

CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Documents relative to advances made by Governor Douglas, of Vancouver's Island, to Governor Stevens, of Washington Territory, and recommending the payment of the same.

JANUARY 29, 1859.—Referred to the Committee on Military Affairs, and ordered to be printed.

To the Senate and House of Representatives:

I transmit a report from the Secretary of War, with the accompanying documents, recommending the repayment to Governor Douglas, of Vancouver's Island, of the sum of \$7,000 advanced by him to Governor Stevens, of Washington Territory, which was applied to the purchase of ammunition and subsistence stores for the forces of the United States in time of need and at a critical period of the late Indian war in that Territory. As this advance was made by Governor Douglas out of his own private means, and from friendly motives towards the United States, I recommend that an appropriation may be made for its immediate payment, with interest.

JAMES BUCHANAN.

WASHINGTON, *January 29, 1859.*

WAR DEPARTMENT,
January 27, 1859.

SIR: I desire to bring to your notice an application which has been presented by her Britannic Majesty's government, through its minister in this country, for the payment of a sum of money borrowed from Governor Douglas, of Vancouver's Island, for the purchase of stores for the use of volunteers engaged in suppressing Indian hostilities in the Territory of Washington.

The letters from Lord Napier to the Secretary of State, of November

2 CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND.

12, 1858, and 12th instant, with their enclosures—copies of all which I have the honor herewith to transmit—throw full light on the character of this claim and the circumstances under which it arose.

Early in the year 1856 the available supplies near the scene of hostilities, on Puget's Sound, being nearly exhausted; the Territory being without funds, and all endeavors to obtain advances of money or goods from private sources having failed, Governor Douglas was appealed to by the governor of Washington, the Hon. Isaac I. Stevens, to lend his assistance in relieving the Territory in the emergency. Governor Douglas, promptly responding to this appeal, advanced from his private means, on two different occasions, funds amounting, in all, to seven thousand dollars, for the return of which Governor Stevens pledged the faith of the United States, with the assurance that an appropriation for the purpose would in all probability be made at the next session of Congress. This sum was expended in the purchase of ammunition and subsistence stores; and there is reason to believe that but for the timely relief afforded the volunteers would have been unable to continue the campaign, thus placing the settlements on the coast at the mercy of the hostile bands of savages then leagued together for their destruction.

Until the present session of Congress this department has been under the impression that this debt arose from an ordinary purchase of goods, made on the same terms as other purchases at that time, from private parties. From the additional information recently brought to my notice, however, I learn that, so far from such being the case, this transaction had in it nothing whatever of a commercial character, but was, in fact, a loan made by the generosity of the chief magistrate of a neighboring colony, in a time of great distress, for the relief of the Territory, and with the guarantee of the national faith as his security. I beg leave, therefore, earnestly to recommend that application may be made to Congress for an appropriation to refund the amount of this claim, with interest, which is clearly demanded by the circumstances of the case.

Very respectfully, your obedient servant,

JOHN B. FLOYD.

Secretary of War.

The PRESIDENT.

Lord Napier to Mr. Cass.

No. 1]

HER BRITANNIC MAJESTY'S LEGATION,
Washington, November 12, 1858.

SIR: Having learned by the tenor of your note, and the letter from the Department of War which accompanied it, that no appropriation had been made in the last Congress for the satisfaction of Governor Douglas, of Vancouver's Island, and that, in the opinion of that department, the claim of his excellency remained on the same footing as the accounts of other persons engaged in commerce who had ad-

vanced supplies to the United States authorities, I referred the subject to Governor Douglas for further explanation. The enclosed extract of a letter from the governor, and the accompanying documents, will, I think, satisfy the government of the United States that the assistance afforded by Governor Douglas was of a personal and exceptional nature, having no connexion with the operations of the Hudson Bay Company, but prompted solely by motives of benevolence, and granted in the character of her Majesty's representative.

