompasses an area of two thousand square miles. As with other islands in the Arctic Ocean, accessibility is limited by thick fog and sea ice. Impenetrable ice floes block access even to its southern shore for at least ten months of each year.

Four nations have asserted interests over this island—the United States, the Soviet Union, the United Kingdom, and Canada.

The superiority of the claim by the United States can best be understood when placed in the perspective of arctic history and international law.

Early recorded explorations into the Arctic did not intend to lay formal claim to, and take effective occupation of, arctic territory. Without these elements sovereignty will not arise over discovered land. The Greek navigator Pytheas of Massilia made the first recorded voyage into the Arctic Ocean in the fourth century B.C.E., but was turned back by fog and ice.³ The next recorded voyage into the Arctic of any significance was by a Norse chief named Ottar who sailed into the White Sea, after passing the Kola Peninsula.⁴

By the sixteenth century, England and other maritime nations sought better trade routes to the Orient than the long and arduous routes around the Cape of Good Hope and Cape Horn. In the year 1553 English merchants organized voyages to China by the Northeast Passage across to top of Europe and Asia.⁵ In 1594 the Dutch navigator Willem Barents sailed into the Kara Sea.⁶

A Cosack trader named Simon Deshnev sailed eastward from the Kolyma River in the summer of 1648. The natives of eastern Siberia told him of a "large country" lying to the north of Chukchi and Alaska. He was the first white man to hear of this land called Beringia.⁷

In 1763, another Cosack named Andreyev heard of this land and traveled to the Medvezhi Outrova to find it. He claimed to have seen a large land to the East from that island location. However, six years later three Russian surveyors named Leontiev, Lesev, and Pushkarov confirmed that there was no land that could be seen from such location.⁸ Mirages of islands are not uncommon in the Arctic. This factor, added to the difficulty of obtaining star readings for location determinations in arctic fog, have often made land sightings unreliable.

Baron Ferdinand Petrovich von Wrangell, a lieutenant in the Imperial Russian Navy, also heard the tale of the land's existence from the Chukchi chiefs of Siberia. Between 1820 and 1824 he commanded several expeditions in search of the island but he never saw it, let alone land on or occupy it.⁹ In April of 1824, at the end of his last arctic expedition, Wrangell wrote:

"[W]ith a painful feeling of the impossibility of overcoming the obstacles which nature opposed to us, our last hope vanished of discovering the land which we believed to exist. We saw ourselves compelled to renounce the object for which we had been striving through three years of hardships and danger."¹⁰

Despite this failure, Wrangell gained worldwide fame as an arctic explorer. He later became Governor of Russian America. Yet he was never to land upon the island that would bear his name in his honor.

During the mid-nineteenth century, England, still looking for a short-cut to the Orient, attempted to find a Northwest Passage. In 1845 Sir John Franklin left England with a company of 129 to travel over the top of America to Petropavlovsk, Kamchatka. By September, 1846, the expedition's ships had become locked in an ice pack twelve miles from King William Island.

On 11 June 1847 Sir John Franklin died. On 22 April 1848 the ships *Erebus* and *Terror* were deserted and what was left of their crew started on a hopeless march to safety. No one survived.¹¹

By 1848 the Royal Geographical Society became concerned over the ships' disappearance and the British Admiralty agreed to its request to organize a search. The United

States and Canada also organized searches for the missing ships.

On 6 August 1849, Captain Henry Kellett, R.N., of H.M.S. *Herald*, one of the Franklin search vessels, arrived at a small island west of Cape Lisburne. Upon landing, Kellett took possession and named the island Herald after his ship. He hoisted the Union Jack and claimed the island on behalf of Queen Victoria.

Kellett sighted a large land mass beyond Herald Island to the west which he called Plover in honor of another Franklin relief expedition ship. Whereas no land mass existed at the position noted by Kellett on navigation charts, it may have been a mirage rather than Wrangell Island. In any event, no further landing or exploration was made.

Six years later, on 13 August 1855 Captain John Rogers, in his flagship the U.S.S. *Vincennes*, reached the position ascribed to Plover Island, also known as Kellett Land on the Admiralty charts.¹² When there was no land to be seen from the clear horizons, the charts by the Depot of Charts and Instruments of the U.S. Navy were changed accordingly. It should be noted that the Russian author Shvede gives credit to the American, Rogers, for discovering Wrangell Island¹³ on that Congressionally authorized voyage.¹⁴

The United States' legal rights in the northwest of the North American Continent have a foundation in the Treaty of Adams-Onís of 22 February 1821 which ceded Spanish rights in Oregon Country to the U.S.¹⁵ The United States' claims to northern parts of the Oregon Country (now southern Alaska) are based, in part, upon voyages of discovery and annexation by Don Juan Francisco de la Bodega y Quadra and Don Ignacio Arteaga for the Spanish Government between 1775-1779.¹⁶

H.I.M. Tsar Aleksandr Pavlovich of Russia issued a ukase in 1821 banning "transaction of Commerce, and the pursuit of whaling and fishing or any other industry . . . all along the North West Coast of America from the Bering Sea to the 51st parallel."¹⁷ This coast was part of the area ceded to the United States by Spain in 1821. The Tsar's ukase prompted U.S. President Monroe, in his message to Congress on 2 December 1823, to proclaim the Monroe Doctrine. A compromise was reached on 11 January 1825. The United States government ceded the coast of America north of the 54°40' parallel to the Imperial Russian Government as part of a Treaty of Navigation and Fisheries of the Northwest Coast.¹⁸

As will be seen, this accord was superseded by the Seward-Borchgrevink Treaty in 1867 which ceded Russian America to the United States. The 1825 treaty has no bearing on sovereignty over Wrangell Island which was undiscovered at the time.

By the middle of the nineteenth century, Russian interests in expansion beyond the Asian mainland waned just as American interest in expanding to the West increased. The loss of the Crimean War illustrated the vulnerability of the Russian Empire at its extremities.

The Russian government, fearing that its American colony was no longer defensible and recognizing its economic liability, sold the North American lands to the United States for 7.2 million dollars on 20 June 1867.¹⁹ This convention between the governments of Russia and the United States ended all Russian claims to sovereignty east of the demarcation line.

On 18 October 1867 the Tsarist double eagle flag was lowered over Novoarkhangelsk, the capital of Russian-America, and the Stars and Stripes was hoisted over the

* Dr. Nolan Assistant Counsel to the President of the United States.

† Mr. Seidenberg is Vice-President of an American corporation, living in Seal Beach, California.

¹ Footnotes at end of article.

renamed city of Sitka, Alaska was now a possession of the United States."

The Office of the Solicitor, U.S. Department of State, determined after a review of documents leading up to and including the Seward-Stoeckl Treaty "that the Emperor of all the Russias ceded to the United States certain territories, and that the United States on its part entered into no commitment which could be interpreted as an understanding not to press claims to any land west of the particular line above described." "Therefore, there can be no inference that the United States ceded sovereignty to any as yet undiscovered island to the west of the Diomed Islands."

During this period the American whaling industry expanded into arctic waters. On 14 August 1867 Captain Thomas Long of New London, Connecticut, sailed his whaling bark *Nile* along a trek some thirty miles north of the route navigated by U.S.S. *Vincennes* some twelve years earlier. A seaman named Thomas sighted land (Cape Thomas) to the northeast from the ship's masthead. Captain Long named this territory "Wrangell's Land" as an appropriate tribute to the memory of the Russian explorer who spent three consecutive years above the 69th parallel. Long also was the first to sight the identifying volcano of more than 2000 feet in height on Wrangell Island. He sailed past the southern shore and returned to the port of Honolulu. Between 1848 and 1869 the news of the American discovery of "Wrangell's Land" spread worldwide. Geographical Societies in the United States and Europe honored Captain Long for his discovery.

Other American whalers—the captains Raynor of the *Reindeer*, Phillips of the *Monticello*, and Bliver of the *Nautilus* also confirmed the sighting of the large land mass covered by Thomas Long. They spread the belief that Wrangell was not an island but a frozen continent similar to that at the South Pole, a speculation that prompted the New York Herald to outfit an expedition in 1879, led by Naval Lieutenant George Washington De Long, to Wrangell Island and then the North Pole. De Long and his ship, the *Jeannette*, formerly called the *Pandora*, never made it. The *Jeannette* became locked in ice floes and drifted westward past Wrangell Island where it was crushed and sunk in the summer of 1881.

Fearing for the fate of De Long, the U.S. Congress in early 1881 authorized one hundred and seventy-five thousand dollars for a search. The *Jeannette* relief ships, the U.S. Revenue Marine Steamer, the *Thomas Corwin* and the U.S.S. *John Rogers* entered the Bering Sea in the summer of 1881. Commanding officer of the *Corwin* was Captain Calvin Leighton Hooper.

Hooper at the time commanded the Bering Sea Patrol of the U.S. Revenue Marine, which made him the de facto Governor of Alaska. During the spring of 1877, jurisdiction of the District of Alaska was transferred from the Department of War to the Treasury Department. Treasury in turn placed Alaska under the charge of the U.S. Revenue Marine from that year until 1884. Hooper clearly had authority at that time to discover and claim sovereignty over land on behalf of the United States. The *Corwin* also carried aboard a complement of scientists. These included the world renowned naturalist, John Muir, who was later to found the Sierra Club.

The *Corwin* landed on Herald Island in hopes of finding the *Jeannette* or its crew. Unsuccessful in the rescue attempt, Hooper defiantly forced his ship through heavy ice floes to Wrangell Island to the west.

On 12 August 1881, Hooper, Muir, and their party of six made the first recorded landing by man upon Wrangell Island.

Edward W. Nelson, a member of the landing party later noted.

"The result of our examination of the Island, so far as we saw, gave not the slightest evidence of its ever having been visited by man before. All subsequent examinations of Wrangell Island by those who have visited it later appear to establish the fact that the landing party from the *Corwin* contained the first men to set foot on this Island."

Landing at the mouth of the Clark River on the eastern side of the island, Hooper and his fellow officers raised the American flag and took possession of Wrangell Island in the name of the United States. While Hooper and Muir explored the island, other party members erected a rock cairn and deposited documents recording the significant event. William Reynolds, a member of the party, recalled:

"I had the flag and with the Captain's permission waved it and took possession of the new land in the name of liberty and of the Government of the United States of America. I planted the flag on a bluff a little to the northwest of our landing place and left it there together with a record of our visit."

Hooper called the island "New Columbia." He explained,

"It was believed that as the island had become, by our act of landing upon it, a part of the United States, by selecting a name of national character, no disrespect would be shown to the memory or offense given to the friends of the gallant officer whose name it bore, and that the name given would be adopted by all nations."

The name "New Columbia" never replaced Wrangell, however.

Captain Hooper told Captain L. C. Owens of the American whaler *Belvedere* of his plan to annex Wrangell Island to the United States prior to landing there. The *Belvedere* became the second ship to land at Wrangell on 19 August 1881. "As soon as we got ashore we saw the signal planned by Lieutenant Reynolds, a small American ensign fastened to a slender piece of driftwood, driven into the soil," confirmed a *Belvedere* crew member.

On 26 August 1881 a party from the *Rogers*, the other relief ship, landed on Wrangell Island. They completed an official survey for the U.S. Government on 13 September of the same year. One crew expedition proceeded overland to the mountains, where a general view of land and water could be obtained. Another group found the cairn left by the *Corwin*, and deposited copies of the documents contained therein, taking the originals for the Navy's report. The crew of the U.S.S. *Rogers* also raised the American flag over Wrangell Island. The crew determined that its new U.S. possession was not a continent but a large island.

Major E. W. Clark, the Chief of the United States Revenue Marine Service, informed the U.S. Coast and Geological Survey in 1881 of the annexation of Wrangell Island to the United States. The U.S.C. & G.S. of the U.S. Treasury Department determined that Wrangell Island should be included in the District of Alaska.

Between the years 1881 and 1910 Wrangell Island was visited exclusively by Americans. These were mostly whalers and walrus and seal hunters. On 8 September 1889 the U.S.S. *Thetis* went to Wrangell Island while cruising the Arctic Ocean, "showing the American flag." In the year 1910 Captain Louis Lane sailed the ship *Adler* of Nome, Alaska, to Wrangell Island with a motion picture company from Hollywood, which filmed a polar bear hunt.

For a period of twenty-nine years following Hooper's claim, U.S. and Russian publications recognized United States sovereignty over Wrangell. U.S. Geological Survey Bulletin No. 169 in 1900, No. 187 in 1902, and Nos. 274 and 299 in 1906 included Wrangell Island as part of the U.S. Russian Naval Maps and Encyclopedia at the turn of the century also show the same designation.

In 1910 the Imperial Russian government, interested in compiling hydrographic charts to facilitate shipping routes from Kolymsa to Vladivostok, commissioned two steel ice-breaking ships, the *Veisatch* and *Taimyr*. On 16 September 1911 the *Veisatch* anchored in a cove off Blossom Point at the southwest corner of Wrangell Island while taking shelter from a gale from the north-east. Its captain sent a landing party ashore on 15 September via whaleboat and motor launch to establish the correct astronomical position by celestial observation. The landing party found a coal deposit and erected a ten meter structure to establish the astronomical position of the landing place before leaving.

The Russians then circumnavigated the island, but unfortunately at a distance too far to contribute to the definite outlining of the coast. This was the only visit that the Russians ever made to the Wrangell Island before 1924, nor did they ever make any claim to the island during their stay.

In 1911 Dr. Rollin Harris, an American oceanographer, again raised interest in the possibility of an as-yet-undiscovered arctic continent. He hypothesized the existence of "Harris Land" to explain tidal movements in the Arctic Ocean.

In 1913 the National Geographic Society planned to finance an expedition to the Arctic to find this new land. Sir Robert Borden, Prime Minister of Canada, asked and received permission to finance the expedition for fear that Americans might make new discoveries north of Canada for the United States.

Vilhjalmur Stefansson, a Canadian who had grown up on the plains of North Dakota, was chosen to lead the expedition. The Canadian government directed Stefansson that "any new or partly unknown lands which the expedition would touch would be observed, position fixed, and the British flag would be planted on these lands."

Stefansson's flagship was the whaler *Karluq* under the mastery of Captain Robert A. Bartlett. Bartlett was a U.S. citizen who had commanded the ship *Roosevelt* for the Peary and Henson expedition to the North Pole during the years 1905 to 1909. The *Karluq* suffered the tragic fate of other vessels and became caught in arctic ice, drifted west along the north coast of Alaska, and eventually sank. For two months the survivors walked south across the polar ice cap, arriving at Wrangell Island on 12 March 1914. Two members of the ship's crew, John Munro and Robert Templeman, raised the Canadian flag over Wrangell Island in celebration of Dominion Day, 1 July 1914.

Of course, Wrangell Island had already been formally claimed by the United States, and the previous establishment of U.S. sovereignty served to cut off subsequent rival claims. Furthermore, Great Britain had transferred jurisdiction of her rights to islands in the Arctic Ocean to the Canadian Government in 1880. Therefore, whatever pretention to sovereignty Great Britain might have had to Herald and Wrangell Islands by virtue of the voyage of the H.M.S. *Herald* in 1849, or the landing on Wrangell in 1914, now belonged to Canada.

The shipwrecked members of the *Karluq* also recognized the prior discovery of Wrangell Island. Bartlett later wrote that "we

passed Hooper cairn, which was built by a party from the U.S. Revenue cutter *Corwin* in August, 1881. The cairn, as I could see, was still intact."

Captain Bartlett and an Eskimo crew member, Kakatovik, walked across the ice to summon help. Upon Bartlett's reaching Alaska, Captain William F. Reynolds, U.S.R.C.S., immediately ordered a rescue attempt. On 7 September 1914 the American ship *King* and *Wing* picked up the happy survivors on Wrangell Island (Figure 1). Not knowing that the *Korluk* survivors had already been rescued, the *Thomas Corwin* landed at Wrangell a few days later. The same ship that thirty-three years earlier had carried Hooper to claim the island, re-established the flying of the U.S. flag over Wrangell Island.

After the *Korluk* survivors were transferred to the U.S. Revenue Cutter *Bear*, they were transported to the ship's home port of Unalaska where the port commander, William Reynolds (who in 1881 had landed on Wrangell with Hooper) told Bartlett that the island was indeed part of Alaska.

On 13 November 1916 a challenge to U.S. sovereignty over Wrangell Island came from a different source. The Imperial Russian Embassy in Washington presented a memorandum to the U.S. Department of State regarding Russia's claim to lands in the Arctic. It claimed that Wrangell Island, Alaska, was one of the islands which "form an extension Northward of the Continental tableland of Siberia." This argument, like that of the sphere of influence, continuity, or sector theory to the Pole has no validity in international law. Before this claim could again be pressed the Imperial Russian Government was overthrown by the Bolsheviks. World events were to continue to play major part in the issue of sovereignty over Wrangell.

On 7 July 1918 Allied Commanders, and an army that included Japanese troops, assumed protection of the city of Vladivostok. The threat of the Japanese taking an imperialistic hold in eastern Siberia caused concern, just as the expansion of power by the Bolsheviks had done formerly. In 1920 Stefansson became worried that the Japanese government, in their desire to control eastern Siberia, might try to take Wrangell Island. He observed, "I felt certain that within a year of two they would realize the coming importance of Wrangell Island and would occupy it."

Great Britain, Japan, and the United States were allied against the Bolsheviks. However, if the Japanese (future Pacific rivals to the United States) were to occupy Wrangell Island, it would be difficult to oust them in favor of the Bolsheviks. Therefore, Stefansson met in Ann Arbor, Michigan, with Allen Crawford, a Canadian, and Sir Auckland Geddes, British Ambassador to the U.S., for the United Kingdom to plan an expedition to secure Wrangell Island and also to promote their own economic interests.

Crawford led a party that included four Americans on the American ship *Silver Wave*. When they landed on Wrangell Island on 15 September 1921 the crew raised the Stars and Stripes over the island under Captain Jack Hammer's direction. On 16 September 1921 Crawford raised the Union Jack over Wrangell "in the name of the King and the Empire" as a continuation of Stefansson's "right to the island already established by the Stefansson Canadian Arctic Expedition of 1913-18 and the shipwreck of the *Korluk*." He did not tell anyone aboard the *Silver Wave* that he had raised the British flag over the island.

In 1922 it became cause célèbre in the British and American press that Stefansson and company had "claimed" Wrangell Island, Alaska, as part of the United Kingdom. Anglo-American relations became strained over an island in which Great Britain had shown no interest since the discovery of Herald Island in 1849.

The Crawford party landed with provisions for only six months, saying they planned to sustain themselves with hunting. Stefansson's relief mission in 1922 was blocked by ice floes. When Harold Noyce arrived aboard the relief ship *Donaldson* on 30 August 1923 only an Eskimo seamstress named Ada Blackjack survived of the original group. A new party led by Charles Wells of Uniontown, Pennsylvania, continued settlement of the island.

When Stefansson realized in 1924 that the Canadian government would not back a sovereignty claim as to dominium directum rights he sold his title and his dominium utile interests in Wrangell Island to the Lomen Brothers company of Nome, Alaska (Figures 2(a) and 2(b)). On 13 May 1924 Secretary of State Charles Evans Hughes declared that the Lomen Brothers were the owners of the island (Figure 3). On 18 June of that year, the British Colonial Secretary stated in a confidential dispatch: "The United States Government is thought to have a strong, if not indisputable, claim to the island."

On 20 August 1924 the Soviet gunboat *Red October* landed on Wrangell Island, armed with a six-pound cannon and a company of Soviet infantry. The Soviets took Wells by force and the other thirteen Americans on the island and told them they were being taken to Alaska. Instead they were forcibly taken to Vladivostok. The Soviet officials confiscated all the pelts which the trappers had accumulated during the twelve bitter months on the island. Following intervention by the U.S. Consul at Harbin, Manchuria, the Soviets released the twelve Americans still living. The Bolsheviks claimed that Wells had died of pneumonia. His diary was never found.

A year later the Soviets proclaimed Wrangell Island as their territory. But in 1930 the U.S. Department of the Interior publication entitled *Boundaries, Areas, Geographic Centers and Altitudes of the United States and the Several States* expressly included Wrangell Island as an American possession. Since that time no abandonment by the U.S. of its rightful sovereignty has occurred, nor under international law could such abandonment occur following a deprivation of sovereignty by force.

Besides the abducting of Americans on Wrangell Island, the Russians violated federally promulgated Alaskan law that prohibits the exercise of foreign jurisdiction. The Alaskan Organic Act of 1884 adopted Oregon law, which in turn had adopted the Iowa Territory prohibitions against foreign governmental interference with American sovereignty.

In 1973 the State Department reissued the *Hackworth Digest of International Law* which explained, "The United States has not relinquished its claim to Wrangell Island." In the centennial year of the American landing on Wrangell, the United States government's position has not changed. Captain Hooper formally claimed Wrangell Island on 12 August 1881 and the U.S. established effective occupation until the Soviet invasion.

FOOTNOTES

*The island has also been spelled Wrangel and Wrangel. The U.S. Board of Geographic Names, by resolution named 29 July 1901 determined that Wrangell Island, Alaska, in the Arctic Ocean should be spelled with two l's. The island was named in

tribute to Ferdinand Petrich von Wrangell who spelled his own name with two l's when he wrote in the Roman alphabet.

*Dermot Colr. "Now We're Losing Wrangell Island." *Fairbanks Daily News Miner*, 1 October 1977.

*David Mountfield. *A History of Polar Exploration* (New York: The Dial Press, 1974), pp. 18-19, 19-20.

*Ibid., p. 23.

*Ibid., pp. 27, 33.

*Ibid., pp. 33-39.

*Leonid Vasilievich Gromov, *Oskolok Dvukh Brevn* (Moskva: Gos izd-vo geogr. lit-ry, 1960).

*Ibid.

*Lieutenant Baron Ferdinand Petrich von Wrangell, I.R.N., *Narrative of an Expedition to the Polar Sea in the Years 1820-1822*, ed. Major Sir Edward Sabine, R.A. (London: James Madden and Co., 1840) pp. 342-359.

*"Wrangell Island." *The Geographical Journal*, Vol. 63, No. 6, (December, 1923), p. 441.

*Leopold McClintock, *The Voyage of the Fox: Discovery of the Fate of Franklin* (London: J. Murry, 1906).

*Berold C. Beaman, *Narrative of the Voyage of the Herald during 1845-51*, (London: Reeve & Co., 1853), pp. 115-118.

*Wilhelm Heine, *Die Expedition in die Seen von China, Japan und Ochotsk unter Commodore Colin Reissold und Commodore John Rodgers, in Auftrag der Regierung der Jahre 1853 bis 1856* (Leipzig: H. Constenoble, 1858-59).

*Evgenii Evgenievich Sherde "Ostrov Vrangelya" *Monkshobornik* God 76, No. 9 (Sept. 1923) pp. 1-14.

*31 August 1852 (10 Stat. L. 100).

*8 Stat. L. 252.

*Francisco Antonio Mourelle, *Journal of a Voyage in 1775* (London, 1781).

*John J. Underwood, *Alaska: an Empire in the Making* (New York: Dodd, Mead, 1913) p. 285. It should be noted that Prof. William R. Hunt of the University of Alaska, in his book, *Alaska: A Bicentennial History* (New York: W. W. Norton & Company, Inc. and Nashville: American Association for State and Local History, 1978), p. 20, erred in ascribing the ukase to "Alexander II" (Tsar Aleksandr Nikolaevich of Russia).

*8 Stat. L. 302. For background information concerning counter claims of sovereignty to the Oregon County read Thomas Falconer, *Oregon Questions: or a Statement of the British Claims to the Government of the United States of America*, 2nd Ed. (London: Samuel Clark, 1849), and Travers Twiss, *The Oregon Question Examined* (London: Longman, Brown, Green and Longman, 1846).

*16 Stat. L. 839.

*The name Alaska was gradually established for this region by local use while the Russians officially designated it Russian America. The name Alaska was proposed for official acceptance by W. H. Seward. Hon. Charles Sumner, and Maj. General H. W. Halleck after the U.S. Government took possession of the region.

*Bretton O. Sclaroni, *The U.S. Claim to Wrangell Island, Contract Study* (No. 1723-620057) prepared for the U.S. Department of State on February 4, 1976, p. 30. Also see, F. M. Anderson, "Memorandum" (November 25, 1924), M. S. Department of State, file 861.0144/75 and S. Willemsen Boggs "Delimitation of Seaward Areas under National Jurisdiction," *American Journal of International Law*, 45, No. 2 (April, 1951), p. 240, fn 2.

*Captain Thomas Long, "Arctic Land Discoveries," *The Pacific Commercial Advertiser* (Honolulu), 9 November 1867.

*"A Polar Continent: Reported Discovery of a Polar Continent in the Arctic Ocean," *New York Times* (7 December 1867); William W. Wheridens, "The New Arctic Continent or Wrangell's Land" (Chicago: American Association for the Advancement of Science, August 1868); E. M. Baer, "Nesholho slov po povodu novotroisoy Vrangelyevskoy zemli", *Izvestiia Russkogo Geograficheskogo Obshchestva*, (1908), V4, N7, pp. 333-349.

*J. E. Nourse, *American Exploration in the Ice Zones*, (Boston: D. Lothrop and Company), pp. 345-66 and David Mountfield, *A History of Polar Exploration* (New York: Dial Press, 1974), pp. 123-124.

*Formal letters of 17 and 24 March 1877 between Secretary of War George W. McCrary and Secretary of Treasury, John Sherman. National Archives. Files of the Adjutant General (Microcopy MOGO, reel No. 358).

*International law has also recognized the status of private individuals to claim sovereignty on behalf of their country. A fortiori Hooper in his official capacity had no less authority regarding

Wrangell Island than in his validly ordered claim of Wake Island on behalf of the United States in 1899, while in transit after the Spanish American War as a member of U.S. Pacific forces.

"Muir, *The Cruise of the Corwin*, pp. 146-152; per, *Cruise of the Corwin*, 1881, pp. 33-34.

"Nelson, *Congressional Record*, Senate, 25 March 1922, p. 4361, col. 2. Also included under these papers sent from the Secretary of Treasury Andrew W. Mellon to Secretary of State Charles Evans Hughes, 13 April 1922, M.S. Department of State, file 861.0144/7.

"Hooper, *Cruise of the Corwin*, 1881, p. 70.

"Wrangell Land: A Description of the Island by a Visitor." *San Francisco Chronicle* (18 August 1882), p. 2.

"Nelson, *Congressional Record*, Senate, 25 March 1922, p. 4361, col. 2, stated the "Bogers party took possession of the island by right of (Captain Long's) discovery, and that was within a space of a few weeks (of the Corwin party taking possession for the United States Government)."

"In 1900 the U.S. Geological Survey, at the direction of Henry Gannett, issued U.S. Geological Survey Bulletin No. 169 which included Wrangell Island of the Arctic as part of Alaska. Gannett is known as the father of American map making, and was the Chief Geographer of the U.S.G.S., having started in 1882.

"Jean Denuce "les expéditions polaires depuis 1800," *Bulletin de la Société Royale de Géographie d'Anvers* (Anvers: J. Van Hille-De Bocher, 1911), p. 336. Also see: Charles Herbert Stockton, "The Arctic Cruise of the USS *Thetis* in the summer and autumn of 1889," *National Geographic Magazine* (1890), v. 2, No. 3, p. 194; and D. W. Knox, Captain, U.S.N. (Ret.), letter to Lt. Comdr. F. W. Mead, U.S.N. (Ret.) dated 21 October 1933.

"Blossom Point was named by Lt. R. M. Berry, U.S.N. in 1881 after H.M.S. *Blossom*.

"L. M. Starokadomskiy, *Charting the Russian Northern Sea Route: The Arctic Ocean Hydrographic Expedition 1899-1919*, ed. and trans. William Barr, (Montreal: Arctic Institute of North America and McGill-Queen's University Press, 1976) pp. 60-64; "Ukolai Nikolaevich Alekseev, "Ostrov Vrangelya," *Ustin of the Far Eastern Branch of the Academy Sciences of the U.S.S.R.* (Vladivostok: 1932) No. 4, p. 83; L. V. Gromov, *Ostrov Vrangelya* (Magadan: 1961) p. 24; Vilhjalmur Stefansson, "The Russian Visit to Wrangell Island," appendix 9, *The Adventure of Wrangell Island*, op. cit., pp. 392-394.

"Vilhjalmur Stefansson, *The Adventure of Wrangell Island*, pp. 80-81.

"Order-in-Council, approved 23 February 1913.

"Gordon W. Smith, "The Transfer of Arctic Territories from Great Britain to Canada in 1880, and some related matters, as seen in official correspondence," *Arctic*, March, 1961, Vol. 14, No. 1, pp. 33-73.

"Bartlett, *The Last Voyage of the *Merik**, op. cit., p. 173.

"The note of 13 November 1916 stated in part: "Le Gouvernement IMPÉRIAL profite de cette occasion pour faire ressortir qu'il considère aussi comme faisant partie intégrante de l'Empire les îles Henriette, Jeannette, Bennett, Herald et Ouedinemia, qui forment avec l'île Nouvelle Sibirie, Wrangell et autres situées près la côte asiatique de l'Empire, une extension vers le nord de la plate forme continentale de la Sibirie.

Le Gouvernement IMPÉRIAL ne pas jugé nécessaire de joindre à la présente notification les îles Novaya Zemla, Kologouev, Kologouev, Walgatch et autres de moindres dimensions situées près la côte européenne de l'Empire, étant donné que leur appartenance aux territoires de l'Empire est connue depuis des siècles universellement reconnue.

"It should be noted that unsupported claims advanced by the Imperial Russian Government in the above note were rejected by the United States in 1912, as part of the "Whaling and Sealing Claims Against Russia," Herbert H. D. Pearce, *Foreign Relations of the United States*, 1902, Appendix I, (Washington: GPO, 1903), pp. 18 and 167. Fedor Petrovich Martens, the legal counsel for the Imperial Russian Ministry of Foreign Affairs, rejected the notion that Russian sovereignty extended northward into the Arctic. He contended that the marginal areas north of Russian mainland were *Nare Li-berum* from the judicial point of view. P. P. Maxons, "Du territoire de l'Etat," *Traité de droit international*, trans. Alfred Leo, (Paris: 1883) v. 1, pp. 93-99.

"Stefansson, *The Adventure of Wrangell Island*, op. cit., p. 93.

"Ibid., pp. 128-131.

"Colonial Secretary to Governor General: confidential dispatch No. 537. Cited in Bretton O. Sclar-

and. *The U.S. Claim to Wrangell Island*, Contract Study No. 1732-620441 prepared for the Department of State on February 4, 1976, p. 1A.

"Affidavit of 23 March 1977 by Ellen Kenuk, nee Webb, one of the American prisoners.

"Japan Advertiser, 27 January 1923.

"On 7 May 1884 the U.S. Congress passed "An Act providing a Civil Government for Alaska", c. 83, 23 Stat. at Large 24. That act adopted Oregon law providing it does not conflict with other provisions of Alaskan law. This Act extended to Alaska "An Act Adopting the Statutes and Laws of the Territory of Iowa and the Common Law." Oregon Acts and Laws Passed by the House of Representatives at a Meeting Held in Oregon City, August, 1865 (New York: N.A. Pomeroy Company, 1921) p. 16. It should be remembered that the Act of 13 August 1848 became part of the laws of the Territory of Oregon through "An Act to Establish the Territorial Government of Oregon", of 14 August 1848, c. 177, Stat. at Large 323 (known as the Oregon Organic Act. Laws of the Territory of Iowa, passed at the Extra Session of the Legislative Assembly, begun and held in the City of Burlington: J. M. M. Kenny, 1840, and Des Moines: Historical Department of Iowa, 1902) c. 83.

EXHIBIT 3

THE VOYAGE OF THE JEANNETTE—THE SHIP AND ICE JOURNALS OF GEORGE W. DE LONG, LIEUTENANT-COMMANDER U.S.N., AND COMMANDER OF THE POLAR EXPEDITION OF 1879-1881.

May 18th, Monday.—Land! There is something then besides ice in this world. About seven o'clock this evening Mr. Dunbar, who usually winds his way aloft several times a day, could hardly believe his eyes when they rested on an island to the westward. He called Chipp to look at it, and Chipp saw it was land sure enough, and sent Erickson to inform me. I had just finished working out our position when the extraordinary news came, and was writing out the result: Latitude 76° 43' 20" N., longitude 161° 53' 45" E., a drift since the 14th of five and a half miles to N. 16° E. Of course I dropped my books and ran up to the fore yard, and there, sure enough, I saw a small island one half point forward of our starboard beam, the first land that has greeted our eyes since March 24, 1880, nearly fourteen months ago. And our voyage, thank God, is not a perfect blank, for here we have discovered something, however small it may be. Some fog is resting over it, and to the right hand or northward of it, and we do not think we see all of our wonderful landfall. Bearings I take at once, and find our island bears S. 78° 45' W. (magnetic), or (the variation being 18° E.) N. 83° 15' W. (true), but we can do nothing more. Its distance we cannot estimate. If low land comparatively, it may be forty miles distant (see our idea of Herald Island's distance), and if high land seventy to eighty miles. But after a number of days, if we change the bearing of it to some extent, I can compute its distance, and determine if, and in what manner, we can land upon and take possession of and explore our discovery. Cooped up as we have been for over twenty months, we shall enjoy getting our foot on solid earth or stone as much as if it were Central Park, for it will be a change. But whether it will be earth or stone we do not know of course. What this poor desolate island, standing among icy wastes, may have to do in the economy of nature I do not know, or in fact care. It is solid land, whether of volcanic origin or otherwise, and will stand still long enough to let a man realize where he is. Moreover, this must be the spot to which the ducks and geese have been steadily flying, and if we can get some of them for a change to our canned meats, what a treat! And then bears must swarm on our island! In fine, this island is to us our all in all. We gaze at it, we criticize it, we guess at its distance, we wish for a favoring gale to drive us towards it,

and no doubt we would accept an assertion that it contained a gold mine which would make us all as rich as the treasury without its debts. I believe most of us look carefully at our island before we go to bed, to make sure it has not melted away. Fourteen months without anything to look at but ice and sky, and twenty months drifting in the pack, will make a little mass of volcanic rock like our island as pleasing to the eye as an oasis in the desert.

Beside this stupendous island, the other events of the day sink into insignificance.

May 17th, Tuesday.—Our island continues to be the cynosure of all eyes, of course, and as the fog which hung over it yesterday has disappeared to-day, we are able to define its appearance better, the white portion which the fog hid yesterday showing as a snowy slope extending back to some distance. The shaded portions seem to be rock, with clefts or gullies in it, in which snow has lodged. The highest and further corner seems to be a volcano top. We are watching the land anxiously enough, and getting our position by observations daily, but of course in one day we have not altered bearings at all. That may be a question of weeks, unless we have stiff winds. Sight to-day place us in latitude N. 76° 43' 38", longitude E. 161° 42' 30",—a drift since yesterday of two and one half miles N. 83° W., or exactly towards the island.

Soundings forty-three fathoms (mud and pebbles), a slight drift N. by E. being indicated by the lead line. Temperature, maximum, 11.5°; minimum, minus 5.5°. What lovely weather for the middle of May!

May 18th, Wednesday.—Latitude N. 76° 44' 50", longitude E. 161° 30' 45". As we draw ahead of our island, we open out quite a face to the northward, and Mr. Dunbar is quite certain that he saw high land above and beyond it to the westward. My repeated visits to the crow's-nest show me a strong appearance of high land, but I have not yet been able to say positively that it is not cloud. At one time I thought I could see a connecting snow-line, as if the upper part of our island sloped backward and upward to a higher ridge beyond, but I was unable to see a snow-peak that Mr. Dunbar saw just before I could join him in the crow's-nest. Weather generally clear, bright, and pleasant. An E. wind freshening, and promising a stronger blow for tomorrow.

The ice opened in a crack about five hundred yards to the eastward of the ship, and came together toward midnight, the ship receiving several shocks when the ice edges met.

We are favored with an occasional dovekie (black guillemot), shot by some of our people, the luckless bird being attracted by the little lanes and cracks in the ice near us instead of making for the island, where it would be safe. Last Saturday we in the cabin had one apiece for dinner, and I am in hopes of seeing enough hanging to the main boom to have them for dinner fore and aft next Saturday.

May 19th, Thursday.—E.S.E. winds make us move along at a brisk rate, evidenced by our opening out our island's north side. Centre of island bears W. (true).

At 9:30 A.M. the ice quietly opened seventy yards from our starboard bow, and a lane of water about twenty feet in width extended north and south for about three miles, and several other cracks and lanes were visible to the northwest. Whether when we get to the westward of our island the ice will spread and open remains to be seen; but the land is quite close enough, unless we can use it for an advance. We have a crack under our starboard counter that may connect, and a crack ahead in the line of our keel as

a starter, which may at any time leave our whole starboard side bare.

May 30th, Friday.—Latitude 76° 52' 22" N., longitude 161° 45' E.—a drift since the 11th of nine miles N. 25° W. As the island first observed on the 16th now bears S. 78° 40' W. (true), I can compute the distance by the change in bearing, and the result is twenty-four and three fifths miles (and thirty-four and seven tenths miles on the 16th). The dimensions of it I cannot accurately measure yet, though with an octant I find it subtends an angle of 3° 10' on this bearing. But from our point of view the island is foreshortened, for I think its greatest length is in an east and west direction. As we draw to the northwest, we open out the western face and shut in the eastern face correspondingly, but I have taken the same point each time for my bearing by the course indicator on the bridge. There now seems to be a curious little island off the western end, which looks like a mound with a beehive on it, but I hope soon to be able to say whether it is a separate island or a continuation of the first one.

Toward midnight a strong appearance of land was seen bearing west by north roughly, like an inclined plane, but clouds rested on so much of it that I cannot speak positively.

Soundings in forty-two fathoms; drift N. W. indicated. At this rate we shall soon get to the shortest distance from our island, which I locate by computation of its distance before mentioned to be in latitude N. 76° 47' 28", longitude 159° 20' 45" E. E. S. E. gale seventeen to twenty-one miles an hour, and a pleasant temperature plus 15°. At 8:30 a.m. the ship received a blow under water, seemingly near the stern post, and doubtless from some drifting, submerged ice-block.

May 31st, Saturday.—A dull, gloomy day, E. S. E. gale, and I manage to get a meridian altitude, showing that we have made seven miles in latitude at all events. Our island appears only occasionally, but bearing S. 72° W. There seems to be no immediate chance of this blow abating, so it will be a question of waiting to see in what position it leaves us before deciding upon our ability to land upon and take possession of our island.

I am sorry to record the mysterious disappearance of another of our dogs, generally known as Lauterbach, and heretofore recognizable by his having a hairless tail, the result of a scalding accident. He has gone and laid himself away somewhere, for he has been missing several days.

May 22d, Sunday.—At nine a.m. the ship received another severe shock, probably striking ice under water.

May 23d, Monday.—I am sorry to be obliged to record the addition of Chipp to our sick-list. For a long time past he has been in poor condition, growing thin and weak, but insisting on going about and attending to his duty. He has strong dislikes to medicines and medical treatment, and would not believe he stood in need of either. Being overruled in that respect by me, he did take a tonic prescribed by the doctor, but of course, as it was taken unwillingly, under protest, no good was experienced from its use, and it was discontinued. Now nature asserts itself, and he is so reduced, by reason of his failure to eat enough, and so nervous and restless, because of continued loss of sleep, that it is simply impossible for him to keep up, and he is forced to his bed. The doctor hopes to have him around in a few days, but I am not satisfied that a few days can repair the damage already done. Considerable fall of soft, large snow flakes.

May 24th, Tuesday.—The first thing I heard upon arising this morning was that more land was in sight, and the next thing

was that the ice was very slack, with many large lanes of water. The strong appearance of land on the 30th, towards midnight, proves to have been land in reality,—another island being added to our discoveries, somewhat longer (if not less distant) than our first named. Upon going up to the crew's nest I had a good view of both islands and of more water than we have seen since September, 1879. In consequence of the subsidence of the wind, the ice has become very slack, and numerous long openings or lanes have occurred, varying in width from twenty to one hundred feet, and in length from one eighth mile to three miles. Unfortunately for purposes of navigation they are not connected, and though having a general northwest and southeast direction, do not lead to anything. Just at this moment I would be contented if by any means I could get the ship into one of these islands for a temporary breathing spell, and a chance to get some game for our supplies; but, unfortunately, I cannot see through thirty miles of ice or blast that amount out of my way. The lanes of water are very tantalizing, for they indicate what might be done if there were more of them. They seem to be in our neighborhood only, or within radius of five miles, while the islands are thirty, and say forty miles off,—and from that five miles radius to the islands the ice is as close and compact as ever.

However, we made all the use we could of the openings. The iron dingy, the two kayaks, and the oumack were put into requisition, and away went parties to hunt for birds and seals, dragging the boats from one lead to another, as occasion required. And while a party of men were thus employed in transporting the oumack on their shoulders she slipped, and brought so much weight on John Lauterbach (a coal heaver) as to double him up and severely strain his back.

"It never rains but it pours," is an old saying, and it seems to be proven in our case, for hardly had we prepared ourselves to take care of Chipp when we have another case, Lauterbach. When I saw him being supported back to the ship by a shipmate, I was afraid he had shot himself, or had been shot by a companion,—accidentally, of course, in both cases,—and I ran out to meet him with considerable alarm. For some time it was impossible to find out what was the matter, for the man was in great pain and unable to talk. However, beyond a severe wrench to the small of his back, there was no injury inflicted, and except for his being laid up for some days no serious consequences are to be anticipated.

Now for the land. It is an island beyond doubt; and its nearest point, which I take to be its southern extremity, bears S. 69° 30' W., and it subtends an angle of 3° 35', while our first discovery's eastern end bears S. 17° W., and subtends an angle of 2° 42'. I think both islands extend in a west by north and east by south direction. Computation of the position of our first island from our change of its bearing of the 30th and 34th, would put it more accurately in latitude N. 76° 48', longitude E. 159°; and until I can get its bearing due south (true), this bearing of today and the 30th are more nearly accurate as to longitude than those of the 16th and 30th.

Latitude N. 77° 16', longitude E. 159° 33' 39". A drift since the 30th of thirty-two and one half miles N. 41° W. This is progress indeed,—eight miles a day. Considering that we commenced the year in latitude 73° 48', longitude E. 177° 32', we have no reason to complain at the long step we have made,—310 miles N. 47° W.

Soundings in forty and one half fathoms, and temperature comparatively cheerful, plus 27°.

Our engineer's force are occupied in putting together the windmill pump and getting it ready for the summer's work. Chipp is still quite weak, and in consequence obliged to keep his bed. I have taken every precaution to keep his surroundings as quiet as possible, muffling chair legs, not striking the ship's bell, etc., and he has had a peaceful day in consequence.

May 35th, Wednesday.—Our invalids are progressing slowly. Chipp is still very weak, and obliged to keep his bed altogether by the surgeon's orders, as a surety for rest and quiet. Danenhower is just the same, but as he caught a cold some days ago, he is forced to stay below at all times, except at meal hours. Lauterbach is better, though his back will feel the wrench it received for some days. Alexey is slowly getting his leg to heal, there being now but a very small hole open. Otherwise, we are all as well as usual, and all hands are certainly free from scurbutic taint.

Many of our lanes are found closed today, the ice having come together during the night. A light film, say one eighth of an inch of ice, formed over the lanes not disturbed. Our islands were in plain sight all day, giving me a chance to get good bearings and angles, which are sufficiently indicated by the sketches on the preceding pages.

May 36th, Thursday.—A dull, gloomy day, with overcast sky, and N. N. W. breeze puffing fitfully. The islands were invisible until six p.m., when they came out from the dull, thick haze. The ice seemed to slack up again today, numerous unconnected lanes and ponds showing themselves, but of no use to us yet. Took advantage of the breeze to make the windmill do all the pumping after noon, to the relief of the men on watch, who must have learned to hate the hand-pumps many months since.

May 37th, Friday.—Latitude 77° 14' 45" N., longitude 159° 18' E. A drift since the 25th of five miles S. W. This brings us much nearer our second island, and it is very tantalizing to be gazing at what seems a fine bay and not be able to sail into it. Soundings in thirty-nine fathoms, slight drift S. W. On account of light wind had to close the water gates again and all back upon hand pumping.

May 38th, Saturday.—Soundings forty fathoms, and the state of the temperature is by no means pleasant, minimum 19°, minimum 15°. Our invalids give me the usual anxiety. Chipp is very weak, and I fear it will take a long time to build him up. Danenhower, of course, will be of no use so long as he is in the ship. Alexey slowly recovers. Lauterbach is improving, his back slowly recovering from the strain. But with many things crowding in on me I almost feel that the crucial moment in our voyage is at hand.

May 39th, Sunday.—We get considerable work out of the windmill to-day, and our men are consequently relieved from the endless clang-clang of the handpump. Our dull and gloomy weather continues, to my disappointment, for I can get no observations for position. These are particularly desirable now, because I want to fix the position of Henrietta Island. It is very difficult to get good bearings from deck of anything, because the ice-hummocks and ridges are so high and so continuous that it is only here and there that we can see even the plainest land; and then it looks so much like the black spots in the ice, that when one puts his eye down to the sight-vane of the compass, he is as apt to take the bearing of a black spot as of the land. Besides, we cannot

see extreme points from the land. Angling with a sextant from aloft is cold work, and some points show too faintly to get a reflection, so that though I have measured angles several times, I have only recorded them when I have been sure of them.

We were startled this afternoon by an enormous flock of ducks, estimated to be five hundred in number—more than any one had ever seen before—flying quite low and heading to the northward, where I suppose there must be more land. Our dogs took after them in a body, until stopped by water, and turned back.

The ice seems to be very close again, an easterly breeze setting it in motion enough to press against the islands and close all lanes.

Inspection and divine service as usual on Sundays.

May 30th, Monday.—I have decided to send a party to try to make a landing on Henrietta Island. Tired of waiting for a chance to get observations to determine its position, I accept twelve miles as its probable distance southwest and a half west, true. Though I know the traveling will be heavy, I hope that by sending two officers, four men, fifteen dogs, with a sled and light dingy (for ferryage), and seven days' provisions, as the only heavy weights, they will be able to accomplish my object,—landing, leaving a record of our condition, and perhaps bringing back a good supply of birds. Having but one commissioned officer available, Melville, he must take charge of the party. With Chipp and Danenhower both on the sick-list, they can neither be sent, nor left in charge of the ship if I go myself, as is my strong desire. The doctor cannot go, for his steady sick-list puts him hors concours, and my responsibility for the ship and the safety of all hands will not permit me to have her in charge of Mr. Dunbar, the only sailor man in the cabin besides myself fit for duty. Consequently I make out orders for Mr. Melville to go in command, and to take Mr. Dunbar, Nindemann, Erickson, Bartlett, and Sharvell with him, and to start tomorrow morning. The weather continues good, with light winds, and barometer rising to 30, and I think we are drawing in toward the island all the time with the ship. Such arrangements as I have made for them and their return I will write out in full tomorrow. To-day I had Sweetman remove the porch from the starboard side of the galley, and I set the men to work digging a trench around the ship. We are now beginning to be straitened for dog food; all our condemned meats, fish, and other suitable articles are ended. Having tried the dogs upon everything to their seeming satisfaction, we at last tried them with potatoes (desiccated). But here was the dividing line. They turned up their noses and walked away in disgust, and no matter how great their hunger, they cannot be induced to astonish their stomachs with such an excellent (?) anti-scorbutic. In fine, something else had to be done, and so I ordered one half pound English pemmican, and one half pound corn meal to be served out to every dog every second day from the ship's stores; and in order that no more of such precious food than was absolutely necessary should be expended for dogs, I gave orders that three old and worn-out dogs should be quietly removed from the ship and shot. Of course I regret taking even a dog's life, but where it is a question of sentiment only in putting priceless food into a dog, from which no work can ever be obtained, the sentiment cannot be tolerated.

May 31st, Tuesday.—At nine a.m., everything being ready, the sledge party, in charge of Melville, started. Mr. Dunbar, Nindemann, Erickson, Bartlett, and Shar-

vell composed the personnel, and the following the material:—

15 dogs.	6 sleeping-bags.
42 lbs. American pemmi-	10 1/2 lbs. mardines.
can.	
21 lbs. pigs' feet.	42 lbs. mutton-broth.
42 oz. lime juice.	51 lbs. coffee.
1 McClintock sled.	2 1/2 lbs. tea.
1 McClintock dingy.	5 1/2 lbs. chocolate.
1 tent.	10 1/2 lbs. sugar.
5 tent-poles.	2 rubber blankets.
210 lbs. English pemmi-	6 packed knapsacks.
can.	
42 lbs. bread.	2 rifles.
1 cooking-stove and mess	2 shot-guns.
gear.	

sextant, artificial horizon, prismatic compass, opera-glass, ensign, medicine, etc.

We all assembled on the ice, and of course cheers were exchanged. Away they went merrily enough until they came to an ice opening, where they were obliged to make a ferryage. Here some of their dogs ran away and returned to the ship, but I sent them back at once, and followed up the sled until they made a new departure. I watched them frequently from the crow's-nest, and at six p.m. I saw them about five miles from the ship, evidently halting for a rest. Of course I sent lime juice, and moreover I started them with eleven gallons fresh water, and besides having Dr. Ambler prepare medical advice and suggestions, I directed Melville frequently to rest his party, to look out for snow-blindness, and to avoid using surface snow and floe ice. Should the distilled water give out during the trip to the island, he was directed to scrape the breakdown crystals from the tops of old hummocks. From the moment of his departure, a large black flag eleven feet six inches square was to be kept flying at the main, and he was frequently to take bearings to it. Should it shut in thick after he had been away forty-eight hours, one of the whale guns or the brass piece will be fired every four hours; and in clear, bright weather, from and after the third noon from his departure, a fire of some material, giving plenty of smoke, will be made at meridian. He is not to remain at the island more than twenty-four hours, and is to do as much as he can in carrying out my written orders.

