

Shoot the Damned Things! Alaska's War Against the American Bald Eagle

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Bald Eagles have not always enjoyed public favor especially in Alaska.

"The eagle is a nice bird. We like to see it - on twenty-dollar gold pieces. Sentimentally, it is a beautiful thing, but in life it is a destroyer of food and should be killed wherever found."

Douglas Island News, August 6, 1920

"The eagle is a curse to the rest of the animal kingdom and the sooner it is exterminated the better off the game will be."

The Valdez Miner, April 17, 1920

Those paragraphs appear to have reflected the feelings Alaskans had held about the Bald Eagle since at least 1917 and would hold for a considerable time in the future. On April 6, 1917, the United States declared war on Germany. And the following day, April 7, the Alaska Territorial Legislature took the first steps toward declaring war on the American Eagle.

America's war against Germany lasted just short of 19 months. Casualties were 116,708 killed, 304,002 wounded. Alaska's war against the eagles lasted for 36 years, from 1917 until 1953, with a couple of short armistices. Casualties were 120,195 confirmed killed, according to the reports of the Territorial Treasurer. The number of kills for which no bounty was paid, number of wounded and number of missing in action are incalculable. The House and Senate of the Third Alaska Territorial Legislature received slightly different eagle bounty bills on the same day. Their introduction was no doubt triggered in part by the recommendation of a federal official, E. Lester Jones, the deputy U.S. Commissioner of Fisheries. In a report on his 1914 investigations in Alaska, Jones condemned eagles as destructive of salmon and wrote, "British Columbia has a bounty on these destructive birds and I think that it would be the means of saving many salmon and their spawn if the United States government would place a similar bounty on them in Alaska."

For once, most Alaskans agreed with the recommendation of a federal official! The perceptions of many Alaskans regarding eagles coincided with that of Jones and

moreover, sheep ranchers in the Aleutians and fox farmers along the coast claimed that eagles preyed on their lambs and pups. The war in Europe may have been a factor, too. Even before the United States entered the fray, people were being urged to conserve energy and food. Each of the eagle bounty bills was titled, "An Act to preserve the food supply of Alaska and placing a bounty on eagles."

The House bill, No. 39, was introduced by Rep. Isaac Sowerby, a Juneau insurance agent who was serving his first term in the legislature. The bill got a "Do Pass" from the Committee on Fisheries, Fish and Game. If there was any debate, it was not reported by either of Juneau's two daily newspapers and the bill sailed through on a 13-2 vote with one member absent.

The two who voted against the bounty bill were Rep. Frank Cannon, a Knik hotel owner and Charles M. Day, who was engaged in the transportation business at Valdez. Their votes may well have resulted from fiscal caution rather than avian sympathy. The bill carried an appropriation of \$7,500 and the treasury of the fledgling Territory was far from overflowing. In the upper chamber, Senator James R. Heckman of Ketchikan, a merchant, banker, cannery-man and a resident of Alaska for more than 30 years, saw his eagle bounty bill pass unanimously. Heckman's bill was then withdrawn in favor of the Sowerby bill, which also received unanimous approval. The Sowerby bill then went to Governor John F. A. Strong who signed it into law on April 30.

The law provided for a bounty of 50 cents on each eagle, to be paid by the Territorial Treasurer upon presentation of both feet of the eagle, with a certificate that "no poison or other means that might cause the wanton destruction of other birds and animals" were used.

The legislative action that encouraged the slaughter of the American Eagle was ignored by the press, both in and out of Alaska. With the United States just getting into the war in Europe, the editorials in Alaska newspapers ran heavily to patriotism. "Talk Patriotism or Don't Talk," admonished the Anchorage Times and there were editorials in a number of papers paying tribute to the American flag and extolling its virtues. But the eagle did not even get an obituary.

Before the next session of the Territorial Legislature rolled around in 1919, one Senator had a change of heart on the eagle bounty law. He was Senator Dan Sutherland, who at that time hailed from the village of Ruby on the Yukon River but who had previously been the U.S. Marshal for Southeastern Alaska.

On the 8th day of the session, Senator Sutherland introduced a bill to suspend the bounty law for two years. He explained that he wanted a survey made to determine what damage was actually being done. The bill went to the Fisheries Committee, chaired by Senator Heckman and of which Senator Sutherland was a member. The third member was Senator Thomas C. Price of Anchorage and he voted with the other two on a "Do Pass" recommendation.

When the bill came up for second reading, however, it was recommitted to the Fisheries Committee "to give some people of Juneau an opportunity to be heard." Committee hearings were not reported in those years and the press ignored this one, but whatever was said was enough to change two votes. Senators Price and Heckman recommended that the bill be indefinitely postponed.

Sutherland's bill next went to a Committee of the Whole which gave it the deep six with a 7 to 1 vote for indefinite postponement. And the legislature appropriated \$5,000 to pay the bounty on 10,000 more eagles.



