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THE ALASKA STATEHOOD MOVEMENT

by

RICHARD HENRY BLOEDEL

A dissertation submitted in partial fulfillment

of the requirements for the degree of

DOCTOR OF PHILOSOPHY

UNIVERSITY OF WASHINGTON

1974

Approved by Robert E. Burke
(Chairman of Supervisory Committee)

Department History
(Departmental Faculty sponsoring candidate)

Date 9 May 1974

UNIVERSITY OF WASHINGTON

Date: April 17, 1974

We have carefully read the dissertation entitled "The Alaska Statehood Movement"

submitted by

Richard Henry Bloedel in partial fulfillment of

the requirements of the degree of Doctor of Philosophy

and recommend its acceptance. In support of this recommendation we present the following joint statement of evaluation to be filed with the dissertation.

Mr. Bloedel has written a detailed account of the movement for Alaska statehood, giving his close attention not only to events in Alaska but also to the related developments in Congress and in the federal bureaucracy.

The statehood movement can perhaps be dated from 1916, when Delegate James Wickersham introduced the first enabling bill, but a vigorous movement for statehood did not begin until World War II. Rapid population growth and widespread social and economic change led to an atmosphere in which statehood was approved by referendum (1946).

After 1946 Congress became the main arena for the continuing statehood struggle. Mr. Bloedel shows how the questions of statehood for Alaska and Hawaii slowly came to the fore in Congress, in which the parties were closely divided. He shows that enabling bills were bitterly opposed by conservative Republicans and by southern Democrats, as well as by important economic interests in Alaska. He concludes that Secretary of the Interior Fred Seaton was chiefly responsible for winning over President Eisenhower and that Senator Lyndon Johnson and Speaker Sam Rayburn played the key roles in pushing the act through Congress.

This dissertation is based upon a careful study of Alaska newspapers, government documents and manuscript collections, including the papers of President Eisenhower. We recommend its acceptance.

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Chapter 1

Laying the Foundations of Territorial Government

1

On March 30, 1867 Secretary of State William H. Seward signed the Treaty of Cession by which Alaska became United States territory. Of the 29,097 people living there at the time, 26,843 were Natives, 1,421 were creoles, 483 were Russians and Siberians, 200 were non-Russian foreigners, and 150 were American civilians. Most of the non-Native Alaskans lived at Sitka, the location of the American headquarters of the Russian American Company.[1] The treaty stipulated that Russian citizens who elected to remain in Alaska would "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." This pledge, it was later argued, required territorial government and eventually statehood to be fulfilled.

Seward had arranged for the War Department to establish a military occupation of the new possession until Congress provided a civil government for it.[2] In the meantime Alaska was designated a district, not a territory. The essential difference between the two appears to have been that a territory had a representative assembly, whereas a district did not.[3] Congress exercised plenary power over Alaska, as it did over

all other United States territories, by virtue of the constitutional provision that "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." Pursuant to this authorization, on July 27, 1868 Congress extended the customs, commerce, and navigation laws of the United States to Alaska and designated it as a customs collection district.[4] By this act and by the "rights, advantages and immunities" clause of the Treaty of Cession, Congress was later declared to have incorporated Alaska.

The term incorporated entered the vocabulary of American constitutional law in the Insular cases of 1900-1905. Americans had recently emerged victorious from the Spanish-American War, but the administration of William McKinley, which had annexed the former Spanish lands of Puerto Rico and the Philippines, had no intention of making the new possessions integral parts of the United States. The Supreme Court cooperated with the administration by declaring Puerto Rico and the Philippines to be unincorporated but Alaska incorporated. In legislating for an unincorporated territory, Congress was restrained only by what the court termed the "fundamental" parts of the Constitution. Incorporated territories were further protected by all other provisions (the "formal" parts) of the Constitution, as well as by all public laws not inapplicable to them.[5]

The means by which territory became incorporated was explained by Chief Justice William Howard Taft in 1922 as

follows: "in the absence of other and countervailing evidence, a law of Congress or a provision in a treaty acquiring territory, declaring an intention to confer political and civil rights on the inhabitants of the new lands as American citizens, may be properly interpreted to mean an incorporation of it into the Union, as in the case of Louisiana and Alaska."[6] A number of statehood advocates later claimed that incorporation gave a territory an "inherent right" to enter the Union, although they acknowledged that the timing of admission was for Congress to decide. However, in 1950 Senator Eugene Millikin, a mining attorney from Colorado, reminded proponents that "the fact that some Supreme Court Justices said some words on the subject might or might not be influential with the Congress." Besides, "one Congress cannot bind another."[7]

Congress had incorporated Alaska but had not yet provided its inhabitants any legal means of acquiring title to land, staking mining claims, enforcing contracts, arranging matrimony, bequeathing property, or penalizing any misconduct not defined by the Customs Act of 1868. William Seward commiserated with the people of Sitka about their distressed situation when he visited them in 1869. The occasion was the world tour which he undertook at the end of his service in the administration of Andrew Johnson. The day before departing from Sitka, he was asked by its residents to address them.[8] Of their desire for civil government, he said: "Within the period of my own recollection, I have seen twenty new States added to the eighteen which before that time constituted the American Union,

and I now see, besides Alaska, ten Territories in a forward condition of preparation for entering into the same great political family." Congress would surely provide Alaskans civil government during the coming winter, for "our political system rejects alike anarchy and executive absolutism. Nor do I doubt that the political society to be constituted here, first as a Territory, and ultimately as a State or many States, will prove a worthy constituency of the Republic."[9]

The expectations of Seward and the Sitkans went unrealized. After Congress passed an act in 1870 protecting the fur seals, it enacted no further legislation for the district until 1884.[10] Federal authority was exercised by the army until 1877, when the last of its garrisons was withdrawn to aid in suppressing the uprising of Chief Joseph and his Nez Percé Indians. With the army gone, the collector of customs and his deputies were the only federal officials in Alaska. The Sitkans came to fear an uprising of their own Tlingit Indians, but the threat was eliminated when a British man-of-war, and later American warships, anchored at the harbor of Sitka in response to the entreaties of the residents.[11] From then until 1884 a succession of ship captains more or less watched over affairs. One means of extending a measure of self-rule to the district would have been to attach it to the Territory of Washington as a county. Brigadier General Oliver Howard, commandant of the Department of the Columbia, recommended such a course to the secretary of war in 1875.[12] Senator John Mitchell of Oregon introduced a bill later that year to achieve the purpose, but

the measure was not enacted.[13]

Congress was finally nudged from its Alaska lethargy by the discovery of gold near Juneau in 1880. In the absence of laws dealing with title, probate, and debt, the prospectors who swarmed into the region organized a mining district.[14] More formal arrangements were made when Congress passed and the president approved, on May 17, 1884, the First Organic Act of Alaska.[15] The term organic act refers to a fundamental law, which in this case served as the constitution of the district.

The Organic Act constituted Alaska a civil district and authorized the president to appoint a governor, who possessed few specific powers. Alaska also became a judicial district and was, therefore, furnished a judge, district attorney, marshal, four deputy marshals, and a clerk. This last officer, in addition to his judicial duties, was charged with recording deeds, mortgages, and certificates of location of mining claims and other real estate contracts and with registering wills. Four commissioners, on whose shoulders fell the powers and duties of justices of the peace of Oregon, were also provided. The laws to be enforced were those of the United States and, wherever applicable, the general laws of the state of Oregon as they existed at the time. Appeals from decisions of the district court of Alaska were to go to the United States circuit court for the district of Oregon. Alaska was further designated a land district, to which the mining laws of the United States were extended. Since abuses which had occurred

under the general land laws were receiving increased public attention and since the policy of keeping the remaining public lands for actual settlers seemed to be gaining in public favor, the general land laws of the United States were not extended for the time being. Also Native land claims had not yet been investigated or negotiated. Accordingly the act declared that "the Indians or other persons in said district shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress."[16]

Being few and scattered, the residents of the district were not given a representative assembly and were not granted representation by a delegate in Congress. Neither were they provided any means of establishing towns or counties. This last deficiency, as well as the fact that no taxes were levied on the inhabitants, led to unforeseen consequences. School districts could not be created, because the Oregon Code allowed only county superintendents to set up such districts. Since Oregon entrusted marriage registration and the execution of probate rights to county officials, such activities could not lawfully be conducted in Alaska. And because the Oregon Code required jurors to be selected from among taxpayers, jury trials were in fact unauthorized.[17]

The First Organic Act decidedly improved the situation over what it had been, but demands soon arose for additional legislation. Congress would not be roused to grant it until

the district was again convulsed by the discovery of gold. Even at this time, however, mining was not the only important economic activity in the North. Salmon canning, which had begun in 1878, rapidly became big business. In 1896 the canneries packed 966,707 forty-eight-pound cases of salmon. During the first decade of the twentieth century, the pack ranged from 1,548,139 cases in 1900 to 2,606,973 cases in 1908. In 1912 it reached 4,060,129 cases, worth $16,890,229.[18] Fishing and canning took place on the periphery of Alaska, were carried on largely by outside companies and outside labor, and failed to attract much attention. Not so was the discovery of gold.

In 1896 gold was discovered near the Klondike, a Canadian tributary of the Yukon River. Access to the site was by way of either Skagway or Dyea, over the mountains and down Lake Bennett, or, alternatively, by way of Saint Michael and the long way up the Yukon River. Not long afterward additional gold discoveries were made in Alaska, near Nome in 1898 and at the town itself in 1899. In 1902 gold was discovered near Fairbanks as well.[19] The population of the district rose from 33,052 in 1890, of whom 6,698 were non-Native, to 63,592 in 1900, of whom 34,056 were non-Native. This sudden influx of thousands of argonauts and those who would profit from their quest brought Congress to supply some of their needs.

Among the new legislation was an act of 1898 which extended to Alaska the homestead laws of the United States, though with special restrictions, and enabled railroad rights

of way to be obtained in the district. In 1899 Congress enacted a comprehensive penal code. It not only specified crimes and provided for their punishment but also levied license taxes on an assortment of businesses and on the production of fisheries and sawmills. Receipts were to be deposited in the United States treasury to defray the cost of enforcing the code.[20] The Penal Code was complemented in 1900 by a civil code, which met many of the needs of the settlers. This code subdivided the immense judicial district into three divisions, each with a full complement of functionaries. Commissioners were thenceforth appointed not by the president, as previously, but by each of the judges. Provision was made for the incorporation of any community inhabited by at least 300 permanent residents and for the establishment of municipal and district schools. Some of the license fees imposed by the Penal Code of 1898 were revised downward. Half of the revenue collected from businesses within incorporated towns was thenceforth to be returned to the municipalities for school purposes. The following year Congress authorized the use of such funds in excess of school needs to be spent on other municipal projects. Finally, the capital was to be moved from Sitka to Juneau, a larger town, whenever "suitable grounds and buildings" were obtained.[21]

In enacting these two codes, Congress relied heavily upon the statutes of Oregon and California.[22] Alaskans had thus been provided criminal and civil laws, means for their enforcement, local self-government, and a system of taxation.

But they were still dissatisfied. Increasingly calls were heard for a delegate and, less often, for a legislature.

3

The precedent for delegate representation had been set in the Northwest Ordinance of 1787. The ordinance empowered the legislature of the "Territory of the United States north-west of the river Ohio" to elect a delegate in Congress.[23] In 1808 a delegateship first became popularly elective, in the Territory of Mississippi.[24] The delegate was seated in the House of Representatives, where he was authorized to introduce bills and to debate. The only power of any other congressman which he lacked was the right to vote. He also represented his territory before the executive branch of the federal government and interested his constituents in national politics. Since he was voteless, his effectiveness in Washington depended upon his ability to make friends and to persuade people and win their confidence.[25] Because he dealt largely with affairs of his territory and did not have to take stands on controversial national issues, he escaped some of the bitterness and entanglements of other congressmen.[26]

Ordinarily Congress authorized the organization of a legislature before providing for the election of a delegate. But in 1903 Theodore Roosevelt pledged his aid in securing a delegateship when he spoke to Alaskans who had crowded into the Grand Opera House in Seattle.[27] "The men of my age, who are in this audience," the president said, "will not be old men before they see one of the greatest and most populous states of the

entire Union in Alaska."[28] Taking his cue from Roosevelt, Senator Albert Beveridge of Indiana arranged for the Committee on Territories to tour the North during the summer of that year. After its visit the committee reported: "Owing to their great distance from the seat of Government, the people feel that their conditions socially, industrially, and politically are little understood, and that special reasons exist why they should be represented by one who understands and can speak authoritatively concerning their interests." Alaskans seemed universally to desire delegate representation; they disagreed only on the method of selection. The majority preferred that the delegate be elected, but a sizable minority wanted him appointed. The latter group was apprehensive about the problems and expense of conducting an election in a far-flung district of widely dispersed and unstable population. If the delegate were to be appointed, all Alaskans agreed that the president should select him, by and with the consent of the Senate.[29]

Following the investigation the House of Representatives passed a delegateship bill. When it reached the Senate, it was opposed by Orville Platt of Connecticut. Urging Congress to formulate special policies for the governance of noncontiguous territory, this influential senator proposed: "That nothing in this act shall in any way be taken or construed to imply or indicate that the territory embraced in the district of Alaska, or any portion thereof, shall at any time hereafter be admitted as a State."[30] This proposal induced James Wickersham, the popular judge of interior Alaska, to utter a vigorous reply.

He had testified before the House Committee on the Territories on behalf of the bill earlier in the year.[31] Now in a public address at Fairbanks, he asked rhetorically if the people of Alaska would not have to form an independent country. A Republic of Alaska could adopt a constitution patterned on the federal document and could be divided into four states: Sitka, with its capital at Juneau; Alaska, with its capital at Valdez; Sumner, with its capital at Nome; and Tanana, with its capital at Fairbanks. "Or shall these great natural subdivisions of this northland, when in proper time they shall have the necessary population, be admitted as States into the Union of the United States?"[32]

The failure of any of the delegateship bills of 1904 to be enacted prepared the ground for a more sensational response. The Valdez News and the Skagway Daily Alaskan suggested during the summer that even without Congressional authorization, Alaskans should set up their own legislature, elect a delegate, and send him to Washington. If he should be rejected by Congress, they should "go it alone and govern Alaska." A mass meeting was called at Valdez and a telegram sent to the president on the day of his inauguration, March 4, 1905: "On behalf of 60,000 American citizens in Alaska who are denied the right of representation in any form, we demand, in mass meeting assembled, that Alaska be annexed to Canada." An appointive legislative council had been granted to the Yukon Territory in 1898. By the time of the Valdez telegram, half of the members were elective and the Yukoners had elected a member to

Parliament. Newspapers throughout the United States and Canada commented on the contrast with Alaska. The telegram was not followed by any steps in the direction of annexation, for most Alaskans did not support it. Of those who did, most doubtlessly aimed merely to prod Congress to act on a delegateship bill.[33]

The northern clamor for a delegate was not the only reason Congress finally acted. Outside merchants and chambers of commerce, interested West Coast Congressmen, an appointive governor, other civil and military officials of the federal government, and the lobbyists of mining, canned-salmon, steamship, mercantile, and other enterprises all claimed to speak for the North. Often contradictory their voices were further confused by quarrels within Alaska over patronage and charges of "carpetbaggism." It was difficult for Congress and the president to know what to believe. On December 5, 1905, therefore, Theodore Roosevelt, in his address on the state of the Union, asked Congress to "give Alaska some person whose business it shall be to speak with authority on her behalf to the Congress."[34] Congress had never provided for any means of selecting a delegate other than by election. Accordingly, Senator Platt having died in April, Congress enacted and the president approved, on May 7, 1906, an act authorizing Alaskans to elect a delegate. Funds of the district court were to be used to meet the expenses of conducting the elections.[35]

4

The coming of delegate representation did not quell political agitation in Alaska, for there was still no

legislature. Until further population gains and economic development occurred, together with additional signs of permanency, many residents felt that a legislature would be premature. In these and other ways, the struggle for a legislature paralleled the later struggle for admission into the Union.

The initial cries for "home rule" seem to have derived from complaints about the taxes levied by the Penal Code of 1899 and from the experience of incorporating municipalities and electing local officials as authorized by the Civil Code of 1900.[36] John Brady, appointed governor by William McKinley and reappointed by Theodore Roosevelt, set himself against territorial organization. He contended that Alaska lacked the people and taxable wealth to support a complex organization of counties and townships, with their buildings and institutions. Instead of seeking these, he urged that the homestead laws be modified and that transportation, communications, agriculture, and education receive continued encouragement from the federal government. When a large and stable population came to live in Alaska, Congress should pass over the territorial stage, providing for direct admission into the Union. He had no desire to see the North suffer the "inherently bad" form of government which the delegate from Arizona had revealed to exist in his territory and New Mexico.[37]

Brady's opposition to organization was the majority view in the first years of the new century, but another opinion was also heard. When the Senate Committee on Territories, visiting

Alaska in 1903, investigated the sentiment for a delegateship, it inquired also into the popular attitude toward territorial organization. The committee reported that except for Sitkans, most southeastern Alaskans, especially those in Ketchikan and Skagway, wanted a legislature. However, the legislature they wanted was for the Southeast alone. What was manageable for the Panhandle, they felt, would be expensive and difficult to operate over the district as a whole. Thus Alaska was a composite of sections, each differing starkly in geography, climate, population, economic activity, and problems from the others. Communications being slow and insufficient, a community of interest and understanding had yet to be woven. In the Interior little interest was expressed in territorial government, and at Valdez and Nome opinion was about evenly divided. Everywhere those who most vigorously opposed organization were businessmen. They felt sure that its cost would be enormous and that the burden of taxes would fall upon themselves.[38]

In March 1906 Wilford Hoggatt, who no more favored organization than did Brady, was named to the governorship.[39] Hoggatt felt that "the tremendous area embraced within Alaska, its small population, its widely scattered settlements, the uncertainty of the permanency of the placer camps, would render anything approaching a county organization inordinately expensive and put a burden upon the people who must remain there beyond their present capacity to bear." This position automatically placed the governor in opposition to Frank Waskey and Thomas Cale, Alaska's first and second delegates.

President Roosevelt, after conferring with Cale in November 1907, recommended to Congress: "Some form of local self-government should be provided, as simple and inexpensive as possible; it is impossible for the Congress to devote the necessary time to all the little details of necessary Alaskan legislation." Delegate Cale followed up the message by introducing two bills to achieve the objective, one of them written by James Wickersham.[40]

For Wickersham the bill marked an about-face. He had gone to Alaska in 1900, at the age of forty-three, when President McKinley appointed him to a judgeship. By his performance during the gold rush, he established a reputation for efficiency, fairness, and courage and won prestige for himself and the benches at Nome and Fairbanks. Wickersham did not, of course, endear himself to unsuccessful litigants, some of whom were politically influential. He became estranged from both Governor Hoggatt and Senator Knute Nelson of Minnesota for deciding cases against some of their friends. Nelson, whom Wickersham further antagonized by blocking creation of a fourth judicial division in Alaska, succeeded in preventing his confirmation as judge. Roosevelt kept him in office by five recess appointments, but Wickersham finally resigned in November 1907.[41]

Wickersham was a man of conservative instincts. As late as January 9, 1907 he had written a letter to Hoggatt critical of Waskey and Cale for the prominence which they had been giving territorial organization. Insufficient wealth existed

to sustain organized government, he protested, and the sparse population included too many miners who aimed only to get rich and get out. In his judgment a large majority of Alaskans opposed organization, although no difficulty had been encountered conjuring up Fourth of July resolutions favoring it. "They are generally good citizens but their theories are a long ways ahead of the needs of the country."[42]

Wickersham failed both to defeat his enemies and to secure confirmation with the help of Hoggatt and other conservatives. Therefore, as Jeannette Paddock Nichols has perceived, he turned for vindication to Cale and the liberals. Still, the territorial legislature which Wickersham envisaged was as restrictive as that of the Northwest Territory 120 years earlier. John Troy, formerly the Democratic editor of the Skagway Daily Alaskan, criticized it as designed to keep Alaska under the control of federal officials and property owners in the towns. The bill advanced no further than committee investigation, for the Senate feared that organization would seem to promise eventual statehood for noncontiguous territory and the House feared that it would result in excessive taxation.[43]

Since Cale was not interested in reelection, Wickersham entered the race to replace him. The ability and character of the judge had been proved on the bench. He was familiar with the district and its problems and possessed a wide acquaintanceship. All five of the candidates for delegate professed support for some form of self-government, but

Wickersham, largely because of his personality and his thrusts at "the interests," won the contest.[44] At this time "the interests" referred to the Alaska Syndicate, formed in 1906, the Morgan-Guggenheim complex of copper mining, railroad, steamship, and salmon-canning enterprises. The copper mining enterprise (Kennecott) was located in the Chitina Valley; the Copper River and Northwest Railway was being constructed to haul the ore to Cordova; and the Alaska Steamship Company would transport it from Cordova to the smelter at Tacoma.

When Wickersham arrived at Washington early in 1909, Theodore Roosevelt was about to leave. Before William Howard Taft assumed office as president, Wickersham had introduced a bill for territorial government.[45] How would the new president regard it? His views were unclear to the public until the end of September, when he spoke before twenty-five thousand people at the Alaska-Yukon-Pacific Exposition in Seattle. Alaska, the president said, was too unpopulated, too unsettled, and too sectional to be given a legislature. For the time being, federal concern for the district should be centralized in a single department of the government, presumably the Bureau of Insular Affairs in the War Department. Local legislative power should be entrusted "to a commission of five or more members, appointed by the president, to act with the governor...." Their acts would, of course, be reviewed by the supervisory department in Washington. This, Taft observed, "is practically the government which was given to the Philippine islands, although the commission there had more legislative authority

than it would be wise or necessary to give the Alaskan commission."[46]

As governor general of the Philippines under President Roosevelt, Taft had launched the new American possession on the long road to self-government. He had proved to be an exceptionally able administrator and was honestly proposing what he conceived to be an efficient and beneficent form of government for Alaska. In time the North would be ready for more representative institutions. The president thus proposed that Alaska be governed well rather than democratically, that its government meet the demands of the situation rather than of the populace. Partially because of the Philippine analogy, the general reaction was unfavorable.[47]

There were now two plans of government for Alaska, Wickersham's and the president's. According to Walter Clark, a newspaperman whom Taft appointed governor, the plan for a legislature drew support in the North for three reasons. First, Alaska was said to have a constitutional right of self-government, at least to the extent that it had been granted to earlier territories. Second, Alaska representatives would understand and have more time to devote to local problems than Congressmen from the states. Third, it was widely believed in Alaska that money collected from the taxes deposited in the United States treasury exceeded Congressional appropriations for the district. It was supposed that this money would remain in the North once organization was achieved and would be used to finance internal improvements.[48]

Actually the liquor, occupation, and trade license receipts went into the United States treasury only when collected from outside incorporated towns. These funds were, as required by the Nelson Act of 1905, deposited in a special treasury account known as the Alaska Fund. Five percent of its receipts were assigned to the secretary of the interior for the care and maintenance of the insane, 25 percent to the governor for "the education of white children and children of mixed blood who lead a civilized life," and 70 percent to the secretary of war for the construction and maintenance of wagon roads, bridges, and trails. Any funds unspent for the benefit of the insane or for education were devoted to wagon roads, bridges, and trails. Moreover, Congress appropriated for Alaska close to double the amount of money which was collected from all taxes and licenses in the North, exclusive of customs and internal revenue receipts and exclusive of municipal real estate taxes which were levied and spent by the municipalities themselves.[49]

Alaskans who opposed a legislature continued to be motivated chiefly by the desire to avoid higher taxes. They expected that when the district became organized, Congress would no longer appropriate money for road building in excess of the receipts of the Alaska Fund (the extra appropriations had averaged $191,666 annually during the previous six years) and no longer pay for the protection of game ($11,500 net annually), care of the insane ($50,000), incarceration of prisoners ($200,000), and perhaps a few other expenses.[50]

The plan of government recommended by the president was never enacted. It departed from all previous American territorial experience and was by now contrary to the wishes of a large majority of politically interested Alaskans. Moreover, Taft was not getting along well with the Republican progressives in the Senate and insurgents in the House. He was increasingly regarded by them as a conservative at a time when the country was throbbing with the dynamics of reform. In the elections of 1910, more progressives and insurgents were elected to office and the House of Representatives fell to the Democrats. Questions continued to be raised about the size, heterogeneity, and impermanence of the population of Alaska, the level of taxation which organization would require, the status and influence which big business would have in the territory, and the degree of popular support for organization. But the doubts did not prevail against the widespread feeling that better governmental arrangements were overdue.[51]

Influential Democrats in Alaska and Seattle contacted the new leadership of the House and received assurances of support for remedial legislation. They realized that passage of the Wickersham bill would enthrone the delegate as "Emperor of Alaska," but organization was too popular to be a partisan issue.[52] Alaska Democrats even asserted, in their platform of 1912, "that the time is at hand when an organized movement should be started, having for its object the admission of Alaska to her rightful place among the states of the Union."[53] Both houses of Congress finally passed a modified version of

the Wickersham bill. Although Taft had not abandoned his preference for a commission form of government, he congratulated Wickersham on his work and signed the act. The date was August 24, 1912, Wickersham's birthday by coincidence.[54] By this time New Mexico and Arizona had been admitted into the Union, leaving only Alaska and Hawaii on the statehood horizon.

The Second Organic Act defined the structure and powers of Alaska's legislature for the next forty-six years. The biennial legislature it authorized consisted of a senate of eight members, each with four-year terms, and a house of sixteen members, each with two-year terms. The judicial divisions became electoral districts as well; each district was given equal representation in the House and Senate. In 1909 Congress had expanded the number of judicial divisions from three to four: First Division (the Panhandle), at Juneau; Second Division (northwestern Alaska), at Nome; Third Division (southcentral Alaska), at Valdez, later at Anchorage; and Fourth Division (the Interior), at Fairbanks.[55] Since senators and representatives would represent identical constituencies, the Senate Committee on Territories had thought that Alaska should have a unicameral, or one-house, legislature. But Wickersham feared that unicameralism would imperil the bill, and the House did not concur with the Senate.[56] As with previous territorial governments, expenses of the legislature would be paid from the United States treasury. The governor was given the item veto in respect to appropriations acts but was required to veto other acts, if at all, as a whole. Any

veto could be overridden by a two-thirds vote of each house. All territorial legislation was made subject to Congressional disallowance, but Congress never exercised the power.[57]

The act became notable for the many restrictions it imposed on the legislature. Some of them were customary or otherwise not particularly objectionable. Others reflected experiences of Wickersham as attorney, judge, and legislator in the state of Washington. He had worried, for example, that the legislature might plunge the territory into debt and expected that county government would be ruinously expensive.[58] Still others marked hesitations of Congress or the objections of miners and businessmen to unlimited governmental power to borrow and spend. And for the benefit of the "lobbies of the fish conservationists and the big New York game hunters," wrote Jeannette Paddock Nichols, the federal government preempted the regulation of the fish, game, and fur resources.[59] No other organized territory had been denied this power.[60]

The license taxes imposed by the Penal Code of 1899 and the Civil Code of 1900 were not to be altered by the legislature. Assuming bonded indebtedness without the consent of Congress was forbidden to the legislature and to the government of any Alaska municipality. They were also forbidden to incur debt except in anticipation of the tax receipts of any one year. Territorial property taxes were restricted to 1 percent of "actual" value, which was difficult to determine, rather than assessed value; municipal property taxes were limited to 2 percent. Finally, a wide range of "local or special" laws

which had been specified in a territories act of 1886 were excluded from the jurisdiction of the legislature; none of its acts organizing county government would become effective without affirmative action by Congress. These and other restrictions by which the legislature was hobbled led to cries for additional powers and eventually contributed to the impulse for statehood.

According to the Supreme Court, Alaska had been incorporated ever since 1868. But the Second Organic Act explicitly incorporated it by providing: "The Constitution of the United States, and all the laws thereof which are not locally inapplicable, shall have the same force and effect within the said Territory as elsewhere in the United States." The Second Organic Act also organized the territory.[61] The significance of these two distinctions was that all territories which had been both organized and incorporated before the turn of the century were eventually admitted into the Union. It was this fact which led Wickersham later to assert that Alaska had a "right" to be admitted to statehood when its population and economic development became sufficient.[62] Actually the Constitution states only that new states "may be admitted into the union." But since precedent played an important part in federal management of the territories, the possible implications of organization and incorporation were not overlooked when Alaskans began earnestly to seek admission.

Notes

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3. George Washington Spicer, "The Constitutional Status and Government of Alaska," Johns Hopkins University Studies in Historical and Political Science, ser. 45, no. 4 (Baltimore, 1927), p. 24.

4. 15 Stat. 240-242.

5. Spicer, "Constitutional Status," pp. 27-32; Marcos E. Kinevan, "Alaska and Hawaii: From Territoriality to Statehood," California Law Review 38 (1950): 279.

6. Balzac v. People of Porto Rico, 258 U.S. 300, 309.

7. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, pp. 465-470.

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10. 16 Stat. 180-182.

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12. U.S., Congress, Senate, Congressional Record, 44th Cong., 1st sess., 1875, 4, pt. 1: 273.

13. 44th Cong., 1st sess., S. 67, December 13, 1875.

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15. 23 Stat. 24-28.

16. U.S., Congress, House, Committee on the Territories, Civil Government for Alaska: Report To Accompany S. 153, 48th Cong., 1st sess., 1884, H. Rept. 476, p. 2.

17. Ernest Gruening, The State of Alaska (New York: Random House, 1954), pp. 58-59; Nichols, Alaska, p. 123.

18. Pacific Fisherman, January 25, 1962, p. 33.

19. C. L. Andrews, The Story of Alaska (Caldwell, Id.: Caxton, 1938), pp. 181, 205, 207.

20. 30 Stat. 409-415, 1253-1343.

21. 31 Stat. 321-552, 1438.

22. U.S., Congress, Senate, Committee on Territories, Conditions in Alaska: Report To Accompany S. Res. 16, 58th Cong., 2d sess., 1904, S. Rept. 282, p. 29.

23. 1 Stat. 52.

24. Max Farrand, The Legislation of Congress for the Government of the Organized Territories of the United States, 1789-1895 (Newark: William A. Baker, 1896), p. 18.

25. Jessen's Weekly (Fairbanks), February 18, 1944.

26. Daily Alaska Empire (Juneau), July 5, 1949.

27. Daily Alaska Dispatch (Juneau), May 26, 27, 1903.

28. Clarence L. Andrews, "Alaska and Its Resources," Alaska-Yukon Magazine 8 (1909): 263.

29. S. Rept. 282, p. 32.

30. Senate, Congressional Record, 58th Cong., 2d sess., 1904, 38, pt. 4: 3092.

31. Nichols, Alaska, p. 228.

32. Alaska, Governor, Annual Report, 1904, p. 7. In November 1902, in addresses before the Seattle and Tacoma chambers of commerce, Wickersham had declared that the district should be given a territorial government. He had also held that it should in time be divided into at least four territories, with the same names as he assigned in his 1904 speech. In 1902, however, he had suggested that the capital of the Territory of Tanana be located at either Rampart or Eagle. James Wickersham, Alaska: Its Resources, Present Condition and Needed Legislation, Being a Synopsis of an Address Delivered by Hon. James Wickersham, U.S. District Judge of Alaska, before the Respective Chambers of Commerce of Seattle, on November 5, 1902, and Tacoma, November 11, 1902 (Tacoma: Allen & Lamborn, 1902), pp. 8-9.

33. Nichols, Alaska, pp. 246-247, 190, 327.

34. U.S., President, A Compilation of the Messages and Papers of the Presidents, ed. James D. Richardson, 22 v. (New York: Bureau of National Literature, 1897-1929), 15: 7019-7020.

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37. Governor, Annual Report, 1902, pp. 14-15, 1905, p. 8, 1903, p. 7.

38. S. Rept. 282, pp. 30-32.

39. For a discussion of why Brady was removed from office, see Nichols, Alaska, pp. 270-271.

40. Ibid., pp. 276-277, 280, 298, 300; President, Compilation of the Messages 16: 7103; 60th Cong., 1st sess., H.R. 4820, December 5, 1907, H.R. 17649, February 20, 1908.

41. Nichols, Alaska, pp. 293-294.

42. Ibid., pp. 302-303.

43. Ibid., pp. 295, 299-301.

44. Ibid., pp. 314-316.

45. 61st Cong., 1st sess., H.R. 10418, June 7, 1909.

46. Seattle Post-Intelligencer, October 1, 1909; Congressional Record, 64th Cong., 1st sess., 1916, 53, pt. 15: A1518.

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51. Nichols, Alaska, pp. 384, 403-404.

52. Alaska Daily Empire (Juneau), October 3, 1914.

53. DAD, April 10, 1915.

54. DAE, August 24, 1954; 37 Stat. 512-518.

55. 35 Stat. 839-842.

56. Nichols, Alaska, p. 403.

57. U.S., Department of the Interior, Fact Sheet: Alaska (Washington, D.C., 1949), p. 4.

58. ADE, April 8, 1915.

59. Nichols, Alaska, pp. 401-402.

60. Richard A. Cooley, Politics and Conservation: The Decline of the Alaska Salmon (New York: Harper and Row, 1963), p. xvii.

61. In the case of Binns v. United States (1904), the Supreme Court declared that Alaska had been organized by the First Organic Act. For a discussion of this interpretation, see Spicer, "Constitutional Status," pp. 35-36.

62. James Wickersham, The Organization of Territorial Government in Alaska: Do You Favor a Government by the People of Alaska, or a Government by the Federal Bureaus? Which Kind Is Your Legislature Organizing? An Appeal to Alaskans (1927), p. 9.

Chapter 2

"Full Territorial Form of Government" versus Statehood

1

The coming of the last part of tripartite government opened a new arena for political activity, but Alaska was still without strong traditions of party allegiance. Frank Waskey and Thomas Cale, the first two delegates, had been elected largely without reference to political affiliation. Wickersham also benefited from the tendency of the voters to rank personality, self-interest, and territorial interest ahead of party. In 1910 he had run for office as an insurgent Republican. Two years later he helped nominate Theodore Roosevelt for the presidency on the Progressive, or "Bull Moose," party ticket.[1] That same year Wickersham ran as a Progressive-Democrat in the Third Division (southcentral Alaska) and as an "independent" in the other three divisions.[2] Woodrow Wilson, a Democrat, won the presidency mainly because Roosevelt and Taft divided his opposition between themselves; Wickersham won the delegateship largely because he ran against a field of four competitors.[3]

One of the most vociferous critics of the Second Organic Act was John Troy, who had moved to Alaska from the state of Washington in 1897. Two years later he became editor of the Skagway Daily Alaskan, staying in that position until the newspaper was sold in 1907. Then he returned to Washington,

where he continued to interest himself in northern affairs and worked actively for the Democratic party. In 1913 Troy again headed northward, this time to become editor of the Juneau Alaska Daily Empire, which John Strong had founded in 1912. Not long afterward President Wilson appointed Strong to the governorship, whereupon Troy and three others purchased the newspaper.[4] As editor Troy promoted what he called "a full territorial form of government." This was the kind of government which, he asserted, Wickersham had not quite obtained in 1912. Part of the accumulating differences between the two men derived from the latter's genuine concern about Alaska's government. More importantly they were rivals for political power, even though not for political office. Troy was a stanch Democrat, while Wickersham, although somewhat of a political chameleon, was a Republican.[5] The delegate defended the Organic Act, the brightest gem in his diadem of accomplishments. One of Troy's objectives, therefore, was to lessen the prestige of Wickersham with the voters.

Home rule received national recognition when President Wilson delivered his first address on the state of the Union. It included a request, which had originated with certain Democrats in Juneau, for a full territorial form of government for Alaska. Calling it the one false note in the message, Wickersham countered that except for a territorial supreme court, such a government already existed. When John Troy referred to a full territorial form of government, he was thinking of the circumscribed powers of the legislature.

Wickersham replied that the restrictions had nothing to do with such a government. Viewing the matter structurally, he maintained that a full territorial form of government consisted of an appointive governor, an elective legislature, and a system of courts with appointive judges.[6] As for the provisions of the Organic Act, Troy was looking at the powers denied, Wickersham said, instead of those which had been bestowed. The act was more permissive than it might have seemed; all that was needed was a little knowledge of law and a little imagination.[7]

2

The argument between Wickersham and Troy did not affect the legislature when it convened, for the first time, in 1913. Within two years, however, the Empire became the leading newspaper in Alaska and political lines were more clearly defined. On March 1, 1915 the second session of the legislature commenced at Juneau on the third floor of the Goldstein Block.[8] In his address to that body, Governor Strong compared its powers unfavorably with those of earlier territorial legislatures and even those of Hawaii, Puerto Rico, and the Philippines. The legislators should take steps to induce Congress to enlarge their jurisdiction. Statehood was a different matter: the governor did not foresee speedy admission. A prolonged struggle must precede it, he said, principally because Alaska did not abut other American territory.[9]

Following the lead of the governor, Arthur Shoup, a youthful Republican representative from Sitka, introduced a

joint memorial in the House. It enumerated many of the powers which the Organic Act denied to the legislature and requested Congress to remove the restraints. The memorial passed the House 11-5 and went to the Senate where, on March 29, the issue between Wickersham and Troy was argued by their partisans.[10]

The Senate consisted of eight members, three of whom were Democrats. One was Josias Tanner, the sixty-five-year-old merchant and civic leader from Skagway. Another was Charles Sulzer, a copper mining operator from the southeast Alaska town of Sulzer. A ready debater, he had spoken for home rule ever since arriving in the North in 1902. The third was Thomas McGann of Nome, who had been victorious in a by-election held on February 27. He arrived in Juneau at the end of the fourth week of the session, following a record-breaking dash by dog sled to Fairbanks, automobile to Chitina, train to Cordova, and steamship to Juneau.[11] He took little part in the debate over statehood and pursued a rather independent course.

All of the other senators were Republicans, though most of them had campaigned under the Non-Partisan banner. For them personality, faction, self-interest, and issues were more important than party allegiance. Three of the Republicans, Oliver Hubbard, Dan Sutherland, and Ole Gaustad, were strong supporters of Wickersham. Hubbard was an attorney and railroad promoter from Valdez and the only senator who had never mined gold. In 1912 he had joined Wickersham as a delegate to the national convention of the Progressive party; two years later he was elected to the Senate on the Progressive-Democratic

party ticket. Dan Sutherland, from Ruby, in the Interior, was president of the Senate and a campaign manager for Wickersham. Ole Gaustad of Fairbanks, a Norwegian-born miner, soon became editor and manager of the Fairbanks Daily News-Miner. Of the Republican senators who were not in the Wickersham camp, one was Benjamin Millard, an influential mining promoter and rival of Hubbard in the town of Valdez. The other, Frank Aldrich, was a Nomeite who called himself an Independent Democrat. He voted with the Wickersham faction in organizing the Senate, receiving as his reward the chairmanships of two important committees.[12]

When the Shoup memorial was brought up for debate, Hubbard protested that Alaska already had a complete system of territorial government. Besides, the assumption of federal activities like the management of the fish and fur animals would be an intolerable expense. He was challenged by Charles Sulzer, who pointed out that Alaska had not increased in population during the previous ten years. This lack of growth he attributed not to the passing of the gold rush but to long-distance government, noting that few Congressmen knew anything about the North. As Sulzer viewed the matter, home rule remained the cure.[13] Before the end of the legislative day, the senators laid aside the Shoup memorial, substituting for it a joint memorial which had been introduced earlier in the session by Benjamin Millard.[14] His memorial, more general than Shoup's, requested that Congress amend the Organic Act so as to give Alaskans the powers of self-government which many earlier

territories had enjoyed and which Puerto Rico and the Philippines possessed.[15]

On the night of March 30, Hubbard went to his desk in the Senate to write a concurrent resolution.[16] It declared that the "restrictions and limitations inherent in a Territorial form of government are unavoidably oppressive and annoying...." Since Alaskans had advanced to the stage where they were entitled to enter the Union, the legislature should set up a special committee to draft a memorial asking for statehood. It should also divide the territory into at least ten counties. Finally, a referendum should be held on the Fourth of July inquiring whether the voters wanted statehood and where the state capital should be located.[17] The following day Hubbard introduced the resolution in the Senate and moved that the Millard memorial be returned to committee and replaced by his own proposal.[18]

Senator Millard correctly charged Hubbard with trying to scuttle his memorial requesting broader legislative powers. "There is not a man here who believes Alaska could secure Statehood, in ten, or in twenty years," he exclaimed, "and we might as well try to fly over this bay, as attempt to get it." Hubbard disagreed, saying that it was perhaps only three years away. Sulzer agreed with Millard as to the purpose of the resolution. To him statehood would be impossible to achieve before full territoriality. Further debate ensued, after which Hubbard withdrew his motion. The Hubbard resolution was sent to committee without instructions, and the Millard memorial was

passed 6-2. Oliver Hubbard and Dan Sutherland were the two who cast the negative votes. On April 8 the House, after some dissent, voted 9-7 to accept the Millard memorial.[19]

It had been a tense day in the legislature, made more so by the noon arrival of Delegate Wickersham. He disembarked from the steamship Jefferson shortly after Hubbard had introduced his surprise resolution. Wickersham was on the way from Washington, D.C. to his home in Fairbanks, where he intended to spend the summer. When an Empire reporter invited a comment from him, he said, "I am in favor of a full Territorial form of government for Alaska."[20]

Friends of the delegate converged on the hotel where he and Mrs. Wickersham had arranged to stay. In the lobby he averred that Alaska was "entitled to the very fullest form of home rule" and was ready for it. Only through statehood "could local government in the highest sense in which it has been developed under our form of government, be enjoyed." He revealed that at the next session of Congress, he would introduce a bill to admit Alaska into the Union. The following morning the Juneau Daily Alaska Dispatch became the first newspaper in Alaska to editorialize in favor of immediate statehood. The Dispatch was published by Ed Russell, who took his political leads from Wickersham. Thenceforth, the newspaper announced, it would devote its energies to the advancement of statehood. Only through that status could the people secure a "full form of home rule."[21] Thus within a period of twenty-four hours, Hubbard had introduced a statehood

resolution, Wickersham had announced a forthcoming Alaska statehood bill, and Russell had editorialized in favor of statehood. John Troy, the adversary of Wickersham and Russell on the other side of town, answered them by noting that the day was April Fool's.[22]

Not long afterward Hubbard's statehood resolution was reported to the Senate without recommendation. On April 6 the senators debated it for three hours.[23] Hubbard repeated his contention that Alaskans must have statehood in order to progress. Their legislature possessed as many powers, he asserted, as that of any other which Congress had created; additional powers would come only with statehood. Hubbard was again supported by Dan Sutherland, who pointed out that it would bring them control of the tidelands and fisheries. This expectation was based on an 1898 statute which provided that the tidelands of Alaska, which lie between mean high tide and mean low tide, would be held in trust by the United States for the people of the future state. Until then the Department of the Interior was authorized to grant special use permits for the construction of temporary improvements on fills and pilings. With control of its tidelands and fisheries, Alaska could bear the burdens of statehood, Sutherland declared. Ole Gaustad said that the territory was not ready for statehood. But since a half dozen years would pass before its arrival, the time had come to begin pressing for it. The "Wickite" trio which argued for the resolution was again challenged by Senator Sulzer. Statehood was not in sight, he said; they should strive,

therefore, to enlarge the powers of the existing legislature. Josias Tanner, a fellow Democrat, vigorously asserted that Alaska was no closer to statehood than it was to the moon. Sulzer and Aldrich gave as one reason for their opposition to the resolution the fact that the legislature had just sent Congress the Millard memorial.[24]

The Hubbard resolution was held over for voting until a later day. Meanwhile Wickersham had arranged to speak before a large crowd which gathered to hear him at the Jaxon Rink on the night of April 7. In a rousing two-hour address, the delegate told of the efforts he had devoted to securing passage of the Organic Act. He contrasted his work with that of John Troy and his "little band of reactionary Democrats," who never did anything besides "howl" for a full territorial form of government. Wickersham proceeded to demonstrate that the act was not nearly so restrictive as Troy would have them think but said that the time had come to move on to statehood. The legislators should do all they could to further full territorial government, but he hoped they would also go on record for eventual statehood.[25]

On the day after Wickersham's address, the Hubbard resolution was defeated 4-4. Sulzer, one of those who voted against it, reiterated his stand that full territoriality must precede statehood. Aldrich and Tanner opposed the resolution on the ground that it would interfere with the quest of additional powers. Millard, making no apologies, announced simply that he was opposed to statehood. This failure of the

resolution did not quite end the matter. On April 13 Hubbard introduced a joint resolution calling for a referendum to be held at the 1916 election for delegate. It would give the voters the opportunity to vote "For Full Territorial Government" or "For Immediate Statehood." The resolution was rejected on a point of order. Senator Millard protested that the Senate had already disposed of the matter, and President Sutherland agreed.[26]

3

James Wickersham had been well received at Juneau, but he recognized that the incessant "howling" of John Troy was harming him politically.[27] The delegate evidently felt that he could no longer reject Troy's cry by merely obfuscating its meaning. He left Fairbanks in the fall to return to Washington, stopping en route at the town of Cordova. There he announced that he would try to secure more powers for the legislature, especially in regard to fish and game. He had originally accepted certain limitations in the Organic Act in order to obtain its passage, he said, but would now work for their repeal. Upon reaching Seattle he reportedly said that he would agitate for statehood in order to pry from Congress a full territorial form of government.[28]

On January 4, 1916 Wickersham, as he had promised, introduced a bill to enlarge the powers of the legislature. If that body decided to establish counties, Congressional consent would not be needed. Federal appointments in Alaska would be reduced by allowing the legislature to designate the method of

selecting territorial, township, district, and county officers. Wickersham's definition of a full territorial form of government would be met through empowering the legislature to create a supreme court, which would have appellate jurisdiction in all cases which were not distinctly federal. Most important of all, jurisdiction over the fish and wildlife would be relinquished to the territory. These and other provisions contained in the bill would leave intact a number of less controversial restrictions.[29]

The Empire welcomed the bill but soon reminded Wickersham that introducing it was not enough; he must also work for its enactment. The newspaper accused him of introducing bills relating to "almost every emergency in the North" merely to obtain low-cost campaign documents to mail at public expense. The same applied to the letters he occasionally wrote to committee chairmen and executive officials.[30] Troy had grounds to suspect the sincerity of the delegate. In August 1916 Wickersham had told an audience at Anchorage: "Even when I have doubted the value of some of the suggestions [for amending the Organic Act] I have given the benefit of the doubt to the people of the territory and sought to secure a wider range of power for our legislature, even though [in] my judgment, it already exists in statutes which are not heeded."[31] The proposal that the fish and fur-bearing animals be transferred to territorial control, which Wickersham did favor, was opposed as unwise by the commissioner of the United States Bureau of Fisheries.[32] The bill was never enacted.