You will remark the pressing and pointed solicitations of assistance addressed to Governor Douglas; the reiterated assurances of prompt reimbursement; the warm thanks; the regret expressed by Mr. Robinson that his own poverty prevented his repaying the governor from his private funds; the distinct declaration on the part of the governor that he made a *loan of money out of his own private fortune*; that he authorized Mr. Robinson to purchase supplies on his private account, and to draw upon him for the amount, which he paid. You have in these letters a distinct affirmation on the part of Governor Douglas that the assistance afforded by him had nothing in it of a mercantile nature, and you have expressions on the part of Mr. Robinson which certainly imply a similar understanding on his part; for such expressions would not have been employed in a commercial transaction.

If, on the perusal of this correspondence, you should remain unsatisfied, and if the War Department should continue to regard the advances made by Governor Douglas as being identical in nature with the supplies furnished by private parties in the ordinary course of trade, I am left under the impression that accounts have reached you from Governor Stevens, or from some other quarter, placing the matter in a very different light from that in which I am constrained to see it; and I submit to the government of the United States that it is due to Governor Douglas that he should be made acquainted with the reports on which the opinion of the War Department has been formed, in order that he may offer to her Majesty's government such explanations as may be requisite.

I have only to add that I am urgently instructed by her Majesty's government to press the claim of Governor Douglas on the attention of the government of the United States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

NAPIER.

Hon. LEWIS CASS, &c., &c., &c.

Extract of a despatch from Mr. James Douglas, Governor of Vancouver's Island, to Lord Napier, dated

VICTORIA, VANCOUVER'S ISLAND.

October 6, 1858.

In respect to the *loan of money made out of my own private fortune*, on the requisition of Governor Stevens, at a time of great public distress, for the purpose of protecting the houses and families of the

4 CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND.

helpless frontier settlers of Washington Territory from the attacks of the murderous savages, I was only, it is true, following the course dictated by humanity, and discharging a sacred duty; but it is a great injustice to confound that loan with ordinary debts to United States citizens, and Governor Stevens should have corrected the impression, and set his government right in that particular.

The whole history of the loan may be gathered from the enclosed correspondence, which I trust you will lay before General Cass, who will at a glance understand the circumstances under which I acted, and my motives, in a true light.

Letters Nos. 1, 2, and 4, are applications from Governor Stevens for aid; and in letter No. 3 Commissary Robinson appeals to me personally for assistance, in consequence of the merchants of Victoria having declined to meet the wants of Governor Stevens on the security offered, as stated in my letter No. 5; and I thereupon, the case being urgent, *authorized Mr. Robinson to purchase those supplies on my private account, and to draw upon me for the amount, which I paid,* (see letter No. 6.) leaving the mode of settlement to Governor Stevens.

Letter No. 7 is the reply of Governor Stevens to my letter No. 5, pledging the faith of the United States for the payment of any supplies furnished on his requisition.

No. 8 and No. 9 are letters from Mr. Robinson, tendering scrip in payment of the loan, and apologizing, with a feeling of shame, for the mode of return; and letter No. 9 is a further pressing appeal to me, as Governor of Vancouver's Island, for aid on the part of Commissary Robinson.

Your lordship will observe that the loan does not partake in any way of the character of a mercantile transaction; neither has it any connexion with the Hudson Bay Company, who have also very large claims upon the government of the United States for supplies made during the war. It is of an entirely different character, being a loan made by the officer representing her Majesty's government on Vancouver's Island to the United States, on the requisition of the highest federal officer representing the government in Washington Territory, at a season of great public distress, when no other aid was accessible, purely on the score of humanity, and to secure a Christian people from the grasp of the savage.

I beg your lordship to make these circumstances known to General Cass, who can then have no hesitation in ordering repayment of my loan, with interest at six per cent.

It has, in the course of service, been often in my power to assist distressed citizens of the United States, and I think it would be of advantage to continue the system of mutual aid, General Cass undertaking in such cases to defray the expense, which I have always hitherto borne.

No. 1.

EXECUTIVE OFFICE, TERRITORY OF WASHINGTON,
Olympia, February 7, 1856.