Of course there is some risk in the this trip. But the weather remains good, light northerly winds prevail, and our drift seems to be directly towards the island. I want to know whether there is any bay in which I can place the ship, and perhaps remedy her leak; whether there is any animal or bird life with which I can replenish our waning stock of provisions; and whether, in the event of disaster, we can fall back upon this island as a place to live, and make a fresh departure for the Siberian coast; whether there is any more land in sight from its summit; and very particularly what is the appearance of the world beyond, whether interminable ice or a chance of water. Should the ice break up around us, I want to know what are the prospects; and so much knowledge can be gained by this visit, as well as the satisfaction of planting our flag upon a newly discovered piece of the earth, that I think the risk of undertaking the journey is justified. During the afternoon, when the weather cleared up, I got good bearings, and I find Jeannette Island on our port bow (S. 11° E. true) and Henrietta Island on our starboard bow (S. 51° W. true), verifying my belief that we are drifting toward the latter island, and heading between the two. My anxiety will be endless and unremitting until I get all hands under my wing again; and I pray God so to aid them and guide us that no mishap may occur.

Soundings in thirty-nine fathoms; slight drift S.S.W., and a low temperature to close

our month—9°. Lauterbach restored to duty from sickness.

June 1st, Wednesday.—What next? The doctor informs me this morning that he is of opinion that several of our party under his treatment are suffering from lead poisoning. Newcomb is quite under the weather with severe colic, and Kuehne is about the same. Alexey is complaining in a similar manner, and our steward is very ill indeed. The doctor says he is a little disturbed also, and Chipp has had a sharp touch of it. No less than six people, and the sledge party yet to hear from. Suspicion was first directed to the water, for as all joints about the stiller are red leaded to make them tight, we fear that some of the lead was carried over with the steam and deposited in the receiver. This, unfortunately, cannot be entirely avoided, though it may be reduced. Then I examined all vessels in which drinking water is carried or tea and coffee made, and I put out of commission all having any solder patches, substituting iron vessels lined with porcelain. But upon examining our tomatoes, they were found to show traces of lead in larger amounts than the water, and the doctor thinks that the distemper, if I may so call it, is due to our large consumption of that vegetable. The acid of the tomato acts chemically upon the solder used in the tins, and the dangerous mixture is formed; and since we have had tomatoes every day for dinner subsequent to May 4th, it is assumed that we have become largely dosed with lead, and some of us have had to succumb. Inasmuch as we all eat tomatoes, the exemption of the majority is due to their greater capacity for lead, I suppose, for no good reason presents itself to my mind. It has transpired that the steward, who is the worst case, is remarkably fond of this vegetable, and eats of it unsparingly. Of course we have eaten tomatoes four times a week ever since our commissioning, and until May 4th, without any bad result, but that does not prove anything. A very interesting question here comes in. Our canned fruits have, I believe, similar chemical action upon the lead soldering, and no doubt we are absorbing more or less lead all the time. Now does this chemical action begin at once or at the end of two years? A very important question to an Arctic expedition, for of what use is it to secure exemption from scurvy for two years if disabling lead poison finishes you in the third year? The doctor says each severe attack may be mitigated by medicine, but a continued absorption of the lead will produce palsy, and that would certainly be a perplexing disease to deal with in an Arctic ship. If the chemical action begins as soon as the tomato is canned one is in danger at all times. However, as we stood the vegetable four times a week, I order a return to that issue to see what effect well be produced.

We are certainly drawing in upon Henrietta Island, and getting Jeannette Island well opened on the port bow. Bearings to-day: ship's head S. 10° W. (true); east end Jeannette Island, S. 10° 30' E.; south end Henrietta Island, S. 51° W.; north end, S. 57° W.; latitude 77° 16' 14"; but I could get no time sight.

During the forenoon our traveling party were sighted from aloft, apparently more than half way to the island.

Dull and gloomy weather; temperature, maximum 15°, minimum 8°.—lovely for a June day. (Strawberries will be late this year in these latitudes.) The ice seems to have slacked up again, a wide opening occurring about twenty yards west of the ship, and extending for a mile north northwest and south southeast.

June 2d, Thursday.—Henrietta Island has been in sight all day and very plainly too, and I am very much deceived if it is more than eight miles distant.

Our lead invalids are responding to treatment, the steward more slowly than the others, as his attack was the most severe. I have had occasion heretofore to note how naturally one of our two Chinese dogs the work of both whenever one is sick, and I am not surprised, therefore, to see the cook calmly cook for all hands and look out for the cabin and ward-room, and wait upon the table; and just now, with extra things like arrow-root, beef-tea, etc., for the sick, and the serving of one sick officer's meals in his room, he has no easy time of it. But it is all done, and Ah Sam nurses Charles Tong Sing meanwhile. My respect and admiration for these two men are boundless. Everything about the ice seems to have come to a stand again. Ice has formed over all openings.

June 3d, Friday.—Nothing yet to be seen of Melville and his party. Taking all things into consideration, I do not expect him before to-morrow night or Sunday morning; but though neither of these times are here yet, I cannot help the constant uneasiness which I experience. Henrietta Island was in plain sight all day, and we are assuredly closing in on it. Bearings of the south end, S. 52° W. (true), and of the north end S. 61° W. (true) I fix our position to-day in latitude 77° 13' N., longitude 158° 12' E.; and by the change of bearing since May 24th I fix the south end of the island in latitude 77.8° N., longitude 157° 43' E., and that makes it eight miles distant. Our drift since May 25th has been S. 74° W. nineteen miles.

We discovered this morning that the ice under the stern was domed up and cracked, and we came to the conclusion that the ship was trying to rise in her bed. To facilitate operation, and to prevent too much strain being brought on her keel which produces under the rudder, the men were set to work digging away the ice. It was a tough job, for it is as hard as flint, and clings like an old and tried friend. Here and there the mark of the fibre of the wood shows in the attached ice, and in several places the oakum has been torn out of the seams when the ship has been raised a little.

We rig our quarter deck pumps for an hour to-day, and pump the ship out dry, getting up much of the dirty water which has been stagnant all winter, and of late has occasionally greeted our noses. By counting the number of strokes of our pumps and computing the work done, I find that our leak now amounts to 4.874 gallons a day, or about 203 gallons an hour.

The steward has gone back to duty to-day, to our great comfort. He seems quite recovered from his share of lead. Chipp, however, set back again by an imprudent eating of raisins yesterday. Newcomb is terribly down in the mouth, and looks as ~~gone~~ ^{as gone} as possible. He has suffered considerably. Curious that so many of us feel no effects of "Lead in our" as yet! And we are all on the same diet. I hope none of the traveling party have been afflicted, for assuredly they have enough to do for well men.

June 4th, Saturday.—With one thing and another a lively day. As a fog shut everything in after three p.m., I got our brass gun out and loaded it for a signal to our traveling party should they be within range. Before noon it was fairly clear and pleasant weather, and at eleven a.m. I had a fire made on the ice ahead of the ship, and with r and oakum we made a good black smoke for an hour. About two p.m. I heard a shot, and going out to see about it I learned that a bear had come up near the ship without being seen by the man on watch (a bright lookout on Dressler's part), and when Starr,

who was astern, ran out to get a shot, his aim was so disturbed by his breathlessness that he missed, and away ran Bruin. Charr was given him, of course, and he was fired at; but alas! our 600 pounds of fresh meat escaped.

From Starr's account, he came up and looked at our few remaining dogs, and they looked at him without making a sign. Then Bruin walked to the nearest clothes-pole, deliberately used it to scratch his back and sides against, and then, seeing Starr, commenced to walk away. As he heard the bullet sing he quickened his pace to a run and (why prolong it) escaped. Our tar smoke, no doubt, attracted him. Fired the guns at four p.m. At eight p.m., with a good clearing, we could see nothing of the sledge party.

June 5th, Sunday.—At six a.m., Manson, the man on watch, informed me that the traveling party was in sight. Going out on deck, I could see the silk flag here and there appearing among the hummocks as the sled advanced through the ice. I ordered our colors to be shown, and the men to be turned out to receive the travelers, and then hastening out on the ice tried to fire the whale-gun as a signal to our people that they were seen. After failing once or twice, I left the gun in charge of the men who had come on deck, and came on board. As I reached the mainmast I heard a slight explosion, and, anxious to know whether it was our gun or a shot from the returning party, I was rushing up on the bridge, when crash! I got a terrible blow on the head. Forgetful of the windmill, in my anxiety for the travelers, I had rushed up in time to get a blow from one of its wings flying before a ten-mile wind. Stunned and confused I crawled back, while the blood sprinkled on the ladder and quarter deck, and the quartermaster ran toward me in alarm. Feeling that my head must be cut, I called the steward to get me some water in a basin, and when he came I told him to see what was wrong. He looked at my head, and exclaimed, "Oh my! great big hole!" upon which I concluded I wanted the doctor's opinion, loath as I was to disturb him and add to his already great care and anxiety. When Dr. Ambler came up in the cabin, I learned that I had my head cut open in a four-inch gash, etc. Stitching and plastering followed, and then I resumed my scrutiny of the returning party.

To my relief I could count six people, and all hands seemingly had come to a halt. As soon as possible, I sent out Mr. Cole and the starboard watch to meet them and help them in. At 8.50 a. m. along came the sled, drawn by the dogs and three of the six travelers. Melville and Sharvell had remained with the boat, and Mr. Dunbar was carried part way and walked part way, and reached the ship snow-blind. He was disabled at noon on the third day out, and led or carried thenceforth. Melville sent me the following message, on receipt of which I sent the port watch in Sweetman's charge with a spare sled, and, accompanied by the doctor, I went forward shortly after. By 9.40 a. m. I had them all on board, worn and tired. It is true, but no one disabled but Mr. Dunbar.

Melville's message:

10.30 a. m. I have just broken the sleigh runner, dismounted my boat, and am in the midst of a heavy jam of ice. Please send another sled at once. Landed on the island 5.10 p. m., third day out.

Respectfully,

MELVILLE.

To Lieutenant De Long, Commanding Jeannette.

The party landed on the island on Thursday, June 2d (Friday, June 3d), hoisted our

silk flag, took possession of the island in the name of the Great Jehovah and the United States of America, and, agreeably to my orders, named it Henrietta Island. They build a cairn and placed within it the record which I send with them, and made as much examination of the island and search for vegetation as their limited stay would permit. The island is a desolate rock, surrounded by a snow-cap, which feeds several discharging glaciers on its east face. Dove-kies, nesting in the face of the rock are the only signs of game. A little moss, some grass, and a handful of rock were brought back as trophies. The cliffs are inaccessible, because of their steepness. The ice between the ship and the island is something frightful. Road-digging, ferrying, and its attendant loading and unloading, arm-breaking hauls, and panic-stricken dogs made their journey a terribly severe one. Near the island the ice was all alive, and Melville left his boat and supplies, and carrying only a day's provisions and his instruments, at the risk of his life went through the terrible mass, actually dragging the dogs, which from fear refused to follow their human leaders. If this persistence on landing upon this island, in spite of the superhuman difficulties he encountered, is not reckoned a brave and meritorious action, it will not be from any failure on my part to make it known. I issued a general order communicating the names and positions of the two islands: Jeannette Island (our discovery of May 16th), in latitude N. 76° 47', longitude E. 158° 56'; and Henrietta Island (our discovery of May 24th), in latitude N. 77° 8', longitude E. 157° 43'; and in the evening I ordered a double ration of whiskey served out forward. At ten a.m. I read the Articles of War and inspected the ship, and at 1:30 p.m. I read divine service.

Thank God, we have at least landed upon a newly discovered part of this earth, and a perilous journey has been accomplished without disaster. It was a great risk, but it has resulted in some advantage.

July 11th, Monday, everything was advanced one and a half miles, and I was counting upon completing another three miles this day, when a lead was found open a quarter of a mile from our dinner camp. Every time I stopped before midnight I could hear the soft roar of water lapping against ice, and I was not much surprised when water was found close at hand. Turned to at 1.50 a.m., and advanced everything to the lead by 3.50. The opening had widened considerably, and several of them followed in close succession, requiring ferrying and bridging, and at 6.40 a.m., when we pitched camp, I am sorry to say we had advanced only two miles altogether instead of three.

While waiting for everything to come up to the first ferry, I was much struck with the unusual appearance of the clouds to the southwest, which gave more indications of water than anything we had yet seen. Calling Mr. Dunbar's attention to them, he expressed his opinion that such clouds did not hang over ice. Climbing to the top of a hummock twenty feet above the water-level, and examining carefully with a glass, I saw unmistakable land and water. It now appears that this was the land seen yesterday. At all events it is land, sure enough, and water, too. What it may be no one can say—whether newly discovered land, or (our longitude being out) some portion of Siberia. It can hardly be any one of the Liakhoff Islands.

Another pleasant feature is our course, southwest being a straight line to it. My change from south to southwest may therefore be a wise act, resulting in our speedier liberation. Judging by ordinary distances, I

should say the land is ten to fifteen miles distant; and as I could see quite a large expanse of water, with long streams of detached ice, it may be that once at the margin of this ice-field through which we are now toiling we may have open water to the Siberian coast, thus verifying some part of the statement of Russian explorers. We have exploded so many theories of other people that it will be hard to make us believe that we can have left the ice behind us short of the Arctic circle.

One month ago to-day our ship went down, and I do not see any one the worse for the work that has fallen to us since. That it is hard work there can be no dispute. It is conceded by everybody to be the hardest work they ever did. The drag, drag, the slips and jerks, the sudden bringing up of the hauling belt across the chest, are fearfully trying; and the working with pick-axes through flinty ice makes every bone ache. From the looks of the weather at camping, I judge we are in for a southeast blow. The sky is overcast, a nasty fog shuts in everything. If we have a southeaster we may be blown miles to the northwest before we can get to this land or water.

Our cocoa and chocolate being exhausted (to my satisfaction, for I like neither), we commenced this evening (morning) on our tea—one ounce per man is too much, and I shall reduce it to a half ounce. Pipe down at nine a.m. Men to stand watches of two hours. Called all hands at six p.m.; breakfast at seven for everybody but No. 1, and we were delayed until 7:30; occasionally the cooks get bothered with the stoves, and this was the case with our cook, Erickson, this morning. Found the barometer had fallen to 29.55 at 38°, and the temperature risen to 35°. A thick fog shut in everything at short distances, but we had so much water around that we seemed already to have reached the margin of the ice. Rain fell at six p.m. heavily, and the S.E. wind, which blew freshly during our sleep, was now only a moderate breeze from south southwest. At eight p.m. I took the dingy and went ahead to look at our prospects. So much fog prevailed that from the camp it was impossible to see the other side of the water around us. Just after I started rain fell again, but the wind shifted to southwest, and a clearing along the horizon indicated a change for the better. I found that in order to make any progress we must ferry our things down a lead about three hundred yards in length, and then drag them across in intervening floe piece to another lead which we must cross. Emptying the first and second cutters at nine p.m., they were made to serve as ferry boats. Hauling loose packages, tents, sleeping-bags, knapsacks, and even dogs and dog sleds was easy enough, but the loaded sleds gave much annoyance, lest improper managing should damage a boat. Using the first cutter alone for this purpose, and hauling one sled at a time over the stern, two trips were made, and then I took her and gave her the two remaining sleds to carry, one over the bow and one over the stern, while six of us got amidships to distribute weight while we hauled her over. It was risky, I admit, but I did not want to lose the time which would be required to unload, load, and relash the four heavy sleds. I do not think, as it was, we made more than one quarter of a mile good when the arrival of—

July 12th, Tuesday, gave the signal of halting for dinner, which we ate at one a.m. The weather was sensibly colder, and the land had veered to the west. The sun began to show brightly, and we could see for some distance. The ice ahead of us had all opened with the change of wind, and ferrying was the order of the day. Though not disagreeable work it is at times fearfully slow, par-

ticularly when no suitably sized pieces are at hand, and we have to take an island as long as a mail steamer, and seven to ten feet thick, for a ferry boat. However, over we went, traversed two floes one quarter of a mile each in extent, and, finally at 8:30 a.m., halted and camped on an island of ice five hundred years in diameter, and averaging ten feet in thickness, as the best camping place available. Our outlook was not encouraging. Lanes of water not large enough to help us, but wide enough to bother us, and some rough-looking ice lay before us for our next task. The wind had got to northwest and the weather was bright and sunny, but somewhat squally. Distance made good one and a half miles. Nothing could be seen of the land and water we saw yesterday. The southwest horizon was foggy. Many dove-kies (guillemots) were seen, several gulls, one auk, and, strange to say, the doctor picked up a live butterfly, which I have preserved. This last is not an habitué of the ice, and was certainly blown from the land by the southeaster of yesterday, or by the southwester which followed it.

Supper at 7:30 a.m. Nobody under our conditions could write very fully all the occurrences of a day, and I am very glad before turning in each morning to remember even as much as I write. The hundred trials and difficulties in getting along, the heavy hauling, etc., are regular, and once mentioned need no repetition. No doubt, one of these days I can more satisfactorily describe our march over the frozen ocean, but just now these rough notes must suffice. Sounded in twenty-five fathoms; muddy bottom, rapid drift S.E. Piped down at nine a.m. Called all hands at six p.m., breakfasted at seven p.m.; fresh N.W. wind; barometer, 30.05 at 40°; thermometer, 31°; cloudy and foggy; under way at eight p.m. Immediately we had to ferry all our things across from the island on which we camped to the one alongside of it, and from there to adjoining ones, and at 12:30 a.m.,

July 13th, Wednesday, we had only made on half mile good, reaching then a strip of ice about a mile long. Halted for dinner, and at 1:50 went ahead again. Traversed this one mile piece, and then came to an opening about two hundred feet wide, separating us from an ice-island, which on the opposite side was near enough to a floe piece to make access easy. By great luck there were three large cakes floating along this two hundred and a foot opening; we seized on them, dragged them into position for a bridge, and were thus able to proceed without much delay. Beyond them was a long, flat floe one half mile in extent northeast and southwest, and probably five miles northwest and southeast. As we only took so much of it as was on our course, the one half mile was all that we traversed, and at 8:35 a.m. halted and camped, satisfied that our one and three fourths miles were well made. While the boats were being brought up, Mr. Dunbar and I took the dingy and went down the lead at which our floe terminated, to see what it promised. It resulted in nothing except giving me a high hummock from which I could see well around me. I at once made up my mind that to go on our course tomorrow would be impossible. For not only did we have a fearful half mile of repeated ferryings before we reached good ice again, but the unloading of the boats, and a whole day, would be thus involved. By going across the lead due west we had a level floe running west southwest for two miles, which then connected with good ice, and would enable us to resume our course southwest. This I decided to be my plan of action on again breaking camp. Returning to our camping place I again saw the curious-looking clouds noticed in the southwest on the

11th, and looked anxiously for the same land and water then seen, but was disappointed. Shortly after Mr. Dunbar came to me and said he saw the open water. After some looking in vain, I at last saw it, with ice-streams in it, but no land, and judging from relative distances and my range of view, I think it was inside of eight miles southwest. The weather since midnight had been dull and gloomy. Large ponds, larger than any we had yet seen, were crossed, and more lay beyond us. These, and the remarkable looseness of the ice, led us to infer that we were near open water. As a good clear horizon would decide this question beyond doubt at any time, our foggy weather is all the more deplorable before camping.

And now occurred the first serious breach of discipline among the crew since our commissioning, over two years ago, and on the part of a man whose conduct has been so uniform beyond reproach as to make it the more surprising. It appears that Melville had placed a pair of soles in the stern of one of the boats, and the shaking of the boat in dragging had shifted them on the sleeping-bag of Ed. Starr (seaman). Upon halting to camp, Starr went to the boat, picked up the soles, and flung them some distance on the ice, in a temper. Melville informed him they belonged to him, and ordered Starr to pick them up, at the same time saying, "Don't do that again." To the order Starr paid no attention, but growled something about wet soles and his sleeping-bag, and he did not care whose they were. Hearing Melville repeating his order, and Starr making argumentative and sulky replies I went to the scene, and to my surprise found Starr showing no intention to pick up the soles, but continuing to speak in a surly and disrespectful manner. I at once ordered him to stop talking, and to obey Mr. Melville's order. He paid no attention to either order, but continued his rummaging in the boat; and his growl continued. "A nice place to put wet boot soles," etc., etc. And it was only upon my three or four times repeated order to pick up those soles that he did so. But to my order to keep silent he paid no obedience till he apparently had no more to say. I ordered him to stand up apart from everybody, and in a few moments asked him if he had anything to say in explanation of his conduct—disobedience of Mr. Melville's orders exceed our supply. I have already authorized the use of the leather from the dingy's oars, and this morning I had to have the leather cut off the first cutter's steering oar for patches. This leather will last longer than skin patches. It is true, but I hope the time is not far distant when I can have at least this one care and anxiety removed from my mind. Supper at 7:20 a.m. Piped down at nine a.m. Called all hands at six p.m. Breakfast at seven p.m. Moderate N.W. wind; weather dull and gloomy, with some fog. Under way at 8:15 p.m., some little time having been lost in harnessing up the dogs. Some of them, during our sleep, devoted themselves to eating the hide part of two harnesses carelessly placed within their reach. There were no less than eleven openings in the ice ahead of us before dinner, and we had to bridge and watch three of them. In momentary fear that all eleven might open and give us any amount of trouble, I hurried everything along with all speed, and I am satisfied that by one a.m. we had made a good mile and a half.

July 15th, Friday.—Before midnight the horizon to the northwest began to brighten, and there were indications of a clearing. The heavy masses of fog and clouds began to roll away, and occasional glimpses could be had of the sun and blue sky, with cirro-cumulus clouds which seemed to me to be

rising from the southeast. By midnight the sky was clearing also to the west and southwest, and I was beginning to peer around for our land and water, when I saw Anequin head of me on a high hummock looking intently to the westward. Hastening forward,

showed me a long black streak on the eastern horizon, calling it an island. I looked, but saw what I called water, and so it proved upon getting my glasses. I saw the long, regular curve mentioned on the 13th, and, perhaps, the same seen on the 11th. I certainly think it is the open ocean. As from our elevation our horizon could not exceed six miles, I feel satisfied that the edge of the ice must be within that distance, and as the point of the land came down in the middle of the water it is equally evident that we shall come to the water before reaching the land. As the land now bears S. 60° W. magnetic (about W. by S. true) we have been drifting a long distance to the southeast, or else we are very close to it, for a change of bearing of five points has occurred in fifty-two hours. We have not had wind enough during that time to make any very extensive drift, and our course has been steadily southwest. All things taken into consideration, therefore I assume that we are near land and water, and I decide upon resuming our march after dinner, to head W. by S. directly for both. During dinner (1.40 to 2.30) we saw the moon for the first time, I think, in two months, and what was more satisfactory we saw a seal in a lead near us, and Mr. Collins shot him, while the dingy this time got him before he sunk. Upon resuming the march at 2.30, therefore, we headed W. by S. (true), and I directed Mr. Dunbar to take Anequin with him and go ahead a prudent distance to see whether we were really approaching the open sea, without paying attention to the movements of the sleds. I was certain that Mr. Dunbar and Anequin could go three miles while we were advancing half a mile, and from this three miles a better view could be obtained, and a more correct opinion formed as to its remoteness. If the water were only six miles off, going three miles toward it would permit a very accurate estimate of the remaining distance. Mr. Dunbar carried a rifle and ammunition and some pemmican.

By 5.50 A. M. we had advanced everything three quarters of a mile, and then had come to a smooth place for camping, the only suitable place except one at a much greater distance than I thought we could make in reasonable time. Camped therefore and very fortunately, for no sooner were the tents pitched than it commenced to rain steadily. The wind had backed to west northwest, the sky had become covered with clouds generally in north and south lines.

The seal comes in splendidly for two things—food, and grease for our leaking boots. Before camping I had Iversen break off from boat-hauling, and get to work on the preparation of puaa. Removing the backbone and blubber the meat was cut up into small pieces for convenience in stewing, and the amount, twenty lbs., proportionally divided among the five tents. A similar division was made of the blubber, so that I am sure each man got his share for his food and for greasing his boots. Extra alcohol for cooking (2 oz. of salt), and a potful of broken bread to each tent, seemed to promise a good supper. At 7.15 A. M. we sat down in No. 1 tent to a simply delicious repast. After our long diet of pemmican the change alone was a luxury. We did not stand upon our ship ideas of hanging the seal up until the animal heat had departed, or keeping it for a few days. The seal was shot at 2.30, skinned at four, and eaten at seven, and we feel as if we had dined at Del-

monico's. Our seven thirty-thirds of twenty lbs. were cut up in small lumps, boiled in water, three and one half ounces Liebig added, one pint bread crumbs added to that, and salt to the extent of one ounce, and for a feast I shall long remember it. No. 4 tried to fry their six thirty-thirds, and so very successfully that Melville says the taste was like fried oysters!

At 7.30 Mr. Dunbar and Anequin returned, and I was informed of the result of their journey. They went about three and one half miles, and Mr. Dunbar says he thinks they were half way to the open water. He was raising it very fast, but the land remained as distant as ever,—that is, he could see nothing but the faint snow curve which we have seen all along. Evidently, then, the land is distant, and may be, after all, one of the Liakhoff Islands. But I thank God that our chances seem so good for a speedy getting afloat, and thus rendering comparatively easy our access to it. Piped down at nine A. M. Called all hands at six P. M.

Weather, curiously enough, bright and pleasant, though from the temperature (34° in the sun) one would expect our customary fog.

Under way at eight P. M. Had "a rocky road" ahead of us with some digging, and, though we crossed several leads, but one bridging had to be done.

CHAPTER XIV.—BENNETT ISLAND

16 July—5 August, 1881

Nearer View of the Island.—A Narrow Escape from Drowning.—Open Water in Various Directions.—Crimson Snow.—Perplexing Views of the Island.—Land or Water?—Making for the Land.—Impassable Roads.—Needle Ice.—Walrus.—Rotten Ice.—Confusion of the Moving Ice.—Clear Weather and New Views.—Recourse to Boats.—Fearful Work.—The Constant Change of the Ice.—Drifting Away from the Island.—How Relief is called.—Sudden Discovery of a Cliff.—A Rush for the Island.—A Terrible Landing.—Taking Possession of Bennett Island.—Plan of Operation.—Assignment of Work.—Geological Foundation of the Island.—Tidal Observations.—Reconnaissance by Mr. Dunbar.—Coal on the Island.—Mr. Chipp sent on an Expedition.—Return of Mr. Dunbar.—His Report.—Disagreeable Weather.—Return of Mr. Chipp.—Record made for Deposit.—The Cold Storm.—Shooting of Dogs.

July 16th, Saturday.—By 12.30 A. M. we had made a good mile from our camp, and halted for dinner. The weather continued bright and pleasant, and a few cirrus clouds were all that could be observed. The island shows more plainly than yesterday, but no water could be seen. At two A. M. resumed our march, and advanced everything another good half a mile by 3.30 A. M. Here there was but a poor place to camp, and, as I was closely occupied with getting sights, I sent Mr. Dunbar ahead to choose a place. He informed me that a quarter of a mile ahead there was a good place, and that, though there had been several leads open, they were not closed, and we might sled right over. I gave the order, therefore, to go ahead, and returned to my work of a Summer. As I have to carry my instrument box on a dog sled, my movements and those of the sled do not correspond, and I generally have to send to the rear to get my box brought up, and keep by it during the interval between sights to prevent it getting out of my reach. Mr. Dunbar had gone ahead to get a good hummock to look for the water. Much time elapsed without Melville coming back for the second sight, and I could not understand why. Finally I rushed ahead, with my sextant in one hand and my artificial horizon in the other, and at least found

the cause of the delay; the ice had opened again, and left us in a fearful mess. The dog sleds had got over and discharged, but could not get back, and Melville was trying to get his two sleds out of the snarl in which he found himself. I saw we were in for a time, and so it was; for not until nine A. M. did we get all our traps into camp, requiring three hours for what we expected to do in one. However, we are consoled, for Mr. Collins shot a seal meanwhile, the dingy got him, and we have another luxurious supper ahead.

Previous to getting sights, I had a mishap which was annoying. Going to the top of a hummock to take a look at the land, Mr. Dunbar and I had to go out of the road and jump some rather wide openings. Going was all right, but jumping across a four foot opening the ice broke under me as I jumped, and I went into the water up to my neck. My clothes held me up for a moment, and Mr. Dunbar grabbed me by the hood, as he thought, but by the whiskers principally, as I realized, for he nearly took my head off. My knapsack was away to the fear, and I sent Johnson back for it when I reached the dingy. However, I soon got dry clothes on, and, thanks to the bright sun, my wet ones were soon drying. By capsizing of a dog sled we lost 270 pounds of pemmican. Mr. Newcomb shot a bird new to us,—a Mollemokki. The event of the day, however, was the seal,—a fine, large, fat one, giving us food and boot grease. Not much less in importance was the appearance of a walrus,—the first one seen by us in a very, very long time. Though fired at and hit by Mr. Collins and Nindemann, he remained under water finally after many reappearances.

The land showed somewhat plainly today, but I could see no water. Mr. Dunbar thinks he saw it, about seven A. M., to the left of the land, but I do not think he was right.

Supper at 10.15 A. M. Our seal was simply delicious. As it was so late (11.05) when we had finished supper, I concluded to sit up for a meridian altitude, which, when obtained, gave me 76° 41' N. for our latitude, agreeing fairly with my Sumner, roughly plotted as it was. I shall now work my first sight over, with this correct latitude, and see our exact position.

As we have started the lashings of No. 1 sled, and as, in anticipation of rough roads ahead, I have concluded to lighten its load anyhow, we have some work ahead of us before our next march, and shall probably make a late start; I therefore, on piping down at 11.15, ordered all hands to be called at eight P. M. Wind light northwest; barometer 30.40 at 40°; thermometer 31°; sky beginning to cover with cirrus and cirro-cumulus clouds.

Called all hands at eight P. M.; light west breeze, overcast sky; breakfasted at nine P. M. Chipp was discharged from the sick-list and returned to duty. This relieves Melville, who now takes charge of the road and bridge making, in place of the doctor, who now becomes a reserve.

Set to work repairing and lightening Nos. 1 and 2 sleds. Sent Mr. Dunbar ahead to flag out, and upon his return he told me he had seen the water. I now was able to see it from a hummock alongside the camp, and it was to the right of the island. The island itself was much plainer in sight than ever. I am again in hopes that we have made another discovery.

Working my longitude over with correct latitude, I find we are in 76° 41' N., and 153° 30' E. Soundings, twenty-three fathoms—mud.

The brings me along to—

July 17th, Sunday, upon the arrival of which we promptly sat down to dinner. Turned to at one a.m., and started ahead, Mr. Cole and a sled crew to finish up and bring No. 4 sled. At two hundred yards from camp we had some bridging to do, and five hundred yards further some more serious. However, Melville managed it well, and Chipp lost no time in jumping things across, and we finally reached a stretch of hard ice, over which we could make good time, so that, by 6.45 a.m., I am satisfied we had made one and a half miles good. We then halted and camped.

During our march, from the top of a hummock we saw the water to the right and left of the island, and on the right, through spaces between hummocks, we could see it continue for a short distance. Believing we were close to it Mr. Dunbar went ahead one and a half of his miles, and kept raising the water very fast. From his turning point, he says he thinks the water about twice as far as he went, making its distance four and a half miles. After he returned we advanced half a mile more, so that, upon camping, we ought not to be more than four miles off. The land seemed as distant as ever. He says the ice is very much better, much of it being smooth and of last winter's growth, and thinks in two days we can reach the water. But we shall see.

To-day I saw some faint "crimson snow" and several pieces of muddy ice. A very curious seal trick came to light by my breaking through the ice. He had two holes leading from the sea connected by a covered way under the snow and thin crust. I suppose it was to give him a resort in case a bear headed him off. On the ice, by one hole, was a cavity in which the seal had lain and bled the shedding hair off his skin.

Upper at 7.45 a.m. Divine service at 8.30. Bed down at nine. Called all hands at six p.m.; breakfasted at seven p.m. Under way at eight p.m. About one quarter of a mile from the camp we came to our first opening in the ice, which, simple enough for the leading dog sled, became very difficult for the heavy sleds and boats, because of a sudden widening. Two other leads beyond widened also, and altogether we had a very delicate amount of work, requiring much care and attention.

Anxious to see what Mr. Dunbar saw before camping, I hastened forward with him to the same high ridge at which he stopped, and which commanded a good view. Here, to my unpleasant surprise, I could see land enough, but no water; and though Mr. Dunbar averred he could see water with streaks of ice in it, I felt inclined to think it was an effect of refraction. After undergoing many kaleidoscopic changes, I began to believe it had settled into land and water, both. The whole back curve remained as a dim outline, but lower down there were apparently dark cliffs and snow patches, but infinitely less distinct and regular. The more I looked the more confused I became, and Mr. Dunbar was nonplussed. At one time I was ready to declare that nothing but ice extended to the land; at another, that the land was very distant, and that we were near an open ocean, with pieces of drifting ice; and again, that mirage had raised and inverted ice hummocks and small peaks, and that there was neither land nor water. This last I abandoned, however, because the light curve above had been too often seen and too well maintained its regularity to be an effect of refraction. I sat and studied this thing for an hour, watching every change carefully with a glass, and I finally made up my mind that part of the dark looking mass was land, but that the lower strata was certainly water. I decided, however, to send Dunbar and the doctor ahead after dinner,

to look nearer and speak more surely. Turning back to see what kept Chipp and the boats behind, I learned of the serious ice-openings, and, having got everything advanced a good three quarters of a mile since breaking camp, I halted at midnight and prepared for dinner. Just then Mr. Collins called out to me, "Captain, is that land or water?" Looking south, where he pointed, behold there were some more uncertainties. Was this land or water? If land, then we had seen no water west. If water, then our only land west was the faint curve drawn above and very distant. I was fairly staggered, and Mr. Dunbar looked as if he had been dropped from the clouds. It was a confusing moment to me. The south appearance indicated much greater distance, and if I made for it a S.E. wind might spring up and drift me away from it faster than I could go toward it, and I might, by going to the westward, reach the land or water before a southeaster set me away from it. I decided to await the result of the trip of Dunbar and the doctor.

July 18th, Monday.—At 12.50 a.m. ahead went those two gentlemen, and at 1.15 a.m. we moved along with our effects. After crossing two small leads we struck a long piece—two miles—of smooth ice, made last winter, and got along splendidly. Next to the smooth ice was a long floe of hard, older ice (two miles), and I was beginning to contemplate a good day's work when some unexpected openings occurred among the last winter's ice and threw us back somewhat, and, in consequence, when I halted and camped on the old ice at 5.40 a.m., I think we had barely made two miles good since our breakfast.

The weather had remained pleasant. The sun was frequently obscured, and enabled us to dispense from time to time with our snow-glasses, to the great relief of many who have difficulty in wearing them. Light west airs, the clouds having a slow motion from that direction.

At six a.m. the doctor and Mr. Dunbar returned. They had gone, they thought, four miles ahead of our dinner-camp, and from there had concluded they saw no water at all, but all land; and, though they could form no estimate of the distance of the land, they thought the ice extended to its base. This is slightly different from the "open water in two days," but it cannot be helped. After mature consideration, I have decided to keep on heading for the land for several days yet. From the manner in which we have raised it in two days, I hope it is less distant than supposed; and, as the appearance south can no longer be seen, it is evident that the land west is the nearer. Chipp says he saw a similar appearance north this morning.

If we can get on this land, we shall, at all events, know that we are stationary, and that the wind will not carry us around aimlessly. Unless the Liakhoff Islands are incorrectly charted, this land is not one of them, for the northern point on the chart is still south of west considerably of our position on the 16th. If there ever was open water north of these Liakhoff Islands, as stated by Wrangel, Anjou, and Hedenstrom, we may get to it from the south side of this land. "A bird in the hand is worth two in the bush," and I will head for what I can plainly see, instead of bearing away across a shifting sea of ice for something which I cannot see.

Supper at 6.30 a.m. Piped down at nine a.m. Called all hands at six p.m. Breakfasted at seven p.m. Bright and absolutely cloudless. Thermometer 31°. Temperature inside tent No. 6, 48.5°. Under way at eight p.m., and immediately had a stretch of three fourths of a mile, over good ice, bringing up at a lead two hundred yards wide. In this we

secured a large floe piece, and having everything on it by 10.15 p.m., we ferried across. Then we had a mile of splendid going over smooth ice, and when we halted for dinner at 12.30 a.m.—

July 19th, Tuesday, I am sure we had made one and three fourths miles good, over a west and north (true) course. The weather bright and sunny, a few cirrocumulus clouds only having appeared in the northeast. The wind remained at south, and seemed inclined to freshen. The land was in plain sight, and though I was so puzzled yesterday, I am not satisfied yet that there is no water.

Turned to at 1.50 a.m. and went ahead. For two miles we had a good road, and then we came to a fearful mess of small ice lumps and water, with a rare large block. It was the kind of ice over which one might walk, but dragging anything was out of the question, while a boat would be knocked to pieces. Some fearful disturbance has occurred here at some time or other, and huge blocks have been reared up on end, and at all angles. Traveling looks something like this:—

In vain I climbed up several large hummocks and kept Mr. Dunbar running around in quest of a better place for crossing. Melville had already commenced the herculean task of digging away some of these huge slabs to level a road, in case we could manage the water-gaps, which seemed almost impossible, when the doctor said he had seen what he thought a better way of crossing farther to the northward. We hastened to the spot, and by some work and management, I think we can get across this mess and on the level ice beyond. But it was now six a.m. and our usual supper time and we had made nearly four miles. The work of crossing would probably require three hours; so, instead of continuing at once, I decided to get supper first and proceed afterwards. I am too anxious to leave this mess behind us, to camp on this side of it, and though we have made a good three and one fourth miles already, I must keep the men at it for a little while longer. The barometer is falling rapidly, 29.95 at 44°, and though the temperature is 31°, I anticipate a S.E. wind, and do not want to lose the grip I almost feel I have on the land.

The action of the ice in formation is nicely shown by blocks of wasted (needled) ice, which we pick up and can pull in pieces. The doctor called my attention today to the distinct manner in which the hexagonal prisms were visible, and the vacuole, as well as the lines of successive freezing. The formation is like that of muriate of ammonia, or the basaltic columns in Pingal's Cave. The blocks can be easily separated, flake by flake, vertically and at each freezing line horizontally. (See Appendix G.)

By 7.20 a.m. everything was up to the edge of the rotten pack, and we sat down as soon as possible to supper. The sky remained nearly cloudless, and the sun shone brightly. As everybody was complaining of the heat, I exposed a thermometer to the sun, getting 35°. At 8.40 a.m. turned to and set to work, and from this time to three p.m. we had the hardest time we have had yet. Such a mess of loose cakes, rotten ice, water holes, and pack ice I have never seen. We tried everything, bridging, road-making, and finally, by means of rope, to join the moving mass together. Everything succeeded for a few moments, and then came to nothing; and it was only by rushes and jumps and risks that we got everything on solid ice and camped.—four and a quarter miles good. Towards noon clouds rose rapidly from the southward, and covered the sky so as to prevent my getting a latitude, which I very

much desired. Called all hands at eleven p.m., and at midnight sat down to breakfast. Soundings in twenty-two and one half fathoms.

July 30th, Wednesday.—Hard as our work a last night I congratulate myself that it is not left till this morning, for we have a thick fog, which would have made our task an impossibility. Temperature 37° due to the evaporation, for the pools on the ice show not the slightest sign of freezing. Found Foxy dead in the water. He probably had a fit and fell in.

Got under way at 1:30 a.m., and though our work was not so difficult as yesterday, it was still sufficiently trying, and by the time we had succeeded in getting all our things across the one half mile intervening between the hard ice on which we camped and the long level plain beyond, it was six a.m., and I decided to go no further. Tents were accordingly pitched and preparations made for supper. While loading the first detachment of sleds on a cake of ice for ferrying, we were surprised by seeing a walrus come up alongside us, and apparently intent upon getting on our cake too. Mr. Collins hurried along with his gun and fired at him, hitting him near the eye. Down went the walrus, and we thought we had seen the last of him. Soon after, however, we heard a sound of hard "blowing" to the northward of us, among the fearful mess of broken ice, and looking along in that direction, we could see large patches of blook on the ice where it had been ejected in breathing. The doctor at once set out on the hard ice to the west, and Mr. Collins on that to the east, while I sent Mr. Dunbar along to the scene. Soon I heard a shot and a cry for a rope, and then four more shots, and, in fine, we killed him and secured the game.

While the doctor was firing at him the walrus was in the water, and, no doubt, if he had been killed at once he would have sunk, but while stunned for moment, Mr. Dunbar cut a hole in a flipper with a knife, and rove in it the doctor's belt, and then one more shot finished him. We hauled him down to camp. He was a young bull, from 1,200 to 1,500 pounds in weight,—more meat than we and the dogs can eat under the circumstances. The choice parts, tenderloin, sirloin, heart, liver, brain, and flippers, will more than suffice for three meals for us, and the dogs may eat all day if they like. The skin will be cut up into pieces and divided for boot soles. The tusks go to Mr. Collins, one of which he gave to the doctor. In the walrus's stomach there were shrimps and small fish like smelt, and numerous sea anemones or sea cucumbers(?).

Fog cleared away about four a.m., but weather remained cloudy and dull. No land in sight up to seven a.m.

We found our walrus stew excellent. It was not as good as stew, the meat being coarser and not so sweet. We shall repeat for breakfast, and carry as much as we can conveniently in the dingy. Piped down at nine a.m. Called all hands at six p.m. Nothing visible on account of fog.

Breakfast should have been ready at seven p.m., but as both our supper and breakfast were cooked by burning blubber, much longer time was required, and it was not until 7.45 that we in No. 1 sat down to our meal. The saving in alcohol has been effected at the expense of time.

Under way at 8.30 p.m., and after advancing three quarters of a mile over our course, W. and S. (magnetic) we came to a broken and confused mass of water and ice, much resembling our recent serious experience, and here I halted the leading sleds. Two of our McClintock sleds had received some hard usage in our troublous trip over the "meas" on the 19th, and needed relashing,

and the dingy sled was crippled, one runner being doubled under entirely. Erickson's dog sled was also hors de combat, and much work was thus in readiness for Sweetman. This delayed us considerably, for I could not attempt to cross the rotten and ugly mess before us with crippled sleds, and I dared not leave anything behind me.

At eleven p.m. the wind had got to N. E. and commenced to blow. Rain fell also, and seemed likely to fall for some time. The ice in the opening (one quarter of a mile of lumps, hummocks and floebergs) commenced moving, and I began to fear it was now impossible to cross. Altogether it was a dreary prospect. Everybody was getting wet. We could not advance over a living, moving, rotting pack, and the increasing wind promised a gale. So I concluded to pitch the tents where we were, as a shelter, and get dinner.

July 31st, Thursday.—At one a.m. the tents came along, and the cooking stoves, and while the cooks pitched camp and prepared dinner, Chipp took the rest of the men back and brought forward the dingy, with walrus meat enough for supper. At two a.m. dinner was ready, alcohol being used as fuel. Rain still continued in squalls, and the ice in front of us was moving before the moderate northeast gale. Clearly this was a case of a lost day, and I accepted the situation.

At 5.30 a.m. the land showed quite plainly between W.S.W. and S. half W., and W. by N. Soundings in twenty-two fathoms, and a rapid drift W.S.W. (two points to right of leeward). Supper at seven a.m., and as our bags were the most comfortable things we had at one disposal, we in No. 1 crawled into them at eight a.m. Piped down at nine a.m. During the sleeping time the wind tore around our tents in fierce gusts, threatening to pull them out and whirl them away. Rain fell from time to time. Called all hands at six p.m. Breakfasted at seven p.m. Ice still moving in the lead. Land in plain sight, and much nearer too, extending from S. 87° W. to N. 56° W., both magnetic. Wind strong from east, but moderating somewhat.

The confusion before us was such that I dared not risk trying to cross anything. Large blocks, small lumps, and floebergs were moving along to the southward, and occasionally a large piece, seemingly free, would suddenly be shot up in the air as it was squeezed by larger ones, or its submerged portions became freed from overriding masses. If one of our sleds had been caught in such a predicament, or one of our boats, the result would not be doubtful. The wind seemed inclined to freshen again, and going ahead was out of the question. A quarter of a mile of this living, moving ice would hold a Goliath back.

Looking further north we saw the most promising place yet, which seemingly offered an easy transit across the narrowest part of this ice channel. Sending Mr. Dunbar ahead to pick out the road, I hurried back to bring up the sleds, and at 8.35 p.m. we commenced our first forward movement. Some little pickaxe work gave us a fairly good road, though three jams were threatening to relax and leave water gaps every movement. In fact, hardly had we got the boats through than one of them opened. Meanwhile, a cold fog had shut us in and hidden the island from our sight.

July 22d, Friday.—As but one sled or one boat could be hauled at one time through the passageway above described, it was one a.m. before our last boat was through, and we halted for dinner. We were on a good piece of hard ice, lumpy, but giving fair traveling. This was separated from a much larger piece of hard, old, smooth ice by another ugly mess, which we could get over if

it held together, but it was threatening to open at any moment.

Before dinner I had sent Melville forward to cut a road, which was done, and by great good fortune at 2.30 a.m., when we turned to, we got everything through without trouble. Before us there lay a mile of excellent going, which we took so well that at 5.45 a.m., when I pitched camp, I felt satisfied that two miles might be scored as made good from our starting-point at 9.35 p.m. yesterday.

Dunbar and I had gone half a mile further ahead on hard, smooth ice (after passing a ridge at which we camped), and were then brought to a stand by some more confused mess, across and beyond which the fog prevented us from seeing. Though we might have gone as far as this before camping, I preferred to have a clear stretch at first for our next move, hoping to see the land meanwhile, and perhaps change our course to more favorable ice. Saw several murres, one loon, and many gulls. Walrus meat again for supper, and then, except his flippers, we have eaten all the choice parts. Our dogs have literally gorged themselves on the remainder, and some of them are too fat for comfort.

We are, thank heaven, rid of the wet, slushy travel which tried us so long. So many holes have been made through the ice, either old seal-holes or places where mud had collected, that the surface snow in melting has drained off, leaving good, fine, hard traveling. Our only enemy now is an ice-opening, and unfortunately this occurs frequently.

Piped down at nine a.m.; called all hands at six p.m. The sun shining brightly, though much fog around the horizon prevented us from seeing the land. Under way at 8.10 p.m., and made good time over the mile of smooth ice which lay before us. At the end of this mile we came to some trouble; a mess of loose pack, fifty feet in width, and some rough ice beyond, separated us from hard ice one quarter of a mile distant. However, we made a flying bridge, or ferry rather, and by 12.10 a.m.,

July 23d, Saturday, had everything across in safety on the hard ice, and halted for dinner. Turned to at 1.30 a.m. and went ahead. The fog seemed inclined to lift, and we could see a point showing which, from its bearing N. 40° W. (magnetic), I judged to be the point which yesterday bore N. 56° W. (magnetic). Shaped a course to carry us to the left of it. We came to some good hard ice again after crossing one bad mess, and I hurried along a good mile and a half to a high ridge, to watch with Mr. Dunbar the reappearance of the land. Upon the ridge we began to see a headland working out from the fog, and bearing N. 54° W. (magnetic), and apparently good ice leading to it. Almost calm at four. At 5.40 a.m. halted and camped, having, I consider, made an advance of two and a half miles west north-west since breaking camp yesterday evening.

The fog now almost uncovered the island and enabled me to determine that the land was one island and not two, as I for some time supposed. The bearings of its extreme points were S. 82° W. and N. 27° W., both magnetic. Other bearings will appear in the sketch which I have directed Mr. Collins to make. I do not think it is now five miles distant, and a long, low point of land, sloping to the ice. I think somewhat nearer. Magnificent weather, calm and cloudless, save for a few streaks of cirro-stratus clouds. Sufficient mist and fog rest over the top of the land to hide whatever is in the background; but several have said they saw high rolling land back from the cliffs, which are shown in the sketch. Broiling hot sun, though the

thermometer reads 21°. Got a Sumner, and determined our position to be in latitude N. 76°40', longitude E. 151°25', a change of position since the 16th of twenty-eight and a half miles to S. 88° W. Soundings, twenty fathoms; rapid drift to westward.

Piped down at nine a.m., but I remained up until noon to get a meridian altitude; latitude resulting 76°39'15". So my Sumner was very nearly exact. In fact we are drawing in so rapidly upon the land all the time that I dare say my Sumner is quite exact. Called all hands at six p.m.; under way at eight p.m. Bright, nearly cloudless weather, an appearance of land to the southwest.

Before getting under way got fresh bearings. The extreme points were found to bear as follows: S. 87° W. and N. 18° W., both magnetic, and the low point at which I headed, west (magnetic). Though the weather was bright and pleasant, a fogbank was in the eastern horizon and threatened to advance upon us. In order to give this new island a chance to see the "Stars and Stripes" before the fog shut in, our colors were displayed.

For one and three quarters of a mile we advanced over a good road, and then came to an opening with large and small blocks of ice, but yet water enough to permit a ferry. The ice was all in motion, and as everything might change favorably before we were ready to cross, no useless labor was indulged in by getting ready bridges or ferrying pieces. At 11:50 p.m. all our sleds and boats were up. At ten the fog had covered us and shut in the land, while an easterly breeze sprang up that changed our sensations from those of uncomfortable heat to those of uncomfortable cold, though probably the temperature remained unchanged.

July 24th, Sunday.—At 12:30 a.m. we sat down to dinner by the opened ice. Some excitement was created by the appearance of a seal, which Mr. Collins killed; but it sank before the dingy could reach it, and thus our luxurious supper faded away. At 12:50 a.m. turned to; the ice had been alternately moving east and west during dinner, but had now subsided, leaving a lane fifty yards wide of clear water between us and a neighboring hard floe. I at once decided this to be a case for floating boats, and as soon as I had run a line across in the dingy, and Mr. Dunbar had secured its end, the boats were in turn drawn over. The first cutter upon arrival was emptied, and used to ferry dogs, dog sleds, and loose packages, and in one and a quarter hours everything was across, then we proceeded for a short distance three quarters of a mile, and were again confronted by an ice freshet. Large blocks were being swirled around and carried first west and then east; leads were opening and closing every moment; water lanes opened now, where a moment before a good road appeared, and such a state of activity as we have not before seen. Beyond this lay a stretch of good hard ice, and better than that a lead of water on our course west (magnetic), and fifty to one hundred feet wide, while extending as far as the fog would permit us to see, which, it is true, was not far. But the sliding, shifting mass, before alluded to, bothered us exceedingly; though there were three dog-sled trips for each sled, and four trips for the men, a new way had to be found each time, going and returning, and it was not until 6:40 a.m. we got all things over and camped.