The important government bill for Alaska that year looked not to improving the territorial government but to superseding it. Once previously, in the August 6, 1910 issue of Collier's magazine, Wickersham had mentioned that he would introduce such a measure. In it the delegate claimed both the right and the readiness of Alaska to enter the Union and stated his "purpose to offer a bill at the December meeting of Congress to organize the State of Alaska."[33] On November 8 of that year, the Dispatch printed a news release from Seattle which reported that he would introduce the bill on the opening day of Congress. He also claimed, the report continued, that statehood was more justifiable for Alaska than for New Mexico, Arizona, or Nevada.[34] When the opening day of Congress arrived, the promised bill did not appear. Whether Wickersham's objective had been to compromise for enactment of the Organic Act can only be conjectured.

The year 1916 was different. Wickersham started to draft an enabling bill in January, modeling it upon the 1906 act for Oklahoma. This act was chosen because it was recent and because it had bestowed liberal grants of land and money upon the state. Besides, Wickersham wrote in his diary, Oklahoma was Democratic, as were both houses of Congress and President Wilson.[35] The delegate did not introduce the bill immediately but waited until March 30, the forty-ninth anniversary of the signing of the Treaty of Cession.[36] The Daily Alaska Dispatch, Fairbanks Daily News-Miner, Nome Nugget, and Valdez Forty-Ninth Star all received copies of the bill and prepared to boost it

when the red-letter day arrived.

The bill may be divided into three parts. First, Alaskans were to hold a constitutional convention at Juneau. One hundred thousand dollars was authorized to cover the cost of conducting delegate elections, running a sixty-day convention, and compensating its forty-nine delegates, twelve from each judicial division and one at large. The second part of the bill described the grant of land which the federal government would confer upon the state for the support of its schools and other public institutions. It would consist of four sections per township. A township was six miles square and contained thirty-six equal sections. In addition the state would receive one additional section from each of the eighty townships of the Tanana River valley; 1,300,000 acres of other public lands; and 400,000 acres of timbered land, half of which was to come from the two great national forests in Alaska. Third, the bill dealt with the disposition of legal cases which would be pending when statehood arrived and provided for the establishment of two United States district courts.

Also included in the bill were two strikingly novel provisions. One would appropriate from the treasury of the United States the entire sum which had been collected since 1867 from the Pribilof Islands concession. This money, to be paid in twenty annual installments, would be distributed in equal proportions to each of the four judicial divisions. One-third was to be devoted to the improvement of public roads and two-thirds to the support of the public schools. What made the

provision seem extraordinary was the magnitude of the grant, about $29 million, according to the Dispatch.[37] Such a gift would disregard the heavy costs which the federal government had incurred in regulating the sealing and protecting the herd. The other curious provision of the bill would allot the state not one, but four, congressmen in the House of Representatives, one from each judicial division. With only 64,356 inhabitants in 1910, Alaska was far from being entitled to even one congressman on the basis of population.[38]

Wickersham was a realistic politician. He knew that neither the territory nor Congress was ready for Alaska statehood. Operating the courts, enforcing the penal statutes, and paying the operating expenses of the legislature and the executive officers would cost $500,000 or more a year.[39] The federal government bore the burden for the territory but would not do so for the state. This being the case, why did Wickersham introduce the bill?

The delegate had sat in Congress during the debates over statehood for New Mexico and Arizona and might well have been excited by them. These new members of the Union had been separate territories for nearly a half century. But his statement that Alaska should start its campaign early because admission was unlikely to be won "in a year or a few years" surely did not adequately explain his reasons.[40] Not long after introducing the bill, Wickersham prepared a speech on statehood which he intended to have published in the Congressional Record and to have printed separately and mailed

to the territory. The summer passed, but the expected statement did not appear. In fact Wickersham seems to have dropped the matter altogether, in spite of the enthusiasm for it among some of his supporters. Introduction of the bill became another of the "firsts" for which the delegate, who had a keen sense of his place in history, had already become famous.

Other motives for his introducing the bill were suggested by the Dispatch and the Empire. The former pointed out that the Wilson administration was taking good care of Democrats in Alaska who had been "true and tried in the faith." They promoted a full territorial form of government, the newspaper alleged, because they were afraid of losing their patronage appointments. The open political competition which statehood would bring entailed the risk of losing their jobs.[41] It is true that Republicans resented the recent diversion of patronage from members of their own party to Democrats. But beginning in 1894 Americans had generally voted Republican, and there was no assurance that Woodrow Wilson would remain in the White House beyond his first term. Since statehood was not impending, Republicans would again occupy patronage positions. The Empire thought that statehood was being agitated for its political potential. It might be necessary to reelect the delegate a few more times in order to achieve the goal.[42]

Wickersham undoubtedly hoped to gain politically by promoting statehood, but perhaps not for the reason suggested by the Empire. He had announced his intention to introduce the bill near the height of Troy's attack on the Organic Act.

Wickersham may thus have employed statehood as a lance against the rhetoric of the Democratic party for a full territorial form of government. In 1916, one year after he had announced that he would introduce the bill, statehood might have seemed less useful to him, although he unquestionably looked forward to its eventual attainment.

4

In the midst of the boomlet which had been launched for statehood, the Forty-Ninth Star was born. This weekly newspaper was published at Valdez, seat of the Third Judicial Division and a spawning ground of Alaska politicians. Its editor, John Frame, was a former attorney and newspaperman. Drawn northward from the state of Washington by the gold rush, he had become a political ally of Hubbard and Wickersham and chairman of the Progressive-Democratic party. During 1915-1917 he founded and edited newspapers at the recently established town of Anchorage, in addition to the one at Valdez. The Valdez paper was being set up, Frame announced, "for the purpose of advocating statehood for Alaska." Until it was achieved, the Forty-Ninth Star would "twinkle continuously and everlastingly, not for a 'fuller Territorial form of government,' but a BETTER Territorial government. It is too 'full' already, that is, full of officers who are not representatives of the people of Alaska." Statehood was especially important, he wrote, because it would bring to the municipalities control over their tidelands and stream beds.[43]

Frame's ambition received further impetus when a public

meeting was held at the Valdez town hall on February 16, 1916 to organize Statehood Club No. 1. Oliver Hubbard was elected president and authorized to nominate an executive committee, publicity committee, and organization committee. In addition a constitution, written by Hubbard, and bylaws were adopted. It was hoped that other statehood clubs would be formed and that all of them would adopt the Hubbard constitution. Frame urged the people of Valdez to sign the document and work for statehood, but many held back. One of its articles proclaimed that the club endorsed and approved the statehood resolution Hubbard had introduced in the legislature and the statehood bill Wickersham would introduce in Congress. The bylaws of the club described the organization as nonpartisan, but "a number of people" did not view it thusly. They opposed statehood, Frame wrote, only because Wickersham was for it.[44]

Frame editorialized persistently for statehood, but the popular spirit fell short of his own. He lamented: "If Valdez only had more public spirited men who would reach and grab old Opportunity by the forelock rather than all the time be looking down the bay for a squaw coming up from Tetitilick in her bidarka to buy a red shawl or a dill pickle, a mighty city would be established here on Valdez Bay." By the time Wickersham had introduced his statehood bill, Frame had done what he could at Valdez. He would visit Seward, as well as Seldovia, Anchorage, and other towns on Cook Inlet, he informed his readers, "to urge Alaskans to petition Congress for self government."[45] Primarily, however, he was going on a business

and political trip. In May 1916 the Forty-Ninth Star was relocated at Anchorage. When the newspaper was sold on February 26, 1917, it ceased to twinkle under the original name but survived a few weeks longer as the Anchorage Weekly Democrat.[46] Frame himself remained committed to statehood until his death in 1939.[47]

5

The year 1916 was an election year. On April 15 John Frame's Progressive-Democratic party again nominated James Wickersham for delegate, by acclamation, and endorsed the statehood bill he had introduced. Four days later the territorial Republicans held their own meeting at Seward. Wickersham, on the same day that he had introduced the enabling bill, appealed to them to endorse his candidacy.[48] They declined to nominate him or anyone else.[49] Nevertheless the first plank in their platform read: "We believe that the Territory of Alaska is entitled to more extended powers, and pledge our support to Statehood for the whole or part of the Territory."[50]

Not until May 26 did the territorial Democrats adopt their own platform. Naturally they viewed a full territorial form of government as an urgent need. They also declared that the party stood for statehood but recognized that the struggle to secure it would be long. Both of these positions were consistent with the Democratic platform adopted at Skagway in 1914. At that time the party had pledged itself to work for a full territorial government in the immediate future. It had

also promised to work for statehood when the population of Alaska reached 200,000, somewhat under the average population represented then by a United States congressman.[51]

Wickersham ran for reelection in 1916 on his own platform. It ambiguously announced that he favored the "enactment of laws by Congress extending the powers of our Legislature so as to permit the full development of an American type of Territorial government in Alaska...." He also stood for statehood "as soon as it can be organized in the interest and to the advantage of the people."[52] The implication of these planks was clear: the bloom of statehood had wilted. It was a hardy perennial, though, and would reappear when the time was right.

Notes

1. Ernest Gruening, The State of Alaska (New York: Random House, 1954), p. 158.

2. Alaska Daily Empire (Juneau), February 11, 1915.

3. Jeannette Paddock Nichols, Alaska: A History of Its Administration, Exploitation, and Industrial Development during Its First Half Century under the Rule of the United States (New York: Russell & Russell, 1924), p. 397.

4. Daily Alaska Empire (Juneau), January 28, 1934; ADE, January 20, 1914.

5. Daily Alaska Dispatch (Juneau), April 9, 1915.

6. ADE, September 29, 1914.

7. DAD, April 9, 1915.

8. ADE, March 1, 1915.

9. Alaska, Legislature, House, Journal, 1915, p. 11.

10. Ibid., pp. 53-54, 89.

11. ADE, March 27, 1915.

12. Ibid., March 4, 1915.

13. Ibid., March 30, 1915.

14. Senate, Journal, 1915, pp. 45, 95.

15. Alaska, Session Laws, 1915, pp. 210-211.

16. DAD, April 7, 1915.

17. Forty-Ninth Star (Valdez), December 18, 1915.

18. Senate, Journal, 1915, pp. 98, 100.

19. ADE, March 31, 1915; Senate, Journal, 1915, pp. 100, 150.

20. ADE, March 31, 1915.

21. DAD, April 1, 1915.

22. ADE, April 1, 1915.

23. Ibid., April 6, 1915.

24. DAD, April 7, 1915; Hugh A. Johnson and Harold T. Jorgenson, The Land Resources of Alaska (New York: University Publishers, 1963), p. 424.

25. DAD, April 8, 9, 1915; ADE, April 8, 1915.

26. ADE, April 9, 13, 1915; Senate, Journal, 1915, pp. 137, 192-193.

27. DAD, April 9, 1915.

28. ADE, November 20, December 9, 1915.

29. 64th Cong., 1st sess., H.R. 6887, January 4, 1916.

30. ADE, August 31, 1916.

31. Anchorage Daily Times and Cook Inlet Pioneer, August 23, 1916.

32. U.S., Congress, Congressional Record, 64th Cong., 1st sess., 1916, 53, pt. 15: A1520.

33. James Wickersham, "The Forty-Ninth Star: The Next and Perhaps the Last State To Be Admitted to the Union Will Be Alaska," Collier's, August 6, 1910, p. 17.

34. DAD, November 8, 1910.

35. Jessen's Weekly (Fairbanks), April 23, 1948.

36. 64th Cong., 1st sess., H.R. 13978, March 30, 1916.

37. DAD, March 31, 1916.

38. ADE, October 17, 1916.

39. Ibid., March 31, 1916.

40. Ibid.

41. DAD, October 15, April 2, 1915.

42. ADE, October 20, 1915.

43. FNS, December 4, 1915.

44. Ibid., February 19, March 4, 1916.

45. Ibid., March 25, April 1, 1916.

46. James A. Wickersham, A Bibliography of Alaskan Literature, 1724-1924 (Cordova, Alaska: Cordova Daily Times, 1927), pp. 260, 256.

47. JW, May 2, 1947.

48. FNS, April 15, 1916.

49. ADE, April 20, 1916.

50. DAD, May 5, 1916.

51. ADE, May 26, October 17, 1916, August 7, 1914.

52. DAD, September 1, 1916.

Chapter 3

Should Alaska Be Partitioned?

1

The twenty years prior to American entrance into the First World War had been a period of growth and optimism. The gold rush triggered by the Klondike discovery had drawn people to Alaska and with them organized government. But the ensuing debate over home rule blended with the discordant note of sectionalism, an enduring feature of politics in the North. It would shortly be expressed as the question of whether Alaska should be one territory or two, or three or even four. Subdividing a territory was not a new idea. When the Continental Congress enacted the Northwest Ordinance in 1787, it had envisaged from three to five future states. Ohio, Indiana, Illinois, Michigan, and Wisconsin, as well as the northeastern projection of Minnesota, were all carved from the original "territory of the United States northwest of the river Ohio." The Louisiana Purchase, Oregon County, and Mexican Cession were also sliced into several states.

William Seward had expected the North to produce one or more states; James Wickersham had anticipated four. Early in 1897 petitions were circulated in the Yukon basin looking to the establishment of the Territory of Lincoln, of which Weare, a trading community at the mouth of the Tanana River, would be the capital. This essentially mining territory was intended to

include all of present-day Alaska except the Aleutians, the Panhandle, and the intermediate coasts and islands. Promotion of the new territory was forgotten by the miners when the rush to the Klondike began.[1] Senator Knute Nelson of Minnesota, a major sponsor of Alaska legislation, felt in 1906 that three states should eventually be formed. One of them would encompass the entire southern coast of Alaska, including the Aleutians and the Panhandle; another the Interior; and the third the Seward Peninsula.[2] Two years later W. F. Beers Jr., writing in the Alaska-Yukon Magazine, expressed his opinion that the country south of the Yukon and Tanana rivers should be formed into the Territory of South Alaska. Why burden it, he asked, with the massive region of forbidding climate and tundra farther north?[3]

Rep. William Sulzer of New York, brother of Charles Sulzer and owner of mining properties in the Northward, proposed in 1911 that Alaska be divided into three parts. The Territory of Sumner should consist in the Panhandle, the Territory of Seward should comprise the region south of the Yukon, and the Territory of Alaska should constitute the land north of the great river. The Alaska-Yukon Magazine, edited at the time by John Troy, seconded the congressman's proposal but advised that partition be deferred. Boundary lines had often been drawn unwisely, it noted. The construction of additional railroad lines in the North should be awaited in order that the trend of development might be discerned.[4]

Creation of the territorial legislature increased

discussion about partition. Since all four judicial divisions were represented equally in the House and Senate, they had equal voices in determining appropriations. Controversy attended the spending of general tax revenues, the territorial share of receipts from the national forests, and the proceeds of the Alaska Fund. Most territorial revenue came from taxes which the legislature had imposed on the catching and processing of salmon, found primarily off the coasts of Southeast Alaska and in Bristol Bay. The bulk of these taxes were paid by outsiders. National forest receipts went into the territorial coffers as a result of Congressional action. Since a national forest could not be taxed by state or local governments, beginning in 1908 the federal government allocated to the counties in which any such reserve was situated 25 percent of the proceeds derived from the sale of its timber and other forest products. The share received by a single county was proportionate to the area of the reserve which lay within its boundaries. The proceeds were to be appropriated by the state or territorial legislature for the support of the public schools and public roads of the county. Inasmuch as Alaska had no counties, the money, which before the Second World War ranged from a low of $2,684.78 in 1908 to a high of $41,931.46 in 1927, was spent throughout the territory. This revenue was derived from the national forests of the First and Third Divisions.[5] Indeed, according to Rep. Shoup of Sitka, approximately 50 percent of all territorial revenue collected in 1914 came from the First Division.[6] Yet, the Empire

complained, the legislature distributed the money equally to each of the four divisions.[7]

Three remedies were suggested to ameliorate the situation, the most parochial of which was partition, with or without the Third Division. If the First Division were a separate territory, all of the taxes collected there and the proceeds rebated from the Tongass National Forest would remain in the Panhandle. In addition a separate Alaska Fund would be established for the area. Seventy percent of the existing fund was spent by the Alaska Road Commission, a board composed of three army officers appointed by the secretary of war. The board allocated most of the money to projects in the Third and Fourth divisions, which lacked the Panhandle's intricate network of waterways. A second proposal was legislative reapportionment on the basis of population.[8] For this, however, Congress had made no provision. Reapportionment would benefit the First Division, since it alone had grown during the decade. In 1920 it had 17,402 residents, compared with 15,216 in 1910. The comparable figures for the Second Division were 10,890 and 12,351; Third Division 16,231 and 20,078; and Fourth Division 10,513 and 16,711.[9] The third possibility was the organization of counties. Their existence would ensure that at least the Tongass revenues would remain in the Panhandle.[10]

Quarrels over the disposition of tax receipts attested to the fact that Alaska was still a congeries of dissimilar sections. This situation had led Charles Sulzer in 1915 to introduce a memorial in the territorial Senate requesting that

each division be allowed to elect to Congress a delegate of its own. The memorial pointed out that the geographical extent of Alaska was as great as that of the United States; moreover, the four judicial divisions were developing along different lines.[11] No action, affirmative or negative, was taken by the legislature on the memorial. The Dispatch, which was also dissatisfied with the tax situation, advocated a separate delegate for the First Division. As the Philippines was represented by two resident commissioners, why should Alaska not have two delegates? James Wickersham heartily concurred.[12]

Separate delegates would not have altered the distribution of tax revenues. Creating four territories would have solved that problem, but the solution was not without drawbacks. According to the Empire and the territorial Democratic party, a population of 200,000 was prerequisite for statehood. If the Southeast were established as a separate entity, it seemed unlikely "that any resident of this section who is now in middle life would ever have a vote for President or be represented in the United States Senate." Perhaps for this reason, the Empire declared late in 1915 that it "would readily support a proposition for the union of the First and Third Judicial Divisions and their organization into a Territory or a State."[13]

2

During the delegate elections of 1916 and 1918, James Wickersham ran against Charles Sulzer, the Democrat who had led the opposition to Hubbard's statehood resolution. Both times the authorities in Alaska declared Sulzer victorious; both

times the Democratic House of Representatives found them to have erred and belatedly allowed Wickersham to assume office.[14] In 1920 Wickersham did not again run for the delegateship but returned to Alaska and settled in Juneau, where he practiced law.

By this time the First World War was over. Talk of partition and requests for additional self-government had been little heard during the war. A total of 2,102 of Alaska's sons had been inducted into military or naval service, although many of the late draftees never left the territory.[15] From the Yukon Territory the Dawson News editorialized that the United States should recognize the contributions Alaska had been making by raising it to the dignity of statehood, or at least by allowing its delegate to vote. "Men who fight for a Nation and help pay its debts are entitled to a share in the shaping of the destiny of that Nation. Let Uncle Sam get into step with Johnny Canuck on this broad principle of democracy."[16] Congress did nothing, and Alaska emerged from the war with an uncertain future. The canned-salmon and copper mining industries had thrived during the war, but the population had not grown. On June 1, 1900, 63,592 people had been counted as Alaskans, but on New Year's Day of 1920, only 55,036 were tallied. War did not explain the stagnation; rather the states had become relatively more attractive.[17]

In the summer of 1920 the Democratic party, at its national convention in San Francisco, went on record for the first time ever as favoring for Alaska "the fullest measure of territorial

self-government with the view of ultimate statehood...." A similar plank was written on behalf of Puerto Rico but not of the Territory of Hawaii. The Republican party, too mentioned nothing about statehood for the Islands and mentioned nothing at all about Alaska or Puerto Rico.[18]

With Wickersham out of the race for delegate, Dan Sutherland, who had run unopposed in the Republican primary, and George Grigsby, who had been unopposed for the Democratic nomination, ran for the North's highest elective office. Inasmuch as it was a Republican year, Sutherland was victorious. Behind this argonaut of 1898 lay service in all of the first four territorial legislatures. Also elected in 1920 was Warren G. Harding of Ohio. His victory in the race for president signaled that a Republican would be appointed to the governorship. Scott Bone, former editor of the Seattle Post-Intelligencer and director of publicity for the Republican National Committee during the campaign, was selected for the post. Cheerful and personable, he left for the territory assured that the president would visit Alaska and expecting major changes in its governance from Washington.[19]

The new governor proved friendly to partition. Initiative in the revived movement came not from Juneau but from Ketchikan, the copper mining and salmon canning town at the southern tip of the Panhandle. Even before the end of the war, the Ketchikan Times had reiterated the earlier arguments about the distinctiveness of the sections, the complaint that First Division tax revenue went to the other divisions, and the

desire for a delegate who would give his undivided attention to the problems and needs of the Southeast. The Ketchikan Alaska Chronicle and the Ketchikan Commercial Club agreed with the newspaper, and so did the Empire in Juneau.[20] To the Empire statehood for all of Alaska, with its great unsettled and undeveloped interior, seemed remote. But in the Southeast, the prospects for a pulp and paper industry and for continued development of the mining and fishing industries were expected to attract a large influx of people. If the financial resources of the section were held there, the area would soon be ready for admission. Troy wanted partition at once, but he knew that it was unlikely to come in the immediate future; moreover, the Southeast might be too small for statehood. Its area of 35,527 square miles was smaller than that of any of the public land states. Therefore he repeated his proposal of 1915 that if Alaska should be divided, the Southeast should join areas of similar economic interests in the Westward.[21]

Partition was justified by these southeastern newspapers in terms which did not always compliment the Northward and Westward. Many inhabitants of these latter regions felt that the "real" Alaska began at the 141st meridian.[22] If that "little part of Alaska called 'The Panhandle,'" wanted to break off from the rest of the territory, the Anchorage Daily Times would not object.[23] Indeed the Times called for a meeting of all Railbelt towns for the purpose of reaching an agreement on partition. Not only would the region be more homogeneous without the Panhandle, but it would also have a capital of its

own. The Seward Daily Gateway and the Cordova Daily Times, too, wanted partition. Wrote the latter: "Southeastern Alaska has always been the tail that wagged the dog. Dominated by interests quite totally diverse from those of the remainder of the Territory, Southeastern Alaska has always been infested with near-Alaskans, spending most of their time and money in the States and returning to Ketchikan and Juneau chiefly to make a new cleanup, politically or otherwise." Let the Southeast be a territory alone, "under the direction of the Bureau of Forestry, which now virtually controls it." The rest of the North would "mush" along on its own resources to its own ultimate destiny.[24]

The Fairbanks Daily News-Miner also felt that the Southeast had little in common with the other divisions. But it went on to ask what the Fourth Division had in common with the Third. "Whatever vital we are for here, Anchorage is on record against, just as much and as strong as Juneau is." Only the Second Division (northwestern Alaska) spoke the same "dialect" as the Fourth.[25] Thus partition was favored outside as well as inside the Panhandle, and the rivalries were more than two. In April 1922 the Empire proposed that the territory be divided into West Alaska, which would include those areas "tributary" to the Alaska Railroad, and East Alaska, which would embrace the Panhandle, Copper River country, and upper Yukon valley in the vicinity of Eagle and the Fortymile district. County seats could be located at Ketchikan, Juneau, Cordova, and Eagle.[26]

A different line of separation was suggested by E. A.

Sherman, associate forester of the Department of Agriculture, who in 1922 was making his third tour of Alaska. He would combine the quarreling sisters in the same territory but bound it by the Arctic Circle on the north and the 162d meridian on the west. The southern territory would encompass about 200,000 square miles and probably 90 percent of the white population, taxable wealth, and best agricultural lands. All of the important coal fields, forests, railroads, and towns except Nome would also be included. If the residents of this area could agree that they wanted statehood, Sherman felt, Congress might be willing to grant it. Their remoteness from Washington was one of their strongest arguments. Congress was unsure what to do for Alaska and was too busy to attend to its special problems. The North was too distant and its conditions too unusual to be treated by any but the people who lived there. Besides, placing responsibility in the hands of the governed would have a "steadying and wholesome effect."[27]

The Chronicle found merit in the forester's ideas. It was true that the Interior had not been a major contributor to the treasury in the recent past, it wrote, but the approaching completion of the Alaska Railroad, from Seward to Fairbanks, would substantially augment its future contributions.[28] The Empire was also interested in the forester's suggestions. Statehood for the area he delineated seemed feasible, although it would be necessary "to cut the garment to match the cloth." Since the issue might "hang fire for years," however, full territorial government should be sought in the meantime.[29]

Given this background in favor of partition, Rep. Frank Foster of Cordova introduced a joint memorial in the territorial House in 1923. It asked Congress to form Southeast Alaska into a separate territory and to make Seward the capital of the rest. It also requested the delegate in Congress to introduce a bill to effect the change. Rep. Harry Stasser of Anchorage moved that the words "a point on the Government Railroad" be substituted for "Seward," a proposal which had originated with the Anchorage Chamber of Commerce. As Seward was the terminus and Anchorage the principal intermediate stop on the line, combat over the site could be deferred. The motion carried, but the memorial lost 8-8. The negative votes were cast by one representative from the First Division, one from the Third, two from the Second, and all four from the Fourth.[30] Clearly the interior representatives did not see partition as being to their advantage.

3

In the midst of the talk about partition, President Harding left Washington for his long-awaited trip to Alaska. Almost as soon as he had entered office, he heard conflicting reports about locked-up resources, bureaucratic red tape, and the lack of concentrated administration in the North. He decided to survey the situation personally before sponsoring any radical overhaul of administration. Thus in July 1923 Harding, along with Secretary of the Interior Albert Fall, Secretary of Agriculture Henry C. Wallace, Secretary of Commerce Herbert Hoover, and a shipload of other guests made a

celebrated journey through Alaska. Their ship, the Henderson, called at eight ports, where the president was entertained, cheered and admired, pressed to shake hands, and proudly guided on local tours. During the journey he concluded, evidently, that few important changes of policy or administration were necessary or desirable. Albert Fall had urged him to open Alaska to immediate development by private enterprise and to concentrate in one department the multiplicity of federal agencies operating there. The president seems to have rejected this advice and to have accepted that of Wallace. The latter had argued strenuously for conservation and gradual development under federal oversight and fought any reorganization plan which would enable the Interior Department to encroach upon the domain of the Agriculture Department.[31]

At the conclusion of his trip, the president delivered, at the stadium of the University of Washington in Seattle, a preliminary report of his findings. It was the last major public appearance of his life. In the speech, written with the aid of Herbert Hoover, the president told his audience that "the problem of Alaska" was temporary, because the territory was a frontier not basically different from earlier ones. The salmon fishery was yielding more than twice as much wealth ($31 million in 1922) as were the minerals of the ground. In fact restrictions on fishing would have to be imposed, because the supply of salmon was being depleted. Population, as well as gold and copper production, were down, but the decline he attributed to the worldwide postwar recession. When investment

capital again became available, Alaska would more than regain its former ground. "In a very few years we can well set off the panhandle and a large block of the connecting southeastern part, as a State. This region now contains easily 90 per cent of the white population and of the developed resources. It would be the greatest single impetus we could possibly give to the right kind of development. As to the remainder of the Territory, I would leave the Alaskans of the future to decide."[32]

Harding's endorsement of statehood for the Panhandle depended for its effectiveness upon the support of both Alaskans and outsiders. In this connection the objections raised by a few newspapers in the states were noteworthy. They were based mainly upon the representation which Alaska would receive in the Senate. The Philadelphia Record, for example, commented: "There are already a number of very feeble sisters in the Federal Union. Why add to their number?"[33] "And as respects the President's theory that Statehood 'would be the greatest single impetus we could possibly give to the right kind of development,'" wrote the New York World, "is Nevada a convincing example of how this kind of political impetus stimulates development?"[34]

4

On August 22, a few weeks later, the Ketchikan Commercial Club requested the mayor and town council to call a convention of Alaskans who lived in those parts of the territory which the president had intimated might be headed for statehood.[35] A

similar plan had been suggested by the Ketchikan Times in 1919. At that time the newspaper proposed that a convention of southeasterners memorialize Congress for partition and send a delegation to Washington to work for its achievement.[36]

The Ketchikan town council took up the revived plan and issued the requested call. Arrangements were made for a referendum to be held on November 6 at all of the large southeastern towns except Sitka, where notification did not arrive in time. When the voters went to the polls that day, they were recorded as having marked 1,344 ballots in favor of it and 89 against. However, Wrangell was the only town at which voting was heavy; elsewhere only about half of the usual number of ballots was cast. The Empire attributed the light turnout to the feeling that the outcome was a foregone conclusion and to the lack of an organized campaign. Governor Bone, thinking the result "perfectly natural and logical," traced it to the president's encouragement of statehood for the Panhandle.[37]

With this mandate for partition, the common councils of Douglas, Haines, Juneau, Ketchikan, Petersburg, Skagway, and Wrangell selected delegates for a divisional convention. Juneau was assigned four delegates, Ketchikan three, and the other towns one each. In addition to these eleven, Robert W. De Armond and one other individual were appointed by Governor Bone to represent the unincorporated parts of the Panhandle; of the two, only De Armond was able to attend. On the afternoon of November 15 the convention formally convened at the banquet

room of Moose Hall in Juneau. In the presence of a few spectators, the delegates were called to order by Mayor Isadore Goldstein, divine guidance was invoked, and officers and committees were selected. One committee was to draft a memorial to Congress, another to gather and compile statistics in support of it, and the third to prepare an organic act for the new territory. John Troy sat on the first two committees.[38]

One of the first questions which arose was the boundary to be sought. When it was agreed that the communities of Prince William Sound and the Copper River region should be included in the new territory, an invitation was sent to them to join. Five days after the convention opened, Ralph Robertson, chairman of the gathering, announced the receipt of "telegraphic advices from Cordova saying that as far as discovered the business men of that town are unanimously in favor of uniting the Prince William Sound and Copper River country with Southeastern Alaska in the formation of a separate Territory." What should the territory be named? Since no one had any intention of abandoning the name Alaska, the delegates tried out Old Alaska, South Alaska, East Alaska, and Southeast Alaska for sound. They finally settled on South Alaska.[39]

How would partition affect the rest of the North? The Empire expressed the opinion that in working out its own problems, South Alaska would set an example for North Alaska. When the latter developed sufficiently and its conditions became more settled, the two territories might request admission into the Union as a single state. After all, Oklahoma and the

Indian Territory had been united in statehood in 1907.[40] Of course South Alaska might also be admitted to statehood while North Alaska was left a territory. In that case, as the Forty-Ninth Star had foreseen in 1917, the territory would become the vassal of the state, much as the Territory of Washington had once been the patronage ground of the state of Oregon.[41]

On the evening of November 20, two weeks after the referendum on partition, the convention approved the work of its committees. Addressed to the president and Congress, the memorial prayed for partition on the grounds that the Southeast was sufficiently populated, that it had expectations of economic progress, and that its interests were different from those of the other divisions. Among the justifications cited was the complaint that while the Second and Fourth divisions combined contributed only one-fourth as much tax revenue as the First, they received from both territorial and federal sources two and one-half times more money than the latter for roads, schools, and special authorizations.[42]

Having prepared the memorial, the convention recessed. During the next few weeks, its work was submitted to the town councils which had sent the delegates. The one in Juneau voted unanimously to appropriate funds to send Ralph Robertson to Washington to present the convention documents, as well as the case for a local bond issue which it wanted Congress to authorize. An effort to enjoin the council from disbursing the money failed in district court. Skagway, Haines, and Petersburg also contributed to the fund, but Wrangell refused

because Wickersham had not been designated to go. He felt that the Panhandle was worthy of statehood and someday would be able to secure it.[43]

Robertson was the logical envoy, not only because he had been the convention president, but also because he had been a three-term mayor of Juneau and chairman of the 1923 reception committees for President Harding and for a delegation from the House Committee on the Territories. But he was vulnerable to criticism as the representative of about 100 corporations, including canneries and mining companies. Dan Sutherland asserted that partition accorded with the views of the "exploiting cannery interests" and that Robertson, an attorney, had been sent to lobby for them. The canners did not actually promote partition, although adequate grounds existed for suspecting that they might favor it. They were threatened with higher territorial taxes on their fish traps, a measure favored by Sutherland and most of the territorial Republicans but opposed vigorously by John Troy and other First Division Democrats. Partition, though it would reduce the revenue of the Territory of South Alaska, would reduce its expenses even more. It would not have to contribute to the support of public schools outside the Panhandle or the Alaska Agricultural College and School of Mines (University of Alaska), located near Fairbanks. First Division collegians were usually found at the University of Washington or other outside institutions. The cost of supporting a pioneers' home and indigent pioneers would also be reduced. Above all, southeastern money would not

be spent on roadbuilding in the Westward and Northward.[44]

Robertson was given the opportunity to present the memorial, supporting data, and proposed organic act before the House Committee on the Territories. On March 27-29 it held hearings on a bill introduced by Chairman James Curry of California to reapportion the legislature of Alaska. The measure, drafted by the Department of the Interior at the instance of Governor Bone, was backed by its new secretary, Hubert Work. Shortly after opening the hearings Curry declared, with the evident agreement of his committee colleagues, that Alaskans "are not going to have two Territories and they are not going to have a State. When the time comes that the wealth of that country is developed and its population is such that they can have a State, they can get one; but to think that the United States is going to bear the expense of two territorial governments in Alaska, with about 50,000 people there altogether --Indians, Eskimos, and white people--is ridiculous. At the present time the United States Government spends over $7,000,000 a year in Alaska, and we get out of there about $400,000 in taxes. We are not going to have a two-Territory government in Alaska."[45]

That ended the matter of partition. As for reapportioning the House, the bill under consideration would allot seven representatives to the First Division, one to the Second, six to the Third, and two to the Fourth. This allotment approximated the proportion of whites domiciled in each division in 1920, although it somewhat overrepresented the

Third Division and underrepresented the Fourth. Robertson suggested that the apportionment be six, one, five, and four respectively, based on the number of votes counted in the 1922 general election. Sutherland dragged his heels on any reapportionment, for it would reduce the legislative strength of the divisions in which his political support was greatest. His excuse was that he wanted first to obtain the views of the legislature. That body would not meet for almost a year, just prior to the anticipated adjournment of Congress. Nevertheless the committee heeded his request, ceasing further consideration of the bill. "...I will not take it up until Mr. Sutherland is ready to act," said Chairman Curry. But he added, somewhat disgustedly: "This proposition of trying to kill the matter by postponing it from time to time ought to stop....If you had told us when we started that you did not want this bill we would have saved all these hearings and put in our time on more important measures."[46]

It was clear to the committee that the principal motive behind the movements for partition and reapportionment was an unwillingness to share. But the First Division call for partition was prompted also by the haunting fear that the capital would someday be removed from Juneau, as it had earlier been removed from Sitka. Rep. John Rankin of Mississippi, who had toured Alaska in 1923, reported: "The city of Juno [sic] is scared about half to death for fear that the capital is going to be moved to Anchorage." Charles Abernethy of North Carolina had obtained the same impression. "The main trouble as I saw

it...is as to whether Anchorage should be the capital or whether Juneau should be the capital." He thought that it should be Fairbanks, but James Strong of Kansas and Charles Curry had both concluded that it should be situated in Seward. Curry preferred the latter town as the only good ice-free port on the Alaska Railroad. Controversy over the location of the capital appeared even in the memorial of the convention on partition. As presented to the Committee on the Territories, the memorial contained the footnote that the delegates from Ketchikan had urged that the capital of South Alaska be situated in their town.[47]

Struggle over the site of the capital continued into the 1925 session of the territorial legislature. On April 9, 1925 Hosea Ross, a Fairbanks Republican, introduced a joint memorial in the House asking that Congress authorize the people of Alaska to determine by vote "the permanent location of the capital." It was defeated 9-6 but was significant for the alignment it revealed. Richard Sundquist, a Second Division Republican, was absent at the time of the vote; had he been present, it would likely have been 9-7. As it was, the support given to the memorial came from one Republican and one independent of the Second Division; one Republican of the Fourth Division, Hosea Ross; and all three Republicans of the First Division.[48] Probably these First Division Republicans were attempting to gain the support of their fellow partisans from the Second Division on matters of greater moment to them. These included measures in favor of taxing fish traps, allowing

aged Natives to enter the Pioneers' Home, and extending territorial pensions to Natives and against imposing a literacy requirement for the suffrage. John Troy wanted such a restriction, since it would reduce the voting strength of the southeastern Natives. William Paul Sr. of Ketchikan, part-Tlingit himself, Dan Sutherland, and other Republicans were the ones who benefited from that vote.[49]

Against the memorial for a popular decision were the one Democrat from the First Division, one Republican from the Second Division, one Republican and two independents from the Fourth Division, and the two Democrats and two Republicans from the Third Division.[50] In other words the interests of Juneau were protected by representatives of the very divisions to which the capital might be moved. The Empire was appreciative: "for that," it stated editorially, "we would dislike to see the populous portions of the Third and Fourth Divisions separated from us when the time for division shall come."[51]

5

On June 15, 1925, one week before this closing note on partition, George Parks was inaugurated governor of Alaska. Scott Bone had not seen the changes he expected would be made and was ready to return to the profession of journalism. Parks was a knowledgeable official of the Department of the Interior who had long worked and lived in Alaska.[52] Devoid of political instincts, he conducted a conservative and businesslike administration.[53] In selecting him, however, President Coolidge disregarded Cash Cole, the man for whom Alaskans

had voted in a 1923 gubernatorial preference election.[54]

Statehood was seldom mentioned during the nearly eight years that Parks was governor. One of the few occasions was in March and April 1926, when Frank Aldrich campaigned against Dan Sutherland for the Republican nomination for delegate in Congress. Both men had served in the Senate in 1915, Sutherland supporting statehood and opposing the Millard memorial for full territorial government and Aldrich taking the opposite stance. Now they reversed positions. Aldrich ran a number of newspaper advertisements which bore his photograph and the words "Statehood for Alaska." The annual cost of statehood, he asserted, would be $50,000. This sum represented nothing more than the salaries of the treasurer, attorney general, superintendent of schools, highway engineer, superintendent of the pioneers' home, secretary of Alaska, and governor, plus the costs of running the office of governor and the territorial boards. On the other side of the ledger were $491,770 from the seal industry and $208,553.18 which had gone into the Alaska Fund in 1925. These amounts, Aldrich misleadingly stated, would go to Alaska if it became a state. Control of the fisheries and tidelands would also be acquired, he noted, but no figure was given for the costs of their management. The Anchorage Daily Times declared that agitation for statehood was disturbing and should not be encouraged. Rather Alaskans should strive for increased legislative powers for the existing government, that is, "increased authority without increased cost of administration."[55]

Dan Sutherland's platform was more modest than Aldrich's. Sutherland promised to work for increased legislative powers, including an elective governorship and control of the fisheries. But like Wickersham he opposed establishment of a full territorial form of government, because it "means [the expense of] organized counties with Territorial courts and law officers."[56] Sutherland won the primary and was continued in office through victory in the November election.

On November 5, 1929 Sutherland announced that he would not run for a sixth term. That night James Wickersham sent telegrams to the newspapers of the territory declaring that he would seek the post. In January he issued his platform; among its pledges were support "for a more perfect form of Territorial Government" and for "self-government in Alaska game, fur and fisheries...." Wickersham's rival for the Republican nomination was John Rustgard, attorney general of Alaska. He came out, more directly than his opponent, for an amendment to the Organic Act which would give Alaska as much home rule as earlier territories and "enable us to gradually assume more and more of the functions of government until full Statehood is attained...."[57] Wickersham won the nomination and, in the fall, had the satisfaction of defeating George Grigsby, his Democratic antagonist since before the war. Now seventy-four years of age, Wickersham was again seated in Congress. But as the omissions from his campaign platform suggested, he would not repeat his statehood efforts of 1916.

Notes

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3. W. F. Beers Jr., "The Government of Alaska," Alaska-Yukon Magazine 4 (1908): 373.

4. Alaska-Yukon Magazine 3 (1911): 208, 201.

5. Hugh A. Johnson and Harold T. Jorgenson, The Land Resources of Alaska (New York: University Publishers, 1963), pp. 202-203; 35 Stat. 260.

6. Daily Alaska Dispatch (Juneau), July 13, 1915.

7. Alaska Daily Empire (Juneau), February 16, 1917.

8. DAD, April 29, 1915; 33 Stat. 616.

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12. DAD, October 17, 1916.

13. ADE, October 24, 1914, November 29, 1915.

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21. ADE, December 8, 1921, January 7, April 29, 1922.

22. KAC, December 7, 1922.

23. ADT, June 11, 1919.

24. ADE, February 16, 1922, January 17, 1923; Seward Daily Gateway, December 26, 1923.

25. FDNM, March 21, 1922.

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31. ADE, September 4, 1923; Bob De Armond, "July in Alaska's History," Alaska Sportsman, July 1965, pp. 26-31; Robert K. Murray, The Harding Era: Warren G. Harding and His Administration (Minneapolis: University of Minnesota Press, 1969), pp. 439-440.