SIR: I have appointed R. S. Robinson my commissary and quartermaster for the volunteer operations on the lower part of the Sound, and I have to request that you will furnish him with whatever he may call for. We need powder, lead, sugar, coffee, pork, clothing, candles, soap, &c., &c.

I have no question that an appropriation will be made this session of Congress to defray these expenses, and Captain Robinson will issue the necessary certificates for such articles as you may furnish.

I remain, very respectfully,

ISAAC I. STEVENS,
Governor of Washington Territory.

His Excellency JAMES DOUGLAS,
Governor of Vancouver's Island.

No. 2.

EXECUTIVE OFFICE, TERRITORY OF WASHINGTON,
Olympia, February 29, 1856.

SIR: I shall probably in a day or two despatch a confidential messenger to Victoria to purchase, on the faith of the United States government, a large amount of Indian goods for distribution among the friendly Indians. We shall need the usual assortment, and probably the whole amount will be ten thousand dollars. It may be fifteen thousand. I trust you will be able to supply us. We are carrying on the war vigorously against Leschi, and have him environed by a force of nearly six hundred men.

I am, sir, very respectfully, your most obedient servant,

ISAAC I. STEVENS,
Governor of Washington Territory.

His Excellency JAMES DOUGLAS,
Governor of Vancouver's Island.

No. 3.

PORT TOWNSEND, *March 1, 1856.*

DEAR SIR: I am requested by his excellency Isaac I. Stevens, governor of Washington Territory, to procure from you supplies for the immediate use of volunteers of Washington Territory now in the field against hostile Indians.

The quartermaster would respectfully represent to your excellency the urgent necessities of the case. The volunteers now in the field

6 CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND.

in defence of our homes, our families, and our Territory, are in want of clothing, of ammunition, and other supplies; indeed, so pressing and urgent are their wants that I hardly know how they can be maintained in the field without immediate assistance.

The available supplies of Puget's Sound are nearly exhausted, and it is feared our volunteer forces will not be able to maintain their position in the field without supplies can be obtained for them at once.

The quartermaster therefore respectfully and earnestly solicits your excellency to furnish for the uses of the volunteer forces of Washington Territory supplies, to wit: clothing, ammunition, sugar, coffee, &c.

Most respectfully, your obedient servant,

R. S. ROBINSON,

Commissary and Quartermaster I. B. W. T. V.

His Excellency JAMES DOUGLAS,

Governor of Vancouver's Island.

No. 4.

EXECUTIVE OFFICE,
Olympia, March, 1856.

SIR: I have despatched the bearer of this, Lieutenant Huger, adjutant of the 2d regiment Washington Territory volunteers, to procure supplies from the honorable Hudson Bay Company, at Victoria, for prosecuting an Indian war.

You will confer a great obligation by sending the full list which he has been directed to procure.

For the payment of the debt which will thus be incurred we expect appropriations to be made by Congress at its present session.

Lieutenant Huger will advise you of the condition of affairs here, and of the necessity, to the speedy termination of the war, of our having the supplies which we desire to procure from Victoria.

Truly and respectfully, your obedient servant,

ISAAC I. STEVENS,

Governor of Washington Territory.

His Excellency JAMES DOUGLAS,

H. B. M. Governor of Vancouver's Island.

No. 5.

VICTORIA, VANCOUVER'S ISLAND,
March 6, 1856.

SIR: I have to acknowledge the receipt of your communication of the 7th of February, introducing Captain R. S. Robinson, and requesting me to furnish him with any supplies he may call for.

I took the earliest opportunity of communicating with Mr. Robinson in respect to the wants of his department, with the view of using my influence in procuring them from the Hudson Bay Company and other merchants doing business at this place.

No unwillingness was evinced by any of the parties consulted about furnishing supplies to the extent of their means, but they object to receiving payment in scrip, which was the only security proffered to them by Mr. Robinson.