Mr. Collins, however, at 6:30 shot a seal, and we know that to-morrow we shall have a seal for supper. The land showed just once, about 5 a.m., and we are seemingly quite close to our point. It still bears west, but hardly had we seen it than down shut the fog thicker than ever.

Supper at 7:30. Divine service at 8:30. Piped down at nine a.m. Immediately after a cry was raised "a bear," and away rushed three or four in pursuit. We soon heard two shots, but at 8:45 a.m. all returned without any game. The natives fired at about one thousand yards, but rather wildly, I imagine. E. is described as not very large, (sour grapes?) and of a dirty brown color.

As I was very tired upon turning in, I at first slept very soundly; but towards morning (i.e. evening) I became wakeful. During one of these breaks, I heard two shots fired at some distance. Supposing it to be another wild goose chase, I paid no attention to it, and resumed my sleep; but at six p.m., when Mr. Cole called all hands, I learned that at four p.m. Gorts had killed a bear. Bruin came within five hundred yards of the camp, and Gorts crawled within one hundred yards of him unnoticed, and planted his two bullets with good results.

Fog still continues. Light airs from east. Temperature 28°. What lovely weather for the last week in July! Breakfast at seven p.m. Under way at eight p.m. Start fleet where lead bent to West. Go down it in dingy. Lead closes. Much trouble. Strike hard ice finally, but much difficulty in getting gear up to it. Succeeded by 12:45 a.m.

July 25th, Monday.—Sent Dunbar ahead, across an ugly mess. He and doctor go together. Strike hard ice, and at its edge they see low point, through fog, one eighth mile distant, bearing west. Turn to at 1:45 a.m. Very ugly time crossing mess. Little or nothing accomplished in distance by six a.m., our usual supper time. Conclude to work all night. Land suddenly shows plainly, and we seem about one mile from it. Moos plainly seen on the face of the cliffs. Go ahead at eight a.m., and from that time to noon, frightful work: ice opening, swirling, swinging us off from land; separating our things in spite of us. Rain sets in and continues in showers. Get our things together and dine at 12:45 p.m. Getting our reckoning straight at the expense of rest. Under canvas to avoid rain. Apparently we are drawing into a bay making an indentation on south side of island. Rain ceases. Turn to at two p.m.; go ahead. Simply fearful work which I can never forget, and ending at six p.m. in a fog which hid everything. Got on a piece of good ice and pitched camp. Bear meat for supper. Twenty-four hours since we commenced work. Wind S.E. Temperature 30.5°. Tired, cold, wet, hungry, sleepy, disappointed, and disgusted; but ready to tackle it again to-morrow. Piped down at nine p.m. This affords me a chance to return to our natural way of living, working by day and sleeping at night.

July 26th, Tuesday.—during the night I was frequently awake, and could hear the wind getting up, and occasionally the rain pattered down. As I gave everybody a good long rest, it was eight a.m. before all hands were called. I then found a northeast gale blowing, a thick fog, and only unsatisfactory glimpses of the land now and then obtainable. The ice to the eastward of us was all in motion, and much water and drift-ice pieces lay between us and the land. Several of the watch declared that during the night, when they saw the land, it was much nearer than when we camped; and Mr. Collins, who turned out during the night, said we were in front of the valley, and he could see clear water between us and an ice-foot, or strip of ice next the land. The situation I think is as follows:—

I think we are far enough under the lee of the point east to escape drifting with the ice pressing down along the island, and passing the point east, even if we are not in an eddy so created, and thus pushed in closer to the land. As nothing can be seen clearly, it

would be folly to move into a probably endless confusion, and I shall therefore wait until some plan can be safely carried out.

I do not think I shall ever forget yesterday. Such a time of difficulty and vexation can be experienced nowhere else. Such a shifting of ice and opening of leads! Hardly had we commenced to move our things along what seemed a fair road, than the road broke up; ice broke under us, ice slid away from us, ice moved to the right, when we wanted to go to the left, and vice versa, and each installment of provisions got safely across was considered by me as barely rescued from destruction. And all this time the land, not one half mile off, was tempting us by its solidity, and appealing to our desire for rest by its moss-covered hills and slopes. At eight a.m. yesterday, when we concluded to go on, and worked for twenty-four hours, so many good roads, each leading seemingly directly on shore, presented themselves, that I was embarrassed in a choice. In fifteen minutes they had fallen to pieces, and became puzzling masses of ice and water. There was no question that when I gave it up at six p.m., everybody was used up, and could not possibly have gone further. Everybody was wet up to his knees, stiff legs and cramps annoyed us until we had been an hour or two in our bags, and we were too tired, in fact, to get the rest we stood so much in need of. However, we are all right again this morning, and none the worse off, better off, in fact, for if we had not put in the twenty-four hours in full, we should have been out in the heavy drift ice, and probably miles away from the land by the time this gale is over.

At noon the fog broke away and showed the land for a few moments. We were exactly as I had supposed and indicated by the sketch on the preceding page. The pressure of the ice in swinging off the east point has backed us in toward the bay, and between our floe and the land there is about two miles of water nearly clear of ice. Jammed against our floe are a number of large blocks and hummocks, offering serious difficulty to any attempt to launch our boats. On the off side of these hummocks the sea is breaking considerably. The wind tears around us in fierce gusts. No. 6 tent has been twice blown down. We shall see what the state of affairs is after dinner. Dined at 12:30 p.m. luxuriously on bear stew.

By 1:30 the land was again in fog, and otherwise the situation was as before. My desire was to go ahead, but prudence told me to wait until the weather moderated. The barometer is still falling, the rain beats down from time to time, and nothing can be seen through the fog. I decide to wait for an improvement, and then I shall push on in the second cutter and try to land some provisions.

Soundings in thirteen fathoms; no drift indicated. Our ice is evidently jammed tight. Probably at the first chance the loose hummocks now pressing against it will slack off and leave us place to launch our boats, even if our floe piece does not go bodily in toward the land.

During the afternoon the ice scene was constantly changing. At one moment ice seemed to reach from our floe to the land; at another time lanes of water were seen, and once our floe was left as an island, while it would have been possible to launch a boat and reach the shore. I confess I was tempted to try it, but I realized that the whaleboat could carry nothing more than her crew safely until her garboards were repaired, and that it would take six or seven trips of the two other boats to carry our efforts. The whaleboat has leaked badly each time she has been floated, and the weather

to-day (the first chance for repairs) has been such that Sweetman could not handle his tools. Before I could have got one boat in the water ice shored in between us and land, and we were once more helpless. It was as if Providence were directing our movements, for the floe upon which we camped last night is the only large piece of ice to be seen; all else is confusion and trouble. Had I gone farther, or stopped short of this place, it is hard to say where we should be now.

We are moving west slowly, about a mile or a mile and a half from the land, and are now (seven p.m.) abreast a large glacier, whose broken edge (it may be twenty feet high) we can see with a glass. I have watched carefully all day for a landing-place, but not one has shown. The coast is either steep cliff or glacier, and neither is a successful landing-place. The barometer is now at a stand—I think 29.63 at 37°—and, though rain is occasionally falling, and the sky is dark and threatening where the fog does not hide it altogether, I am in hopes the weather will improve during the night. Supper (bear stew) at six p.m. Piped down at nine.

July 27th, Wednesday.—Called all hands at six. Breakfasted at seven. The wind has veered to E., and is dying away. A thick fog continues, hiding everything fifty yards distant. The barometer is rising—29.67 at 36°; the temperature is 28.5°, from which two things I anticipate clearing weather. Meanwhile, we remain where we are. "Hope deferred maketh the heart sick." Patiently and hopefully have I waited all the forenoon for a clearing, but still at one p.m., does the fog hang about us impenetrably. The barometer still goes up (29.72 at 35°), and the temperature is 30°.

Soundings in sixteen fathoms water, and I am afraid we have drifted down abreast the point west, and are too far west to hope for any benefit from the bay in which yesterday we shoaled our water to thirteen fathoms, in which case we are now beginning to open the west face of the island. This will be the last forlorn hope for open water in this neighborhood.

And yet there is much to be thankful for; everybody is in excellent health, in spite of our terribly hard work; the appetites are something wonderful to think of, and our sleep is sound and unbroken. Forth-one days of our march over the frozen sea have had no bad effect. Our bear is so nearly consumed that for supper we have only half our usual ration to serve out. (In five meals we have eaten about 250 pounds bear meat. The gross weight was probably 450 pounds.) The only trace our marching shows on us is tender feet, and that probably arises from their being so often wet. Wading through pools would make wet feet if our foot gear was changed every hour.

Chipp described to me the queer way in which the man on watch "tells" his relief. Instead of calling him, which would wake everybody else up, or of crawling over to him, which would also wake everybody, a boat-hook is employed. Chipp says, while awake the other night he saw, to his amazement, a boat-hook slowly coming through this tent door, and poking a moment over Sharvell, poke him vigorously in the back. To show how soundly the man slept, it is worthy of mention that he merely tried to brush it away, as a troublesome fly. This ought to make a good Arctic sketch.

At six p.m. had supper. At 8.45 the fog lifted a little, and showed us the land, seemingly about half a mile off. We have drifted along ashore since last evening, and have left on our right hand the glacier which we were in front of last night; but ahead of us, and apparently extending in to the land,

was a very heavy floe of blue ice, separated from us by a few insignificant openings. Such a chance was not to be lost. All hands were at once turned to, and at 7.15 we went ahead with all four sleds, officers dragging also, and then bounced along the boats, and in one hour we had everything on the heavy floe. This we now found to be one and one half miles in width upon going over it, and we were still separated from the land by a half mile of broken ice, water lanes, etc. I at once made up my mind that it could not be done to-night, and that I had better devote a day to it.

The wind had veered to E. S. E., was blowing fresh, and rain began to fall steadily, and when, at 10.45 p.m., just beside the blue floe edge, I gave the order to camp, I think I did a very prudent and sensible thing.

July 28th, Thursday.—Called all hands at seven. Breakfasted at eight. Windy (E.S.E.), foggy, and disagreeable. Land in sight at times. We have gone a short distance to westward. Temperature 29°. Under way at 9.50 a.m. Sent Mr. Dunbar ahead, and after a while we succeeded in crossing the broken ice which had stopped us last night. Here we had a small floe, across which we speeded. The fog now shut in impenetrably, and I feared we were in for a troublesome time. Mr. Dunbar returned, however, and informed me, that after crossing this floe we should find large ice blocks, with only two-foot openings, and that these extended to the ice-foot, or fast ice, and that, moreover, he had climbed up on the ice-foot, and advanced one hundred yards over it toward the land. This was too good a chance to lose, and away we went. But though we made all haste, and got over our last ferry, and across the small floe in splendid time, when we reached the further edge we found everything fallen to pieces, and more water and rapidly moving ice than we could undertake. Much of the moving ice looked like small bergs broken off from a glacier foot, and from the rounded humps of ice on top, and their almost straight edges. I am inclined to think they were icebergs. By 12.30 p.m. we had everything up to the floe edge, and halted for dinner.

The sun now tried to break through the fog, and I hoped for a clearing; but at 1.30 p.m., when we turned to, the fog was as thick as ever. The situation had improved somewhat, for another floe piece had now come along, and a few loose pieces offered a convenient bridge. Away we went, but the floe piece was a small one, and we soon reached its edge. Here was another confusion, but we could make out a larger floe ahead. Everything was embarked on an ice-cake for a ferryboat, and a hauling line run to the floe. By great effort we got our piece clear by four p.m. and commenced to haul over. Suddenly everybody gave a shout. "Look!" Away up over our heads 2,300 (?) feet towered the land, and we were sweeping past it like a mill-stream. Hurriedly sounded in eighteen and one half fathoms. Soon our floe was reached. Away we jumped our sleds and boats, and, seeing two or three large cakes nearly together, ran everything rapidly over until we at last stood at the base of the ice-cap. It was a narrow squeeze, for the men with the tents and remaining loose provisions on their shoulders had hard work to run fast enough to get on the last cake before the other cakes were swept away. Now that we were on the last cake our situation became critical. We could not get up on the ice-foot, for ten feet of water and small lumps intervened, and we were sweeping along by it at the rate of three miles an hour. Our cake was none of the strongest, and in the sailing and running masses, and small bergs, I feared we should be broken up and separated. It was an anxious moment.

The southwest cape of the island was not half a mile away, and this was our last chance. Over two weeks of dragging and working to reach this island seemed about to be thrown away. I soon noticed our cake begin to turn around, and saw that it might be whirled into a kind of corner against the fast ice, where, if it remained long enough, a landing might be effected. "Stand by," was the order now, and with ailed ropes in hand we waited the trying moment. Soon our cake caught and held. "Now is the time, Chipp!" I shouted, and away we went.

One ailed got over on the rough ice-foot all right; a second nearly fell overboard; the third did fall overboard, dragging in Cole; and a piece of ice had to be dragged in by sheer force to bridge for the fourth. When I started the St. Michael's sleds, they seemed to stick somewhere. Watching our cake closely, I saw signs of its giving way. "Away with the boats!"—but how? Nindemann swung out, that he thought we could float the boats below, and haul them over. No sooner said than done, and down they went into the water. The men were hurried from the sleds to the boats, and I saw the first cutter just beginning to haul out, when away swept our ice-cake, carrying Mettillie, Iversen, Aneguin, and myself, with six dogs. Wilson had carried one load of dogs over in the dingy, but he could not get back for the remainder. Chipp was on the ice-foot with the boats, and I knew he could look out for them, and I felt pretty certain we had saved everything. For ourselves, on the drifting ice-cake, I had some little anxiety, but one corner of our cake fortunately soon after drifted near a fast berg, and by making a flying leap through the air, we escaped in safety. At last! But though standing still, we were not ashore. The ice-foot extended out from the land, and was a confused mass of piled up ice-blocks and ridges,—honey-combed, cracked, and broken,—and presenting a simple impassable road for travel with sleds. Glad enough was I to get a solid foothold anywhere, and I gave the order to camp at 6.30 p.m. Our first sled having got on the ice-foot about (five), everything being hauled in as near to the land as possible, say fifty feet from it. Blocks were occasionally slipping down and falling into a little stream of water at the foot of the cliff, the stream being where the thawing of surface ice has left a channel about four feet deep.

The face of the cliff was literally alive with dorkies. Supper at 7.30 p.m. At 8.30 p.m. all hands were called to muster and, led by me, everybody waded, or jumped, or ferried over to the land, where we held on as well as we could to the steep slopes of debris, while our colors were displayed. When all had gathered around me, I said, "I have to announce to you that this island, towards which we have been struggling for more than two weeks, is newly discovered land. I therefore take possession of it in the name of the President of the United States, and name it Bennett Island. I now call upon you to give three cheers." And never were three more lusty cheers given. With great kindness three were then given to me.

I now change the date to the correct one, and record that at 8.30 p.m.,

July 29th, Friday, I added Bennett Island to American soil. Our landing cape I named Cape Emma. Piped down at nine p.m.; fresh E. wind, thick fog; ice off shore rapidly moving west. The birds kept up a fearful chattering all night, but we slept well in spite of it.

EXHIBIT 4

GEOLOGICAL SURVEY NO. 187 SERIES F,
GEOGRAPHY, 27

Uttet; island, in the Arctic ocean, north of the New Siberian Islands. Discovered by James, in 1881, and named by him after Mr. James Gordon Bennett.

Henrietta; island, in the Arctic ocean, north of the New Siberian Islands. Discovered and so named by De Long in 1881.

Herald; island (856 feet high), east of Wrangell island, Arctic ocean. Discovered and landed upon in July, 1849, by Captain Kellett, of H.M.S. *Herald* and named by him after his ship.

Jeannette; island, northeast of the New Siberian Islands, Arctic ocean. Discovered by De Long, in 1881, and named by him after his ship *Jeannette*.

Wrangell; island, off the northern shore of Siberia, northwesterly from Bering strait. The existence of this land was reported by natives, in March and April, 1823, to Baron von Wrangell, who then made an unsuccessful search for it. It was first clearly seen and its shore delineated by Capt. Thomas Long, of the New London whaling bark *Nile*, in August, 1867, and by him called Wrangell's Land. From that date to 1881 it was shown on maps as the south end of a tract extending indefinitely northward and, by some, thought to connect with Greenland across the north pole. Its insular character was established by Berry, in 1881, and since that time it has borne the name of Wrangell island. Possibly Plover island of Kellett, in 1849, may be some peak of this island seen from afar.

EXHIBIT 5

BOUNDARIES, AREAS, GEOGRAPHIC CENTERS
AND ALTITUDES OF THE UNITED STATES AND
SEVERAL STATES

WRANGELL ISLAND

Wrangell Island is in the Arctic Ocean, about 100 miles from the Siberian coast. A harbor in the southeastern part is in latitude 70° 57' N. and longitude 178° 10' W. The island is about 80 miles long and 30 miles wide; its highest point is 2,500 feet above sea level. It was sighted in 1867 by the captain of a United States sailing vessel. In 1881 officers from United States naval vessels landed on the island and claimed it for the United States.¹ According to newspaper reports of October 4, 1926, the Soviet Government had landed a colony of 50 persons on this island, hoisted the Russian flag, and claimed it for that country. An airplane survey is said to have been made and the area found to be 2,925 square miles.

BENNETT, HENRIETTA, AND JEANNETTE ISLANDS

Bennett, Henrietta, and Jeannette Islands were discovered by the DeLong polar expedition and claimed for the United States in 1881, but were only partly explored.

Bennett, the largest of the three, is about 300 miles from the mainland of Siberia, in latitude 76° 38' N., approximate longitude 149° E. This island probably has an area of several hundred square miles, possibly more than 1,000, and altitudes above sea level of 300 feet or more.

Henrietta Island is in latitude 77° 8' N., longitude 157° 45' E., and Jeannette Island in latitude 76° 47' N., longitude 158° 54' E.; each has an area of approximately 50 square miles and an altitude of more than 400 feet.²

¹ See Arctic Pilot, vol. 1, p. 338, 1917; U.S. Geol. Survey Bull. 296, p. 682, 1908; U.S. Hydrographic Office Chart 906; and Problems of polar research, p. 241, New York, Am. Geog. Soc., 1928.

² For further information regarding these islands see The voyage of the *Jeannette*, ed. by Emma

(From the Laurinburg (NC) Exchange, June 8, 1985)

EXHIBIT 6

U.S. CONSIDERS RELINQUISHING CONTROL OF
ALASKAN ISLANDS

"The State Department appears ready and willing to surrender five strategic Alaskan islands and hundreds of thousands of square miles of oil-rich Alaskan outer continental shelf to the Soviet Union without full public debate and Senate ratification of a treaty," according to Carl Olson, Executive Vice President of The Conservative Caucus Research, Analysis & Education Foundation, Inc., of Vienna, Virginia.

"This giveaway of literally billions of barrels of America's oil reserves and Alaskan sovereign territory makes the Panama Canal fiasco look insignificant in comparison," Olson declared.

This giveaway was the subject of a high-level State Department delegation which went to Moscow for the week of July 23-27, headed by the department's Legal Adviser Davis Robinson and supported by his staff members Elizabeth Verville and Scott Hajost, and by Harry Marshall and Richard T. Scully of the department's Bureau of Oceans and International Environmental and Scientific Affairs, and by Robert W. Smith of the office of the Geographer.

The enormous size of the giveaway of strategic oil reserves is reflected in official Department of the Interior estimates. The oil-rich outer continental shelf off Alaska is equal in area to six Californias—or three-quarters of the entire U.S. outer continental shelf. Seabeds equal to about twice the size of California lie to the east of the 1867 Convention Line, and seabeds equal to about four Californias lie to the west in the vicinity of the Alaskan islands of Wrangell, Herald, Bennett, Henrietta, and Jeannette. The estimated hydrocarbon reserves of the seabeds to the east of the 1867 Convention Line are 12.3 billion barrels of oil equivalent. (The Navarin Basin alone contains 1.9 billion barrels of reserves.) To the west of the 1867 line, which has twice the area, the reserves have not been officially estimated, but it would not be unreasonable to place them at twice the amount for the area to the east of the line. Or, in other words, the State Department is contemplating giving away about 25 billion barrels of oil equivalent to the Soviets.

The State Department's basis for the giveaway involves its novel (and incorrect) portrayal of the "U.S.-Russia Convention Line of 1867," which was used in the purchase of Alaska from Russia in 1867 for \$7,200,000.

This stance by the State Department appeared in the Federal Register notice of the leasing of the Navarin Basin (p. 10065, March 18, 1984). In paragraph 16, under the heading "Jurisdiction," was the following language: "The differing claims relate to differing depictions of the line established by the 1867 Conventions Ceding Alaska between the United States and Russia. The United States depicts the 1867 Convention Line as the maritime boundary by arcs of great circles while the Soviet Union depicts the 1867 Convention Line as rhumb lines." There is no question in the State Department's position that the 1867 Convention Line is "the maritime boundary."

Contradicting this characterization is a mass of historical evidence and even the State Department's own words. In the State Department's International Boundary Study No. 14 (revised 1963) on "U.S.-Russia Convention Line of 1867," the language is very clear:

DeLong, vol. 2, pp. 679-689, Boston 1863, and 47th Cong., 2d sess., H. Ex. Doc. 104, p. 241, 1863.

"Rather than a boundary per se, this report concerns a convention line which ordinarily appears on official maps in the same manner as a boundary . . .

"Furthermore, in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used."

So far, the State Department has failed to explain how the United States has relinquished its claim to the islands and seabeds between 1965 and 1984. No treaty, agreement, or other public understanding had been cited for this surrender of American sovereignty.

Even as late as 1978 the noted authority Dr. William E. Butler, Professor of Comparative Law at the University of London, wrote in the book *International Straits of the World*, Volume 1 "Northeast Arctic Passage as follows: "The Russo-American Convention Line of 1867 is not regarded as a state frontier, and the continental shelf boundary in the Chukchi Sea and northward remain to be negotiated."

The five Arctic Alaskan Islands—Wrangell, Herald, Bennett, Henrietta, and Jeannette—were never considered in the purchase of Alaska. Four has not yet been discovered in 1887. Americans discovered and claimed them on Arctic expeditions in following decades. Herald Islands was discovered and claimed by the British in 1849, and was later acquired by the United States.

Bennett, Henrietta, and Jeannette Islands were discovered and claimed by U.S.N. Commander George Washington DeLong aboard the *Jeannette* in the 1879-81 expedition. The islands still bear his name (the DeLong Islands), and the U.S. Naval Academy in Annapolis has a monument to that expedition.

Wrangell Island, the largest of the five with an area of 2,500 square miles (the size of Rhode Island and Delaware combined), was discovered and claimed on August 12, 1861, by Captain Calvin Leighton Hooper aboard the U.S. Revenue Marine (Coast Guard) ship *Thomas Corwin*. Among the landing party on Wrangell Island was the famed explorer John Muir, who wrote of his trip in the book *The Cruise of the Corwin*. Various surveys, expeditions, and settlements were made on Wrangell Island in the next four decades by Americans. This ended when the Soviet Union invaded the island with a landing of infantry from the ship *Red October* on August 20, 1924, and took as prisoners the 14 Americans of the Lomen Brothers Company's fur settlement and confiscated all the gear, pelts, and other property. The 12 surviving Americans were eventually released from their imprisonment in Vladivostok. The Soviets currently maintain slave labor camps on the island.

It is significant to note that in the State Department's reissue of the book *Digest of International Law* by Green Haywood Hackworth in 1973, the unequivocal settlements is made:

"The United States has not relinquished its claim to Wrangell Island."

Numerous efforts by various parties, including the owners of Wrangell Island, have been made over the decades to take back their property and collect damages for the unlawful occupation by the Soviet Union. Unfortunately, the State Department has not seen fit yet to honor those claims or even the decision by the Foreign Claims Settlement Commission in 1959 in favor of the Lomen Brothers.

"This impending giveaway of the five islands and the enormous tracts of oil-rich outer continental shelf to the Soviets demands the most searching public scrutiny and debate. It must be made in issues for a

national decision-making." Olson stated, "The State Department is not empowered to surrender American real estate and seas. Only the Congress has that power. It is he brought up in the form of a treaty, passed by the President, and debated and ratified by the Senate in order to give the full force of law. The Constitution cannot be ignored in this potentially massive cession of strategic American interests so close to home."

In an ironic comparison with the apparent lenient attitude that the State Department has exhibited toward the Soviets over the seabed boundaries, the State Department has adopted a hardline position toward our ally Canada in the Arctic. This position came to light with the leasing on August 22 of the Diapir Field which borders Canada. The Federal Register announcement of July 23, 1985 (p. 28726) noted a "Jurisdictional Dispute" with Canada over some of the blocks being offered. Although the notice did not say so explicitly, the U.S. position is that the seabed boundary should reflect the "equidistant" theory of boundaries, while this dispute continues, the three petroleum companies which bid on these leases (Union Oil Co. of Calif., Amoco Production Co., and Shell Western E & P Inc.) will have their bid money deposited in escrow. Their total winning bids for the four blocks totalled \$5,105,000—a substantial affirmation of the rich nature of the Arctic Alaskan outer continental shelf.

Congressional Record



United States
of America

PROCEEDINGS AND DEBATES OF THE 101st CONGRESS, FIRST SESSION

SENATOR JESSE HELMS

INTRODUCES SENATE RESOLUTION 20

SENATE RESOLUTION 20—RELATIVE TO THE PRESERVATION OF U.S. TERRITORY IN THE ARCTIC OCEAN

Mr. HELMS submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 20

Whereas Wrangell Island became a part of the United States by right of confirmed discovery during the voyage of Captain Thomas Long, a citizen of the United States, of the barque *Nile* in 1867 and by right of first possession formalized during the voyage of Captain Calvin L. Hooper of the U.S. Revenue Marine steamer *Corwin* in 1881;

Whereas the Senate had printed a "Report of the U.S. Revenue Steamer *Thomas Corwin*, in the Arctic Ocean," as Ex. Doc. No. 204 in the 1st Session of the 48th Congress;

Whereas the House of Representatives had printed reports on the cruise of the United States Revenue Marine steamer *Corwin* in Alaska and the Northwest Arctic Ocean in the 2d Session of the 47th Congress, in the 1st Session of the 49th Congress, and in the 1st Session of the 50th Congress;

Whereas the Senate and House of Representatives of the United States of America approved on March 18, 1878 an Act in aid of a Polar expedition designed by James Gordon Bennett, a citizen of the United States, which authorized the Secretary of the Treasury to issue an American register to the vessel *Jeannette*, purchased in Great Britain;

Whereas the Senate and House of Representatives of the United States of America approved on February 27, 1879 an Act authorizing the Secretary of the Navy to accept and take charge of the ship *Jeannette* for the use of a North Polar Expedition;

Whereas *Jeannette* Island was discovered on May 16, 1881 and formally taken possession of on June 3, 1881 during the voyage of U.S. Navy Commander George Washington De Long on the *Jeannette*;

Whereas *Henrietta* Island was discovered on May 24, 1881 and formally taken possession of on June 3, 1881 during the voyage of U.S. Navy Commander George Washington De Long on the *Jeannette*;

Whereas *Bennett* Island was discovered on July 11, 1881 and formally taken possession of on July 29, 1881 during the voyage of U.S. Navy Commander George Washington De Long on the *Jeannette*;

Whereas *Wrangell*, *Herald*, *Jeannette*, *Henrietta*, and *Bennett* Islands were surveyed by the United States Navy for the United States Coast and Geodetic Survey in 1881;

Whereas the United States Coast and Geodetic Survey placed *Wrangell*, *Herald*, *Jeannette*, *Henrietta*, and *Bennett* Islands in the District of Alaska;

Whereas beginning in 1900 the United States Geological Survey included *Wrangell*, *Herald*, *Jeannette*, *Henrietta*, and *Bennett* Islands as part of the District, later Territory, and State of Alaska; and

Whereas unlike the government of Canada and Great Britain, the Government of the United States has never surrendered its sovereignty over these Islands; Now, therefore, be it

solved, That (a) it is the sense of the Senate that under the United States Constitution any territory, outercontinental shelf, exclusive economic zone, or fishery conservation zone, including the territory de-

scribed in subsection (b), may only be transferred to any other country—

(1) by treaty in accordance with Article II, section 2, clause 2 of the United States Constitution which states that "[t]he President shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur;"; and

(2) by enactment of Congress in accordance with Article IV, section 3, clause 2 of the United States Constitution which states that "[t]he Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.";

(b) The territory referred to in subsection (a) includes the island of *Wrangell*, *Herald*, *Bennett*, *Henrietta*, and *Jeannette* which are located in the Arctic Ocean and the outer continental shelf, of, and the exclusive economic zone surrounding, those Islands.

Mr. HELMS. Mr. President, I am deeply concerned that the Department of State is endeavoring to turn over to the Soviet Union five U.S. Islands in the Arctic Ocean. These Islands are: *Wrangell* Islands, *Herald* Island, *Jeannette* Island, *Henrietta* Island, and *Bennett* Island.

There is far more at stake here than the ownership of five small Islands covered with ice and snow. What is at stake is how, under the rules of international law, the United States will define its Outer Continental Shelf. If we surrender these Islands we will be surrendering an area that amounts to almost half of our entire Outer Continental Shelf.

Moreover, these Islands lie in the Arctic between the Soviet Union and the North Pole. If we surrender the Islands to Soviet sovereignty we may well be surrendering control of the Arctic Ocean to Soviet nuclear submarines.

The State Department refers to this problem as a boundary dispute involving the 1867 Convention Line established with the purchase of Alaska. It is true that there are substantive issues involving the 1867 Convention Line in the Navarin Basin, south of the Bering Strait. These are questions which ought to be carefully studied, both by the administration and by the Senate.

But the Islands are all north of the Bering Strait, in the Arctic Ocean, and deserve to be a focus of separate attention. A glance at the map will show that this is hardly a "boundary dispute," a term which might imply drawing a line 100 miles one way or another. This is a major issue, substantively different from the Navarin Basin problem, which could determine control of the Arctic Ocean for generations to come.

These Islands are U.S. territory and property. They were discovered by U.S. citizens and taken possession of on behalf of the United States. The United States has asserted sovereignty over them. The U.S. Congress has acted upon them as our territory and property. Therefore, it is clear that, under the Constitution, they cannot

be alienated by the State Department, without the express consent of both Houses of the U.S. Congress.

The resolution which I am submitting today expresses the sense of Congress that the provisions of the Constitution with regard to the disposition of U.S. territory and property be complied with fully. I hope that the Committee on Foreign Relations will schedule hearings on this resolution at an early date so that all aspects of the issue can be considered. Incredibly, there have never been hearings on this issue; yet the State Department has been blithely proceeding as though this were just a minor issue.

The resolution that I am offering today is simple and to the point. It states that it is the sense of the Senate that under the U.S. Constitution any right, title, or interest of the United States in any territory, Outer Continental Shelf, exclusive economic zone or fishery conservation zone may only be transferred to another country by treaty, within the meaning of article II, section 2, clause 2 of the U.S. Constitution, and by enactment of Congress in accordance with article IV, section 3, clause 2 of the U.S. Constitution.

Mr. President, the President has the power to make treaties, by and with the advice and consent of the Senate, provided two-thirds of the Senators concur. There is no dispute over the President's power to make treaties. All we are saying in this resolution is that this matter is a matter which should be handled by treaty. It is not a matter to be considered as a technical issue settled by an Executive order.

Mr. President, the treaty-making power does not stand alone. Where U.S. territory and property is concerned, there are further requirements. Our Constitution in article IV, section 3, clause 2 states clearly that "[t]he Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Nowhere, does our Constitution state that the Department of State has the power to hand over U.S. territory to a foreign power by means of an executive agreement or other similar instrument.

The historical facts about United States sovereignty over these Islands are clear. Unfortunately, the Department of State has been spreading all manner of disinformation concerning these Islands not only to Members of Congress but also to the public at large.

In a letter to me, the State Department referred to this matter as a maritime boundary issue. It stated that "all of these Islands are claimed by the U.S.S.R. The State Department went on to say that: 'It has been alleged that the United States has claimed sovereignty over the five Islands.' It is noteworthy that the State Department states the Soviet claim as an ac-

cepted fact, whereas it asserts that "after extensive research, the Department of State has not found any evidence that the Government of the United States has ever formally asserted a claim to any of these islands."

That statement is totally false. In fact, one of my illustrious predecessors representing North Carolina in the Senate, Senator Robert R. Reynolds, dealt with this matter extensively in 1940. The State Department simply has not bothered to look into the historical record. I have spent some months researching that record, including diaries of the period newspaper accounts of the discovery period—including previously overlooked accounts in Honolulu newspapers of the last century—the U.S. Geological Survey, the CONGRESSIONAL RECORD, and other official documents of record.

So let us be clear about the historical record.

Wrangell Island was discovered during the voyage of Captain Thomas Long, a citizen of the United States, aboard the barque "Nile" in 1867. A new account of this confirmed discovery appeared in the Pacific Commercial Advertiser, published in Honolulu on November 9, 1867.

First possession of Wrangell Island was formalized during the voyage of Capt. Calvin L. Hooper of the U.S. revenue marine steamer *Corwin* in 1881. Information about this voyage was printed in Senate Executive Document No. 204 in the first session of the 48th Congress. The title of this report is, "Report of the U.S. Revenue Marine Steamer Thomas Corwin, in the Arctic Ocean." The House of Representatives also printed reports about this voyage during the second session of the 47th Congress; and during the first session of the 50th Congress.

Mr. President, on March 25, 1922, the distinguished Senator Joseph T. Robinson placed a letter in the Record written to him by the Captain Commandant of the U.S. Coast Guard, W.E. Reynolds. In his letter, Commandant Reynolds notes that he was a junior officer aboard the *Corwin* and was the officer assigned to carry our flag during the landing on Wrangell Island on August 12, 1881. In the letter he states, and I quote: "The captain and I landed together, being the first to get ashore, I had the flag, and with the captain's permission waved it and took possession of the new land in the name of liberty and of the Government of the United States of America."

Mr. President, the words of Captain Reynolds of the U.S. Coast Guard are certainly crystal clear with respect to taking formal possession of Wrangell Island.

Senators should also take note of the following entry in the log book of Captain Hooper, and I quote:

Friday, August 12, 1881. Lat. 71-04 Long. 177-40 off Wrangle Land. Got underway at 4:00 a.m. After a good deal of bumping and

squeezing we reached the land and anchored in a small clear space off the mouth of a small river. Went on shore and took possession in the name of the U.S.

This quotation is contained in a study entitled, "The Discovery of Wrangell Island" by Samuel L. Hooper. It was published by the California Academy of Sciences as Occasional Paper No. XXIV, in San Francisco in 1956.

Prof. John Muir, a member of this expedition, wrote in his book that, and I quote, "A notable addition was made to the national domain when Captain Calvin L. Hooper landed on Wrangell Land and took formal possession in the name of the United States." John Muir, one of our Nation's most famous naturalists, was the founder of the Sierra Club.

The famed arctic explorer Vilhjalmur Stefansson in his book, "The Adventure of Wrangell Island" describing an expedition undertaken in 1921, wrote that, and I quote, "... following 1881 ... the island was United States territory."

The Soviets have, in the past, claimed that a Russian Lieutenant Wrangel discovered the island. This assertion is groundless according to the Lieutenant's own memoirs. Wrangell himself wrote in his book, "The Narrative of a Voyage to the Polar Seas in the Years 1821, 1822, and 1823" that, and I quote, "... with a painful feeling of the impossibility of overcoming the obstacles with which nature had opposed us, our last hope vanished of discovering the land which we yet believed to exist ... we had done what duty and honor demanded, further attempts would have been absolutely hopeless and I decided to return."

Mr. President, the matter of Wrangell Island was before the Senate and the House of Representatives in 1939 and 1940. With the gathering storm of World War II about to engulf our Nation, Members of the Senate and the House became concerned about our Pacific air routes. A bill was offered in the House by Congressman Maas authorizing and directing the Secretary of the Navy to construct a naval air station on Wrangell Island. The bill, H.R. 4286, was introduced on February 17, 1939, and referred to the Committee on Naval Affairs. The State Department influenced the committee to take no action on the bill.

Mr. President, a similar bill was introduced in the Senate by a distinguished predecessor of mine from the State of North Carolina, Senator Robert R. Reynolds. While no action was taken on the bill, in the following year, Senator Reynolds introduced a resolution and articles relative to ownership of Wrangell Island.

Mr. President, so that our colleagues may have Senator Reynolds' resolution and statement for immediate reference, I ask unanimous consent that the statement of Senator Reynolds of Monday, April 8, 1940, be printed in

the RECORD at the conclusion of my remarks as exhibit 1.

Mr. President, I ask unanimous consent that a scholarly article entitled, "The Right of American Sovereignty over Wrangell Island," by Mr. David Nolan and Mr. Mark Seidenberg which appeared in the Canadian historical journal published by the University of Saskatchewan, "Musk Ox," be printed in the RECORD at the conclusion of my remarks as exhibit 2.

On March 18, 1878, the Senate and the House of Representatives approved an act in aid of a polar expedition designed by James Gordon Bennett, a U.S. citizen which authorized the Secretary of the Treasury to issue an American register to the vessel *Jeannette* which had been purchased in Great Britain.

On February 27, 1878, the Senate and the House of Representatives approved an act authorizing the Secretary of the Navy to accept and to take charge of the ship *Jeannette* for the purpose of a north polar expedition.

Jeannette Island was discovered on May 16, 1881, and formally taken possession of on June 3, 1881, during the congressionally authorized voyage of U.S. Navy Commander George Washington De Long on the *Jeannette*.

Henrietta Island was discovered on May 24, 1881, and formally taken possession of on June 3, 1881, during this same voyage.

Bennett Island was discovered on July 11, 1881, and formally taken possession of on July 29, 1881, during this same voyage.

Mr. President, there is ample published historical material to verify these facts about the three De Long Islands. For example, Houghton Mifflin Co. published a two volume work in 1883 entitled "The Voyage of the *Jeannette*, The Ship and Ice Journals of George W. De Long." These were edited by his wife, Emma De Long. There is also an extensive collection of clippings and other information about this voyage at the Naval Academy in Annapolis.

Mr. President, I ask unanimous consent that excerpts from Captain De Long's journals relating to Henrietta, Jeannette, and Bennett islands be printed in the RECORD at the end of my remarks as exhibit 3.

Mr. President, I ask unanimous consent that the appropriate citations on these five islands from the bulletin of the U.S. Geologic Survey, No. 187, entitled: "Geographic Dictionary of Alaska," written by Marcus Baker, the Secretary of the U.S. Geologic Survey, and published in 1902 be printed in the RECORD at the conclusion of my remarks as exhibit 4.

Senators should note that this "Geographic Dictionary of Alaska" was reprinted in a second edition in 1906 by the U.S. Geological Survey. The same citations to these five islands appear in this edition.

Mr. President, in 1930, the U.S. Geological Survey published its bulletin which was entitled "Boundaries, s, Geographic Centers and Altitudes of the United States and the several States." This publication was written by Mr. Edward M. Douglas and was a revision and enlargement of the 1923 edition. In the chapter entitled "Additions to the territory of the United States," Wrangell, Bennett, Henrietta, and Jeannette islands are described. Mysteriously and without explanation, or perhaps owing to the influence of the Department of State, these references were deleted from the 1966 and the 1976 edition of this work which were edited by Mr. Franklin van Zandt. According to information reaching my office, Mr. van Zandt had submitted his manuscript for the 1966 edition to the State Department and was told by the State Department to delete the reference to Wrangell, Bennett, Henrietta, and Jeannette islands.

Mr. President, I ask unanimous consent that the appropriate citations to these islands in the 1930 edition of this bulletin be printed in the Record at the end of my remarks as exhibit 5.

The giveaway of these five islands to the masters of the Kremlin is not some obscure action. In fact, back in North Carolina, folks are concerned about this situation as are other citizens around the country judging by the mail that I have received on the

Mr. President, I ask unanimous consent that an excellent article entitled "U.S. Considering Relinquishing Control of Alaskan Islands" which appeared in the Lenoir Exchange of Lenoir, NC, on June 5, 1985 be printed in the Record at the conclusion of my remarks as exhibit 6.

Mr. President, facts are facts. These five islands are U.S. territory. If the Department of State is endeavoring to give away these islands to the Soviet Union, including the related Outer Continental Shelf areas and economic zone areas, then it is the duty of the Congress to adhere to the Constitution in terms of how territory may be transferred.

Mr. President, this resolution simply expresses the sense of the Senate that the Constitution must be observed in cases where our territory is to be transferred. The resolution outlines the historical facts which I described earlier in order that an accurate description of the sovereign rights of the United States of America over these five islands be presented.

There being no objection, the exhibits were ordered to be printed in the Record, as follows:

EXHIBIT 1

[Extension of Remarks of Hon. Robert R. Reynolds of North Carolina in the Senate of the United States, April 8, 1940]

RESOLUTION AND ARTICLES RELATIVE TO OWNERSHIP

Mr. REYNOLDS. Mr. President, under the permission granted me during the course of my remarks, I ask to have printed in the Ap-

pendix of the Record the resolution (S. Res. 253) to which I referred; a statement which I have prepared with respect to Wrangell Island; an article from the Washington Post of February 26, 1939; and an article entitled "War of Propaganda May Be Already Won."

There being no objection, the matters referred to were ordered to be printed in the Record, as follows:

SENATE RESOLUTION 253

Resolved, That the Secretary of State is requested to make a report to the Senate at the earliest practicable date with respect to whether or not the United States has a valid claim to sovereignty over Wrangell Island.

STATEMENT BY HON. ROBERT R. REYNOLDS OF NORTH CAROLINA

Wrangell Island is, roughly, the size and shape of Jamaica, 80 miles long and 35 miles wide. It is rugged rather than rocky with a maximum elevation of about 2,000 feet. So far as we know, there is no permanent ice of snow, with the snows of winter disappearing completely in summer. The minimum temperature in winter is only a little lower than that of Montreal, about the same as that of Winnipeg, and not nearly so low as that of some of the Russian cities. Because the island is small and surrounded by a small ocean, the warmest summers will not be far different from the month of May throughout some of the northwest sections of Canada and some of the northeast sections of the United States. Essentially it is a prairie land—no trees, and only small bushes. The beach is abundantly supplied with driftwood for fuel and for the building of log houses. It is probably the greatest polar bear country in the world. But bearskins have at present a small commercial value. There are no locations better for the trapping of white and blue foxes, and there are considerable quantities of the remains of the prehistoric elephants—mammoths of that fossil monster may be of some importance. It is an excellent station for the walrus and hair-seal industry. Nothing is known about the presence or absence of minerals. Great herds of reindeer are owned by natives and whites in Alaska and suitable breeding stock could be purchased at reasonable cost and landed in Wrangell Island.

Probably Wrangell Island could support some ten to twenty thousand herd equally in value to double that numbers of sheep.

Although the commercial value of Wrangell Island is small, it is not negligible. As a matter of fact I should not have been in the least interested in this island, however, but for my belief that within 25 years from now the Polar Ocean will be one of the chief theaters of air commerce. It is true that we of the United States have plenty of rich land to develop, both at home and in our Territories, particularly in Alaska, and in speaking of Alaska, may I say that I believe that we have come to need badly a supply station under our own flag somewhere on the northern frontier of Asia such as Wrangell Island, for remember that Asia, Russian territory, is located within a stone's throw of our American Territory of Alaska. Fact is, the Little Diomed Island, which we acquired from Russia together with Alaska and Pribilof in the Aleutian Islands for a consideration of \$7,200,000, is only about one-half mile from the Big Diomed Island which belongs to Russia itself.

Every other island on this vast northern frontier of Asia is clearly the property of some other nation, either by discovery or by occupation, but I believe that this one spot, Wrangell Island, is clearly ours and the longer that we let it go and remain in the hands of Russia, as of now, the more diffi-

cult will be our chance of obtaining our legal rights.

From a purely commercial standpoint as of now, the island would not be worth anything to us, but as I have heretofore stated, within 25 years from now it would be a very valuable spot, so my chief design, that what I have said and done, shall rest entirely on the grounds of public interest and public spirit.

If one looks at the Polar Ocean on a globe, which is the only way of correctly realizing the situation, you will note that Wrangell Island lies straight across from New York and is almost directly in line between the metropolis of New York and Manila, the capital of the Philippine Commonwealth. Even though it is not strategically the most important island on the northern coast of Siberia, it is the only island to which the United States Government has a claim on that vast frontier.

A couple of years ago when I was in Alaska and at which time I visited Point Barrow, the northernmost point in the Western Hemisphere, as well as Deering, Wainwright, Nome, and Siberian waters, friends of mine there and others whom I have met from time to time and place to place who were familiar with Siberia, impressed upon me how the Japanese were penetrating northward into that great country. And, as a matter of fact, several years ago while in Russia I understood that the Soviet Government was encouraging the immigration of its nationals from the congested cities such as Odessa, Leningrad, and Moscow to Siberia and its northeastern portions on the mainland in the neighborhood of Wrangell Island.

At the present time I am informed that a number of Chuckchees, Russian nationals, are occupying the island as a result of our nationals having been forcibly taken from the island a number of years ago, concerning which incident I shall return to shortly. We have never asked submission of the question to some form of international court, in which case their occupation, coupled with our neglect, could have established ownership, so in this bill I am merely asking that our State Department inquire into the question of whether or not the United States has a valid claim to sovereignty over this island.

It is my information that in September of 1921 several Britishers, together with a small party of Eskimos, landed on Wrangell Island, where they raised the British flag, which they claimed was the third time that the British flag had been placed upon the soil of Wrangell Island. At that time there were some press stories in the United States to the effect that our Government had protested against Britain's occupation of this island, but as to whether or not these statements are authentic I have not been informed. At that time, however, it is my understanding that the Soviet Government of Russia did protest. This protest contained three reasons on account of which Wrangell Island was said to be Russian.

The first reason was discovery of the island by Baron Wrangell a little more than a hundred years ago. Close students of the baron's journey at the time that he was supposed to have discovered Wrangell Island will reveal that he was never anywhere near it. And in addition to that he states in his description definitely that he failed to discover land. Confirmation of this can be obtained easily.

The second Russian claims are on the basis of a landing between the years 1910 and 1915. As a matter of fact, any nation could have claimed Wrangell Island on the

basis of a landing in 1910, 1915, or 1921, the latter of which was claimed by the British.

Thirdly, the Russians advance the claim that Wrangell Island is Russian by reason of its immediate proximity to Siberia. The distance from Siberia is about 100 miles, and as to this claim for ownership through proximity might possibly be agreed upon by some future international convention, but it certainly has not been agreed upon in the past.

In the year 1880 or 1881 the New York Herald fitted out a Polar expedition under the command of Lieutenant De Long, an officer on leave of absence from the United States Navy. This was the famous and tragic *Jeannette* expedition, so called after the ship which De Long took north through the Pacific and through the Bering Straits proceeding into the ice which he met northwest of Alaska, firm in the belief that just beyond were the shores of a great continent. Shortly thereafter, while the *Jeannette* expedition was found in the ice of the great Polar region, the American flag was planted on Wrangell Island either by a member of his expedition or by one of the crew of an expedition that went in search of the members of the *Jeannette* expedition.

I claim that Wrangell Island is originally the property of the United States through right of discovery, but it is a principle of international law that claims arising out of the discovery must be followed up within any reasonable time by exploration or occupancy or else it lapses into the territory of a no-man's land.

The British claim some sort of title as of 1854, by way of discovery or otherwise, and the Russians claim title for the same or similar reasons; but, after all, it is not disputed that the American flag was placed on Wrangell Island in 1881 or 1882, and it was actually occupied by the nationals of the United States when the Russian nationals, forcibly and against their will, removed the nationals of the United States from the island to Siberia, and I understand that since then the Russians have occupied the island.

I think it is pretty well conceded—at least, there is no information to the effect—that any human being ever landed on Wrangell Island before the Americans did in 1881, and we know pretty definitely that no landing was made upon the island thereafter for many, many years.

Those who claim to have a knowledge of aerial navigation say that conditions on the whole there are better than in any other area in the world, and, of course, for the time being, we are interested in the acquisition of this island for the reason that, as I have heretofore stated, within 25 years it will be a very valuable spot, as the condition of the island is such that, without great difficulty or excessive expense, airplane bases could be established. Some have ventured that a harbor at one end of the island is so enclosed that aquaplanes could make safe landings, and in the winter, with the airport covered with snow, great passenger and freight planes could land safely on skis. Not only are flying conditions over the polar area on the whole good, according to those who are familiar with this section, but it is much the smaller of the oceans and therefore the easiest ocean to cross. As the settlements creep northward along the great rivers of Siberia and Canada, the polar mediterranean will continually increase in importance through the airways above which connects the various lands.

In conclusion, may I say that Russia is now in the possession of Wrangell Island. I claim that that possession was obtained by force and not by discovery. Of course, on account of Wrangell Island's being in the im-

mediate proximity of Russian territory, it would be easy for Russia to seize and difficult for us to defend, but surely it would be possible to establish the ownership of the island at an international conference. If Russia—or any other country for that matter—then acted contrary to the decision of the conference, the facts would at least be known and the blame would be laid where it was deserved; and again I wish to say that to use Wrangell Island as a base we would have there a short cut for airplanes flying over the top of the globe from New York to Manila instead of around the circumference by such routes as are taken by ships and trains.

Wrangell Island has an area of about 2,000 square miles. Its elevation rises to 2,500 feet, but there is much less land on the south and north. Shoals and sand spits project to sea on the north and southwest. The west and east coast are steep and lofty. The harbor is on the southeast. Tundra covers many parts.

In 1923 a party of Eskimos under an Alaskan trapper were established on Wrangell Island, but Russia, laying stress on the claim made around 1915, forcibly removed the colony in August of 1924 and shortly afterward brought 50 Chukchees to form a settlement under Soviet officials, and I understand that the colony was visited by Russian airplanes in 1927. At that time these claims were not officially disputed by the United States, according to my information.