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37. ADE, November 7, 9, 1923; U.S., Congress, House, Committee on the Territories, Reapportionment of the Alaska Legislature: Hearings on H.R. 8114, 68th Cong., 1st sess., March 27-29, 1924, p. 20.

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44. Hearings on H.R. 8114, pp. 6-7, 86-88; ADE, March 14, November 4, 1924.

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47. Ibid., pp. 89, 54, 81, 21.

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50. House, Journal, 1925, p. 250.

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Chapter 4

Birth of the Modern Statehood Movement

1

The Great Depression did not augur well for the political career of James Wickersham. When he sought reelection in 1932, he faced not George Grigsby but Anthony Dimond, a tall, thin, bespectacled man of somber looks. Dimond had gone to Alaska from New York early in the century. In 1911 a shooting accident forced him to abandon gold mining, whereupon he resumed an earlier study of law. Not long after leaving the hospital, he was admitted to the bar and thenceforth practiced law. He also served as mayor of Valdez for ten years and as a territorial senator for two terms.

Dimond campaigned vigorously against the failure of Wickersham to achieve enlarged home rule; indeed he accused the delegate of opposing it. Wickersham had, the challenger said, introduced bills which would virtually have enacted the November 1931 platform of the Alaska Democratic party. As in 1916, however, they were not enacted. "If he believes in the doctrines of Home Rule, why hasn't he done something about it? If I had been in Congress 11 or 12 years I would at least have got a bill out of committee to show my earnestness, and that is more than he has done."[1] Dimond would have the chance, for on election day the voters withheld their mandate from Wickersham and gave it to the fifty-one-year-old lawyer from Valdez by the

large majority of 9,949 to 3,820.[2]

Also victorious in the November election was Governor Franklin Delano Roosevelt of New York. The new president would appoint a man of his own party to take the place of George Parks. Dimond urged the nomination of the chairman of the Democratic Territorial Committee and editor of what had been renamed by transposition the Daily Alaska Empire. Such an appointment would, he said, appropriately recognize the faithful service which John Troy had rendered to the party during the lean years of the Republican ascendancy. Troy had also boosted Roosevelt for the presidency as early as November 1930 and had influenced the Alaska delegation to support the New Yorker at the Democratic National Convention of 1932. Thus with the party in Alaska united behind him, Troy was appointed to the governorship.[3] As a result advocates of home rule came to occupy the two most important offices of Alaska. A hint of the sectionalism of the 1920s appeared when, in 1933, Troy recommended to the secretary of the interior "a system of counties or other means of local government."[4]

Not long after being sworn into office, Dimond introduced a bill which would transfer to the territory authority over the fisheries and another to do the same with the fur animals and game.[5] Some Alaskans doubted their financial ability to undertake the task of managing the fisheries. The delegate had anticipated their hesitancy by including in the first of these bills a provision requiring the federal government to turn over to Alaska one-half of the net proceeds of the Pribilof

operations.[6] Both bills were referred to committee, but neither was acted upon. Dimond repeated his efforts in succeeding congresses but always with the same result. In 1935 he also introduced bills to enlarge the powers of the legislature and to establish a territorial supreme court, but hearings were not held on them either.[7]

On another front Lincoln McCandless, the delegate from Hawaii, introduced a bill to give delegate representation in the Senate to his territory and Alaska, in addition to that which they possessed in the House. One delegate from each, it was said, could not in both houses of Congress "keep in touch with all matters pertaining to his district...." The McCandless bill was sent to the Judiciary Committee, where it was pigeonholed. Later Anthony Dimond introduced a similar bill, which also received no action.[8]

Alaska's new delegate was accomplishing no more for home rule than Wickersham had. To be sure, changes were being made in the governance of Alaska, but these affected the federal executive. Until 1934 federal relations with the territories had been conducted from the office of the chief clerk of the Interior Department. In that year the function was transferred to the newly created Division of Territories and Island Possessions, also located in the department.[9] Ernest Gruening, born in New York City in 1887 and graduated from Harvard College and Harvard Medical School, was named its director. He had not entered the practice of medicine, having become interested in journalism instead. In the latter field he became

known for his editorship of a succession of important Boston and New York newspapers, as well as the liberal journal the Nation. Two years after his government appointment, Gruening made his first journey to the territory to address a graduating class of the University of Alaska. He was too interested and energetic merely to attend the commencement exercises. By the time he left about two weeks later, he had traversed nearly 4,000 miles of his northern responsibility.[10]

In 1938 Gruening's superior went on his own two-week tour of Alaska. To Harold Ickes, who had recently married, the North seemed a fine place to honeymoon. Near the end of his trip, the secretary spoke cogent words on the failure of Alaskans to build for the future: "You have everything. Excellent climate, plenty of timber; as fine an opportunity for development into a state as anywhere on the face of the earth. But unless Alaskans change their psychology of just making a stake and getting out, to the viewpoint of Alaska as a place to live and raise their families and build up its industries you won't get anywhere."[11]

Depressed operating costs and the administration's inflation of the price of gold from $20.67 an ounce to $35 in 1933 had brought great prosperity to the gold mining industry. Production in Alaska, which amounted to $9,701,000 in 1933, had climbed to $23,170,000 in 1938.[12] However, 1938 was also the year that the great Kennecott mine in the Chitina district was closed. Now that $200 million of high-grade ore had been removed, Cordova would revert to a fishing and canning town.

Ickes was surprised to learn that the territory levied no property taxes and a tax of only 3 percent on the gross production of gold. Since each miner received an exemption of $10,000 on his annual production, raised to $20,000 in 1939, no operator paid even that percentage. "You can't build a modern civilization on mining," the secretary remarked. Unless Alaskans taxed some of the wealth while it was being produced, nothing would remain after the resources were exhausted. These observations did not endear Ickes to mine operators and others who profited from the low tax rates. But the Empire saw wisdom in the remarks and noted that he had directed his sights to the future. If Alaskans wanted to remain "the tail of the Washington kite," little could be done about the situation. But if they wanted to build toward statehood, they would have to help themselves; otherwise Washington would give them only limited aid.[13]

2

On September 2, 1939 President Roosevelt announced that John Troy had resigned from the governorship because of "prolonged ill health" and that Ernest Gruening would take his place.[14] Gruening was chosen mainly, perhaps, because he and Ickes did not get along. Placing them at opposite ends of the continent may have been Roosevelt's solution to the problem. At any rate a few days before Troy was due to leave office, nearly 200 friends held a banquet for him at the Baranof Hotel. James Wickersham, one of the speakers, credited the governor with having contributed to passage of the Organic Act. The

judge was also reported to have said that he hoped it would remain unchanged until statehood was achieved.[15]

Ernest Gruening, as strong-willed and combative as Wickersham, would soon entrain for Seattle and sail northward through the Inside Passage. Although qualified for the post of governor, he was an outsider. The Nome and Juneau divisional committees of the Democratic party therefore opposed his appointment, and Anthony Dimond supported them. All of them felt that the patronage should be distributed to resident Alaskans; moreover, many of them mistakenly feared that Gruening would be the cat's-paw of Ickes.[16] Roosevelt had made his decision, however, and Gruening took the oath of office at the Federal and Territorial Building on December 5, 1939. In his inaugural address, which was broadcast, he predicted that "Congress will be pretty slow in extending statehood to the first non-contiguous Territory" and that when it did, Hawaii rather than Alaska might be first. "Anything that can be done by the Governor, working with the people, to bring closer the day of Alaska statehood is desirable."[17]

While Gruening was familiarizing himself with the details of his new office, Hatton Sumners, chairman of the House Judiciary Committee, sponsored an amendment to the Constitution which would extend "national representation" to the District of Columbia.[18] Delegate Samuel Wilder King of Hawaii asked that his territory, too, be covered by the amendment, but Anthony Dimond demurred about Alaska. He was unsure whether it would hinder the progress of statehood and would take no action until

he reached a decision. Also that summer the Democratic National Convention went on record as favoring "a larger measure of self-government leading to statehood for Alaska, Hawaii and Puerto Rico." In 1936 the convention had rejected a plank offered by Dimond calling for Alaska's "ultimate" admission.[19]

A few months after the 1940 convention, Hawaiians went to the polls to cast ballots on the question of whether they favored statehood for the Islands. The Empire suggested that Alaskans might well emulate the islanders to attract national attention to their own case. Alaska was being treated as fairly as could be expected from a government which did not always understand local conditions, it thought. But Alaskans wanted to vote for their president and governor and possessed "the natural desire of all free peoples to meet their own responsibilities and settle their own affairs." Dimond optimistically declared: "Alaska is just as much entitled to statehood as Hawaii and we'll beat them to it yet if we can."[20] On March 13, 1941 he introduced two resolutions in the House of Representatives. One of them would have directed the Committee on the Territories to conduct an investigation of conditions in Alaska, including its fitness for statehood and its ability to afford it. The other would have authorized $15,000 to pay for the inquiry.[21] Neither resolution received action.

The delegate was trying to prod Congress on statehood and, in the 1941 progress edition of the Empire, tried to persuade Alaskans as well. Growing at last, the population of the North

had increased to 72,524 in 1939, up 22.3 percent since 1929. All of the judicial divisions had grown, the First most of all. It now constituted 34.8 percent of the population, the Second 16.4 percent, Third 26.6 percent, and Fourth 22.2 percent. In addition the federal government had initiated the belated construction of a defense establishment in Alaska. These developments portended well for statehood. Entry into the family of states would bring Alaskans control of their fisheries, fur and game animals, judicial system, and police force and would give them access to federal matching funds for highway construction. Above all it would bring them voting representation in the House and Senate. Cost remained the chief disadvantage; this, the delegate estimated, would be one million dollars a year, a large sum for a government with an annual budget of only twice that amount. Dimond acknowledged that Alaska's tax laws were outmoded and inequitable but expected that they could be satisfactorily revised to meet the cost of statehood. If the legislature would memorialize for admission, he could confidently introduce enabling legislation. The legislators might even go so far as to write and adopt a constitution. It would give Congress a concrete document to consider and might thus expedite admission. All of this was contingent upon obtaining a substantial majority in favor of the memorial, since defeat would serve "no good purpose."[22]

The delegate was thinking ahead of his constituents, but the latter were at least reading about statehood. Alaska Life, founded in 1938, was fast becoming one of the most widely

circulated magazines in the territory. In June 1940 the publication printed an article by Alan Faith looking back to the concept of partition. Snarling "and snapping at each other like hungry trail dogs," he wrote, most Alaskans still hoped to make a stake so that "they can get out for good, or so they can go out every year or two to have a good time and spend elsewhere the money they wrested from resources of the Territory." They seemed to lack pride in Alaska and a sincere interest in developing it. Statehood had often been mentioned as the antidote for this attitude, but Faith thought Alaska too large and diverse for it. Admitting the Panhandle alone was a different matter. Should this be done, outside capital would no longer have to fear the whims of absentee administration, and officialdom would have to move somewhere else. In time one or more states could be formed of the remaining territory.[23]

The editorial staff of Alaska Life also looked to statehood, but it was statehood for all, not just part, of the North.[24] At the end of 1940 the magazine polled a cross section of Alaskans to determine their sentiment on the issue. It found that 39.5 percent favored statehood and that 60.5 percent rejected it. Further questioning revealed that neither group had a "solid foundation of reasoning for its stand...."[25] Undaunted, Alaska Life announced in its issue of February 1941 its full commitment to immediate statehood.[26]

The magazine invited its readers to write it letters about the subject. In response Curtis Shattuck, a Juneau insurance agent, focused on the problem of finance. He suggested that

the legislature then in session finance an inquiry by a commission, not an individual, into the cost of statehood--if the cost of the inquiry be "reasonable." Its findings should be reported to the 1943 session.[27] A similar plan had been proposed in February 1939 by the Anchorage Igloo of the Pioneers of Alaska. Its members had resolved that the legislature should "nominate a nonpartisan committee to be composed of the ablest and most experienced citizens and residents of the territory to gather data and make investigations of economic conditions with a view to applying for statehood, and that the committee report to the next session of the Legislature its findings, and make recommendations."[28] The legislature did nothing about the matter in 1939 and did nothing again in 1941.

Nevertheless the legislators did consider holding a referendum. In February 1941 William Egan, the freshman representative from Valdez, and John McCormick, a former miner and a booster of Juneau, introduced an effectuating bill in the House. It passed 12-4, one negative vote coming from each judicial division. In the Senate the bill was postponed indefinitely 6-2. Again there was no split along divisional lines. In 1943 Egan repeated the effort. At that time the bill, cosponsored by Richard Hardcastle of Ketchikan, was reported favorably and passed 15-1. In the Senate it was referred to the Committee on Education and Territorial Institutions, from which it was never reported.[29]

3

Statehood was being promoted inopportunely. Franklin Roosevelt's challenge to the imperialist ambitions of Japan caused some American army officers to regard immediate statehood as undesirable. The North was a likely target for a Japanese strike, since it was lightly defended, supplied by sea, and an excellent base for assaulting Canada or the states. Fending off a Japanese attack might be possible, but the effort would require men, ships, equipment, and other supplies which would be needed elsewhere. Evacuation of this huge and remote landmass with its intricate coastline and inadequate defenses might prove more practicable. No territory needed to be defended by the United States, but a state would be defended whatever the cost.[30]

The Japanese invaded Alaska in 1942 at the islands of Attu and Kiska. The inhabitants of the Aleutian chain were evacuated, but elsewhere people generally remained in place.[31] The construction of military and air bases proceeded apace, together with the Canadian Alaskan Military Highway (Alaska Highway). Just as important three hundred thousand American soldiers, sailors, coast guardsmen, and airmen were stationed in the North.[32] As during the days of the gold rush, growth seemed to generate increased desire for self-government. It also prompted an interest in statehood on the part of Senator William Langer, a maverick Republican from North Dakota.

Asserting that the territory was vital to national defense, Langer informed the press in June 1942 that he was drafting an

enabling bill.[33] It was only eleven pages in length, compared with Wickersham's twenty-three. One-half of the bill dealt with the election of delegates to the constitutional convention and approval of the document they were charged with writing. The other half provided for the establishment of a federal district court in the state and for the disposition of cases pending at the time of admission. Provision for federal land grants had taken up over one-third of Wickersham's bill; one sentence was all they received in the Langer bill: "The State of Alaska shall retain all the public property, vacant and unappropriated lands lying within its limits now ceded, transferred, and in possession of the United States, except such as are in the possession of and used by a department of the United States, and may dispose of the same as the said State may direct." When he introduced the bill on April 2, 1943, it was cosigned by a conservative Democrat from Nevada, Pat McCarran. Anthony Dimond thought that since Congress was "distinctly favorable" to statehood, "more than a fair likelihood" existed that admission would come as soon after the war as Alaskans wanted it.[34]

Several organizations and newspapers in Alaska gave earnest consideration to the bill. The Juneau Bar Association adopted a resolution prepared by Henry Roden, Ralph Robertson, and Frank Foster which termed "statehood, with its accompanying political freedom," to be beyond monetary measure. The Juneau Chamber of Commerce was not so sure. In 1903 a subcommittee of the Senate Committee on Territories had witnessed the chamber

vote on the proposal to organize the district. Half of the members voting favored it, and the other half were opposed; the tie was broken by the chairman, who decided against organization. Now forty years later, Robertson and Dimond tried unsuccessfully to convince the chamber that statehood was desirable. On September 2, 1943 the members approved, by a majority of one, the negative report of its legislative committee.[35]

Composed of insurance agent Allen Shattuck, architect Harold Foss, and attorney Herbert Faulkner, this committee objected that the cost of statehood would be excessive, especially since new or increased sources of revenue in the near future were uncertain. Higher taxes on existing enterprises would retard development. As for the prevalent idea that statehood promoted development and settlement: "People change residence and capital moves from place to place for many reasons, but not for the reason that a State is preferable to a Territory." The report raised the possibility that the state would have to assume the costs of education, medical care, reindeer administration, and organization and credit for the Native population. These items amounted to $1,909,800 during fiscal 1944. Congress would "very likely" continue to bear this expense, but there could be no "binding assurance" that it would. Accentuating the dark side of statehood and minimizing the bright, the committee recommended that efforts to pass the Langer-McCarran bill be suspended "at least until the present war is ended and until we can see more

clearly the conditions which are likely to confront us."[36]

The Alaska Miners Association, which included practically all mine operators in the territory, concluded that any push for statehood during the war would be ill-considered. The Fairbanks Chamber of Commerce deferred action on the question until additional information was available and further thought had been given to the matter. Jessen's Weekly, an independent publication of wide circulation, applauded the decision. Alaska was in flux, it wrote; talk of statehood during the war would be confusing, diverting, and premature. The newspaper reminded its readers of the adage "Act in haste; repent at leisure."[37] Doubting less and reacting quicker were the Ketchikan and Wrangell chambers of commerce, which endorsed statehood.[38]

The Anchorage Daily Times felt that if Alaskans wanted statehood, wartime was propitious to campaign strongly for it. After the war Alaska would probably recede from national attention. The Times noted many advantages which would accrue from admission but hesitated to take a stand without additional information. It would endeavor to secure and publish the facts and, like Alaska Life, invited letters to the editor on the subject.[39] The Anchorage Daily News, a younger and smaller competitor of the Times, wrote: "While we have not sold ourselves on statehood, there seems to be an abundance of facts available that point toward a conclusion that statehood for Alaska is a very desirable proposition." However, when discussing the matter with friends, one should keep in mind

whether they are officeholders or corporation representatives, both of whom might be expected to fear disturbance of the status quo.[40] Senator Langer had sent a copy of his bill to the Empire in Juneau. The newspaper commented on it in a moderately favorable tone but did not take a stand in clear support.[41]

Dean Sherman, editor of Alaska Life, traveled from one end of the territory to the other asking people how they felt about statehood. Over and over they asked what it would cost and how they would be able to afford it. They were the most lightly taxed population of "free men" in the world; yet "the thought uppermost in many Alaskans' minds is the fact that we might lose the small 'gravy train' we now ride." Sherman, an advocate of statehood, tried his hand at calculating its cost. He arrived at the blissful conclusion that although the nonfederal cost of government in Alaska would increase by $1,950,000 a year, the state would receive $3,000,000 a year in new revenue. "Probably," he added, "it will not work out as easily as this in actual practice." The state would control its natural resources, though, and would have power from its representation in Washington.[42]

Statehood was one means of obtaining increased self-government. Another was suggested by President Roosevelt on March 9, 1943, when he recommended to Congress that the people of Puerto Rico be granted the right to elect their own governor. Rexford Tugwell, the appointed governor, had been Roosevelt's undersecretary of agriculture and one of his

original "brain-trusters." He had originated the idea, and Secretary Ickes had approved it in substantially modified form.[43] A couple days later James Davis of Juneau, a conservative Democratic businessman, took up the idea for his own territory in a joint memorial which he introduced in the Alaska House of Representatives. The House passed it unanimously; the Senate passed it 7-1.[44] On April 12 Anthony Dimond introduced a bill to accomplish the purpose; he then asked the House Committee on the Territories to schedule a hearing.[45]

Ickes said he sympathized completely with the bill and that his department was studying the problems it involved. The department seems not to have submitted a report, though, and despite Dimond's repeated requests, the committee held no hearings on the bill.[46] On October 12 Senator Langer, who visited the North in the summer of 1943 to study the Alaska Highway project, introduced his own elective governorship bill. It was identical to Dimond's except that it was designed to take effect upon approval rather than on January 1, 1945. The senator stressed that he was not receding from his earlier position that Alaska should have been admitted into the Union twenty-five or thirty years previously.[47]

4

Anthony Dimond had written and spoken for statehood but had not yet introduced enabling legislation. When Congress recessed for the summer in 1943, he headed for home. Stopping at Juneau he announced that he would introduce his own bill in

the fall, because William Langer's was unsatisfactory to him.[48] By the time he was ready to return to Washington, he had doubled his 1941 estimate of the cost of statehood from $1 million a year to $2 million.[49] On December 1 he issued a lengthy statement on why he thought statehood to be desirable and the following day introduced the bill. It was four pages longer than Langer's but not fundamentally different. On the subject of natural resources, for example, the delegate's provided that the federal government should convey to the state "all public property and all vacant and unappropriated lands, including lands reserved or withdrawn from entry," with the following exceptions: all land and property possessed and actually used by the United States for some governmental purpose; "all lands with adjacent waters and other property set aside or reserved for the use or benefit of the native Indians, Eskimos, and Aleuts of Alaska"; lands already reserved for or devoted to the support of the common schools and the University of Alaska; Mount McKinley National Park; Glacier Bay National Monument; the 20 million-acre Naval Petroleum Reserve Number Four, north of the Brooks Range; the Pribilof Islands; and whatever links in the Aleutian chain west of the 172d meridian might be required for military purposes. Thus Mount Katmai, Sitka, and Old Kasaan National monuments, the wildlife refuges, and reserved petroleum land other than the naval reserve would be given to the state. All federal property devoted to the conservation and protection of the fisheries and of the fur and game resources would also be conveyed. This would not include

the technical and research facilities of the federal government connected with them which, if transferred, would add to the cost of state government.[50]

According to John Pegues, editor of Jessen's Weekly, Dimond sought this massive transfer of real estate in order to halt the establishment of Native reservations.[51] Under authority of the Wheeler-Howard Act of 1934 and its Alaska amendment of 1936, Secretary Ickes had begun to set aside lands for the purpose of affording each of various Native groups a resource base sufficient to obtain a livelihood in its traditional manner. During the period from April 20, 1942 through May 22, 1944, he had established five reservations comprising 1,537,270 acres on which 921 people, including some whites, lived.[52] Virtually all whites in Alaska, including the governor and the delegate, strongly opposed this department policy. Transferring to the state almost the entire public domain in the North was Dimond's way of ensuring that further Native reservations would not be established. He expected to compromise, though; in a speech before the Juneau Chamber of Commerce on July 29, he told his audience of his belief that only part of the public lands would be conveyed.[53]

The chairman of the House Committee on the Territories solicited the views of the executive departments most closely concerned with the bill.[54] Secretary Ickes reaffirmed his position that ultimate statehood was desirable. True, the population was sparse, the legislature continued to rely upon federal assistance rather than upon territorial resources to

finance public services, and the economy rested essentially upon the fluctuating and seasonal occupations of mining and fishing. But he was sure that further development of the agricultural, commercial, and industrial potential of Alaska would bring the stability of population and economic diversification "so necessary to full assumption of governmental responsibility and fulfillment of its obligations."

Ickes raised two specific objections to the bill. The first pertained to its provision for a general transfer of public lands. He feared that powerful economic interests would resist adequate taxation, thereby tempting the lawmakers of the state to obtain needed revenue by allowing uneconomic exploitation of the public domain. Second, and similarly, he was concerned that state jurisdiction over the fisheries would result in depletion of the salmon resource. Certain earlier states had not proved adequate to the task of coping with private exploitation which disregarded the long-range needs of conservation. For the time being, Ickes preferred that the people of the territory cooperate with federal agencies in a program of general development which would make the North unquestionably ready for statehood.

Attorney General Francis Biddle suggested several technical changes in the bill regarding the United States district court. He also recommended that the three-year Alaska residence requirement for the judge, attorney, marshal, and clerk of court be deleted in order to conform with the practice in the existing states. Secretary of War Henry Stimson reported that

his department had no objections to statehood. If the bill should be enacted, however, he preferred that its execution be delayed until the termination of hostilities. Lastly Frank Knox, secretary of the navy, transmitted his report on the projected state. The letter was as long as those of all three of his colleagues combined. If the entire public domain, including abandoned military reservations, were conveyed to the state, the navy would no longer be able to acquire needed land merely by seeking an executive order reserving it. Rather it would have to seek it from the state, a process which would consume time and money. Accordingly Knox suggested that public lands conveyed to Alaska be subject to reservation for military purposes as long as they remained unimproved.

None of the four replies opposed the principle of statehood, but those of the Interior and Army departments stated that wartime was inopportune for admission. Anthony Dimond did not press for consideration of the bill, because he realized that people would be reluctant "to change anything" during the war, especially since Alaska was a potential battleground.[55] Consequently he looked forward to serious consideration of the bill only after the war ended. The drive for statehood may have been temporarily stymied, but Dimond could, nevertheless, look back on five years of progress. He had not succeeded in obtaining a full territorial form of government. Indeed he had shifted the thrust of his efforts from modifying the Organic Act to passing an enabling bill. The war seemed to be hindering his efforts, but it was actually

establishing some of the preconditions for the ultimate achievement of statehood.

By the time the executive departments received his bill, Dimond had decided to resign from office. Nearly twelve years had passed since he had first gone to Washington as delegate; now, he said, he intended to return to Alaska to "practice law." Six days later President Roosevelt nominated him as judge of the Third Division, an office he had long wanted to hold.[56] Since it was only January 1944, however, he still had a year to serve as delegate. In the coming months he would watch the struggle of the aspirants to succeed him.

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Chapter 5

Testing Statehood Sentiment during the Second World War

1

Statehood was clearly becoming an important topic of political conversation in Alaska. How serious the talk was and how receptive Washington would be to it were questions which had not yet been answered. After all, as the Anchorage Daily Times pointed out, the recent movement for admission to the Union "originated in the states and was carried into Congress without the advice, assistance or a suggestion from Alaskans."[1] Much of the statehood discussion by newspapers and chambers of commerce in the North had been sparked by the enabling bill introduced by Senators Langer and McCarran. The pathbreaking articles of Alaska Life and the public opinion poll which the magazine had conducted added fuel to the discussion. Many of its writers lived in Alaska, but the magazine itself was published in Seattle. Most important of all the external fillips was the Second World War, which became the principal impetus to development in the North. The imperative requirements of the war brought thousands of new residents to Alaska and linked them with the states by road. Alaskans became infused with a sense of change and exuberance unlike anything since the days of the gold rush.

Nevertheless concrete indications of the strength of the new movement for statehood were wanting in early 1944. Popular

sentiment had not been sounded since a year before the bombing of Pearl Harbor. In its meetings at Juneau, the legislature had neither petitioned for statehood nor provided for a referendum. A few Congressmen had talked about admission, but neither the House Committee on the Territories nor the Senate Committee on Territories and Insular Affairs had ever investigated the possibility. Warren Harding had been the last president to speak publicly on the subject. Secretary Ickes seemed sympathetic toward the aspiration, but he felt that it was premature. In the last year and a half of the war, the prospects for statehood would become more affirmative.

One opportunity for raising the issue was the 1944 campaign for delegate. On the night Anthony Dimond announced that he would not file for renomination, Edward L. (Bob) Bartlett, secretary of Alaska, informed the press that he would run to succeed him.[2] A likable man who made friends easily, Bartlett was close to both Dimond and Gruening. He was born in Seattle in 1904, although both of his parents were Fairbanksans. After being reared in the North, he returned to his birthplace in 1922 to study at the College of Liberal Arts of the University of Washington; he completed his formal education at, but did not graduate from, the University of Alaska in 1925. From 1927 until 1933 he served as a reporter for the News-Miner and wrote its editorials. He also wrote occasional articles for the New York Times, in one of which he predicted Dimond's victory. One day after the election Vide, Bartlett's wife, suggested that he apply for the job of Dimond's secretary. He

knew the delegate-elect only slightly, but Vide and her family knew him well. After talking it over for a time, Bartlett did as she suggested, for his $225-a-month salary allowed them to eat little besides hamburger and spaghetti. He was hired, partially because of personal friendship but mainly on account of the Times article.[3]

The Bartletts arrived at the capital in April 1933. In November 1934 they left it, "vowing that never again would we return to Washington, D.C. even in the capacity of tourist because we didn't like the place." Being a capable and energetic worker, however, and on good terms with Dimond, he went back to the territory to become assistant director of the Federal Housing Administration. Three years later he became chairman of the Unemployment Compensation Commission of Alaska. While serving in these posts, he also operated for three years the hydraulic mine of his father, who died in 1935. Finally, in 1939, while John Troy was still governor, President Roosevelt appointed him secretary of Alaska. He remained in the post until February 1, 1944 when, urged on and supported by the governor but against all of the persuasions that Vide could muster, he resigned and filed as a candidate for delegate.[4]

The forty-year-old candidate launched his campaign at Wrangell on February 8, where he spoke at a one dollar-a-plate dinner held by the Wrangell Statehood Club. The organization, evidently spearheaded by Lew Williams, Bartlett's successor as secretary of Alaska, had only recently been established to sponsor discussions on statehood. Bartlett believed in

statehood, having been persuaded by Dimond's advocacy of it, but he did not yet feel ardently about it or consider it to be an immediate necessity. Nevertheless he emblazoned the issue on his campaign shield, labeling the existing system of government "outmoded and inefficient and only a stop-gap between territory-hood and statehood." The latter would cost more money, he acknowledged, but it would be feasible by "taxing some of the millions of dollars which are now going out of the territory without returning one cent in revenue." When Bartlett returned to Juneau, Gruening scolded him, saying that with such a platform he was bound to lose. It was not a popular issue, he said; moreover, "You know we aren't ready for statehood."[5]

Regardless during the following two months, this warm and modest candidate frequently repeated his stand on statehood. His stated reasons for supporting it were many, but the chief one vibrated in unison with Dimond's: it would bring Alaskans the full rights, privileges, and dignity of citizenship. A referendum ought to be conducted, Bartlett said, because it would generate discussion of the issue and speed the process of admission. Since statehood would not be easy for a noncontiguous territory to attain, a united front at home would be the best and perhaps only chance of success against outside opposition.[6]

Bartlett had two strong opponents for the Democratic nomination. One of them was Henry Roden, a former miner and law partner of James Wickersham, a member of the First

Territorial Legislature and, at the time, the elected attorney general. At the end of February, Roden felt unsure whether Alaska was prepared for statehood.[7] By mid-April he had concluded that concentration on winning the war should come first. Adolph Ziegler, the third Democrat to announce his candidacy, had practiced law in Ketchikan for more than thirty years. During the campaign he found statehood to be the "outstanding issue before Alaskans" but advised against leaping before looking.[8] The legislature should select a competent man to conduct a businesslike study of the costs and other facts about it, he suggested. The Empire, now published by Mrs. Helen Troy Monsen, felt that statehood offered many advantages. Electric light would be similarly welcome to an isolated trapper or farmer "who reads last month's newspaper by the light of a smoky oil lamp," but first it was necessary to know the cost.[9]

Republicans also contested for the office. George Grigsby, no longer a Democrat, decided to try for it again. Since serving part of James Wickersham's 1919-1921 term, he had been defeated for the delegateship by Sutherland, Wickersham, and Dimond. Because he campaigned hardly at all, his defeat was almost assured. Also running was John Manders, another Anchorage attorney. This impassioned antagonist of socialistic and bureaucratic government was president of the Anchorage Republican Club and a founder of the corporation Statehood for Alaska. Articles of incorporation for the five-year, nonprofit organization had been filed on January 3, 1944. Its stated

purpose was "to sanction and promote and become the official sponsor of statehood for Alaska."[10]

The unusually heated primary campaign resulted in victory for Bartlett and Manders, a fact which must have impressed Gruening. Neither they nor the platforms of the two major parties in the territory diverged on the issue of statehood. Much the same can be said of the parties nationally. At Chicago the Republicans agreed that "Alaska is entitled to the fullest measure of home rule looking toward statehood." They declared the same about Hawaii. The Democrats resolved in favor of the "enactment of legislation granting the fullest measure of self-government...and eventual statehood for Alaska and Hawaii."[11] In the general election in October, Bartlett won the delegateship 7,255 to 3,763 and the Democrats were continued in control of the legislature.[12]

2

The new territorial legislature, structured differently than in previous years, reflected the rising popular interest in statehood. In 1942 Congress had enacted a bill doubling the membership of the Senate from eight members to sixteen but retaining equal representation for each judicial division. The membership of the House was enlarged from sixteen representatives to twenty-four who, for the first time, would be distributed among the divisions on the basis of population. Also the only legislative expenses of the territory which the United States treasury would continue to pay were the salaries and mileage allowances of the members themselves.[13]

On the fourth day that the solons met, Governor Gruening delivered his annual message. He recalled that the platforms of both territorial political parties and the two opposing candidates for delegate had favored statehood in 1944. Few if any Alaskans rejected it in principle; rather they differed on the timing of admission or on its conditions. A referendum should be conducted on the question, but the voters first needed information. It should be compiled impartially, published in pamphlet form, and distributed to both civilian and military voters.[14]

Norman Walker, a Democratic pharmacist from Ketchikan, introduced a bill in the Senate to hold a referendum at the 1946 general election. Under it the voters would be asked simply whether they were for or against statehood for Alaska. Allen Shattuck, a conservative Democratic insurance agent from Juneau, asked that the questions on the ballot specify "what we want to get from Ickes." Under his plan the voters would be asked: (1) "Do you favor statehood for Alaska without regard to the additional costs necessarily involved." (2) "Do you favor statehood for Alaska only if a Congressional Act authorizing statehood contains provision relinquishing all rights to the state over fish, fur and game and public lands now withdrawn as reserves comprising about 20% of the total area of the Territory. Excepting, however, the National Forests, National Monuments and Naval oil reserves." The amendment was rejected. Two days later the bill passed 15-1 as originally proposed; Allen Shattuck was the lone objector.[15]

In the House, authorization of the referendum became entangled with a statehood memorial introduced by Fred Hanford, a businessman from Wrangell, and Stanley McCutcheon, an Anchorage attorney. After being amended to request statehood "with full control of all natural resources," the memorial passed the House unanimously. In the Senate it was rejected 9-7. This did not mean that nine senators opposed statehood. Some of them objected to the memorial on the ground that its request for statehood was not contingent upon a favorable vote in the referendum. The omission was not accidental; it was based on the belief that Congress would require one anyway. Other senators complained that passing the memorial would be inconsistent. It stated, with exaggeration, that "the people of the Territory have, on each occasion, through meetings, editorials, memorials and demonstrations, expressed themselves as being overwhelmingly in favor of statehood...." Yet only a week had passed since the senators approved a bill designed to ascertain whether Alaskans wanted it.[16]

The House was piqued at the Senate report of "failed to pass." Stanley McCutcheon exclaimed, "A vote like that means we don't want statehood." When the House requested the Senate to reconsider its action, the latter agreed and reversed itself 12-4, although with some reluctance. Norman Walker and Grenold Collins were willing to change their votes, they said, because the matter seemed unimportant. Howard Lyng of Nome, having heard that "repercussions" might issue from the House if the memorial were not passed, called it a "piece of candy for

the baby."[17]

A few weeks later the House, pleased by the action of the Senate, took up the Walker bill for the referendum. Representative McCutcheon wanted it to be held earlier than October 1946. He was opposed by Harry Badger, a Fairbanks farmer, who had been told by many Alaskans that the territory was unready for statehood. Time would be needed, therefore, to conduct "an educational campaign." Put to a vote as it had come from the Senate, the measure passed 22-0.[18]

3

Representative Badger's caution was well-grounded and widely shared. William Baker, who had become editor and publisher of the Ketchikan Alaska Chronicle in 1943, was among the others who worried about an adverse vote. When the question of how the public felt arose during the August 1945 hearings of the House Committee on the Territories, he instructed his managing editor to conduct a telephone poll of the residents of Ketchikan. The results of the straw vote of this "salmon capital of the world" surprised the editor: 106 said they were in favor of statehood, 40 were against it, and 51 were undecided or had no opinion.[19] Even though the poll was taken and tabulated somewhat imperfectly, the results seem to have been a good indication of sentiment in the town. They were particularly important as the only cross-sectional poll ever taken on not only how Alaskans felt about statehood but also why they felt that way.

Higher taxes was the dominant concern of people who said

no to statehood. How could it be financed with an impermanent population and without a much greater development of the fishing, mining, and timber industries? One lady suggested that because of the cost, statehood be considered for only the populous regions; the Aleutian Islands and the Bering and Arctic coasts should not be included. A man suggested that "if two or three of the local politicians would 'get busy' and produce a good tax program," Alaska would shortly be ready for admission. Several people felt that statehood should come after a transitional period of five or ten years. A few of these respondents had in mind the gradual assumption of home rule which had been provided for the Philippines. A number of people felt that comprehensive planning and organization should be undertaken first. One man, apprehensive that the federal government would be less openhanded after admission, felt that the territory should await further development with national assistance.

Even though only a few people mentioned them, other reasons for opposition should not be underestimated. One lady thought that statehood "would mean stronger control. I think we live better lives up here as it is. We would have a simpler life by staying out of statehood." Another remarked cryptically that there is "such a mixture of people and personalities that statehood would be a difficult adjustment problem." Two individuals expressed concern that a few "politicians and 'carpetbaggers'" would "run the whole show." This last comment may be assumed to have referred to Ernest

Gruening and those politicians who followed his lead.

Individuals undecided about statehood constituted nearly one-fourth of those polled. Some answered that they had not devoted thought to the issue. Several asked if they could think about it and telephone back their answers later. Several women said that they would have to ask their husbands or families before committing themselves.

A majority of the cross section definitely wanted statehood. Self-government was a commonly cited reason. One person likened statehood to a man's working for himself rather than for an outside corporation. "It's time we ran our own affairs," one woman remarked. "If we aren't ready now we never will be. We are Americans and its [sic] provoking to have people come up from the states and say we aren't even citizens." Another person, just as determined, asserted that "we are as much a part of the U.S. as any other state." A few wanted statehood solely for the right to vote for president. Self-government was valued not only as a means of participating in the national government, but also as a means of controlling the use of important natural resources. In this connection one person felt that two senators and one representative would be more valuable for Alaska than anything else. Government by "remote control" was specifically disparaged. "We are on the ground," said one individual, "and know what we need better than the federal officials do." Most of the money earned from the marketing of canned salmon flowed into Seattle and other Pacific Coast ports. Considerable resentment was felt toward

this "unfairness"; hope was expressed that statehood would somehow lead to retention of most of the money in the North. Native reservations were evidently on the mind of the individual who said: "I do favor statehood so we can retain the land that belongs to Alaska instead of having Ickes give it all away." A few people, both men and women, felt that the human and natural resources necessary for statehood already existed in the territory.

Affirmative opinion was sometimes qualified. A few individuals wanted to know "what kind of state we are going to have" or wanted admission only on condition that it could be supported financially. One resident felt that statehood might "help in control of indiscriminate use of liquor by Indians." There was also a fatalist who replied: "It will eventually come. Why put off what's going to happen anyway."

4

Knowledge of how Alaskans felt about statehood was thus gradually being acquired, but it was the elected representatives of the forty-eight states who alone could pass an enabling bill. Until the latter half of 1944, little was known about how they felt. At the same time that the Chronicle was polling Ketchikanites, several groups of Congressmen were touring the North. First among the visitors was the House Subcommittee on Appropriations for the Department of the Interior. The Anchorage Daily Times was satisfied with the scope of its investigation and with the intelligence and interest which its chairman, Jed Johnson of Oklahoma, had shown in it.[20] The tour

was uneventful, except for the derailment of the congressmen's train a mile from its destination at Seward. Ben Jensen of Iowa was cut on the leg, but the others were merely shaken and bruised.[21] The big news about the subcommittee came not while its members were in Alaska but after they returned to the states.

At San Francisco Rep. John Rooney of New York declared that Alaskans "are not ready for statehood when they allow the fishing industry to take $60,000,000 a year from the territory and return only $1,000,000. They are not capable of governing themselves." Absentee fishing and mining interests control the legislature, he asserted, but the people as well as the legislature were to blame. Representative Johnson agreed, saying that "people in Alaska think just because the committee went up there Congress is going to appropriate money for roads, schools and hospitals, but we won't. They are going to have to do something for themselves." Johnson had not waited until arriving at San Francisco to reveal his thoughts. He cited these figures frequently in the North, although he did not then link them with statehood.[22] Later that month Johnson observed that it was the sourdoughs, or old-timers, who opposed statehood and did not want to spend their money on roads, hospitals, or schools; the cheechakos, or newcomers, generally favored immediate statehood.[23]

These remarks did not lack substance. Most of the revenue collected by the territorial government was derived from the excise tax on liquor and assorted taxes on the taking and

canning of salmon. No levies were imposed on airlines, steamship and literage companies, automotive and marine repair shops, service stations, logging operations, dry cleaners, motion picture theaters, newspapers, banks, radio stations, construction companies, personal income, property located outside incorporated municipalities, and minerals removed from the ground.[24] Most Alaskans who were taxed by the territory paid only $5 a year to its treasury. This was the school capitation, levied on most civilian men and employed women between the ages of twenty-one and fifty-five who earned income in the North.[25] The system was inequitable and out of line with the principle of taxing wealth rather than people.

5

Another group of congressmen visiting Alaska sat on the House Committee on the Territories. Hugh Peterson of Georgia, its new chairman, took exception to the remarks of Jed Johnson: "His committee has nothing to do with the Organic Act in Alaska or with statehood. This committee is here to hear of your basic problems and has jurisdiction."[26] The impetus for making the trip had come from Joseph Farrington, delegate from Hawaii, and Bob Bartlett, who had requested visits to their respective territories at the first committee meeting of the year. Congressional trips to Alaska in the summer, like the January 1946 investigation which would be conducted in Hawaii, were often tagged "junkets" by the press. Business could be combined with pleasure, though, and summer excursions to the North usually redounded to the advantage of its hospitable

inhabitants. Lack of attention and lack of understanding were longtime complaints of Alaskans. Visiting Congressmen invariably became more aware of their problems and often took an interest in their welfare later.

The Committee on the Territories began its investigation during the last week of the Second World War. According to Rep. Homer Angell of Oregon, the object of the hearings was to acquaint the congressmen with Alaska in order that they might treat with understanding legislation pertaining to it which would come before them. Wishing to put their guests in a beneficent frame of mind, Bartlett and Gruening planned their itinerary to include trips to scenic places with agreeable company. The governor even went to Seattle to meet the members on their way north.[27] Some of their time was spent fishing for salmon, but much of it was devoted to touring places of interest, taking testimony, attending meetings and banquets, and listening to the views of their hosts.

During their two-week tour, the twelve congressmen took testimony at Ketchikan, Juneau, Anchorage, and Fairbanks. Among the subjects most often raised were the merits of using fish traps versus purse seines to catch salmon commercially, arbitrary withdrawals of land from entry and bureaucratic delays in patenting land, Native reservations and title insecurity due to aboriginal claims, the crying need for highways and for lower steamship and railroad rates, and statehood and revision of the Organic Act. Allen Shattuck opposed statehood at the Juneau hearing on the ground of higher

taxes and presented to the committee a copy of the report which Harold Foss, Herbert Faulkner, and he had written on the Langer-McCarran bill. At Anchorage Robert Atwood took the opposite position, speaking of Alaska's ambition for statehood and of the human and economic resources which would make it a success.[28] This Chicago-born editor and publisher of the Times was among them. Educated and trained in Massachusetts and Illinois, he had become a success story himself since arriving at Anchorage in 1935.