Captain Swartwout having arrived this day, I consulted with him on the subject, and he agrees in opinion with me as to the advisability of suggesting to you the propriety of drawing bills of exchange on the Secretary of the Treasury in payment of such supplies as you absolutely require from this place, which would enable you to make purchases on the most favorable terms; on the other hand, none of the parties are disposed to advance goods on the security of the territorial scrip.

Captain Swartwout has kindly agreed to deliver this letter to you without delay, and I will advise Mr. Robinson to await here your instructions in reference to that proposition, which may therefore be forwarded to this place.

I have the honor to be, sir, your obedient servant,

JAMES DOUGLAS,

Governor of Vancouver's Island.

His Excellency ISAAC I. STEVENS,

Governor of Washington Territory.

No. 6.

VICTORIA, VANCOUVER'S ISLAND,

March 7, 1856.

Sir: Since addressing you last night on the subject of supplies, a copy of that communication being herewith transmitted, I have ascertained from Captain Robinson that there are pressing duties requiring his immediate attention at Port Townsend, where he will await your further instructions, and afterwards, if required, return to this place.

Unable to procure supplies from the merchants of Victoria on the terms proffered in your letter, I have *purchased* a quantity of sugar, coffee, the number of blankets wanted for the troops, with a supply of gunpowder and lead, with my *own private funds*, for Captain Robinson, with a view of meeting your pressing necessities, leaving the payment for your settlement in any manner that will secure me from loss.

I have the honor to be, sir, your obedient servant,

JAMES DOUGLAS,

Governor.

His Excellency Governor STEVENS.

8 CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND.

No. 7.

EXECUTIVE OFFICE, WASHINGTON TERRITORY,
Olympia, March 9, 1856.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th ultimo, communicating the refusal of the merchants of Victoria to furnish supplies upon the credit of the United States.

As misapprehension exists relative to the character of the security, it is not Territory scrip, but evidence of debt created by the highest official upon the coast.

By our laws no official, civil or military, can draw upon the Treasury Department except for sums already appropriated.

But in any case where expenditures are made to cover expenses not foreseen, the federal officer takes the responsibility of doing so, giving evidence of the indebtedness, and the holders of them are paid by subsequent appropriations from Congress.

These debts are paid, even should the officer be removed from failing to show cause for such expenditures.

Captain Swartwout has not properly apprehended the nature and character of the securities, which, I beg to repeat, is not Washington Territory scrip, but certificates of indebtedness for supplies furnished the United States upon the authority of the highest federal officer, and one who represents the government of the United States in this part of the republic.

In the hope your merchants will properly understand this, and thus see there can be no security, of which the United States officers are capable, more perfect, and will furnish the articles required by the commissary, and also those since sent for by Lieutenant Huger on board the Traveller.

I am, sir, very respectfully, your obedient servant,
ISAAC I. STEVENS,
Governor of Washington Territory.

His Excellency JAMES DOUGLAS, Esq.,
Governor of Vancouver's Island.

No. 8.

PORT TOWNSEND, W. T.,
May 2, 1856.

SIR: I have to apologize to your excellency for not appearing at an earlier period to settle with you for the supplies you so generously furnished me for the volunteer service of Washington Territory some time since. Unforeseen events have transpired, much to my mortification, to prevent my returning sooner.

I have to reply, that Isaac I. Stevens, esq., governor of Washington Territory, has furnished me with government scrip of sufficient

amount to settle with you for supplies you have furnished heretofore.

Since my last interview with your excellency events have transpired in Washington city evidencing certainty of appropriations being made the present session of Congress to defray the expenses of the present Indian war of Washington Territory. Numerous letters, official and private, have been received by the commander-in-chief and quartermaster general of Washington Territory, going to prove that the appropriation will be made immediately to pay the expenses of the war now raging in our Territory.

Herewith enclosed please find a letter from the Indian commissioner, expressive of the views of the President and cabinet as to the course pursued by Governor Stevens.

Governor Stevens feeling confident payment of the government will be prompt and without delay, his excellency issues to me the scrip, and by me to be paid over to you, to secure you in your claim for the supplies furnished.

I earnestly trust your excellency will be pleased to receive the scrip as payment for the said supplies that you so kindly furnished me for the volunteers of Washington Territory.