Last year I introduced a bill in Congress calling for the establishment of naval bases on Wrangell Island. This resolution was referred to the Naval Committee of the Senate, and no action to date has been taken thereupon. Fact of the matter is, I think that I was a little premature in the introduction of that resolution. I probably then should have introduced a bill such as I am introducing today, requesting the Secretary of State to make a report to the Senate at the earliest practical date with respect to whether or not the United States has a valid claim to sovereignty over Wrangell Island; and then, after the establishment of this claim, if an international congress awards the island to the United States, then would be the proper time for a bill calling for the establishment of naval bases there. At any rate, last year, when I introduced the aforementioned bill, which was referred to the Naval Affairs Committee of the Senate, there appeared in the Washington Post under date of February 26, 1939, an article entitled "United States Owns Wrangell Island. Not Soviet, Says Reynolds," and the subhead of that story reads: "Retired rear admiral, who planted American flag, revives controversy of Arctic possession." I wish to have this article at this juncture printed as a part of my remarks.

I ask that the resolution be referred to the Foreign Relations Committee, and I hope that we may shortly ascertain the rightful owner of this island, which in the future, I am confident, will prove to be a most valuable possession.

(From the Washington Post, of Feb. 26, 1939)

UNITED STATES OWNS WRANGELL ISLAND, NOT SOVIET, SAYS REYNOLDS—RETIRED ADMIRAL, WHO PLANTED AMERICAN FLAG THERE, REVIVES CONTROVERSY OVER ARCTIC POSSESSION

Because "first come first served" still is the law of the masterless lands, Rear Admiral William Edward Reynolds, retired, believes the Russians ought to get off Wrangell Island.

It is a matter of personal pride to him, for he "came first," in this case, he said, and

planted the American flag on that ice-bound spot in the Arctic Sea one August morning in 1881.

There is a first-class international squabble ready to flare up over this disputed land, and it was another Reynolds who started it.

Last Friday Senator ROBERT R. REYNOLDS, of North Carolina, introduced a bill in the Senate to establish a naval air base on Wrangell Island, but there is small chance of doing that while the Russians are there.

It seems that in 1924, taking advantage of a claim they had made in 1916 that had never been officially disputed, the Russians abducted one Charles Wells, an American sailor from Seattle, and 12 Eskimos peacefully engaged in fishing and hunting and otherwise making good America's title to the sport, and replaced them with a colony of enthusiastic Communists.

RESTRAINS HIS PRIDE

This is a pretty intolerable situation for 79-year-old William Reynolds, who retired as rear admiral in the Coast Guard just when this was going on. But, mild-mannered and dignified, he restrained his outraged pride yesterday and spoke of the arrogant Bolsheviks with creditable courtesy.

"I don't know what right they had to take our island," he remarked, "but then I don't know much about international law. I took possession of Wrangell Island for the United States, and we were the first white men that ever landed there. Of course, it was named after a Russian, Baron Wrangell, but he never reached the island; he just saw it."

As a matter of fact, it was something of an accident that led to that historic landing party, the gray-haired seaman admitted. The steamship *Corwin*, on which he was a junior officer at the time, was not sailing about the Arctic looking for new lands for Uncle Sam. She was searching for survivors of the exploring ship *Jeannette* crushed by ice just before.

They didn't find any survivors, but they found a lot of polar bears and walrus, and a good plateau now useful as an airplane landing field, and they presented this chilly spot to the State Department to file away for the future.

FIFTEEN YEARS TOO LATE

Now Senator REYNOLDS has found a use for it, but he is 15 years too late. When, in 1924, Commander M. Davidoff came back in triumph to Vladivostok with Wells and his Eskimos he proudly boasted that once more the proletarian revolution had scored over the "imperialists," who were attempting to "seize the island" because it "would have made an ideal aerial base."

Poor Wells died before he ever got away from Siberia and as Rear Admiral Reynolds is the last survivor of the officers on that historic cruise of the *Corwin*, he is now the only principal of the drama of Wrangell still able to tell the tale.

But Wells' sponsor, Carl J. Lomen, is still very much alive, and so in his claim against the Russian Government for the 167 fox skins and 40 polar bear skins they relieved him of in 1924, not to mention damage against his firm, the Lomen Reindeer & Trading Corporation, which brought from an English firm the trading interests in the island just in time to have them seized behind their backs by the conquering Russian revolutionaries.

But after all, the whole thing rests with the State Department, and the State Department isn't interested now. Maybe if we build that air base Senator Reynolds wants there will be a showdown, and the Russians will be forced to admit the validity of Rear Admiral Reynolds' deed, and pay Lomen his

damages. Such as least is the hope of Reynolds, Reynolds, and Lomen.

**PROPAGANDA MAY BE ALREADY WON—
GER IN JOBLESS HOME MORE PERILOUS
AN ANY FOREIGN SPY, IS VIEW**

The little man, sitting in his little home, and wondering where he can get another call of coal, will ultimately decide whether he get into war or stay out, asserts Samuel Grafton, writing in the New York Post. He adds:

"We are being told to watch out for propaganda. Good enough. But in the larger sense, this is a false steer. The propaganda fight has already been fought and won by the Allies. The United States now hates Hitler more than it hated the Kaiser in 1916. The toothiest of British lectures can add only a drop to the brimming bucket of our hate."

"History is made when the father of the family says he isn't hungry and slides his food down-table to his children, and the kids take it, trying not to think that's all there is, there isn't any more."

"History is made when the foreman at the plant tells John Smith, American worker, that he can't give him a job until the factory gets another war order, but that the factory isn't getting war orders because the Neutrality Act forbids lending money to the Allies. The muse of history really begins to smirk when John Smith walks down the factory street, feeling the stones through his shoes and wondering why the devil we shouldn't lend money to the Allies when it means a job a man can work at and feed his kids with."

"A decent peacetime job would keep John Smith from making this decision."

acing out the figures nationally, I find he total of W.P.A. workers has been most in half, from 3,043,367 in February, to 1,661,970 in September. The rise in war boom employment doesn't even remotely correspond to this wholesale slaughter of W.P.A. pay envelopes. The cut occurs at a time when a job is the best and most vital antiwar propaganda of all, because it talks to a man 7 days a week and 24 hours a day.

"I have a feeling that we are flunking our national test. We are depending on a Neutrality Act, a dike of words against a sea of need and blood. We are asking men to consult the national interest first, at a time when the interests of their children clamor in their ears. We are asking the little man to be big. That is the measure of the smallness of our approach."

"The stage for war, the stage for our participation, is being set. It is a bare stage and on it are a few kitchen chairs, an empty table, a congealing stove; in one of the chairs sits a man who fears the morning and who will accept any hope that comes. So far, we have been afraid to look at him."

EXHIBIT 2

**THE RIGHT OF AMERICAN SOVEREIGNTY OVER
WRANGELL ISLAND**

(David B. Nolan* and Mark J. Seldenberg**)

ABSTRACT

The dispute over rightful sovereignty to Wrangell Island today continues as an international issue of the Arctic. The Soviet Union, United States, the United Kingdom, and Canada at one time or other have asserted interests over this frozen piece of the Arctic and mountain. The proximity of the island to both the U.S. and Russia has great value in our push-button nuclear age. The issue itself has implications for the resurgence of American military might, for superpower detente, and for international law.

The history of Wrangell Island is filled with courage and tragedy. It is a tale of kidnapping and death.

The valiant Captain Calvin L. Hooper, the de facto governor of the Alaska territory, was the first to land on Wrangell Island. He claimed the island for the United States which perfected this claim through effective occupation in accordance with international law.

The Soviet government seized control of Wrangell Island in 1924 and took American citizens into custody. This act is held to have been in violation of international law and American statutes that sought to protect U.S. territorial rights.

Hence the Soviet Union is believed to have occupied Wrangell Island illegally until the present time. International law does not allow any nation to gain sovereignty in such a fashion. The U.S. sovereignty over Wrangell has never been legally ceded to the Soviet Union, either on account of treaty or due to U.S. inaction.

Extensive exploration of the Arctic did not occur until the nineteenth century. It is not surprising that Wrangell Island, one of the largest yet most inaccessible islands in the Arctic did not become known to the world until this time.

Wrangell Island¹ is located eighty-five miles off the northeast coast of Siberia and two hundred seventy miles northwest of Cape Lisburne, Alaska. It straddles the 180° meridian and the 71° parallel and encompasses an area of two thousand square miles. As with other islands in the Arctic Ocean, accessibility is limited by thick fog and sea ice. Impenetrable ice floes block access even to its southern shore for at least ten months of each year.

Four nations have asserted interests over this island—the United States, the Soviet Union, the United Kingdom, and Canada. The superiority of the claim by the United States can best be understood when placed in the perspective of arctic history and international law.

Early recorded explorations into the Arctic did not intend to lay formal claim to and take effective occupation of, arctic territory. Without these elements sovereignty will not arise over discovered land. The Greek navigator Pytheas of Massilia made the first recorded voyage into the Arctic Ocean in the fourth century. B.C.E., but was turned back by fog and ice.² The next recorded voyage into the Arctic of any significance was by a Norse chief named Otar who sailed into the White Sea, after passing the Kola Peninsula.³

By the sixteenth century, England and other maritime nations sought better trade routes to the Orient than the long and arduous routes around the Cape of Good Hope and Cape Horn. In the year 1553 English merchants organized voyages to China by the Northwest Passage across the top of Europe and Asia.⁴ In 1594 the Dutch navigator Willem Barents sailed into the Kara Sea.⁵

A Cossack trader named Simon Dexhnev sailed eastward from the Kolyma River in the summer of 1648. The natives of eastern Siberia told him of a "large country" lying to the north of Chukchi and Alaska. He was the first white man to hear of this land called Beringia.⁶

In 1763, another Cossack named Andreyev heard of this land and traveled to the Medvezhi Ostrova to find it. He claimed to have seen a large land to the East from that island location. However, six years later three Russian surveyors named Leontev, Lesev, and Pushkarov confirmed that there was no land that could be seen from such lo-

cation.⁷ Mirages of islands are not uncommon in the Arctic. This factor, added to the difficulty of obtaining star readings for location determinations in arctic fog, have often made land sightings unreliable.

Baron Ferdinand Petrovich von Wrangell, a lieutenant in the Imperial Russian Navy, also heard the tale of the land's existence from the Chukchi chiefs of Siberia. Between 1820 and 1824 he commanded several expeditions in search of the island but he never saw it, let alone land on or occupy it.⁸ In April of 1824, at the end of his last arctic expedition, Wrangell wrote:

"[W]ith a painful feeling of the impossibility of overcoming the obstacles which nature opposed to us, our last hope vanished of discovering the land which we believed to exist. We saw ourselves compelled to renounce the object for which we had been striving through three years of hardships and danger."⁹

Despite this failure, Wrangell gained worldwide fame as an arctic explorer. He later became Governor of Russian America. Yet he was never to land upon the island that would bear his name in his honour.

During the mid-nineteenth century, England, still looking for a short-cut to the Orient, attempted to find a Northwest Passage. In 1845 Sir John Franklin left England with a company of 129 to travel over the top of America to Petropavlovsk, Kamachatka. By September, 1846, the expedition's ships had become locked in an ice pack twelve miles from King William Island.

On 11 June 1847 Sir John Franklin died. On 22 April 1848 the ships *Erebus* and *Terror* were deserted and what was left of their crew started on a hopeless march to safety. No one survived.¹⁰

By 1848 the Royal Geographical Society became concerned over the ships' disappearance and the British Admiralty agreed to its request to organize a search. The United States and Canada also organized searches for the missing ships.

On 8 August 1849, Captain Henry Kellett, R.N., of H.M.S. *herald*, one of the Franklin search vessels, arrived at a small island west of Cape Lisburne. Upon landing, Kellett took possession and named the island *Herald* after his ship. He hoisted the Union Jack and claimed the island on behalf of Queen Victoria.¹¹

Kellett sighted a large land mass beyond *Herald* Island to the west which he called *Plover* in honor of another Franklin relief expedition ship. Whereas no land mass existed at the position noted by Kellett on navigation charts, it may have been a mirage rather than Wrangell Island. In any event, no further landing or exploration was made.

Six years later, on 13 August 1855 Captain John Rogers, in his flagship the U.S.S. *Vincennes*, reached the position ascribed to *Plover* Island, also known as Kellett Land on the Admiralty charts.¹² When there was no land to be seen from the clear horizons, the charts by the Depot of Charts and Instruments of the U.S. Navy were changed accordingly. It should be noted that the Russian author Shvede gives credit to the American, Rogers, for discovering Wrangell Island¹³ on that Congressionally authorized voyage.¹⁴

The United States' legal rights in the northwest of the North American Continent have a foundation in the Treaty of Adams-Onís of 22 February 1821 which ceded Spanish rights in Oregon Country to the U.S.¹⁵ The United States' claims to northern parts of the Oregon Country (now southern Alaska) are based, in part, upon voyages of discovery and annexation by Don Juan Francisco de la Bodega y Quadra and

Don Ignacio Arteaga for the Spanish Government between 1775-1779.¹⁷

Czar Alexander Pavlovich of Russia issued a ukase in 1821 banning "transgression of commerce, and the pursuit of whaling, fishing or any other industry" along the North West Coast of America from the Bering Sea to the 51st parallel.¹⁸ This coast was part of the area ceded to the United States by Spain in 1821. The Tsar's ukase prompted U.S. President Monroe, in his message to Congress on 2 December 1823, to proclaim the Monroe Doctrine. A compromise was reached on 11 January 1825. The United States government ceded the coast of America north of the 54°40' parallel to the Imperial Russian Government as part of a Treaty of Navigation and Fisheries of the Northwest Coast.¹⁹

As well be seen, this accord was superseded by the Seward-Stoeckl Treaty in 1867 which ceded Russian America to the United States. The 1825 treaty has no bearing on sovereignty over Wrangell Island which was undiscovered at the time.

By the middle of the nineteenth century, Russian interests in expansion beyond the Asian mainland waned just as American interest in expanding to the West increased. The loss of the Crimean War illustrated the vulnerability of the Russian Empire at its extremities.

The Russian government, fearing that its American colony was no longer defensible and recognizing its economic liability, sold the North American lands to the United States for 7.2 million dollars on 20 June 1867.²⁰ This convention between the governments of Russia and the United States ended all Russian claims to sovereignty east of the demarcation line.

On 18 October 1867 the Tsarist double flag was lowered over Novoarkhangel'sk, the capital of Russian-America, and Stars and Stripes was hoisted over the renamed city of Sitka. Alaska was now a possession of the United States.²¹

The Office of the Solicitor, U.S. Department of State, determined after a review of the documents leading up to and including the Seward-Stoeckl treaty "that the Emperor of all the Russias ceded to the United States certain territories, and that the United States on its part entered into no commitment which could be interpreted as an understanding not to press claim to any land west of the particular line above described."²² Therefore, there can be no inference that the United States ceded sovereignty to any as yet undiscovered island to the west of the Diomed Islands.

During this period the American whaling industry expanded into arctic waters. On 14 August 1867 Captain Thomas Long of New London, Connecticut, sailed his whaling bark *Nile* along a trek some thirty miles north of the route navigated by U.S.S. *Vincennes* some twelve years earlier. A seaman named Thomas sighted land (Cape Thomas) to the northeast from the ship's masthead. Captain Long named this territory "Wrangell's Land" as an appropriate tribute to the memory of the Russian explorer who spent three consecutive years above the 69th parallel.²³ Long also was the first to sight the identifying volcano of more than 2000 feet in height on Wrangell Island. He sailed past the southern shore and returned to the port of Honolulu. Between 1868 and 1869 the news of the American discovery of "Wrangell's Land" spread worldwide. Geographical societies in the United States and Europe honored Captain Long for his discovery.²⁴

Other American whalers—the captains E. J. Reinder, Phillips of the *Monticello*, and Blier of the *Nautilus* also confirmed the sighting of the large land mass discovered by Thomas Long. They spread

their belief that Wrangell was not an island but a frozen continent similar to that at the South Pole, a speculation that prompted the New York Herald to outfit an expedition in 1879, led by Naval Lieutenant George Washington De Long, to Wrangell Island and then the North Pole.²⁵ De Long and his ship, the *Jeannette*, formerly called the *Pandora*, never made it. The *Jeannette* became locked in ice floes and drifted westward past Wrangell Island where it was crushed and sunk in the summer of 1881.

Fearing for the fate of De Long, the U.S. Congress in early 1881 authorized one hundred and seventy-five thousand dollars for a search. The *Jeannette* relief ships, the U.S. Revenue Marine Steamer, the *Thomas Corwin* and the U.S.S. *John Rogers* entered the Bering Sea in the summer of 1881. Commanding officer of the *Corwin* was Captain Calvin Leighton Hooper.

Hooper at the time commanded the Bering Sea Patrol of the U.S. Revenue Marine, which made him the *de facto* Governor of Alaska. During the spring of 1877 jurisdiction of the District of Alaska was transferred from the Department of War to the Treasury Department. Treasury in turn placed Alaska under the charge of the U.S. Revenue Marine from that year until 1884.²⁶ Hooper clearly had authority at that time to discover and claim sovereignty over land on behalf of the United States.²⁷ The *Corwin* also carried aboard a complement of scientists. These included the world renowned naturalist, John Muir, who was later to found the Sierra Club.

The *Corwin* landed on Herald Island in hopes of finding the *Jeannette* or its crew. Unsuccessful in the rescue attempt, Hooper valiantly forced his ship through heavy ice floes to Wrangell Island to the west.²⁸

On 12 August 1881, Hooper, Muir, and their party of six made the first recorded landing by man upon Wrangell Island. Edward W. Nelson, a member of the landing party later noted:

"The result of our examination of the Island, so far as we saw, gave not the slightest evidence of its ever having been visited by man before. All subsequent examinations of Wrangell Island by those who have visited it later appear to establish the fact that the landing party from the *Corwin* contained the first men to set foot on this island."²⁹

Landing at the mouth of the Clark River on the eastern side of the Island, Hooper and his fellow officers raised the American flag and took possession of Wrangell Island in the name of the United States. While Hooper and Muir explored the island, other party members erected a rock cairn and deposited documents recording the significant event. William Reynolds, a member of the party, recalled:

"I had the flag and with the Captain's permission waved it and took possession of the new land in the name of liberty and of the Government of the United States of America. I planted the flag on a bluff a little to the northwest of our landing place and left it there together with a record of our visit."³⁰

Hooper called the island "New Columbia." He explained:

"It was believed that as the island had become, by our act of landing upon it, a part of the United States, by selecting a name of national character, no disrespect would be shown to the memory or offense given to the friends of the gallant officer whose name it bore, and that the name given would be adopted by all nations."³¹

The name "New Columbia" never replaced Wrangell, however.

Captain Hooper told Captain L. C. Owens of the American whaler *Belvedere* of his

plan to annex Wrangell Island to the United States prior to landing there. The *Belvedere* became the second ship to land at Wrangell on 19 August 1881. "As soon as we got ashore we saw the signal planned by Lieutenant Reynolds, a small American ensign fastened to a slender piece of driftwood, driven into the soil," confirmed a *Belvedere* crew member.³²

On 26 August 1881 a party from the *Rogers*, the other relief ship, landed on Wrangell Island. They completed an official survey for the U.S. Government on 13 September of the same year. One crew expedition proceeded overland to the mountains, where a general view of land and water could be obtained. Another group found the cairn left by the *Corwin*, and deposited copies of the documents contained therein, taking the originals for the Navy's report. The crew of the U.S.S. *Rogers* also raised the American flag over Wrangell Island.³³ The crew determined that its new U.S. possession was not a continent, but a large island.

Major E. W. Clark, the Chief of the United States Revenue Marine Service, informed the U.S. Coast and Geological Survey in 1881 of the annexation of Wrangell Island to the United States. The U.S.C. & G.S. of the U.S. Treasury Department determined that Wrangell Island should be included in the District of Alaska.³⁴

Between the years 1881 and 1910 Wrangell Island was visited exclusively by Americans. These were mostly whalers and walrus and seal hunters. On 8 September 1889 the U.S.S. *Thetis* went to Wrangell Island while cruising the Arctic Ocean, "showing the American flag."³⁵ In the year 1910 Captain Louis Lane sailed the ship *Adler* of Nome, Alaska, to Wrangell Island with a motion picture company from Hollywood, which filmed a polar bear hunt.

For a period of twenty-nine years following Hooper's claim, U.S. and Russian publications recognized United States sovereignty over Wrangell. U.S. Geological Survey Bulletins No. 189 in 1900, No. 187 in 1902, and Nos. 274 and 299 in 1906 included Wrangell Island as part of the U.S. Russian Naval Maps and Encyclopedia at the turn of the century also show the same designation.

In 1910 the Imperial Russian government, interested in compiling hydrographic charts to facilitate shipping routes from Kolyma to Vladivostok, commissioned two steel ice-breaking ships, the *Vaigatch* and *Taimyr*. On 16 September 1911 the *Vaigatch* anchored in a cove off Blossom Point at the southwest corner of Wrangell Island while taking shelter from a gale from the northeast.³⁶ Its captain sent a landing party ashore on 15 September via whaleboat and motor launch to establish the correct astronomical position by celestial observation. The landing party found a coal deposit and erected a ten meter structure to establish the astronomical position of the landing place before leaving.

The Russians then circumnavigated the island, but unfortunately at a distance too far to contribute to the definite outlining of the coast.³⁷ This was the only visit that the Russians ever made to the Wrangell Island before 1924, nor did they ever make any claim to the island during their stay.

In 1911 Dr. Rollin Harris, an American oceanographer, again raised interest in the possibility of an as-yet-undiscovered arctic continent. He hypothesized the existence of "Harris Land" to explain tidal movements in the Arctic Ocean.

In 1913 the National Geographic Society planned to finance an expedition to the Arctic to find this new land. Sir Robert Borden, Prime Minister of Canada, asked

and received permission to finance the expedition for fear that Americans might make discoveries north of Canada for the States.³⁸

Almur Stefansson, a Canadian who had grown up on the plains of North Dakota, was chosen to lead the expedition. The Canadian government directed Stefansson that "any new or partly unknown lands which the expedition would touch would be observed, position fixed, and the British flag would be planted on these lands."³⁹

Stefansson's flagship was the whaler *Karluk* under the mastery of Captain Robert A. Bartlett. Bartlett was a U.S. citizen who had commanded the ship *Roosevelt* for the Peary and Henson expedition to the North Pole during the years 1905 to 1909. The *Karluk* suffered the tragic fate of other vessels and became caught in arctic ice, drifted west along the north coast of Alaska, and eventually sank. For two months the survivors walked south across the polar ice cap, arriving at Wrangell Island on 12 March 1914. Two members of the ship's crew, John Munro and Robert Templeman, raised the Canadian flag over Wrangell Island in celebration of Dominion Day, 1 July 1914.

Of course, Wrangell Island had already been formally claimed by the United States, and the previous establishment of U.S. sovereignty served to cut off subsequent rival claims. Furthermore, Great Britain had transferred jurisdiction of her rights to islands in the Arctic Ocean to the Canadian Government in 1880.⁴⁰ Therefore, whatever pretention to sovereignty Great Britain might have had to Herald and Wrangell Islands by virtue of the voyage of the H.M.S. *Herald* in 1849, or the landing on Wrangell in 1914, now belonged to Canada.

Shipwrecked members of the *Karluk* cognized the prior discovery of Wrangell Island. Bartlett later wrote that "we passed Hooper Island, which was built by a party from the U.S. Revenue cutter *Corwin* in August, 1881. The claim, as I could see, was still intact."⁴¹

Captain Bartlett and an Eskimo crew member, Kakatovik, walked across the ice pack to summon help. Upon Bartlett's reaching Alaska, Captain William E. Reynolds, U.S.R.C.S., immediately ordered a rescue attempt. On 7 September 1914 the American ship *King* and *Wing* picked up the happy survivors on Wrangell Island (Figure 1). Not knowing that the *Karluk* survivors had already been rescued, the *Thomas Corwin* landed at Wrangell a few days later. The same ship that thirty-three years earlier had carried Hooper to claim the island, re-established the flying of the U.S. flag over Wrangell Island.

After the *Karluk* survivors were transferred to the U.S. Revenue Cutter *Bear*, they were transported to the ship's home port of Unalaska where the port commander, William Reynolds (who in 1881 had landed on Wrangell with Hooper) told Bartlett that the island was indeed part of Alaska.

On 13 November 1916 a challenge to U.S. sovereignty over Wrangell Island came from a different source. The Imperial Russian Embassy in Washington presented a memorandum to the U.S. Department of State regarding Russia's claim to lands in the Arctic. It claimed that Wrangell Island, Alaska, was one of the islands which "form an extension Northward of the Continental 'Island of Siberia'."⁴² This argument, like

of the sphere of influence, continuity, or theory to the Pole has no validity in international law.⁴³ Before this claim could again be pressed the Imperial Russian Government was overthrown by the Bolsheviks. World events were to continue to play

a major part in the issue of sovereignty over Wrangell.

On 7 July 1918 Allied Commanders, and an army that included Japanese troops, assumed protection of the city of Vladivostok. The threat of the Japanese taking an imperialistic hold in eastern Siberia caused concern, just as the expansion of power by the Bolsheviks had done formerly. In 1920 Stefansson became worried that the Japanese government, in their desire to control eastern Siberia, might try to take Wrangell Island. He observed, "I felt certain that within a year of two they would realize the coming importance of Wrangell Island and would occupy it."⁴⁴

Great Britain, Japan, and the United States were allied against the Bolsheviks. However, if the Japanese (future Pacific rivals to the United States) were to occupy Wrangell Island, it would be difficult to oust them in favor of the Bolsheviks. Therefore, Stefansson met in Ann Arbor, Michigan, with Allen Crawford, a Canadian, and Sir Auckland Geddes, British Ambassador to the U.S., for the United Kingdom to plan an expedition to secure Wrangell Island and also to promote their own economic interests.

Crawford led a party that included four Americans on the American ship *Silver Wave*. When they landed on Wrangell Island on 15 September 1921 the crew raised the Stars and Stripes over the island under Captain Jack Hammer's direction. On 16 September 1921 Crawford raised the Union Jack over Wrangell "in the name of the King and the Empire" as a continuation of Stefansson's "right to the island already established by the Stefansson Canadian Arctic Expedition of 1913-18 and the shipwreck of the *Karluk*."⁴⁵ He did not tell anyone aboard the *Silver Wave* that he had raised the British flag over the island.

In 1922 it became cause célèbre in the British and American press that Stefansson and company had "claimed" Wrangell Island, Alaska, as part of the United Kingdom. Anglo-American relations became strained over an island in which Great Britain had shown no interest since the discovery of Herald Island in 1849.

The Crawford party landed with provisions for only six months, saying they planned to sustain themselves with hunting. Stefansson's relief mission in 1922 was blocked by ice floes. When Harold Noyce arrived aboard the relief ship *Donaldson* on 20 August 1923 only an Eskimo seamstress named Ada Blackjack survived of the original group. A new party led by Charles Wells of Unlontown, Pennsylvania, continued settlement of the island.

When Stefansson realized in 1924 that the Canadian government would not back a sovereignty claim as to dominium directum rights he sold his title and his dominium utile interests in Wrangell Island to the Lomen Brothers company of Nome, Alaska (Figures 2(a) and 2(b)). On 13 May 1924 Secretary of State Charles Evans Hughes declared that the Lomen Brothers were the owners of the island (Figure 3). On 18 June of that year, the British Colonial Secretary stated in a confidential dispatch: "The United States Government is thought to have a strong, if not indisputable, claim to the Island."⁴⁶

On 20 August 1924 the Soviet gunboat *Red October* landed on Wrangell Island, armed with a six-pound cannon and a company of Soviet infantry. The Soviets took Wells by force and the other thirteen Americans on the island and told them they were being taken to Alaska. Instead they were forcibly taken to Vladivostok.⁴⁷ The Soviet officials confiscated all the pelts which the trappers had accumulated during the twelve

bitter months on the island.⁴⁸ Following intervention by the U.S. Consul at Harbin, Manchuria, the Soviets released the twelve Americans still living. The Bolsheviks claimed that Wells had died of pneumonia. His diary was never found.

A year later the Soviets proclaimed Wrangell Island as their territory. But in 1930 the U.S. Department of the Interior publication entitled *Boundaries, Areas, Geographic Centers and Altitudes of the United States and the Several States* expressly included Wrangell Island as an American possession. Since that time no abandonment by the U.S. of its rightful sovereignty has occurred, nor under international law could such abandonment occur following a deprivation of sovereignty by force.

Besides the abducting of Americans on Wrangell Island, the Russians violated federally promulgated Alaskan law that prohibits the exercise of foreign jurisdiction. The Alaskan Organic Act of 1884 adopted Oregon law, which in turn had adopted the Iowa Territory prohibitions against foreign governmental interference with American sovereignty.⁴⁹

In 1973 the State Department reissued the *Hackworth Digest of International Law* which explained, "The United States has not relinquished its claim to Wrangell Island." In the centennial year of the American landing on Wrangell, the United States government's position has not changed. Captain Hooper formally claimed Wrangell Island on 12 August 1881 and the U.S. established effective occupation until the Soviet invasion.

FOOTNOTES

³⁸ Dr. Nolan Assistant Counsel to the President of the United States.

³⁹ Mr. Seldenberg is Vice-President of an American corporation, living in Seal Beach, California.

⁴⁰ The island has also been spelled Wrangel and Wrangel. The U.S. Board of Geographic Names, by resolution named 29 July 1901 determined that Wrangell Island, Alaska, in the Arctic Ocean should be spelled with two l's. The island was named in tribute to Ferdinand Petrovich von Wrangell who spelled his own name with two l's when he wrote in the Roman alphabet.

⁴¹ Dermot Cole, "Now We're Losing Wrangell Island," *Fairbanks Daily News Miner*, 1 October 1977.

⁴² David Mountfield, *A History of Polar Exploration* (New York: The Dial Press, 1974), pp. 15-16, 19-20.

⁴³ *Ibid.*, p. 23.

⁴⁴ *Ibid.*, pp. 27, 33.

⁴⁵ *Ibid.*, pp. 33-39.

⁴⁶ Leonid Vasilievich Gromov, *Oskolok Dremel Beringi* (Moskva: Gos izd-vo geogr. lit-ry, 1960).

⁴⁷ *Ibid.*

⁴⁸ Lieutenant Baron Ferdinand Petrovich von Wrangell, I.R.N., *Narrative of an Expedition to the Polar Sea in the Years 1820-1823*, ed. Major Sir Edward Sabine, R.A. (London: James Madden and Co., 1840) pp. 342-359.

⁴⁹ "Wrangell Island," *The Geographical Journal*, Vol. 62, No. 6, (December, 1923), p. 441.

⁵⁰ Leopold McClintock, *The Voyage of the Fox: Discovery of the Fate of Franklin* (London: J. Murry, 1908).

⁵¹ Bertold C. Seaman, *Narrative of the Voyage of the Herald during 1845-51*, (London: Reece & Co., 1853), pp. 115-116.

⁵² Wilhelm Heine, *Die Expedition in die Seen von China, Japan und Ochotsk unter Commodore Collis Reingold und Commodore John Rodgers: in auftrage der Regierung der Jahren 1853 bis 1856* (Leipzig: H. Constenoble, 1858-59).

⁵³ Evgenii Evgenievich Sherde "Ostrov Wrangell," *Dorokskosmirk God* 76, No. 9 (Sept. 1923) pp. 1-14.

⁵⁴ 31 August 1852 (10 Stat. L. 100).

⁵⁵ 8 Stat. L. 252.

⁵⁶ Francisco Antonio Moorelle, *Journal of a Voyage in 1775* (London, 1781).

⁵⁷ John J. Underwood, *Alaska: an Empire in the Making* (New York: Dodd, Mead, 1913) p. 265. It should be noted that Prof. William R. Hunt of the University of Alaska, in his book, *Alaska: A Bicentennial History* (New York: W. W. Norton & Com-

pany, Inc. and Nashville: American Association for State and Local History, 1976), p. 30, erred in ascribing the ukase to "Alexander II" (Tsar Alexander II of Russia).

t. L. 302. For background information concerning claims of sovereignty to the County read Thomas Falconer, *Questions: or a Statement of the British Claims to the Government of the United States of America*, 2nd ed. (London: Samuel Clerk, 1845), and *Twice: The Oregon Question Examined* (London: Longman, Brown, Green and Longman, 1846).

¹³ 13 Stat. L. 539.
The name Alaska was gradually established for this region by local use while the Russians officially designated it Russian America. The name Alaska was proposed for official acceptance by W. H. Seward. Non. Charles Sumner, and Maj. General H. W. Hallack after the U.S. Government took possession of the region.

¹⁴ Bretton O. Sclaroni, *The U.S. Claim to Wrangell Island*, Contract Study (No. 1722-820057) prepared for the U.S. Department of State on February 4, 1976, p. 30. Also see, P. N. Anderson, "Memorandum" (November 25, 1924), M. S. Department of State, file 861.0144/75 and 3. Wittemore Boggs "Delimitation of Seward Areas under National Jurisdiction," *American Journal of International Law*, 45, No. 2 (April, 1951), p. 240, fn. 2.

¹⁵ Captain Thomas Long, "Arctic Land Discoveries," *The Pacific Commercial Advertiser* (Honolulu), 9 November 1867.

¹⁶ A Polar Continent: Reported Discovery of a Polar Continent in the Arctic Ocean," *New York Times* (7 December 1867); William W. Wheridens, "The New Arctic Continent or Wrangell's Land" (Chicago: American Association for the Advancement of Science, August 1868); K. M. Baer, "Nesholho slov po povodu novotrokh Wrangelyevshoy zemly," *Izvestiia Russkogo Geograficheskogo Obshchestva*, (1968), V4, N7, pp. 333-349.

¹⁷ J. E. Nourse, *American Exploration in the Ice Zones*, (Boston: D. Lothrop and Company), pp. 365-66 and David Mountfield, *A History of Polar Exploration* (New York: Dial Press, 1974), pp. 123-124.

¹⁸ Formal letters of 17 and 24 March 1877 between Secretary of War George W. McCrary and Secretary of Treasury, John Sherman, National Archives of the Adjutant General (Microcopy reel No. 358).

¹⁹ national law has also recognized the status of private individuals to claim sovereignty on behalf of their country. A fortiori Hooper in his official capacity had no less authority regarding Wrangell Island than in his validly ordered claim of Wake Island on behalf of the United States in 1898, while in transit after the Spanish American War as a member of U.S. Pacific forces.

²⁰ Muir, *The Cruise of the Corwin*, pp. 140-158; Hooper, *Cruise of the Corwin*, 1881, pp. 53-54.

²¹ Nelson, *Congressional Record*, Senate, 22 March 1922, p. 4261, col. 2.

²² William Reynolds, *Congressional Record*, Senate, 23 March 1922, p. 4538, col. 2. Also included under these papers sent from the Secretary of Treasury Andrew W. Mellon to Secretary of State Charles Evans Hughes, 13 April 1922, M.S. Department of State, file 861.0144/7.

²³ Hooper, *Cruise of the Corwin*, 1881, p. 70.

²⁴ Wrangell Land: A Description of the Island by a Visitor," *San Francisco Chronicle* (18 August 1882), p. 3.

²⁵ Nelson, *Congressional Record*, Senate, 22 March 1922, p. 4261, col. 2, stated the "Rogers Party took possession of the island by right of (Captain Long's) discovery, and that was within a space of a few weeks of the Corwin party taking possession for the United States Government."

²⁶ In 1900 the U.S. Geological Survey, at the direction of Henry Gannett, issued U.S. Geological Survey Bulletin No. 169 which included Wrangell Island of the Arctic as part of Alaska. Gannett is known as the father of American map making, and was the Chief Geographer of the U.S.G.S., having started in 1882.

²⁷ Jean Denuce "les expeditions polaires depuis 1800," *Bulletin de la Societe Royale de Geographie D'Anvers* (Anvers: J. Van Hille-De Bocher, 1911), p. 336. Also see: Charles Herbert Stockton, "The Arctic Cruise of the USS *Thetis* in the summer and autumn of 1888," *National Geographic Magazine* (1890), v. 2, No. 3, p. 194, and D.W. Knox, Captain, U.S. (Ret.), letter to Lt. Comdr. F.W. Mead, U.S. (Ret.), dated 31 October 1933.

²⁸ Point was named by Lt. R.M. Berry, 1881 after H.M.S. *Blossom*.

²⁹ Starokadomskiy, *Charting the Russian Northern Sea Route: The Arctic Ocean Hydrographic Expedition 1909-1918*, ed. and trans. William Barr, (Montreal: Arctic Institute of North America and

McGill-Queen's University Press, 1976) pp. 60-64; Nikolai Nilolaevich Alekseev, "Ostrov Vrangelya," *Bulletin of the Far Eastern Branch of the Academy of Sciences of the U.S.S.R.* (Vladivostok: 1932) No. 3-4, p. 83; L.V. Gromov, *Ostrov Vrangelya* (Magadan: 1961) p. 24; Vilhjalmur Stefansson, "The Russian Visit to Wrangell Island," appendix 9, *The Adventure of Wrangell Island*, op. cit., pp. 393-394.

³⁰ Vilhjalmur Stefansson, *The Adventure of Wrangell Island*, pp. 50-51.

³¹ Order-in-Council, approved 22 February 1913.

³² Gordon W. Smith, "The Transfer of Arctic Territories from Great Britain to Canada in 1880, and some related matters, as seen in official correspondence," *Arctic*, March, 1961, Vol. 1, No. 1, pp. 53-73.

³³ Bartlett, *The Last Voyage of the Karluk*, op. cit., p. 173.

³⁴ The note of 13 November 1916 stated in part:

"Le Gouvernement IMPERIAL profite de cette occasion pour faire ressortir qu'il considere aursi comme faisant partie integrante de l'Empire les illes Hennette, Jeannette, Bennett, Herald et Oujedine, qui forment avec illes Nouvelle Siberie, Wrangell et autres situees vers la cote asiatique de l'Empire, une extension vers le nord de la plate forme continentale de la Siberie.

Le Gouvernement IMPERIAL ne pas juge necessaire de joindre a la presente notification les illes Novaia Zemlia, Kologuev, Kolguev, Waigatch et autres de moindres dimensions situees pres la cote europeenne de l'Empire, etant donne que leur appartenance aux territoires de l'Empire se trouve depuis des siecles universellement reconnue.

³⁵ "It should be noted that unsupported claims advanced by the Imperial Russian Government in the above note were rejected by the United States in 1902, as part of the 'Whaling and Sealing Claims Against Russia.' Herbert H. D. Peirce, *Foreign Relations of the United States*, 1902, Appendix 1, (Washington, GPO, 1903), pp. 18 and 107. Fedor Fedorovich Martens, the legal counsel for the Imperial Russian Ministry of Foreign Affairs, rejected the notion that Russian sovereignty extended northward into the Arctic. He contended that the marginal seas north of Russian mainland were *Mare Liberum* from the judicial point of view. P. P. Martens, "Du territoire de l'etat," *Traite de droit international*, trans. Alfred Leo, Paris: 1883) v. 1, pp. 495-498.

³⁶ Stefansson, *The Adventure of Wrangell Island*, op. cit. p. 95.

³⁷ Ibid, pp. 128-131.

³⁸ Colonial Secretary to Governor General, confidential dispatch No. 537, Cited in Bretton O. Sclaroni, *The U.S. Claim to Wrangell Island*, Contract Study No. 1722-820057 prepared for the Department of State on February 4, 1976, p. 15.

³⁹ Affidavit of 22 March 1977 by Hilda Koonuk-nowrunk Weber, one of the American prisoners.

⁴⁰ *Japan Advertiser*, 27 January 1925.

⁴¹ On 7 May 1884 the U.S. Congress passed "An Act providing a Civil Government for Alaska," c. 53, 23 Stat. at Large 24. That act adopted Oregon law providing it does not conflict with other provisions of Alaskan law. This Act extended to Alaska "An Act Adopting the Statutes and Laws of the Territory of Iowa and the Common Law." *Oregon Acts and Laws Passed by the House of Representatives at a Meeting Held in Oregon City, August, 1845* (New York: N.A. Plemister Company, 1921) p. 15. It should be remembered that the Act of 12 August 1845 became part of the laws of the Territory of Oregon through "An Act to Establish the Territorial Government of Oregon", of 14 August 1848, c. 177, Stat. at Large 323 (known as the Oregon Organic Act. Laws of the Territory of Iowa, passed at the Extra Session of the Legislative Assembly, begun and held in the City of Burlington: J. H. M. Kenny, 1840, and Des Moines: Historical Department of Iowa, 1902) c. 85.

EXHIBITS 3

THE VOYAGE OF THE JEANNETTE—THE SHIP AND ICE JOURNALS OF GEORGE W. DE LONG, LIEUTENANT-COMMANDER U.S.N., AND COMMANDER OF THE POLAR EXPEDITION OF 1879-1881

The party landed on the island on Thursday, June 2d (Friday, June 3d), hoisted our silk flag, took possession of the island in the name of the Great Jehovah and the United States of America, and agreeably to my orders, named it Henrietta Island. They build a cairn and placed within it the record which I send with them, and made as much

examination of the island and search for vegetation as their limited stay would permit. The island is a desolate rock, surmounted by a snow-cap, which feeds several discharging glaciers on its east face. Dovekies, nesting in the face of the rock are the only signs of game. A little moss, some grass, and a handful of rock were brought back as trophies. The cliffs are inaccessible, because of their steepness. The ice between the ship and the island is something frightful. Road-digging, ferrying, and is attendant loading and unloading, arm-breaking hauls, and panic-stricken dogs made their journey a terribly severe one. Near the island the ice was all alive, and Melville left his boat and supplies, and carrying only a day's provisions and his instruments, at the risk of his life went through the terrible mass, actually dragging the dogs, which from fear refused to follow their human leaders. If this persistence on landing upon this island, in spite of the superhuman difficulties he encountered, is not reckoned a brave and meritorious action, it will not be from any failure on my part to make it known. I issued a general order communicating the names and positions of the two islands: Jeannette Island (our discovery of May 16th), in latitude N. 76°, longitude E. 158° 56'; and Henrietta Island (our discovery of May 24th), in latitude N. 78° 8', longitude E. 157° 43'; and in the evening I ordered a double ration of whiskey served out forward. At ten a.m. I read the Articles of War and inspected the ship, and at 1:30 p.m. I read divine service.

EXHIBIT 4

GEOLOGICAL SURVEY NO. 187 SERIES F, GEOGRAPHY, 27

Bennett; Island, in the Arctic ocean, north of the New Siberian Islands. Discovered by De Long, in 1881, and named by him, after Mr. James Gordon Bennett.

Henrietta; Island, in the Arctic ocean, north of the New Siberian Islands. Discovered and so named by De Long in 1881.

Herald; Island (856 feet high), east of Wrangell Island, Arctic ocean. Discovered and landed upon in July, 1849; by Captain Kellett, of H.M.S. *Herald* and named by him after his ship.

Jeannette; Island, northeast of the New Siberian Islands, Arctic ocean. Discovered by De Long, in 1881, and named by him after his ship *Jeannette*.

Wrangell; Island, off the northern shore of Siberia, northwesterly from Bering Strait. The existence of this land was reported by natives, in March and April, 1823, to Baron von Wrangell, who then made an unsuccessful search for it. It was first clearly seen and its shore delineated by Capt. Thomas Long, of the New London whaling bark *Nile*, in August, 1867, and by him called Wrangell's Land. From that date to 1881 it was shown on maps as the south end of a tract extending indefinitely northward and, by some, thought to connect with Greenland across the north pole. Its insular character was established by Berry, in 1881, and since that time it has borne the name of Wrangell Island. Possibly Plover Island of Kellett, in 1849, may be some peak of this island seen from afar.

EXHIBIT 5

BOUNDARIES, AREAS, GEOGRAPHIC CENTERS AND ALTITUDES OF THE UNITED STATES AND THE SEVERAL STATES

WRANGELL ISLAND

Wrangell Island is in the Arctic Ocean, about 100 miles from the Siberian coast. A harbor in the southeastern part is in latitude 70° 57' N. and longitude 178° 10' W. The island is about 80 miles long and 30 miles

wide, its highest point is 2,500 feet above sea level. It was sighted in 1867 by the captain of a United States sailing vessel. In 1881 officers from United States naval vessels landed on the island and claimed it for the United States. According to newspaper reports of October 4, 1926, the Soviet Government had landed a colony of 50 persons on this island, hoisted the Russian flag, and claimed it for that country. An airplane survey is said to have been made and the area found to be 2,925 square miles.

BENNETT, HENRIETTA, AND JEANNETTE ISLANDS

Bennett, Henrietta, and Jeannette Islands were discovered by the DeLong polar expedition and claimed for the United States in 1881, but were only partly explored.

Bennett, the largest of the three, is about 300 miles from the mainland of Siberia, in latitude 76° 38' N., approximate longitude 149° E. This island probably has an area of several hundred square miles, possibly more than 1,000, and altitudes above sea level of 300 feet or more.

Henrietta Island is in latitude 77° 8' N., longitude 157° 45' E., and Jeannette Island in latitude 76° 47' N., longitude 158° 56' E.; each has an area of approximately 50 square miles and an altitude of more than 500 feet.

EXHIBIT 6

(From the Laurinburg (NC) Exchange, June 5, 1985)

U.S. CONSIDERS RELINQUISHING CONTROL OF ALASKAN ISLANDS

The State Department appears ready and willing to surrender five strategic Alaskan islands and hundreds of thousands of square miles of oil-rich Alaskan outer continental shelf to the Soviet Union without full public debate and Senate ratification of a treaty, according to Carl Olson, Executive President of The Conservative Research, Analysis & Education Association, Inc., of Vienna, Virginia.

"This giveaway of literally billions of barrels of America's oil reserves and Alaskan sovereign territory makes the Panama Canal fiasco look insignificant in comparison," Olson declared.

This giveaway was the subject of a high-level State Department delegation which went to Moscow for the week of July 23-27, headed by the department's Legal Adviser Davis Robinson and supported by his staff members Elizabeth Verville and Scott Hahst, and by Harry Marshall and Richard T. Scully of the department's Bureau of Oceans and International Environmental and Scientific Affairs, and by Robert W. Smith of the office of the Geographer.

The enormous size of the giveaway of strategic oil reserves is reflected in official Department of the Interior estimates. The oil-rich outer continental shelf off Alaska is equal in area to six Californias—or three-quarters of the entire U.S. outer continental shelf. Seabeds equal to about twice the size of California lie to the east of the 1867 Convention Line, and seabeds equal to about four Californias lie to the west in the vicinity of the Alaskan islands of Wrangell, Herald, Bennett, Henrietta, and Jeannette. The estimated hydrocarbon reserves of the seabeds to the east of the 1867 Convention Line are 12.2 billion barrels of oil equivalent. (The Navarin Basin alone contains 1.9

billion barrels of reserves.) To the west of the 1867 line, which has twice the area, the reserves have not been officially estimated, but it would not be unreasonable to place them at twice the amount for the area to the east of the line. Or, in other words, the State Department is contemplating giving away about 25 billion barrels of oil equivalent to the Soviets.

The State Department's basis for the giveaway involves its novel (and incorrect) portrayal of the "U.S.-Russia Convention Line of 1867", which was used in the purchase of Alaska from Russia in 1867 for \$7,200,000.

This stance by the State Department appeared in the Federal Register notice of the leasing of the Navarin Basin (p. 10065, March 16, 1984). In paragraph 16, under the heading "Jurisdiction", was the following language: "The differing claims relate to differing depictions of the line established by the 1867 Conventions Ceding Alaska between the United States and Russia. The United States depicts the 1867 Convention Line as the maritime boundary by arcs of great circles while the Soviet Union depicts the 1867 Convention Line as rhumb lines." There is no question in the State Department's position that the 1867 Convention Line is "the maritime boundary".

Contradicting this characterization is a mass of historical evidence and even the State Department's own words. In the State Department's International Boundary Study No. 14 (revised 1965) on "U.S.-Russia Convention Line of 1867", the language is very clear:

"Rather than a boundary per se, this report concerns a convention line which ordinarily appears on official maps in the same manner as a boundary."

"Furthermore, in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used."

So far, the State Department has failed to explain how the United States has relinquished its claim to the islands and seabeds between 1965 and 1984. No treaty, agreement, or other public understanding had been cited for this surrender of American sovereignty.

Even as late as 1978 the noted authority Dr. William E. Butler, Professor of Comparative Law at the University of London, wrote in the book *International Straits of the World, Volume 1: "Northeast Arctic Passage as follows: "The Russo-American Convention Line of 1867 is not regarded as a state frontier, and the continental shelf boundary in the Chukchi Sea and northward remain to be negotiated."*

The five Arctic Alaskan Islands—Wrangell, Herald, Bennett, Henrietta, and Jeannette—were never considered in the purchase of Alaska. Four has not yet been discovered in 1867. Americans discovered and claimed them on Arctic expeditions in following decades. Herald Islands was discovered and claimed by the British in 1849, and was later acquired by the United States.

Bennett, Henrietta, and Jeannette Islands were discovered and claimed by U.S.N. Commander George Washington DeLong aboard the Jeannette in the 1879-81 expedition. The islands still bear his name (the DeLong Islands), and the U.S. Naval Academy in Annapolis has a monument to that expedition.

Wrangell Island, the largest of the five with an area of 2,800 square miles (the size of Rhode Island and Delaware combined), was discovered and claimed on August 12, 1881, by Captain Calvin Leighton Hooper aboard the U.S. Revenue Marine (Coast Guard) ship Thomas Corwin. Among the landing party on Wrangell Island was the famed explorer John Muir, who wrote of his

trip in the book *The Cruise of the Corwin*. Various surveys, expeditions, and settlements were made on Wrangell Island in the next four decades by Americans. This ended when the Soviet Union invaded the island with a landing of infantry from the ship Red October on August 20, 1924, and took as prisoners the 14 Americans of the Lorne Brothers Company's fur settlement and confiscated all the gear, pelts, and other property. The 12 surviving Americans were eventually released from their imprisonment in Vladivostok. The Soviets currently maintain slave labor camps on the island.

It is significant to note that in the State Department's release of the book *Digest of International Law* by Green Haywood Hackworth in 1973, the unequivocal settlements is made:

"The United States has not relinquished its claim to Wrangell Island."