When the committee reached Fairbanks, center of the mining industry, it was in the midst of Alaska's largest concentration of opponents to statehood. At the hearings appeared the secretary, vice-president, and manager of the Alaska Miners Association, an organization which included not only gold miners but also the producers of coal and other minerals. In 1941 mining had engaged 5,988 men in Alaska; in 1945 the number was only 1,450.[29] Glenn Carrington, an equipment dealer from "Seattle and Fairbanks," was vice-president of the association. He objected strongly to Representative Rooney's statement that the "legislature is controlled by absentee owners of the fishing and mining industries." His association did not appropriate funds for lobbying, he asserted, "other than sending our secretary there to be present to determine any of the bills that come up, but I don't believe there was any lobbying on the part of the Miners Association for any legislation which was not good for the Territory." Most miners opposed statehood because of their distaste for paying taxes:

"The mining industry has paid big amounts in taxes and it should not be, because you can't expect 40 thousand white people, of which 6,600 are engaged in mining to pay taxes and develop the country." Carrington opposed statehood on another ground, too: "If we had statehood today the normal population when the defense workers get out is right around 50-50 [the proportion of whites to Natives] and the natives control the vote. I don't believe it would be representative of the Territory the way we want it, and when we get two or three to one; yes."[30]

Prior to the committee's arrival at Fairbanks, the local chamber of commerce had sought to determine how its members felt about statehood. When the question of immediate admission was put to them, it lost by one vote; when the question was asked a second time, it lost by two votes. About one-third of the members did not vote. Finally, the chamber was asked its opinion on statehood per se; those in favor constituted "a big majority." But to some of these interior residents, this did not necessarily imply just one state; some of them felt that several states should be created from the Northland.[31]

The scattered, ill-prepared nature of much of the testimony gave the congressmen thousands of facts, glimpses, and impressions but no comprehensive or penetrating understanding. As Duane Watkins, associate editor of Alaska Life, remarked: "You just can't inspect Alaska in two weeks, two months, or two years, any more than you could the entire Pacific coast."[32] About six months after returning to the states, the committee

submitted its report to the House. The report mentioned that statehood had been discussed earnestly at every session of the hearings and at meetings with citizens; however, the committee made no recommendation for or against it.[33] Basic to this decision, Homer Angell later said, "was the almost unanimous opinion of the Subcommittee that Statehood would be granted to Hawaii and we felt that we should await the plebiscite in Alaska before we passed upon Statehood for that Territory."[34]

Although the committee left the issue in abeyance, it did not ignore the possibility of interim measures. Noting that the Organic Act had been little changed since 1912, it recommended that Congress seriously consider extending the powers of the territorial government.[35] The possibility of achieving this had been discussed on several occasions in 1945. When the legislature had met in January, for instance, Reps. Stanley McCutcheon, Warren Taylor, and Maurice Johnson introduced a joint memorial asking for twenty specific changes in the act. The House passed the memorial 17-6, but the Senate failed to act on it.[36] Governor Gruening forwarded a copy of it to the Division of Territories and Island Possessions. Irwin Silverman, its chief counsel, drafted a bill covering most of the items the House had cited, in addition to a few others. Among the additions were provisions for the election of the governor and secretary and for redistricting the Senate on the basis of population. Silverman sent the draft to Gruening, who discussed it with Secretary Lew Williams and Attorney General Ralph Rivers. Rivers recalled how the Second

and Fourth divisions had protested when a few years earlier Anthony Dimond had proposed that representation in both houses of the legislature be based on population. On the other hand, said Williams, the existing divisional arrangement contributed to sectionalism and deprived outlying areas of representation in the Senate.[37]

When the Committee on the Territories arrived at Juneau, Rivers testified in favor of revising the Organic Act. In his presentation he included the points of the memorialists and Irwin Silverman as well as some other items. If the statehood referendum should fail to pass or pass by only a narrow margin, Congress ought to consider allowing the territory to establish its own judicial, police, and penal systems, care for its insane, elect its own governor and secretary, set up its own electoral districts, pay the costs of its own legislature, and so forth. This would have the drawback of conferring on Alaska nearly all of the costs and other responsibilities of statehood but few of its advantages. Therefore he coupled his plan with the suggestion that the federal government rebate the bulk of internal revenue taxes which Alaskans paid, about $20 million a year. The precedent had long ago been established with Puerto Rico. A capitol, an insane asylum, and divisional jails could be built with the money and put into operation. At the end of about five years, such support would be terminated and Alaska would enter the Union as a state.[38]

When Bartlett released Silverman's proposed bill to the public, the Alaska Miners Association received it with

hostility. The organization had no intention of surrendering without a fight equal Senate representation for the Second and Fourth divisions.[39] Bartlett was "astonished" by the response. "It was largely as a consequence of the reaction to that draft," he later said, "that I decided to go all out for statehood and statehood now." He came to view overhauling the Organic Act as being as difficult to achieve as statehood because of both territorial and Congressional opposition. Also if Congress did amend the act, statehood might be delayed. Some Congressmen, he expected, would ask that Alaskans defer pressing for it until they could see how the revised act would work out.[40] The delegate informed the association that he would not introduce the bill at that time, because doing so would confuse the coming referendum. If the voters rejected statehood, however, he intended to work for revision.[41]

6

The final August indication of the prospects for statehood came directly from Washington. On August 10 Harold Ickes issued a statement on behalf of his department declaring clearly and emphatically that statehood was "the only form of self-government appropriate to the circumstances of Alaska.... Making Alaska one of the Federal States would link it more closely with the nation, speed the development of its resources, diminish the evils of outpostism, encourage new settlers and greater capital investment, give the people of Alaska a voting voice in the Congress of the United States, and give them greater opportunity to help write their own destiny." The

North's small population, lack of agricultural markets, seasonal employment, inadequate health services, and underdeveloped economy, as well as the relatively higher costs of state than territorial government, had all been taken into account. None of these was regarded as insurmountable; all were seen as obstacles to be overcome. An enabling act should transfer to Alaskans the economic and social responsibilities which the states were assuming. However, admission would not necessarily bring the whole of the public domain under state control. Moreover, the ancestral claims of the Native population should be affirmed, delineated, or extinguished with compensation.[42]

A recommendation for statehood from this department was of the utmost importance, since it had jurisdiction over mining, fish and wildlife, Native affairs, national parks and monuments, the Pribilof sealery, the Alaska Railroad, road construction and maintenance, treatment of the insane of Alaska, and the development, disposal, and surveying of the public lands. Its Division of Territories and Island Possessions was entrusted with general supervision over the affairs of the territory. The governor, although appointed by the president and generally independent of the department, addressed his annual reports to the secretary. Gruening was therefore elated by the department's announcement. He had little doubt, he said, that Congress would open the door to Alaskans if they voted affirmatively in the referendum.[43] On December 22 Harold Ickes recommended statehood for Hawaii, too, even though in the long run it would diminish his department's power and prestige.[44]

The people of the Islands wanted admission: in 1940 they had voted for it by a 2:1 margin. Alaskans had not yet taken that step, nor had they much begun preparing for it.

Notes

1. Anchorage Daily Times, September 30, 1944.

2. Daily Alaska Empire (Juneau), January 18, 1944.

3. ADT, December 12, 1968; copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, E. L. Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968, Elmer E. Rasmuson Library, University of Alaska, College.

4. ADT, December 12, 1968, February 9, 1944; Ernest Gruening, Many Battles: The Autobiography of Ernest Gruening (New York: Liveright, 1973), p. 325; copy, Bartlett to Doris Ann Bartlett, January 5, 1956, Bartlett Papers, Statehood File, box 32, folder Tennessee Plan, January 1956.

5. ADT, February 9, 1944; Alaska Life, March 1944, p. 57; copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, copy, Bartlett to C. W. Snedden, May 26, 1956, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968, box 33, folder Tennessee Plan, May 1956; Jessen's Weekly (Fairbanks), August 30, 1946.

6. JW, March 10, 1944.

7. Ibid., March 3, 1944.

8. ADT, April 12, March 18, 1944.

9. DAE, March 13, 31, 1944.

10. ADT, January 3, 1944.

11. Kirk H. Porter and Donald Bruce Johnson, eds., National Party Platforms, 1840-1960 (Urbana: University of Illinois

Press, 1961), pp. 413, 403.

12. Alaska, Territorial Canvassing Board, "Alaska General Election, September 12, 1944."

13. 56 Stat. 1016-1018.

14. Alaska, Legislature, House, Journal, 1945, pp. 46-47.

15. Senate, Journal, 1945, pp. 100, 160, 162, 183; Alaska, Session Laws, 1945, p. 77; DAE, February 19, 1945.

16. House, Journal, 1945, pp. 122, 174, 176; Senate, Journal, 1945, p. 198; DAE, February 26, 1945.

17. DAE, February 26, 1945; House, Journal, 1945, p. 366; Senate, Journal, 1945, p. 207.

18. House, Journal, 1945, p. 720; JW, March 23, 1945.

19. Ketchikan Alaska Chronicle, August 8-11, 18, 22, 25, 1945.

20. ADT, August 14, 1945.

21. DAE, August 6, 1945.

22. ADT, August 13, 14, 1945.

23. KAC, August 25, 1945.

24. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Alaska: Hearings Pursuant to H. Res. 93, 80th Cong., 1st sess., August 30-September 12, 1947, pp. 242, 246; U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Statehood for Alaska: Hearings on H.R. 206 and H.R. 1808, 80th Cong., 1st sess., April 16-24, 1947, pp. 237-238.

25. Alaska, Session Laws, 1943, p. 111.

26. ADT, August 14, 1945.

27. U.S., Congress, House, Committee on the Territories, Hearings Pursuant to H. Res. 236: To Conduct a Study and Investigation of the Various Questions and Problems Relating to the Territory of Alaska, 79th Cong., 1st sess., August 4-17, 1945, pp. 43-44, 3, 50.

28. Ibid., pp. 108-109, 160-162.

29. Alaska, Governor, Annual Report, 1942, p. 27, 1946, p. 39.

30. Hearings Pursuant to H. Res. 236, pp. 212-215.

31. Ibid., p. 224.

32. "Which Way Alaska?" Alaska Life, Annual ed. 1946, p. 7.

33. U.S., Congress, House, Committee on the Territories, Official Trip To Conduct a Study and Investigation of the Various Questions and Problems Relating to the Territory of Alaska: Report To Accompany H. Res. 236, 79th Cong., 2d sess., 1946, H. Rept. 1583, pp. 28, 31.

34. DAE, December 5, 1946.

35. H. Rept. 1583, p. 29.

36. Hearings Pursuant to H. Res. 236, pp. 233-235; House, Journal, 1945, pp. 448, 669.

37. Ralph J. Rivers, "Transition to Statehood," Alaska Life, May 1946, p. 29.

38. Hearings Pursuant to H. Res. 236, pp. 102-105; Rivers, "Transition to Statehood," p. 29; Ralph J. Rivers, "Alaska... The 49th State?" Alaska Life, December 1945, p. 10.

39. Rivers, "Transition to Statehood," p. 29.

40. Hearings Pursuant to H. Res. 93, p. 358.

41. JW, December 28, 1945.

42. DAE, August 13, 1945.

43. Ibid., August 13, 1945.

44. ADT, December 22, 1945.

Chapter 6

Preparing for the Referendum of 1946

1

The legislature authorized a referendum on statehood, but it did not provide for the preparation, publication, or circulation of an informational pamphlet. Governor Gruening had suggested that the territorial development agency he recommended that the legislature create be charged with the task.[1] Other possibilities were suggested in William Baker's Ketchikan Alaska Chronicle. Baker was concerned that the voters might say, "We don't know what kind of a state we're voting on, therefore we're agin it until you have a plan." He thought that the political science and economics faculties of the University of Alaska, maybe in conjunction with a public research bureau in the states or officials of Wyoming and Nevada, could produce a study of what statehood would involve. The governments of these two states might be appropriate models, he felt, because of their small populations and thin budgets. Senior theses might also be written on the question.[2]

Robert Atwood received a letter from a reader who suggested that the Anchorage Daily Times undertake the project. The editor felt flattered but shied away from the proposal as being "far beyond the realms of possibility." Other Alaskans suggested that the legislature set up a board to conduct the study. Impartiality was the problem here, the Times observed.

"Probably as soon as the appointments to a board were announced it could be predicted with a fair degree of certainty what the recommendation would be." If the University of Alaska were given the task, it might be embarrassed by pressures from interest groups. Perhaps, the newspaper suggested, a professor or graduate student would take up the project if financing could be arranged.[3]

Little attention was given to the matter until August 23, when the Ketchikan Chamber of Commerce approved the plan of Ralph Bartholomew, one of its members. It called for the governor to appoint an all-Alaska committee to study the pros and cons of statehood and to publish its findings. A little more than a week later Gruening stopped at "Alaska's first city" en route to Hyder. He had not yet received the chamber's request but had read about it in the newspaper and was considering the matter. According to a report by the Chronicle, the governor thought: "What is needed is a large enough committee in each community to collect money needed for research, to handle a certain assignment in the statehood study, then to make public its findings through a Territory-wide plan." He intended shortly to announce the membership of a committee for the territory as a whole.[4] No appointments were made, apparently, probably because Gruening realized that he would be charged with packing the group.[5]

On November 1, having discussed the matter with Atwood, the governor outlined an alternative to the Bartholomew plan in a talk before the Rotary Club of Anchorage. An "Alaska

Statehood Association" should be formed, he said, for the purpose of gathering and disseminating complete information on the problems and responsibilities of statehood. Memberships of $5 each would be sufficient to finance the research and publicize its results, he thought.[6] On November 6 Evangeline Atwood wrote letters to eighteen prominent individuals in as many different towns in Alaska asking them to take the initiative in organizing local chapters of the association. Interest in civic affairs was nothing new to her. Born in Sitka and educated at the Universities of Washington and Chicago, she had been a social worker when she married Robert Atwood. Her father, Edward Rasmuson, was Alaska's Republican national committeeman; her brother, Elmer, was president of the Bank of Alaska. Except for Anchorage, she had little success in her organizational efforts during 1945, although she continued writing letters. At Anchorage a chapter was formed on November 30 and Robert Atwood elected its president. "Twenty-five representative citizens, including Judge Dimond, were invited to be present at this initial meeting," she wrote the governor, "and every one put in an appearance."[7]

The initiative in forming the affiliated chapters lay with advocates of statehood. Typically a group of them announced that an organizational meeting would be held. The location of the gathering was generally the council chamber of the town hall but was sometimes a union hall or a hotel. Everyone was invited to attend. A small group, including politicians, labor union officials, and the local newspaper editor, usually

appeared. The temporary chairman told about the purposes of the organization, in at least one case by reading a letter from Evangeline Atwood. A uniform constitution and bylaws had been prepared by Attorney General Ralph Rivers; these were always adopted. Each club established an executive committee, ideally of nine members. If it did not begin with the full complement, it could be expanded later. The club also chose one delegate to represent it on the central committee of the association. A president, vice-president, and secretary-treasurer were also selected. Thus even if the chapter president were named delegate and the three chief officers were chosen to serve on the executive committee, numerous other posts remained to be filled. Five dollar memberships were sold, a drive was launched to enroll other townsmen and, in some cases, a regular meeting date was set.[8]

On March 12, 1946 the association's central organization was formed at Juneau. By this time about 350 people had joined the local clubs. Evangeline Atwood was elected president and authorized to engage George Sundborg to prepare the long-urged report.[9] Sundborg had first gone to Alaska in 1938 as a reporter and editorial writer for the Empire. In 1940-1941 he became, in addition, supervisor of the Alaska Merit System. Since then he had worked for the Alaska office of the National Resources Planning Board and was, in 1946, an industrial analyst for the Bonneville Power Administration. He had also authored the recently published, widely praised book Opportunity in Alaska. Robert Atwood wrote him about undertaking the study

at least as early as January. His book, the dearth of individuals who even pretended to be experts on the government and economy of Alaska, Sundborg's good relations with Gruening, and his acquaintance with the editor all explain why he was approached.[10]

Sundborg was an efficient researcher and writer, but the task he faced was difficult. Secondary materials on which he could draw were limited or not well organized for his use; moreover, as a full-time employee of the BPA, he had only weekends, nights, and accumulated leave time which he could devote to the project.[11] Difficulty was encountered by the association, too, in its effort to finance the study through the sale of $5 memberships. Accordingly the Anchorage club resolved that the legislature, then meeting in special session, appropriate $5,000 to expedite the preparation and distribution of the report.[12] In response Grenold Collins, whose wife was vice-president of the club, introduced a joint memorial in the Senate asking that the Alaska Development Board allot the sum "to carry forward an objective research project on the duties and responsibilities that go with statehood...." However, the committee to which the memorial was referred returned an adverse report. When the Senate as a whole considered the question, it postponed the memorial indefinitely.[13]

Although the original concept of the association did not compass more than financing the preparation and distribution of a report, some of the chapters broadened this activity. In February, for example, the Fourth Division Statehood Study

Association arranged for a Tuesday night debate at the Fairbanks high school auditorium for the purpose of arousing interest in statehood. An enthusiastic crowd filled about two-thirds of the hall and, at the conclusion of the debate, was invited to ask questions of the four participants. When the questions had run forty-five minutes beyond the hour allotted, the moderator called an end to them. Most of the questions dealt with the costs of statehood. Advocates of admission favored such meetings, convinced that information would assist their cause.[14] No difficulty was encountered lining up advocates but, after the initial debate, opponents refused to participate further. The reason, suggested Gruening much later, may have been their reluctance to expose the issue publicly or, perhaps, the feeling that opposition was unpopular. Without the presence of both sides, radio station KFAR refused to grant additional free air time for continued discussions.[15]

The Alaska Statehood Association purported to be neutral. Quite different was Statehood for Alaska, organized in January 1944. Its primary purpose was to campaign for statehood, but it did practically nothing throughout its five-year life. John Manders, president of the corporation, had been mayor of Anchorage from April 1945 to March 1946. He did not pretend to know whether statehood would cost more than territoriality but urged it anyway, because it would bring self-determination. Alaskans understandably focused on the hole of the doughnut, he wrote, because for years they had depended on the federal government. He was sure that they would never be sorry for

stepping into statehood. Never had he heard the resident of a state express regret over its membership in the Union or wish its return to territoriality.[16]

2

While the campaign for statehood was gaining strength, Congress reassembled in 1946. In his January address on the state of the Union, President Truman urged that the members "promptly accede to the wishes of the people of Hawaii that the Territory be admitted to statehood in our Union, and that similar action be taken with respect to Alaska as soon as it is certain that this is the desire of the people of that great Territory."[17] A little more than three weeks later, on February 13, Harold Ickes resigned as interior secretary.[18] After a short interval he was replaced by Julius Krug. A large, jovial man of thirty-nine years, he had built a fine reputation on the basis of his work in public utilities regulation and, in the last year of the war, his chairmanship of the War Production Board.[19]

Krug went to Alaska in August 1946 on a ten-day tour to listen and learn. But as was usual with the visits of high officials, he ended up doing much of the talking. He impressed many residents as interested and sincere and cautioned them that statehood was "not the answer to all your problems; rather it is a step on the way." Upon returning to Seattle he told newsmen that "...Alaska should comprise at least one state and perhaps two or three." When asked what barriers lay in the path of this ambition, he answered that one of them was "the

inclination of Congress to move slowly on major decisions when 'it is not against the gun. This is not an issue on which it is against the gun.'"[20]

3

A few weeks after Krug left the territory, Alaskans received the statehood report. After George Sundborg had completed writing it at the end of June, he sent it to Gruening, Bartlett, Dimond, and others who had supplied him information and ideas.[21] After he revised it, the resulting draft was printed both as a pamphlet, Statehood for Alaska: The Issues Involved and the Facts about the Issues, and as a newspaper supplement. The latter, printed by the Chronicle, was offered free of charge to the newspapers of Alaska. All seven "dailies" and six important weeklies requested copies. The supplement was also mailed to some towns not serviced by local newspapers for distribution to homes and schools.[22]

Ten pages of this twelve-page, tabloid-sized supplement consisted of interestingly written articles on the meaning of statehood. Since the report was long, a thirty-three-point summary was included on the first two pages. Only one of the points, number 27, was adverse to statehood, and it was the shortest of all. "There are numerous anti-statehood arguments," it read. "These deserve study." The extent of the attention he paid to these arguments was one article occupying four-fifths of one page. Not even this had been included in the original draft.[23] Most of the article consisted of extracts from the 1943 report of the legislative committee of the Juneau

Chamber of Commerce. The burden of the case against statehood, wrote Sundborg, was that "...Alaska's economy is not sufficiently diversified, its population sufficiently large or its experience in exercising governmental responsibility sufficiently broad to make statehood desirable at the time." All of these allegations were debatable, he continued. Others, including the idea that Native care would become a state responsibility, were demonstrably false. They would be examined elsewhere in the report "to the end that the real issues may be considered on their merits."

The bulk of the report consisted of articles partial to statehood. Collectively they constituted by far the finest, most comprehensive rationale for statehood developed to that time. The report began with the observation that probably all Alaskans agreed on the desirability of the principle of statehood. The question which divided them was whether the territory was ready at that time. New states had not been added to the Union since 1912. "There seems little doubt but that both Alaska and Hawaii would have been admitted to statehood long since if only they touched at some point an already existing state." This should not prove a bar in the future, Sundborg wrote, because the United States already encompassed noncontiguous land. That part of Minnesota lying north of the Lake of the Woods was touched by Canadian but not American territory. In Washington the peninsular village of Point Roberts was accessible by land from British Columbia only. Proposals had earlier been made to annex Alaska as a county to

Washington. If geography were no obstacle for a state, why should it be for the United States? Besides, modern communications had annihilated distance: "...Alaska can no longer be characterized as isolated."

How did a territory differ from a state? In the American federal system some powers rested with the national government, and all others remained with the states or the people. Unlike a state, a territory had no inherent rights or powers and was wholly dependent upon the will of Congress. Americans who took up residence in a territory did not, of course, lose their constitutional rights. But citizens could participate in the national government only through the medium of their states. It was through states alone that people elected a president and Congressmen and might amend the Constitution. Territoriality, therefore, was an imperfect form of government, but it had been tolerated because it had also been temporary. "When a territory has acquired about 60,000 people, it has usually been regarded as of age." The figure was rooted in the Northwest Ordinance, in which the congress of the Articles of Confederation had provided: "whenever any of the said States [to be created from the Northwest Territory] shall have sixty thousand free Inhabitants therein, such State shall be admitted...and so far as it can be consistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand."[24] Sundborg did not draw attention to the fact that, in contrast with the situation in

1787, the country no longer consisted of fewer than 4 million people.

The heart of the report was a long article on Congressional and executive discriminations against Alaska, particularly in regard to appropriations. An end to such treatment would, Sundborg concluded, constitute the chief advantage of statehood. Under the practice known as logrolling, Congressmen generally refrained from slashing appropriations for each other's states. But when benefits for the territories were under consideration, economy became the watchword. As Robert Atwood pointed out some months later: "There is more high grade mining in Washington than anywhere in the territory. The 37 billion dollar jackpot is divided each year with Alaska virtually excluded."[25]

One of the most important discriminations involved the appropriation of highway construction funds. Under a succession of Federal-Aid Highway acts, Congress had allotted billions of dollars for the construction of primary and secondary road systems in the forty-eight states, Hawaii, Puerto Rico, and the District of Columbia. The maximum amount of the total appropriation which any state might receive was based one-third on its area, one-third on its mileage of rural delivery and star routes, and one-third on its population. No state was allotted less than one-half of 1 percent of the total Congressional appropriation. In order to obtain any of its allotment, a state had to put up matching funds, usually on a dollar-for-dollar basis. In any state in which more than

5 percent of the area consisted of unappropriated or unreserved public lands or nontaxable Indian lands, the federal share was increased by the percentage which these lands bore to the total area of the state. In 1953 such public and Indian lands comprised 72.69 percent of the area of Alaska. Therefore for each mile of federal-aid primary or secondary highway constructed, the state would have to pay 13.66 percent of the cost and the federal government 86.34 percent.[26] If only one-half of Alaska's land area had been computed in the formula, Sundborg wrote, the territory "would have received a minimum of $160,000,000" in road building funds since 1930. Instead the Department of the Interior had spent $25,511,773 for both construction and maintenance. Of this amount $2,198,805 had come from the Alaska Fund.

Two facts need to be stressed in considering whether Alaska really had been treated unfairly. First was the requirement of matching funds. Few states had been able to put up sufficient funds to receive their full allotments.[27] Second, the federal money was available for construction, not maintenance. Alaska's one cent per gallon tax on gasoline, raised to two cents in 1947, was earmarked for airfields and boat harbors as well as for roads, since plane and boat fuel were also taxed. Thus unless the gasoline tax were raised or fuel consumption were substantially increased, no money would be available for road construction and not enough for maintenance. In recognition of this fact, Dimond and Bartlett had proposed that Alaska receive federal-aid highway funds for

both construction and maintenance in return for computing only half of its area. Although this was not done, the federal government began sharply to increase its expenditures on road building in Alaska in 1949. Whereas it had spent an estimated $1,461,300 on projects outside military reservations in 1946, it spent $11,812,600 in 1949 and $23,485,400 in 1950. The comparable expenditures from the territorial treasury amounted to only $65,700, $101,400, and $64,600.[28] Alaska was definitely being treated unequally but, under the circumstances, gained from the discrimination.

Federal money was also spent on road building in the national forests. Once again the territory had not always been allocated its formula share. On the other hand, it had not been required to maintain the roads either, an expense amounting to about $150,000 a year. This privilege did not apply to the states.[29] Over the years Congress had also enacted grant-in-aid legislation for agricultural development and extension work. In regard to the Adams Act alone, the territory had been slighted by about $3 million.[30]

Another Congressional discrimination was perpetuated by section 27 of the Jones Act, known also as the Merchant Marine Act of 1920. It had become famous for its exclusion of the territory from the commercial privileges of the states. Named after Wesley Jones, a senator from Washington, the act reserved the coastwise traffic of the United States to American citizens and American ships. It exempted from its provisions, however, all "merchandise transported between points within the

continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities."[31] Thus Americans could travel or transport merchandise on Canadian railroads and ships around and across the Great Lakes but not between the states and Prince Rupert or Vancouver, British Columbia. They could haul their freight on a Canadian National Railways train from the Middle West to Prince Rupert but could not then ship it on a Canadian vessel to an Alaska port; they had to lade it into an American bottom. Since the railroad rates to Prince Rupert and Seattle were identical, the argument went, Alaskans were denied the cheaper and generally superior service provided by the Canadians. The American steamship lines which served Alaska did not even call at Prince Rupert.[32] So inadequate was the service that one-year waivers of the Jones Act came to be enacted regularly by Congress for passenger service between southeast Alaska ports and for both passenger and freight service between Hyder and other southeast Alaska and stateside ports.[33]

In 1922 the Supreme Court upheld this discrimination on the ground that it applied to a territory, not a state.[34] Whether equality of treatment would have benefited Alaska was seldom doubted before 1957. Then it became fully realized that the privileges of the Jones Act would apply to Alaska-bound

freight only if American railroads carrying it established through rates or joint rates with Canadian railroads. If they did, they would be short-hauling themselves.[35] Transporting freight from Chicago to Seattle, for example, was more profitable for them than delivering it to Winnipeg for shipment on Canadian rolling stock to a Canadian West Coast port.

The commercial shipping of cargo up the Inside Passage was dominated by the Alaska Steamship Company and two smaller lines, the Northland Transportation Company and the Alaska Transportation Company. The first two were controlled by the Skinner family of Seattle.[36] Their shipping charges were already the highest in the world. Had Alaska been a state, Sundborg maintained, it was "highly unlikely" that it would have been subjected to the high rates and poor service. Nor would the Wage Stabilization Board and the War Shipping Administration, which operated the merchant marine during and for a time after the war, have felt a lack of urgency about concluding a recent devastating tie-up of Alaska's ports. One congressman among 435 and 2 senators out of 100 were not many, he acknowledged, but Congressmen were nonetheless the most potent forces an area could possess.

The instances of discrimination cited by Sundborg concerned not just Congress but also the executive. For example, Alaskans who had served in the Aleutians during the war were, unlike those from the states, initially denied overseas credit toward discharge. Long delays were incurred in getting a regional office of the Veterans Administration located

in the territory. Until it had been established, authorization for the hospitalization of even emergency cases had to be obtained through the regional office in Seattle. Since this office was overworked, Alaska cases had been snarled by delays and confusion and inadequate administrative instructions.[37] Still another example dealt with halibut fishing off the coasts of the United States and British Columbia. Such fishing was under the jurisdiction of the International Halibut Commission. This body included members from Washington and British Columbia but none from Alaska, despite the fact that most of the catch came from the coasts of the territory.

In other articles of the report, Sundborg traced the development of territorial government and the restrictions of the Organic Act. Since 1912, he wrote, Alaskans had struggled for economic development rather than political recognition. "Yet, for economic development Alaska is almost totally dependent upon the action of Congress. And the favorable action of Congress has been found to be all but impossible without statehood." The American flag had flown over the North for seventy-nine years. Only Montana, the Dakotas, Wyoming, and Oklahoma had waited longer for statehood. Alaska was an incorporated territory and had been organized for thirty-four years. Only Washington, Utah, Arizona, and New Mexico had been thus situated for longer periods. Alaska's tutelage had admittedly been lengthy, but was its population large enough to justify admission? This question had often been raised of aspirant territories. Arkansas, Florida, Missouri, Nevada,

Oregon, and Wyoming had been admitted, wrote Sundborg, with fewer people than Alaska had in 1946. In many cases the first census after statehood had shown a marked increase in population. Much of this growth was attributable to the general wave of western migration, but some of it, he maintained, was due to statehood, perhaps because of the attention which admission brought. True, only 72,524 people populated the territory in 1939, but growth had been steady since the twenties. "Under ordinary circumstances it hardly seems likely that Alaska could become a state before, say, 1955. By that time Alaska should have a population of about 100,000."

Why would statehood take so long to achieve? The first step in the process was the holding of a referendum. Hawaii had done this in 1940, but Congress still had not passed its enabling bill. New Mexicans and Arizonans had appealed for statehood for many years; Alaskans must be prepared for similar delays and disappointments. "The question which every Alaskan should ask himself before going to the polls in October is not, 'Is Alaska ready for statehood now?' but rather, 'Am I in favor of statehood in principle, and if so, might Alaska be ready for statehood within the foreseeable future?'" Even after Congress passed an enabling bill, from fifteen months to as long as three years would elapse before the president could issue a proclamation of admission. In the meantime an election would be held for delegates to a constitutional convention, the convention would meet for a period not to exceed seventy-five days, the resulting draft constitution would be voted upon in a

referendum, and state officials would be selected through primary and general elections. Approval of the statehood referendum would not commit Alaskans unalterably to statehood. If they should later want to halt progress toward admission, they could, for example, elect delegates to the constitutional convention who would refuse to draft a constitution or they could refuse to ratify the document. Sundborg warned that a negative vote in the coming referendum, "or anything less than decisive approval, will bury all hopes of statehood for many years to come. It also seems clear that such a result, signifying Alaska's unwillingness to assume the responsibilities of adult statehood after so many years of territorial tutelage, would create in Congress and throughout the nation a distinctly unsympathetic attitude toward Alaska's needs and problems, whatever they may be in the future."

How much would statehood cost? State government was not inherently expensive, as the earlier experiences of Arizona, New Mexico, and Montana had shown. Sundborg calculated, conservatively, that the annual net cost of statehood for Alaska would be approximately $1,995,000. Included was $680,000 for the judiciary; $250,000 for the state police system; $300,000 for the care of the insane; $350,000 for fish and game administration; $40,000 for the offices of governor and secretary; $25,000 for the legislature; and $350,000, "more than ample," for the maintenance and amortization of a state capitol and any other buildings which might eventually be required. Nothing was included for roads, since "this is not

an increased cost of statehood as against territorial government; it is an increased cost of having roads as against not having them."

Several new sources of income would largely cover the cost of statehood. One of them would be revenue collected by state courts, which would take over much of the judicial business of the existing United States district court in Alaska. During the preceding decade it had collected an average of $337,957 a year in fees and other receipts. Second, Sundborg saw no reason why the federal share of the net proceeds of the Pribilof Islands, which had averaged more than $500,000 a year during the same decade, should not go to the state. "Such net proceeds are the result of an Alaska resource, but of course will never be turned over until insisted upon by a voting congressional delegation from Alaska." Third, revenue would be obtained from the land grant which the enabling act would provide for the state. Fourth, "statehood almost inevitably would mean" overhauling the tax system of Alaska. Large corporations owned and operated from Outside, "particularly the non-resident fishing, mining and transportation interests, could well afford to pay the entire additional amount needed for statehood, without doing harm to themselves." Finally, any slight increase in local taxation paid by Alaskans would be deductible from their federal income taxes. Whatever the cost, "...Alaska should get far more back, not merely in the abstract, but in simple financial and economic returns. When all these factors are considered, it becomes a question not so much of

whether Alaska can afford statehood as whether Alaska can afford not to become a state."

In excess of 99 percent of the land in the territory was owned by the federal government. From this fact derived much of the popular interest in the natural resources provisions of the enabling bill. Vast acreage had been withdrawn for national forests, petroleum reserves, national parks and monuments, Native reservations, wildlife refuges, and other purposes. Resources had thus been preserved from engrossment by predatory interests, but development, it was said, had been stifled. Statehood was a way, "probably the best way," of unlocking the storehouse. The enabling bill introduced by Dimond and reintroduced by Bartlett provided for a regal grant of land to Alaska.[38] Whether Congress would actually alienate that much was, Sundborg wrote, impossible to say at that time.

Virtually all of southeastern Alaska was embraced by the Tongass National Forest; almost the entire coastal area of Prince William Sound was compassed by the Chugach National Forest. Only a small amount of land in either forest was classified as agricultural and thus subject to entry. Prospective investors in tourist lodges and camps could obtain use permits, but these were valid for only fifteen years and were revocable before expiration. As such, "Alaska might well ask the federal government to include in its grant of lands to the new state substantial areas from the forest reserve." They could be made available for private ownership and development, including lumbering, and would bring revenue to the state.

Also important were the animals which roamed the land and the fish which swam offshore. Jurisdiction over the fur and game and over the fisheries out to a distance of three nautical miles would be transferred to the state. The Alaska Railroad, Sundborg indicated, would continue to be a federal enterprise unless Alaskans wanted it. It was an important artery of transportation, but since it was costly to operate and in need of repair, they would be content to let it remain under federal control. Native welfare would remain a responsibility of the federal government, the same as with the Indians of the states. From the experience of New Mexico and Arizona, an increase, not a decrease, in federal expenditures for the benefit of these Alaskans might be anticipated after admission.

In the concluding article of his report, Sundborg glanced backward. "A careful reading of the history of Alaska will show that the forces which have consistently fought every extension of self-government to Alaska are the absentee interests." They feared any change which would place the people in control of the government. Not all of the opposition came from nonresident corporations, of course; some of it came from "the sourpuss branch of the sourdough family." And there were always "good sound men," businessmen, who were shy to take the next step forward. In the long run "statehood for Alaska is probably inevitable." The question, therefore, was one of time. "It seems certain that all of the many faults which statehood is designed to cure will become progressively worse until Alaska is admitted to full standing in the Union. This,

then, would seem to be none too early for Alaska to begin making progress toward the ultimate goal."

Sundborg's report was the only comprehensive analysis of the consequences of statehood available to the voters. But the fact that 31,600 copies of the newspaper supplement were printed did not mean that all of them were read.[39] Neither did it mean that only one person read each of the copies. Alaskans ranked high in years of formal education completed and read more books than people in the states. But some people probably read only the thirty-three points on the first page and merely scanned the rest of the articles. It was not the summary, however, but the cumulative weight of all the articles which would likely persuade an undecided voter. Many opponents of statehood probably lost interest in reading the report upon detecting its obvious bias.

The report, combined with debates, speeches, meetings, and radio broadcasts, stimulated public interest. Even old-timers were affected by what in fact had become a campaign.[40] Objectivity was the claim of the Alaska Statehood Association, but the real feelings of its leaders and most of its members were transparent. In the final weeks of the campaign, the pretense of impartiality was further attenuated when statehood buttons were sold to raise more money, since memberships in the association had never reached the numbers hoped. With additional revenue collected, the association was able to pay Sundborg $600 and cover the costs of publishing the report.[41]

Whether the movement for statehood would advance from here was up to the voters.

Notes

1. Alaska, Legislature, House, Journal, 1945, pp. 46-47.

2. Ketchikan Alaska Chronicle, July 31, January 25, February 21, 1945.

3. Anchorage Daily Times, January 31, 1945.

4. KAC, August 24, September 4, 1945.

5. Jessen's Weekly (Fairbanks), November 16, 1945.

6. ADT, November 2, 1945; interview with Ernest Gruening, Washington, D.C., April 2, 1972.

7. Copy, Evangeline Atwood to Gruening, December 26, 1945, E. L. Bartlett Papers, Statehood File, box 6, folder Correspondence, General, 1944-1945, Elmer E. Rasmuson Library, University of Alaska, College.

8. JW, February 15, 8, June 28, 1946; KAC, January 28, February 12, 1946; Fairbanks Daily News-Miner, March 13, 1952.

9. Daily Alaska Empire (Juneau), March 12, 1946.

10. Sundborg, personal letter, March 1, 1974.

11. Ibid.

12. JW, March 22, 1946.

13. Senate, Journal, 1946, pp. 102, 133, 166.

14. JW, February 8, 15, July 19, 1946.

15. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Alaska: Hearings Pursuant to H. Res. 93, 80th Cong., 1st sess., August 30-September 12, 1947, p. 264; interview with Ernest Gruening, Washington, D.C., April 3, 1972.

16. John L. Manders, "Statehood for Alaska," Alaska Life,

September 1946, pp. 22-24, 8.

17. U.S., President, Public Papers of the Presidents of the United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1962-1966), Harry S. Truman, 1946, p. 66.

18. ADT, February 13, 1946.

19. DAE, February 26, 1946.

20. Ibid., August 22, 20, 1946; KAC, August 21, 1946.

21. Copy, Gruening to Sundborg, July 3, 1946, Bartlett Papers, Statehood File, box 6, folder Correspondence, General, 1946; Sundborg to Dimond, July 16, 1946, Anthony J. Dimond Papers, Personal File, 1904-53, box 39, folder Statehood for Alaska, Corres. with G. Sundborg, Elmer E. Rasmuson Library.

22. KAC, September 14, 3, 1946; ADT, August 3, September 7, 1946; JW, August 9, 1946.

23. Sundborg to Dimond, July 16, 1946, Dimond Papers, Personal File, 1904-53, box 39, folder Statehood for Alaska, Corres. with G. Sundborg.

24. U.S., Continental Congress, Journals of the Continental Congress, 1774-1789, ed. Worthington Chauncey Ford, Gaillard Hunt, John C. Fitzgerald, and Roscoe R. Hill (Washington, D.C.: U.S. Government Printing Office, 1904-1937), v. 32, 1787, ed. Roscoe R. Hill, p. 342.

25. ADT, May 7, 1947.

26. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 50, 83d Cong., 2d sess., January 20-February 24, 1954, p. 251.

27. Seattle Daily Times, May 12, 1948.

28. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood and Elective Governorship: Hearings on S. 50 and S. 224, 83d Cong., 1st sess., August 17-25, 1953, p. 346.

29. U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Statehood for Alaska: Hearings on H.R. 50, H.R. 628, and H.R. 849, H.R. 340 and H.R. 1242, and H.R. 1243, 85th Cong., 1st sess., March 11-29, 1957, pp. 314-315; 42 Stat. 218; U.S., Congress, House, Committee on the Territories, Hearings Pursuant to H. Res. 236: To Conduct a Study and Investigation of the Various Questions and Problems Relating to the Territory of Alaska, 79th Cong., 1st sess., August 4-17, 1945, p. 138.

30. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Statehood for Alaska: Hearings on H.R. 206 and H.R. 1808, 80th Cong., 1st sess., April 16-24, 1947, p. 402.

31. 41 Stat. 999.

32. FDNM, October 31, 1955.

33. Copy, Bartlett to David J. Pree, February 10, 1958, Bartlett Papers, Statehood File, box 13, folder Correspondence, General, February 1948.

34. Territory of Alaska v. Troy, 258 U.S. 111.

35. DAE, July 8, 1957.

36. U.S., Congress, House, Special Committee on Alaskan Problems of the Committee on Merchant Marine and Fisheries,

Alaskan Problems: Hearings Pursuant to H. Res. 38, 2 pts., 79th Cong., 2d sess., May 27, August 5, 12, 1946, pt. 2: 91.

37. Hearings Pursuant to H. Res. 236, pp. 98-99, 174-175.

38. 79th Cong., 1st sess., H.R. 3898, July 21, 1945.

39. KAC, September 3, 1946.

40. FDNM, March 13, 1952.

41. KAC, October 2, 1946; Sundborg, personal letter, March 1, 1974.

Chapter 7

Alaskans Vote for Statehood

1

Approximately one month elapsed between distribution of the Sundborg report and the general election of 1946. It was one of the most important elections in Alaska's history, for the outcome gave direction to the government for the next twelve years. In the referendum 9,630 Alaskans voted for statehood and 6,822 against it. The people of the First and Third divisions favored it 3,872 to 1,953 and 3,427 to 2,257 respectively; those of the Second and Fourth divisions rejected it 933 to 742 and 1,679 to 1,589. Significantly the people of every major municipality threw in their lots with statehood; most of the miners, trappers, and traders of remote areas rejected it. In Nome, the principal town of the Second Division, 256 people voted in favor and 235 against; in Fairbanks, the chief emporium of the Fourth Division, the result was 737 to 584. In the First Division, where fishing and canning constituted the chief industry, Juneau voted 783 to 558, Ketchikan 1,058 to 303, Petersburg 249 to 57, Sitka 213 to 160, Skagway 152 to 67, and Wrangell 152 to 61. In the Third Division, where the margin of victory was not quite so overwhelming, Anchorage favored statehood 1,424 to 707, Cordova 245 to 43, Kodiak 257 to 79, Seward 178 to 140, and Valdez 109 to 70.[1]

The meaning of the alternatives presented on the ballot, "For statehood" and "Against statehood," should not be mistaken. George Nelson Meyers, a young reporter for the Fairbanks Daily News-Miner, later told a Congressional subcommittee "that a high percentage of the" affirmative votes, including his own, represented endorsement of only the principle of statehood. "Am I in favor of boys becoming men?" he asked. "Of course, I favor statehood for Alaska."[2] It is true that a sharp distinction existed in the minds of Alaskans between statehood and immediate statehood. But as Ralph Rivers later rebutted: "The people who voted for Bartlett and the referendum knew that they were setting the machinery in motion now but that it would take about 3 years in any event before statehood could be realized. The voters certainly would not think they were voting on a broad philosophical question to be acted on in the remote future."[3]

Although the 3:2 vote was decisive, it was not, as the Daily Alaska Empire noted, the landslide which had been expected.[4] A sense of excitement had filled the air as election day approached.[5] The Alaska Statehood Association had been active throughout the territory, but opponents of statehood had acted largely individually and hardly enthusiastically. One reason for their inactivity, Ernest Gruening suggested years later, was that opponents did not take statehood very seriously. Besides, many of them regarded the referendum as "just an expression of opinion."[6] Only 16,452 ballots determined the issue, less than 23 percent of the 1939 population, but low

voter turnout was characteristic of Alaska.

One explanation for the apparent lack of interest lay in the ethnic composition of the population. In 1939 the 32,458 Natives constituted nearly 45 percent of the total population; in 1950 the 33,861 Natives amounted to over 26 percent.[7] Many of the Eskimos, Aleuts, and Athapascan Indians west of the 141st meridian must have regarded territorial politics as remote from their affairs. English was a language which a large number of them did not write and often did not speak. Literacy requirements barred many from voting who would otherwise have been eligible.[8] In an effort to influence those Natives who did vote, rumors were circulated in parts of the Interior that statehood would lead to loss of citizenship and reversion to federal wardship and that the Alaska Native Service would stop financing its activities in Alaska. Such an appeal, had it also been made in the Southeast, would have had far less impact. In terms of formal education and cultural assimilation, the Tlingit, Haida, and Tsimshian Indians who lived there far surpassed those of the Interior. Most of the approximately 1,425 members of the Alaska Native Brotherhood and Alaska Native Sisterhood were Haida and Tlingit Indians. Both organizations endorsed statehood, chiefly because of their involvement with fishing.[9] A sampling of the large predominantly Native villages throughout the territory indicated that Natives everywhere voted on statehood in roughly the same proportion as whites.[10]

Ethnic considerations aside, why did some Alaskans vote for statehood and others against it? Both sides talked of its economic aspects, although opponents concentrated on it more than proponents. The 1943 report of the Juneau Chamber of Commerce bespoke a desire to avoid higher taxes. George Sundborg told Alaskans that statehood would gain them control of a large share of the North's natural resources and would end certain appropriations discriminations. Other factors were also important. Herbert Faulkner, one of the authors of the chamber's report, told a Congressional subcommittee about "widespread dissatisfaction with the manner in which some of the affairs of the Territory have been administered from Washington." People were upset about the land policies of the Interior Department and especially the succession of paralyzing maritime strikes of 1946. As evidence he produced a mimeographed circular which had been mailed to him and presumably to others in Juneau just before the election. "We wouldn't be kicked around as we are in the present maritime situation if we had two voting Senators...and a voting Representative," it alleged. Moreover, Alaska would receive at least $12 million a year under the Federal-Aid Highway Act. There would be "less far off rule; less Washington; less Seattle." The "curse of reservations and withdrawals" would be largely eliminated, and Alaskans would control the fish and wildlife resources.[11]

No statistical analyses were developed to account for the

results of the referendum. A generalized picture can nonetheless be drawn of how fishermen, miners, businessmen, organized workers, servicemen, newcomers, politicians, and federal employees voted.