Photo: A bounty hunter from Territorial days examines eagle claws collected in Southeast Alaska. This photo was taken in 1936. Courtesy of Alaska State Museum.

During the years Bald Eagles were killed for bounty some bounty hunters were said to kill mainly the non-breeding juvenile birds, leaving the adults to produce birds for next years' bounty hunting. It was during the 1920 political campaign in Alaska that the press, both in and out of Alaska, began to take note of the eagle bounty. Dr. William T. Hornaday, zoologist and author of numerous books on wildlife and nature, wrote in *Natural History* magazine:

"Eagles are now more than rare all over the country except in Alaska and even there they will not last long if the territorial authorities keep up the present bounty of fifty cents which in their unwisdom they are paying on the head of every eagle killed."

The *New York Times* quoted from the article in its "Topics of the Times" column on June 26, 1920.

"Dr. Hornaday was already known in Alaska for his advocacy of greater protection of the brown bear and had suggested that Admiralty Island be made a bear preserve. That came under the heading of conservation, a nasty word in Alaska ever since President Teddy Roosevelt locked up the coal fields in 1906."

Commented The Alaska Daily Empire on its editorial page:

"One of the menaces to Alaska is non-resident hobby riders, most notorious among whom is Gifford Pinchot, but not the least of whom is Dr. Hornaday."

Territorial Senator Dan Sutherland was a part of that 1920 campaign, running on the Republican ticket for the office of Delegate in Congress from Alaska. The campaign was a bitter one and Sutherland was viciously attacked by some Alaska newspapers for, among other things, his defense of the eagle. The two quoted items at the beginning of this article were a part of that campaign. But despite the attacks, Sutherland won the office that year and for several subsequent terms. In 1930, while Delegate, he testified before the House Committee on Agriculture on an eagle protection bill. He told the committee:

"In 1919 I introduced a bill to suspend the bounty until a survey might be made to know what damage might be done by the killing of eagles. As a consequence of my attitude - and I was a minority of one - I incurred considerable ridicule throughout the Territory and in my early campaigns for Congress it was a little embarrassing to be known generally as the only friend the eagle had in Alaska."

But Sutherland himself had undergone another conversion. He confessed to members of the committee that in 1919 he had acted out of sentiment and said that he had learned, both through his own observation and through talking with others, how destructive the eagle actually was. He asked the committee members to exempt Alaska from the eagle protection bill it was considering. They acceded to his wish.

That, presumably, left the eagle without a single friend in Alaska.

Certainly the bird had no friend in Anthony J. Dimond of Valdez, a freshman senator in the 1923 legislature. He introduced a bill to increase the bounty from fifty cents to a dollar. It passed both houses unanimously and was signed into law by Governor Scott C. Bone on April 11. Dimond served two four-year terms in the Alaska Senate and spent a dozen years as Delegate in Congress from Alaska before being appointed U.S. District judge at Anchorage. While in Congress he secured the exclusion of Alaska from the provisions of the Eagle Protection Act of 1940.

The increase in the bounty to \$1 raised eagle-shooting from a hobby to a business. The 1923 appropriation of \$8,000 for bounty payments was not nearly enough and the 1925 legislature came up with \$10,000 more to pay for the accumulated backlog of eagle claws. Then it appropriated another \$20,000 for the next biennium.

When news of the \$1 bounty reached New York, the American Nature Association,

according to The New York Times, "as a first move in a campaign for the repeal of the Alaska bounty law, issued an appeal to every school teacher in the United States to file a protest on behalf of his class." Either the teachers failed to respond or the protests were ignored.

The Fraternal Order of Eagles, a national organization, also expressed displeasure, but aside from occasional rumblings of protest from conservation and bird protection organizations, the eagle bounty program sailed easily through the years of the Great Depression. And despite some tight territorial budgets, the legislators managed to find some funds to buy eagles' feet - as much as \$15,000 for one biennium, \$12,000 for another.

Then came a new governor for Alaska and the federal Act of June 8, 1940, prohibiting the taking or possession of Bald Eagles. Delegate Tony Dimond managed to get Alaska excluded from that Act, but Governor Ernest Gruening took up the cause of the eagle. In his first message to an Alaska legislature, delivered on January 29, 1941, the governor said:

"Since the last meeting of the legislature, eagles on which the Territory has been paying a bounty of one dollar have been protected by federal statute. It is now against the law to kill an eagle anywhere in the United States except Alaska. While Alaska was exempted out of consideration for existing territorial legislation, it would seem reasonable for us to move in the direction of practice now established everywhere else and at least to cease paying a bounty on this national bird."

The Territorial Board of Budget urged the legislature to review the entire bounty system, including the bounties on wolves, coyotes and hair seals, in view of the very tight money situation.

Two days after the governor spoke, Senator O. D. Cochran of Nome introduced Senate Bill No. 1 to repeal the eagle bounty law. The bill was vigorously debated. Senator LeRoy Sullivan, also of Nome, argued that the law should be kept on the books to preserve Alaska's control over a predator, but that no money need be appropriated when funds were limited.