With sentiments of the greatest regard and highest esteem, I am yours, very respectfully,

R. S. ROBINSON.

His Excellency JAMES DOUGLAS, Esq.,
Governor of Vancouver's Island.

No. 9.—(Without date.)

SIR: I tender to you the thanks of the executive of Washington Territory for your prompt response to the requisition made upon you the 1st March, 1856, for supplies.

Great suffering and absolute want among the volunteers in the field, and the entire absence of the supplies required on Puget's Sound, induced me to appeal to your excellency the second time for aid, and payment to be made for the same in government scrip.

I represent to you not only my own earnest conviction, but also the candid judgment of a large majority of the intelligent citizens of Washington Territory, when I state that I think appropriations will be made during the present Indian war, in which event the money due your excellency will be promptly paid over to you.

The supplies most required at this time are coffee, sugar, lead, (sheet or other kind,) powder, $2\frac{1}{2}$ and 3-point blankets, blue overshirts, coats, pants, and undershirts.

I would remark, most respectfully, that if my private fortune was large enough, I would not drive you to take government scrip, notwithstanding I believe all demands for quartermasters' stores will soon be paid; but, as I have not funds sufficient, I must appeal to your excellency for aid in this emergency, and I do earnestly hope to

10 CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND.

be successful in obtaining a few more 3-point, and a few bales of 2½-point blankets, and six tents, if nothing more.

I have the honor to be, sir, your obedient servant,

R. S. ROBINSON,

Quartermaster and Commissary I. B. W. T.

His Excellency JAMES DOUGLAS, Esq.,

Governor of Vancouver's Island.

Lord Napier to Mr. Cass.

No. 2.]

HER BRITANNIC MAJESTY'S LEGATION,

Washington, January 12, 1859.

SIR: It has been my duty on several occasions to bring before you the claim of Governor Douglas, of Vancouver's Island, to reimbursement for certain funds advanced by him from benevolent motives, and from his private fortune, for the purchase of provisions and munitions of war delivered to the authorities of Washington Territory.

I had the gratification of learning, by your note of the 19th of November last, that the government of the United States recognized the claim referred to, and that Governor Douglas would be shortly indemnified for his outlay.

I think it right, in further illustration of Governor Douglas' conduct in this matter, to communicate to you the accompanying letter, which I have recently received from his excellency, and I beg, for his satisfaction and that of her Majesty's government, to be informed whether any steps have been taken towards the reimbursement of the governor.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

NAPIER.

HON. LEWIS CASS,

Secretary of State, &c., &c., &c.

VICTORIA, VANCOUVER'S ISLAND,

November 15, 1858.

MY LORD: I have to acknowledge the receipt of your communication of the 14th of September last, enclosing copies of two notes from the Department of State, under date, respectively, of the 12th of May and 10th of July last, with other correspondence.

I had the honor of addressing you on the 6th of October last, enclosing copies of the correspondence with Governor Stevens and the officers commissioned by him, relative to the advances made from my own private funds to aid, not the ordinary military operations of the country, for that I should not have felt bound to do, but to avert

CLAIM OF GOVERNOR DOUGLAS, OF VANCOUVER'S ISLAND. 11

the devastating inroads of savages, menacing the destruction of the defenceless settlements of the United States.

The correspondence transmitted with that letter contains every communication that passed between myself and Governor Stevens on the subject of that advance.

You will see thereby the pressing and oft-repeated appeals made to me for assistance, and that failing all other aid, and having no government means at my command, I authorized Mr. Commissioner Robinson to purchase a limited quantity of stores at my expense, which he did, and I paid the cost from my own private funds, and not in the least in connexion with the Hudson Bay Company.

That was done entirely from a friendly spirit, as governor of her Majesty's colony of Vancouver's Island, and assuredly I should not have laid out money in that way under any other circumstances, with views of commercial profit.

I have, &c.,

JAMES DOUGLAS, *Governor*.

Lord NAPIER, &c., &c., &c.