The canned-salmon industry was the backbone of the civilian economy of Alaska. Not only whites but also many Natives and Filipinos, especially in the Southeast, derived their livelihoods from catching and canning the anadromous fish. From an all-time high of 8,454,948 cases in 1936, the pack had steadily declined to fewer than 3,000,000 cases a year during 1955-1960, the lowest since 1921.[12] Inadequate Congressional appropriations for research, for rehabilitation of impaired spawning grounds, and for enforcement of the federal regulations explained a good part of the decline. Fishing on a sustained yield basis was ever in conflict with the short-range desire of both canners and fishermen for a large catch. The United States Fish and Wildlife Service contended that it could resist shortsighted industry and local pressures more effectively than a state government could. Most Alaska fishermen disagreed, pointing to the gradual destruction of the fisheries which had occurred under federal regulation. Since their livelihood depended upon the resource, they maintained, wise management concerned them more vitally than it did federal officials in Washington, D.C.[13]

In Alaska, salmon were caught either by specially constructed appliances called fish traps or by beach and purse seines, gill nets, or trolls. Of the 434 traps in 1944,

nonresident corporations owned 396. Being cannery-owned, the traps ensured the canners a large supply of inexpensively caught salmon. Of course, the canners also bought salmon from independent fishermen. Relatively few men were needed to guard and repair the traps or brail their fish into a scow. Seiners and netters regarded the traps as competitors. The Fish and Wildlife Service appreciated the fact that they were efficient appliances easier to regulate than thousands of independent fishermen. As long as the federal government controlled the industry, Alaskans could not ban the use of traps. Not the slightest doubt existed that like Oregonians, Washingtonians, and British Columbians, they would do so as soon as they received the power. In a 1948 referendum, for example, they voted 19,712 to 2,624 in favor of abolishing them over a ten-year period. It was this attitude on the part of the people of Alaska which was primarily responsible for the relentless fight of the canned-salmon industry against statehood. Another reason was the industry's desire to retard industrial development in the North and an influx of people into the area, for with these would come hydroelectric dams, pulp mills, and large-scale sport fishing, all of which would be destructive of marine life or otherwise detrimental to commercial fishing. A third important reason stemmed from its interest in avoiding the higher taxes which statehood would bring.[14]

Not only were most of the canneries nonresident, but also much of their labor came from Outside. In 1918, when not nearly enough Alaskans were available for fishing and canning

work, about one-sixth of the employees, white and Native, were residents; the rest were whites and Orientals recruited at Seattle, Portland, and San Francisco at the beginning of each season and returned to those cities at the close.[15] During the Second World War the industry employed 16,000-17,000 people, several thousand fewer than during peacetime.[16] In 1946 about one-half of the twenty thousand fishermen and processors still came from Outside.[17] They belonged to outside unions which were fearful that the state of Alaska might discriminate against them. The officials of these unions were interested in the welfare of their members, as well as in their own positions and the dues paid into their union treasuries.[18] Officials of Alaska-based unions viewed the matter from a different perspective. For example, John Wiese, Alaska representative of the CIO International Fishermen and Allied Workers of America, was an outspoken advocate of statehood. A voting Congressional delegation could gain attention for the fishery more effectively than the territory's "embassy staff." And the government in Washington, he said, would be less apt to look upon Alaska and its chief industry "as the half-witted, poor country relation of the agricultural states."[19]

Gold mining, important in Alaska since 1880, had declined in the twenties but sprung back in the thirties. On October 8, 1942 "nonessential" mining operations were suspended for the duration of the war. By the time the order was rescinded, much higher operating costs pressed hard against the fixed price of gold of $35 per ounce.[20] The industry never wholly recovered,

but its political influence in the territory remained strong. Each of the judicial divisions being represented equally in the Senate, the mining population of the Second and Fourth divisions exercised inordinate power in the legislature as a whole. Most miners strenuously resisted higher taxes, whether for territorial or state government. Since the latter was expected to cost more than the former, the Alaska Miners Association opposed admission.

Other businessmen were of mixed minds on the issue. Foremost among those who voted no was Austin Lathrop of Fairbanks. A half interest in a steam schooner which transported miners to and from the territory during the gold rush led to his involvement with the North. A sharp businessman, Lathrop gradually expanded his interests to include, by 1946, motion picture theaters, apartment buildings, radio stations, the Fairbanks Daily News-Miner, and the Healy River Coal Company. Most of his enterprises were located in Cordova, Anchorage, and Fairbanks. The wealthiest man in Alaska, Lathrop held the esteem of many of its residents. Unlike most others who had come from Outside and grown rich in the territory, he did not spend his wealth in the states. Rather he invested it in new, solidly constructed buildings in the North, adding to its permanency of development and available amenities.[21]

On the day before the referendum, the occasion of his eighty-first birthday, Lathrop explained his objections to statehood. The cost of state government, including the

construction of necessary public buildings, would impose "a terrific financial burden on a very small group of taxpayers." Less populous territories had acceded to statehood, he acknowledged, but taxes had been low then and the extra levies easily paid. Besides, setting up schools, laying roads, and establishing courts in Arizona or New Mexico were not nearly so expensive as in Alaska. Business investment was needed in the North, but capital would have to come from Outside. High taxes would discourage investment. When Alaska contained more people and industry, statehood would come "easily and naturally." William Baker accused Lathrop of trying to protect his large income and of behaving like a parent, who never "thinks a child is grown up enough to stand on his own, to leave the parental roof and seek his fortune."[22]

Various other businessmen analyzed statehood in much the same terms as Lathrop, but at least as many thought otherwise. Businessmen were, after all, motivated in part by nonbusiness interests. Then too, some of them, particularly those living in incorporated towns, believed firmly that statehood would be good for business--that it would increase population and investment from Outside. More people would mean more airplane traffic, more and larger bank deposits, larger retail markets, additional radio listeners and newspaper readers, and new houses, roads, and community facilities. A mass market would also bring down the high cost of living. It was this perception which probably accounted for the widespread endorsement of statehood by chambers of commerce. Also when Alaska received

its patrimony, businessmen would be able to obtain something more secure than a revocable fifteen-year lease.[23] They would also have more of a hand in setting development policies, the administration of which would certainly involve less red tape than under federal rule.

Some of these men, charging that the federal government was fickle, feared that "today's policies may be tossed out tomorrow merely through the shifting of a couple of desks in the interior department." Statehood would protect their investments by giving them Congressmen who could plead their cases before the bureaus on terms equal with those of the existing states.[24] Few administrators felt secure enough to ignore the visit of a Congressional delegation. Even if these administrators were inclined to help Alaska's nonvoting delegate, they realized that he was powerless to assist them in return.[25] Higher taxes would not necessarily mean high taxes. Alaska's legislators had been reluctant to raise taxes in the past; why should statehood change their character? They would have to answer to the same constituents.[26]

Two large and increasingly important segments of the population were unionized workers and military personnel. Within five years they would become much more numerous, but in 1946 they were already significant. Territorial locals of the American Federation of Labor comprised about 10,000 members, of whom about 8,500 were residents. Locals of the Congress of Industrial Organizations included 12,000-14,000 workers, a large proportion of whom were employed in the fishing industry.[27]

In December 1946 the Ketchikan AFL Central Labor Council voted to sponsor what turned out to be an eighty-page "Statehood and International Development" supplement to the eight-page Chronicle. "We want full civil rights in Alaska and we want the year-around payrolls that apparently only statehood can bring us," said Herb Wetmore, chairman of the council.[28] In 1950 Alfred Owen Jr., vice-president of the Alaska Territorial Federation of Labor, offered the following explanation of why unions in Alaska supported statehood: "It is simply because we believe under statehood there will be more jobs for us and more opportunities to get into business for ourselves, because, contrary to much of the labor in the States, the people of Alaska still have down inside of them a desire to get a little capital ahead so they can start out for themselves, and that is something that has been rapidly disappearing from the American scene, I think."[29]

The leadership of a number of union locals in Alaska obtained support for statehood from their internationals. For example, in 1947 the Ketchikan local of the Brotherhood of Teamsters submitted an Alaska statehood resolution at the international's convention in San Francisco. When the resolution was adopted, the claim could be made that 900,000 teamsters backed statehood.[30] Even more impressive was endorsement by the AFL at its convention of 1946. When the case for statehood was presented by two Alaska delegates, the mammoth federation lent its support to the cause.[31] There was no great reason why it should not.

When the legislature met in 1945, Governor Gruening had been optimistic about the soldier vote. William Baker, many of whose ideas were unrealistic, was unsure of it, because the war was still in progress. Americans had ratified the Prohibition Amendment to the Constitution during the First World War, he recalled, while part of the army was overseas. Even if Alaska servicemen returned home before the referendum, they would want a few months to consider their positions on statehood. They would be sentimental, he feared, since so much of what had been familiar was undergoing change. They might therefore seek to retain familiar landmarks by voting against the proposition. Actually veterans were among its most ardent supporters. Full of confidence and serious-minded, they had emerged victorious from a war which had been justified partially in idealistic terms. In September 1946 the governor asked an Alaska convention of the American Legion to take a stand on statehood. Some of the delegates objected that the question was political and, hence, out of place. But several others spoke for it as an economic and social issue. The resolution in favor of statehood passed 65-14.[32]

Newcomers comprised another group favorable to admission. In 1950 Alaska was the residence of 128,643 people. Of these, 74,140 had been born in the states, 267 in other United States territories or possessions, 7,078 in foreign countries, and 47,158 in Alaska. Nearly all of the 33,863 Natives were probably native-born.[33] Having participated in the past in national elections, many of the newcomers objected strongly to

being deprived suddenly of a privilege which they had generally taken for granted. Perhaps partially out of a desire for acceptance, they quickly adopted the attitude of Alaskans who complained of discrimination and wanted to improve conditions in the North. Alfred Owen expressed the feeling of these nonnative Alaskans when he said: "Many of them, including myself, unwittingly gave up this right [of the national franchise] when they came to Alaska, and, frankly, you will never know its value until you have been deprived of it, as we have been."[34] More poignant were the feelings told by Puerto Rican-born Josephina Seiler: "After the excitement and the thrill of coming to Alaska subsided, I realized with a shock that by coming here I had lost my most valued privileges and rights as a United States citizen....without having changed appreciably, still thinking the same way we did when we lived in the States, still working for the same outfit, still living within the confines of the North American continent, yet, after a mere 8-hour trip in an airplane we were taken back to live under the same form of Government that two centuries ago our forefathers so bitterly fought and died to overcome."[35]

Also worthy of note were the parts played in the referendum by politicians in Alaska. Most of them supported statehood, often out of personal belief but certainly out of a desire for popular approval. Statehood appealed to them also because it would expand the number of executive offices and judgeships. Two United States senatorships would further augment their opportunities for gaining honor, profit, and power. If county

government should be established, still other positions would open. And if the number of seats in the House and Senate of Alaska should be increased, even more offices would be available. On the other hand, the prospect of reapportionment was one reason for opposition to statehood in the sparsely populated Second Division.[36]

Few voters reacted strongly against such eagerness for officeholding; more were concerned about which politicians would be elected. Bob Bartlett and Ernest Gruening were both energetic, hard-working Democrats of liberal persuasion. The former was liked throughout the territory, but the latter tended to polarize people, evoking feelings in them of adoration or hostility. Where the former was unassuming and conciliatory, the latter was assertive and independent. To his admirers the governor was a dynamic leader who had awakened Alaskans to their shortcomings, given them the most progressive government in their history, and championed their interests against absentee corporations and the Interior Department.[37] To his opponents he was an outsider who presumed to lecture individualistic Alaskans on how to run their own affairs.[38] Expecting others to do things his way, he tended to make enemies of those who would not succumb to his charming conversation and power of mind.

Whichever political party held power when the territory became a state was sure to take credit for achieving the goal. As long as Alaska and the nation were Democratically controlled, admission was likely to damage Republican prospects. The

governor was a statehood issue himself in view of the tendency of both Republicans and Democrats to align themselves as Grueningites or anti-Grueningites. Some of his political opponents saw no reason why they should further statehood if it meant sending "'that man' Gruening down to Washington."[39] One Fairbanks businessman remarked that the prospect of higher taxes did not concern him, because he expected that statehood would gain him more than it would cost him. What worried him was the prospect that a socialized economy would follow. A bush pilot remarked: "I believe in statehood now. The only thing I have against it is the gang that's for it. I don't like their social ideas."[40] Gruening told newsmen, not very convincingly, that "the people of Alaska would vote overwhelmingly for statehood even if it was just to get rid of him."[41]

Finally, how did resident civilian employees of the federal government vote? In December 1948 they numbered 11,536.[42] Being domiciled in the states, many of them were not registered to vote in the North. Of those who were Alaskans, some worried about their job security. The day after the referendum, Bartlett told a Juneau luncheon of the National Federation of Federal Employees: "It is my contention that Statehood will not eliminate a single Federal Bureau branch in Alaska, but will strengthen many of them instead."[43] By this he meant that voting representation in Congress would result in the expansion, not contraction, of federal programs and spending in the North. Still, a few federal agencies, above

all the Fish and Wildlife Service, would suffer reduced employment. After admission the service would become merely a scientific and advisory body. Even if some of its employees could take jobs in a comparable state agency, their rank, pay, fringe benefits, and job security might not be so great as previously. This concern might have influenced their voting on statehood, but concrete evidence is unavailable. It is possible that they voted on statehood in much the same proportion as other Alaskans.

3

The numerous arguments for and against admission cited in the Sundborg report, in company with ethnic, age-group, and occupational factors, leave several factors which figured in the statehood vote unconsidered: the desire for recognition, general hesitation, satisfaction with the simpler life of territoriality, and fear of what a negative vote might mean. Desire for recognition was a powerful motive for Alaskans, as it had been in the thirteen colonies which rebelled against England in the 1770s. Metaphorically referring to Alaska, one writer reminded her readers in 1927 that "only an exceptionally loving or sympathetic parent remembers, or can understand, the mental complexities of a growing boy....But the time is fast approaching when the boy will begin to think himself strong."[44] With rapid growth during the Second World War had come self-confidence and optimism. Territoriality was adolescence; statehood was adulthood. Age would bring new responsibilities, but the craving for participation in national affairs and for

acceptance as an equal partner in the Union were gradually overcoming hesitations.

Yet not a few Alaskans asked whether they possessed the personal qualities desirable for assuming the responsibilities of statehood. "While it may be generally conceded that Alaska has not produced the leadership she would need," the Anchorage Daily Times wrote in 1943, "it must also be recognized that the territory has been given virtually no opportunity to demonstrate leadership."[45] Wrote another observer: "The child (Alaska) never learns to walk because everyone is afraid it will stumble."[46] Federal paternalism was matched by the reluctance of the territorial legislature to assume responsibilities which would cost it money. As James Wickersham had pointed out long ago, albeit in a different context, the restrictions of the Organic Act did not alone account for limited self-government. Both of these points of view found expression in Ketchikan. Why not throw Alaskans on their own? asked the Chronicle. Obstacles confronted marrying, sending children to college, and building a house, but people managed in spite of them.[47] This was hardly a reasoned approach to building a state, one resident pointed out. Things could be worse and actually would be. "Youth has the ambition but not the judgment of age," she wrote.[48]

Counteracting the desire for recognition was contentment with life as it then existed. George Sundborg had tried to convince Alaskans to vote for statehood by conjuring up visions of population growth and economic development. These were the

very features which some other Alaskans, particularly old-timers, did not want. As the last great frontier of America, such people liked the wilderness, the sense of abundant nature in a vast land hundreds of miles from urban America. If they wanted the comforts of a city and the hubbub of thousands of people rushing to and from work and vacation, they would probably have been living in Seattle. As one farmer in Homer wrote: "Alaska is at present our last frontier, and it seems a shame to spoil it with our present wasteful methods of private exploitation, and it seems a shame to spoil it with an influx of new settlers who will strip it as bare of the above mentioned resources as much of the country is at present Outside."[49]

Yet few Alaskans were willing to close the door on statehood forever or were completely satisfied with federal rule. It was for these reasons that the warnings which Sundborg, Dimond, Bartlett, Gruening, and others issued on the consequences of a negative vote probably had an effect. "If Alaska does not become a state," Bartlett declared, "the organic act will probably be revised and then no further move towards statehood would be made in the next 50 or so years."[50] This feeling led the Empire to predict a week before the referendum that the result would be affirmative. "Even those against statehood fear that if Alaska should go on record against it now this would be taken Outside as an endorsement of the present colonial system of government with which few in Alaska are satisfied."[51]

Notes

1. Alaska, Territorial Canvassing Board, "Official Returns, General Election, October 8, 1946."

2. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Alaska: Hearings Pursuant to H. Res. 93, 80th Cong., 1st sess., August 30-September 12, 1947, p. 176.

3. Copy, "Statement of Ralph J. Rivers..." September 8, 1947, Records of the Office of the Governor of Alaska, General Correspondence, 1934-1953, box 516, folder 58-11--Statehood (Alaska), no. 2, Federal Records Center, Seattle.

4. Daily Alaska Empire (Juneau), October 12, 1946.

5. Fairbanks Daily News-Miner, March 13, 1952.

6. Interview with Ernest Gruening, Washington, D.C., April 3, 1972.

7. U.S., Bureau of the Census, Census of Population, 1950 2, pt. 51: 35, 17.

8. Alaska, Compiled Laws of Alaska, 1949, ed. J. Oliver Tucker (San Francisco: Bancroft-Whitney, 1948), title 38, secs. 1-4.

9. Jessen's Weekly (Fairbanks), August 2, 1946; Hearings Pursuant to H. Res. 93, pp. 264-265, 273; U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, p. 286.

10. Eskimo: Barrow, 25 for statehood and 23 against; Bethel 80 to 47; Choggiung (Dillingham) 91 to 46; Kotzebue 35 to 42;

Uuzinkie 15 to 19; Holy Cross 13 to 16; and Savoonga 10 to 48. Nome itself was largely Eskimo. Aleut: King Cove 9 to 6 and Unalaska 19 to 30. Athapascan: Fort Yukon 2 to 52, McGrath 31 to 20, Minto (Nenana) 24 to 7, Nondaltan 27 to 6, Nulato 12 to 1, and Tyonek 6 to 27. Tlingit: Angoon 14 to 75, Hoonah 53 to 36, Kake 73 to 13, and Klawock 70 to 18. Haida: Hydaburg 49 to 13. Tsimshian: Metlakatla 95-57. Territorial Canvassing Board, "Official Returns...1946."

11. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Statehood for Alaska: Hearings on H.R. 206 and H.R. 1808, 80th Cong., 1st sess., April 16-24, 1947, pp. 75-77, 121-122.

12. Pacific Fisherman, January 25, 1962, p. 33.

13. Ernest Gruening, The State of Alaska (New York: Random House, 1954), pp. 400-401.

14. George W. Rogers, Alaska in Transition: The Southeast Region (Baltimore: Johns Hopkins Press, 1960), pp. 7-8, 10-12; Gruening, State of Alaska, pp. 395, 403, 407; Alaska, Territorial Canvassing Board, "Official Returns...General Election, October 12, 1948"; copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, E. L. Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968, Elmer E. Rasmuson Library, University of Alaska, College.

15. Gruening, State of Alaska, pp. 210-211.

16. U.S., Congress, House, Committee on the Territories, To Conduct a Study and Investigation of the Various Questions and

Problems Relating to the Territory of Alaska: Hearings Pursuant to H. Res. 236, 79th Cong., 1st sess., August 4-17, 1945, p. 184.

17. Hearings Pursuant to H. Res. 93, p. 155.

18. ADT, August 19, 1946.

19. DAE, August 21, 1946.

20. Alaska, Governor, Annual Report, 1947, p. 60.

21. FDNM, July 22, 1952.

22. Ketchikan Alaska Chronicle, October 7, 8, 1946.

23. Anchorage Daily Times, October 5, 1946.

24. KAC, March 26, 1951.

25. JW, August 30, 1946.

26. ADT, August 28, 1946.

27. Hearings Pursuant to H. Res. 93, pp. 194, 193.

28. KAC, December 14, 1946, March 29, 1947.

29. Hearings on H.R. 331 and S. 2036, p. 292.

30. KAC, August 28, 1947.

31. JW, November 15, 1946.

32. KAC, February 21, 1945, September 13, 1946.

33. Bureau of the Census, Census of Population, 1950 2, pt. 51: 13, 18.

34. Hearings on H.R. 331 and S. 2036, p. 290.

35. Hearings Pursuant to H. Res. 93, p. 34.

36. JW, December 28, 1945.

37. ADT, April 9, 1953.

38. Hearings on H.R. 206, p. 283.

39. KAC, November 15, 1952.

40. Frank L. Kluckhohn, "Alaska Fights for Statehood,"

American Mercury 68 (1949): 561.

41. DAE, November 30, 1945.

42. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Providing for the Admission of Alaska into the Union: Report To Accompany H.R. 331, 81st Cong., 2d sess., 1950, S. Rept. 1929, p. 32.

43. DAE, October 9, 1946.

44. Mary Lee Davis, "What Does Alaska Want?" Scribner's Magazine 81 (1927): 630-631.

45. ADT, September 27, 1943.

46. John McCauley, "'Sourdough Progress,'" Alaska Life, June 1947, p. 7.

47. KAC, September 26, 1946.

48. Ketchikan Daily Alaska Fishing News, October 9, 1945.

49. JW, March 8, 1946.

50. KAC, August 22, 1946.

51. DAE, October 1, 1946.

Chapter 8

Congress Takes a Look at Statehood

1

A majority of Alaskans who voted in the referendum indicated that they wanted statehood. An even larger proportion of the American people as a whole were ready to accept their bid. On September 21, 1946 George Gallup, director of the American Institute of Public Opinion, announced that 64 percent favored admission, 12 percent opposed it, and 24 percent were undecided. A majority was obtained for statehood in all sections and among all important groups in the country. Most people favored admission believing that Alaska was "vital to the defense of the nation" and feeling that "it deserves equal representation in the body of states."[1] Texans supported admission in percentages almost identical to those of the nation at large. In 1948 the Texas Poll discovered that 48 percent of Texans with grade school educations were in favor of statehood, 69 percent of those with high school educations, and 74 percent of those with college educations. Lack of pride in the premier size of their state cannot be deduced from these figures. Thirty-seven percent of those polled thought their own state was larger than Alaska, and 22 percent did not know.[2]

Statehood was supported by dozens of national fraternal, business, labor, civic, patriotic, and other organizations. Favorable resolutions were easily obtained, partially because

few members felt like objecting to something which meant much to some of their fellows but not to themselves. Foremost among those organizations in terms of the support it gave to statehood was the General Federation of Women's Clubs.[3] As early as 1944, on the urging of Juneau attorney Mildred Hermann, it had adopted a resolution in favor of admitting the Northland as the forty-ninth state.[4] In later years the leadership of the federation even asked leaders of its associated clubs to induce their members to write their congressmen on behalf of statehood.[5]

If Congress had reflected public opinion, Alaska and Hawaii would easily have been admitted. But Congressmen were motivated by more than feelings of national camaraderie. Partisan and sectional interests ranked high among their impulses. Evangeline Atwood had tempted Alaskans to vote for statehood by telling them: "Think of what a powerful group we Alaskans would be if we were a state....Nowhere else under the American flag would so small a group of citizens have so much power in fashioning the federal policies."[6] Such a plea was appropriate in Alaska but not at all in Washington. Members of Congress were being asked to dilute their own great power. This applied especially to senators, of whom there were only ninety-six. If Alaska were admitted, Hawaii would follow shortly; four new senators were thus in prospect.[7] No such situation existed in the House of Representatives, where the number of seats was fixed by statute at 435. But one congressman from Alaska and one or two from Hawaii would result

in the consolidation of two or three existing districts. Some congressmen from states which would lose representatives after the next decennial census were understandably upset about the prospect.[8] An additional consequence of admitting Alaska and Hawaii would be the addition of six or seven members to the electoral college, which chose the president.

Partisan considerations, which carried great weight with members of Congress, were unusually important in the 1950s. During most of that decade, the Democratic and Republican parties were nearly evenly balanced in the Senate. The admission of only one of the territories or of one of them a year or two before the other might shift control from one party to the other. Control was important because of the power and prestige which flowed from it. From the majority party were selected the majority leader and the president pro tempore. Committee and subcommittee chairmanships, a party majority on every committee, access to the limited patronage of Congress, and the power to decide which bills should be taken up and when they should be debated were important benefits of numerical preponderance. Admitting both territories simultaneously might or might not have maintained the balance in the Senate. Hawaii had been reliably Republican since the presidency of William McKinley, under whom the islands were annexed, but Alaska tended to reflect the nation as a whole. Since 1932 the majority party had been the Democratic party.

Sectional considerations ranked alongside partisan ones in determining the Congressional lineups on admission. No other

part of the country supported statehood for Alaska more vigorously and consistently than the West. To a small extent this derived from feelings of sympathy on the part of the Congressmen of states which had once passed through a similar struggle. Then too, as western society was more open than eastern, so the West was more willing to receive new states without inquiring too closely into their credentials or feeling aggrieved at having to share its privileges. Most important of all was an identity of interests. Alaska's extensive undeveloped public lands, national forests, and extractive industries differed only in degree from those of the western states. On a regional scale Alaska would align itself with the Pacific Northwest bloc of Washington, Oregon, Idaho, and Montana for the mutual support of local legislation. It was not surprising, therefore, that the legislatures of Nevada and Montana memorialized Congress for Alaska statehood even before Alaskans did.[9] In 1946 the admission of Alaska and Hawaii was endorsed by the Western Governors' Conference; in 1947 the National Governors' Conference followed suit.[10]

The final consideration affecting the Congressional mind involved issues and personalities. If Alaska sent Democratic Congressmen to Washington, how would they vote on matters of national concern? Representing an underpopulated, underdeveloped area, would they be vitally concerned with the problems of congested East Coast cities like New York and Philadelphia? Coming from an area with a high percentage of Native peoples, how would they vote on motions to cut off

filibusters on civil rights? And who would be the first two senators? Bartlett might well be one; some suspected that Gruening might be another. It was not Bartlett to whom Senator Hugh Butler of Nebraska referred when he said in 1950: "I don't think there is any chance of getting statehood on a movement led by an outsider or an insider who is appointed to the governorship, and then proceeds to try to shape everything so he can become one of the first Senators."[11]

2

The long march toward statehood was delayed by numerous sidetrips and skirmishes. Some of them originated in Alaska, while others issued from Congress or the public. Examples of all three were in evidence before and after the referendum.

One of the disruptions was sectionalism, a phenomenon by no means unique to Alaska. The divisions between New Yorkers in the city and upstate, Californians north and south of the Tehachapi Mountains, and Texans along both northern and southern and eastern and western lines are well-known. In Alaska renewed discussion about partition, far less emphatic than in the twenties, appeared with a shift in the balance of population. From 1939 to 1950 the population of the Juneau census district increased by only 2 percent and that of Ketchikan by 16 percent. That same decade the population of the Fairbanks census district increased by 241 percent and that of Anchorage by 658 percent.[12] Underlying the disproportionate growth of these Railbelt communities were massive efforts by the federal government to construct and improve military and

air force bases in the heartland of Alaska.[13] As the Third and Fourth divisions grew in population and wealth, the First Division, and Juneau especially, came to seem older and conservative by contrast. Many residents of the capital worried how the spirited people of Anchorage would use their increasing political power. With statehood Alaskans, not Congressmen, would decide the location of the capital.

One of the first Alaskans to discuss partition anew was Norman Walker of Ketchikan, the senator who had introduced the referendum bill. On August 4, 1945 he told the visiting Committee on the Territories: "This portion of Alaska called the panhandle, or southeastern Alaska, could take statehood tomorrow." But when Rep. Augustine Kelley of Pennsylvania asked him about giving it separate status, he replied: "We expect statehood, and I am confident that we could assume the responsibility for statehood tomorrow provided you do not take away these [other] areas. There is no point in having a State without having any resources to have a State on."[14] Within a month Walker altered his opinion. On August 29 the Ketchikan Alaska Chronicle printed a letter from him to the editor expressing the belief that two states would be preferable to one. One of these should include the First and Third divisions; the other should embrace the Second and Fourth.[15]

Shortly after the referendum was held, Walker delivered a restatement of this proposal to Edwin Arnold, the young and enthusiastic director of the Division of Territories of Island Possessions, who was touring Alaska at the time. Like John

Troy thirty years earlier, Walker pointed out that some of the taxes of the First Division went to build roads, maintain health, and operate a university in other divisions. He also pointed out that only the First and Third divisions had voted for statehood.[16] The Anchorage Daily Times wondered if Walker were not trying to sabotage admission. Gaining two Senate seats would be difficult, it wrote; getting four would be impossible. And why should the people of Fairbanks be excluded from the southernmost state? More Fairbanksans had voted for statehood than against it.[17] The reason was that Walker thought some improvements should be left in the northern half of Alaska; indeed Fairbanks might become its capital.[18]

William Baker agreed with the Times in its view of Walker and accused him of trying to engage Alaskans in a fight over boundaries rather than focusing on statehood. The divisions Walker would leave out might lose population to the adjoining state. "Income from the fishing industry...would be lost to such a territory, it would be economically and politically virtually bankrupt, and it would have little hope for the future. It would have little chance to fend off the big mining companies or to tax them justly." Besides, oil might be discovered "at any time" in the Second Division. If the state of Alaska should prove excessively large, the legislature could arrange for division. "Perhaps strategic north coast areas could be turned into military reserves." A couple years later Baker suggested a variant of this idea. "It might be feasible to let the armed forces have the Aleutian islands for defense

bases and set up a new Territory of Tundra or Bering or Eskimo along the Bering and Arctic seas." Since the excluded area would not have the resources on which to build a state, it might seek eventual annexation to the state of Alaska "at the pleasure of Alaskans and the U.S. congress."[19]

Another apostle of separatism was George Folta, whom President Truman appointed judge of the First Division in 1947. That same year Folta warned a meeting of the Juneau Lions Club that if a single state were created, the capital might be relocated more centrally, which would lead to the removal of many federal agencies from Juneau. Also, as long as the Southeast was only part of Alaska, it would receive meager funds for highway construction. In January 1949 he told the Ketchikan Chamber of Commerce that the people of the Westward thought and acted differently. Southeasterners "have better living conditions, more stable industry, and a more equitable climate." Following his speech, the chamber "moved for early consideration of Statehood on the two-state basis."[20]

Development before statehood and statehood for southeast Alaska were variations on a common theme. Quite different were the proposals made by William Cole and Nicholas Murray Butler in 1945 and 1947. Cole was a Republican congressman from western New York and a member of the United States Naval Reserve. By 1945 he was also a veteran member of the House Committees on Naval Affairs and Insular Affairs. On January 6 of that year he introduced a joint resolution to transfer to the Navy Department the administration of the territories and possessions.

Such control was necessary, he felt, if the navy were to be able to meet its responsibilities for national defense. At the time jurisdiction resided in the Department of the Interior or, in the case of the civilian government of the Panama Canal Zone, the Department of War. Within a week of the bill's introduction, Secretary Ickes and Delegates Farrington and Bartlett raised their voices in opposition. Nine days after introducing the measure, evidently in response to the objections, Cole introduced a revised version from which Hawaii and Alaska were excluded. Hearings were held on neither resolution.[21]

When Cole first made public his idea, the Times expressed mixed feelings about it. On the one hand, the bill would have the advantage, the newspaper wrote, of removing the North from Ickes' jurisdiction. The army and navy were in the midst of constructing needed roads, bridges, airfields, harbors, and navigational aids. Further expenditures could probably be arranged if the territory were placed under naval control. On the other hand, the newspaper expressed resentment at the excessive wartime censorship and travel restrictions which some military administrators, lacking good judgment, had earlier imposed on them.[22] By 1947, of course, the Times was completely unwilling to entertain the proposal. Yet the New Yorker reintroduced his original resolution, applicable not only to the possessions but also to the territories.[23]

The other proposal which would consign the territories to limbo was made by Nicholas Murray Butler, president of the

Carnegie Endowment for International Peace and president emeritus of Columbia University. In 1945 he had written Rep. Hugh Peterson of Georgia about a plan which he had first proposed for Puerto Rico in 1934. The United States being "a complete and compact geographic unit," Alaska, Hawaii, and Puerto Rico should be set up as "independent, self-governing democracies under the protection but not the control of the Government of the United States." The relations of such quasi-independent protectorates with foreign powers should be subject to presidential approval, and their litigants should be entitled to appeal their cases to the United States Supreme Court.[24]

To Butler, adding "outlying territory hundreds or thousands of miles away, with what certainly must be different interests from ours and very different background, might easily mark...the beginning of the end." In 1947 he wrote Secretary Krug: "Think of what would happen were the vote of one Senator from Alaska or Hawaii or Puerto Rico to defeat the ratification of an important treaty affecting the policy and good order of the world. It is unthinkable that we should allow any such possibility."[25] In May 1948 Senator Henry Cabot Lodge Jr., another recipient of Nicholas Murray Butler's letters, wrote Senator Hugh Butler of Nebraska that Hawaii should not be admitted into the Union. Doing so would set an undesirable precedent for Alaska, Puerto Rico, and perhaps some non-American places. To Lodge it was not clear "why the Hawaiian Islands could not become part of California or why Alaska could

not become part of the state of Washington."[26]

3

These and other suggestions about the territories would be up to Congress to consider. The Congress which investigated statehood in 1947 was different from its immediate predecessors in two notable respects. First, both houses were controlled by Republicans for the first time since Franklin Roosevelt assumed the presidency in 1933. Second, the Legislative Reorganization Act of 1946 reduced the number of standing committees in each house and strengthened their powers. No longer did the House Committee on the Territories and the Senate Committee on Territories and Insular Affairs exist as such; they were absorbed into the House Committee on Public Lands and what became known as the Senate Committee on Interior and Insular Affairs. Except for bills affecting revenue and appropriations, territorial legislation generally would be assigned to these new committees of broader jurisdiction.[27] Joseph Farrington of Hawaii and Bob Bartlett were the only members of the Committee on the Territories to sit on the new Subcommittee on Territorial and Insular Possessions of the House Committee on Public Lands.

The first statehood investigation conducted by the Public Lands Committee dealt with Hawaii. The Islands had developed faster than its sister territory since being annexed to the United States in 1898. In 1900 Congress provided it with an organic act which was less confining than Alaska's. Under it Hawaii had developed governmental institutions comparable to those in most of the states. Petitions for statehood began to

flow from its legislature in 1903; a Hawaiian delegate first introduced an enabling bill for his territory in 1920. Not until 1935, however, did a group of congressmen hold hearings on the matter in the Islands. The congressmen returned with a feeling of goodwill toward its people, but three of the five held that "considerable further study" must precede a favorable report.[28] Further study came in 1937, when a joint Senate-House committee conducted extensive hearings in Hawaii. It, too, recommended that the issue of statehood be held in abeyance. Disturbed international conditions, the fact that a statehood referendum had not yet been held, and the departure from tradition which admitting permanently noncontiguous territory would represent produced the hesitancy.[29] When a referendum was held on November 5, 1940, Hawaiians voted 46,174 to 22,428 in favor of admission.[30] A Gallup poll of January 1941 revealed that 48 percent of the people of the states were disposed to admit the applicant, 23 percent were opposed, and 29 percent were undecided or had no opinion.[31]

The Islands spent the war under martial law. When peace returned in 1945, the drive for statehood resumed. In March and April 1947 the Committee on Public Lands held formal hearings in Washington on Farrington's enabling bill. Almost immediately a controversy erupted of significance to Alaska as well as Hawaii. It concerned control of the public lands, which Hawaiians called "territorial lands." When the Republic of Hawaii was annexed, it ceded these lands to the federal government. The United States was permitted to take from them

whatever acreage it might need for civil, military, and naval purposes. The territory was allowed to sell, lease, or rent the rest and to use the proceeds for its schools and other public purposes. Over the years the territorial government sold more than half of the territorial lands, mainly for homesteads. By the time of the 1947 hearings, 1,558,430 acres, mostly mountainous, remained in the public domain out of the total of 4,118,400 acres which comprised Hawaii. The islanders expected to receive this 1,558,430 acres upon entering the Union.[32]

Shortly before the hearings opened, Undersecretary of the Interior Oscar Chapman unexpectedly proposed that title to the territorial lands remain with the United States government on the ground of equality of treatment. From them Hawaii would receive the usual donation which public land states received upon entering the Union. Rather than granting numbered sections in each township, however, the department proposed that the state be permitted to select 180,000 acres within five years of enactment of the bill. This was equivalent to about four out of every thirty-six sections of territorial land. Numbered sections were not suggested in view of the fact that the rectangular system of surveys had never been extended to Hawaii. Farrington proposed a compromise to the committee. Hawaii should be granted the 180,000 acres. Then immediately after the bill was enacted, the House Public Lands Committee and its Senate counterpart should assemble jointly to decide upon the disposition of the ungranted public property. If no action

were taken by Congress, title to the territorial lands and other public property in the Islands would vest in the state. The committee, unsympathetic if not hostile to the recommendation of the Interior Department, adopted the amendment and reported the bill by voice vote without dissent.[33]

4

Hearings on Alaska statehood had been scheduled to begin on April 8 but were delayed eight days in order that Secretary Krug would be available to testify at the opening.[34] Krug spoke strongly for statehood, telling the congressmen: "I certainly think that it would be a shame to deprive Americans of their full citizenship merely because there happens to be water lying between them and the rest of the Americans." However, he also expressed dissatisfaction with some provisions of Bartlett's enabling bill. The bill was the same as that which Anthony Dimond had introduced in 1943, except that Bartlett's enlarged somewhat the amount of land which the federal government would be allowed to retain. The position of the Interior Department was outlined in a letter which Warner Gardner had sent the committee. Included were a number of amendments half as long as the bill itself, the most important of which dealt with the state's patrimony and Native rights.[35]

Rather than receiving all of the public lands within its boundaries, Gardner proposed, Alaska should be granted sections 16 and 36 in every township, which had been reserved in 1915 for the support of its public schools. It should also be granted section 33 in every township of the Tanana Valley,

which had also been reserved that year for the institution which became the University of Alaska. Wherever any of these sections fell on land which had been settled with a view to homestead entry, had been sold or otherwise appropriated, were subject to unextinguished Native rights, or were fractional or wanting in character, an equal area of lieu land might be selected elsewhere. In addition the state would receive 500,000 acres for internal improvements, that is, for the construction and maintenance of public institutions. It would also receive block 32 in Juneau for the governor's mansion, a state museum, or a park. Five percent of the net proceeds derived from the sale of public lands in Alaska after admission would be paid into the state's school fund. These grants were similar to those which Nevada had received in 1864, the Dakotas, Montana, and Washington in 1889, and Wyoming and Idaho in 1890. They were less generous than those which Utah had received in 1896, Oklahoma in 1907, and New Mexico and Arizona in 1912.[36]

In regard to Native rights, Gardner proposed that the state and its people forever disclaim both the right and title to all land retained by or ceded to the federal government by the statehood bill and to all land owned or held by Natives or Native "tribes, the right or title to which shall have been acquired through or from the United States or any prior sovereignty...." Until the United States disposed of or extinguished title to such land, it would remain within the exclusive jurisdiction of the federal government and not be taxable by the state. Much of the language of the amendment

was copied from the enabling acts of Arizona, New Mexico, and other recent states. Such a guaranty of Native claims was sought not only by the Interior Department but also by James Curry, an aggressive Washington attorney for the National Congress of American Indians and the Alaska Native Brotherhood. Curry asserted, in a statement filed with the subcommittee, that the Natives he represented would oppose adoption of the statehood bill "unless proper provision is made for the protection of Indian property rights...."[37]

Charles Brannan, assistant secretary of agriculture, was also concerned with statehood, since the National Forest Service was a division of his department. Unlike Anthony Dimond, he desired that the Tongass and Chugach forests remain under federal jurisdiction. In return he proposed that, like Utah, New Mexico, and Arizona, the only states containing national forest land when admitted into the Union, Alaska receive sections 2, 16, 32, and 36 of the national forests. Title to those sections would not vest in the state "until the part of said national forests embracing any of said sections is restored to the public domain; but said granted sections shall be administered as a part of said forest." In return for this concession, the federal government would pay the state the average gross proceeds from four out of every thirty-six sections of national forest land at the end of each fiscal year. Since Alaska would continue to receive, in addition, 25 percent of the gross receipts of the forests, it would collect a total of 36.1 percent of the annual revenue obtained from

them.[38] Despite the widespread desire of Alaskans to control as much land in the North as possible, few objected strongly to Brannan's proposal. Not only did they recognize that state administration of the forests was unlikely and might even be unwise, but they also felt that for more than two decades the National Forest Service had administered the resources well.[39]

Eight congressmen appeared before the subcommittee, as did Anthony Dimond, William Baker, George Sundborg, Ralph Rivers, Robert Atwood, Ernest Gruening, and more than a dozen others. Lasting seven days, the hearings produced testimony on a variety of subjects, for statehood ramified to touch nearly all of the land and people of the North. If the congressmen were impressed with the legitimacy of Alaska's quest, they were also gravely concerned whether its people were willing or able to finance it. The matter was brought to the fore by Herbert Faulkner, who presented them with information about the recently adjourned territorial legislature. For the coming biennium this body had passed a general appropriations bill totaling $8,476,309.94, a bill appropriating about $1,000,000 of earmarked motor fuel tax revenue, and other appropriations bills amounting to $615,102.44. After new revenue bills were also passed, the territorial tax commissioner estimated that the territory would receive from all sources $6,286,000, a net deficit of $3,805,412.38. What made the situation critical was that the general fund was expected to contain less than $400,000 on April 1 and the Organic Act forbade indebtedness except in anticipation of tax receipts.[40] In view of the impending crisis,

the Board of Administration was called into session. Composed of the governor and five other territorial officials, it suspended all appropriations except those specifically exempted by a territorial act of 1937 and those for which contracts had already been let.[41]

The fiscal picture, albeit deplorable, was drawn to appear even worse by Faulkner. He presented not the most recent information available but the December 17, 1946 report of the Territorial Board of Budget to the legislature. It contained appropriations requests for the biennium of $11,908,000, against which only $3,736,700 in revenue had been anticipated. For a territory forbidden to incur a deficit of that kind, Clair Engle, a Democratic congressman from northern California, found the document to be "amazing." Faulkner went on to estimate that a variety of federal functions which would be transferred to the state cost $5,409,614 a biennium. To this sum he added $300,000 for county government, $2,000,000 for highway construction under the Federal-Aid Highway Act, and $400,000 for administering the road system. If Native education, health, and other services were transferred, $7,000,000 more would have to be added. State operation of the Alaska Railroad would cost $500,000. In view of the condition of the territorial budget, this $15,359,614 biennial cost of statehood would clearly be intolerable.[42]

The committee became interested in calculating the per capita cost of statehood for what it estimated might be 50,000 whites out of a total population of perhaps 90,000 people.