Numerous efforts by various parties, including the owners of Wrangell Island, have been made over the decades to take back their property and collect damages for the unlawful occupation by the Soviet Union. Unfortunately, the State Department has not seen fit yet to honor those claims or even the decision by the Foreign Claims Settlement Commission in 1959 in favor of the Lorne Brothers.

"This impending giveaway of the five islands and the enormous tracts of oil-rich outer continental shelf to the Soviets demands the most searching public scrutiny and debate. It must be made in issues for a national decision-making," Olson stated. "The State Department is not empowered to surrender American real estate and seabeds. Only the Congress has that power. It must be brought up in the form of a treaty, signed by the President, and debated and ratified by the Senate in order to receive the full force of law. The Constitution cannot be ignored in this potentially massive cession of strategic American interests so close to home."

In an ironic comparison with the apparent lenient attitude that the State Department has exhibited toward the Soviets over the seabed boundaries, the State Department has adopted a hardline position toward our ally Canada in the Arctic. This position came to light with the leasing on August 22 of the Diapir Field which borders Canada. The Federal Register announcement of July 23, 1984 (p. 29726) noted a "Jurisdictional Dispute" with Canada over some of the blocks being offered. Although the notice did not say so explicitly, the U.S. position is that the seabed boundary should reflect the "requisite" theory of boundaries, while this dispute continues, the three petroleum companies which bid on these leases (Union Oil Co. of Calif., Amoco Production Co. and Shell Western E & P Inc.) will have their bid money deposit lie in escrow. Their total winning bids for the four blocks totalled \$6,105,000—a substantial affirmation of the rich nature of the Arctic Alaskan outer continental shelf.

¹ See Arctic Pilot, vol. 1, p. 338, 1917; U.S. Geol. Survey Bull. 299, p. 682, 1906; U.S. Hydrographic Chart 904; and Problems of polar research, New York, Am. Geog. Soc., 1928.

Further information regarding these islands is found in *A voyage of the Jeannette*, ed. by Emma DeLong, vol. 2, pp. 679-686, Boston 1883, and 47th Cong., 2d sess., H. Ex. Doc. 108, p. 361, 1883.

Congressional Record



United States
of America

PROCEEDINGS AND DEBATES OF THE 101st CONGRESS, FIRST SESSION

SENATOR JESSE HELMS INTRODUCES
AMENDMENT 387 TO REQUIRE TREATY
FOR ANY BOUNDARY WITH SOVIET UNION

United States, and says "I am going to suspend an election." That is literally what he did. Certainly this country should go on record as saying come September 1 we will give the voice of the people of Panama reality by recognizing what they did in going to the polls and overwhelmingly electing Endara. That is what this sense of the Senate expresses. I send it on behalf of Senator HELMS, Senator KERRY, myself, and others.

Mr. SIMON. Will my colleague yield?

Mr. D'AMATO. Yes.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I have no objection, though I tend to think we would be much better off generally low-keying it in Panama to be more effective. But I would be interested. I note on the floor the chairman of the subcommittee dealing with Latin American affairs, Senator Dobb. I do not know; has he indicated support?

Mr. D'AMATO. Mr. President, it has been cleared on both sides. We certainly call for the recognition of Endara as the duly elected President.

Mr. HELMS. Mr. President, not only do we find it acceptable on this side, but we commend the Senator for it.

Mr. McCAIN. Mr. President, may I have time yielded?

Mr. HELMS. Certainly.

Mr. McCAIN. Mr. President, I happen to be one of those who traveled to Panama for the recent elections. I watched one of the most fraudulent elections ever orchestrated in history. The Panamanian strongman, Mr. Noriega, had originally planned to employ some practices which would not have been easily detectable. Mr. Noriega discovered, much to his dismay, that despite things like busing members of the army around from one polling place to another, despite invalid voting lists and despite a variety of other corrupt practices, he was still going to lose the election. So, therefore, that evening of the election the voting list disappeared. And the Panamanian people were deprived of a basic right of any nation.

I say that the amendment of the Senator from New York that requires we recognize what was clearly a freely overwhelmingly elected government in Panama is entirely appropriate. I suggest that sends a message to Mr. Noriega that his behavior is unacceptable, and in the view not just of the United States, but every international observer in the world, the Endara-Ford ticket won overwhelmingly in Panama.

Mr. President, I support the amendment. The people of Panama deserve to have their freely elected officials recognized not only by the United States but by every other nation in the world.

I yield.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment of the Senator from New York.

The amendment (No. 386) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. D'AMATO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 387

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration. It has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina (Mr. HELMS) proposes an amendment numbered 387.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

It is the sense of the Senate that—
The Department of State shall submit to the Senate in treaty form for advice and consent all agreements with the Soviet Union which relate to boundaries of the United States.

Mr. HELMS. Mr. President, the purpose of this amendment is to protect the American interests in the Arctic Ocean, Bering Sea, and the North Pacific Ocean.

As I understand the Department of State is moving forward on boundary negotiations with the Soviet Union. The Department is considering whether to present the result to the Senate in treaty form or to attempt to bypass the Senate and the Constitution by means of an Executive agreement.

The pending amendment simply states that it is the sense of the Senate that the Department of State shall submit to the Senate in treaty form for advice and consent all boundary agreements with the Soviet Union.

This amendment takes no point of view on any negotiations or agreements with the Soviet Union. This amendment simply emphasizes the constitutional role of the Senate, including its advice and consent.

Over the past 8 years, the Department of State has conducted a series of secret negotiations with the Soviet Union with respect to determining our boundary with the Soviet Union. These negotiations have occurred in Washington and in Moscow. There have been nine such sessions. They will result in profound implications for the status of Wrangell, Herald, Bennett, Henrietta, and Jeannette Islands which are located in the Arctic Ocean.

The consequences of such negotiations will touch upon our strategic as well as upon our economic interests. Strategic interests involve such matters as the movement of nuclear submarines and other naval deployments.

Economic interests involve such matters as undersea oil and gas reserves, undersea minerals, fisheries, and related Outer Continental Shelf concerns.

These negotiations, I am informed, have centered on the transformation of the Convention Line of 1867 into a maritime boundary line. As Senators will recall, the Convention Line of 1867 was used as a line of demarcation to indicate what the United States had purchased from the Russian Government in the Alaska Purchase—namely, territory lying east of the line.

Mr. President, the Convention Line of 1867 is not a State boundary line nor was it intended to be one. In the "International Boundary Study, No. 14, October 1, 1965, United States-Russia Convention Line of 1867" the Geographer of the Department of State specifically states and I quote:

Furthermore, in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used.

Mr. President, I ask unanimous consent that "International Boundary Study, No. 14, October 1, 1965, United States-Russia Convention Line of 1867" be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. HELMS. Mr. President, subsequent to the Alaska Purchase, the United States took formal possession of five islands in the Arctic Sea which were to the west of the convention line. This occurred between 1867 and 1881. The voyages during which formal possession of the islands was taken were financed by the U.S. Government and supported through acts of Congress. The islands were then listed in official U.S. publications as being part of Alaska.

American economic interests are at stake here and the Senate has a constitutional role to play in the boundary determination. Should a boundary determination be made, for example, the extent of U.S. undersea oil and gas reserves—particularly in the Bering Sea—will be affected. This involves hundreds of millions if not billions of dollars' worth of resources.

In addition, if the boundary determination is not properly negotiated, American interests in the five islands to which I have referred could be jeopardized. We must bear in mind that these islands have associated Outer Continental Shelf areas which are potentially resource rich. In addition, the location of these islands has a bearing on the activities of Soviet nuclear submarines which target the United States and operate in Arctic waters.

THE HISTORICAL BACKGROUND

Mr. President, the historical background of the U.S. discovery of and the taking of formal possession of five Arctic islands—Wrangell, Herald, Ben-

nett, Jeannette, and Henrietta—has been recorded in congressional documents as well as in official U.S. Government publications.

The fact is that the United States clearly took possession of these islands in the past. The fact is that numerous official U.S. Government documents record the historical record.

Wrangell Island because part of the United States by right of confirmed discovery during the voyage of Capt. Thomas Long, a citizen of the United States, of the baroque Nile in 1867 and by right of first possession which was formalized during the voyage of Capt. Calvin L. Hopper of the U.S. Revenue Marine steamer *Corwin* in 1881.

The Senate has printed a "Report of the U.S. Revenue steamer *Thomas Corwin*, in the Arctic Ocean," as Ex Doc. No. 204 in the first session of the 48th Congress. On page 70 of this report, Capt. C.L. Hooper, U.S.R.M., the commanding officer states, and I quote, "the island (Wrangell) had become, by our act of landing upon it and taking possession of it, a part of the territory of the United States."

Mr. President, I ask unanimous consent that an excerpt from U.S. Senate Executive Document No. 204, 48th Congress, 1st session, entitled "Report of the Cruise of the U.S. Revenue Steamer *Thomas Corwin* in the Arctic Ocean, 1881" by Capt. C.L. Hooper, U.S.R.M. commanding be printed in the *RECORD* at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HELMS. Mr. President, both the Senate and the House passed legislation in support of the "north polar expedition" which was organized by the well-known newspaper publisher James Gordon Bennett a citizen of the United States and owner of the *New York Herald*. On March 18, 1878, an act was approved by Congress which authorized the Secretary of the Treasury to issue an American register to the vessel *Jeannette* which had been purchased in Great Britain. On February 27, 1879, an act was approved by Congress which authorized the Secretary of the Navy to accept and to take charge of the ship *Jeannette* for the use of a north polar expedition. U.S. Navy Comdr. George Washington De Long was in charge of the expedition and was captain of the *Jeannette*.

Mr. President, I ask unanimous consent that a copy of the act approved on March 18, 1878 in aid of a polar expedition designed by James Gordon Bennett, and the act approved February 27, 1879 authorizing the Navy to accept for purposes of a voyage of exploration by way of Behring's Straits, the ship *Jeannette* be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit No. 3.)

Mr. HELMS. Mr. President, Jeannette Island was discovered on May 24,

1881, and formally taken possession of on June 3, 1881.

Henrietta Island was discovered on May 24, 1881, and formally taken possession of on June 3, 1881.

Mr. President, I ask unanimous consent that the order of George W. DeLong, lieutenant, U.S. Navy, commanding respecting the discovery of and the taking possession of Jeannette and Henrietta Islands which was printed in House of Representatives Executive Document No. 108, 47th Congress, 2d session at page 318 and the "Report of Trip to Henrietta Island—Chief Engineer George W. Melville, U.S.N." of June 6, 1881, which was printed in the above House Executive Document at pages 366-363 be printed in the *RECORD* at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. HELMS. Mr. President, Bennett Island was discovered on July 11, 1881, and formally taken possession of on July 29, 1881.

Mr. President, I ask unanimous consent that excerpts from the log of George W. DeLong, lieutenant, U.S.N., commanding U.S. arctic expedition, which relate to the discovery of, and the taking possession of Bennette, Jeannette, and Henrietta Islands and which are included in House of Representatives, Miscellaneous Document No. 66, 48th Congress, 1st session, at pages 914-917 and 920-921 be printed in the *RECORD* at conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. HELMS. Mr. President, in 1881, the U.S. Navy surveyed Wrangell, Bennett, Henrietta, Herald, and Jeannette Islands for the U.S. Coast and Geodetic Survey.

The U.S. Coast and Geodetic Survey, in turn, placed Wrangell, Herald, Jeannette, Henrietta, and Bennett Islands as part of the district of Alaska.

Beginning in 1900, the U.S. Geological Survey included Wrangell, Herald, Jeannette, Henrietta, and Bennett Islands as part of the district, later the territory, and then State of Alaska.

Mr. President, there is nothing unusual about countries possessing islands far away from the mainland. France has the Amsterdam, St. Paul Islands, and Crozet Islands in the middle of the Indian Ocean. The United Kingdom has a number of islands in the South Atlantic such as the Tristan Da Cunha Group and the South Sandwich Islands. Brazil has the St. Peter and St. Paul Rocks out in the Atlantic. The list goes on and on. The point that I am making is that a number of countries have possessions far from their mainland and that our five arctic islands are nothing out of the ordinary.

ALASKA LEGISLATURE ACTIVITY

Mr. President, the situation with respect to the determination of the

boundary between Alaska and the Soviet Union has not gone unnoticed in the Alaska Legislature. Many Alaskans have written to me as ranking member of the Committee on Foreign Relations expressing their deep concern over the issue of the boundary and the fate of the five U.S. islands in the arctic—namely, Wrangell, Herald, Bennett, Jeannette, and Henrietta Islands.

During 1988, the House and Senate in Alaska passed Senate Joint Resolution 12 relating to the determination of the State's boundaries with the Soviet Union and Canada. The legislation was signed into law by Alaska Gov. Steve Cowper. This legislation notes the current negotiation between the United States and the Soviet Union and petitions for the inclusion of representatives from Alaska to be included in such negotiations.

Mr. President, so that Senators might conveniently refer to the Alaska Legislature's action, I ask unanimous consent that the Senate Joint Resolution 12 in the legislature of the State of Alaska, 15th legislature, first session, be printed in the *RECORD* at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 6.)

Mr. HELMS. Mr. President, also during 1988, the Alaska Senate passed Senate Joint Resolution 61 requesting the Government of the United States to reassert jurisdiction over Wrangell Island, Herald Island, Henrietta Island, Jeannette Island, and Bennett Island together with the surrounding Outer Continental Shelf within the American waters of the Chukchi Sea and the East Siberian Seas and to pay the State of Alaska compensation for damages for their loss.

Mr. President, I ask unanimous consent that the Senate Joint Resolution 61 in the legislature of the State of Alaska, 15th legislature 2d session, be printed in the *RECORD* at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 7.)

Mr. HELMS. Mr. President, this amendment is, as I have said, is straightforward. It is designed to protect the Senate's role in our foreign relations as well as our strategic and economic interests in the Arctic Ocean, Bering Sea, and North Pacific Ocean. I urge Senators to support my amendment.

EXHIBIT 1

INTERNATIONAL BOUNDARY STUDY No. 14

(REVISED) OCTOBER 1, 1965

UNITED STATES-RUSSIA CONVENTION LINE OF 1867

This International Boundary Study is one of a series of specific boundary papers prepared in the Office of the Geographer, Department of State, in accordance with provisions of Bureau of the Budget Circular No. A-16, Exhibit D.

Government agencies may obtain additional information and copies of the study

by calling the Office of the Geographer, Room 8744, State Department Building, Department of State, Washington 25, D.C. (telephone: Code 182, Extension 4507).

United States-Russia Convention Line of 1867

Other than a boundary *per se*, this report concerns a convention line which originally appears on official maps in the same manner as a boundary. According to Behring, "Most lines in water areas which are defined in treaties are not boundaries between waters under the jurisdiction of the contracting parties, but a cartographic device to simplify description of the land areas involved." He further describes such a line being a "line of allocation of land. For example, all land areas to the east of the Convention line in question belong to the United States; to the west to the U.S.S.R. without regard to the water areas involved."

Early in 1955, a group of U.S. cartographic experts in the ACC/MAP² after a rather long period of consultation and deliberation, issued the "Coordinate Positions for the Plot of United States-Russia Convention of 1867." This document, which is reproduced in part below, has been adopted as the standard description for the cartographic representation of the Convention line. Its re-issue in this series results from the large number of questions on the line which have been raised in recent months from offices unfamiliar with the original document.

II. Treaty

The only treaty establishing a so-called "boundary" between the United States and the modern Union of Soviet Socialist Republics is the Convention Ceding Alaska concluded March 30, 1867 with ratification advised by the Senate on April 9, 1867 and proclaimed by the President on June 30, 1867. The Convention line, as given below, is the limit, to the east of which, the cession of Russia ceded all territory or claims to territory in North America. The 1867 Convention's territorial article on the western limits of the Alaskan cession reads as follows: "The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen Ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Chukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direction, so as to pass midway between the island of Attou and the Copper island of the Kormandorski couplet or group, in the North Pacific ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian."

In the Convention, 193° West Longitude coincides, of course, with 167° East Longitude. The modern names for selected places mentioned in the Convention are as follows:

Convention Name	Modern Name
Krusenstern or Ignalook	Little Diomede Island
Ratmanoff or Noonarbook	Big Diomede Island or Ostrov Ratmanova
Frozen Ocean	Arctic Sea
Cape Chukotski	Mys Chukotskiy
Attou Island	Atka Island
Copper	Ostrov Medvey
Kormandorski couplet	Kormandorskiye Ostrova

III. Summary

The wording of the Convention is rather precise. The principal question left unsolved is whether the lines between the fixed points should cartographically be expressed as "rhumb lines" or as "great circle lines". It was decided that great circle lines should be understood by the Convention wording of "straight lines" on the earth and the ACC/MAP group resolved: "The lines between points herein described are great circles except those lines which connect adjoining points on the same parallel shall follow the parallel."

The Coordinate Positions for the Plot were listed as follows:

COORDINATE POSITIONS FOR PLOT OF UNITED STATES-RUSSIA CONVENTION LINE OF 1867

Point	Position	
	Latitude	Longitude
Nys (Cape) Chukotski, southwest extremity	64° 14' 2" N	173° 05' 5" W
St. Lawrence Island, northwest extremity	63° 47' 3" N	171° 45' 8" W
Medy (Copper Island), eastern extremity	54° 32' 2" N	168° 00' E
Atka Island, western extremity	52° 55' 3" N	172° 26' 8" E
Initial Turning Point	65° 30' 0" N	168° 58' 22" 587 W*
Turning Point No. 2	64° 12' 3" N	172° 00' W
Mid Point between Medvey and Atka Island	53° 45' 8" N	170° 18' 0" E
East Point, southwestern extremity of Convention line	50° 30' 4" N	167° 00' E
5° increments of longitude along great circle arc	65° 04' 2" N	170° 00' W
	62° 59' 4" N	175° 00' W
	60° 55' 0" N	180°
	57° 28' 0" N	175° 00' E
	53° 31' 8" N	170° 00' E
Starting point of Convention Line	72° 00' N	168° 58' 22" 587 W

* This value was given erroneously in the distributed ACC/MAP minutes as 168° 58' 22" 587 W and copied in the original edition of this study instead of the correct value, 168° 58' 22" 587 W.

It should be noted that the original Convention language stated that the line "proceeds thence due north, without limitation, into the same Frozen Ocean". Since the United States does not support so-called "sector claims" in the polar regions, the northernmost point for the representation of the Convention line was agreed to be 72°00' N. Further more in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used. Furthermore, labeling of the line as "U.S.-Russia Convention of 1867" is recommended.

The plotted points, it should be remembered, are subject to minor modification resulting from improved surveys, changes in datum, alteration in the spheroid, etc.

EXHIBIT 2

REPORT OF THE CRUISE OF THE U.S. REVENUE STEAMER "THOMAS CORWIN," IN ARCTIC OCEAN, 1881.

(By Capt. C.L. Hooper U.S.R.M.)

... We had 15 fathoms of water, with sticky bottom, and judged ourselves to be about 8 miles from the land. I believed that

* The actual wording applied to ADIZ boundaries in the vicinity of the Convention line. The significant point is made first and applied to the Convention line.

no great difficulty would be encountered in crossing on the ice to the land. Lieutenant Reynolds, Assistant Engineer Owens, Professor Muir, Mr. Nelson, and Coxswain Gessler, having volunteered, were very anxious to make the attempt, but, owing to the mist and fog, which was rapidly shutting out the land from our view, and the uncertainty of holding our position in the lead, I was compelled to withhold my consent at that time, but determined to try to hold on in the lead until the fog should clear away. We observed the set of the current to be northeast, about one knot per hour. Running back to the eastward a short distance, to where the lead was about 3 miles in width, we came to with the kedg, in 19 fathoms of water.

The constant changes taking place in the position of the lead, owing to the set of the current, necessitated changing our position several times during the night to avoid the ice. We got underway at 4 a.m. (August 12). The mist began to clear away, giving us occasional glimpses of the snow patches that lined the cliffs. We had made all necessary preparations for crossing on the ice; the skin boat had been placed on runners, and arms, ammunition, provisions, &c., served out. At 4:30 we reached the end of the lead, which we judged to be 8 miles from the land, and which we found by bearing of points on shore that we could recognize as those we had observed the night before to have changed their position to the northward 8 miles during the night. The ice appearing to be much less closely packed than on the previous evening, I determined to shorten up the journey over the ice by pushing in with the vessel as far as possible before embarking the party. Accordingly we entered the ice at 5:30 and worked in the direction of the place where the land appeared low, with high, dark-looking cliffs on each side. The ice, which was quite heavy, continued to open as we advanced, until, at 6:30, we could see the shore line distinctly, and, in the direction in which we were steering, what appeared to be a small space of open water adjoining the land. As the ice still remained sufficiently open to admit of forcing a way through it at the expenses of a good deal of hard bumping, squeezing, and pushing, hopes were entertained of reaching the open space of water with the vessel. The last 2 or 3 miles were made with a good deal of difficulty. Inside of the 10 fathom curve we found much of the ice aground, while the floating portion was drifting past and occasionally shooting up over the top of the grounded pieces. Navigation under such circumstances was anything but safe or agreeable. However, we felt that the land was certainly within our reach, and thought of nothing but pushing ahead. At 7:30 we reached the open space and dropped anchor within a cable's length of the land in 5 fathoms of water. We immediately landed and, raising the American flag, took possession in the name of the United States of America. We landed at the mouth of a river, which at this time was about 75 yards in width, although the entire distance between its banks was about 200 yards. The cliffs in the vicinity of our landing place were of a dark slate formation, and from 100 to 300 feet high. On the beach small pieces of sandstone, quartz, and mica schist were found. The surface of the land where the slate has weathered away is composed of sticky clay, and is but sparsely covered with vegetation. As observed from the ship, while cruising in the vicinity and also from the shore, it presents the general appearance of smoothly rounded hills, which, towards the interior and near the south side, are from 1,000 to 3,000 feet in height. The upper portion of

¹ Wm. S.W., "Delimitation of Seaward Areas National Jurisdiction," American Journal of International Law, Vol. 46, No. 3 April 1951, footnote 2, page 240.

² The Map Sub-Committee of the Air Coordinating Committee.

the higher hills appeared more rugged in outline, as if composed of more enduring material, probably granite. These summits resemble those seen on the Siberian coast in the vicinity of Plover Bay, being entirely destitute of vegetation, with occasional red patches probably indicating the presence of iron. Those near the coast are remarkable for the smoothness and beauty of their outlines, and present here and there patches of green or gray, according to the nature of the vegetation. On the beach near the mouth of the river we found a kayak paddle, a cask-stave, a piece of small spar, probably part of a boat's mast, and a piece of board about a foot in length bearing ax-marks. All these things were below the marks of extreme high water, and were undoubtedly brought there by the current. Although the beach showed undoubtedly signs of a rise and fall of tide, no tidal change could be detected, probably owing to the fresh southerly wind which was blowing. The presence of this drift matter on the beach would seem to indicate that the east coast of Wrangel Island was at times entirely free from ice, though it does not necessarily follow, as it could easily have been carried through the pack to the shore by the constant twisting and turning to which it is at all times subject. I believe that it is a very unusual thing for the ice to leave any portion of Wrangel Island entirely. Our stay on shore was necessarily short on account of the strong northerly current, which was sweeping the icepack along with irresistible force. Much of the ice inside of 10 fathoms, as stated, was aground, but not sufficiently firm to form any protection from the drifting mass, the largest pieces of which were constantly being pushed and turned in every direction when struck by the drift, and the utmost vigilance was required to avoid getting caught between the drifting and grounded masses. At 9:30 a. m., being unable to maintain our position any longer, a gun was fired to recall the parties sent out to explore the cliffs in search of cairns or other signs of human life, and we began to work out towards the lead, which we reached at 11 a. m. We left the American flag flying and also a record of our visit. We had good observations during the day, and found our landing-place to be in latitude 71° 40' north and longitude 177° 40' west. This is undoubtedly the part of the land seen by Captain Kellett, R. N., in 1849, when he discovered and landed on Herald Island, and which since appeared on the British Admiralty charts as Plover Island, although erroneously laid down somewhat further to the eastward. We now know that Plover Island has no separate existence, and that what Kellett saw was the main island. As there is no record of any one else having seen the land previous to that date, or in fact until several years after, when, in 1876, it was seen by nearly the entire whaling fleet, all must accord to Captain Kellett the honor of its discovery.

While steaming through the ice, in our several attempts to reach the land, a number of species of sea-fowl were seen from time to time, and carefully noted by Mr. Nelson. Among these the most numerous were the murre and guillemots (*Uria* and *Uria-grylle*), with numerous kittiwake gulls (*Larus tridactylus* Kotzebue) and the common ice-gull (*Larus glaucus*). More rarely single individuals of the Sabine's gull (*Xema sabini*) came circling about the ship. Numerous small flocks of black-headed turnstones (*Strepasias melanoccephala*) were seen near shore, and two parties of common eider ducks (*Somateria nigra*). In both instances the latter were females with their young. The second brood of eiders was seen swimming close along the shore and away from the mouth of the river

as we made our landing. On shore we found numerous snow-buntings (*Plectrophanes nivalis*) and a snowy owl (*Nyctea nivea*), which, with a shrike picked up dead on the beach and a solitary golden plover (*Charadrius fulvus*), complete the short list of land birds seen. At a number of places on the hillsides we found the droppings of wild geese so numerous that it was evident this place must have been a common resort for flocks of these birds earlier in the season. Their absence at the time of our landing is easily accounted for by the fact this was the time when the geese shed their large wing feathers and lose the power of flight. As this season comes on they congregate in large flocks in low marshy land and remain until their new growth of feathers enables them to spread over the country again a month or six weeks later.

Saddle-backs and hair-seals were rather common among the ice, and in addition there was a small species of hair-seal unknown upon the American coast and perhaps new to science. Walrus were not rare on the outer edge of the pack, and their foe, the polar bear, was seen almost every time we entered the ice; on several occasions it was seen swimming in the water several miles from the pack. Upon the hilltop on shore were found numerous burrows of some animal, probably white fox (*Canis lagopus*), as some tracks of that animal were found mingled with those of the polar bear in the mud along the banks of the river. Stranded on the sand-bar at the mouth of the river lay the skeleton of a whale (*Balaena mysticetus*), which closes the list of mammals observed.

Numerous small fish, from two to four inches long, and having large heads, were brought to the surface by rolling masses of ice as it was turned over by contact with the vessel in her passage through it. These are called by the whalers ice-fish. No specimens were obtained, unfortunately.

The following plants we collected: Grasses, three varieties; dwarf willow, phlox, saxifrage, alibabae, draba, potentilla, anemone, papaver, veronica, artemisia, carex, stellaria, three; mosses, three; lichens, five; and four compositae. In many places where the snow remained in the ravines and in banks against the steep cliffs, it presents the peculiar reddish color caused by the presence of *Protococcus nivalis*, commonly called red snow. This is a minute plant with which the surface of the snow is often covered in high latitudes. It was seen and its appearance described by Sir John Ross in 1818, and by Sir Edward Parry in 1827, but its true character was not understood until many years later, when it became known as a vegetable growth.

Upon taking possession of this land in the name of the United States, the name New Columbia was provisionally given to it. The provision being the approval and concurrence of that portion of the Government having the authority to issue charts, &c., the decision of that body was adverse to my suggestion, and by its action I cheerfully abide not only on account of its undoubted right to decide according to its own judgment in this and all other matters over which it has jurisdiction, but because the size of the island, as now known, does not justify the bestowal of a name of this character, the name of one of the early Arctic navigators being much more appropriate. At the time I suggested the change of name I believed the land to be an island and had so reported it to the Department, but I supposed it to be considerably larger than it has proved. In the report of my first cruise in the *Corwin*, submitted November 1, 1881, page 50, I say, in reference to this land:

"The part of Wrangel Land which we saw covered an arc of the horizon of about fifty degrees from northwest quarter north to west quarter south (true), and was distant from 25 miles on the former bearing to 35 or 40 on the latter. On the south were three mountains, probably 3,000 feet high, entirely covered with snow, the central one presenting a conical appearance and the others showing slightly rounded tops. Northward of these mountains was a chain of rounded hills, those near the sea being lower and nearly free from snow, while the back hills, which probably reach an elevation of 2,000 feet, were quite white; to the north of the northern bearing given the land ends entirely or becomes very low. The atmosphere was very clear, and we could easily have seen any land above the horizon within a distance of 60 or 70 miles, but none except that described could be seen from the mast-head."

Again, on page 52, I say:

"I am of the opinion that Wrangel Land is a large island, probably one of a chain that passes entirely through the polar regions to Greenland; that there is other land to the north there can be no doubt. . . . large numbers of geese and other aquatic birds pass Polk's Barrow going north in the spring, and returning in August and September with their young. As it is well known that these birds breed only on land, this fact must be regarded as proof of the existence of land in the north. Another reason for supposing that there is either a continent or a chain of islands passing through the polar regions is the fact that, notwithstanding the vast amount of heat diffused by the warm current passing through Bering Straits, the icy barrier is from six to eight degrees farther south on this side than on the Greenland side of the Arctic Ocean, where the temperature is much lower."

The belief that Wrangel Land is an island and that other islands exist to the north, has since been confirmed by the remarkable drift of the *Jeannette*, and the more recent work of the *Corwin* and *Rodgers* on Wrangel Land gives us a comparatively definite idea of its extent, although from the official report of Lieutenant Berry we learn that the *Rodgers* did not sail around that island, and that the boats sent out for the purpose of circumnavigating it did not succeed. Still, they went far enough to enable them to form a definite idea of its size and the general trend of its coast line, topography, &c. Although the discovery of three new islands by the *Jeannette* does not in any manner prove the existence of others extending entirely through the polar regions, the natural inference is that others are there. In fact it would appear almost miraculous that a vessel drifting helplessly in the polar regions for twenty months should be carried in sight of the only three islands which exist there. It would also be remarkable, to say the least, if, after the islands had been seen throughout the polar regions, at the highest degree of latitude attained by man, they should suddenly come to an end, and the thousands of miles of unexplored space be entirely free from them. While they are perhaps not sufficiently near to each other to be designated as a continuous chain of islands, they may, taken in consideration with other facts, be regarded as reasonable proof of the existence of islands throughout the polar regions at no great distance from each other. I quote the following from my private journal, written July 30, just after landing on Herald Island:

"While working in through the ice toward Herald Island, we saw Wrangel Land, and from the tops of the island a very good view

was had of it, the extremes bearing south-west and west by south (magnetic). It consisted of rounded hills of medium height and presented abrupt terminations at each of the above bearings, although it was light by some that low land could be extending farther to the north—but to the hazy condition of the atmosphere where we could not make out positively, and probably it was a mistake."

Having thus shown that the theory advanced by me that Wrangel Land is an island has been proven, and that in regard to other islands existing throughout the polar region has received strong confirmation, I will now briefly state the consideration which induced me to suggest the change of name. In order to do this a short review of its history is necessary.

The first account of the existence of land north of the continent of Asia was received through a Cossack trader named Staduchin, in the year 1644. By the natives, also Russian traders, who had preceded him, Staduchin was informed that in the Polar Sea off the mouth of the Jana and Indegirka there were large islands which in clear weather could be seen from land, and which the Tchuktchis reached in winter in reindeer sledges in one day from Cheekotska, a river emptying into the Polar Sea east of the Kolyma. An examination of the chart shows that the land referred to off the Jana and Indegirka can be no other than the Siberian Islands, and that to which the natives are said to drive with reindeer in one day from the mouth of the Cheekotska is the Medvil or Bear Islands; that they could have had no reference to Wrangel Island, which is over 300 nautical miles east of the Cheekotska, is evident. About the year 1688 Nikifor Malgin made a trading voyage by sea from the mouth of the Lena to the Kolyma, and during the voyage discovered an island at sea, west of the mouth of the Lena, and at Kolyma he met another trader, who reported that in cruising along the same coast with nine vessels, or more properly boats, three of them were driven ashore on this island. Traces of unknown animals were found, but no inhabitants. The location of this island between the mouth of the Lena and Kolyma is vague and indefinite, but with our present knowledge of that coast we may safely assume that the island referred to was Bilachni, the most southern of the New Siberian Islands, which is the only island between the rivers named that could be seen while sailing along the coast. The first report which definitely locates these islands is the account of a trip from the Lena to the Kolyma by Jacob Permakov, a Cossack, in the beginning of the eighteenth century, who states that off the Sratoinos he had seen an island (Bilachni), and that likewise off the mouth of the Kolyma there was an island that could be seen from land (Bear Islands). These are now, reports of explorers required confirmation before receiving full credence.

The following year another Cossack by the name of Wagin was sent out accompanied by Permakov to verify this report. They rode over the ice with dog sledges and not only reached and explored the island seen by Permakov, which they found barren and uninhabited, but discovered another, which they could not reach for want of provisions. Another point of similarity between those days of early exploration and the present time is the fact that the perpetuation of the memory of explorers depended more upon the tragic nature of their accounts upon the amount of their addition to knowledge; and had it not been for the fact their men mutinied and murdered Permakov and Wagin, these accounts would not have been preserved. They are said by

Müller, to whom we are indebted for much of the early history of this country, to have been founded on the confused information obtained during the examination of the murderers at their trial. In 1763, a Cossack, named Andrejew, was dispatched by the governor of Siberia to make a trip northward over the ice with a view to ascertain the truth of these reported discoveries of land in that direction. He succeeded in reaching some islands, which he landed upon and found inhabited. His account is that "after driving to the north about 50 versts (33 miles) from the mouth of the Krestonoi River, I discovered a group of inhabited islands containing traces of a much more numerous population at some former period. The Bear Islands are 50 versts north of the Krestonoi, and are undoubtedly the ones referred to." Andrejew appears, also, to have claimed other discoveries, as in the instructions given to Billings, an English officer in charge of a large Russian expedition fitted out some years later for the purpose of exploring the Polar Sea north of the continent of Asia, the following words occur:

"One Sergeant Andrejew saw from the last of the Bear Islands a large island to which they (Andrejew and his companions) traveled in dog sledges; but they turned when they had gone 20 versts from the coast, because they saw fresh traces of a large number of men who had traveled in sledges drawn by reindeer."

In 1769, a party consisting of three surveyors, Loutiev, Lussn, and Puschkarer, were sent out over the ice to the northeast, but they neither succeeded in reaching nor seeing land, although they traveled in the direction indicated 130 miles. The part of the sea in which Andrejew claimed to have made his discovery has since been thoroughly explored by Anjou, Wrangel, and others, but no signs of any land were seen. That he could not have landed nor even have seen Wrangel Land we now know, as it is over 300 miles distant, due east, from the Bear Islands, from which place the discovery is claimed to have been made. The natives who accompanied Andrejew on his journey to the Bear Islands were met with by Loutiev and his party, but had no knowledge of any discovery of new lands. These reports of the existence of land to the north of the continent led the Emperor Alexander, in 1820, to equip two expeditions, which were to proceed to the northern part of Siberia to explore and survey the coast. One of the expeditions was placed under the command of Lieutenant Anjou, with instructions to commence operations at the mouth of the Jana, and the other under the command of Lieutenant Wrangel, who was to commence at the Kolyma, and proceed east as far as Cape Shelagehol, and thence in a northerly direction in order to ascertain whether an inhabited country existed in that quarter, as asserted by the Tchuktchis. After four years spent in unavailing effort, Wrangel returned home without even seeing this land or gaining the slightest particle of knowledge in relation to it. It is true he had received an account from the natives of Cape Jakan that, on a very clear day, from a hill in the vicinity, high land could be seen to the north; but this was not new. Native reports of land seen to the north had been current for over one hundred and seventy years, and on the strength of these reports the land had actually been shown on Strahlenberg's map at least one hundred years before the time of Wrangel's voyage. In submitting his report on his return Wrangel refers to it as "the problematical land of the North," and evidently has no confidence in its existence. His four years of exploration along the Siberian coast were conducted with great heroism, and were prolific of

good results, and to him, more than any one else, are we indebted for the knowledge we now have of its geographical and climatic conditions; not so, however, in regard to the land which now bears his name, of which he not only gave us no knowledge, but threw doubt upon its very existence. In 1849, Captain Kellett, in H.B.M. ship *Herald*, saw this land and was undoubtedly the first European who had ocular proof of its existence. On his return to England, 1853, his discovery was reported. A chart of the region north of Bering Straits was compiled from the information gained by the *Herald*, *Blossom*, *Plover*, and others, upon which this land appeared under the name of "Kellett Land," by which name it has since been known upon the British Admiralty charts. In 1867 this land was seen by the American whaling fleet. That season was a remarkably open one, probably as much so as that of 1881, and Captain Long, in the bark *Nile*, sailed past its southern limit, and a sketch, purporting to have been made by him, is now shown upon the American Hydrographic chart. Captain Long gave to this land the name of Wrangel Land. The strait through which he sailed, between the island and the mainland, has been given the name of Long's Strait in honor of that navigator. The land, as already shown, had been discovered and named for its discoverer fourteen years previously. It is presumed that Captain Long was not aware of this fact, or that this sound, upon which was bestowed his own name, had been navigated at intervals by the Russians since 1648, when Dezhnev sailed from the Kolyma River through this and Bering Straits to the Anadyr, or he would have conferred that honor upon one of his many predecessors. A mountain included Captain Long's sketch, the height of which he seems to have approximated very closely, was very appropriately named for him, but singular as it may appear this name, to which Captain Long was justly entitled, has, notwithstanding, our pretended custom of adhering to original names, been set on a recent issue of American charts. Subsequent to the discoveries of Kellett and the American whalers, Commodore John Rodgers visited the Arctic Ocean in the *Vincennes* as late as 1855. He spent twenty days in the Arctic, and went some miles north of Herald Island, but did not see the land under discussion. The following note, which appears upon the American Hydrographic chart, compiled from the surveys of that expedition, and from Russian and English authorities, implies a doubt of its existence:

"Captain Kellett, of H.B.M. ship *Herald*, discovered and landed on Herald Island in 1849. Another island, and high land which he thought he saw, were not under more favorable circumstances of weather and position seen by the United States ship *Vincennes*."

Thus it will be seen that Kellett was the actual discoverer, and that Wrangel's name only became associated with it through the report of Captain Long, who was apparently unaware of the fact that it already bore the name of Kellett by right of actual discovery. But notwithstanding the slight ground upon which Wrangel's name has been associated with this land, had his been the only name connected with it, the thought of changing it would not have been entertained for a moment; and in provisionally applying a new name I disclaim any thought or wish to throw discredit upon the praiseworthy labors of Wrangel or Kellett. But as bearing two names was calculated to create great confusion, it was believed that as the island had become, by our act of landing upon it and taking possession of it, a part of the ter-

ritory of the United States, by selecting a name of a national character, no disrespect would be shown to memory or offense given to the friends of the gallant officers whose names it bore, and that the name given would be adopted by all nations. The name New Columbia was suggested by the name which had been given to the island farther west, New Siberia. It is possible that the name Wrangel Land will continue in use upon American charts, but its justice, in view of all the facts, is not so apparent. In my opinion the adoption by us of the name given by the English would be appropriate, and avoid the confusion which is sure to follow in consequences of its having two names. Headlands and other geographical features of the island were named by us, but as the names which were applied to features actually discovered by the *Corwin* and heretofore unnamed have been ignored, it is possible that a desire to do honor to the memory of Wrangel is not the only consideration. To avoid the complications which would result from duplicating geographical names I have dropped all bestowed by the *Corwin* and adopted the more recent ones applied by the Hydrographic Office. I have also adopted the plan of the island, as shown on the small chart accompanying Hydrographic Notice No. 84, although the trend of the coast and the geographical position of the mouth of the river where we first planted the flag do not agree with the result of the observations and triangulations made by the *Corwin*. From the foregoing facts, which are derived from the voyages of early navigators, as compiled by Wrangel and Nordenskjöld, and other sources, the following summary may be deduced: The first reports of land existing to the north of the coast of Siberia were made by the early Russian travelers; unfortunately the names and exact date of their explorations are now known. The earliest record appears to be about 1644. Wrangel among others was sent in 1821 to ascertain the truth or falsity of this report. This he failed to do, but favored the belief that the reports were false. The land was first actually discovered by Captain Kellett, in H.B.M. ship *Herald*, in 1849. The discovery of the fact that it is an island of limited extent was first made by Commander De Long, U.S.N., in his drift in the *Jeannette* during the winter of 1879-'80, when he actually passed directly across the meridians embraced within its extremes, in plain sight of the land. Having shown that the report that Andrejew had landed upon Wrangel Land and found it inhabited could not be true, not only from its distance from the Bear Islands, 300 miles, which places it beyond the possible range of his vision, but by the more recent discovery by the *Corwin* and the *Rodgers* that the land contained no signs of human life, either past or present, we may, I believe, justly claim for ourselves the credit of being the first to land upon its shores. A Captain Dallman claimed to have landed here in 1866, but as Captain Dallman, who was almost constantly in communication with scientific men, and well knew the value of such an achievement, did not mention it until thirteen years later, and as his account corresponds with charts known to be erroneous, and cannot by any possibility be reconciled with the corrected charts now in use, and although these discrepancies have been pointed out to Captain Dallman, he has failed to produce further proof in support of his statement, it is not believed that his claim to priority can be established. Many traditions of a large and inhabited land to the north have existed among the natives of the north coast of Asia for centuries, and some of the early Russian explorers of the Polar Sea believed this land to be a continu-

ation of Nova Zembla and a part of the American Continent.

CHAR. 38.—AN ACT IN AID OF A POLAR EXPEDITION DESIGNED BY JAMES GORDON BENNETT

Whereas James Gordon Bennett, a citizen of the United States, has purchased in Great Britain a vessel supposed to be specially adapted to Arctic expeditions, and proposes, at his own cost, to fit out and man said vessel, and to devote her to efforts to solve the Polar problem; and

Whereas it is deemed desirable that said vessel, while so engaged, shall carry the American flag and be officered by American naval officers; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be authorized to issue an American register to said vessel by the name of *Jeannette*, and that the President of the United States be authorized to detail, with their own consent, commissioned, warrant, and petty officers of the Navy, not to exceed ten in number, to act as officers of said vessel during her first voyage to the Arctic seas: *Provided, however*, That such detail shall be made of such officers only as the President is satisfied can be absent from their regular duties without detriment to the public service.

Approved, March 18, 1878.

CHAP. 109.—AN ACT AUTHORIZING THE SECRETARY OF THE NAVY TO ACCEPT FOR THE PURPOSES OF A VOYAGE OF EXPLORATION BY WAY OF BEHRING'S STRAITS, THE SHIP *JEANNETTE*, TENDERED BY JAMES GORDON BENNETT FOR THAT PURPOSE

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to accept and take charge of, for the use of a North Polar Expedition by way of Behring's straits, the ship *Jeannette*, owned by James Gordon Bennett, and by him devoted to this purpose; that he may use, in fitting here for her voyage of exploration, any material he may have on hand proper for the purposes of an Arctic voyage; and that he is further authorized to enlist the necessary crew for the said vessel for "special service", their pay to be temporarily met from the pay of the Navy, and to be paid or refunded by James Gordon Bennett to the Navy Department Under the order of the Secretary of the Navy and as he may require; the vessel to proceed on her voyage of exploration under the orders and instructions of the Navy Department; that the men so "specially enlisted" as above shall be subject in all respects to the Articles of War and Navy Regulations and discipline; and that all parts of the act approved March eighteenth, eighteen hundred and seventy-eight, inconsistent with the above, be, and they are hereby, repealed: *Provided*, That the government of the United States shall not be held liable for any expenditure incurred or to be incurred on account of said exploration.

Approved, February 27, 1879.

EXHIBIT 4

LOSS OF THE STEAMER "*JEANNETTE*"

Letter from the Secretary of the Navy, relative to the loss of the steamer *Jeannette*:

NAVY DEPARTMENT,

Washington, March 2, 1883.

Hon. J. WARREN KEIFER,

Speaker of the House of Representatives.

Note: Referring to my letter of the 17th ultimo, transmitting to the House that part of the record of proceedings which contained the finding of the court of inquiry

convened in pursuance of the joint resolution of Congress, approved August 8, 1882, for the purpose of investigating the circumstances of the loss in the Arctic seas of the exploring steamer *Jeannette* and the death of Lieutenant-Commander DeLong and others of her officers and men, I now have the honor to transmit to the House a copy of the entire record of the proceedings of the court, consisting of seven parts and an appendix.

Very respectfully,

WM. E. CHANDLER,
Secretary of the Navy.

EXHIBIT P Q

ORDER

ARCTIC STEAMER "*JEANNETTE*,"

Be set and drifting in the pack ice, Lat. N. 77° 12', long. E. 158° 12'.

June 15th, 1881.

This island, discovered by us on May 16, and which is in lat. N. 76° 47', long. E. 158° 56', has been named *Jeannette* Island.

This island, discovered by us on the 24th May, and which is in lat. N. 77° 8', long. E. 257° 43', has been named *Henrietta* Island.

Upon *Henrietta* Island P. A. Engineer G. W. Melville and his party have landed and hoisted there our colors, and taken possession of these new lands in the name of the United States of America.

GEORGE W. DE LONG,

Lieutenant, U.S. Navy, Commanding.

(The date of this order seems to be wrong, as the ship went down June 13th, 1881.)

A true copy.

SAM C. LEMLY,

Master U.S. Navy & Judge Advocate.

REPORT OF TRIP TO HENRIETTA ISLAND—CHIEF ENGINEER GEORGE W. MELVILLE, U.S.N.

To Lieutenant George W. DeLong, U.S. Navy, Commanding Arctic Steamer *Jeannette*.

U.S. ARCTIC SHIP *Jeannette*,

Arctic Ocean, June 6th, 1881.

SIR: In accordance with your written instructions and orders of May 31, 1881, I have the honor to report as follows:

A party, consisting of myself, Mr. Wm. Dunbar, ice pilot; W.C.F. Nindemann, sea; H.H. Erichsen, sea; J.H. Bartlett, 1st class fireman, and Walter Sharvell, coal heaver, with sixteen (16) dogs, and seven days' provisions; ten gallons of water, two (2) gallons of alcohol for cooking; small boat, sled, tent, and camp equipage, instruments, &c., &c., with properly prepared medicine case and written instructions for use.

I proceeded with all possible speed direct for the island, deviating only on account of bad going and open lanes of water. During our first day's journey I dismounted the boat four times and ferried over the water dogs and gear. We also had to unlash and carry our gear four times through bad places that were impassable otherwise, besides cutting a road nearly all the way, never having one hundred (100) yards of straight going at any time this day. Finally camped at seven (7) p.m., about four (4) miles distant from the ship, weather O.C.S., temp., 20°.

Wednesday, June 1st.—On this day we were out at six (6) a.m., and underway by seven (7) a.m. Got a bearing of the ship; also of the island. We passed through a terribly rough country, cutting roads and building up bridges. We saw no floe pieces at all; the ice was all brash hummock and jammed up masses, and all alive (i.e., all in motion). After cutting through fifteen yards of road we advanced but five (5) yards on our

course. We skirted along lanes of water (this day), running from NE. to SW., but not large enough to work a ship in. We worked twelve (12) hours and fifty (50) minutes (this day), and advanced about four (4) miles. About midday we cut through a large mass of glacier ice, fresh and sweet to the taste, and entirely different in appearance and cohesive structure from the surrounding masses of salt ice. Owing to the location, N. 43° W. mag. of Jeannette Island, I concluded it has been discharged from a glacier on that island, and took the usual drift of the pack NW.

We lost sight of the ship about four (4) p.m. By seven (7) p.m. the dogs were so tired that we could not keep them up, some of them taking refuge under the sled. I forced this distance and extra labor to find a floe piece to camp on. We were so tired that neither men nor dogs ate all their supper. We camped at eight (8) hours and fifty minutes, and got a sounding in thirty-five (35) fathoms of water, slight drift SW.

Thursday, June 2nd.—This morning we were out by five (5) and underway by six (6). Had some bad cutting and bridging to do at first, but afterward struck a good floe piece, and by seven (7) considered we had made good one and one-half (1½) miles. The land stood out bold and clear, and we all felt that we were almost there; but we struck immediately after into a bad hummocky floe, full of snow-drift, and deep, hard going, the sled sinking through to the cross-bars and sticking fast on every side. We struggled on until half past ten a.m. (10:30), when I saw in others, and felt in my own bones that our labor was being lost. I unloaded my sled and advanced light until eleven (11) a.m.; then dismounted my boat and sent back and brought up the gear, and by twelve-thirty (12:30) p.m., had loaded up boat and gear again and had hot soup. Advanced with sled and boat until one-thirty (1:30) p.m., when I found that the pack between us and the land was so broken up it was impossible to advance with the boat and gear, and if I was going to make the land at all I must have my boat, provisions, and most of my gear in as safe a place as possible in the moving pack. I therefore dismounted my boat in the center of a large floe piece and set up a signal staff on the highest hummock in the vicinity. I took the sled, dogs, camp equipment, instrument boxes, arms, one day's provision for men and dogs. We estimated the island as two (2) miles distant. Started at two (2) p.m., and passed through from four to six miles of broken and quickly moving pack ice, through which we could never have hauled our boat uninjured. We landed at five-thirty (5:30) p.m. In accordance with instructions, I was the first person to land. I then called my party on shore, in their presence unfurled our colors, and in the name of the Great Jehovah and the President of the United States I declared it a part of the territory of the United States, and in accordance with your instructions named it "Henrietta Island." We were very tired, and got into our beds very early.

Friday, June 3rd.—In the morning we were out by four (4), supposing we had had a good night's sleep, but sore in bones and muscle. I commenced a hurried survey of the N. western end of the island (S.E. end being almost inaccessible), the distance and uncertainty of the position of my boat and provisions accelerating my movements and increasing my anxiety.

I found the island to be a barren rock, fluted and riven by time and the action of heat and cold. The bold, black cape facing E. is without doubt volcanic. The upheaval from E. to W., lines and layers of separation dipping to the W. at an angle of 30°. The face of the bold headland is black with

age, stained in great patches of iron and spongy masses of black and red rock, resembling the refuse of a blast furnace. The island is traversed by two ridges, running in a N.E. and S.W. direction. The highest ridge, or the backbone, as it might be called, begins at a black headland 1,200 feet in height and is lost to view under the ice cap surmounting the whole island. The lower ridge commences at a knoll on the N.W. face, and after a slight depression rises to a considerable height in the S.W., where it fades away at a distance of eight miles.