Senator Edward Coffey of Anchorage urged retention of both the law and the appropriation. In his election district were all of Alaska's sheep ranches and many fox farms and Coffey was himself a fisherman. When it appeared that he might lose on a 5-3 vote, he made an unusual request and the Senate, in an unprecedented action, granted it. Coffey asked that Representative William A. Egan of Valdez be given the privilege of the floor to discuss the bill.

Egan, at 26, was the youngest member of the 15th Territorial Legislature, serving his first term and beginning a long political career. Just what he told the Senators on that February day was not reported in the press, but he undoubtedly spoke on behalf of his constituents among the fox farmers and sheep ranchers with a strong defense of the eagle bounty. Whatever he said, it was enough; the bill was defeated.

It was not the last time that Gruening and Egan would line up on opposite sides of an issue. Nor would it be the last time that Egan won the battle. In this instance, however, while he won on the repeal, he failed to get an appropriation for eagle bounties.

In 1943 an eagle bounty repeal was again before the Senate, but this time it was Governor Gruening who was given the privilege of the floor. He told the Senators that if the law was not repealed he believed the President would issue an executive order banning the killing of Bald Eagles in Alaska.

That threat did not scare four of the Senators and again the bill was killed on a tie vote. But some overnight arm twisting brought a reconsideration motion and Senator H. H. McCutcheon changed his vote.

Over in the House, however, Rep. Egan had positioned himself as chairman of the Committee on Fisheries, Fish and Game which would have jurisdiction over the bounty repeal bill. It reached his committee on February 20 and never again saw the light of day. Again, however, there was no appropriation to pay eagle bounties.

Although he made it clear that he had no personal animosity toward the Bald Eagle and was acting only at the behest of many of his constituents, Egan's zeal in the matter won him the nickname "Eagle Bounty Bill."

Soon after the 1943 legislative session ended, Egan joined the Air Force and went off to help fight his country's war. He thus missed the 1945 session of the legislature, which had had its membership increased from 24 to 40. In his absence the 1917 eagle bounty law was repealed on a vote of 14-2 in the Senate and 15-7 in the House.

In the 1946 General Election, Egan was swept back into the House, outpolling the other 13 candidates in his district. Just why he waited until the 40th day of the session to introduce a new eagle bounty bill is not known, but it was a tactical mistake. His bill provided for a \$5 bounty on each eagle and carried a \$15,000 appropriation, but that was whittled down in second reading to \$3 and \$9,000. Egan got the bill passed by a 17-7 vote but not until after the deadline for transmitting bills to the Senate. Egan did some pleading and the Senate finally accepted the bill, only to put it to death on a 15-0 vote for indefinite postponement.

That made the future for an eagle bounty look pretty bleak, but Egan was no quitter and he was back with another bill in 1949. The bill sailed through both houses with the bounty set at \$2. In the House only Mrs. Essie Dale of Fairbanks voted against it.

In the other chamber, Senator Frank Barr of Fairbanks raised the lone voice in defense of the eagles. "For the privilege of seeing them impressively in flight, I'm willing to throw them a few fish," he declared. And he was joined by Senators Victor C. Rivers and Gunnard Engebret, both from Anchorage, in voting against the bill.

Governor Gruening wrote an impassioned veto message - but he did not veto the bill. He pointed to the fact that the Continental Congress in 1782 had adopted the Bald Eagle as the national symbol and cited an item from the Denver Post: "The Alaska legislature, hoping to become the 49th state under the wings of the eagle, nevertheless voted Wednesday to place a bounty on eagles."

The governor quoted statements by officials of the U.S. Fish & Wildlife Service which recited threats of Congressional action, strong protests from conservation groups and a wasteful expenditure of territorial funds. "These arguments were presented before the legislature," the governor added, rather plaintively. "Nevertheless, they adopted the measure by votes that came close to unanimity. Therefore out of respect for the overwhelming sentiment among the legislators in favor of its passage, I will allow the bill to become law without my signature."

Some legislature watchers, however, believed that the governor needed Senator Egan's vote on a number of administration bills and would have lost it with a veto. The 1949 appropriation for eagle bounties was \$15,000, but it was not enough. The next legislature made a deficiency appropriation of \$2,000, plus \$15,000 more for the 1951-53 biennium.

But in 1953 the attitude changed completely in what one reporter dubbed "the mutiny on the bounty." The bounty repeal bill was introduced in the Senate and even "Eagle Bill" Egan voted for it. The only dissenting vote came from Senator Percy Ipalook of Barrow. In the House the bill went to second reading without a committee referral, then was advanced and passed 22-0 with two members absent.

Gone, probably forever, were the days when a pair of shriveled eagle claws hanging on the wall behind the cook stove in a Last Frontier cabin was the equivalent of two bucks in the bank.