Often the same approach was taken by opponents of statehood, although in this case Faulkner pointed out a few of the fallacies.[43] The approach was valid as long as six factors were taken into account. First, the exclusion of taxpaying Natives and large numbers of nonresident federal employees, fishermen, cannery workers, construction workers, and others from the population base which supposedly paid the taxes made the burden paid by resident Alaskans seem larger than it actually was.[44] Some per capita estimates for Alaska also excluded military personnel, even though such people were included in population figures for the states. Second, the population contained an unusually high proportion of working-age males and an unusually small proportion of housewives. Third, if the 1947-1949 budget were used to determine the per capita cost of government, the population of 1947, not that of the previous census, should also have been used. In an area of small population but rapid growth, this consideration was important. Fourth, many functions which were performed by counties in the states were performed by the territorial government in Alaska. Fifth, and most important of all, with the partial exception of the $5 school capitation, per capita taxes were not levied in Alaska. Finally, the pack, fish trap, and other taxes paid by outside canneries might justifiably have been subtracted from the per capita cost of government for Alaskans. No resident paid them except to the extent that he purchased canned salmon.[45]

Faulkner's testimony, delivered for about fifteen minutes

on one day and two hours on another, was devastating to the assertion that Alaska was ready for admission into the Union. The attorney did not go unanswered, however. Speaking even longer was George Sundborg, now general manager of the Alaska Development Board. He referred to the territory as "the most lightly taxed entity under the American flag" and accused the Juneau attorney of having inflated the cost of statehood. Sundborg held firmly to his 1946 estimate of $3,944,000 per biennium, denying that operation of the Alaska Railroad, Native care, and highway construction should be included. As for county government, he said, Alaskans did not need it. When population increased to the point that counties would be needed, the people would be able to afford them. The day before his committee appearance, Sundborg noted, the three American ocean carriers serving the Northland had filed rate increases for cargo of 35 percent. Since Alaskans already paid about $8 million a year for water transportation services, $2.5 million could be added to their bill. "And I submit that if we can stand a charge like that for something which is not going to benefit us particularly and is going to benefit the steamship companies which are all owned outside of Alaska, we can afford the cost of statehood which would be less than that."[46]

Partition was also discussed at the hearings. The person who brought up the subject was Rep. Arthur Miller, a conservative Republican from Kimball, Nebraska who had gone to Alaska in 1945 with the House Committee on the Territories. Since then he had given "considerable thought" to the question

of partitioning the territory and admitting only the southern one-third into the Union. Alaska as a whole was ready for statehood, he said, but "almost impossible administration problems" would be encountered in the rest of the area. Individuals he queried about the idea were unprepared to respond or were unfriendly to it. Rep. Mike Mansfield of Montana pointed out that modern communications had greatly reduced the problems of size. Rep. Marion Bennett of Missouri felt that partition would retard the development of the northernmost part. Attorney General Ralph Rivers noted that territorial administration already extended throughout the North; therefore the state would not confront the sort of problems Miller envisaged. Robert Atwood told the congressman that the subject had not been widely discussed in Alaska and "is considered a bad thing in principle to start with. Alaska has always been one. We are all proud of Alaska. We have lived together and we like every bit of Alaska...." If it should be divided, though, he suggested that the Yukon River be the boundary.[47]

When Governor Gruening was asked about partition, he indicated no aversion to it. Any division, he thought, should occur along either the Yukon River or the 64th or 65th parallel but "with the understanding that at some future time it could join the State of Alaska if the people of both the State of Alaska and the Territory of Tundra saw fit."[48] Bartlett, whose ideas were not elicited on the subject, felt much the same. On February 15 he had written the governor: "I am willing to be

persuaded on one point where I formerly resisted very strongly: if statehood can be had only by drawing a line and including in the new state the more heavily settled sections, leaving out those areas where opposition has been strong, I think I would be ready to go along." Both men agreed that these areas would be a problem, not just in regard to statehood but also economically.[49]

During the hearings Senator Edward Coffey, an Anchorage Democrat, asked the subcommittee to postpone reporting the bill. "Alaska is being represented at the present hearings in Washington by a privileged few, most government officials, who can spend public funds to travel to Washington, while the people of Alaska are hardly represented." This complaint was frequently expressed by opponents of statehood, as was another which he made: "These public officials, and their representatives, are for statehood under any circumstances, and have little regard for the provisions Alaskans want in the enabling act." What was needed was "a few common sense Alaskans to point" out that Alaska's economy was based "primarily today on the vast amount of money spent here by Federal bureaus and for national defense work." Senator Coffey would have his chance after Congress recessed, but he would not take advantage of it. Eight days after the hearings ended, the congressmen voted 8-5 to defer reporting the bill until after visiting the territory personally.[50]

While the bill for Alaska thus marked time, that for Hawaii made remarkable progress. Not long after receiving it

from the Committee on Public Lands, the Rules Committee cleared the bill for action in the House by a strictly partisan vote.[51] House Republicans were seeking to enlarge their temporary numerical advantage, while Democrats were resisting. Nevertheless when the bill was voted upon by the House as a whole on June 30, it passed 195-133.[52] Never before had statehood for either territory advanced so far. In testing the winds for a noncontiguous territory, Hawaii found that headway could be made. Bartlett and Gruening thus looked forward optimistically to the hearings which shortly would begin in the North.

Notes

1. Anchorage Daily Times, September 26, 1946.

2. Ketchikan Alaska Chronicle, April 8, 1948.

3. U.S., Congress, House, Subcommittee on Territories and Insular Possessions of the Committee on Interior and Insular Affairs, Statehood for Alaska: Hearings on H.R. 20, H.R. 207, H.R. 1746, H.R. 2684, H.R. 2982, and H.R. 1916, 83d Cong., 1st sess., April 14-17, 1953, p. 138.

4. Daily Alaska Empire (Juneau), April 28, 1944.

5. Copy, telegram, Sally Butler to all General Federation of Women's Clubs Presidents and Legislative Chairmen of States of Committee on Interior, May 17, 1954, Benjamin Frank Heintzleman Papers, box 2, folder F, Sterling Memorial Library, Yale University, New Haven.

6. Jessen's Weekly (Fairbanks), March 22, 1946.

7. The argument about dilution was raised on and off the Senate floor. Generally it referred to the dilution of state or bloc, rather than individual, power. Yet the latter was also expressed. For example, in 1948 Senator Henry Cabot Lodge Jr. of Massachusetts wrote: "every time we add more senators to the Senate, we decrease the relative importance of every existing senatorship. If the Senate gets sufficiently large, it will be necessary to set up the counterpart of the House Rules Committee and have a sort of super-committee which will act as a graveyard or deep freeze for legislation. Then most senators will cease to be relatively unfettered representatives of sovereign states." Edward Latham, ed., Statehood for Hawaii

and Alaska, The Reference Shelf, v. 25, no. 5 (New York: H. W. Wilson, 1953), p. 68.

8. For an example, see U.S., Congress, House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 2: 2748.

9. Nevada, Statutes of the State of Nevada Passed at the Forty-Second Session of the Legislature, 1945, p. 524; Montana, Laws, Resolutions and Memorials of the State of Montana Passed by the Twenty-ninth Legislative Assembly in Regular Session (1945), pp. 639-640.

10. Ernest Gruening, The Battle for Alaska Statehood (College: University of Alaska Press, 1967), pp. 5-6.

11. DAE, December 2, 1950.

12. U.S., Bureau of the Census, Census of Population, 1950 2, pt. 56: 5-6.

13. George W. Rogers, The Future of Alaska: Economic Consequences of Statehood (Baltimore: Johns Hopkins Press, 1962), p. 99.

14. U.S., Congress, House, Committee on the Territories, Hearings Pursuant to H. Res. 236: To Conduct a Study and Investigation of the Various Questions and Problems Relating to the Territory of Alaska, 79th Cong., 1st sess., August 4-17, 1945, p. 15.

15. KAC, August 29, 1945.

16. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Alaska: Hearings Pursuant to H. Res. 93, 80th Cong., 1st sess., August 30-September 12, 1947, pp. 356-360.

17. ADT, October 22, 1946.

18. KAC, August 29, 1945.

19. Ibid., October 25, 19, 1946, March 29, 1947, January 21, 1949.

20. DAE, May 19, 1947, January 27, 1949.

21. Ibid., January 28, 1947, September 21, 1944, January 11, 1947; 79th Cong., 1st sess., H. Res. 55, January 6, 1945, H.J. Res. 69, January 15, 1945.

22. ADT, September 28, 1944.

23. 80th Cong., 1st sess., H.J. Res. 70, January 14, 1947.

24. Congressional Record, 79th Cong., 1st sess., 1945, 91, pt. 13: A5366.

25. House, Congressional Record, 80th Cong., 1st sess., 1947, 93, pt. 2: 1979.

26. Latham, Statehood for Hawaii and Alaska, pp. 67-68.

27. 60 Stat. 819, 827-828.

28. U.S., Congress, House, Subcommittee of the Committee on the Territories, Statehood for Hawaii: Hearings on H.R. 3034, 74th Cong., 1st sess., October 7-18, 1935, pp. 6, 8, 329.

29. U.S., Congress, Joint Committee on Hawaii, A Report of an Investigation and Study of the Subject of Statehood and Other Subjects Relating to the Welfare of the Territory of Hawaii, 75th Cong., 3d sess., 1938, S. Doc. 151, pp. 94-95.

30. U.S., Congress, House, Subcommittee of the Committee on the Territories, Statehood for Hawaii: Hearings Pursuant to H. Res. 236, 79th Cong., 2d sess., January 7-18, 1946, p. 725.

31. "Gallup and Fortune Polls," Public Opinion Quarterly

5 (1941): 316.

32. U.S., Congress, House, Committee on Public Lands, Statehood for Hawaii: Hearings on H.R. 49, H.R. 50, H.R. 51, H.R. 52, H.R. 53, H.R. 54, H.R. 56, H.R. 579, H.R. 1125, and H.R. 1758, 80th Cong., 1st sess., March 7-19, 1947, pp. 8, 107.

33. Ibid., pp. 9, 266, 297, 303, 310.

34. JW, March 14, 1947.

35. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Statehood for Alaska: Hearings on H.R. 206 and H.R. 1808, 80th Cong., 1st sess., April 16-24, 1947, pp. 21, 11-16; 80th Cong., 1st sess., H.R. 206, January 3, 1947.

36. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 1: 1382-1383.

37. Hearings on H.R. 206, p. 428.

38. Ibid., pp. 33-34, 47.

39. Hearings Pursuant to H. Res. 93, pp. 324-325; Hearings Pursuant to H. Res. 236 (Alaska), p. 64.

40. Ernest Gruening, Message to the People of Alaska: A Report on the Eighteenth Territorial Legislature from Governor Ernest Gruening (Juneau, 1947), p. 4.

41. DAE, April 9, 1947.

42. Hearings on H.R. 206, pp. 139, 156, 151; Hearings Pursuant to H. Res. 93, pp. 199-200.

43. Hearings on H.R. 206, pp. 152-154, 157.

44. House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9515-9516.

45. ADT, August 6, 1953, October 9, 1951.

46. Hearings on H.R. 206, pp. 225, 228, 231-233, 247.

47. Ibid., pp. 70, 66, 95, 62, 71, 281, 340; KAC, April 5, 1954.

48. Hearings on H.R. 206, p. 424.

49. Copy, Bartlett to Gruening, February 15, 1947, Gruening to Bartlett, March 5, 1947, copy, Bartlett to Gruening, March 8, 1947, E. L. Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1947, Elmer E. Rasmuson Library, University of Alaska, College.

50. DAE, April 21, May 2, 1947; JW, May 9, 1947.

51. DAE, May 16, 1947.

52. House, Congressional Record, 80th Cong., 1st sess., 1947, 93, pt. 6: 7941.

Chapter 9

Progress and Stagnation in Congress

1

Between the time that the nation's lawmakers recessed on July 26 and reconvened on November 17, two Congressional subcommittees conducted statehood hearings in Alaska. One of them was the Subcommittee on Territorial and Insular Possessions. Of its twenty members, only Bartlett and four Republicans, Fred Crawford of Michigan, Jay Le Fevre of New York, William Dawson of Utah, and Edward Jenison of Illinois, took the trip. Like a different party of congressmen in 1945, they were suspected of exercising the "prerogative of the junket." A vacation trip, the Alaska Weekly observed, was "a much more pleasant manner of acquiring information than the study of the 451-page report of the recent hearings." Bartlett did nothing to allay the suspicion when he told his colleagues, not long after the Washington hearings, that he was arranging to give them "the time of their lives and the best fishing on the North American continent."[1] To the surprise of many observers, they took little advantage of the opportunity to relax; rather they put in long days of traveling and listening in a genuine effort to understand the territory.[2]

During August 30-September 12 the subcommittee took testimony from ninety-two people at Anchorage, Fairbanks, Juneau, and Ketchikan. Particularly notable was that of James

Wooten, the new president of Alaska Airlines, who gave a stirring talk on the neglect he had recently seen in the North. Within the next three days, six different people approached him asking, in effect, if he did not realize that the canned-salmon industry was "entirely against your position and that your aggressiveness in this matter will very seriously injure your position with this industry." At stake was in excess of $400,000 of cannery travel business during the fishing season. Wooten was not deterred but spoke also to Senator Capehart's committee, whose chairman called him "the best 'salesman' he had met in Alaska...." Shortly before Wooten was scheduled to speak to Senator Hugh Butler's group, Winton Arnold, the affable, well-informed managing director of the Alaska Salmon Industry, engaged Wooten in casual conversation. His position was unwise, Arnold suggested. After all, he was a relatively uninformed newcomer to Alaska and his airline might have an interest in serving the industry. Wooten testified anyway, telling the senators that he did not sympathize with the "poor salmon industry," which paid only a small part of its large income in taxes to the territory. Shortly thereafter he flew to Seattle, where Doug Sherrif of the Alaska Packers Association and Loren Daley Jr. of the Bristol Bay Packing Company told him: "You're sticking your neck out a mile and if you expect to get any of the Canned Salmon industry business, you sure in hell had better change your position and keep your mouth shut."[3]

Wooten wrote Fred Crawford about these incidents and

offered to repeat the story in the form of an affidavit. Crawford informed his fellow committeemen of the letter while they were still in Alaska and suggested that it be included in the record. Representative Jenison, a former editor, agreed, but Jay Le Fevre and William Dawson objected. Le Fevre called the letter "a dirty slap." It was, therefore, left out of the record, but Crawford released it to the press. The Anchorage Daily Times and the Ketchikan Alaska Chronicle gave it bold front-page exposure, the Daily Alaska Empire devoted four paragraphs to it a couple days later, and the Fairbanks Daily News-Miner ignored it.[4] The treatment accorded the letter by these four dailies reflected their publishers' attitudes toward statehood.

No witnesses testified against statehood at either Anchorage or Seward. At Fairbanks, by contrast, half of the individuals who spoke expressed the belief that Alaska was insufficiently developed to support it. Such people were often characterized by statehood proponents, complained Norman Stines, a mining engineer, as the paid agents of absentee interests, the "old and decrepit," or the misinformed. It was ironic, therefore, that the principal opposition witness was Winton Arnold. Although by then a resident of Seattle, he had long ago been United States commissioner at Hyder and Ketchikan, positions through which he came to be called "Judge" Arnold. During most of his 1927-1945 residence in the territory, however, he had been a practicing attorney in Ketchikan. Finally, in 1945 he was appointed managing director of the

Alaska Salmon Industry, the trade association and bargaining agent in the labor negotiations for the canners of about 95 percent of the salmon pack. Mostly Arnold talked to the subcommittee, in his usual captivating style of exposition, about taxation. Statehood was "being advocated as a cure-all," he said. "And to some extent as a political movement." Whether Alaskans could support it was beside the point; they were unwilling to do so. They had failed to finance their territorial institutions, content to extract their revenues from nonresident sources. As late as 1946 the territory derived 37.25 percent of its income from the fisheries and 31.52 percent the excise on liquor. Arnold could have talked at length about these matters, but Crawford reminded him that other witnesses wanted to be heard, too. Arnold continued anyway, and when he concluded, he was applauded by the audience.[5]

From Fairbanks the subcommittee took short trips to Barrow, Nome, Kodiak, and Cordova and then flew on to Juneau. There Bob Bartlett and Mildred Hermann, the Juneau attorney whom Governor Gruening had appointed director of the Office of Price Administration in Alaska during the war, critically examined the statehood cost estimates of Harold Faulkner and Allen Shattuck. Mrs. Hermann gave the congressmen a more refined estimate drawn up by economist George Rogers and listed for them many of the categories of enterprises which the territory did not tax. This information, combined with that which Senator Victor Rivers had supplied at Anchorage about the

governor's proposals for a "basic tax system," gave the congressmen a more balanced picture of the costs of statehood and the means for meeting them.[6]

Resuming their fast-paced tour, the congressmen proceeded down the Panhandle, holding hearings at Petersburg, Wrangell, and Ketchikan. At the last location Ernest Gruening delivered to them one of the most eloquent and persuasive addresses on statehood he ever made. He began by complimenting them for their diligent efforts to learn about the territory. They had become aware of many of its problems and had formed ideas on how to solve some of them, but they would not achieve material success. "...when you get back and Congress reopens," he told them, "you will be immersed, you will be submerged, with overwhelming problems of national scope. You will be engrossed and deeply buried in the immediately pressing problems of your own constituencies, your own districts, to which you owe your first and prior obligation. In dealing with Alaskan matters, you will have the gigantic task of transferring your impressions to your numerous colleagues, who will be too busy to give much time to hearing you and very few of whom will have the time to read the full printed record. Even if they do--and a very few possibly may--they will not begin to get the first-hand impressions that you have gotten. And after the 6 months which alone remain in the Eightieth Congress, changes will take place --some of you conceivably will be on other committees, some of you conceivably may not be in Congress the next session."[7]

Some of them, Gruening observed, might feel that the

territory was not ready for statehood. After eighty years under the American flag, it was still without adequate roads, airfields, tuberculosis hospitals, and dependable shipping at reasonable cost. Neither the aboriginal rights issue had been settled nor the acquisition of land by homesteaders facilitated. These things had not been done before and would not be done in the future because of "the system by which a distant and changing personnel in Congress and in the executive agencies tries through the complexities of government, to help us without giving us the essential tools which alone will enable us to help ourselves. Those tools are two United States Senators and a Representative in the House with a vote."[8]

Gruening went on to cite numerous examples of discrimination and neglect tantamount almost to an indictment of Congress. He maintained that not just Alaska but also the nation would gain from adding the North to the Union. Alaskans were familiar with and aware of the importance of their remote but strategically located part of the world. This interest and insight could more effectively be conveyed to the councils of the nation if Alaska were better represented in Washington. Moreover, Alaskans were real pioneers--youthful, independent, hard-working, and robust. Their spirit and character would impart vigor to the nation in both wings of the Capitol.[9]

After listening to the governor's speech, the congressmen adjourned quickly so as not to spoil the effect of his words.[10] As the Chronicle remarked later of Gruening: "He has the tongue of the spell-binder, the logic of Socrates and much of the

charm of the late FDR. He has a way of making things seem important and getting others to see them that way."[11] The congressmen had gone to Alaska inclined toward the principle of statehood yet dubious that its residents were prepared to finance it. By the time they left, statehood seemed more justifiable and compelling to them. The fiscal situation remained unchanged, but their newly acquired information about Alaska's economic potential and light taxation and the narrowly defeated efforts to overhaul its tax system allayed some of their earlier anxiety.

2

Bartlett and Sundborg accompanied the subcommittee on much of its journey, but Gruening divided his time between it and other groups of Congressmen, among them Hugh Butler and three other members of the Senate Public Lands Committee.[12] Butler, a white-haired millionaire from Omaha, had engaged in the flour-milling and grain business. His attitude toward statehood for offshore areas had been made clear in December 1946. At that time a Puerto Rican delegation attending a meeting of the Republican National Committee called on the senator. The Puerto Ricans told Butler they wanted statehood, but Butler told reporters: "They just want statehood so they can have some representation in Congress." But "I will never vote for statehood for any offshore area, at least not until the people of this country have been thoroughly educated to the responsibilities that would involve." This did not mean that he opposed all changes in the status of such areas. "Maybe we

could make Puerto Rico a county of Florida, or something like that."[13] On June 30, 1947, one day after the House of Representatives had passed the Hawaiian statehood bill, a reporter asked Butler about its chances in the Senate. Time did not permit its consideration before early 1948, he said; in the meantime, thought should be given to his proposal that Hawaii be made a county of California.[14]

Alaska was not offshore but part of the landmass of North America. Butler's attitude toward it became apparent during the three weeks he spent north of the forty-ninth parallel. The senator had described his impending trip in terms which suggested a classic junket. Instead of holding hearings, he said, the committeemen would hold "open house" and visit with anyone who wanted to speak with them at each of their stops. "I find that is the best way to get acquainted with the problems of Alaska. We want the folks up there to realize they can just drop in and talk with us." Not only this, but the senators would be accompanied by their families. Once in the territory, however, they pursued their work with interest and zeal.[15] And they did hold hearings, although no record of them appears to have been made. The hearings were, by and large, a rerun of those of Crawford's subcommittee, except that they were not so lengthy.[16]

While at Anchorage Butler declined to commit himself on statehood, preferring "to remain a member of the jury" until the enabling bill came before his committee.[17] This remained his position until after he and the other senators left Alaska.

En route to the states, they stopped at Prince Rupert, where Butler told G. Alex Hunter, president of the local chamber of commerce and editor of the Prince Rupert Daily News, that statehood would "come for Alaska in certainly less than ten years--possibly from three to eight years." It would be less, he said, but for the failure of the legislature to enact a general system of taxation.[18] Eight years seemed like a long wait, but three years did not.

3

At this stage the man best able to retard or expedite progress on the enabling bill was Fred Crawford, whom Bartlett visited at the beginning of November. The delegate was elated to learn that the Michigander, who had never been to Alaska before that year, had become a crusader for statehood. It would correct most of what was wrong with the territory, he said. When Congress reconvened in January, Crawford called together the three colleagues who had toured with him the previous summer. They decided without much discussion to recommend statehood favorably to the full subcommittee, despite their recognition "that Alaska has to some extent been 'coasting' on its Territorial status in the manner of raising revenues...."[19]

When the subcommittee met to shape the bill, the Interior Department repeated its earlier recommendation that the state receive 21,930,000 acres of the public domain. Rather than distribute it in the form of two sections per township, though, the department recommended that the state be allowed to select

the land from anywhere within the public domain. The idea was not new, having been proposed earlier in connection with Hawaii's patrimony. Such an arrangement would be ideal for Alaska, since the state would not have to accept thousands of isolated sections of glacier, mountain, and tundra it did not particularly want. Of the 21,930,000 acres, the revenue from 21,000,000 (the approximate acreage of sections 16 and 36) would be devoted to the support of the common schools, that from 430,000 acres (the approximate acreage of section 33 in the townships of the Tanana Valley) to the support of the University of Alaska, and that from 500,000 acres to the support of other public institutions.[20]

Despite the language of the department amendments, Bartlett, and Irwin Silverman, too, was under the impression that the two-section per township grant was in addition to another two-section per township grant which he supposed that Congress had set aside for Alaska in 1891. The misapprehension was corrected in committee by Jack Wasserman, chief counsel of the Bureau of Land Management, who strongly opposed the granting of any more than two sections per township. He would never have mentioned the matter, Bartlett suspected, except that he was greatly agitated over the Agriculture Department amendment giving the state an interest in the receipts from four sections of national forest land per township. "Wasserman battled that."[21] The delegate balked at the closeness of the department and, as in the case of Hawaii, the subcommittee supported the delegate. Arthur Miller even suggested that the

state be given one-half of the public domain. "Pray tell me what the State of Alaska will tax," he exclaimed, "if the interior department retains title to some 94 per cent of Alaska's 365 million acres." Frank Barrett of Wyoming and Preston Peden of Oklahoma agreed, the latter favoring transfer of the land grant in large blocks rather than in checkerboard fashion.[22]

The chairman instructed Bartlett to negotiate with officials of the Interior and Agriculture departments the grants which the state was to receive. The negotiations took place that afternoon in Bartlett's office. Fearful that a grant of more than two sections per township would incite the existing public land states in the West to seek additional grants of their own, Wasserman refused to budge. The delegate was equally adamant, telling the group "that so far as I was concerned the statehood bill would have to die before I would take less than four sections." Since Utah, Oklahoma, New Mexico, and Arizona had received four, Alaska should, too. In fact because of the large acreage of reserved lands in the North, Alaska should receive even more. Wasserman returned to the Interior Department and took up the matter with Oscar Chapman and other high-level officials the following day. Everyone present at the meeting except Wasserman, Bartlett learned, "fully understood that we were to receive four [sections] and agreed that we should."[23] The delegate thus returned to the subcommittee triumphant.

Anxious that the Senate would be in the mood to consider

statehood legislation only once during the session, Crawford was eager to bring the bill for Alaska abreast of that for Hawaii. Crawford told him, therefore, to introduce a "clean" bill without delay, one incorporating in it the subcommittee's recent amendments.[24] These modifications were, in the main, those which had been proposed by the Interior and Agriculture departments in April 1947. Granted sections and lieu lands chosen by the state were restricted to no more than 25 percent of the surveyed area of a township. Also lieu lands had to be chosen from within the same land district in which the stipulated sections were located.[25] Three such districts covered Alaska.

On March 2 Bartlett introduced a second clean bill, different from the previous one only in that it extended the privilege of lieu land selection to sections which fell within the national forests.[26] This provision would increase by more than 5 percent the acreage which the state could select. Wasserman had opposed this provision, too, although Bartlett told him that the state would never exchange forest lands for less valuable agricultural lands.[27] It was this new bill which the subcommittee reported unanimously to the parent committee on March 4. Unanimity was achieved largely through Crawford's perseverance. Several days earlier a reporter had found that several members were still inclined to vote against it.[28]

The day after reading in the Empire about the subcommittee's action, B. Frank Heintzleman, regional forester of Alaska, wrote the delegate a thoughtful letter. Four

sections of land, he noted, "is quite a chunk of land; and if Alaska is allowed to block it up properly, say in 20 tracts or more, in place of actually taking the four sections in each township, the State's land holdings could very well include all of the worthwhile land." But if the state could select no more than 25 percent of the acreage of any one township, it "would have 6,000 or more disconnected small tracts which would be very costly to open with roads, etc." Also, he advised Bartlett, "Be sure Alaska has the right to take land in lieu of the designated four sections in advance of the time of survey of the townships in which these sections lie....I need not tell you that only a very small percentage of the land of Alaska will be surveyed into townships and sections within the next century, and consequently the proportion of the 39 million acres the State would get in a reasonable time would be but a tiny fraction of this vast area. It is in the early years of the State's life that it most needs the proceeds from the lease or sale of its lands or from the sale of the land resources."[29]

Four days later Bartlett replied that he agreed "substantially, or perhaps entirely would be a more correct statement," with the forester's conclusions. However, he had "a conviction that if special formulas are inserted in the Alaska statehood bill, that bill would never pass the House." More importantly, "notwithstanding the undoubted fact that the state would not be so well off as it would be if your formulas were adopted, nevertheless there is every good reason to believe Alaska could thrive under the traditional formula as

the other territories did when they became states....The bill is far from perfect. That I concede....Legislation is, after all, a system of compromises."[30]

When Chairman Richard Welch convened the Public Lands Committee, the issue of aboriginal rights obstructed prompt action. Wesley D'Ewart of Montana proposed to delete from the disclaimer provisions of the bill all references to property rights of "native tribes," arguing that Alaska Natives were grouped as clans or families rather than tribes. However, he moved not to change the word "tribes" to "clans" or "families" but to eliminate all such collective terms. Since most committee members were uninformed and uncertain about the effects of such a change, final action was postponed until April 6. By that time Welch had received a letter from the law firm of Curry, Cohen, and Bingham enclosing petitions solicited by Curry from Natives opposed to the D'Ewart amendment. Also by that time D'Ewart had met informally with Bartlett, Gruening, Silverman, and several members of the subcommittee. The former three attempted to persuade D'Ewart to drop his amendment, arguing that the statehood bill should not be the vehicle for settling Alaska's Native land claims. D'Ewart continued to oppose any references to tribal rights, feeling that they "would set up these reservations in perpetuity." Nevertheless a compromise was reached whereby the reference to tribes was dropped but the nouns in the phrase "owned or held by any Indian, Aleut or Eskimo hereinafter called native" were pluralized. When the agreement was revealed to Welch in

committee, he rebuked his colleagues for having arrived at major decisions without consulting him. He got up and left the room, saying that he would not vote for the bill until being fully informed what the issue involved.[31]

When Welch left, Crawford, who believed that the bill should avoid "legalizing, recognizing, or sanctifying" Native claims, became acting chairman. Bartlett did not care for the D'Ewart amendment but was unwilling to delay acceptance of the bill; Congress could dispose of the matter of ancestral rights at a later time in a different bill. The committee, therefore, adopted the amendment. To satisfy the Natives' attorneys, however, the committee included in its report the explanation that the amendment was intended to be terminological, not substantive, and that the intent of the bill was to leave the status of Native property rights unaltered. Other amendments were also handled with dispatch. One of them, proposed by Bartlett, would grant the state 1,000,000 rather than 500,000 acres of land for the support of public institutions and would allow section grants and lieu land selections to reach 50 percent, rather than 25 percent, of the area of any township. The latter provision would enable the state to obtain large, uninterrupted blocks of section grants. At length Crawford asked the committee, "Shall we vote on this bill today?" For a moment all was silent. Finally Representative Peden suggested they act: "if we wait any longer we'll get all embroiled in more amendments and never get a bill out." All thirteen members present then voted to report the bill favorably.[32]

4

Meanwhile, on February 6, Senator Butler reported to his committee the findings he had made on his trip to the territory. The "all important question," he said, "is that of developing the Territory--not statehood." Alaska had been developing unevenly: the Southeast would be ready for statehood "long before" the other divisions, particularly if its pulp resources were developed. "The Panhandle is almost completely cut off physically from the rest of the Territory and already contains the bulk of the population." Thus "it might be appropriate to consider splitting the Territory in two."[33] The Anchorage Daily Times retorted that the Panhandle no longer contained most of the people; in fact it never had. As for economic activity, the Third Division (southcentral Alaska) generated 48.6 percent of the tax collections of 1947 in comparison with 33.1 percent for the First Division (the Panhandle). The Fourth Division (the Interior) supplied 15.6 percent and the Second Division (northwestern Alaska) only 2.5 percent.[34]

Despite occasional ambiguity, it was evident that Butler continued to oppose admission, not only for Alaska but also for Hawaii. Not until much later would it become equally clear that Speaker Joseph Martin Jr. was equally opposed to Alaska's bid. Hawaii was different, as far as he was concerned; its admission he had supported since 1937, when he had toured the Islands as a member of the Joint Committee on Hawaii.[35] Martin, an Old Guard Republican from Massachusetts, did not want his party to lose control of Congress. In May 1948 Butler and

Martin, apparently acting independently, decided the fate of the two enabling bills for the rest of the year.

The House Public Lands Committee had approved the Alaska bill on April 7, but the Rules Committee had set no date for conducting a hearing on it. Therefore Bob Bartlett, Richard Welch, and Fred Crawford arranged to meet with Martin on Saturday, May 8 to learn the intentions of the leadership. Martin told them that in view of the Congressional desire to adjourn about June 19, he did not wish to occupy the House with bills which the Senate was unlikely to pass. In his opinion the upper house would not act on the bill for Hawaii, which the House had passed more than ten months earlier. On May 7 the Senate Republican Policy Committee had listed it among bills which might be taken up "if time permitted" but not on its list of priority legislation. With such a lack of interest in Hawaii, the outlook for Alaska was bleak.[36]

As Martin rose to end the meeting, Bartlett expressed the belief "that the Congress owed something to the people of Alaska now in the way of greater self-government." Specifically he drew attention to his bill providing for the election of the governor of Alaska beginning in the fall of 1948. He had introduced it on the opening day of Congress in 1947.[37] When Martin showed interest in the suggestion, Representatives Welch and Crawford endorsed it. But as in the case of the statehood bill, action by the House would bear no fruit unless the Senate also acted. Therefore the conferees agreed that Bartlett should present the plan to Senator Butler.[38]

Within an hour after the meeting with Martin, Butler's Interior and Insular Affairs Committee voted 7-5 to hold further hearings on the Hawaiian bill. The reason was that Butler wanted to determine the extent of Communist influence in the Islands. Bartlett met with the senator on Monday anyway to discuss an elective governorship. The senator agreed that Alaskans should be able to elect their own chief executive but wanted, naturally, to discuss the matter with his fellow committeemen. At a subsequent meeting the senators responded favorably to the idea but with an important qualification: implementation of the plan would have to be delayed until 1950. Because of this, Bartlett told Butler that he would rather drop the matter for the time being and try to achieve statehood again, in 1949. If the effort should fail then, he would be willing to accept an elective governorship bill effective in 1950. Why did the committee insist upon a two-year delay? For one reason, it would delay statehood. Alaskans would be told to try out an elective governorship, Bartlett said, before returning to Congress for statehood. Also most observers assumed that Ernest Gruening would run for the office if it were opened to election in 1948. The Republicans in Congress expected to capture the presidency in the fall. If they did the new Republican president would appoint a Republican governor in 1949, who would have time to build up a following before having to run for the office against Gruening.[39]

The Alaska statehood and elective governorship bills progressed no further during 1948. Since all bills which were

not enacted died at the end of the two-year Congress, the formality of introducing an enabling bill and subjecting it to committee review would have to be repeated in 1949. But the statehood movement would not revert to the status it had held at the beginning of 1947. It would be pressed from the new and higher plateau which had been reached during 1947 and 1948. Progress had been rapid, with full-dress hearings in Washington and Alaska. Dimond's and Bartlett's maximum desires had been shaped to accord with the views of the executive departments. The resulting bill matched the pattern of earlier enabling acts. Passage of the Hawaiian bill had shown that the House was receptive to admitting new states, even noncontiguous ones. More grounds for optimism would appear when the election results of 1948 became known.

Notes

1. Daily Alaska Empire (Juneau), May 5, 1947; Alaska Weekly (Seattle), July 11, 1947.

2. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Alaska: Hearings Pursuant to H. Res. 93, 80th Cong., 1st sess., August 30-September 12, 1947, pp. 374-375, 115.

3. Anchorage Daily Times, August 30, September 13, 1947; Ketchikan Alaska Chronicle, September 13, 1947.

4. ADT, KAC, September 13, 1947; DAE, September 15, 1947.

5. Hearings Pursuant to H. Res. 93, pp. 120, 155-156, 159, 166, 160, 169.

6. Ibid., pp. 213-214, 237-238, 230, 29-33.

7. Ibid., pp. 374-376.

8. Ibid., pp. 376-377.

9. Ibid., pp. 377-390.

10. Ibid., p. 390.

11. KAC, September 15, 1949.

12. Ibid., August 1, 1947.

13. DAE, December 10, 1946.

14. ADT, July 1, 1947.

15. KAC, August 1, September 3, 1947; Hearings Pursuant to H. Res. 93, p. 374.

16. ADT, September 5, 1947; Jessen's Weekly (Fairbanks), September 12, 1947; DAE, September 12, 1947.

17. ADT, September 5, 1947.

18. KAC, September 15, 1947.

19. Ibid., November 4, 1947, January 12, 1948; DAE, February 20, 1948.

20. DAE, February 21, 1948.

21. Copy, Bartlett to Burke Riley, March 1, 1948, E. L. Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1948, Elmer E. Rasmuson Library, University of Alaska, College.

22. DAE, February 26, 1948; KAC, March 2, 3, 1948.

23. Copy, Bartlett to Burke Riley, March 1, 1948, Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1948.

24. DAE, March 3, 1948; KAC, March 3, 1948.

25. 80th Cong., 2d sess., H.R. 5626, February 27, 1948.

26. 80th Cong., 2d sess., H.R. 5666, March 2, 1948.

27. Copy, Bartlett to Burke Riley, March 1, 1948, Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1948.

28. DAE, March 5, 1948.

29. Heintzleman to Bartlett, March 5, 1948, Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1948.

30. Copy, Bartlett to Heintzleman, March 9, 1948, Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1948.

31. DAE, March 26, 1948; KAC, April 17, 1948; copy, Bartlett to Friend, April 8, 1948, copy, D'Ewart to Felix S. Cohen, March 29, 1948, Bartlett Papers, Statehood File, box 16, folder Legislative History, 1948.

32. KAC, April 17, 1948; copy, Frances Lopinski to Friend, April 26, 1948, Bartlett Papers, Statehood File, box 16, folder Legislative History, 1948.

33. KAC, February 6, 1948.

34. ADT, February 9, 1948.

35. Fairbanks Daily News-Miner, May 13, 1954; U.S., Congress, House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 13734-13735.

36. Alaska Federationist (Juneau), June 1948; DAE, May 8, 1948.

37. 80th Cong., 1st sess., H.R. 181, January 3, 1947.

38. AF, June 1948.

39. DAE, May 8, 1948; KAC, May 18, June 16, 1948; AF, June 1948; ADT, June 1, 1948.

Chapter 10

Breakthroughs at Juneau and Washington

1

Joseph Martin and Hugh Butler halted the progress of statehood in 1948. Their means of doing so again in 1949 were sharply reduced as a result of the November elections, when the voters chose a substantial majority of Democrats to both houses of Congress. They also retained Harry Truman in the White House. His party had pledged itself at its recent convention to "immediate" statehood for Alaska and Hawaii, while the Republicans had promised only "eventual" admission.[1] In Alaska, too, change occurred, as noted by the Ketchikan Alaska Chronicle: "nothing effective now remains of the group of anti-governor, anti-statehood, anti-progress members who in all the legislative sessions from 1941 through 1947 blocked the enactment of basic tax measures for the Territory." As Truman had campaigned against a "do-nothing Eightieth Congress," Ernest Gruening assailed the legislators who had strapped the territory into a fiscal strait jacket.[2]

On December 31, 1948 the general fund contained only $6,289.40, and the auditor held legitimate claims against the territory of $758,209.59. Only through individual and corporate pledges of $200,000 of interest-free loans had the doors of the University of Alaska been kept open.[3] Gruening had earlier rejected pleas for a special session, hoping that an aroused

populace would vote the delinquent legislators out of office.[4] In December, though, after the election was over, he summoned the newly elected body, not the lameduck legislature, into special session.[5] Its sole task was to consider the tax bills which Attorney General Ralph Rivers had prepared in his capacity as legislative counsel.[6] From the extraordinary session, which convened on January 6, and the regular one which followed on January 24 emerged what Gruening called a "basic tax system."

The first element of the system was a net income tax. Individuals and corporations were required to pay the territory 10 percent of their federal income tax obligations as calculated before the deduction of their territorial taxes. Second was a uniform business license tax to replace most of the existing inequitable and arbitrary license taxes. The new tax was $25 plus one-half of 1 percent of gross receipts in excess of $20,000; gross receipts in excess of $100,000 would be taxed at the rate of one-quarter of 1 percent. A short time later Congress repealed the license taxes which it had levied since the turn of the century, thereby rendering the Alaska Fund otiose. The third basic element was a 1 percent tax on real and personal property valued in excess of $200, made possible, in part, by a 1948 amendment to the Organic Act. Wherever the tax fell on property located within a school district, public utility district, or municipality, it would be remitted to the government of that unit. Taxation of the number of cases of salmon packed was replaced by a 2 percent

tax on the average value of the wholesale price obtained for the salmon in Seattle during the period August through December. Other commercial fishing products were also taxed, at rates of 1 or 2 percent, according to their value.[7] This fiscal legislation contributed far more to the cause of statehood than all of the memorials of all of the legislatures which petitioned Congress for admission. Alaskans seemed willing at last to tap their own resources, and those of outside fishermen, canners, and construction workers as well, to meet the responsibilities of modern government.