There are five bold headlands on the N.E. face of the island. First, the bold black headland, 1,200 feet high, near which we landed. Next Cairn Point, 600 feet high, where the cairn, record, and pike staff are placed. Next the extreme N. point of the land, which shuts in a valley lying between the shore beyond and the center ridge of the island; and, finally, the large double headland beyond the valley to the S.W. There is also a slight depression or valley between Cairn Point and the backbone of the island, making back from the double headland. All this portion of the island is light-colored trap rock, slate, and shale.

The whole island is covered with a permanent ice cap, 250 to 300 feet high, above the back bone, and the large opening which we thought on board ship was a bay on the N.E. side of the island is a constantly discharging glacier; in fact, the whole N.E. face is continually discharging ice. Some of the slabs or pieces that had fallen on the ice floe from the edge of the main ice cap gave, when measured, 48 feet thickness of ice and 4 feet of thickness of snow, where it lay in the sea. How much more it measured before it fell I could not tell. There are five small glaciers discharging between headlands on this coast or face, beside the continual discharge all along the upper edge of the island, crawling down from the main ridge. There is a high ridge of broken glacier ice between the base of the island and the floe where the floe ice and glacier droppings are continually at war. I think there is no permanent ice foot attached to this side of the island, as the main pack continually grinding along carries off all discharges from the island. I found the glacier in 2.5 miles N. E. of the island. There was a slight growth of moss or black mould in the crevices of the rock. All that we gathered was picked out of the small crevices with a pencil point and knife blade. No fossil or animal remains of any kind were found. There were no broaches on which drift-wood could rest, and consequently we found none. No signs of bears, foxes, hares, or lemmings were seen, and no birds except doves, which were numerous in the rocky cliffs.

From the top of the island the ice fields could be seen for many miles away to the N. W., inshore of which was a large space of open water, extending toward and disappearing under the brow of the cliffs. The pack was much broken and fissured with lanes of water toward the N. W.; as far as the eye could see. The whole pack in all directions, from this outlook, was one jumbled up mass, and all in motion, lanes and leads continually changing. No seals or walrus or game of any kind was seen during our absence from the ship, eight doves being the extent of our game bag.

In the morning I prepared the record, set up the cairn and pike staff on Cairn Point; took bearings of all prominent headlands and points; made sketches for the accompanying chart of the island and profile of the land. The ship was plainly visible from the top of Cairn Point. My anxiety for boat, provisions, and equipment left on the ice, nothing of which was visible from the mountain tops, accelerated my movements,

and by eight a.m. was underway, heading for the ship and keeping a lookout for our pikestaff signal. We could not follow our outward track, because it had broken so badly and had shifted so much. We sighted our signal about (10:30) ten-thirty a.m., and found our boat by one-thirty (1:30) p.m. and camped down for a rest, much relieved at our good fortune in finding our boat and gear intact.

Saturday, June 4th.—We were all out at 12:30, mounted our boat, stowed our gear, and were under way by 2:30 a.m., followed our old track back toward the ship for a couple of miles, the traveling being heavy on account of the deep snow and crust. Finally our track was lost in a general smash-up of the floe, and we had laborious, hard traveling, with a cruel wind and snow storm from the N. W. We had a bad upset, which stove the port side of the boat, but not badly. My zeal to get my boat in toward the island on the day before got the better of my judgment, and it was in getting her back out of the scrape that she was damaged. Heading for the ship on a good large floe piece, but terribly heavy hauling on account of the snow and crust breaking through, making long detours to avoid ferrying over the water, after going S. W. to get N. E., by noon of this day saw the ship bearing N. E. The large block signal was a grand good mark for us when not shut in by snow squalls. By 1:30 p.m. we were so tired we could go no farther, and camped down. The pack is much more broken than it was on our inward journey, i. e., we had longer distances to make to avoid open water. This was a hard day's journey for men and dogs, as it took all the strength of both while moving, and when we set fast or came to hummocks it took a breaking strain to haul through. All of this extra work comes on the men, for dogs will not haul in concert until the load is started. We hauled our sled all day long, down on the cross-bars, making three tracks in the snow, one for each runner and a center one for the boat's keel. We were all in our bags by four p.m.

Sunday, June 5th.—In the morning we were out by one thirty (1:30) a.m., and had the ship in plain sight three and a half (3½) miles distant. We were under way by two-thirty (2:30), knowing we would dine on board ship. We found large lanes of open water running N. E. and S. W., and skirted along one for two and a half (2½) miles hoping for a crossing without the labor of ferrying. This lane of water set from the ship toward the island about five (5) miles, varying in width from one hundred yards to a half mile (½). By 6 a.m., found a jam in the lead, with the whole mass in motion, and in our haste to cross the moving mass, when within one mile of the ship, we had a bad upset and broke the runner of the sled. I unshipped the boat, divided the load, repaired the sled, put the boat and portion of the gear in a safe position, and started the sled and dogs with four men and half the weight in to the ship for another sled. By nine (9) a.m. new sled and gang of men arrived from the ship, and before ten (10) a.m. all arrived on board, none the worse for wear than usually falls to the lot of laboring mortals.

In regard to the men and equipment I desire nothing superior, to travel any distance.

Beyond the final breaking of the sleigh, a slight injury to the side of the boat, and the breaking of one snow-knife we had no accidents. All of our gear and equipments returned in good order. In ammunition we expended one (1) Remington cartridge and twelve (12) gun cartridges.

Mr. Dunbar suffered badly from snow blindness after noon on the third (3) day, and had to be cared for from the morning of the fourth day until our arrival on board. Iversen and Nindemann had bad cramps in stomach after coming to the sleds of fourth and fifth (4 & 5) days; they took 2 oz. brandy, 15 drops tinct. opii, 5 drops extract capsicum. None of us slept well; we could eat the food allowance; it would have lasted for twelve days, or more; the alcohol was barely sufficient, and had we been compelled to melt snow or ice for water on our way toward the island it would not have been enough.

Our tent being white the glare within hurt our eyes. I think had it been dyed black or blue (not painted) we would have slept better. Two boat chisels should be added to the equipment of the boats, made like two-inch socket chisels, fitted on the end of short pike staffs (4 or 5 feet); the ends of the tent poles should be socket chisels. We found boarding pikes good ice picks in cutting roads, but not strong enough. Two light ice pick axes should be added to the sled equipment. Two small black or blue dungaree flags should go in the boats as signals in finding gear left behind or guides ahead. Two additional flat runners should be fitted underneath the bearers of the sleds, extending from the forward cross-bearer to the after bearer, and turning upward at both ends, tipped with iron and fastened to each of the cross-bearers. These staves or runners should be about six inches wide, to give a good bearing on top of the snow should the sled at any time sink so deep. Oak hoghead or pipe staves will give a correct idea of the dimensions. These should be set six inches apart, and the boat's keel should set between the upturned staves fore and aft. This would give room for sliding at the upturned ends of the staves and prevent side riding of the boat without racking the keel. The bilge chock should run fore and aft the sled, secured by lashings to top rail and cross-bars, for a small boat extending across three of the bearers with a slight camber inward. In clinker-built boats it should be fitted to the projecting stakes. The fore and after ends of these chocks should be sharpened to pass through snow easily. It is astonishing to see what a hold the uprights of a McClintock sled take to snow or crust on top of snow. Athwartship chocks have the same objection. In fore and aft chocks, if they come well out and up on the boat's bilge, the boat is more firmly seated, it supports and protects the boat's bilge, and in rounding down the lashings the strain is more in a vertical direction without the outward rocking motion tending to burst the boat open. The boat's keel should also rest on the cross-bars.

Most of the sleeping-bags are too large. The bottoms should be made of reindeer skin, for the side next the ice is always cold; the tops of lighter material. They should be shaped nearly as the frustrums of two cones meeting at their bases. At the shoulders an elliptical piece should be set in at head and foot. Ellipse at foot 12" x 16"; at head 10" x 12". This reduces the weight, makes the bag warmer, gives room enough for a man of 200 lbs. weight. It should have a shoulder circumference of 50" to 60", and made the next length of the man, as he will involuntarily draw his feet up a little.

All of which is respectfully submitted.
Very respectfully,

Geo W. MELVILLE,
P.A. Engr., U.S.N.

At true copy.

SAM C. LEMLY,
Master U.S. Navy & Judge Advocate.

EXHIBIT 5

"JEANETTE" INQUIRY BEFORE THE COMMITTEE ON NAVAL AFFAIRS OF THE U.S. HOUSE OF REPRESENTATIVES, FORTY-EIGHTH CONGRESS

Members of the subcommittee: Hon. Hugh Buchanan; Hon. William McAdoo, and Hon. Charles A. Boutelle.

JULY 28TH, THURSDAY.—Called all hands at seven. Breakfasted at eight. Windy (ESE.), foggy, and disagreeable. Land in sight at times. We have gone a short distance to westward. Temperature 29°. Under way at 8.50 a.m. Sent Mr. Dunbar ahead, and after a while we succeeded in crossing the broken ice which had stopped us last night. Here we had a small floe, across which we speeded. The fog now shut in impenetrably, and I feared we were in for a troublesome time. Mr. Dunbar returned, however, and informed me, that after crossing this floe we should find large ice blocks, with only two-foot openings, and that these extended to the ice foot, or fast ice, and that, moreover, he had climbed up on the ice-foot, and advanced one hundred yards over it toward the land. This was too good a chance to lose, and away we went. But thought we made all haste, and got over our last ferry, and across the small floe in splendid time, when we reached the further edge we found everything fallen to pieces, and more water and rapidly moving ice than we could undertake. Much of the moving ice looked like small bergs broken off from a glacier foot, and from the rounded humps of ice on top, and their almost straight edges, I am inclined to think they were icebergs. By 12.30 p.m. we had everything up on the floe edge, and halted for dinner.

The sun now tried to break through the fog, and I hoped for a clearing; but at 1.30 p.m., when we turned to, the fog was as thick as ever. The situation had improved somewhat, for another floe piece had now come along, and a few loose pieces offered a convenient bridge. Away we went, but the floe piece was a small one, and we soon reached its edge. Here was another confusion, but we could make out a larger floe ahead. Everything was embarked on an ice-cake for a ferry-boat, and a hauling line run to the floe. By great effort we got our piece clear by four p.m. and commenced to haul over. Suddenly everybody gave a shout, "Look!" Away up over our heads 2,500(?) feet towered the land, and we were sweeping past it like a mill-stream. Hurriedly sounded in eighteen and one-half fathoms. Soon our floe was reached. Away we jumped our sleds and boats, and, seeing two or three large cakes nearly together, ran everything rapidly over until we at last stood at the base of the ice-cap. It was a narrow squeeze, for the men with the tents and remaining loose provisions on their shoulders had hard work to run fast enough to get on the last cake before the other cakes were swept away. Now that we were on the last cake our situation became critical. We could not get up on the ice-foot, for ten feet of water and small jumps intervened, and we were sweeping along by it at the rate of three miles an hour. Our cake was none of the strongest, and in the swirling and running masses and small bergs I feared we should be broken up and separated. It was an anxious moment. The southwest cape of the island was not half a mile away, and this was our last chance. Over two weeks of dragging and working to reach this island seemed about to be thrown away. I soon notice our cake begin to turn around, and saw that it might be whirled into a kind of corner against the fast ice, where, if it remained long enough, a landing might be effected. "Stand by," was the order now, and with sled ropes in

hand we waited the trying moment. Soon our cake caught and held. "Now is the time, Chipp!" I shouted, and away we went.

One sled got over on the rough ice-foot all right; a second nearly fell overboard; the third did fall overboard, dragging in Cole; and a piece of ice had to be dragged in by sheer force to bridge for the fourth. When I started the St. Michael's sleds they seemed to stick somewhere. Watching our cake closely, I saw signs of it giving way. "Away with the boats!"—but how? Nindemann sang out that he thought we could float the boats below, and haul them over. No sooner said than done, and down they went into the water. The men were hurried from the sleds to the boats, and I saw the first cutter just beginning to haul out, when away swept our ice-cake, carrying Melville, Iversen, Anegum, and myself, with six dogs. Wilson had carried one load of dogs over in the dingy, but he could not get back for the remainder. Chipp was on the ice-foot with the boats, and I knew he could look out for them, and I felt pretty certain we had saved everything. For ourselves, on the drifting ice-cake, I had some little anxiety, but one corner of our cake, fortunately, soon after drifted near a fast berg, and by making a flying leap through the air, we escaped in safety. At last! But though standing still we were not ashore. The ice foot extended out from the land, and was a confused mass of piled up ice-blocks and ridges—bone-combed, cracked, and broken—and presenting a simply impassable road for travel with sleds. Glad enough was I to get a solid foothold anywhere, and I gave the order to camp at 8.30 p.m. (our first sled having got on the ice-foot about five), everything being hauled in as near to the land as possible, say fifty feet from it. Rocks were occasionally slipping down and falling into a little stream of water at the foot of the cliff, the stream being where the thawing of surface ice has left a channel about four feet deep.

The face of the cliff was literally alive with doves. Supper at 7.30 a.m. At 8.30 p.m. all hands were called to muster and, led by me, everybody waded or jumped or ferried over to the land, where we held on as well as we could to the steep slopes of debris, while our colors were displayed. When all had gathered around me I said, "I have to announce to you that this island, towards which we have been struggling for more than two weeks, is newly discovered land. I therefore take possession of it in the name of the President of the United States, and name it Bennett Island. I now call upon you to give three cheers." And never were three more lusty cheers given. With great kindness three were then given for me.

I now change the date to the correct one, and record that at 8.30 p.m. JULY 20TH, FRIDAY, I added Bennett Island to American soil. Our landing cape I named Cape Emma. Piped down at nine p.m., fresh E. wind, thick fog; ice off shore rapidly moving west. The birds kept up a fearful chattering all night, but we slept well in spite of it.

JULY 30TH, SATURDAY (correct dates hereafter).—Called hands at seven. Breakfasted at eight, and at nine a.m. turned to. Our plan of operations for our stay was put into execution as follows:

Chipp, Nindemann, Ericksen, Lee, Bartlett—Tidal observers.

Collins—Sketches, and general collection of facts.

Newcomb—Natural history, flora, and fauna.

Dr. Ambler—Geological work, and collection of facts.

Dunbar—Looking for game, etc.

De Long—Astronomical observations, barometer, compass variations.

Crew generally—Getting murre's eggs, drift-wood, flowers, and other specimens.

Before noon I had received moss, scurvy-grass, tufa, lava, cryolite (grass), yellow flowers (curious differences in these flowers), *amethysts*; and in the afternoon I received from Mr. Dunbar two eggs of murre, large as hen's eggs, and spotted. And at three p.m. Johnson brought in a piece of reindeer horn with moss on it. I made a small collection of drift wood, but saw no way of getting a lodgment on the island, and no signs of game. Latitude at noon 76° 38' 17" N. Barometer 29.80. Temperature 31°.

During the forenoon the tide was ebbing, and though the wind was W., the ice was driving along to the westward at a great rate. Large floes brought up against our ice-foot for a moment with a jar that caused it to tremble, but it stood firm, and the floes split and broke and swept along. The pressure was enormous.

The collections are coming in so rapidly that I can but just notice them by a word. Melville found a vein of bituminous coal and brought a large lump. Doctor found down from some fox or rabbit, also rock tripe, mosses and more flowers; nine dozen murre's and dove's eggs brought in up to four p.m. Drift-wood accumulating. One piece chipped with an axe at the lower end like a fence-post; another burned on end. We have collected enough fire-wood for two meals, and with a coal mine "handy by" and birds in thousands, we need never want for a warm meal.

The geological formation of Bennett Island is thus described by Dr. Ambler: "It is certainly of volcanic origin. It is composed of trap-rock; a species of feldspathic rock, igneous rock with silica caught up in it in masses; trap-rock with globules of silica; trap-rock containing globules, which rock being broken shows the globules of the darker color sticking in the matrix, while portion of the mass knocked off will show a complete mould or bed. The globules are about the size of a pea, receive a bright polish from the finger, and are soft enough to be cut with a knife; silica, very light stone, tufa. I think, of a light brown color, spongy in appearance, as if blown up by gases; lava of different colors, varying from a yellowish brown to a dark green; clays almost the color of bricks; debris from the sides of the cliff being disintegrated portions of this red seemingly baked clay.

"The face of the cliff (Cape Emma) is in six terraces of igneous rock, separated by other strata imposed, of the red clay stuff which contains most of the silica. The amethyst was found in a matrix of quartz imbedded in the trap-rock. The stalagmite and stalactite were found upon breaking open a mass of trap-rock, found lying on the beach, and could be easily removed by the finger. The stratification is horizontal; fossils seen. There is a white stone with very much the appearance of gypsum. There are two varieties, one occurring in tabular masses, with glistening sides when held in the light, and the other of a dull, opaque white, and in rounded masses which show the action of water. Both varieties can be cut with a knife, and form an opaque white powder, which effervesces upon applying nitric and acetic acids."

The bituminous coal is abundant, and burns readily. Melville thinks it has from fifty to sixty per cent carbon but tomorrow he will experiment further, and I will note his remarks.

Unfortunately, the forenoon and afternoon were both cloudy and foggy, and I got neither time-sight nor azimuth. A slide occurred at 6:30 p.m., large masses of rock and red clay being hurled down from the summit of Cape Emma.

From our observations of tides to-day, it would seem that the flood comes from the westward. Birds for supper at seven p.m.

Measured the water at various distances from the foot of the cliff—50 feet, 7 feet deep; 100 feet, 12 feet deep; 150 feet, 16 feet deep; 200 feet, 28 feet. Our ice-foot is kept in by grounded floe pieces, or bergs broken off from the foot of the glacier on the south face. Wind very light; northeast airs; barometer at nine p.m. 29.84 at 37°; temperature 30°. The tide measurements were made by a pike-end stick (a paddle with a chisel end) stuck in the bottom ice, and held in rigidly against the face of a rocky cliff (Rudder Point). The graduations are to inches—half inches, and quarter inches, being estimated by the observers. The first reading was taken at 10:28 a.m. by my watch, and subsequent readings hourly.

JULY 31st, SUNDAY.—Called all hands at seven. Weather cold and foggy. Mr. Dunbar having expressed a wish to go along the south side of the island, and it agreeing with my desire to know more of that section, I this morning gave him permission to take Alexey, Aneguin, five dogs, and a dog sled, and remain away forty-eight hours for that purpose. He will start after dinner, carrying provisions, lime-juice, sleeping bags, knapsacks, arms, and ammunition, and a compass, glass, and measuringline. I have instructed him to take all possible bearings and sketches, and if he is able to get up a hill-side to look carefully southwest for land. At two p.m. he started, to be back by or before noon on Tuesday, August 2d.

AUGUST 4th, THURSDAY.—This is the day which I appointed for leaving, but it is ordered otherwise. During the night the wind increased to a gale again, and upon calling all hands at six a.m. we found ourselves shut in by fog, while a pitiless storm of rain, snow, and hail beat down upon us. Seaward nothing can be seen, but whatever there may be the weather is unfit to expose a dog, even. The wind where we are is about WNW.

Filled out one of our blank records, to be left behind, in the following words:

BENNETT ISLAND, CAPE EMMA,
LAT. N. 76° 38', LONG. E.

August 4, 1881.

This island was discovered on the 11th of July and landed upon, taken possession of and named on the 29th of July by the officers and men of the U.S. Arctic steamer Jeannette, which vessel was sunk by the ice on the 13th of June, 1881, in latitude N. 77° 15' and longitude E. 155° 0'.

It is my intention to proceed from here at the first opportunity toward the New Siberian Islands, and thence toward the settlements on the Lena River. We have three boats, thirty days' provisions, twenty-three dogs, and sufficient clothing, and are, moreover, in excellent health. We drifted in the pack ice from the 5th September, 1879, to the date at which our vessel was crushed and sunk by the ice, and during that time discovered two islands, Jeannette Island and Henrietta Island, upon the latter of which a party landed. Jeannette Island, discovered May 21, 1881, is in latitude N. 76° 47', longitude E. 158° 56'; Henrietta Island, discovered May 25, 1881, is in latitude N. 77° 8', and longitude E. 157° 45'. Excepting these islands we saw no land since losing sight of Herald Island in March, 1880. Having rested here a few days, we are now detained by a westerly gale, fog, sleet, and snow, and though at times we see much open water to the southwest we cannot yet say whether or not we can take to our boats to resume our journey, or shall be forced to resort again to dragging everything over the ice. The ice travel has been very hard, and two miles a day

made good has been our usual distance, though many trips back and forth have been necessary on account of our weights. The ice in this sea is similar to the ancient ice encountered by the British expedition of 1875, north of Cape Joseph Henry. We have lost none of our original number, eight officers and twenty-five men, and have not had scurvy.

GEORGE W. DE LONG,
Lieutenant, U.S.N., Commanding U.S.
Arctic Expedition.

I do not remember ever to have passed a more disagreeable and uncomfortable day. Outside the tents the wind blew in such fierce gusts that it was hard to keep one's footing on the small pieces of ice left to us, while the driving snow and hail made it impossible to remain exposed. Inside the tents was wet and cold and dreary. Packed close as we were, all moving around inside was out of the question, and our feet were seemingly freezing all the time. Beating them on our ice floor only made them ache, and using sticks as a bastinado, though making our feet tingle, hardly added to our comfort. We could do nothing but sit and take it, brightening up a little when hot coffee at dinner and hot tea at supper thawed us somewhat.

At seven p.m. the barometer had fallen to 29.55, at 34°, and was apparently on the stand, so I hope we may have a change by to-morrow morning. A prolonged delay here, unless followed by open water, would be a serious thing for us. It would seem that I am not to get a time sight while here, for not once have I had an opportunity.

The gale has loosened much of the rotten rock on the cliff abreast our camp, and during the day frequent showers of dirt and stones have fallen. Last night a terrific amount shot down and threatened to bury us. No. 2 tent turned out to a man, but the rest of took it quietly. In fact, after our experiences, we are prepared for everything and surprised at nothing.

AUGUST 5th, FRIDAY.—Called all hands at six a.m. Breakfasted at seven a.m. Wind moderating somewhat, apparently W. Barometer 29.57 at 34°. Temperature 28°. The clouds seemed inclined to break away, and the sun threatened to show through, but though I watched carefully during the forenoon there was no chance to get a time sight, such a mist, or rain or snow fell all the time, that my sextant and artificial horizon were useless, from the streams of moisture on their glasses. Sent Mr. Dunbar to deposit our record in a cairn one mile east from Cape Emma.

I, this afternoon, was forced to have shot ten of our poorest dogs, including Tom and Jim. We have now twelve left: Prince, Smike, Snoozer, Armstrong, Dick, Pilgrimage, Geyotack, Magalan, Kasmataka, etc. The amount of food these ten dogs eat is not compensated for by the work done, and I must think of human life first. The dogs were all worn out or subject to fits.

The sun showed about 4.45, and I got fair sights, giving longitude E. 148° 20', the best I can do under the circumstances.

There is a berg outside of us aground in five fathoms, probably thirty feet out of water; sixty feet would be height of glacier foot. Barometer rising at eight p.m. 29.63, at 34°. Temperature 28°. We start tomorrow. . . .

EXHIBIT 6

SENATE JOINT RESOLUTION NO. 12 IN THE LEGISLATURE OF THE STATE OF ALASKA

Whereas the boundaries of the state are a vital concern of the government of the state; and

Whereas the sovereignty of a state within the federal system of the United States requires that a state government have complete and unambiguous jurisdiction over an area determined by well-defined geographical boundary lines; and

Whereas whenever the boundaries of a state are to be altered, the state has an essential and overriding interest in the determination of the boundary; and

Whereas Alaska is unique among the 50 states because it is the only state with the potential for having boundaries with more than one foreign country; and

Whereas boundaries between a foreign country and a state are, and should be, coterminous with the national boundaries of the United States and the foreign country; and

Whereas negotiations are underway between the U.S. Department of State and the government of the Soviet Union over setting the boundaries between the United States and the Soviet Union; and

Whereas at least seven rounds of boundary negotiations between the United States and the Soviet Union have occurred since 1981; and

Whereas although the U.S. negotiation delegations have included representatives of various federal agencies, the Department of State has never allowed or offered to invite a representative of the state to join the U.S. delegation to the boundary negotiations or formally solicited the input or advice of the state about the content or strategy of the negotiations; and

Whereas the negotiations involve important economic issues dealing with the petroleum, fishery, and other resources of the state and affecting the welfare and prosperity of the people of the state; be it

Resolved, That the Alaska State Legislature petitions the U.S. Department of State to include a representative of the state, appointed by the governor with the consent of the legislature, on all delegations that negotiate the boundaries between the state and the Soviet Union or Canada, including delegations that conduct preparatory deliberations and studies; and be it further,

Resolved, That the Alaska State Legislature respectfully requests that the Alaska delegation in Congress intercede on behalf of the state to secure a representative of the state on all boundary delegations that negotiate the boundaries of the state.

Copies of this resolution shall be sent to the Honorable Ronald Reagan, President of the United States; to the Honorable George Bush, Vice-President of the United States and President of the U.S. Senate; to the Honorable Jim Wright, Speaker of the U.S. House of Representatives; to the Honorable George Shultz, Secretary of the U.S. Department of State; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, member of the Alaska delegation in Congress.

EXHIBIT 7

SENATE JOINT RESOLUTION NO. 61 IN THE LEGISLATURE OF THE STATE OF ALASKA

Whereas Alaskans and other Americans remain justifiably grateful for the fortitude shown by Captain Thomas Long and the crew of the whaling bark *Nile* from New London, Connecticut who, on August 14, 1867, were the first to confirm the existence of a 1,740 square mile island in the Chukchi Sea; and

Whereas Wrangel Island, named by Captain Long after the former governor of Russian Alaska Baron Ferdinand Petrovich von Wrangel, is located some 270 miles north-

west of Cape Lisburne, Alaska and is larger than the State of Rhode Island; and

Whereas Captain Long was the first to sight and to describe Wrangel Island, and the first recorded landing on the island occurred August 12, 1881, when Captain Calvin L. Hooper, commander of the Bering Sea Patrol, a division of the U.S. Treasury Department and as such, the de facto governor of Alaska, landed at Clark River on the eastern coast of Wrangel Island . . .

. . . "Blackjack" Johnson, who died just a few years ago in Alaska; and

Whereas a new party led by Charles Wells of Uniontown, Pennsylvania continued settlement on Wrangel Island; and

Whereas on May 13, 1924, Secretary of State Charles Evans Hughes stated that the American Lomen Brothers were the proprietary owners of Wrangel Island; and

Whereas on August 20, 1924, an armed party from the Soviet gunboat *Red October* landed on Wrangel Island, took Wells and the other Americans by force, and told them that they were being returned to Alaska; and

Whereas notwithstanding their promises, they took the Americans to Vladivostok and confiscated the pelts that the American trappers had accumulated during the 12 bitter months on the island; and

Whereas the Americans who survived their ordeal in Vladivostok were released following the intervention of the American consul at Harbin, Manchuria but Charles Wells and two residents of Alaska died while detained by the Soviet government; and

Whereas the residents of Alaska who survived their ordeal in Soviet Siberia were all from Golovin Bay, Alaska and they survived notwithstanding the severe physical and emotional trauma resulting from the assault, kidnapping false imprisonment, theft of property together with other violations of American and Alaska law by the agents of the Soviet regime; and

Whereas after seizing Wrangel Island, the Soviet government proceeded to seize more American soil by occupying the nearby and defenseless Herald Island; and

Whereas the Soviet government subsequently asserted a spurious claim to the American De Long Islands of Henrietta, Jeannette, and Bennett; and

Whereas these illegal acts by the Soviet government interrupted 57 years of peaceful use of these islands by American seamen, herders, and hunters; and

. . . ratified by the United States Senate; be it

Resolved, by the Alaska State Legislature, That the Government of the United States assert and reassert American sovereignty over Wrangel Island, Herald Island, and the De Long Islands of Henrietta, Jeannette, and Bennett, their resources, and their territorial shelf in behalf of the American people; and be it further

Resolved, That the Government of the United States make satisfactory compensation and restitution to the State of Alaska and its people for the loss of this territory resulting from the neglect of the United States Government to protect American lives and property when the lands were seized in 1924; and be it further

Resolved, That the State of Alaska asserts and reasserts its claim to Wrangel Island, Herald Island, and the De Long Islands of Henrietta, Jeannette, and Bennett and their surrounding continental shelf as an integral part of the State of Alaska; and be it further

Resolved, The Governor of the State of Alaska is requested to initiate appropriate

legal claims for relief before the U.S. Foreign Claims Settlement Commission, the U.S. Court of Claims or other legal forums of the United States as may be appropriate.

Copies of this resolution shall be sent to the Honorable Ronald Reagan, President of the United States; to the Honorable George P. Shultz, Secretary of State; to the Honorable George Bush, Vice-President of the United States and President of the U.S. Senate; the Honorable Jim Wright, Speaker of the U.S. House of Representatives; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaskan delegation in Congress.

The **PRESIDING OFFICER**. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment of the Senator from North Carolina.

The amendment (No. 387) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SYMMS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 337, AS MODIFIED

Mr. PELL addressed the Chair. The **PRESIDING OFFICER**. The Senator from Rhode Island.

Mr. PELL. Mr. President, I ask unanimous consent that the Specter amendment regarding the international strike force previously agreed to by the Senate be modified with the text that has been cleared on both sides.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The amendment (No. 337), as modified, is as follows:

At the appropriate place in the bill insert the following:

SEC. . ESTABLISHMENT OF AN INTERNATIONAL STRIKE FORCE

It is the sense of the Congress that the President and the Secretary of State should call for international negotiations for the purpose of agreeing on the establishment of an international strike force to pursue and apprehend major international drug traffickers and terrorists.

SEC. . CREATION OF A MULTILATERAL ANTI-NARCOTICS STRIKE FORCE

(a) FINDINGS.—The Congress finds that—

(1) the United States Congress has in the past sought approval for a multilateral strike force dedicated to the war on drugs;

(2) the proposal to create a multilateral, international anti-narcotics force as proposed by Prime Minister Michael Manley of Jamaica, is a plan worthy of praise and strong U.S. support;

(3) the Manley plan is the first operative proposal to use multilateral force against the drug cartels in Latin America made by a government leader in the Western Hemisphere;

(4) moreover, the proposal has been matched by Jamaica's parallel commitment to the drug war and by taking the lead in developing an independent, international strategy for the Western Hemisphere nations.

(b) SENSE OF THE CONGRESS.—It is therefore the sense of the Congress that—



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 101st CONGRESS, SECOND SESSION

Vol. 136

WASHINGTON, THURSDAY, SEPTEMBER 20, 1990

No. 117

Senate

THE 100TH ANNIVERSARY OF THE U.S.S. "JEANNETTE" ARCTIC EXPEDITION

● Mr. WILSON. Mr. President, 100 years ago, a congressional medal was awarded to the crew of U.S.S. *Jeannette* "in commemoration of the perils encountered by the officers and men of the *Jeannette* Arctic Expedition and as an expression of the high esteem in which Congress holds their services in the said expedition."

On September 30, 1990, this centennial anniversary will be observed in Los Angeles, CA, by members of State Department Watch, a nonpartisan foreign affairs study group with approximately 15,000 members nationwide, 3,000 of whom reside in California.

It is appropriate at this time to illuminate once again the heroic Arctic expedition undertaken by the crew of U.S.S. *Jeannette* between 1879 and 1882. Commanded by Lt. George Washington DeLong, with Chief Engineer George W. Melville, the expedition resulted in the discoveries of Bennett, Henrietta, and Jeannette Islands, known together as the DeLong Islands.

From September 6, 1879, to June 12, 1881, U.S.S. *Jeannette* was caught in an ice pack of the Arctic Ocean where the ship was crushed and sank. The officers and crew abandoned ship and headed southward over hundreds of miles of icebergs and open ocean, eventually reaching land, but suffering the loss of approximately half of the crew, including Lieutenant DeLong.

The expedition of the U.S.S. *Jeannette* was a joint venture between Government and industry, cosponsored by the U.S. Navy and the New York Herald publisher, James Gordon Bennett. It is remembered and revered for its success in pushing forward the northward frontier of explored Arctic Ocean and providing valuable scientific knowledge to the world community.

The U.S. Congress will see fit to express its appreciation by awarding a medal to each crew member by an act of Congress to be approved on September 30, 1990.

I have the honor and privilege of bringing the historic accomplishments of U.S.S. *Jeannette* to the attention of my Senate colleagues today and would ask them to join with me in recognizing remarkable, unprecedented, and arduous expedition undertaken over 100 years ago by a crew whose courage and pioneering spirit opened new frontiers for the enlightenment and enrichment of their fellow man. We salute them again today in this Chamber of the U.S. Senate as they were saluted 100 years ago, with national pride and with gratitude and respect for the great legacy the crew of U.S.S. *Jeannette* left to our Nation.●

Exhibit 33



Exhibit 34



by virtue of possession, and more; that she obtained much more than she could claim under the letter of the Treaty of Paris; and that she obtained nearly 900 square miles of territory in the basin of the upper St John over and above that awarded by the king of the Netherlands. She conceded an area of 150 square miles in the basin of the upper Connecticut River. She also conceded a strip between the 45th parallel and the 'old line' with an area of 73 square miles, but, as the 'old line' is in places south of the 45th parallel, she received, east of St Regis, a strip containing 11½ square miles. So far as these 'strips' were concerned, the United States and Great Britain had valid titles by virtue of occupation, and the concessions were simply validations. In addition to the foregoing the Ashburton settlement ended a controversy that had disturbed the relations of the two countries for nearly sixty years; that had, on several occasions, brought two great nations to the verge of war; and that had seriously interfered with commercial intercourse. Finally, it is worthy of note that the commission appointed to adjust the respective claims of New Brunswick and Quebec to the area west of the 'due north line' awarded to Great Britain by the Ashburton Treaty, reported in 1848, six years later, 'that a tract of country lies between the north highlands westward of the due north line, and the line of the United States, which, according to the strict legal rights of the two provinces, belongs to neither, . . . and which, in 1763, formed part of the ancient territory of Sagadahock.' This 'tract of country' was confirmed to Great Britain by the Ashburton Treaty.

THE NORTHEASTERN BOUNDARY NEGOTIATIONS

While the negotiations were carried on at Washington by Secretary of State Daniel Webster and Lord Ashburton, those negotiations, so far as they concerned the northeastern boundary, were in a very real sense participated in by commissioners of Maine and of Massachusetts appointed at the suggestion and request of President Tyler. In the letters of Webster to the Governors of Maine and Massachusetts dated April 11, 1842 (published correspondence, 64-66), it was expressly stated that no conventional line would be agreed on "without the assent of such commissioners"; and the first formal note written on the northeastern boundary question was that of Ashburton to Webster of June 13, 1842, the day on which Webster had his first conference with the commissioners of the two States, who were Edward Kavanagh, Edward Kent, John Otis, and William Pitt Preble, for Maine, and Abbott Lawrence, John Mills, and Charles Allen, for Massachusetts (*ibid.*, 34-37, 71, 72).

Massachusetts had property interests which were affected by any settlement of the northeastern boundary, for in the public lands of Maine a half interest was reserved by Massachusetts upon the separation (act of June 19, 1819, Laws of the Commonwealth of Massachusetts, 1819, 248-60; and act of March 3, 1820, 3 Statutes at Large, 544); and the frontier in dispute was very largely that of Maine, though partly that of New Hampshire, Vermont, and New York. Indeed, the Legislature of the State of Maine did not consider that the Government of the United States possessed "the constitutional power to conclude any such negotiation without the assent of Maine" (published correspondence, 70), a view which was also expressed by the Legislature of Massachusetts (*ibid.*, 64); that theory should doubtless be considered in the light (*inter alia*) of Article 5 of the Treaty of Ghent (Document 33) and the proceedings thereunder, and particularly of the fact that under that article and the convention

of September 29, 1827 (Document 58), a reference had been made of the northeastern boundary question to arbitration by the King of the Netherlands.

That constitutional theory, moreover, had been explicitly supported by the Federal Government during the negotiations with Great Britain which followed the decision of the King of the Netherlands of January 10, 1831, regarding the northeastern boundary, and the subsequent refusal of the Senate, on June 23, 1831, to accept that award; the British Government at various times had in varied language had been officially informed that "under the peculiar structure of our political system, the Federal Government cannot alienate any portion of the territory of a State, without its consent" (Secretary of State Forsyth to Sir Charles R. Vaughan, D.S., 6 Notes to the British Legation, 18, April 28, 1835). President Jackson in 1832 had had negotiated and signed an agreement between the United States and the State of Maine providing for the relinquishment to the United States of any rights of that State in the disputed territory; the text of that agreement is printed in the notes to Document 58, which should be consulted generally; that agreement, however, failed to go into force, owing to the decision of the Maine Legislature that a referendum thereon would be necessary (see Burrage, Maine in the Northeastern Boundary Controversy, ch. X). So far as the Executive could decide such a question, the constitutional view of the State of Maine had been accepted by the Government of the United States, although the extreme Maine view, which went so far as to maintain that the convention of September 29, 1827, with Great Britain (Document 58) "tended to violate the Constitution of the United States and to impair the sovereign rights and powers of the State of Maine, and that Maine is not bound by the Constitution to submit to the decision, which is or shall be made under that convention" (Resolves of Maine, 1831, 245, resolve of February 28, 1831), was not supported at Washington (D.S., 6 Notes to the British Legation, 16, April 28, 1835):

If the distinguished Arbitrator agreed upon had found himself able to come to a decision upon the subject satisfactory to his own judgment, the Government of the United States would not have hesitated for a moment, whatever might have been its opinion of the justice of such decision, to have united with His Majesty's Government in carrying it fully and immediately into effect.

In a long letter to Governor Kent, of Maine, dated March 1, 1838, reviewing the history of the northeastern boundary negotiations up to that time, Secretary of State Forsyth thus restated the constitutional principles involved as seen by President Van Buren; and it is to be noted that "imperious public necessity" was mentioned as a possible ground of competence (to negotiate a cession) which otherwise the Federal Government would lack (D.S., 29 Domestic Letters, 338-39; Richardson, III, 442-59):

The principles which have hitherto governed every successive administration of the Federal Government, in respect to its powers and duties in the matter, are—

1st That it has power to settle the boundary line, in question, with Great Britain, upon the principles and according to the stipulations of the treaty of

1783, either by direct negotiation, or, in case of ascertained inability to do so, by arbitration; and that it is its duty to make all proper efforts to accomplish this object by one or the other of those means.

2^d That the General Government is not competent to negotiate, unless perhaps on grounds of imperious public necessity, a conventional line involving a cession of territory to which the state of Maine is entitled, or the exchange thereof for other territory not included within the limits of that State, according to the true construction of the treaty without the consent of the State.

In these views of his predecessors in office, the President fully concurs, and it is his design to continue to act upon them.

In the similar letters of Webster to the Governors of Maine and Massachusetts dated April 11, 1842 (D.S., 32 Domestic Letters, 288-91; published correspondence, 64-66), were these paragraphs:

The opinion of this Government upon the justice and validity of the American claim has been expressed, at so many times, and in so many forms, that a repetition of that opinion is not necessary. But the subject is a subject in dispute. The Government has agreed to make it matter of reference and arbitration; and it must fulfil that agreement, unless another mode for settling the controversy should be resorted to, with the hope of producing a speedier decision. The President proposes, then, that the Governments of Maine and Massachusetts should, severally, appoint a Commissioner or Commissioners empowered to confer with the authorities of this Government upon a Conventional line, or line by agreement, with its terms, conditions, considerations and equivalents, with an understanding that no such line will be agreed upon without the assent of such commissioners.

This mode of proceeding, or some other which shall express assent before hand, seems indispensable, if any negotiation for a Conventional line is to be had, since if happily, a treaty should be the result of the negotiation, it can only be submitted to the Senate of the United States for ratification.

The Legislature of Massachusetts had previously (March 3, 1842) granted plenary power to "the governor, with the advice and consent of the council, . . . to adopt such measures to secure the rights and interests of the Commonwealth in said territory, and to produce an honorable and satisfactory adjustment as the emergency may demand"; under that authorization the three commissioners of Massachusetts were named (Acts and Resolves Passed by the Legislature of Massachusetts, 1839-42, 564; published correspondence, 63-64, 66-69); Webster was formally notified by the Secretary of State of Massachusetts of their appointment (D.S., Northern Boundary, envelope 18, letter of John P. Bigelow of May 28, 1842).

The Legislature of Maine was summoned in extra session; and a preamble and five resolutions were adopted on May 26, which included the following (Acts and Resolves Passed by the Legislature of Maine, 1842; 111; published correspondence, 69-71):

Resolved, That there shall be chosen, by ballot, in convention of both branches of the legislature, four persons who are hereby constituted and appointed commissioners, on the part of this state, to repair to the seat of government of the United States, and to confer with the authorities of that government touching a conventional line, or line by agreement, between the state of Maine and the British provinces, having regard to the line designated by the treaty of 1783 as uniformly claimed by this state, and to the declarations and views expressed in the foregoing preamble, and to give the assent of this state to any such conventional line, with such terms, conditions, considerations and equivalents as they shall deem consistent with the honor and interests of the state; with the understanding that no such line be agreed upon without the unanimous assent of such commissioners.

President Tyler was formally notified by the Governor of Maine (John Fairfield) of the election of the four commissioners of Maine (published correspondence, 69, letter of May 27, 1842).

By a resolution of the Legislature of New Hampshire of June 23, 1842, the Senators and Representatives of that State in Congress were requested "to take such measures as may be necessary, during the pending negotiations at Washington relative to the Northern and North Eastern Boundary of the United States, to best sustain the rights of this State to the territory over which we have always heretofore claimed and exercised jurisdiction" (Laws of New Hampshire, June 1842, 599). That resolution, however, was not communicated to President Tyler until July 15, 1842, when the northeastern boundary had been settled as between Webster and Ashburton, with full satisfaction of the claim of New Hampshire; and the participation of the New Hampshire delegation in Congress in the proceedings appears to have been limited to the submission, on July 19, 1842, of a brief statement citing certain documents and papers (see published correspondence, 99-102).

Aside from the formal exchanges of June 17, 1842 (*ibid.*, 38), the written negotiations regarding the northeastern boundary comprised four notes (*ibid.*, 34-37, 39-56), three of Ashburton (June 13, June 21, and July 11) and one of Webster (July 8), with which is to be read its enclosure, the letter of the Maine commissioners to Webster of June 29 (*ibid.*, 72-80); also to be mentioned is a second letter of the Maine commissioners to Webster of July 16 (*ibid.*, 84-91), which, while dated after the accord of the two Plenipotentiaries, was doubtless drafted before the terms thereof were communicated. Moreover, during the period of the correspondence there were informal communications of one sort and another (see *ibid.*, 77, 79).

There was expressed a common desire to avoid "the interminable discussion on the general grounds on which each party considers their claims respectively to rest"; notwithstanding this, a considerable portion of the correspondence was argumentative, with historical and geographical references.

In his first note, of June 13, Ashburton gave no precise indication of a line to be proposed; but he spoke of the portion of the disputed territory which might come to Great Britain as being "as worthless for any purposes of habitation or cultivation as probably any tract of equal size on the habitable globe"; and he even suggested that Great Britain would have given up the controversy "if it were not for the obvious circumstance of its connecting the British North American provinces". That necessity of intercolonial communication was the admitted basis of any agreement for a conventional line; it is mentioned in each of the two above-cited letters of the Maine commissioners and is spoken of with emphasis in the note of Webster, who acknowledged "the general justice and propriety of this object" and agreed that "a conventional line ought to be such as to secure it to England".

Ashburton made the first proposal in his note of June 21, after a formal conference on June 18, of which there is no protocol. He

proposed a line north from the source of the St. Croix to the St. John (the line of 1817-18, regardless of its deviation from the true north), and the line of the St. John "up to some one of its sources" (a somewhat ambiguous expression, but meaning approximately up to the source of the southwest branch as mentioned in Article 1 of the treaty), except for a deviation on the right bank so as to include in New Brunswick the whole of the Madawaska settlement, which extended on both sides of the river "from the mouth of the Madawaska up to that of the Fish river"; and with that boundary he was willing to engage that "all lumber and produce of the forest of the tributary waters of the St. John shall be received freely without duty, and dealt with in every respect like the same articles of New Brunswick", to agree to the old Valentine and Collins line from the Connecticut to the St. Lawrence, and also to accept the American contention as to the source of the Connecticut.

The note of Webster of July 8 presented and supported the counter-proposal of Maine (see the letter of the Maine commissioners of June 29). The yielding of any territory on the south side of the St. John so as to include the Madawaska settlement in New Brunswick was definitely rejected. The counterproposal of boundary, with the concurrence of the commissioners of Massachusetts and with the condition that the United States would furnish to the two States "an equivalent", was the main channel of the St. John (from the crossing point of the due-north line from the source of the St. Croix) to a point three miles above the mouth of the Madawaska; thence straight to the outlet of Long Lake; thence westerly by a direct line to the point where the St. Francis enters Lake Pohenegamook; and thence, continuing the same line, to the highlands dividing the waters of the River du Loup from those of the St. Francis (the various *loci* may be conveniently seen on the map in Moore, *International Arbitrations*, I, between pp. 148 and 149); and while it was intimated that equivalents to some extent might be found if territorial cessions by Great Britain were possible, such as the island of Grand Manan, the islands in Passamaquoddy Bay, or a portion of the so-called strip between the north line and the St. John, it was understood that the British Plenipotentiary was without power to consent thereto.

The last note written before the verbal accord was that of Ashburton of July 11. He intimated that he would yield on the question of the Madawaska settlement; but he made it clear that he could not and would not yield as to the territory north and east of the St. Francis, which was British territory under the line proposed by the King of the Netherlands; Ashburton's final instructions as to the northeastern boundary had definitely limited him to that line (Ashburton Papers, instruction No. 8, May 26, 1842).

Thus the correspondence ended; as Ashburton urged, it was succeeded by conferences, of which there is no formal record. Sending to the Maine commissioners the note of Ashburton of July 11, Webster wrote on July 12 that he would soon meet with them, "being very desirous of making progress in the business in which we are engaged,

and satisfied that the various parties in interest are as well prepared now to come to a decision as they are likely to be at any time hereafter" (published correspondence, 81).

The position as it was left by the correspondence was this: North from the source of the St. Croix to the St. John and thence as far up the St. John as a point just beyond the mouth of the Madawaska, there was common ground; the portion of the region north of the St. John and between the St. Francis and the Madawaska which Maine had demanded, Ashburton had positively refused; for any agreement to be reached it was essential that that part of the claim of Maine should be abandoned; there was left for discussion an area which may be described as bounded on its three sides by a line as follows: (a) along the upper St. John from the mouth of the St. Francis to Met-jarmette¹ portage (the line proposed by Ashburton); (b) along the highlands from that portage north to a point about due west of the entrance to Lake Pohenegamook; and (c) thence to and through that lake and down the St. Francis to the St. John. The result was that the claim of Maine to any territory between the St. Francis and the Madawaska north of the St. John was given up; and the remaining area in dispute was divided. One may learn something of the verbal discussions from the despatches of Ashburton of July 28 and August 9 (Nos. 15 and 17, quoted below).

An accord on the northeastern boundary was reached by the negotiators for the two Governments just prior to July 15, 1842. That it had not been reached by July 13 appears from Ashburton's despatch No. 13 of that date, as follows (Ashburton Papers):

The last Despatch which I had the honor of addressing your Lordship the 29th of last month No. 10 on the subject of my negotiations relating to the North Eastern Boundary must have conveyed expectations of an earlier and more satisfactory settlement than I regret to say, I have, with every exertion on my part, been hitherto able to realize. Delay and difficulties have resulted from the present condition of this Government and from the pertinacious resistance of the Commissioners from the North by whom that Government is in this business guided and over-ruled. If I were not warned by the past from over-confidence, I should say that two or three days more could not fail to bring us to a settlement and to the outlines of a convention, but I fear that it may be on rather less favorable terms, than I had given your Lordship to expect. I now proceed to state what has occurred on this subject since I last wrote.

The written proposals submitted by me having circulated among the Commissioners from Maine and Massachusetts, I soon learned that although they differed much among themselves about some parts of them, they all concurred with great earnestness on the one point that we were not to be permitted to cross the St. John, nor consequently to save the southern portion of the Madawaska settlements. I was assured by the best-informed and by the best-disposed persons from New England, that the Commissioners would not dare to return to their own country after making such a concession, and finding indirectly that our pretensions in this respect would be considered extravagant in the Senate, and through the whole country, I made up my mind not further to press this part of our claim, especially as I had no equivalent to offer in territory, and I thought it neither prudent nor expedient to offer any in money.

The Commissioners from Maine submitted to the Secretary of State an answer to my proposals, and after keeping it some time the latter sent it to me with his own formal reply, as no regular communications could take place between the

¹ Now spelled "Metzgermette".

Commissioners and me. Your Lordship will find these two papers inclosed. As these discussions began to be talked of abroad, as it was rumoured that serious differences existed, and as I was sensible that injury might arise from drawing the public press into the controversy, I lost no time and sent Mr Webster my note the day after the receipt of his. It is also enclosed herewith. (The three enclosures to this despatch are (a) Webster to Ashburton, July 8, 1842 (published correspondence, 44-50); (b) the Maine commissioners to Webster, June 29, 1842 (*ibid.*, 72-80); (c) Ashburton to Webster, July 11, 1842 (*ibid.*, 50-58).)

These papers will show your Lordship the present state of this question, and require little explanation. You will see that I invite personal conference in preference to a long desultory controversial correspondence because at this advanced period of the Session, and in the state of parties here, delay might wholly defeat our object, and there can be no doubt that, with some at least, that defeat is much desired.

It will be observed that the informal memorandum of the Maine Commissioners contains some rather coarse insinuations which would hardly have passed unnoticed, if presented in any other form. Your Lordship will see that, though I thought it best to give them no direct attention, they induced me to state our sense of our own rights in rather a firmer tone than I otherwise should have done, and I have reason to believe that this has been of service towards accelerating a termination of these discussions.