More directly connected with statehood than tax reform was the creation of the Alaska Statehood Committee. The first effort to do this had been made in 1947. At that time Cash Cole, a leading Republican and former territorial auditor, was elected president of a group of local statehood advocates who formed the Juneau Statehood Club. Conceived as a successor to the inoperative Alaska Statehood Association, its purpose was to convince Congressmen rather than Alaskans to vote for statehood. Similar groups failed to be formed in other towns, and the Juneau club lapsed within a few months. Before it did, though, it proposed that the legislature establish a statehood lobby at Washington on the model of the Hawaii Statehood Commission. The Alaska lobby would be funded by an appropriation of $100,000. From this sum a director, to be appointed by Delegate Bartlett, would receive a salary of up to $8,000 a year. Rep. Steve McCutcheon of Anchorage sponsored a bill for this purpose, but it was not reported from committee.[8]

On March 4, 1949 Victor Rivers, an Anchorage construction engineer and brother of the attorney general, and Frank Peratrovich, president of the Alaska Native Brotherhood and owner of a general store in Klawock, introduced a similar bill in the Senate. This time the effort was successful: the bill passed the House 21-2 and the Senate 15-1. Efforts in both houses to reduce the $80,000 authorization proposed were defeated.[9] Several tasks were assigned to the Alaska Statehood Committee. First, it was directed to engage "a qualified person to do the necessary research, act as the executive of the Committee, and otherwise represent the Committee in carrying out" its directives. Second, it was to have ready for the constitutional convention "fully detailed information and analyses for use by the Convention in preparing the required draft of a constitution for Alaska" and to secure "studies and analyses upon which the Constitutional Convention may base recommendations to the first state legislature with respect to organizational legislation necessary to implement initial operations of the new state...." Third, it was to obtain "information and suggestions" on what actions should be taken during the transition from territorial to state government, assist the delegate in obtaining enactment of enabling legislation, employ "such additional help and incur such other expense as may be required to carry out the purposes of this Act," and do "whatever else it may deem necessary or advisable to carry out the purposes of this Act."[10]

The committee was to consist of eleven appointive members,

not more than six of whom might belong to the same political party, plus three ex officio members: the governor, the delegate, and the immediately preceding delegate. Any "bona fide adult resident" was eligible for membership, including federal, territorial, and municipal officials. The power to nominate the members was conferred on the governor, whose choices the two houses of the legislature met jointly to consider on March 24. Among the nominees were six members of his own party: Senators Frank Peratrovich and Victor Rivers, the authors of the bill; Rep. Stanley McCutcheon, an Anchorage attorney and Speaker of the House; Rep. Howard Lyng, Democratic national committeeman and owner of extensive mining interests on the Seward Peninsula; Rep. Warren Taylor, a Fairbanks attorney; and William Baker, editor and publisher of the Chronicle. Some votes were registered against Lyng and Taylor and also against three of the Republican nominees: Robert Atwood, editor and publisher of the Times; Lee Bettinger, a businessman and mayor of Kodiak; and Rep. Percy Ipalook, an Eskimo Presbyterian minister from Wales. One of the remaining two Republicans, Andrew Nerland, a highly respected Fairbanks merchant and president of the Senate, was confirmed unanimously. But Mildred Hermann, an early and steadfast worker for statehood, barely managed to secure confirmation on votes of 8-6 for the Senate and 15-9 for the House.[11]

Among those who objected to her selection was Sen. Earnest Collins, a Republican attorney from Fairbanks. "There are many loyal Republican women in this Territory who are deserving of

an appointment to such a committee," he remarked, "and they are not ones who have used the radio to influence legislation." He was referring to the series of broadcasts on legislative personalities and lawmaking which the Juneau attorney had initiated several years earlier. But Rep. Essie Dale, a Democratic dress shop owner from Fairbanks, defended Mrs. Hermann by saying: "I think we all felt a bit disappointed in not getting on the committee. I know I did. But I don't think we should tear those who were appointed limb from limb." Primarily the votes against Mildred Hermann and most of the other Republicans reflected political resentment at the governor's choices. Andrew Nerland, a moderate Republican, was the only inner-circle member of his party chosen. The others were not closely associated with its leadership; they were, indeed, known as "Gruening Republicans." That was the meaning of the complaint of John Butrovich that "the governor didn't try to select 'strong Republicans,' and didn't consult Republican legislators on appointments."[12]

2

While tax legislation was being enacted in Juneau, Bartlett's new enabling bill was receiving attention in Washington. The bill was identical with the one which had been amended and approved in 1948 by the House Committee on Public Lands.[13] In that year the Subcommittee on Territorial and Insular Possessions consisted of twenty members; it now included only ten representatives, the two delegates, and the resident commissioner of Puerto Rico. All of the Republicans

were subcommittee veterans, but all of the Democrats, Chairman Monroe Redden of North Carolina included, were new to statehood. Being unlikely to contribute to a congressman's political longevity, service on this subcommittee was regarded by most members, not including Fred Crawford, as a kind of sentence. "And when their sentence was over with," Crawford once lamented, "they moved on to another committee...."[14]

The Democratic leadership sought rapid passage of the president's legislative program, Drew Pearson wrote, "while the new Congress still has the smell of grass roots in its nostrils."[15] Chairman Redden told his subcommittee that the statehood investigations of 1947 seemed to obviate the need for prolonged hearings in 1949. Therefore the members should study the published transcripts and reports of the previous two years. His plan to hold hearings early in March did not fit the convenience of Winton Arnold. He and Al Anderson, executive secretary of the Alaska Miners Association, sent a joint telegram to the congressman asking that the subcommittee postpone hearings for thirty days after March 3. Time was needed to prepare testimony, they declared. Moreover, Bartlett's new bill was very different from that of two years earlier, hearings had not been held on it, and it had not been circulated in Alaska.[16] This was true but ignored the fact that the bill had been virtually unchanged since April 1948 and that Bartlett had publicized its features in his weekly newsletter, which was mailed to 400 broadcasters, newspapers, and individuals in Alaska, and during subsequent travel through the territory.[17]

Redden replied that since the subcommittee had conducted "exhaustive" hearings during the previous Congress, he saw no justification for granting continuance. He gave the same answer to several congressmen who also requested postponement. Bartlett pointed out that delay was the strategy of the opposition. Also Arnold could not go to Washington at the time because he was lobbying in the legislature in Juneau. Arnold and Anderson persisted, amplifying their objections in a letter to Redden. The 1947 hearings had been "confined almost exclusively to the merits and demerits of statehood," they insisted, rather than the terms of the bill. If Alaska should be admitted, though, they preferred that it be under the terms of a bill which provided that most of the land should go to the state and which gave no recognition to aboriginal claims.[18]

On March 3 the subcommittee unanimously approved statehood for Hawaii. The following day, in disregard of Arnold and Anderson, it held a brief hearing on the bill for Alaska and then went into executive session. Within an hour they made several minor amendments in the bill and voted for it unanimously. Four days later the full Public Lands Committee gave its support to the two bills. Rep. Toby Morris of Oklahoma, who had "grave misgivings" about admitting noncontiguous areas as states, was the only member to vote against Hawaii. In order that the vote for Alaska would be the same, Fred Marshall of Minnesota, who favored enactment of Bartlett's bill, voted against reporting it.[19]

Two days later, on March 10, the two bills were reported

to the House. When three weeks passed without further action, the committee assigned six of its members to press the Rules Committee to clear the bills for floor debate. What they sought, specifically, was the preparation of a special rule, or order, in the form of a resolution setting the conditions for debate. "If we are going to kick these offshore areas around like they were yellow dogs," Crawford said, "we might as well find it out."[20] When more weeks passed without result, the Public Lands Committee unanimously authorized its acting chairman, J. Hardin Peterson of Florida, to file discharge resolutions under the twenty-one day rule adopted by the House on January 3. By its terms any time the Rules Committee failed to report a bill, or reported it adversely, within twenty-one days after reference, the chairman of the committee which reported it originally was permitted to move for House consideration without Rules Committee clearance. On March 14 Peterson filed bypass resolutions for the statehood bills. Bartlett continued to seek a rule anyway, alluding to advice from "the highest quarters" that the prospects for achieving statehood would thereby be enhanced.[21]

On May 16 President Truman and the Democratic leaders of the House held a conference at which ten bills were selected for special attention. Among them was the bill for Alaska but not that for Hawaii. In so doing, Crawford observed, the president "produced a most beautiful setup for both bills to be killed." Two days after the White House conference, and evidently in response to it, the Rules Committee held a hearing

on the Alaska bill; however, the committee did not act on it. Neither its chairman, Adolph Sabath of Illinois, nor Speaker Sam Rayburn of Texas had forgotten how the Republicans had jammed through the House in 1947 the bill for Hawaiian statehood. Now that the Democrats were the majority party, the order of priority was reversed. The Republicans on the Rules Committee informed Sabath that they would block the bill for the North unless he agreed to act also on statehood for the Islands. The latter, however, he opposed absolutely. Southern congressmen who opposed the admission of either territory participated in this "jockeying within the Rules Committee to get one bill ahead of the other..." as "a technique of killing them both." Since these southerners would not commit themselves to report the bill for Hawaii, the Republicans held up action on Alaska.[22]

A couple months later Sam Rayburn again prodded the Rules Committee, twice in one week, to take action on the Alaska bill. The committee engaged in a "bitter debate" on the matter on July 21, ending up by voting 8-4 to leave the bill pigeonholed. Bartlett conjectured that the eight negative votes came mainly from Republicans and southern Democrats. Consequent to the committee's action, he and Peterson told Rayburn that they would like to employ the discharge procedure. Rayburn gave his consent, contingent upon their obtaining the agreement of Joseph Martin, since the bill could not pass without Republican votes. Martin's answer was an emphatic no, sweetened only by an expression of gladness to examine the matter in 1950.

Peterson then ceased further effort. "With the House rushing to adjourn," he said, "and with so much controversial legislation still waiting for action, we might jeopardize the legislation by forcing a vote on it now."[23]

At the end of July and the beginning of August 1949, the Hearst newspaper syndicate conducted a poll designed to show the measure of support for the bills. Every senator and 428 of the 433 congressmen cooperated, making it one of the most thorough unofficial canvasses ever taken of Congress. On the question of immediate statehood for Hawaii, the result in the Senate was 33 in favor, 19 against, and 44 undecided; in the House it was 196-84-153. For Alaska the comparable figures were 32-21-43 in the Senate and 171-80-182 in the House. The Rules Committee did indeed seem to be obstructing the will of Congress. Peterson asked Bartlett and Farrington to make an independent canvass of the members and, in conferences with leaders of the House, sought to determine the chances for bypassing the Rules Committee. The fact remained, though, that Congress still looked forward to adjournment. In a situation in which Congressmen were eager to leave the capital but uncertain when it would be possible, Peterson wished not to complicate matters.[24] Therefore further action of a substantive nature was not taken in Congress during the rest of the year.

3

During this period of Congressional inactivity, the Alaska Statehood Committee was organized at Juneau on August 29-31. Robert Atwood was selected chairman, William Baker vice-chairman,

and Mildred Hermann secretary. An executive committee, to conduct business when the full group was not in session, and four subcommittees were established: Education and Public Relations, Legislation, Constitution, and State Organization. All ex officio members were granted full committee privileges. A researcher-executive officer was not hired, since the Board of Administration had frozen the committee's entire appropriation. In order that the committee might have some operating funds, Andrew Nerland suggested that the members borrow on their personal credit the $5,000 they wanted. This was the course eventually followed, each member signing five $1,000 promissory notes made out to a local bank; none of the notes was ever negotiated.[25]

In response to a telegram from Senator Warren Magnuson of Washington, the committee sent a message to the governors and Congressmen of the Pacific Northwest states concerning the decision of the air force to move the Boeing Company's Seattle-area operations to the relative safety of Wichita, Kansas. Russian bombers had sufficient range in 1949 to strike the former location and return to their bases but could not make the trip to Wichita and back. A committee consisting of Ernest Gruening, William Baker, and Robert Atwood was appointed to reply. The reply declared that Alaskans "do not believe in hoisting the white flag in our determination to prevent the advance of the red flag....Nor can we fail to emphasize our conviction that were Alaska a state with two United States senators to help our west coast and Rocky Mountain neighbors,

this situation would never have arisen."[26]

4

When Congress reconvened in 1950, the Alaska and Hawaii statehood bills were still bottled up in the Rules Committee. The same situation existed with respect to a bill for establishing a Fair Employment Practice Commission to prevent discrimination in hiring. Motions of discharge were in order on the second and fourth Mondays of every month. On January 23, a fourth Monday, Speaker Rayburn recognized Hardin Peterson for the purpose of proposing that the House discharge the Rules Committee of the statehood bills. If Rayburn had recognized John Lesinski of the Education and Labor Committee instead, a motion of discharge would have been made for the FEPC bill. To southern congressmen, the latter was more repugnant than statehood. In the debate which followed, the question of whether the FEPC bill should have received priority was discussed half as much and twice as rancorously as the subject of Peterson's discharge resolution. Ultimately the House voted 373-25 to approve the resolution. About one-half of the negative votes were cast by southern congressmen. Immediately thereafter Peterson moved that the House discharge the Rules Committee of the enabling bill for Hawaii, too. This motion was also approved but not without additional complaint by supporters of FEPC legislation.[27] The enabling bills thus became what was termed the "unfinished business" of the House.

One of the congressmen who opposed the motion was Frederic Coudert Jr., a Republican from New York City. His "one

insuperable objection" was that the two prospective states would have four senators whose power and influence would be far out of proportion to the populations they would represent. He had already introduced a joint resolution for amending the Constitution so that Congress would be permitted to allot one, two, or no senators to a new state, depending on its population. If Alaska and Hawaii were admitted, he alleged, the door would open also to Guam, the Virgin Islands, and other insular possessions. The reason the territories were receiving consideration, he complained, was that they were represented by "two such persuasive, genial, distinguished gentlemen that they can whip the Membership of this House around their fingers."[28]

John McCormack of Massachusetts, the majority leader, wished to keep the bills clear of partisan entanglement. He told the House that he had promised Joseph Farrington to take up the Hawaii bill, but only after that for Alaska. "Certainly, I do not want Hawaii to go through and have Alaska defeated, or have Alaska encounter difficulty." On the other hand, if the rule for Alaska should be adopted and that for Hawaii fail, he did not intend to schedule the former for debate. Being a practical politician, he knew that it would be defeated. "Alaska is a good Democratic Territory and Hawaii is Republican. Let us be frank about that."[29]

McCormack was unable to schedule the bills for debate until March. Several days prior to the date that it was expected to begin, Bartlett wrote his fellow congressmen appealing for their votes. Enclosed with each letter was a

pamphlet which recited the restrictions imposed on the government and economy of his territory. Finally, on Friday, March 3 Rayburn again recognized Hardin Peterson, who this time moved that the debate begin. No objection being heard, the next two hours were devoted to Alaska statehood. Peterson introduced the affirmative side and Harold Cooley of North Carolina the negative. Cooley had accompanied Julius Krug on his 1946 inspection trip of the North. Opposition from southern congressmen had been expected, but the large amount of opposition expressed by representatives from some of the populous northern states came as a surprise. They directed the attention of the House to the small number of people living in the territory, a significant number of whom consisted of Natives, federal employees, and military personnel.[30]

Arguing on behalf of the bill was Melvin Price of Illinois, who had also visited Alaska in 1946. "Had the opponents of statehood of the many States which have been admitted to the Union subsequent to the founding of our Nation by the original 13 been in majority we might well have a dozen or more independent nations where today we have one nation united." The people of the Northland had been in tutelage for so long, he said, that they could not be blamed "if they became tired of being half citizens and demanded statehood or independence.... they are living under circumstances strongly reminiscent of those which impelled our forefathers to revolt against British rule." Mrs. Reva Bosone of Utah, who also favored passage of the bill, was a member of the Public Lands Committee. She

voiced irritation at those of her colleagues who seemed to suggest that one might be "a crook or unpatriotic" if one came from a state with a small population.[31] Other congressmen took sides on the questions of whether the admission of Alaska and Hawaii would set a precedent for Puerto Rico and the Virgin Islands, would improve national defense, or would lead to accelerated economic and population growth.

At the conclusion of the debate, Peterson reported the amendments of his committee, all of which were approved. Arthur Miller of Nebraska then offered an amendment to grant Alaska every even-numbered section of the public domain. He had received a number of letters from Alaskans, he said, who would have voted against statehood in 1946 if they had known that Congress would grant them only four sections per township. He accused the Interior Department of having hampered the territory's development and expected that it would "strangle" the state if it continued to control so much land. Peterson replied to Miller that he had no personal feelings on the matter one way or the other. The committee had been concerned mainly with writing a bill similar to those under which earlier public land states had been admitted. Bartlett was very sympathetic to Miller's amendment but noted that "there were strong representations made that the executive branch of Government would oppose this provision strongly." When put to a vote, the amendment was rejected 58-30.[32]

With no more amendments to consider, the House voted on the measure, passing it 186-146. Representatives of the New

England states voted 11 for statehood and 13 against, the Middle Atlantic states 25-21, South Atlantic states 17-20, South Central states 24-42, North Central states 70-47, Mountain states 13-1, and Pacific states 26-2. In sum New England and southern congressmen cast their weight against the bill, but westerners supported it overwhelmingly. Partisanship also figured importantly in the vote, since 125 Democrats voted in favor of the bill and 66 against, while Republicans split 61-80. To appreciate the full significance of the partisan lineup, the southern and western components must be eliminated. Such a calculation indicates that 40 Republicans voted for statehood and 75 against, and that 66 Democrats voted for it but only 6 against. For the Democracy outside the South, the bill came close to being a party measure. Four days later, on March 7, the House also approved the bill for Hawaii, by the ampler margin of 262-111.[33]

Both bills thus passed. Of enduring significance, however, were the sectional and partisan lineups revealed in the vote on Alaska. These went largely unnoticed by the press. Regardless one important hurdle had been cleared. Next to be faced was the United States Senate, where neither Alaska nor Hawaiian statehood had ever received committee approval.

Notes

1. Kirk H. Porter and Donald Bruce Johnson, National Party Platforms, 1840-1960 (Urbana: University of Illinois Press, 1961), pp. 435, 453.

2. Ketchikan Alaska Chronicle, November 6, 8, 1948.

3. Alaska, Legislature, House, Journal, 1949, p. 49.

4. Ernest Gruening, Many Battles: The Autobiography of Ernest Gruening (New York: Liveright, 1973), p. 348.

5. This action, it developed, was illegal, but the consequences were unimportant. Daily Alaska Empire (Juneau), June 24, 1949.

6. Anchorage Daily Times, December 18, 1948.

7. 63 Stat. 694; 62 Stat. 302; Alaska, Session Laws, 1949, Extraordinary Session, pp. 54-56, Regular Session, pp. 136, 30-33, 205-206, 254.

8. DAE, January 23, February 14, 20, 1947; KAC, February 22, 1947; House, Journal, 1947, p. 320.

9. Senate, Journal, 1949, pp. 432, 541, 614-616; House, Journal, 1949, pp. 1022-1023.

10. Alaska, Session Laws, 1949, pp. 270-271.

11. Ibid., pp. 270-273; Senate, Journal, 1949, pp. 953-960.

12. DAE, March 25, 1949.

13. 81st Cong., 1st sess., H.R. 331, January 3, 1949.

14. U.S., Congress, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Statehood for Alaska: Hearings on H.R. 206 and H.R. 1808, 80th Cong., 1st sess., April 16-24, 1947, pp. 393-394.

15. DAE, January 3, 1949.

16. U.S., Congress, House, Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, Statehood for Alaska: Hearings on H.R. 331 and Related Bills, 81st Cong., 1st sess., March 4, 8, 1949, pp. 7-8; KAC, February 10, 1949.

17. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, p. 473.

18. Such a bill was H.R. 25, introduced on January 3 by Homer Angell of Oregon. It was identical to H.R. 206 as introduced by Bob Bartlett two years earlier. Hearings on H.R. 331 and Related Bills, pp. 8-11; KAC, February 23, 1949.

19. DAE, March 4, 1949; Hearings on H.R. 331 and Related Bills, pp. 31, 34-35.

20. KAC, April 1, 1949.

21. Copy, "Report by Delegate E. L. Bartlett..." July 22, 1949, Records of the Office of the Governor of Alaska, General Correspondence, 1934-1953, box 520, folder 58-11--Statehood (Alaska), no. 2, Federal Records Center, Seattle; U.S. Congress, House, Congressional Record, 81st Cong., 1st sess., 1949, 95, pt. 1: 10.

22. ADT, May 17, 1949; KAC, May 18, 17, June 29, 1949; DAE, May 27, June 13, 1949; copy, Bartlett to Dimond, July 20, 1949, E. L. Bartlett Papers, Statehood File, box 7, folder Correspondence, General, 1949, Elmer E. Rasmuson Library, University of Alaska, College.

23. KAC, July 22, 23, 1949; copy, "Report by Delegate

E. L. Bartlett..." July 22, 1949, Records of the Governor, General Correspondence, 1934-1953, box 520, folder 58-11--Statehood (Alaska), no. 2; copy, Bartlett to Gruening, July 22, 1949, Anthony J. Dimond Papers, Personal File, 1904-53, box 34, folder Bartlett--Statehood Correspondence, Elmer E. Rasmuson Library.

24. Congressional Record, 81st Cong., 1st sess., 1949, 95, pt. 15: A5107-A5108; House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 1: 773; KAC, August 9, 1949.

25. Copy, "Minutes of Organizational Meeting of Alaska Statehood Committee..." August 29-31, 1949, "Alaska Statehood Committee By-Laws," Records of the Governor, General Correspondence, 1934-1953, box 436, folder 35-45--Boards & Commissions, Statehood Committee; DAE, August 31, 1949.

26. Copy, "Minutes of Organizational Meeting..." Records of the Governor, General Correspondence, 1934-1953, box 436, folder 35-45--Boards & Commissions, Statehood Committee; DAE, August 31, 1949. For further details, see Ernest Gruening, The Battle for Alaska Statehood (College: University of Alaska Press, 1967), pp. 97-98.

27. House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 1: 773-785; "Minutes of the Meeting of the Alaska Statehood Committee," January 6-7, 1951, Records of the Governor, General Correspondence, 1934-1953, box 668.

28. House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 1: 777, 784; 81st Cong., 1st sess., H.J. Res. 205, March 28, 1949.

29. House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 1: 777.

30. DAE, February 27, March 3, 1950; House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 2: 2744, 2746.

31. House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 2: 2750-2751.

32. Ibid., pp. 2771-2776, 2780.

33. Ibid., pp. 2780-2781, pt. 3: 2947-2948; Congressional Quarterly Almanac 6 (1950): 552.

Chapter 11

Breaking the Pattern of Statehood Land Grants

1

Until 1950 the Senate had seemed almost oblivious to Alaska statehood. William Langer and Pat McCarran had introduced enabling bills, but neither the Interior and Insular Affairs Committee nor its predecessor had held hearings on them. Senator Butler had listened to testimony in Alaska on statehood during his subcommittee investigation of 1947, but not in connection with any particular legislation. Probably two reasons accounted for this lack of attention. First, Alaska's delegate was not a member of the upper house. Second, throughout 1947 and 1948 Hugh Butler had obstructed action by his committee.

That the former chairman had not changed his mind by 1949 became apparent in January of that year. Without consulting either Bob Bartlett or Joseph Farrington, he introduced a bill to grant voting privileges to the delegates in the House of Representatives. If the bill were enacted, Bartlett anticipated, the territories would be asked to defer pressing for statehood: "...I should judge the proponents would estimate 50 or a 100-year trial period would be just about right...." Two weeks later the Nebraskan also introduced an elective governorship bill for the territories to take effect at the time of their 1950 general elections. Thus the North continued

to face a determined antagonist, but it did not do so without allies. On June 10, 1949 Estes Kefauver of Tennessee and nineteen other senators introduced an enabling bill for Alaska. Not until March 27, 1950, however, more than a year after the House Public Lands Committee had reported bills for both territories, did Joseph O'Mahoney's committee even schedule hearings on it. The reason was that the chairman wanted the House to act first. Moreover, he had told Bartlett on December 23, 1949 "he would have to be convinced that the enabling act would prevent big business from controlling the new state before we could begin to remove the doubts in his mind as to the advisability of Alaska statehood."[1]

In order that an effective case might be presented, the Anchorage Chamber of Commerce chartered a plane to fly interested Alaskans to Washington.[2] On Sunday, April 23, the day after their arrival at the nation's capital, they and six others held a two-hour strategy session with Bartlett. The delegate undoubtedly took the occasion to tell them that their opponents would probably propose extensive and controversial amendments. Though the amendments might make the bill more palatable, the objective would be to retard its progress. Therefore the senators must be urged to approve the bill passed by the House with few if any amendments. Later that day Ernest Gruening and Oscar Chapman traveled to New York to debate statehood on Eleanor Roosevelt's television show with Reps. Leroy Johnson of California and Frederic Coudert of New York.[3]

Chapman was the new secretary of the interior, Julius Krug

having resigned from office in November 1949 because of deteriorating relations with the president. As a member of the so-called "little" or "junior" cabinet for more than sixteen years, Chapman had been Gruening's immediate superior in the Interior Department during the thirties and Bartlett's choice for secretary at the time that Truman selected Krug.[4] Shortly after Chapman was nominated, he told the delegate that he was ready to "pull out all the stops" to obtain statehood for the territories in 1950.[5] Bartlett regarded the secretary's influence as potentially decisive, for Chapman headed "up a great Department which is not altogether without influence in the western states."[6]

2

On the morning of April 24 began the most productive hearings ever held on Alaska statehood. Inasmuch as Senator O'Mahoney was sick in bed, Clinton Anderson of New Mexico sat in the chairman's seat. Before going to the Senate, he had been a general insurance agent in Albuquerque and, during 1945-1958, secretary of agriculture. The first witness called to testify was, of course, Oscar Chapman. As expected, he reaffirmed his department's support of statehood. Chapman also directed the committee's attention to the fact that the Pribilof fur seals were subject to an international agreement between the United States, Russia, and Canada. He recommended, therefore, that the bill not include within the state's jurisdiction those "lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor

facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife." But in consideration of the fact that Alaska was the principal habitat of the fur seals and sea otters, he proposed that the state receive 50 percent of the net proceeds which the United States derived from the sale of their pelts.[7]

Chapman proposed no other amendments, but the secretary of the Federal Reserve Board asked, in a letter to O'Mahoney, that the national banks of any new member of the Union be required to subscribe and pay for stock in their regional reserve bank within ninety days of admission. Other amendments were proposed by Judge Albert Maris, chairman of the Judicial Conference Committee of the chief justice. His purpose was to bring the bill into conformity with the structure and wording of the "Judiciary and Judicial Procedure" title of the United States Code. He also asked that the committee eliminate from the bill the ban against appointing anyone as a United States district judge, United States attorney, or clerk of the district court in Alaska who had not for the three years immediately prior to his appointment "been a bona fide resident of Alaska." This provision, first introduced into an Alaska statehood bill by Anthony Dimond, was unknown to the existing states.[8] None of these amendments was particularly objectionable, but all of them mocked the strategy of holding amendments to a minimum.

Alaskans who went before the committee spoke chiefly of the desirability of statehood. But, Senator Anderson told Judge Dimond, "most of us are completely sympathetic to the

general idea of statehood. Our question is with reference to the particular bill in front of us." Repeatedly witnesses stated their desire that the committee not alter the bill substantially lest it be "lost in the final rush of adjournment" or defeated on the floor. After hearing this injunction several times, Anderson told Edward Davis, an attorney representing the Anchorage Chamber of Commerce, that he did not intend to rubber stamp the version passed by the House. What was the committee's function if not to consider the "bill line by line"?[9] Nevertheless witnesses continued to stress the importance of not delaying or otherwise jeopardizing passage by the Senate.

On Thursday an abrupt change took place in the nature of the testimony. All that day and part of Friday morning Winton Arnold captivated the senators with a brilliant analysis of the bill, just as Anderson had requested. They had been offered a preview of it when Hugh Butler hosted a private luncheon for the committee in the "Vandenberg Room" of the Capitol. There he had introduced "my friend Judge Arnold, who knows much about Alaska and can give us facts concerning statehood." Arnold had taken the opportunity to talk to the senators about statehood and gave them handsome, leatherbound booklets of about 100 pages each. In them were photostats of charts and maps and statistical tables, as well as a lengthy statement on the enabling bill.[10]

The heart of Arnold's testimony dealt with the natural resources provisions of the bill. All Alaskans ought to oppose the bill, he said, for it "would doom the new State to perpetual

pauperism and bureaucratic control." One reason was that the state would be entitled to select its section grants from only vacant, unappropriated, unreserved public lands. This provision automatically excluded about 27 percent of the land area of Alaska. Senator Butler had long sought to obtain from the Interior Department a map depicting all reserved lands in the North. Such a map did not exist, nor did a list of all of the withdrawals from which it could be produced. Three weeks before the hearings began, Oscar Chapman had established a committee to meet the need, but almost two years would pass before the atlas was produced. Many of the withdrawals, the secretary noted, were "not being adequately or properly used and ought to be" returned to the public domain. In the absence of any better information, Butler asked Arnold to leave his own map with the committee. Though incomplete, it was adequate for the committee's purposes. It denoted withdrawals and reserves amounting to 98,596,862 acres, including 48,800,000 acres of Arctic oil and gas reserves; 6,943,036 acres of national parks and monuments; 1,446,017 acres of grazing, mining, and small tracts under lease; 20,882,679 acres of national forests; 10,047,574 acres of wildlife reserves; 3,142,198 acres of military reserves; 5,954,101 acres of Native reservations (including 480,000 acres proposed); and 1,381,257 acres of power sites, water reserves, withdrawals in aid of proposed legislation, land adjacent to highways, and miscellaneous withdrawals.[11]

What about the remaining 73 percent of Alaska? By the

terms of the enabling bill, the state would be entitled to about 42,000,000 acres of section grants. Of this area the state would receive title initially to no more than 250,000 acres, since that was all of the proposed grant which had been surveyed. Without a survey the location of a numbered section could not be ascertained. Arnold's figure of 250,000 acres derived from the fact that only 2,459,555 acres, or 0.672 percent of the 365,481,600 acres of land in Alaska, had been covered by rectangular surveys. This compared with 29.67 percent of Arizona which had been surveyed at the time of its admission, 69.4 percent of New Mexico, and 100 percent of Oklahoma. At the rate of the previous 10 years (22,400 acres per year), the task in Alaska would not be completed for 16,206 years. In addition to sections 2, 16, 32, and 36, as well as section 33 in the Tanana Valley, 1,000,000 acres of land would go to the state for the support of public institutions. Once again, only acreage which had already been surveyed and was vacant, unappropriated, and unreserved could be patented. None of it could be obtained from the Second Division, since none of that area had been surveyed by the rectangular method.[12]

Senator Butler had offered an amendment which would grant every even-numbered section of land to the state.[13] This, too, would be restricted to surveyed tracts. Since the Interior Department was charged with conducting surveys, it would control the rate and location of future mapping. In the meantime it could continue to withdraw land from anywhere within the vacant, unappropriated, unreserved public domain.

One further complication existed. On April 29, two days after Arnold began testifying, the president approved an act authorizing the secretary of the interior to depart from the rectangular survey wherever justifiable. Under the terms of earlier legislation, nearly 400,000 acres of mining claims in the territory had been surveyed in irregular shapes and patented. Since this land was not identified by section number, it could not be selected by the state.[14]

The committee was also interested in the cost of statehood. The Department of the Interior sent it a memorandum estimating that statehood would increase the current level of territorial expenditure, $8,249,660.40, by $4,504,000 per year. The figure was close to the conservative estimate of $4,242,500, including $2,000,000 for road construction and maintenance, which Mildred Hermann gave the senators. She had added, however, "If we cannot buy steak, we will eat beans." Winton Arnold also had a cost estimate but, unlike the other two, it did not take into account offsetting revenues which statehood would bring, for example, a share of the Pribilof receipts and a larger percentage of the forest proceeds. His figures were compelling, nonetheless, based as they were upon the sums which a House subcommittee on appropriations had recently approved and recommended for fiscal 1951. Totaling $5,889,268, they included $94,140 for the governor's office; $13,000 for the secretary's office; $48,000 for the legislature; $463,541 for the care and custody of the insane; $2,600,000 for road maintenance; and $2,670,587 for the Fish and Wildlife Service.

To these he added the cost of a state court system (including penal institutions and police), about $1,000,000, and the cost to the state of drawing its full share of matching funds under the Federal-Aid Highway Act, $3.3 million. Altogether these items totaled $10,189,268 per year. Counties might not be needed, he said, but some kind of intermediate governmental unit would be. Nevertheless he suggested no figure for this item, nor for the cost of maintaining and amortizing any new state buildings.[15]

Arnold had offered several Alaskans the chance to go to Washington at the expense of the Alaska Salmon Industry for the purpose of testifying against statehood.[16] Since none accepted, he brought along two nonresidents. One of them, Ralph Wood, was the retired rear admiral who had been commandant of the Seventeenth Naval District during the Second World War. Against the contention that statehood would strengthen the American defense position, Admiral Wood stated, in essence, that national defense plans were not drawn up with regard to whether an area was a state or a territory. A much lengthier statement was made by Edward Allen, the senior partner of a Seattle law firm which had long counseled salmon canners. His principal contribution was to point out ambiguities in the clause of the enabling bill which granted jurisdiction over the fisheries to the state.[17] Besides sponsoring the appearances of these two individuals, Arnold and Allen Shattuck had arranged for a number of Alaska opponents of statehood to send telegrams to the committee objecting to specific provisions of

the bill.[18]

For the sixth and final day of the hearings, Ernest Gruening was allotted two hours to speak. The time limit imposed on him, the propensity of the senators to interrupt with questions, and the obvious need to respond to Arnold placed the governor in a defensive position. He acknowledged that only a little land had been surveyed but noted that it was desirable and accessible land. Only about 2 million acres of the North's great expanse was potentially valuable for crop production, it was estimated, and about 4 million acres for the nearly year-round grazing of domesticated livestock. A large proportion of this agricultural land would in time become subject to state jurisdiction through lieu land selection and the continued patenting of land by homesteaders. Besides, the more land the federal government owned, the more matching funds it would have to pay to construct the state's highway system. The territory was beset with land problems, but these did not compare with those of California in 1850. That state had received a grant of two sections per township, although not an acre of it had been surveyed. Moreover, it had confronted problems of aboriginal claims and "Spanish" land grants far exceeding those of Alaska.[19]

Even so, Gruening had been sufficiently troubled by Arnold's testimony to have gone to the Interior Department to discuss the matter with Oscar Chapman. The secretary told the governor that 42 million acres seemed to be more land than the state could use for some time, that additional land would come

under state jurisdiction as individuals obtained patent to it under the federal land laws, and that a larger grant would impose considerable administrative burdens on the new state. Nevertheless if the senators decided to increase the donation to eight or even sixteen sections per township, he would not object, because he felt it important that Alaska gain self-government. He also reminded Gruening that the progress of surveying was a function of Congressional appropriations. The governor therefore suggested to the senators that they consider authorizing an appropriation for this purpose. Oklahoma had received a cash grant of $5 million upon admission; an equal or greater sum could be given to Alaska. He neglected to mention that the grant had been in lieu of lands from the Indian Territory. The committee could further provide, Gruening suggested, for the payment of royalties to the state from oil produced on federal reserves.[20]

Gruening had become somewhat dissatisfied with the bill yet was trapped by his eagerness for its enactment. He proposed that the committee let the provision of four sections per township stand. Upon passage of the bill by both houses of Congress, the House Public Lands and the Senate Interior and Insular Affairs committees could jointly assembly to determine if more land should be transferred to the state. The idea was rooted in the amendment which Joseph Farrington had proposed for Hawaii in 1947. "I for one would be very happy if Senator Butler, who feels that we ought to get 50 percent of the land, were to be a member of that committee."[21]

3

The Senate hearings were informative to the senators and also to the people of Alaska. Earlier hearings on statehood had been covered most fully by the Anchorage Daily Times and the Ketchikan Alaska Chronicle. In 1950, by contrast, it was the anti-statehood Fairbanks Daily News-Miner, Daily Alaska Empire, Ketchikan Daily News, and Anchorage Daily News which gave them the most space. These newspapers supplemented Associated Press dispatches with a series of articles written by Robert N. De Armond, a journalist, free-lance writer, and Alaska historian. Avowedly anti-statehood and inclined to favor southeastern separatism, he based his articles on Winton Arnold's presentation. Several of the charts which the senators were shown at Washington were simultaneously given front-page exposure in the North. In June, when the printed record of the hearings became available, De Armond wrote a seven-part series of articles reviewing these too.[22] Both series had a negative purpose, but they heightened the awareness of many Alaskans, particularly newcomers, of the problems of the territory and the importance of the terms of the enabling bill.

Whether Gruening and Bartlett liked it or not, the senators intended to revise the bill. Many of them represented states which still faced some of the same problems as Alaska. In the best of goodwill, they were determined to minimize its difficulties. As Ernest McFarland, Democrat from Arizona, had told Gruening: "It would seem to me...that in a few days we

could work out some of these questions that might later save you years and years of fighting, because when you get your statehood you have only two Senators. You will not have 96. ...I venture to state that 25 years from now if they [the solutions to some of Alaska's problems] are not in this enabling act you will be fighting for them."[23] First, however, a week of public hearings would be held on Hawaiian statehood.

When the committee began reading the enabling bills in detail, it was Hawaii's which received attention first. After the senators finished reviewing it, on June 19, they postponed voting on it until completing their work on Alaska's.[24] The latter involved special problems. First, Senators Cordon of Oregon and Anderson wanted the national forests to remain wholly under federal control rather than be made a checkerboard of state and federal sections. Coordinating the access roads and regulations of the Interior and Agriculture departments in Alaska was already a problem; the senators did not wish to compound it by adding another governmental jurisdiction. Owing to the fact that all of the towns of the Southeast were surrounded by the Tongass National Forest, however, some adjustments seemed desirable. After "a long struggle," the National Forest Service had been persuaded to peel off some forest land around Juneau and Ketchikan which was needed for suburban expansion. Gruening told the senators that such land should not be returned to the public domain; rather it should be given directly to the state.[25]

After discussions with Frank Heintzleman and others, an

amendment was worked out whereby the state would receive 200,000 acres of national forest land "adjacent to established communities or suitable for prospective community centers and recreational areas." Another 200,000 acres for the same purpose would be granted the state from the public domain. Selection would be orderly, for the state would have to show not only that a community wanted such land but also that it needed it.[26] This was ensured by the requirement that requests for forest land be approved by the secretary of agriculture before being granted and requests for public land by the secretary of the interior. The committee also struck a provision which the House Public Lands Committee had adopted in 1948 at the urging of the Department of Agriculture: "At the close of each fiscal year there shall be paid by the Secretary of the Treasury to the State such proportion of the moneys received during the fiscal year from said national forests as the area of the lands granted by this section [sections 2, 16, 32, and 36], whether surveyed or unsurveyed, bears to the total area of said national forests...." In place of this formula, which would have provided the state with 11.1 percent of the gross receipts of the forests, the committee set the amount arbitrarily at 12.5 percent.

The most important modification the committee made concerned the manner of granting public land to the state. Winton Arnold had shown the unfeasibility of applying the traditional system to Alaska and had stimulated Anderson to think about the possibility of granting large blocks of

unsurveyed land. He was undoubtedly thinking of the Matanuska project of the thirties when he suggested that the state could issue bonds to develop an entire region like the Tanana Valley.[27] The committee eventually decided that the state should not receive numbered section grants. Rather, five years after being admitted into the Union, it should be allowed to select up to 20 million acres of land in "reasonably compact tracts" from anywhere within the public domain in Alaska.

Robert Atwood and Bob Bartlett were slightly apprehensive that the federal government would in the meantime withdraw more land. The reason for the delay, Bartlett thought, was that the senators desired to allow the state time to get settled and to select its grant after investigation and thought.[28] Good grounds exist, however, for believing that the reason was Clinton Anderson's fear that the new state, like many earlier states, might sell much of its patrimony quickly for a pittance. As he told his colleagues in 1954: "We thought once of suggesting that we set a time limit before they could start the disposition of the lands so that they would have a chance to get organized, and could not do it in the first week. We all know there is a sudden pressure to get hold of everything that a State has."[29] Five years was the same period of time which the Interior Department had suggested in 1947 should be allowed Hawaii in selecting its own patrimony. By instructing the secretary of the interior to survey without delay the exterior boundaries of the areas selected by the state and to issue patents for them, the committee also hoped to ensure unity of

administration and the quick conveyance of desirable land.

No one seems to have pointed out that in terms of acreage and method of selection, the amendment was much the same as the one which the Interior Department had failed to persuade Bartlett and the Public Lands Committee to adopt in 1948. The senators probably did not feel that they were being close in according the state only 20,000,000 acres. The privilege of state selection might well have seemed to them the equivalent of greater acreage. Moreover, the state would receive, in addition to 20,000,000 acres for supporting its schools, 200,000 acres of public land and 200,000 acres of national forest land for urban expansion and recreational purposes, and 1,000,000 acres of public land for specified internal improvements. Furthermore, the Federal and Territorial Building (block 19) and the federal jail (blocks C and 7) in Juneau would be conveyed to the state.

Alaska would not be an agricultural state; its land would continue to be more valuable for its minerals than for its soil. Beginning with the Omnibus Act of 1889, all enabling acts except Utah's had specified that section grants which were mineral in character must be retained by the United States government.[30] The states concerned had been given the privilege of selecting nonmineral lieu lands of equal extent. In 1927 Congress altered this policy as it affected numbered school sections outside Alaska for which patents had not yet been issued. Thenceforth such sections could be conveyed to the states without regard to mineral deposits. Any state receiving

such land might in turn sell the surface rights to an individual or company but was required to retain ownership of the minerals. These might be developed but only on lease from the state, all rentals and royalties going to the support of the common schools.[31] This enormously valuable privilege would now be applied to Alaska as well.

In dealing with aboriginal land claims, the committee made two noteworthy changes in the disclaimer clause. As approved by the House, the clause applied to federal property in general "and to all lands lying within its [the state's] boundaries owned or held by any Indians, Aleuts or Eskimos hereinafter called natives, the right or title to which shall have been acquired through or from the United States or any prior sovereignty...." The Senate Interior and Insular Affairs Committee modified the clause to read: "and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for such natives...." Omission of the reference to "any prior sovereignty" may have been predicated upon a 1947 decision of the Ninth Circuit Court of Appeals. In the case of Miller v. United States, the court found that the Treaty of Cession had transferred to the United States unencumbered title to all land in Alaska, excepting only that which belonged to "individual property holders." Consequently whatever claims Alaska's Natives might have had to land which they used and occupied needed to be based on Congressional legislation, above

all the First Organic Act.[32]

Senator Butler proposed that the committee rescind all orders of the secretary of the interior under which Native reservations had been established in the territory and repeal the 1936 authorizing legislation. He had been trying to get such a provision enacted for over two years, originally as separate legislation.[33] In place of the reservation authority, the secretary would be allowed to issue patents to Native "tribes and villages or individuals for the lands actually possessed, used, or occupied for town sites, villages, smokehouses, gardens, burial grounds, or missionary stations."[34] Gruening and Bartlett supported the amendment in principle but feared trouble from the Interior Department if it should be adopted.[35] At O'Mahoney's urging the committee compromised by providing that no further Native reservations would be created in Alaska pending the proclamation of its admission into the Union, a delay expected to last about two years. The suspensive clause evoked cries from the National Civil Liberties Clearing House, John Rainier of the National Congress of American Indians, Oliver La Farge, president of the Association of American Indians, Harold Ickes, and the Nation, all of which declared that Native property rights were being denied.[36]

Shortly after this decision became known, James Curry telephoned Bartlett that "he would fight statehood with any such provision." Moreover, "the Alaska Indians won't be for statehood if it is there." Bartlett pointed out to the attorney that the matter was somewhat academic, since Oscar

Chapman had declared that he would establish no additional reservations in the North until the entire issue of reservations there had been reviewed. Curry "admitted that he wants to get plenty of reservations in to settle the Indian land problem....He added that he didn't think statehood would be such a good thing for the Indians and perhaps they aren't so strong for it now because 'political leadership'--pressed, he named Gruening and Bartlett--is against reservations, and under statehood they would have more power and thus be able to fight the reservation concept more effectively....I told Curry..." Bartlett wrote Gruening, "that it is now revealed that he is for statehood just in the same way the salmon industry is. It is a monstrous thing that such a man could have an influence. He is altogether devoid of it here, but the great trouble is he does possess it to too large a degree in Alaska....Isn't it time that Frank Peratrovich and a few of the others stand on their own feet?"[37]

Another amendment approved by the senators provided that all property used solely for the conservation and protection of the fish and wildlife would be transferred to the state. This would include neither wildlife refuges nor facilities used in connection with them or with the general fish and wildlife research activities of the federal government. Neither would it include jurisdiction over fur seals, sea otters, and other fish and wildlife resources protected by international agreement. Edward Allen objected that the amended bill did not specify the power which the state would have over the fisheries

and did not repeal existing legislation under which the federal government regulated the taking of fish.[38] This was true and caused some concern among Alaskans, but not among the senators. The reason, as Senator Guy Cordon later pointed out, was that the bill declared Alaska to be admitted into the Union "on an equal footing with the other States in all respects whatever...." All existing states controlled such resources within their borders and off their coasts as a matter of right.[39] Irwin Silverman subsequently supplied Senator O'Mahoney with a legal opinion confirming the validity of this view.[40] However, as Allen pointed out still later, the doctrine of equality would not apply if the Supreme Court should declare that jurisdiction over the offshore fishery was a matter not of political equality but of property rights, or if the court should declare that the international migrations of the North Pacific salmon and considerations based on the strategic location of Alaska made continued federal control expedient.[41]

At any rate by the time the committee finished deliberating the bill, a different concept of statehood had emerged. In 1948 the House Public Lands Committee had modified the original, maximum desires of Anthony Dimond and Bob Bartlett to conform to the pattern of earlier enabling acts. In 1950 the Interior and Insular Affairs Committee took this traditional kind of bill and tailored it to fit the peculiar circumstances of Alaska. In other words, the House committee had worked to create a politically viable bill; the Senate committee reworked

it to create an economically viable state. Credit for the change was due not only the senators, of course, but also Winton Arnold, whose well-prepared and skillfully presented criticism of the bill proved to be the stimulus to its basic reconstruction.

On June 28 the committee gathered to vote on the amended Hawaiian and Alaska bills. The former was approved 9-1-3, with Senator Butler voting in the negative. Having sent copies of the revised Alaska bill to some of his Fairbanks, Anchorage, Juneau, and Ketchikan correspondents but having not yet received their comments, he sought to delay a vote on the bill. But Senator O'Mahoney, who by this time was supporting statehood, wanted it placed on the Senate's Calendar of Business as soon as possible. Rather than wait, the committee went ahead to approve it 8-2-3. Senators Butler and Cordon voted in opposition, Zales Ecton of Montana voted for it, and the other three Republicans voted present.[42]

As in the House previously, so now in the Senate, statehood received sympathetic treatment in committee. The real test of support for the bills would come when they faced the entire membership. Getting the bills to the floor had been a struggle in the House and would prove to be the same in the Senate. In the second half of 1950, however, the usual problems involved in the task were complicated by war and lobbying.

Notes

1. Ketchikan Alaska Chronicle, January 24, 1949, March 27, 1950; 81st Cong., 1st sess., S. 513, January 17, 1949, S. 727, January 31, 1949, S. 2036, June 10, 1949; memorandum, Bartlett, December 23, 1949, E. L. Bartlett Papers, Statehood File, box 16, folder Legislative History, 1949, Elmer E. Rasmuson Library, University of Alaska, College.