I can hardly now hope to communicate by this packet any final settlement of this question. Various rumours will of course reach Europe, as to the probability of any settlement whatever. I am not myself apprehensive of not coming to some terms within the limits of my powers, but the difficulties of my task have certainly increased, owing to the character of the persons who influence this negotiation, and of those whose duty it is more immediately to conduct it with me. I trust your Lordship will be assured that it has not failed to receive from me the most anxious and cautious attention.

July 14 is almost certainly the exact date of the agreement reached by the two Plenipotentiaries regarding the northeastern boundary. In the archives of the Department of State is an annotated copy of the second edition of Dashiell's Map, the edition which was issued after the award of the King of the Netherlands of January 10, 1831, regarding the northeastern boundary; Dashiell's Map, which was based, in its watercourses and its disputed boundary lines, on Map A of the convention of September 29, 1827 (Document 58, the notes to which, particularly p. 356, should be consulted), showed, as originally issued in 1830, the northeastern boundary lines as claimed by the two countries, drawn in green for the United States and in red for Great Britain; the second edition of that map (of which the archives of the Department of State contain some fifty examples, of one or the other of the editions) added a yellow line as the line "of the Arbiter" or the line suggested by the King of the Netherlands; the annotated copy mentioned is signed "W. S. Derrick" in the upper margin; it has, in the handwriting of William S. Derrick, then a senior clerk and soon afterwards Chief Clerk of the Department of State, the notation, "The blue ink marks the proposed conventional line. 14 July, 1842"; the signature and the notation are written in the same blue ink as is the line drawn to show the northeastern boundary according to the Webster-Ashburton Treaty; the evidence is convincing that that copy of Dashiell's Map was annotated by Derrick on July 14, 1842, to show the agreement of Webster and Ashburton then reached (see "An Annotated Dashiell's Map", in *American Historical Review*, XXXVIII, 70-73); and it may be added that it was William

S. Derrick who took to London for exchange the United States instrument of ratification of the Webster-Ashburton Treaty, with authority, if occasion arose, to act in place of Everett in making the exchange (D.S., 15 Instructions, Great Britain, 58-59; 3 Credences, 26).

In his letters of July 15 to the commissioners of Maine and Massachusetts, enclosing a statement of the proposed line of the northeastern boundary in almost the exact language of Article 1 of the treaty, Webster wrote as follows (published correspondence, 81-83; a draft in Webster's handwriting is in D.S., *Northeastern Boundary*, envelope 18):

You have had an opportunity of reading Lord Ashburton's note to me of the 11th of July. Since that date I have had full and frequent conferences with him respecting the eastern boundary, and believe I understand what is practicable to be done on that subject, so far as he is concerned. In these conferences he has made no positive or binding proposition, thinking perhaps it would be more desirable, under present circumstances, that such proposition should proceed from the side of the United States. I have reason to believe, however, that he would agree to a line of boundary between the United States and the British provinces of Canada and New Brunswick, such as is described in a paper accompanying this (marked B), and identified by my signature [see published correspondence, 83-84; D.S., *Northeastern Boundary*, envelope 18, a draft copy with interlineations and corrections].

In establishing the line between the monument and the St. John, it is thought necessary to adhere to that run and marked by the surveyors of the two Governments in 1817 and 1818. There is no doubt that the line recently run by Major Graham is more entirely accurate; but, being an *ex parte* line, there would be objections to agreeing to it without examination, and thus, another survey would become necessary. Grants and settlements, also, have been made, in conformity with the former line, and its errors are so inconsiderable that it is not thought that their correction is a sufficient object to disturb these settlements. Similar considerations have had great weight in adjusting the line in other parts of it.

The territory in dispute between the two countries contains 12,027 square miles, equal to 7,697,280 acres.

By the line described in the accompanying paper, there will be assigned to the United States 7,015 square miles, equal to 4,489,600 acres; and to England 5,012 square miles, equal to 3,207,680 acres.

By the award of the King of the Netherlands, there was assigned to the United States 7,908 square miles, 5,061,120 acres; to England 4,119 square miles, 2,636,160 acres.

The territory proposed to be relinquished to England, south of the line of the King of the Netherlands, is, as you will see, the mountain range, from the upper part of the St. Francis river to the meeting of the two contested lines of boundary, at the Metjarmette Portage, in the highlands, near the source of the St. John's. This mountain tract contains 893 square miles, equal to 571,320 acres. It is supposed to be of no value for cultivation or settlement. On this point you will see, herewith, a letter from Captain Talcott, who has been occupied two summers in exploring the line of the highlands, and is intimately acquainted with the territory. The line leaves the United States, between the base of the hills and the left bank of the St. John, and lying along upon the river, a territory of 657,280 acres, embracing, without doubt, all the valuable land south of the St. Francis and west of the St. John. Of the general division of the territory, it is believed it may be safely said that while the portion remaining with the United States is, in quantity, seven twelfths, in value it is at least four fifths of the whole. [For the letter of Captain Talcott, see published correspondence, 84.]

None is supposed that the possession of the mountain region is of any importance, in connexion with the defence of the country or any military operations. It lies below all the accustomed practicable passages for troops into and out of Lower Canada: that is to say, the Chaudière, Lake Champlain, and the Richelieu, and the St. Lawrence. If an army, with its *materiel*, could possibly pass into

Canada over these mountains, it would only find itself on the banks of the St. Lawrence below Quebec; and, on the other hand, it is not conceivable that an invading enemy from Lower Canada would attempt a passage in this direction, leaving the Chaudière on one hand and the route by Madawaska on the other.

If this line should be agreed to, on the part of the United States, I suppose that the British minister would, as an equivalent, stipulate, first, for the use of the river St. John, for the conveyance of the timber growing on any of its branches, to tide water, free from all discriminating tolls, impositions, or disabilities of any kind, the timber enjoying all the privileges of British colonial timber. All opinions concur that this privilege of navigation must greatly enhance the value of the territory and the timber growing thereon, and prove exceedingly useful to the people of Maine. Second: That Round Bay, in Lake Champlain, and the lands heretofore supposed to be within the limits of New Hampshire, Vermont, and New York; but which a correct ascertainment of the 45th parallel of latitude shows to be in Canada, should be surrendered to the United States.

It is probable, also, that the disputed line of boundary in Lake Superior might be so adjusted as to leave a disputed island within the United States.

These cessions on the part of England would enure partly to the benefit of the States of New Hampshire, Vermont, and New York, but principally to the United States. The consideration on the part of England, for making them, would be the manner agreed upon for adjusting the eastern boundary. The price of the cession, therefore, whatever it might be, would in fairness belong to the two States interested in the manner of that adjustment.

Under the influence of these considerations, I am authorized to say, that if the commissioners of the two States assent to the line as described in the accompanying paper, the United States will undertake to pay to these States the sum of two hundred and fifty thousand dollars, to be divided between them in equal moieties; and, also, to undertake for the settlement and payment of the expenses incurred by those States for the maintenance of the civil posse, and also for a survey which it was found necessary to make.

The line suggested, with the compensations and equivalents which have been stated, is now submitted for your consideration. That it is all which might have been hoped for, looking to the strength of the American claim, can hardly be said. But, as the settlement of a controversy of such duration is a matter of high importance, as equivalents of undoubted value are offered, as longer postponement and delay would lead to further inconvenience, and to the incurring of further expenses, and as no better occasion, or perhaps any other occasion, for settling the boundary by agreement, and on the principle of equivalents, is ever likely to present itself, the Government of the United States hopes that the commissioners of the two States will find it to be consistent with their duty to assent to the line proposed, and to the terms and conditions attending the proposition.

The President has felt the deepest anxiety for an amicable settlement of the question, in a manner honorable to the country, and such as should preserve the rights and interests of the States concerned. From the moment of the announcement of Lord Ashburton's mission, he has sedulously endeavored to pursue a course the most respectful towards the States, and the most useful to their interests, as well as the most becoming to the character and dignity of the Government. He will be happy if the result shall be such as shall satisfy Maine and Massachusetts, as well as the rest of the country. With these sentiments on the part of the President, and with the conviction that no more advantageous arrangement can be made, the subject is now referred to the grave deliberation of the commissioners.

Both Maine and Massachusetts gave their formal assent to the proposal, subject to certain conditions. The assent of the commissioners of Massachusetts is dated July 20, 1842 (D.S., Northeastern Boundary, envelope 18; published correspondence, 92-93), and concludes as follows:

Whether the national Boundary, suggested by you, be suitable or unsuitable; whether the compensations that Great Britain offers to the United States for the territory conceded to her, be adequate or inadequate; and whether the Treaty,

which shall be effected, shall be honorable to the Country, or incompatible with its rights and dignity,—are questions, not for Massachusetts, but for the General Government, upon its responsibility to the whole country, to decide. It is for the State to determine, for what equivalents she will relinquish to the United States her interests in certain lands in the Disputed Territory, so that they may be made available to the Government of the United States, in the establishment of the North-Eastern Boundary, and in a general settlement of all matters in controversy, between Great Britain and the United States. In this view of the subject, and with the understanding that by the words, "the nearest point of the highlands", in your description of the proposed line of boundary, is meant, the nearest point of the crest of the highlands; that the right to the navigation of the river Saint John shall include the right to the free transportation thereupon of all products of the soil as well as of the forest; and that the necessary compensation to be paid by the Federal Government to the State of Massachusetts, shall be increased to the sum of one hundred and fifty thousand dollars, the State of Massachusetts, through her Commissioners, hereby relinquishes to the United States her interest in the lands, which will be excluded from the dominion of the United States, by the establishment of the Boundary aforesaid.

The conditions stated on behalf of Massachusetts were all met by the terms of the treaty; the words "the nearest point of the summit or crest of the highlands" are in Article 1 (they are indeed in the print of the paper "B" in published correspondence; but in the draft copy thereof "summit or crest of the" are interlined, and at the end of the same sentence "summit or crest" replace "dividing highlands"); "produce . . . of agriculture" is included in Article 3; and the sum to be paid to Maine and Massachusetts "in equal moieties" (Article 5) is \$300,000.

The assent of the commissioners of Maine was under date of July 22 (D.S., Northeastern Boundary, envelope 18; published correspondence, 93-99); its concluding paragraph and the memorandum therein mentioned are in these terms:

We are, now, given to understand that the Executive of the United States, representing the sovereignty of the Union, assents to the proposal, and that this Department of the Government at least is anxious for its acceptance, as, in its view, most expedient for the general good. The Commissioners of Massachusetts have already given their assent, on behalf of that Commonwealth. Thus situated, the Commissioners of Maine, invoking the spirit of attachment and patriotic devotion of their State to the Union, and being willing to yield to the deliberate convictions of her Sister-States as to the path of duty, and to interpose no obstacles to an adjustment which the general judgment of the Nation shall pronounce as honorable and expedient, even if that judgment shall lead to a surrender of a portion of the birth-right of the People of their State, and prized by them because it is their birth-right, have determined to overcome their objections to the proposal, so far as to say, that if, upon mature consideration, the Senate of the United States shall advise, and consent to, the ratification of a Treaty, corresponding in its terms with your proposal, and with the conditions in our Memorandum accompanying this note, marked A. and identified by our signatures, they, by virtue of the power vested in them by the Resolves of the Legislature of Maine, give the assent of that State to such Conventional line, with the terms, conditions and equivalents herein mentioned.

(A)

The Commissioners of Maine request that the following provisions, or the substance thereof, shall be incorporated into the proposed Treaty, should one be agreed on:

1st That the amount of the "disputed territory fund" (so called) received by the authorities of New Brunswick, for timber cut on the disputed territory, shall be paid over to the United States, for the use of Maine and Massachusetts, in

full, and a particular account rendered; or a gross sum to be agreed upon by the Commissioners of Maine and Massachusetts shall be paid by Great Britain, as a settlement of that fund; and that all claims, bonds and securities taken for timber cut upon the territory be transferred to the Authorities of Maine and Massachusetts:

2^d That all grants of land, within that portion of the disputed territory conceded to Great Britain, made by Maine and Massachusetts, or either of them, shall be confirmed; and all equitable possessory titles shall be quieted to those who possess the claims; and we assent to a reciprocal provision for the benefit of settlers falling within the limits of Maine. And we trust that the voluntary suggestion of the British Minister, in regard to John Baker and any others, if there be any similarly situated, will be carried into effect, so as to secure their rights:

3^d That the right of free navigation of the St. John, as set forth in the proposition of Mr Webster on the part of the United States, shall extend to, and include, the products of the soil, in the same manner as the products of the forest; and that no toll, tax or duty be levied upon timber coming from the territory of Maine.

The conditions of Maine were also embodied in the treaty text; Article 5 deals with the "Disputed Territory Fund"; by Article 4 grants of land in the disputed territory are confirmed; and the clauses of Article 3 are broad enough to cover the provisions desired by the commissioners of Maine regarding the navigation of the St. John River. The "voluntary suggestion of the British Minister, in regard to John Baker", is referred to below.

A statement of the agreement reached on the northeastern boundary question (Articles 1 and 3-6 of the treaty) was part of the note of Webster of July 27, which set forth the entire boundary settlement (Articles 1-7), with a detailed description of the line "proposed to be agreed to" (Articles 1 and 2). The answering note of Ashburton of July 29 gave his assent; there remained only the drafting of certain of the articles, some of which had been already written (see published correspondence, 58-62).

In the presidential message to the Senate of August 11 the assent of the two States to the boundary clauses was prominently mentioned. That message, which deals with the whole negotiation and which was written by Daniel Webster (*The Writings and Speeches of Daniel Webster*, XII, 21), follows (published correspondence, 19-25):

I have the satisfaction to communicate to the Senate the results of the negotiations recently had in this city with the British minister special and extraordinary.

These results comprise—

1st. A treaty to settle and define the boundaries between the territories of the United States and the possessions of her Britannic Majesty in North America, for the suppression of the African slave-trade, and the surrender of criminals, fugitive from justice, in certain cases.

2d. A correspondence on the subject of the interference of the colonial authorities of the British West Indies with American merchant vessels driven by stress of weather, or carried by violence, into the ports of those colonies.

3d. A correspondence upon the subject of the attack and destruction of the steamboat *Caroline*.

4th. A correspondence on the subject of impressment.

If this treaty shall receive the approbation of the Senate, it will terminate a difference respecting boundary which has long subsisted between the two Governments—has been the subject of several ineffectual attempts at settlement, and has sometimes led to great irritation, not without danger of disturbing the

Crusader for Island in Soviet Union Says The FBI Paid a Visit

Seidenberg Says Two Agents Freed Him After Seeing Journal Story About Him

By ROBERT S. GREENBERGER

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Mark Seidenberg, who has been badgering the U.S. for years to tell him about secret border negotiations with the Soviet Union, finally got some attention. Earlier this week, he says, he was briefly taken into custody by the Federal Bureau of Investigation.

Mr. Seidenberg's crusade—to get the U.S. to reclaim from the Soviets Wrangell Island, which is north of Siberia—was the subject of a front-page story in The Wall Street Journal Monday. Wednesday night, Mr. Seidenberg says, he was visited at his suburban apartment near Washington by two FBI agents, Robert Osgood and Keith Bolcar, who questioned him about a recent letter he had written to the State Department concerning the negotiations.

In the letter, the 40-year-old Agriculture Department bureaucrat said he had information about a meeting last month between State Department officials and Alaskan officials. He wrote that he would publicize the information, which he implied was on a tape, unless the State Department told him it was classified.

An FBI spokeswoman, Barbara Wallace, said the agency won't discuss the activities of its agents or whether an investigation is under way. However, Mr. Seidenberg's attorney, David Nolan, said he spoke to Mr. Osgood's supervisor, who confirmed that the two agents visited Mr. Seidenberg.

At his apartment, says Mr. Seidenberg, he wouldn't answer questions and refused to grant permission for a search because

the agents didn't have a warrant. According to Mr. Seidenberg, the agents then told him they were taking him into custody. They refused Mr. Seidenberg's request to call his attorney; indeed, he says they even refused to let him bring along a Treasury bond that he wanted to use to post bail.

Escorted to the lobby of his building, Mr. Seidenberg gave his attorney's name and telephone number to a receptionist, and asked her to call. But the FBI agents warned her not to. The receptionist, Jeanne Shauklas, confirmed the incident in an interview yesterday.

Standing outside the building near the agents' automobile, Mr. Seidenberg was again questioned, and again refused to respond. After about 10 minutes, Mr. Seidenberg asked if he could put his hands in his pockets because he was cold. Not until his pockets were searched, the agents said. Mr. Seidenberg says the cautious G-men asked if he had any hypodermic needles in his pockets, and when he said he didn't, each agent put one hand in each of Mr. Seidenberg's pockets.

Mr. Seidenberg says the agents made further efforts to question him while he sat in their car. Finally, after one agent had returned from making a telephone call, Mr. Seidenberg was asked why someone from suburban Virginia had such interest in Alaska. "You can read it all in The Wall Street Journal," he says he replied. The agents asked for a copy of the story and, about 90 minutes after they had first arrived, the two accompanied Mr. Seidenberg back to his apartment, obtained a copy of the article and left. Mr. Seidenberg says he asked them if they would be returning with a search warrant and they said they would not.

Mr. Seidenberg believes he is being harassed by the State Department because of his persistent questions about the U.S.-Soviet border talks. However, a U.S. official who didn't want to be named asserts it was Mr. Seidenberg's letter, raising the possibility that the briefing session may have been illegally taped, that prompted the investigation.

Mr. Seidenberg says this isn't the first

time the FBI has contacted him. About a year ago, he claims, the agency called and asked if he would cooperate with a surveillance operation of his neighbors, a Slavic couple the FBI suspected of being Soviet spies. Mr. Seidenberg, who considers himself a staunch anti-communist, agreed to help, but the couple soon moved. Mr. Seidenberg says the FBI official who contacted him at that time identified himself as special agent Tracy.

THE WALL STREET JOURNAL FRIDAY, DECEMBER 11, 1987

Alaska State Legislature

POUCH V
JUNEAU, ALASKA 99811
(907) 465-4453/4530

1 ROOSEVELT DRIVE
JUNEAU, ALASKA 99803
(907) 248-4234



MEMBER
HOUSE RESOURCES COMMITTEE
MEMBER
HOUSE STATE AFFAIRS COMMITTEE

Representative Roger Jenkins

DISTRICT 11

1 IN THE HOUSE

BY JENKINS

2 HOUSE JOINT RESOLUTION NO. 53

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Relating to the United States and Soviet
6 Union boundary dispute and the resources
7 in the area under dispute.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS the Navarin Basin oil and gas lease sale in April 1984, re-
10 sulted in total accepted bids of \$631,200,000, of which \$108,174,000 was
11 for an area claimed by the Soviet Union; and

12 WHEREAS the winning bidders for the 17 tracts in the area claimed by
13 the Soviet Union not only are precluded from exploring for oil and gas in
14 these valuable seabed areas, but their bid deposit money is being held in a
15 suspense account by the U.S. Department of the Interior and is yielding
16 only the U.S. Treasury rate of return; and

17 WHEREAS there are hundreds of American jobs at stake at the drilling
18 sites and at industry support sites; and

19 WHEREAS the question of territorial jurisdiction also has implications
20 for bottom fishery operations for American fishermen; and

21 WHEREAS the normal depiction of lines on the globe are by the arc of a
22 great circle, especially when they involve great distances in the open
23 ocean, such as the 1867 Convention Line marking the boundary between the
24 United States and Russia; and

25 WHEREAS the U.S. Department of State's International Boundary Study
26 #14 ("U.S. - Russia Convention Line of 1867"), which was published in 1965,
27 depicted the 1867 Convention Line by arcs of a great circle; and

28 WHEREAS discussions have been conducted between the U.S. Department of
29 State and the Soviet Government over this issue since 1981, with the latest

round being held in Moscow on July 23 and 24, 1984, with the American delegation led by Davis E. Robinson, the Legal Adviser of the U.S. Department of State; and

WHEREAS Article IV, Sec. 3 of the United States Constitution provides that "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States"; and

WHEREAS the western-most limit to the oil and gas leasing program of the U.S. Department of the Interior for the Outer Continental Shelf in the Bering Sea has been set by the U.S. Department of State at the U.S. - Russia Convention Line of 1867; and

WHEREAS the leasing program involving the 1867 Convention Line in the Bering Sea includes the Navarin Basin and the Norton Basin; and

WHEREAS there are highly significant oil and gas deposits estimated by the U.S. Department of the Interior in these basins; and

WHEREAS these potential hydrocarbon energy deposits are a vital part of the future energy production for the United States and its goal of energy independence; and

WHEREAS the leasing schedule for sales of oil and gas includes the Navarin Basin in April 1984 and March 1986, the St. George Basin in May 1985 and April 1987, and the Norton Basin in December 1985; and

WHEREAS the area is estimated to contain approximately 100,000 tons of sustainable yield of pollock that is presently being fished exclusively by foreign fishing fleets; and

WHEREAS during the announcement of the Navarin Basin's April 1984 sale, the U.S. Department of the Interior revealed that the Soviet Union was claiming part of the Outer Continental Shelf in the Navarin Basin and that the U.S. Department of State was requiring that the proposed oil and gas lease sales in the area claimed by the Soviet Government be held in

1 abeyance, that is, the bids received and retained but the leases not award-
2 ed until the matter is resolved; and

3 WHEREAS the Federal Register announcement described the dispute as
4 follows:

5 "The differing claims relate to differing depictions of the line
6 established by the 1867 Convention Ceding Alaska between the United
7 States and Russia. The United States depicts the 1867 Convention Line
8 as the maritime boundary by arcs of a great circle while the Soviet
9 Union depicts the 1867 Convention Line as rhumb lines."; and

10 WHEREAS the area of the Outer Continental Shelf demanded by the Soviet
11 Union between the arc-of-a-great-circle and the rhumb-line depictions in
12 the Bering Sea amounts to approximately 18,000 square miles; and

13 WHEREAS an agreement to concede this area to the Soviet Union would
14 contribute to the petroleum production and bottom fishery potential of the
15 Soviet Union;

16 BE IT RESOLVED that the Alaska State Legislature finds that it is in
17 the best interests of the United States and of the State of Alaska that the
18 U.S. Department of State not yield to the demands of the Soviet Union to
19 set the western-most Outer Continental Shelf limit of the United States in
20 the Bering Sea by a rhumb-line depiction rather than the arc-of-a-great-
21 circle depiction of the U.S. - Russia Convention Line of 1867; and be it

22 FURTHER RESOLVED that this resolution not be construed as a commentary
23 upon the merits of the use of the U.S. - Russia Convention Line of 1867 as
24 the maritime boundary between the United States and the Soviet Union but be
25 understood as the sentiments of the State of Alaska on the interests of the
26 United States in adhering to the arc-of-a-great-circle depiction in the
27 diplomatic discussions regarding the question; and be it

28 FURTHER RESOLVED the United States Department of State is urged to
29 adopt a firm stance and aggressively pursue a resolution of the Bering Sea

1 Boundary dispute favorable to the interests of the government and the
2 people of the United States.

3 COPIES of this resolution shall be sent to the Honorable Ronald
4 Reagan, President of the United States, to the Honorable George Bush,
5 Vice-President of the United States and President of the U.S. Senate; to
6 the Honorable George Shultz, Secretary of State; to the Honorable Donald
7 Hodel, Secretary of the Interior; and Mr. William Bettenberg, director,
8 Minerals Management Service; to the Honorable John S. Herrington, Secretary
9 of Energy; to the Honorable Malcom Baldrige, Secretary of Commerce; to the
10 Honorable Walter B. Jones, Chairman, House Committee on Merchant Marine and
11 Fisheries; to the Honorable John C. Danforth, Chairman, Senate Committee on
12 Commerce, Science and Transportation; and to the Honorable Ted Stevens and
13 the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young,
14 U.S. Representative, members of the Alaska delegation in Congress.
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

-4-

Co-sponsors of the resolution (HJR53) are:

Hon. Roger Jenkins (R-Anchorage)
Hon. John Binkley (R-Bethel)
Hon. Virginia M. Collins (R-Anchorage)
Hon. Mike Davis (D-Fairbanks)
Hon. Steve Frank (R-Fairbanks)
Hon. Walter R. Furnace (R-Anchorage)
Hon. Max F. Gruenberg Jr. (D-Anchorage)
Hon. Alyce Hanley (R-Anchorage)
Hon. Andre Marrou (L-Homer)
Hon. Mike W. Miller (R-North Pole)
Hon. Drue Pearce (R-Anchorage)
Hon. Marco A. Pignalberi (R-Anchorage)
Hon. John Ringstad (R-Fairbanks)
Hon. Richard Shultz (R-Tok)
Hon. Robin L. Taylor (R-Wrangell)
Hon. Dave Thompson (R-Kodiak)
Hon. Rick Uehling (R-Anchorage)

Introduced: 2/5/87
Referred: State Affairs, Judiciary
and Finance

5-0542A

Passed unanimously by House
and Senate; signed by
Gov. Steve Cowper in May 1988

OTE: Companion House Joint
Resolution 59 introduced
by Representative ~~Wait~~ Furnace

1 IN THE SENATE

BY UEHLING

2

SENATE JOINT RESOLUTION NO. 12

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the determination of the

6

state's boundaries with the Soviet Union

7

and Canada.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

WHEREAS the boundaries of the state are a vital concern of the govern-
ment of the state; and

11

WHEREAS the sovereignty of a state within the federal system of the
United States requires that a state government have complete and
unambiguous jurisdiction over an area determined by well-defined
geographical boundary lines; and

15

WHEREAS, whenever the boundaries of a state are to be altered, the
state has an essential and overriding interest in the determination of the
boundary; and

18

WHEREAS Alaska is unique among the 50 states because it is the only
state with the potential for having boundaries with more than one foreign
country; and

21

WHEREAS boundaries between a foreign country and a state are, and
should be, ~~inter~~terminous with the national boundaries of the United States
and the ~~foreign~~ country; and

24

WHEREAS negotiations are underway between the U.S. Department of State
and the government of the Soviet Union over setting the boundaries between
the United States and the Soviet Union; and

27

WHEREAS at least seven rounds of boundary negotiations between the
United States and the Soviet Union have occurred since 1981; and

29

WHEREAS although the U.S. negotiation delegations have included

1 representatives of various federal agencies, the Department of State has
2 never allowed or offered to invite a representative of the state to join
3 the U.S. delegation to the boundary negotiations or formally solicited the
4 input or advice of the state about the content or strategy of the nego-
5 tiations; and

6 WHEREAS the negotiations involve important economic issues dealing
7 with the petroleum, fishery, and other resources of the state and affecting
8 the welfare and prosperity of the people of the state;

9 BE IT RESOLVED that the Alaska State Legislature petitions the U.S.
10 Department of State to include a representative of the state, appointed by
11 the governor with the consent of the legislature, on all delegations that
12 negotiate the boundaries between the state and the Soviet Union or Canada,
13 including delegations that conduct preparatory deliberations and studies;
14 and be it

15 FURTHER RESOLVED that the Alaska State Legislature respectfully re-
16 quests that the Alaska delegation in Congress intercede on behalf of the
17 state to secure a representative of the state on all boundary delegations
18 that negotiate the boundaries of the state.

19 COPIES of this resolution shall be sent to the Honorable Ronald
20 Reagan, President of the United States; to the Honorable George Bush,
21 Vice-President of the United States and President of the U.S. Senate; to
22 the Honorable Jim Wright, Speaker of the U.S. House of Representatives; to
23 the Honorable George Schultz, Secretary of the U.S. Department of State; an
24 to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Sena-
25 tors, and the Honorable Don Young, U.S. Representative, members of the
26 Alaska delegation in Congress.

Introduced: 2/4/88
Referred: State Affairs

5-1777A

Passed State Senate on vote of
18-0 (2 absent) on Feb. 24, 1988.

1 IN THE SENATE

BY FISCHER

2

SENATE JOINT RESOLUTION NO. 61

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

Requesting the Government of the United

6

States to reassert jurisdiction over

7

Wrangel Island, Herald Island, Henrietta

8

Island, Jeannette Island, and Bennett

9

Island together with the surrounding

10

outer continental shelf within the

11

American waters of the Chukchi Sea and

12

the East Siberian Seas and to pay the

13

State of Alaska compensation for damages

14

from their loss.

15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

16

WHEREAS Alaskans and other Americans remain justifiably grateful for
17 the fortitude shown by Captain Thomas Long and the crew of the whaling bark
18 "NILE" from New London, Connecticut who, on August 14, 1867, were the first
19 to confirm the existence of a 1,740 square mile island in the Chukchi Sea;
20 and

21

WHEREAS Wrangel Island, named by Captain Long after the former gover-
22 nor of Russian Alaska Baron Ferdinand Petrovich von Wrangel, is located
23 some 270 miles northwest of Cape Lisburne, Alaska and is larger than the
24 State of Rhode Island; and

25

WHEREAS Captain Long was the first to sight and to describe Wrangel
26 Island, and the first recorded landing on the island occurred August 12,
27 1881, when Captain Calvin L. Hooper, commander of the Bering Sea Patrol, a
28 division of the U.S. Treasury Department and as such, the de facto governor
29 of Alaska, landed at Clark River on the eastern coast of Wrangel Island



1 and, with his fellow officers and John Muir (who later founded the Sierra
2 Club) raised the American flag and took possession of the island in the
3 name of the United States; and

4 WHEREAS Captain Hooper was engaged in a Congressionally sponsored
5 effort to rescue the "JEANNETTE," a vessel engaged in Arctic research that
6 was locked in ice floes and subsequently lost and therefore Captain Hooper
7 had the authority to claim Wrangel Island for the United States; and

8 WHEREAS Wrangel Island became a part of the United States by right of
9 confirmed discovery and first possession and, later, a permanent settle-
10 ment; and

11 WHEREAS Wrangel Island and its nearby satellite island Herald Island
12 were placed by the United States Coast and Geodetic Service within the
13 District and later Territory and State of Alaska in publications from 1900
14 through 1977; and

15 WHEREAS the De Long Islands of Henrietta, Jeannette, and Bennett were
16 first discovered in the East Siberian Sea and were claimed and named by
17 U.S. Navy Commander George W. De Long during his 1879 - 1881 expedition
18 into the Arctic where the commander and his crew died when their ship, the
19 "JEANNETTE," was crushed and sunk by ice floes; and

20 WHEREAS the first permanent settlement on Wrangel Island occurred when
21 the American ship "SILVER WAVE" landed a party on the island on
22 September 15, 1921, and raised the American flag over the island under the
23 direction of Captain Jack Hammer; and

24 WHEREAS the party from the "SILVER WAVE" landed with provisions for
25 only six months as they stated that they planned to sustain themselves by
26 hunting; and

27 WHEREAS the relief vessel in 1922 was blocked by ice floes; and

28 WHEREAS when the relief vessel "DONALDSON" arrived on August 23, 1923,
29 the only survivor of the 1921 expedition was an Eskimo seamstress named Ada

1 "Blackjack" Johnson, who died just a few years ago in Alaska; and
2 WHEREAS a new party led by Charles Wells of Uniontown, Pennsylvania
3 continued settlement on Wrangel Island; and
4 WHEREAS on May 13, 1924, Secretary of State Charles Evans Hughes
5 stated that the American Lomen Brothers were the proprietary owners of
6 Wrangel Island; and
7 WHEREAS on August 20, 1924, an armed party from the Soviet gunboat
8 "RED OCTOBER" landed on Wrangel Island, took Wells and the other Americans
9 by force, and told them that they were being returned to Alaska; and
10 WHEREAS notwithstanding their promises, they took the Americans to
11 Vladivostok and confiscated the pelts that the American trappers had accu-
12 mulated during the 12 bitter months on the island; and
13 WHEREAS the Americans who survived their ordeal in Vladivostok were
14 released following the intervention of the American consul at Harbin,
15 Manchuria but Charles Wells and two residents of Alaska died while detained
16 by the Soviet government; and
17 WHEREAS the residents of Alaska who survived their ordeal in Soviet
18 Siberia were all from Golovin Bay, Alaska and they survived notwithstanding
19 the severe physical and emotional trauma resulting from the assault, kid-
20 napping, false imprisonment, theft of property together with other vio-
21 lations of American and Alaska law by the agents of the Soviet regime; and
22 WHEREAS after seizing Wrangel Island, the Soviet government proceeded
23 to seize ~~more~~ American soil by occupying the nearby and defenseless Herald
24 Island; and
25 WHEREAS the Soviet government subsequently asserted a spurious claim
26 to the American De Long Islands of Henrietta, Jeannette, and Bennett; and
27 WHEREAS these illegal acts by the Soviet government interrupted 57
28 years of peaceful use of these islands by American seamen, herders, and
29 hunters; and



1 WHEREAS the Soviet occupation of what they refer to as Ostrova De Long
2 is an affront to all Americans, is an insult to the memory of their brave
3 discoverer, and a source of embarrassment to the United States Navy, which
4 memorializes his memory at the Naval Academy in Annapolis; and

5 WHEREAS the soil of all five of these American islands and their
6 surrounding continental shelf has been held by military force in contra-
7 vention of international law and by conduct that is contrary to what is
8 recognized as proper by civilized nations; and

9 WHEREAS the Soviet government has typified its uncivilized conduct by
10 establishing forced labor camps on Wrangel Island as reported in testimony
11 before the U.S. Senate Judiciary Committee in January 1973; and

12 WHEREAS it has been reported that Wrangel Island was the last known
13 place of imprisonment of Raoul Wallenberg, the Swedish Consul in Budapest,
14 Hungary at the end of World War II who was arrested by Soviet forces and
15 who was responsible for saving the lives of thousands of European Jews from
16 the Nazi Holocaust; and

17 WHEREAS this conduct on American soil has continued in defiance of
18 American law as well as in defiance of the international rules of conduct
19 resulting from the Nuremberg war crime trials after World War II; and

20 WHEREAS the continuing trespass by the Soviet government deprives the
21 State of Alaska and its people of their fundamental right to use the is-
22 lands of Wrangel, Herald, Henrietta, Jeannette, and Bennett together with
23 the surrounding continental shelf and its valuable resources; and

24 WHEREAS unlike the governments of Canada and Great Britain, the United
25 States has never surrendered its claims of sovereignty over these islands;
26 and

27 WHEREAS the State of Alaska does not believe that agreements between
28 the United States and the Soviet Union, whether they be secret or other-
29 wise, can affect American claims to these islands until they have been

1 ratified by the United States Senate;

2 BE IT RESOLVED by the Alaska State Legislature that the Government of
3 the United States assert and reassert American sovereignty over Wrangel
4 Island, Herald Island, and the De Long Islands of Henrietta, Jeannette, and
5 Bennett, their resources, and their territorial shelf in behalf of the
6 American people; and be it

7 FURTHER RESOLVED that the Government of the United States make satis-
8 factory compensation and restitution to the State of Alaska and its people
9 for the loss of this territory resulting from the neglect of the United
10 States Government to protect American lives and property when the lands
11 were seized in 1924; and be it

12 FURTHER RESOLVED that the State of Alaska asserts and reasserts its
13 claim to Wrangel Island, Herald Island, and the De Long Islands of
14 Henrietta, Jeannette, and Bennett and their surrounding continental shelf
15 as an integral part of the State of Alaska; and be it

16 FURTHER RESOLVED the Governor of the State of Alaska is requested to
17 initiate appropriate legal claims for relief before the U.S. Foreign Claims
18 Settlement Commission, the U.S. Court of Claims or other legal forums of
19 the United States as may be appropriate.

20 COPIES of this resolution shall be sent to the Honorable Ronald
21 Reagan, President of the United States; to the Honorable George P. Shultz,
22 Secretary of State; to the Honorable George Bush, Vice-President of the
23 United States and President of the U.S. Senate; the Honorable Jim Wright,
24 Speaker of the U.S. House of Representatives; and to the Honorable Ted
25 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable
26 Don Young, U.S. Representative, members of the Alaska delegation in Con-
27 gress.

Assembly Joint Resolution No. 37

RESOLUTION CHAPTER 122

Assembly Joint Resolution No. 37—Relative to the boundaries of Alaska.

Adopted September 10, 1987

[Filed with Secretary of State September 17, 1987.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 37, La Follette. Alaska boundary negotiations.

This measure would state the Legislature's support for the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union or Canada. It would memorialize the President and Congress of the United States to ensure that any terms and conditions of any boundary agreement with respect to Alaska's boundaries is consented to by the State of Alaska and that the agreement is drafted in the form of a treaty for ratification by the United States Senate.

WHEREAS, The boundaries of the State of Alaska are of vital concern to the state government of Alaska; and

WHEREAS, The essence of sovereignty of a state within America's federal system requires that a state government have complete and unambiguous jurisdiction over well-defined geographical boundary lines; and

WHEREAS, Any time that boundaries of a state are to be altered in any way, that state has an essential and overriding interest in the determination of the boundary; and

WHEREAS, Alaska is unique among all American states in that it is the only state with the potential for having boundaries with more than one foreign country (i.e. Canada and the Soviet Union); and

WHEREAS, Boundaries with foreign countries and a state are, and ought to be, coterminous with America's national boundaries with those foreign countries; and

WHEREAS, Negotiations are underway between the United States Department of State and the government of the Soviet Union over setting boundaries between the United States and the Soviet Union, and there have been at least seven rounds of negotiations on this issue since 1981; and

WHEREAS, The economic issues of petroleum, fishery, and other valuable resources have great impact on Alaska's welfare and prosperity; and

WHEREAS, At no time has the United States Department of State allowed, or even offered to invite, a representative of the state government of Alaska to be on any negotiating delegation, nor has it formally solicited the input or advice of the state government of Alaska over the content or form of these negotiations; and

WHEREAS, These negotiating delegations, which the United States Department of State has assembled, have included representatives of various other agencies of the federal government; and

WHEREAS, It is settled procedure for negotiation of boundaries that representatives of any affected state not only must be included in the negotiations, but also must consent to the proposed terms of the boundary treaty (such as was the case when Secretary of State Daniel Webster negotiated with Great Britain in 1842 over the boundary between Canada and the State of Maine); and

WHEREAS, A usurpation of one state's rights and sovereignty is an attack on the entire federal system of the United States of America; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California supports the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union or Canada; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to ensure that any terms and conditions of any boundary agreement with respect to Alaska's boundaries are consented to by the State of Alaska, and that any such boundary agreement is drafted in the form of a treaty for ratification by the United States Senate; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Governor of Alaska.

Introduced by Senator Rogers

May 2, 1991

Senate Joint Resolution No. 20—Relative to the boundaries of Alaska.

LEGISLATIVE COUNSEL'S OFFICE

SJR 20, as introduced, ~~Relative to the boundaries of Alaska~~ Alaska boundary negotiations.

This measure would state the Legislative support for the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union. The measure would memorialize the President to withdraw from the United States Senate the proposed boundary treaty between the United States and the Soviet Union and request the California United States Senators to decline to consider the proposed treaty until the State of Alaska has been allowed to participate in the treaty negotiations and has been guaranteed that its consent will be required for the agreement

Fiscal committee no

WHEREAS, Every state has a compelling constitutional interest in determining its own boundaries with other states and foreign countries; and

WHEREAS, The State of Alaska's boundary with the Soviet Union has been the subject of negotiations between the United States government and the Soviet government since 1981; and

WHEREAS, The State of Alaska has never been permitted to participate in the negotiations carried on by the Department of State; and

WHEREAS, The Alaska Legislature has vigorously protested this exclusion in the form of Senate Joint

Resolution 12, which was passed unanimously by both houses and signed by Governor Steve Cowper in May 1988; and

WHEREAS, The Department of State ignored these protests, and its negotiations have resulted in a proposed treaty titled "Agreement with the Union of Soviet Socialist Republics on the Maritime Boundary," which is now before the United States Senate for ratification; and

WHEREAS, The California Legislature previously expressed its support for the State of Alaska for its right to participate in any negotiations affecting its boundaries in the form of Resolution Chapter 122 of the Statutes of 1987; and

WHEREAS, It is settled procedure with respect to negotiations of state boundaries that representatives of any affected state not only must be included in the negotiations, but also must consent to the terms of the proposed boundary treaty (such as was the case when Secretary of State Daniel Webster negotiated with Great Britain over the boundary between Canada and the State of Maine in 1842); now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly: That the California Legislature renews its support for the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union; and be it further

Resolved, That the California Legislature (1) respectfully memorializes the President of the United States to withdraw the proposed treaty from consideration by the United States Senate and (2) requests the California United States Senators to decline to consider the proposed treaty, until such time as the State of Alaska has been able to participate fully in negotiations and has been guaranteed that its consent will be required for any agreement affecting its boundaries; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Governor of Alaska, to the President of the Alaska Senate, and to the Speaker of the Alaska House of Representatives.

the sponsor of
this resolution:

Sen. Don Rogers
State Capitol
Sacramento, Calif.
95814
916-445-6637

GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 88

Session of
1991

INTRODUCED BY HASAY, CAPPABIANCA AND SERAFINI, APRIL 16, 1991

REFERRED TO COMMITTEE ON RULES, APRIL 16, 1991

A RESOLUTION

Memorializing the President of the United States and the Department of State to recognize Alaska's interest in the boundary negotiations between the United States and the Soviet Union and to include Alaska in the negotiating process at the proper time, recognizing Alaska's inherent interest in these negotiations.

WHEREAS, Negotiations are underway and have continued since 1981 between the United States Department of State and the government of the Soviet Union in an effort to determine the status of five strategic Alaskan arctic islands and an immense outer continental shelf; and

WHEREAS, The economic issues of petroleum, fishery and other valuable resources will have great impact on Alaska's welfare and prosperity; and

WHEREAS, Among all American states, Alaska is unique in that it is the only state that shares its boundaries with more than one foreign country; and

WHEREAS, Its boundaries are of vital importance to Alaska's State Government and the sovereignty of the United States; and

WHEREAS, Alaska has, to date, not been included in any of the negotiations between the United States and the Soviet Union; and

WHEREAS, Article II, section 2(2) of the United States Constitution which states: "He (the President) shall have Power, by and with the Advice and Consent of the Senate to make Treaties, provided two-thirds of the Senators present concur..." makes the President the official responsible for international agreements and treaties with the Senate's consent with no implied or stated right of any state to be included in or consent to the terms of any boundary dispute; and

WHEREAS, During 1842, the United States Secretary of State Daniel Webster negotiated with Lord Ashburton, the British envoy, over a disputed boundary along the border between Canada and the states of Maine and Massachusetts; a dispute which began at the close of the American Revolution and continued for 60 years bringing the two countries to the brink of war; and

WHEREAS, Secretary of State Webster, knowing that treaties require approval by two-thirds of the Senators present and subsequent ratification by the President, did, in an attempt to gain support in the Senate for the treaty and with President Tyler's approval, propose to Lord Ashburton that commissioners from the two states be asked to participate in the negotiations. With Lord Ashburton's consent, four commissioners from Maine and three from Massachusetts were appointed to join the negotiations. Webster thereby established a precedent which would allow inclusion of states in future boundary negotiations when necessary; therefore be it

RESOLVED, That the President of the United States and the Department of State take the example set by Secretary of State Daniel Webster in negotiating the Webster-Ashburton Treaty of 1842 by including Alaska, at the earliest appropriate time in their ongoing boundary negotiation, thereby recognizing Alaska's inherent interests in the establishment of this boundary; and be it further

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President of the United States and the Department of State to recognize Alaska's interest in the boundary negotiations between the United States and the Soviet Union and to include Alaska in the negotiating process at the proper time; and be it further

RESOLVED, That copies of this resolution be transmitted to the President of the United States, the Secretary of State, the Vice President of the United States as the presiding officer of the Senate, to each member of the Senate and to the Governor of Alaska.

the sponsor of this resolution:

Rep. George C. Hasay
State Capitol Building
Harrisburg, Penn. 17120
717-797-1117

Senator Gary Suhadolnik
State House
Columbus, Ohio 43266
614-466-8056

118TH GENERAL ASSEMBLY
Regular Session
1989 - 1990

S. J. R. No. /

MR. SUHADOLNIK

RESOLUTION

Supporting the State of Alaska in its rightful position
of participation in any negotiations involving its boundaries
with the Soviet Union or Canada.

WHEREAS, The members of the 118th General Assembly of Ohio wish to
proclaim our support of the State of Alaska in its rightful position of
participation in any boundary negotiations involving its boundaries with
the Soviet Union or Canada; and

WHEREAS, Negotiations are currently underway between the United
States State Department and the Soviet Union to determine the status of
e strategic Alaskan Arctic islands and an immense outercontinental
shelf. Although the transfer of these lands and vast, oil-rich seabeds
would have a direct impact on the economic issues of petroleum, fishery,
and other valuable resources concerning Alaska's welfare and prosperity,
Alaska has not been present or even invited to any of at least eight
rounds of negotiations between the United States and the Soviet Union
which have taken place since 1981. This systematic exclusion of Alaska
from crucial boundary negotiations is a clear violation of America's
policy of state sovereignty, in which state governments have complete
and unambiguous jurisdiction over well-defined geographical boundary
lines of that state; and

WHEREAS, Among all American states, Alaska is unique in that it is
only state that shared boundaries with more than one foreign
country. Its boundaries are of vital importance to Alaska's state

governments, and the current exclusion of Alaska from boundary negotiations with the Soviet Union is a deliberate infringement upon Alaska's sovereignty. It is settled procedure that a state government only be involved in any negotiations that would affect its boundaries, but also give its express consent to the proposed terms of the boundary treaty, as was the case in 1842 when Secretary of State Daniel Webster negotiated with Great Britain over the boundary between Canada and the State of Maine; and

WHEREAS, The transfer of land between the United States and another country as well as the establishment of national boundaries must be provided for by a treaty signed by the President and ratified by Congress, in addition to being approved by the state or states which such negotiations would affect. Thus, the denial of Alaska's rights and sovereignty by the United States Department of State is not only an affront to the state government of Alaska, but is also an attack on the entire federal system of the United States of America; therefore be it

RESOLVED, That we, the members of the 118th General Assembly of Ohio, in adopting this Resolution, give our utmost support to the State of Alaska in its efforts to be rightfully represented at any boundary negotiations with the Soviet Union, and urge the President and Congress of the United States to ensure that the terms and conditions of any boundary agreement concerning Alaska are consented to by the State of Alaska and are drafted in the form of a treaty for ratification by the United States Senate; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this Resolution to the President and Vice President of the United States, to the Speaker of the House of Representative, to the Governor of Alaska, and to the news media of Ohio.

This International Boundary Study is one of a series of specific boundary papers prepared in the Office of the Geographer, Department of State, in accordance with provisions of Bureau of the Budget Circular No. A-16, Exhibit D.

Government agencies may obtain additional information and copies of the study by calling the Office of the Geographer, Room 8744, State Department Building, Department of State, Washington 25, D.C. (telephone: Code 182, Extension 4507).

INTERNATIONAL BOUNDARY STUDY

No. 14 (Revised)

Oct. 1, 1965

U.S. - RUSSIA CONVENTION LINE OF 1867

TABLE OF CONTENTS

	<u>Page</u>
Boundary map	11
I. U.S. - Russia Convention Line of 1867 . .	1
II. Treaty.	1
III. Summary	2



The Geographer
Office of Research in Economics and Science
Bureau of Intelligence and Research

U.S. - RUSSIA CONVENTION LINE OF 1867

Rather than a boundary per se, this report concerns a convention line which ordinarily appears on official maps in the same manner as a boundary. According to Boggs^{1/} "Most lines in water areas which are defined in treaties are not boundaries between waters under the jurisdiction of the contracting parties, but a cartographic device to simplify description of the land areas involved ...". He further describes such a line being a "line of allocation" of land. For example, all land areas to the east of the Convention line in question belong to the United States; to the west to the U.S.S.R. without regard to the water areas involved.

Early in 1955, a group of U.S. cartographic experts in the ACC/MAP^{2/}, after a rather long period of consultation and deliberation, issued the "Coordinate Positions for the Plot of U.S. - Russia Convention of 1867." This document, which is reproduced in part below, has been adopted as the standard description for the cartographic representation of the Convention line. Its re-issue in this series results from the large number of questions on the line which have been raised in recent months from offices unfamiliar with the original document.

II. TREATY

The only treaty establishing a so-called "boundary" between the United States and the modern Union of Soviet Socialist Republics is the Convention Ceding Alaska concluded March 30, 1867 with ratification advised by the Senate on April 9, 1867 and proclaimed by the President on June 30, 1867. The Convention line, as given below, marks the limit, to the east of which, the Emperor of Russia ceded all territory or claims to territory in North America. The 1867 Convention's territorial article on the western limits of the Alaskan cession reads as follows:

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen Ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly

^{1/} Boggs, S.W., "Delimitation of Seaward Areas under National Jurisdiction," American Journal of International Law, Vol. 45, No. 2 April 1951, footnote 2, page 240.

^{2/} The Map Sub-Committee of the Air Coordinating Committee.

direction, so as to pass midway between the island of Attou and the Copper Island of the Kormandorski couplet or group, in the North Pacific Ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

In the Convention, 193° West Longitude coincides, of course, with 167° East Longitude. The modern names for selected places mentioned in the Convention are as follows:

<u>Convention Name</u>	<u>Modern Name</u>
Krusenstern or Ignalook	Little Diomedé Island
Ratmanoff or Noonarbook	Big Diomedé Island or Ostrov Ratmanova
Frozen Ocean	Arctic Sea
Cape Choukotski	Mys Chukotskiy
Attou Island	Attu Island
Copper	Ostrov Mednyy
Kormandorski couplet	Komandorskiye Ostrova

III. SUMMARY

The wording of the Convention is rather precise. The principal question left unsolved is whether the lines between the fixed points should cartographically be expressed as "rhumb lines" or as "great circle lines". It was decided that great circle lines should be understood by the Convention wording of "straight lines" on the earth and the ACC/MAP group resolved:

"The lines between points herein described are great circles except those lines which connect adjoining points on the same parallel shall follow the parallel."^{3/}

The Coordinate Positions for the Plot were listed as follows:

Coordinate Positions for Plot of U.S.- Russia Convention Line of 1867

<u>POINT</u>	<u>POSITION</u>	
	<u>Latitude</u>	<u>Longitude</u>
Mys (Cape) Chukotski, southeast extremity	64° 14'.2 N	173° 05'.5 W
St. Lawrence Island, northwest extremity	63° 47'.3 N	171° 45'.8 W
Medny (Copper Island) eastern extremity	54° 32'.2 N	168° 00' E
Attu Island, western extremity	52° 55'.3 N	172° 26'.8 E

^{3/} The actual wording applied to ADIZ boundaries in the vicinity of the Convention line. The significant point is made first and applied to the Convention line.

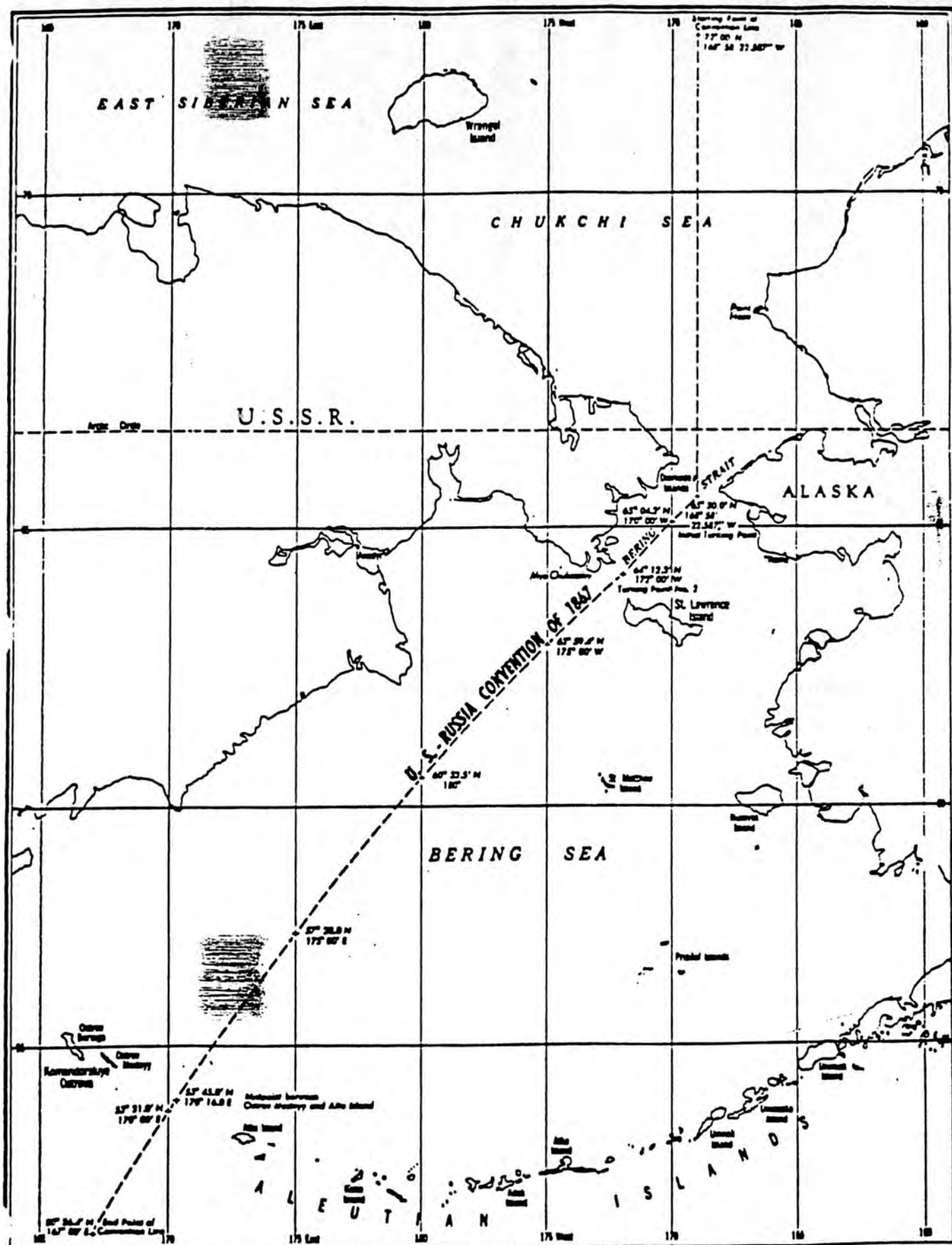
<u>POINT</u>	<u>POSITION</u>	
	<u>Latitude</u>	<u>Longitude</u>
Initial Turning Point	65° 30'.0 N	168° 58' 22".587 W ^{4/}
Turning Point No. 2	64° 12'.3 N	172° 00' W
Mid Point between Medny and Attu Island	53° 45'.0 N	170° 16'.0 E
End Point, southwestern ex- tremity of Convention line	50° 36'.4 N	167° 00' E
5° increments of longitude along great circle arcs	65° 04'.2 N	170° 00' W
	62° 59'.4 N	175° 00' W
	60° 33'.5 N	180°
	57° 28'.0 N	175° 00' E
	53° 31.0 N	170° 00' E
Starting point of Convention Line	72° 00' N	168° 58' 22".587 W

It should be noted that the original Convention language stated that the line "proceeds thence due north, without limitation, into the same Frozen Ocean". Since the United States does not support so-called "sector claims" in the polar regions, the northernmost point for the representation of the Convention line was agreed to be 72° 00' N. Furthermore, in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used. Furthermore, labeling of the line as "U.S. - Russia Convention of 1867" is recommended.

The plotted points, it should be remembered, are subject to minor modification resulting from improved surveys, changes in datum, alteration in the spheroid, etc.

^{4/} This value was given erroneously in the distributed ACC/MAP minutes as 168° 50' 22".587 W. and copied in the original edition of this study instead of the correct value, 168° 58' 22".587 W.

U.S. - RUSSIA CONVENTION OF 1867



48TH CONGRESS, }
1st Session. }

SENATE.

{ Ex. Doc.
{ No. 204.

REPORT

OF THE

CRUISE OF THE U. S. REVENUE STEAMER

THOMAS CORWIN,

IN THE

ARCTIC OCEAN,

1881.

BY

CAPTAIN C. L. HOOPER, U. S. R. M.,
COMMANDING.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1884.

of difficulty. Inside of the 10 fathom curve we found much of the ice aground, while the floating portion was drifting past and occasionally shooting up over the top of the grounded pieces. Navigation under such circumstances was anything but safe or agreeable. However, we felt that the land was certainly within reach, and thought of nothing but pushing ahead. At 7.30 we reached the open space and dropped anchor within a cable's length of the land in 5 fathoms of water. We immediately landed and, raising the American flag, took possession in the name of the United States of America. We landed at the mouth of a river, which at this time was about 75 yards in width, although the entire distance between its banks was about 200 yards. The cliffs in the vicinity of our landing place were of a dark slate formation, and from 100 to 300 feet high. On the beach small pieces of sandstone, quartz, and mica schist were found. The surface of the land where the slate has weathered away is composed of sticky clay, and is but sparsely covered with vegetation. As observed from the ship, while cruising in the vicinity and also from the shore, it presents the general appearance of smoothly-rounded hills, which, towards the interior and near the south side, are from 1,000 to 3,000 feet in height. The upper portion of the higher hills appeared more rugged in outline, as if composed of more enduring material, probably granite. These summits resemble those seen on the Siberian coast in the vicinity of Plover Bay, being entirely destitute of vegetation, with occasional red patches probably indicating the presence of iron. Those near the coast are remarkable for the smoothness and beauty of their outlines, and present here and there patches of green or gray, according to the nature of the vegetation. On the beach near the mouth of the river we found a kayak paddle, a cask-stave, a piece of small spar, probably part of a boat's mast, and a piece of board about a foot in length bearing ax-marks. All these things were below the marks of extreme high water, and were undoubtedly brought there by the current. Although the beach showed undoubtedly signs of a rise and fall of tide, no tidal change could be detected, probably owing to the fresh southerly wind which was blowing. The presence of this drift matter on the beach would seem to indicate that the east coast of Wrangel Island was at times entirely free from ice, though it does not necessarily follow, as it could easily have been carried through the pack to the shore by the constant twisting and turning to which it is at all times subject. I believe that it is a very unusual thing for the ice to leave any portion of Wrangel Island entirely. Our stay on shore was necessarily short on account of the strong northerly current, which was sweeping the ice-pack along with irresistible force. Much of the ice inside of 10 fathoms, as stated, was aground, but not sufficiently firm to form any protection from the drifting mass, the largest pieces of which were constantly being pushed and turned in every direction when struck by the drift, and the utmost vigilance was required to avoid getting caught between the drifting and grounded masses. At 9.30 a. m., being unable to maintain our position any longer, a gun was fired to recall the parties sent out to explore the cliffs in search of cairns or other signs of human life, and we began to work out towards the lead, which we reached at 11 a. m. We left the American flag flying and also a record of our visit. We had good observations during the day, and found our landing-place to be in latitude $71^{\circ} 04'$ north and longitude $177^{\circ} 40'$ west. This is undoubtedly the part of the land seen by Captain Kellett, R. N., in 1849, when he discovered and landed on Herald Island, and which since appeared on the British Admiralty charts as Plover Island, although erroneously laid down somewhat further to the eastward. We now know that Plover Island has no separate existence, and that what Kellett saw was the main island. As there is no record of any one else having seen the land previous to this date, or in fact until several years after, when, in 1876, it was seen by nearly the entire whaling fleet, all must accord to Captain Kellett the honor of its discovery.

While steaming through the ice, in our several attempts to reach the land, a number of species of sea-fowl were seen from time to time, and carefully noted by Mr. Nelson. Among these the most numerous were the murre and guillemots (*Uria-arra* and *Uria-grylle*), with numerous kittiwake gulls (*Larus tridactylus* Kotzebue) and the common ice gull (*Larus glaucus*). More rarely single individuals of the Sabine's gull (*Xema Sabinei*) came circling about the ship. Numerous small flocks of black-headed turnstones (*Streptopelia melanocephala*) were seen near shore, and two parties of common eider ducks (*Somateria nigra*). In both instances the latter were females with their young. The second brood of eiders was seen swimming close along the shore and away from the mouth of the river as we made our landing. On shore we found numerous snow-buntings (*Plectrophanes nivalis*) and a snowy owl (*Nyctea nirea*), which, with a shrike picked up dead on the

beach and a solitary golden plover (*Charadrius fulvus*), complete the short list of land birds seen. At a number of places on the hillsides we found the droppings of wild geese so numerous that it is evident this place must have been a common resort for flocks of these birds earlier in the season. Their absence at the time of our landing is easily accounted for by the fact this was the time when the geese shed their large wing feathers and lose the power of flight. As this season comes on they congregate in large flocks in low marshy land and remain until their new growth of feathers enables them to spread over the country again a month or six weeks later.

Saddle-backs and hair-seals were rather common among the ice, and in addition there was a small species of hair seal unknown upon the American coast and perhaps new to science. Walrus were not rare on the outer edge of the pack, and their foe, the polar bear, was seen almost every time we entered the ice; on several occasions it was seen swimming in the water several miles from the pack. Upon the hilltops on shore were found numerous burrows of some animal, probably white fox (*Canis lagopus*), as some tracks of that animal were found mingled with those of the polar bear in the mud along the banks of the river. Stranded on the sand-bar at the mouth of the river lay the skeleton of a whale (*Balaena mysticetus*), which closes the list of mammals observed.

Numerous small fish, from two to four inches long, and having large heads, were brought to the surface by rolling masses of ice as it was turned over by contact with the vessel in her passage through it. These are called by the whalers ice-fish. No specimens were obtained, unfortunately.

The following plants we collected: Grasses, three varieties; dwarf willow, phlox, saxifrage, sibbaldia, draba, potentilla, anemone, papaver, veronica, artemisia, carex, stellaria, three; mosses, three; lichens, five; and four compositae. In many places where the snow remained in the ravines and in banks against the steep cliffs, it presents the peculiar reddish color caused by the presence of *Protococcus nivalis*, commonly called red snow. This is a minute plant with which the surface of the snow is often covered in high latitudes. It was seen and its appearance described by Sir John Ross in 1818, and by Sir Edward Parry in 1827, but its true character was not understood until many years later, when it became known as a vegetable growth.

Upon taking possession of this land in the name of the United States, the name New Columbia was provisionally given to it. The provision being the approval and concurrence of that portion of the Government having the authority to issue charts, &c., the decision of that body was adverse to my suggestion, and by its action I cheerfully abide not only on account of its undoubted right to decide according to its own judgment in this and all other matters over which it has jurisdiction, but because the size of the island, as now known, does not justify the bestowal of a name of this character, the name of one of the early Arctic navigators being much more appropriate. At the time I suggested the change of name I believed the land to be an island and had so reported it to the Department, but I supposed it to be considerably larger than it has proved. In the report of my first cruise in the Corwin, submitted November 1, 1881, page 50, I say, in reference to this land:

The part of Wrangel Land which we saw covered an arc of the horizon of about fifty degrees from northwest quarter north to west quarter south (true), and was distant from 25 miles on the former bearing to 35 or 40 on the latter. On the south were three mountains, probably 3,000 feet high, entirely covered with snow, the central one presenting a conical appearance, the others showing slightly rounded tops. Northward of these mountains was a chain of rounded hills, those nearest the sea being lower and nearly free from snow, while the back hills, which probably reach an elevation of 2,000 feet, were quite white; to the north of the northern bearing given the land ends entirely or becomes very low. The atmosphere was very clear, and we could easily have seen any land above the horizon within a distance of 60 or 70 miles, but none except that described could be seen from the mast-head.

Again, on page 52, I say:

I am of the opinion that Wrangel Land is a large island, probably one of a chain that passes entirely through the polar regions to Greenland; that there is other land to the north there can be no doubt. Large numbers of geese and other aquatic birds pass Point Barrow going north in the spring, and returning in August and September with their young. As it is well known that these birds breed only on land, this fact must be regarded as proof of the existence of land in the north. Another reason for supposing that there is either a continent or a chain of islands passing through the polar regions is the fact that, notwithstanding the vast amount of heat diffused by the warm current passing through Bering Straits, the icy barrier is from six to eight degrees farther south on this side than on the land side of the Arctic Ocean, where the temperature is much lower.

OCCASIONAL PAPERS
OF THE
**CALIFORNIA
ACADEMY OF SCIENCES**
No. XXIV

**The Discovery of
Wrangel Island**

By **SAMUEL L. HOOPER**

COMMITTEE ON PUBLICATION
DR. ROBERT C. MUIR, Chairman
DR. THOMAS F. PARNELL, DR. EDWARD L. KIDDER, Editor

SAN FRANCISCO
PUBLISHED BY THE ACADEMY • 1956

26 CALIFORNIA ACADEMY OF SCIENCES [Occ. Papers]

the land, I felt relieved to be in clear water, and did not despair of ultimate success."

The movement of the ice due to the set of the currents made it necessary to change positions several times during the night. At 4:30 a.m. the *Corwin* again entered the ice and this time with all preparations made to reach the land by crossing the ice if necessary, using the sledges and taking along the skin boat for crossing any open leads that might be encountered. However, as they fought their way closer to the land ice conditions improved. Inside the ten-fathom curve they found much of the ice aground while the floating portion was drifting past and occasionally shooting up over the top of the grounded pieces. Navigation under these conditions was neither comfortable nor safe, but they all felt that the land was now actually within reach and they pushed on. The captain's notes for that important day (see figure 3) read:

Friday, August 12, 1881. Lat. 71-04 Long. 177-40 off Wrangle (sic.) Land. Got under way at 4:00 a.m. and steamed in toward the end of the lead and into the ice at 7:00 a.m. After a good deal of bumping and squeezing we reached the land and anchored in a small open space off the mouth of a small river. Went on shore and took possession in the name of the U.S.

This landing unquestionably established a valid claim to the area on the part of the United States. Muir in his text says, "A notable addition was made to the national domain when Captain [Alvin L. Hooper] landed on Wrangel Land and took formal possession in the name of the United States." Later the great Arctic explorer Vilhjalmur Stefansson in his book, *The Adventure of Wrangel Island*, describing an expedition undertaken in 1921 wrote, "... following 1881 ... the island was United States territory."

Many years later the Soviet claimed that Lieutenant Wrangel had actually discovered the island but unfortunately for their claim, Wrangel himself in his book, *The Narrative of a Voyage to the Polar Seas in the Years 1821, 1822, and 1823*, which was written long enough after his experiences so that he had plenty of time to make any changes or corrections, wrote "with a painful feeling of the impossibility of overcoming the obstacles with which nature had opposed us, our last hope vanished of discovering the land which we yet believe to exist ... we had done what duty and honor demanded, further attempts would have been absolutely hopeless and I decided to return." Wrangel located on his chart "from native report" the land which "we believe to exist" but he placed it some distance west of where it actually turned out to be located.

No. 24] HOOPER: DISCOVERY OF WRANGLE ISLAND

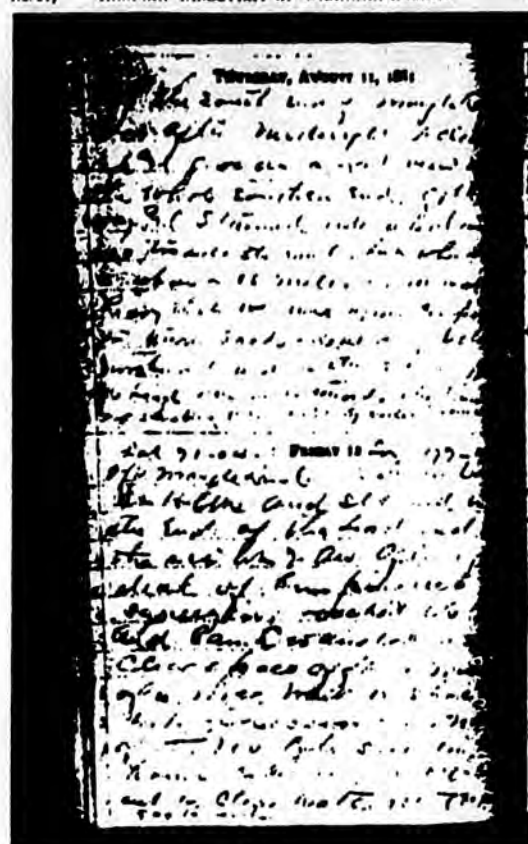


Figure 3. The original account of the discovery of Wrangle Island in the captain's own handwriting. This entry in his diary was written at the scene on the very day of the landing.

No. 24] HOOPER: DISCOVERY OF WRANGLE ISLAND

25

As soon as the official shore party had completed the formalities of discovery, a careful search was made along the shore in each direction for evidences of a landing of any kind. After several hours of searching it became impossible to remain at anchor any longer and a gun was fired to recall all shore parties. Leaving an American flag flying and a complete record of their visit the *Corwin* now worked her way out to the lead.

She was soon in open water and making all speed with steam and sail across the Arctic Ocean but this time with the Polar ice on her port beam. Having found no records of the *Jeannette* on either Herald Island or Wrangle Island, for the very good reasons as we now know that the De Long party had never touched on either of them, the *Corwin* was hastening to Point Barrow in hopes of rendering assistance to the *Daniel Webster* in case she was still in the ice. On the way, however, they spoke the whalers *Howland* and *Rainbow* and learned from them that the *Daniel Webster* had been crushed in the ice and that part of her crew had reached Point Barrow. The remainder were supposed to still be on the pack. Upon learning this the *Corwin* skirted the Alaskan coast line closely and kept a careful watch for signs of any who might have reached the land before the ice went offshore. Constant contact was also made with the native villages along the way and many reports of the wreck were received, all of which were in some agreement.

Point Barrow was reached on August 16 and several whalers, which had arrived only a few hours earlier, were found at anchor there, the ice having gone offshore the previous evening. The crew of the *Daniel Webster* were all at Point Barrow and every man accounted for. They were divided up among the whalers except for nine men who had their fill of whaling and "wanted out." These were taken on board the *Corwin* to be returned to civilization and extra supplies were distributed to the other ships to allow for the extra hands taken aboard.

While the *Corwin* was at Barrow the bark *Leopold Tender* arrived, bringing the first mail they had received since leaving San Francisco; the *Leopold Tender* had sailed from there on June 11. Since she was leaving at once, loaded with surplus bone and oil from the whaling fleet, the crew of the *Corwin* sent mail sacks aboard for their dear ones at home.

On August 19 the *Corwin* sailed for Cape Lisburne hoping to again take coal from the mine, but a strong northeast wind had kicked up such a sea that hunting coal was out of the question. The night of the nineteenth was the first night that could be called dark; until then the nights had merely been long twilights. On August 22 they passed close to the Diomedes but never saw any part of them on account of

Exhibit 47

THE CRUISE OF THE CORWIN

Journal of the Arctic Expedition
of 1881 in search of De Long
and the *Jenness*

BY
John Muir

EDITED BY
WILLIAM FREDERIC BADE



BOSTON AND NEW YORK
HOUGHTON MIFFLIN COMPANY
1917

CHAPTER XV

THE LAND OF THE WHITE BEAR

(Steamer *Corwin*,
Wrangell Land, August 12, 1881.)

A NOTABLE addition was made to the national domain when Captain Calvin L. Hooper landed on Wrangell Land,¹ and took formal possession of it in the name of the United States. We landed near the southeast cape, at the mouth of a river, in latitude $71^{\circ} 4'$, longitude $177^{\circ} 40' 30''$ W. The extent of the new territory thus acquired is not definitely known, nor is likely to be for many a century, or until some considerable change has taken place in the polar climate, rendering the new land more attractive and more accessible. For at present even its southmost portion is almost constantly beset with ice of a kind that renders it all but inaccessible during both the winter and summer, while to the northward it extends far into the frozen ocean.

Going inland, along the left bank of the river, we found it much larger than it at first appeared to be. There was no snow left on the lowlands or any of the hills or mountains in sight, excepting the remnants of heavy drifts; nevertheless, it was still

¹ The landing was made August 12, 1881.

[169]



FIRST LANDING ON WRANGELL LAND



THE AMERICAN FLAG ON WRANGELL LAND, NEAR EAST CAPE

AFFIDAVIT OF HILDA KOONUKNOWRUK WEBER ON WRANGELL ISLAND

UNITED STATES OF AMERICA)

ss.

STATE OF ALASKA)

HILDA KOONUKNOWRUK WEBER, being first duly sworn, deposes and says:

1. I was born at Cape Lisburne, Alaska on August 21, 1912. Peter & Kippooanne Koonuknowruk were the names of my parents. My present domicile is Barrow, Alaska. I am presently sojourning at Kotzebue, Alaska.

2. In August of 1923 I left Point Hope for Wrangell Island, aboard the Ship "Donaldson" (owned by the Lomen Bros. Company of Nome, Alaska), with my parents, two brothers, and sister. On arrival at Wrangell Island we built a fine sod igloo with driftwood frame. This igloo became our domicile. Our community consisted at that time of Koonuknowruk family (Peter, Kippooanne, Billy, Hope, Ester, and Hilda), Adams family (Mr. & Mrs. John Adams & there two sons, i.e., Mark & Curtis), two bachelors (Abraham Howarth & Roy), and the white man Charles Wells. About April, 1924 Mrs. Adams gave birth to a daughter named Tulla.

3. Mrs. Ada Blackjack, sole survivor of the Stefansson Arctic and Exploration Company's party of 1921, returned to her home at Nome aboard the Ship "Donaldson" on its return voyage.

4. In August of 1924 the Soviet Ice Ship "Red October" armed with six pound cannon and a company of infantry landed at Wrangell Island, Alaska and took all 14 inhabitants prisoner. The Soviets captured our furs, ivory, stores, and personal property, including a U.S. Flag from Charles Wells (manager for the Lomen Bros. Company at Wrangell Island). We were all shanghaied aboard

1 the Ship "Red October" as prisoners. We were taken to Vladivostok,
2 via Uelen & Petropavlovsk, by the "Red October". By the time the
3 U.S. Consul ~~at~~ Harbin, Manchuria could have us freed from the
4 authorities at Vladivostok and brought to him at Harbin, my
5 two brothers (Hope & Billy) and Charles Wells (formerly of
6 Uniontown, Pennsylvania) were deceased.

7 WITNESS her hand this 22nd day of March, 1977.

8 Hilda K. Weber
9 HILDA KOONUKNOWRUK WEBER

10 United States of America)
11 State of Alaska) ss.

12 On March 22, 1977, before me, the undersigned, a Notary
13 Public in and for said State, personally appeared Hilda
14 Koonuknowruk Weber known to me to be the person whose name
15 subscribed to the within instrument and acknowledged that
16 She executed the same.

17 WITNESS my hand and official seal. (Seal)

18 Hilda K. Weber
19 NAME (TYPED OR PRINTED
20 Notary Public in and for
21 said State.

22 JURAT
23
24
25
26
27

TELEGRAM RECEIVED

Index Bureau
RECEIVED
OCT 17 1924
Dep't. of State

FROM

Nemo, Alaska

October 16, 1924

Department of State

RECEIVED
OCT 17 1924
EASTERN EUROPEAN AFFAIRS
U.S. DEPT. OF STATE

State Department,
Washington.

We protest removal by Soviet Government vessel from
Wrangell Island thirteen American colonists in employ
Loren Brothers Nemo. Schooner GUBA Arnout Castel master
returning today from East Cape Siberia reports local
governor there advised him colonists removed together
with furs and other property and taken to Indian Point or
Kama Harbor, Siberia. Cannot ascertain whether removal
lawful or not but we request protection American in-
terests.

Northwestern Alaska Chamber of Commerce.

861014469

OCT 23 1924

DEPARTMENT OF STATE
—
THE SOLICITOR

INDEX BLINDLY
Rec'd

DEC 3 1924

Uopt. 31/ 4/ 1946

November 25, 1924.

MEMORANDUM

With reference to the attached telegram, and particularly to the statement by Tchitcherine that the islands and lands which the Soviet Government claim as a part of Russia "are west of the line which under Article I of the Washington Convention between Russia and the United States, dated March 18/30, 1867, defines the boundary west of which the United States of America undertook not to prefer any claim", It may be of interest to note that the Treaty of 1867 referred to was negotiated largely orally and that only two notes(?) were passed between the two Governments prior to the signing of the treaty providing for the cession of Alaska to the United States.

In answer to a resolution of the House of Representatives on the 19th of December 1867 the Secretary of State laid before the President all the correspondence with the Russian Minister at Washington concerning the late treaty with Russia. In the note informally submitted to the Chairman of the Committee in the Senate

with

- Exhibit 51

DEPARTMENT OF STATE

THE SOLICITOR

- 2 -

with the Alaska Treaty by the Secretary of State it is stated:

"The treaty for the cession of Russian America to the United States was concluded and signed on the 30th day of March last. A copy is annexed of the only two notes which passed between the negotiators before the final execution of the Treaty."

The first note is dated March 17/29, 1867, and addressed to Mr. William H. Seward, Secretary of State, by Mr. de Stoeckl, stating as follows:

"Mr. Secretary of State:

"I have the honor to inform you that by a telegram dated 16/28 of this month from St. Petersburg, Prince Gortchakoff informs me that His Majesty, the Emperor of all Russias, gives his consent to the cession of the Russian possessions on the American continent to the United States for the stipulated sum of \$7,200,000 in gold, and that His Majesty, the Emperor, invests me with full powers to negotiate and sign the treaty.

Please accept Mr. Secretary of State the assurance of my very high consideration.

STOECKL."

The next note dated March 23, 1867, was addressed to Mr. Edward de Stoeckl by the Secretary of State

insisting

DEPARTMENT OF STATE

THE SOLICITOR

- 4 -

to the United States immediately after the exchange of ratifications all the territory, with the right of sovereignty, actually possessed by His Majesty upon the continent of America, as well as the contiguous islands, the said territory being comprised within the geographical limits hereafter indicated to wit: * * * * *

"The western limit of the ceded territories passes by a point in the Bering Strait on the parallel of the 65th degree 30' north latitude at its intersection by the meridian which separates in equal distance the islands Krusenstern or Ignalook, and the island Retmanoff or Noonarbook, and proceeds in a direct line without limitation towards the north until it loses itself in the frozen ocean."

It may be seen from the above quotation and the rest of the treaty that the Emperor of all the Russias ceded to the United States certain territories, and that the United States on its part entered into no commitment which could be interpreted as an undertaking not to press claims to any land west of the particular line above described.

Therefore, so far as the treaty is concerned, it would appear that the United States would not be prevented from preferring a claim to Wrangel Island if it so desired.

Note: The documents above referred to may be found in a volume entitled "Executive Documents, No. 157 to No. 180, Second Session, 40th Congress," under the heading of Executive Document No. 177.

861.0144/75
SO:FMA:HDM:SS

PI
LWS

Jm

Now from the Naval Institute Press

Annapolis, Maryland

ICEBOUND

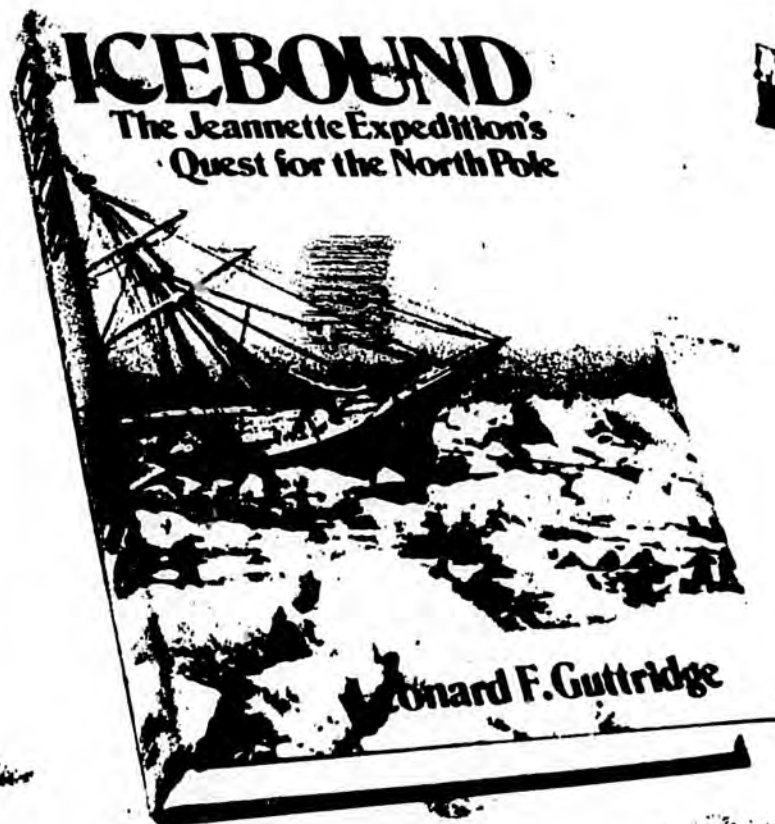
The Jeannette Expedition's Quest for the North Pole

By Leonard F. Guttridge

Often reading like a Gothic mystery but fully supported by documentary evidence, *Icebound* provides a stunning narrative of an ordeal unmatched in the annals of polar exploration. The *Jeannette* spent two winters trapped in the Arctic ice. Finally she buckled under the crushing power of the pack, forcing her crew to haul eight tons of supplies and three boats hundreds of miles to reach open water. The men from only one of these boats eventually reached safety; the others suffered horrible deaths.

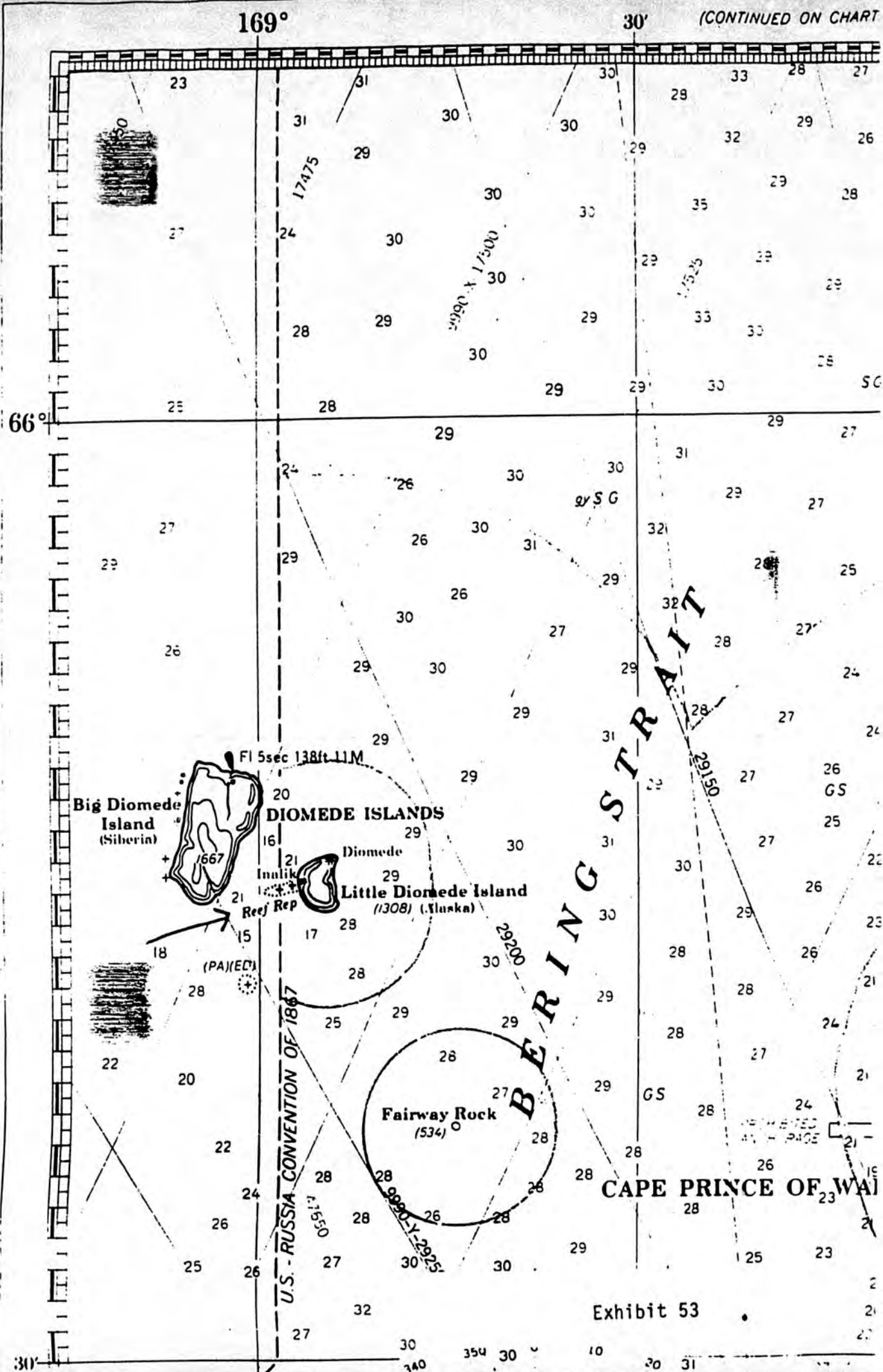
Now, more than a century later, despite attempts by those involved to cover up the details, the author reveals their tragic story. The bizarre tale includes true-life characters made-to-order for good fiction: the confident commanding officer of the *Jeannette*, George Washington De Long, bent on living up to the name he had given himself; his ambitious wife; a dashing young lieutenant suffering from an unmentionable disease; an inventive but jealous engineer; his talkative wife, confined to an insane asylum during the investigations that followed the expedition's failure; a stoical and able surgeon; a flamboyant press baron who financed the venture; and a famous criminal lawyer.

In this detailed disclosure of the *Jeannette*'s travails, Guttridge takes no liberties with the facts he has so carefully uncovered in revealing letters, diaries, and unedited reports. But he does use them to full advantage to present an intriguing and unforgettable story. He is especially skillful at creating dramatic scenes that bring his characters to life, and his vivid descriptions of the polar world make us appreciate both its grandeur and frightening inaccessibility.



16200

LORAN-C OVERPRINTED



CESSION OF ALASKA

Convention signed at Washington March 30, 1867
Senate advice and consent to ratification April 9, 1867
Ratified by Russia May 3, 1867
Ratified by the President of the United States May 28, 1867
Ratifications exchanged at Washington June 20, 1867
Entered into force June 20, 1867
Proclaimed by the President of the United States June 20, 1867

Stat. 539; Treaty Series 301

The United States of America and His Majesty the Emperor of all the Russias, being desirous of strengthening, if possible, the good understanding which exists between them, have, for that purpose, appointed as their Plenipotentiaries: the President of the United States, William H. Seward, Secretary of State; and His Majesty the Emperor of all the Russias, the Privy Counsellor Edward de Stoeckl, his Envoy Extraordinary and Minister Plenipotentiary to the United States.

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in due form, have agreed upon and signed the following articles:

ARTICLE I

His Majesty the Emperor of all the Russias agrees to cede to the United States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 28-16, 1825,¹ and described in Articles III and IV of said convention, in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133d degree of west longitude,

¹For text, see *British and Foreign State Papers*, vol. 12, p. 38.

1216

CESSION OF ALASKA—MARCH 30, 1867

1217

(Meridian of Greenwich,) the said line shall ascend to the north along the channel called Portland channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude, (of the same meridian;) and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen ocean.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"1st. That the island called Prince of Wales Island shall belong wholly to Russia," (now, by this cession, to the United States.)

"2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Igni-look, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly south-west, through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southerly direction, so as to pass midway between the island of Attou and the island of the Kormandorski couplet or group in the North Pacific, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

ARTICLE II

In the cession of territory and dominion made by the preceding article, are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property. It is, however, understood and agreed, that the churches which have been built in the ceded territory by the Russian government, shall remain the property of such members of the Greek Oriental Church residents in the territory, as may choose to worship therein. Any government archives, papers, and documents relative to the territory and dominion aforesaid, which may be now existing there, will be left in the possession of the agent of the United States; but an authenticated copy of such of them as may be required, will be, at all times, given by the United States to the Russian government, or to such Russian officers or subjects, as they may apply for.

ARTICLE III

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.

ARTICLE IV

His Majesty the Emperor of all the Russias shall appoint, with convenient despatch, an agent or agents for the purpose of formally delivering to a similar agent or agents appointed on behalf of the United States, the territory, dominion, property, dependencies and appurtenances which are ceded as above, and for doing any other act which may be necessary in regard thereto. But the cession, with the right of immediate possession, is nevertheless to be deemed complete and absolute on the exchange of ratifications, without waiting for such formal delivery.

ARTICLE V

Immediately after the exchange of the ratifications of this convention, any fortifications or military posts which may be in the ceded territory, shall be delivered to the agent of the United States, and any Russian troops which may be in the territory shall be withdrawn as soon as may be reasonably and conveniently practicable.

ARTICLE VI

In consideration of the cession aforesaid, the United States agree to pay at the treasury in Washington, within ten months after the exchange of the ratifications of this convention, to the diplomatic representative or other agent of his Majesty the Emperor of all the Russias, duly authorized to receive the same, seven million two hundred thousand dollars in gold. The cession of territory and dominion herein made is hereby declared to be free and unincumbered by any reservations, privileges, franchises, grants, or possessions, by any associated companies, whether corporate or incorporate, Russian or any other, or by any parties, except merely private individual property holders; and the cession hereby made, conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominion, and appurtenances thereto.

ARTICLE VII

When this Convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and on the other by his Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington within three months from the date hereof, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed this convention, and thereto affixed the seals of their arms.

Done at Washington, the thirtieth day of March in the year of our Lord one thousand eight hundred and sixty-seven.

WILLIAM H. SEWARD [SEAL]
EDOUARD DE STOECKL [SEAL]

Exhibit 54

NOTE: Nowhere in this treaty of sale of Alaska is there any establishment of an international boundary.

FUND FOR STOCKOWNERS RIGHTS

THE STOCKOWNERS' NEWS

NATIONAL HEADQUARTERS

☐ Post Office Box 46853
Washington, D.C. 20050
United States of America

Issue Number 4

December 1984

Contact: Carl Olson

Giveaway of Alaskan Islands and Oil-Rich Seabeds to the Soviet Union Imperils Investments of 500,000 Stockowners of ARCO, UNOCAL, Amoco, and Shell

Corporate managements of four major petroleum companies have exhibited extreme dereliction of duty to their stockowners by failing to fight the State Department's plan to give their multi-million dollar oil and gas leases in the Bering Sea to the Soviet Union, it was charged by Carl Olson, Chairman of Fund for Stockowners Rights, headquartered in Washington, D.C. "Over 860,000 stockowners find themselves under the gun," Olson noted.

Right now the State Department has these four oil companies' fortunes at risk due to its current negotiations with the Soviet Union over just how much of the Bering Sea outercontinental shelf is to be surrendered in the Navarin Basin. These four oil companies--ARCO, Shell, UNOCAL, and Standard Oil (Indiana)--won the competitive process for these leases at the Department of Interior auction on 24 April 1984, bidding over \$108 million on 17 blocks. All the other block winners were given their leases, but the State Department put a hold on these in the anticipation that these would be delivered over to the Soviet Union.

"To this day, none of these four oil companies has uttered so much as one public word in defense of their highly profitable oil leases that the State Department wants to hand over to the greatest enemy of the United States and the free enterprise system--the Soviet Union," Olson reported. "On numerous occasions the managements of these firms have been pressed not only for their views on this giveaway of oil-rich seabeds, but for their advocacy plans to stop the impending losses of millions of dollars for their stockowners. All four have, by their silence, become tacit supporters of this incomprehensively unprecedented turnover of American property to foreign enemies. They have betrayed the trust of their stockowners and their larger corporate responsibility to the American public," Olson declared.

NAVARIN BASIN SUMMARY (blocks subject to State Department surrender to Soviets):

<u>Company</u>	<u>No. of Blocks</u>	<u>Total Winning Bids</u>	<u>Stockowners</u>
Shell Oil/Transport	14	\$ 50,975,667	395,000
Standard Oil (Indiana)	14	45,173,333	190,000 (Amoco)
AtlanticRichfield	2	10,138,750	198,000
UNOCAL	1	1,886,250	88,000
		<u>\$108,174,000</u>	<u>861,000</u>

These areas were the subject of a high-level delegation led by the State Department's Legal Adviser Davis Robinson which traveled to Moscow for negotiations with the Kremlin's representatives in the week of 23-27 July 1984. These meetings apparently resolved nothing

(more)

The Fund For Stockowners Rights is a nonprofit educational organization dedicated to advancing the concept of stockowners as owners of corporations and to promoting the free enterprise economic system--which makes ownership of corporations possible. Model resolutions for votes at annual meetings and instructions on submitting them will be sent at no charge. Donations to the Fund, an IRS 501(c)(3) group, are tax deductible.

Permission to reprint is granted, provided the name and address of the Fund For Stockowners Rights are included in the reprint. ISSN 0749-9779.

since no word was announced one way or the other, and no further negotiation schedule was announced. Extreme secrecy has shrouded these talks, including the complete refusal of the State Department to reveal who was on the delegation. By other means it was discovered that in addition to Robinson, the delegation included two other members of the Legal Adviser's office Elizabeth Verville and Scott Hajost; Harry Marshall and Richard T. Scully of the Bureau of Oceans and International Environmental and Scientific Affairs, and Robert Smith of the Office of the Geographer.

While these negotiations continue without any resolution, the stakes of billions of barrels of oil, billions of dollars of revenue, thousands of American jobs, the loss of a significant part of America's strategic petroleum reserves, and the irreparable damage to American diplomatic prestige become more and more apparent and credible. The leasing of future oil basins in the Bering Sea and Arctic Ocean off Alaska are also imperilled due to the State Department's declared policy of abandoning all Alaskan territory and outercontinental shelf to the west of the 1867 U.S.-Russia Convention Line.

SECRET POLICY PARTIALLY REVEALED

Fortunately for the American public, the State Department had to reveal part of its surrender policy in public last March. When the Navarin Basin was put up for bid on its billions-of-barrel-of-oil blocks, the announcement in the Federal Register for 16 March 1984 (pages 10056 to 10068) disclosed that the State Department could not figure out where the boundary of American territory and outercontinental shelf was in relation to the Soviet Union. Even more startling was the revelation that the State Department was going on a policy that had no basis either in historical fact or international law.

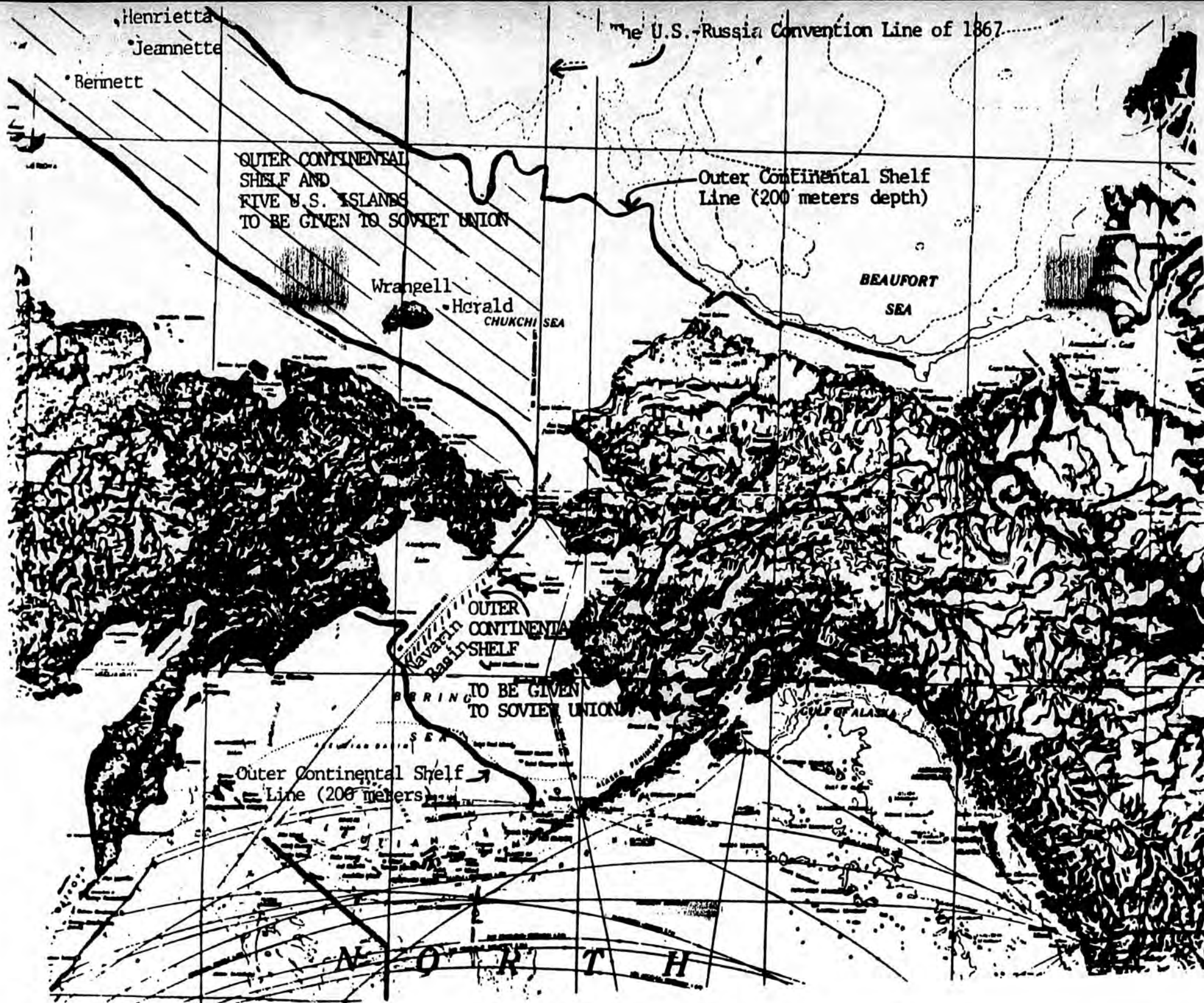
Somehow between 1965 and 1984 the State Department had elevated the old 1867 U.S.-Russia Convention Line (which was used in the purchase of Alaska from Russia for \$7.2 million) from an arbitrary map line up to the status of an international boundary. This creation of an international boundary by the State Department had been done without any treaty being enacted or ratified by the United States Senate. To this day there is no treaty establishing any boundary between the United States and the Soviet Union.

In 1965 the State Department's International Boundary Study No. 14, titled "U.S.-Russia Convention Line of 1867", flatly stated: "Rather than an ordinary boundary per se, this report concerns a convention line which ordinarily appears on official maps in the same manner as a boundary. ...in keeping with the policy that this line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used." By 1984, the status of this line has been completely reversed by the State Department, as noted in the 16 March 1984 Federal Register statement (page 10065), which declared: "The United States depicts the 1867 Convention Line as the maritime boundary...."

Even more significant than just the Navarin Basin leases, this State Department policy means that it is surrendering to the Soviet Union vast, strategic, and oil-rich Alaskan islands and outercontinental shelf. Incontrovertible historical fact shows the U.S. sovereignty over the Alaskan islands of Wrangell, Herald, Bennett, Henrietta, and Jeannette. Wrangell Island, the largest of the five with 2,800 square miles (the size of Rhode Island and Delaware combined), was found and claimed for the U.S. in 1881 by Capt. Calvin Leighton Hooper aboard the U.S. Revenue Marine (Coast Guard) ship Thomas Corwin; and included in the landing party was the famed explorer John Muir, whose book The Cruise of the Corwin gives a vivid account of the exciting addition to American territory. The three islands of Bennett, Henrietta, and Jeannette are part of the DeLong Islands, which were named after their discoverer U.S. Navy Commander George Washington DeLong, whose expedition aboard the ship Jeannette is memorialized in a statue at the U.S. Naval Academy at Annapolis, Maryland.

Along with the summary jettisoning of American territory, the State Department is in the same act renouncing all of the oil-rich outercontinental shelf--which is equivalent approximately four times the state of California. The owners of the islands are not even being compensated for this governmental condemnation of property. Many owners have been fighting this non-treaty usurpation by the State Department for years.

"It's now time for the four oil companies to fight for their 861,000 stockowners, so that they don't find themselves abandoned by the State Department to the wolves, too, or should I say, the bears?" Olson challenged.



STATE OF ALASKA
Second Judicial District, Unorganized Borough