2. Anchorage Daily Times, April 11, 1950.

3. KAC, April 24, 27, 1950.

4. Daily Alaska Empire (Juneau), November 11, 1949, February 26, 1946; U.S., Congress, Senate, Committee on Interior and Insular Affairs, Nomination of Oscar L. Chapman To Be Secretary of the Interior: Hearing, 81st Cong., 2d sess., January 16, 1950, p. 6.

5. KAC, December 1, 1949.

6. Copy, Bartlett to William L. Baker, February 27, 1950, Bartlett Papers, Statehood File, box 1, folder Alaska Statehood Committee, January-May 1950.

7. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 1st sess., April 24-29, 1950, pp. 1, 26, 49.

8. Ibid., pp. 50-52, 175-177.

9. Ibid., pp. 79, 160, 164.

10. KAC, April 28, 1950; DAE, April 27, 1950.

11. Hearings on H.R. 331 and S. 2036, pp. 311, 312, 34, 421-423; U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular

Affairs, Statehood for Alaska: Hearings on H.R. 50, H.R. 628, and H.R. 849, H.R. 340 and H.R. 1242, and H.R. 1243, 85th Cong., 1st sess., March 11-29, 1957, pp. 195-196.

12. Hearings on H.R. 331 and S. 2036, pp. 306, 315, 406, 317, 414, 410, 318, 308.

13. ADT, April 21, 1950.

14. Hearings on H.R. 331 and S. 2036, pp. 307-308, 364; 64 Stat. 93.

15. Ibid., pp. 41, 136, 124, 359-361.

16. Jessen's Weekly (Fairbanks), May 19, 1950.

17. Hearings on H.R. 331 and S. 2036, pp. 369-370, 372, 380-381.

18. Arnold to Butler, April 10, 1950, Papers of Hugh Butler (MS 2331), box 222, folder 40--Alaska Statehood (1950), Nebraska State Historical Society, Lincoln.

19. Hearings on H.R. 331 and S. 2036, pp. 475-477.

20. Ibid., pp. 481, 485-486; 34 Stat. 272.

21. Hearings on H.R. 331 and S. 2036, pp. 475, 99-100, 482.

22. Fairbanks Daily News-Miner, April 24-May 2, June 10-17, 1950; DAE, April 24-27, June 7-14, 1950; Ketchikan Daily News, April 24-May 3, June 13-20, 1950; Anchorage Daily News, April 24-29, June 8-15, 1950.

23. Hearings on H.R. 331 and S. 2036, pp. 500-501.

24. ADT, June 20, 1950.

25. Hearings on H.R. 331 and S. 2036, pp. 36-37, 480-481; U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs,

Alaska, 1955: Hearings Pursuant to H. Res. 30, 5 pts., 84th Cong., 1st sess., September 14-October 6, 1955, pt. 3: 13.

26. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 50, 83d Cong., 2d sess., January 20-February 24, 1954, pp. 139-140.

27. Hearings on H.R. 331 and S. 2036, pp. 479-480.

28. Copy, Alaska, Alaska Statehood Committee, "Meeting of the Joint Special Committee on Statehood of the Alaska Territorial Legislature," January 29, 1953, pp. 93, 94, Alaska Historical Library, Juneau.

29. Hearings on S. 50, p. 346.

30. Hearings on H.R. 50, pp. 228-229; Howard W. Smith to Colleague, May 6, 1958, Bartlett Papers, Statehood File, box 19, folder Legislative History, May 1958.

31. 44 Stat. 1026-1027.

32. 159 F. 2d 1002, 1005.

33. 80th Cong., 1st sess., S.J. Res. 162, December 4, 1947.

34. Hearings on H.R. 331 and S. 2036, p. 346.

35. DAE, April 25, 27, 1950.

36. Copy, Bartlett to Victor C. Rivers, December 16, 1950, copy, Bartlett to Gruening, August 3, 1950, Bartlett Papers, Statehood File, box 16, folder Legislative History, August-December 1950, box 8, folder Correspondence, General, July 1950; U.S., Congress, House, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 9: 11869-11871; "The Shape of Things," Nation 171 (1950): 138.

37. Copy, Bartlett to Gruening, June 30, 1950, Bartlett

Papers, Statehood File, box 8, folder Correspondence, General, June 1950.

38. DAE, July 10, 1950.

39. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 1: 1138.

40. Copy, memorandum, Silverman to O'Mahoney, February 19, 1952, Bartlett Papers, Statehood File, box 17, folder Legislative History, 1952.

41. Congressional Record, 85th Cong., 1st sess., 1957, 103, pt. 17: A3200-A3202.

42. DAE, June 28, 1950.

Chapter 12

Complications of War and Lobbying

1

The Hawaiian and Alaska statehood bills were reported to the Senate on June 29. The date was late but not necessarily too late for action on the floor. It all depended, said Majority Leader Scott Lucas, upon how long Congress would remain in session. He for one did not favor "staying around here all summer"; in fact he hoped to adjourn about August 1.[1] Partially his impatience derived from the fact that 1950 was an election year and that he would be up for reelection; partially it reflected his attitude toward statehood.

While Lucas contemplated the Calendar of Business, North Korean troops crossed the thirty-eighth parallel into South Korea. Their drive delayed adjournment until the end of the session and brought into relief an old disagreement about the relationship of statehood to defense. Before the war even began, Rep. Mike Mansfield had urged admission partially on the ground that it would bring Alaska's defenses "up to date" and hence bring greater security to the United States. Six days after the war broke out, Warren Magnuson of Washington, sometimes called the "unofficial senator" from Alaska, declared that the Alaska statehood bill was "almost a war measure."[2] He might have been aware that Hawaii had been annexed during the Spanish-American War with this justification.

Senator O'Mahoney claimed that admission would strengthen the links between the two Pacific territories and the United States by raising the morale of their people and allowing for "better integration of American military planning." Hugh Butler disagreed. "...it seems to me," he said, that "granting statehood to the Territories has nothing to do with military preparedness. Residents of Alaska and Hawaii are, first and foremost, loyal Americans. They will aid the United States no matter whether they live under the laws of a state or of a territory. If anything, we can retain closer control in event of enemy attack from across the Pacific under the territorial system than under isolated statehood."[3]

Alaskans seldom argued the question themselves except insofar as they detected interest in it at Washington. Congressional concern prompted statehood proponents to develop three principal arguments on how statehood would bolster national defense. Not among them was the contention of some Congressmen that Soviet challenges to the legality of the tsarist sale of Alaska would be rendered ineffective. This point of view was well expressed in 1954 by Henry Jackson of Washington, who declared in the Senate: "I do not know of any one thing we could do which would so forcefully serve notice on the Soviet Union that that which they covet--Alaska--is not merely the property of the United States, but is part and parcel of our democracy."[4]

The first of the three arguments was founded on the prewar neglect of northern defenses. On October 1, 1939 only 524

military personnel were stationed in Alaska, mostly at Chilkoot Barracks, near Skagway.[5] Without road connections with the rest of the territory, the soldiers depended for transport upon a fifty-two-year-old harbor tug, the engine of which proved too feeble to advance it against a thirty-knot head wind. One reason for the neglect was that, as Ernest Gruening put the matter, "in the piping times of peace, national defense has a tendency to follow the pork barrel." Without power to vote, Anthony Dimond had been unable to convince his colleagues to "Defend the United States by defending Alaska!" Voting Congressional representation would enable Alaskans to impress more successfully upon Congress and the Department of Defense both the vulnerability of the North and its strategic importance to the defense of the lower forty-eight states. The territory was crossed by the great-circle route from the Orient, was within view of the Soviet Union, and was only about 650 miles north of Seattle.[6]

As Germany advanced in Europe and Japan in Asia, Congress appropriated increased funds for national defense, which included bases in Alaska. These came too late to prevent the Japanese from landing forces in the Aleutians; indeed 2,500 American lives were spent in the effort to dislodge them. In constructing northern defenses, the army and navy gave credence to the second basic argument linking defense with statehood. Voting Congressional representation, Gruening said, was indispensable to avert the expenditure of funds on bases built or located wrong in an area with which the military was clearly

unfamiliar. Without such power Alaskans were not in a position to demand answers to their criticisms and to protest effectively before the Appropriations committees against ill-advised measures. The army fiasco at Excursion Inlet was a case in point. The $37 million base which the army built there was located practically in virgin forest. The base was intended for warehousing supplies and transshipping men and cargoes brought up through the Inside Passage for convoy to the Aleutians. Governor Gruening flew to San Francisco to urge Lt. Gen. John DeWitt, in charge of the Western Defense Command, to build the facility in Juneau, only seventy miles away by water. At the capital wharves, a military garrison, and social overhead already existed. Construction had not begun at the inlet, but the general was unwilling to reverse an order he had already made. Gruening predicted to him that the project could not be completed in time to be of use; the Japanese confirmed his forecast when they evacuated the Aleutians in mid-1943. The army continued working on the installation anyway and, after completing it, dismantled it.[7]

The third relationship of statehood to defense hinged on the connection between statehood and economic development. Roads, railroads, bridges, electric power installations, transmission lines, and telephone and telegraph service accompanied population and economic growth. Wherever these facilities were used by civilians, they were also available to the military, which did not then have to supply them at high cost for its own use.[8] Robert Patterson, former secretary of

war, identified the chief problem of defending Alaska during the Second World War as supplying the forces located there. As a War Department study of 1947 had stated: "nothing would strengthen our defenses in Alaska as much as an increase in population, to the end that the basic resources of the area might be utilized for supply of the defending forces."[9] Transportation was inadequate; materials and labor had to be brought up from the states. Civilian technical and maintenance personnel also had to be imported. They and their families required, in turn, food, housing, education, recreational facilities, and dry goods. These would become locally available when population increased and local resources were developed.[10]

All three arguments were plausible, but none was flawless. First, it was true that defenses in Alaska in 1939 were inadequate in comparison with those of the states. But those in the Territory of Hawaii had not been neglected. Senator Clinton Anderson told William Baker: "In saying that having two Senators down here you could get them [the National Military Establishment] to change their plans, I do not believe accords with the experience that most of us have had, and quite satisfactorily with most of us. We feel that the over-all planning of defense is something which cannot be done by the individual Members of the United States Senate but has to be done by the top military staff."[11]

What about the argument that senators from Alaska could block appropriations requests which they knew to be foolish or

wasteful? Hugh Butler remarked: "A lot of the 96 Senators do not make a dent in the Pentagon, either." Clinton Anderson fortified the Nebraskan's point with an example from his own state. He had told the military two or three times that a certain project in New Mexico would have to be demolished when it was completed, because the houses being built would have no domestic water supply. Besides, said Eugene Millikin, Alaska's defense needs really had been represented in the Senate. He conceded, however, that they might be presented somewhat more persuasively if Alaskans themselves participated in the debates. "If Governor Gruening were Senator from Alaska he could charm a bird out of a tree."[12]

Population growth and economic development would strengthen Alaska's defenses while lowering their cost, but would statehood itself lead to growth and development? The 1943 report of the Juneau Chamber of Commerce contended that it would not. George Sundborg's report argued that it would, citing as evidence the large growth in population which former territories had often experienced in the very decade of their admission. By and large, the position of the former was in time borne out. Besides, the completion of the $50 million mill of the Ketchikan Pulp Company in 1954 and the Swanson River oil strike in 1957 both occurred prior to statehood.

2

Would the beginning of the United Nations police action in Korea lead to quick Senate consideration of statehood? Certainly the American people would have approved the move. On

March 2, 1949 the Gallup Poll reported that 68 percent of the population favored the admission of Alaska, 7 percent opposed it, and 25 percent was undecided; on July 28, 1950 the percentages were 81, 8, and 11. Support for Hawaiian statehood went up comparably from 58, 12, and 30 percent on March 2, 1949 to 64, 16, and 20 percent in February 1950 and 76, 10, and 14 percent on July 28, 1950. Gallup believed this large and rapid shift in opinion to have been an "aftermath" of the outbreak of war. Scott Lucas, however, was eager to return to Illinois in order to campaign against Everett Dirksen, his opponent in the November election. When Bartlett asked the president to "twist Lucas' arm," Truman promised to do what he could. A few days later Lucas assured the delegate privately that he would call up the bills before Congress adjourned or recessed. However, Kenneth Wherry, the conservative junior senator from Nebraska, remarked that "Scott...would just as soon take a dose of salts as bring up the statehood bill." Threats that Senator James Eastland of Mississippi would move to call up the Mundt-Ferguson bill to "protect the United States from certain un-American and subversive activities" in place of the Hawaiian bill and that Senator Langer would move to substitute the FEPC bill for both statehood bills gave Lucas an excuse to back off from his promise.[13] It was "the first time in my experience," Bartlett wrote Robert Atwood, "that a majority leader in the Senate has failed to carry out the direct command of the President on a piece of administration legislation." The delegate did not know the reason for Lucas' opposition but

suspected that the salmon industry had something to do with it. For one reason, Libby, McNeill and Libby, one of the great salmon canners and fish trap owners of Alaska, was headquartered in Chicago.[14]

Lack of activity on the bills did not mean that mention of them dropped from the pages of the newspapers. From time to time various senators addressed themselves to the subject of statehood. The most dramatic of these occasions was the evening of Tuesday, September 5, when Andrew Schoeppel, former governor and now junior senator from Kansas, took the floor. He professed friendliness toward statehood for Alaska and Hawaii but insinuated, in a speech notable for its lurid and abusive language, that Oscar Chapman and Randolph Feltus had served the cause of Soviet Communism. The latter, Schoeppel revealed, had been employed by the Alaska Statehood Committee to promote its cause. A New York public relations consultant, Feltus had also counseled the Polish Embassy from October 16, 1946 through July 1, 1949. Schoeppel asked for an investigation of the numerous questions he raised in his speech, and Joseph O'Mahoney responded readily. "...I shall call a hearing," he said, "shall ask for testimony, shall welcome the cooperation of the Senator from Kansas, and we shall let the chips fall where they may." A half day later, five days of hearings began.[15]

The senator, wrote columnist Drew Pearson, "knew no more about the facts in the case than a phonograph needle knows about the record it is playing."[16] Schoeppel indicated that

the "facts" he presented had been gathered by Frank Bow, his legislative assistant. Bow in turn mentioned that he had examined the record of Winton Arnold's testimony before the Interior and Insular Affairs Committee. Although he had never met Arnold, he telegraphed him for information about the retention of Randolph Feltus by the Alaska Statehood Committee, how much and by what means Feltus had been paid, and the political activities of the statehood committee. What Bow did not know was that Arnold turned over the telegram to Albert White, unofficial boss and self-appointed general counsel of the Republican party of Alaska. White arranged for Francis Harrison, the proprietor of a photographic shop in Juneau, to make photostats of the statehood committee warrants sent to Bartlett and the vouchers for them. The documents were matters of public record. White paid for the photostats and sent them to Bow in an airmail special delivery envelope bearing no return address. Bow also told the committee that he had talked with William Strand, managing editor of the Fairbanks Daily News-Miner, at the latter's hotel room in Washington. All that Strand talked about, however, was the Gruening administration's management of territorial finances.[17]

Feltus had once tried to secure the "account" of the Hawaii Statehood Commission. Unsuccessful, he turned to Alaska in 1946. Bartlett asked him to submit a proposal but gave him no further encouragement. Thereafter Feltus pressed the delegate every six to eight months and met with Governor Gruening on four or five occasions when the latter was at

Washington. Finally, in mid-1949 Bartlett, Gruening, Lee Bettinger, and several Interior Department officials met in the delegate's office to interview Feltus. All were impressed with him but he was not hired at the time, partially because he suggested a fee of $3,000 to $6,000 per month for his services but primarily because he freely acknowledged that his chief influence was in the Senate, not the House. Subsequent to the meeting, and in response to a request by Gruening, Feltus wrote the governor a letter reviewing his very impressive professional background and connections and stating his many references.[18]

In February 1950 Gruening and Bartlett again spoke with Feltus, this time at lunch. They were impressed with him more than ever, for they asked him questions about senators they knew well and found his knowledge of their motivations to be identical with their own. They were still undecided, though, when Oscar Chapman, one of Feltus' references, "glowingly recommended" him. This recommendation, coupled with Bartlett's fear that if the statehood bill failed to pass in 1950, "it might be a crippling blow to our hopes for some time to come," persuaded the delegate that the statehood committee should retain him after the bill passed the House. Before 1950, the delegate wrote his fellow committee members, Hawaii had spent several hundred thousand dollars on its campaign for statehood and was no further along than Alaska. "I am not so sure the same reasoning can apply from now on. The chips are down."[19]

Feltus was not retained for his public relations skills. As Bartlett explained to William Baker: "...Hugh Butler, Guy

Cordon, et al, are not going to be moved by favorable editorials in any newspaper or any magazine, or by any other device public relations men may be able to dream up. If motivated at all in changing their course for Senate actionat [sic] this session, they are going to have to be persuaded by personal contact from those who know what makes them tick. To both Ernest and me one of Feltus' most desirable attributes seemed to be that he had a surprising volume of information about people close to opposition Senators who live in their home states and who might be approached and won over to getting their men to act in our behalf." Specifically Feltus was to win votes for statehood among senators who sat on the Interior and Insular Affairs Committee, a majority of whom seemed inclined against it at the time. In the pursuit of this objective, Feltus later reported to the delegate, he discussed Alaska statehood with some thirty-five senators and the administrative assistants of ten or twelve others, "spent considerable time in discussions with persons who enjoy close personal relationships with senators...spoke to a great many newspaper and radio correspondents..." and "attended a number of strategy meetings with" Bartlett and his "associates and the Hawaiian group...."[20]

In spite of all this activity, the delegate and governor became disappointed with Feltus. On May 29, for example, Gruening complained that the lobbyist "has had two months to work on the members of the committee and as far as I can see he hasn't gained a single adherent. He has had elaborate schemes

for getting Ellender, Milliken [sic], etc. which depended on somebody else doing something which have fallen through. A one vote margin is none too secure and would mean the most intensive kind of work for the floor fight." Bartlett confessed that he felt the same but cautioned the governor: "This is something concerning which we can never make public admission...." "He has, so far as I can observe, failed to accomplish anything constructive at all....Randy doesn't now talk about Millikin but instead speaks of how he can get Russell to vote for the bill and work for it. Confidentially, he proposes to do so through a connection with Russell's brother-in-law and he allows that about $750.00 will be needed to sweeten the brother-in-law. Randy would prefer to collect some expense money and make payment from that. Under most circumstances I should be in favor of dispensing of his services now but there is a possible danger there. It might be that if we cut him off he would become embittered and might work against us--and then we could be in the unhappy position of discovering he had a bigger following than we now give him credit for."[21]

By July 10 Gruening wanted "to call the whole thing off," chiefly because of the expense involved. However, Bartlett had an oral contract with Feltus providing for the latter's retention for a five-month period, unless Congress should adjourn sooner. During that time he was to be paid a salary of $1,500 a month, $500 a month for "necessary out-of-pocket expenses," and an additional $1,500 a month if the bill should

be enacted at that session of Congress. Nevertheless the delegate soon concluded that the agreement would have to be terminated. The reason was that he learned on July 12 from the office of Senate Minority Leader Robert Taft of Ohio that Feltus had once worked for the Polish Embassy to foster Polish-American trade. The news "burst on us like a bombshell..." Bartlett wrote. It should not have, for a copy of the references which Feltus had sent to Gruening the previous year was in Bartlett's files. Among the former clients Feltus had listed was "the Polish Embassy (a trade relations program which is no longer in operation)...." The possible significance of the matter had obviously been overlooked, for Bartlett's reaction was that "...Randy was delinquent or negligent or evasive in not informing us of this connection. It could hurt statehood." When Bartlett asked Feltus about the matter, the latter offered to dissociate himself from the statehood committee if the delegate felt that its cause might be embarrassed. Bartlett accepted the offer on July 19, effective six days later. Feltus had thus worked for four months, but because of their prior agreement, Bartlett paid him $7,500 for five months of work, though only $500 for all of his expenses. The latter, which Feltus estimated to have been at least $1,600, had been incurred mainly in traveling from his New York office to Washington and staying at the capital two or three days a week. Feltus agreed not to request, and understood that he would not receive, any contingency fee should the bill pass.[22]

The investigation of Schoeppel's charges probed deeply

enough to embarrass the statehood committee but not deeply enough to uncover the purpose that Feltus had been engaged or Bartlett's and Gruening's disappointment with his performance. None of the principals who testified told the committee substantially all of what he knew about the case. The investigation did boomerang on Schoeppel, however, and more or less vindicated Chapman and Feltus of the accusations and innuendoes leveled against them. The senator stopped attending the hearings and conceded to a reporter: "I am not going to say they [the statements he had made on the floor of the Senate] could not have [been] checked more carefully." He also wrote the committee a letter requesting that the remaining hearings be held behind closed doors, but the committee "absolutely declined."[23]

Why had Schoeppel and Bow impugned the loyalty of Chapman and Feltus? In the colloquy following Schoeppel's speech, Scott Lucas asked "whether there might be a little politics involved in this attack." In view of the fact that most of the charges against Chapman had been aired two years earlier in front of the House Committee on Education and Labor, he wondered "why this attack comes along at this late hour, just before the November elections." Schoeppel undoubtedly recognized that his innuendoes might damage the Truman administration, but the Kansan was not acting on behalf of his party. This became clear two days after the speech, when Taft told reporters that "the [Senate Republican] policy committee disavows all responsibility for Senator Schoeppel's charges."

Chapman suggested that they constituted "a last-ditch attempt to block statehood for Alaska." Schoeppel was no friend of statehood, but there is no evidence to suggest that this motivated the speech. The same applied to Robert Atwood's intimation that the Alaska Salmon Industry might have been implicated.[24]

Frank Bow was in 1950 seeking election as a first-term congressman from his hometown of Canton, Ohio. During his campaign he had "exposed the record of Oscar Chapman" not only to Senator Schoeppel but also the Wayne County Young Republican Club. In other words Bow had decided to follow in the tracks of Senator Joseph McCarthy of Wisconsin, who was exploiting national fear of Russian power and Communist subversion for his own political gain. Schoeppel probably shared this motive to some extent but seemed to have a more compelling one. Michael Strauss, another target of attack in his Senate speech, was commissioner of the Bureau of Reclamation. A vigorous protagonist of the public development of hydroelectric resources, Strauss had incurred the wrath of private power interests. In this connection Drew Pearson's recollection that Alfred Landon had once referred to Schoeppel as the "errand boy of the utilities" was of more than passing interest. Schoeppel was advantageously situated to attack Chapman and Strauss, for the Department of the Interior had no reclamation projects in Kansas.[25]

Bob Bartlett had realized before hiring Feltus "that spending money for a lobbying activity, or call it what you

will, might not meet with universal approval" in Alaska. But this seemed to hurt the delegate less than the feeling that Feltus' accomplishments, whatever they were, had not been worth $8,000. Zales Ecton of Montana did not understand why the statehood committee had felt it necessary to hire someone at all. "Do you not know," he asked, "that you, Governor Gruening, and Delegate Bartlett, and all the other fine people that have come down here from Alaska are the best reasons and the best lobbyists and you can present the best arguments for statehood --better than any outsider could possibly bring to bear on the proposition?"[26]

Schoeppel's speech and the investigation which followed drew attention to statehood. The day after the speech, the Democratic Policy Committee placed the two enabling bills on its agenda.[27] But time was short to consider and debate such controversial issues.

3

Nine days after the hearings on Schoeppel's charges ended, the House and Senate adjourned for a time in order that their members might campaign for reelection. The results of their efforts became known in November: the Democrats were continued in control of Congress. However, as was generally true of off-year elections, the majority party lost ground in both houses. In the Senate the new balance would be 49 Democrats and 47 Republicans.

When Congress resumed its deliberations on November 27, President Truman requested the Senate to pass the two enabling

bills. Minutes after his letter was read, Scott Lucas, now a lameduck senator, offered a motion to take up the Alaska bill.[28] The move triggered four days of afternoon speeches, not on the bill but on the question of whether to consider it. Attempts to obtain a vote on the motion were blocked by objections and continual speechmaking. The debate was a milepost, nonetheless, for the issue of Alaska statehood had never before been subjected to full-fledged discussion on the floor. However, with the exception of Hugh Butler, who declared "that principles were more important than party politics in times such as these," Republicans remained quiet.[29]

Butler had opposed the admission of Hawaii since 1948 chiefly because of the strength of its Communists. Although only 36 in number, their power was magnified through the lens of the International Longshoremen's and Warehousemen's Union, of which Harry Bridges was president and Jack Hall regional director. The 25,000-30,000 sugar and pineapple plantation workers and stevedores who belonged to this Communist-dominated union were in a strategic position to paralyze the economy of the Islands. Bridges and other Communists or Communist sympathizers might thus be in a position to control the economic and political life of Hawaii, even though the vast majority of the union's members were loyal Americans. The senator alleged that Bridges also had "men working in all of the fishery towns of Alaska, trying to put under his thumb every union in Alaska that in any way is connected with fishing or with shipping." What Butler was referring to was the

Seattle-based Alaska Fishermen's Union, which had been part of the International Fishermen and Allied Workers. When the IFAWA was expelled from the CIO in 1950 on the ground of being Communist controlled, some of its locals voted to join the ILWU and others voted to remain independent of it. The AFU was an example of the latter. Butler acknowledged that Bridges had not been very successful in the North. Nevertheless once these territories became states, "the labor group could send to the Senate two of the most radical type of labor leaders" any time they chose. Fortunately for Alaska's statehood ambitions, only 10 of America's 43,217 Communists resided in the North, fewer than in any states except Kansas, Wyoming, and Mississippi.[30]

More important in explaining Butler's opposition to statehood was the North's political leadership. "During recent years," he told the Senate, "the government of the Territory has been controlled almost completely by a group of political opportunists, apparently interested primarily in their own aggrandizement, headed by Gov. Ernest Gruening." Butler dwelt on some of the postwar politicking and financial irregularities of the Gruening administration.[31] That the senator possessed such information indicated how well he had been kept abreast of events. Among his more voluminous correspondents were Albert White, John Manders, Winton Arnold, William Strand, Mrs. Helen Troy Monsen, Miss Miriam Dickey, secretary to Austin Lathrop, secretary-treasurer of the Midnight Sun Broadcasting Company, and vice-president of the Tanana Publishing Company, and Sid Charles, editor and publisher of the Ketchikan Daily News.

Earl Ohmer, a Petersburg cannery operator, and Francis Harrison of Juneau frequently airmailed him newspaper clippings adverse to statehood and the governor. These and numerous other Alaskans encouraged and abetted the senator in his opposition, plying him with materials and ideas.

In spite of Butler's contribution, the chief speaker for the opposition was John Stennis of Mississippi. Indeed the latter's speech amounted to a fairly comprehensive statement of the standard senatorial objections to admission. Alaska was cold, vast, underpopulated, and economically underdeveloped, he noted. Only a tiny fraction of its land (0.3 percent) was privately owned. Although the state would receive over 20 million acres of land, little of it would come from the federal reserves. A sizable part of the population consisted of Natives and of federal employees and their families. Much of the income earned in the territory was based directly or indirectly on federal spending. Alaska was incapable of affording the $10,189,268 annual cost of statehood (Winton Arnold's figure). Besides, the 1946 referendum had shown that many Alaskans did not want it. Wartime was no time to admit new states; since admission was irrevocable, it should not be rushed. If the door should be opened to Alaska, then Hawaii, Puerto Rico, and the Virgin Islands would seek admission. Statehood must be considered in terms of its affects not only upon the Northland but also upon the country. Congressmen from Alaska would participate in making domestic decisions on subjects like agriculture and price controls, of which, he said,

Alaskans knew little. "...the big prize is membership on the floor of the Senate...the last major legislative body left in the world that has the privilege of debate and unlimited discussion. That is the prize that is sought and that is what we are about to surrender." Additional senators "would dilute the voting strength of every State now represented in the Senate, and of every Senator....If we wish to take in some more States, let us get them from Texas."[32]

Of the numerous speeches delivered that week, one captured more than ordinary attention. It came in response to Senator O'Mahoney's statement that opposition to statehood was tantamount to approval of the continued exercise of federal power over the territories and their people. As a leading states' rightist, Richard Russell of Georgia felt compelled to deny the implication. He went on, however, to utter his so-called "white flag" declaration: "Should these Territories be admitted into the United States, either today or next year, I would feel bound to fight for their rights as vigorously as I would defend the rights of Georgia or Wyoming, and I do not think I care to be placed in that position when we do not know but that a terrific blow will be leveled at one of those outposts either tomorrow or 6 months from tomorrow."[33]

Russell's remark elicited no reaction in the Senate. Ernest Gruening, trying to arouse people over the remark throughout the nation, induced the Alaska Statehood Committee to condemn "this proposed hoisting of the white flag in the face of the red flag" and demand that "strategic Alaska"

receive defense "through prompt admission" into the Union.[34] Seeking to neutralize the criticism, Russell telegraphed Zebb Harris, president of the Young Democratic Club of Alaska, that he and his organization did not understand the distinction between Russell's devotion to states' rights and Russell's recognition of the "constitutional obligation of the Federal Government to protect the States and Territories and all of its citizens from foreign aggression....I shall insist upon the defense of the Territory and people of Alaska against any foreign foe exactly to the same extent that I insist upon defense of any State of the Union and its people. I have never held or expressed any other view."[35] Russell's November declaration and January prevarication were irreconcilable. But then, it was not the first time that he had dealt unworthily on Alaska statehood.[36]

At the beginning of the fourth full day of debate, Scott Lucas told the Senate that listening to statehood speeches seemed useless when the membership could be transacting other business. Since southern Democrats continued to block attempts to take up the bill, he moved on the following Monday to set it aside in order to consider an urgent bill to extend rent controls. When Stennis objected, Lucas withdrew his original motion on statehood.[37] More than leisurely five-hour sessions were needed to wear down the participants in an "extended educational discussion." A few weeks later Truman told the delegate: "If I had been Majority Leader, I would have kept them in continuous session until they had broken. It would not

have taken more than 72 hours. Of course, Lucas was really always against statehood." The outlook for 1951 was not any brighter. Bartlett mentioned to Truman that Sam Rayburn had told Oscar Chapman that in 1951 his opposition to statehood would move from passive to active. "Yes, that is right," the president said. "...during my last talk with him before the recess Sam told me I had better get these statehood bills through now because they wouldn't go through next year."[38]

The year thus ended anticlimactically. Nevertheless the statehood movement rested on a much higher plateau than when Congress had convened in 1949. In the first place the territorial legislature had enacted the sort of tax legislation without which the case for statehood was insupportable. Second, an Alaska statehood bill had for the first time been passed by the House of Representatives. Finally, the bill had been considered and approved, also for the first time, by the Senate Interior and Insular Affairs Committee. A new assault was launched in 1951, but before it began, the Alaska Statehood Committee and the legislature would decide upon their courses of action.

Notes

1. Ketchikan Alaska Chronicle, June 30, 1950.

2. U.S., Congress, Senate, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 2: 2759, pt. 7: 9556; Anchorage Daily Times, June 26, 1957.

3. Daily Alaska Empire (Juneau), July 3, 1950.

4. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 2999. For additional examples of this contention, see Warren Magnuson and Hubert Humphrey in ibid., 81st Cong., 2d sess., 1950, 96, pt. 10: 13333, 13335.

5. George W. Rogers, The Future of Alaska: Economic Consequences of Statehood (Baltimore: Johns Hopkins Press, 1962), p. 93.

6. Ernest Gruening, The State of Alaska (New York: Random House, 1954), pp. 308-310; idem, "The Political Ecology of Alaska," Scientific Monthly 73 (1951): 382; idem, "Why Alaska Needs Statehood," State Government 21 (1948): 33, 47.

7. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, pp. 488, 491-492, 494; Sherwood Ross, Gruening of Alaska (New York: Best Books, 1968), pp. 132-133. For other examples of such decisions, see Ernest Gruening, Many Battles: The Autobiography of Ernest Gruening (New York: Liveright, 1973), pp. 315-317.

8. ADT, March 20, 1950.

9. Hearings on H.R. 331 and S. 2036, p. 489.

10. U.S., Congress, Senate, Subcommittee of the Committee

on Public Works, Alaska Public Works: Hearings on S. 855, 81st Cong., 1st sess., April 28 and May 17, 1949, p. 115.

11. Hearings on H.R. 331 and S. 2036, p. 93.

12. Ibid., pp. 89, 494, 493.

13. Mildred Strunk, ed., "The Quarter's Polls," Public Opinion Quarterly 13 (1949): 367, 14 (1950): 817; Senate, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 12: 16028-16029, pt. 8: 10144; DAE, July 3, 7, August 1, 1950; KAC, July 12, 1950.

14. Copy, Bartlett to Atwood, August 2, 1950, E. L. Bartlett Papers, Statehood File, box 8, folder Correspondence, General, July 1950, Elmer E. Rasmuson Library, University of Alaska, College.

15. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Investigation of Charges by Senator Andrew F. Schoeppel, 81st Cong., 2d sess., September 7-14, 1950. For the speech and ensuing colloquy, see pp. 291-314 of the record of the hearings or Senate, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 10: 14214-14224.

16. KAC, September 11, 1950.

17. Investigation of Charges, pp. 296-297, 217, 232, 243, 57; Strand to Butler, October 7, 1950, Papers of Hugh Butler (MS 2331), box 223, folder Alaskan Trip, August 14-27th, Nebraska State Historical Society, Lincoln.

18. Ibid., p. 74; copy, "Memorandum to Members of Statehood Committee from Delegate E. L. Bartlett," February 27, 1950, copy, Bartlett to Gruening, July 19, 1949, Anthony J. Dimond

Papers, Personal File, 1904-53, box 34, folder Bartlett--Statehood Correspondence, Elmer E. Rasmuson Library; copy, Feltus to Gruening, July 25, 1949, Bartlett Papers, Statehood File, box 1, folder Alaska Statehood Committee File, 1949.

19. Copy, "Memorandum to Members..." February 27, 1950, Dimond Papers, Personal File, 1904-53, box 34, folder Bartlett --Statehood Committee; copy, Bartlett to Atwood, February 18, 1950, Bartlett Papers, Statehood File, box 1, folder Alaska Statehood Committee, January-May 1950.

20. Copy, Bartlett to Baker, February 27, 1950, copy, Bartlett to Atwood, February 18, 1950, Feltus to Bartlett, September 22, 1950, Bartlett Papers, Statehood File, box 1, folder Alaska Statehood Committee, January-May 1950, folder Alaska Statehood Committee, June-December 1950.

21. Gruening to Bartlett, May 29, 1950, copy, Bartlett to Gruening, July 13, May 31, 1950, Bartlett Papers, Statehood File, box 8, folder Correspondence, General, May 1950.

22. Gruening to Bartlett, July 10, 1950, copy, Bartlett to Gruening, July 13, 1950, copy, Feltus to Gruening, July 25, 1949, Bartlett Papers, Statehood File, box 8, folder Correspondence, General, July 1950, box 1, folder Alaska Statehood Committee, 1949; Investigation of Charges, pp. 54, 56-57, 77, 81.

23. DAE, September 8, 11, 1950.

24. Investigation of Charges, pp. 303, 4, 167-168; DAE, September 9, 1950.

25. Investigation of Charges, pp. 186, 211, 294-296, 350;

KAC, September 11, 1950.

26. Investigation of Charges, pp. 50, 164; DAE, September 16, 1950; Fairbanks Daily News-Miner, January 11, 1951.

27. Telegram, Butler to Arnold, September 7, 1950, Butler Papers, box 221, folder 40--Alaska Statehood, 1950 Cont'd.

28. Senate, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 12: 15772-15773, 15778-15779.

29. DAE, December 2, 1950.

30. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 2: 2794-2795, 81st Cong., 2d sess., 1950, 96, pt. 12: 15929, 15924; "Where America's Communists Are Found," U.S. News & World Report, March 30, 1951; U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Alaska, 1955: Hearings Pursuant to H. Res. 30, 5 pts., 84th Cong., 1st sess., September 14-October 6, 1955, pt. 5: 255.

31. Senate, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 12: 15925-15927.

32. Ibid., pp. 15931-15939.

33. Ibid., p. 15969.

34. "Minutes of the Meeting of the Alaska Statehood Committee," January 6-7, 1951, "Meeting of Publicity and Public Relations Committee," January 8, 1951, "Resolution Unanimously Adopted..." January 6, 1951, Records of the Office of the Governor of Alaska, box 668, folder General Correspondence, 1952-1958, box 2, folder 65--Statehood Committee, Federal Records Center, Seattle.

35. Senate, Congressional Record, 82d Cong., 1st sess., 1951, 97, pt. 1: 215.

36. For other examples, see Gruening to Bartlett, June 3, 1950, copy, Bartlett to Gruening, August 17, 1950, Bartlett Papers, Statehood File, box 8, folder Correspondence, General, June 1950, folder Correspondence, General, July 1950.

37. Senate, Congressional Record, 81st Cong., 2d sess., 1950, 96, pt. 12: 16014, 16044-16045.

38. Memorandum, Bartlett, December 21, 1950, Bartlett Papers, Statehood File, box 16, folder Legislative History, August-December 1950.

Chapter 13

Motion without Movement at Juneau and Washington

1

Important progress had been made in the drive for admission since the organizational meeting of the Alaska Statehood Committee in August 1949. Not until early 1951, however, did the group convene again. When it did it was under pressure for its lack of activity, which was due partially to the lack of funds. Of the $25,000 released by the Board of Administration in 1950, only $9,353.19 remained unspent. Moreover, obligations amounting to several thousand dollars were outstanding, including $1,130 for the expenses of the members who had attended the organizational meeting and approximately $3,325 for the expenses of those who had gone to Washington in 1950 to participate in the statehood hearings conducted by the Senate.[1]

When the committee met at Anchorage on January 6 and 7, 1951, several people in the audience called for "militant and affirmative action." Bob Bartlett, feeling much the same, offered the opinion that a strong informational program was needed for the benefit of Congressmen and national organizations supporting the enabling bill and for the people of Alaska. In explanation of the latter need, the Anchorage Daily Times wrote that interest in statehood was widening and newcomers arriving continually. Seeking to fill part of the void, the delegate

requested and the committee approved the allocation of funds for the printing and distribution of 5,000 copies of the speeches which Senators Thye, Cordon, Ecton, Mansfield, O'Mahoney, Anderson, and others had made on behalf of statehood during the closing days of the previous Congress. The delegate also suggested that Frank Peratrovich be interviewed by the press on the question of how Alaska Natives felt about the enabling bill he would introduce. It omitted the provision banning the establishment of Native reservations in the North during the period before the proclamation of admission. As written and transmitted to the Associated Press by Robert Atwood, the interview quoted Peratrovich as saying that "the amendment was a 'joker' to stir up opposition to the bill, not to help Alaska or Alaskans." Without the suspensive clause the bill "will have even stronger support from the natives."[2]

The primary burden of the "informational" program was delegated to the Education and Public Relations Subcommittee, of which William Baker was chairman. Eighteen thousand dollars was allocated for the work, to be carried out in cooperation with the delegate, but the subcommittee failed to launch the program. It did arrange, at the committee's direction, "for the preparation and publication of a detailed report" to the legislature on the work of the committee during the previous biennium. At the suggestion of Atwood, Herb Hilscher, Alaska's best-known public relations counsel, was engaged to write it. When it was completed the following month, Howard Lyng, Victor Rivers, Ernest Gruening, and Mildred Hermann reviewed and

approved it. Atwood regarded it as argumentative, since it contained sections such as "How the Anti-Statehood Machine Is Financed" and "Technique of the Little Lie." He believed that the opposition should be ignored. "Tell our story as a tremendous, fast-moving success story that has overcome every obstacle, that received only a very temporary set back in the closing days of the 81st Congress--and now we are again going full speed ahead and everybody had better get on the bandwagon and ride her over the goal line!" The editor managed to convince Hilscher and the others of the need for change and, since he knew best what he had in mind, Atwood ended up doing most of the rewriting. The resultant publication was still what Bob De Armond described as a "scissors and paste-pot job." For example, among its forty-two pages was a list of all the members of Congress, to whom people might write letters urging statehood. For his efforts Hilscher submitted a bill for $1,237.36 in fees and expenses, a claim which Atwood regarded as padded.[3]

Preparing and publicizing material on statehood was not the only area in which the committee could have worked. Wendell Kay, a keen Democratic attorney from Anchorage and member of the legislature, and Anthony Dimond pointed the way to another when they urged it to "get busy with" its statutory duty of preparing "fully detailed information and analyses" for the constitutional convention. However, Governor Gruening, believing that the research could be accomplished in very little time, expressed the opinion that it should be deferred

until the enabling bill was passed. The committee decided to make a start anyway by allocating $12,000 to its Constitution Subcommittee "for the purpose of carrying out such study and research as it deems necessary for the calendar year of 1951." Agreeing to Anthony Dimond's suggestion that the University of Alaska be enlisted in the effort, the subcommittee engaged Louis Weinberg to prepare the studies. He was an assistant professor of political science filling in for Donald Moberg, who was on leave at the time. In November Weinberg estimated that more than forty topics would have to be studied before a draft constitution could be written; by then he had submitted preliminary reports on two. When Moberg returned to the university, Weinberg left it to become a tax accountant in Fairbanks and ceased working for the statehood committee. For his efforts Weinberg was paid $2,625.[4]

At the recommendation of Governor Gruening, the committee assigned the rest of its funds, $25,000, to the promotion of passage of the enabling bill and to the payment of administrative expenses. These decisions were expected to "throw the statehood movement into high gear." To implement them, the group voted to ask the Board of Administration to release the $55,000 still impounded and to request the legislature to appropriate additional funds. The board released the money later in the year, but the legislature failed to provide an additional $50,000. For one reason its members were somewhat wayward in regard to statehood in 1951. For another, many of them continued to feel that the statehood committee

"hasn't done very much."[5]

2

On January 22 the legislature convened for what some Alaskans expected would be its last session prior to statehood. In the Senate, Democrats and Republicans each held eight seats, a repetition of the situation of 1949. In the House, where most of the action on statehood took place in 1951, Democrats held fourteen of the twenty-four seats. There a Special Committee on Statehood was formed.[6] Among its members was Mike Stepovich, a conservative young Republican from Fairbanks.

The first item of business to come before the new committee was the so-called Republic of Alaska memorial. Nationhood for Alaska, as opposed to statehood, was not a new idea. Alaskans occasionally mused about the large amounts of foreign aid which they would have received if Alaska had been a foreign country.[7] Until 1951, however, the legislature paid no official notice of such talk. On January 29 of the new year, Wendell Kay rose in the House to read a memorial he was introducing on behalf of himself and his Third Division colleagues. For eighty-four years, it declared, Alaskans had faithfully fulfilled the obligations of American citizenship. But above the duties which citizenship imposed was "the greater obligation of free men in all lands ever to demand the rights and liberties asserted for all mankind by the authors of our Declaration of Independence; statehood failing, then, we demand the instant right to declare our absolute independence of and from the Government of the United States, and to form ourselves

into a free society of free men to be forever called the 'Republic of Alaska.'"[8]

The memorial met with almost universal condemnation. The common council of Kodiak and its mayor, Lee Bettinger, telegraphed their "shock and anger 'that members of the Legislature should dare to suggest treason.'"[9] The Fairbanks Daily News-Miner editorialized that the "memorial would antagonize congress, make Alaskans look as foolish as their lawmakers, tend to weaken the U.S. position in the United Nations, and give Russian propaganda guns new ammunition." Rather than press for its enactment, the newspaper suggested, "Why don't you fellows set up a 'Republic of the Third Division,' and secede from Alaska?"[10] The Times treated the authors more gently, worrying whether they had canvassed in advance the chances for their "publicity stunt" and the repercussions of either passage or defeat. "Independence can be supported in principle and theory. But we doubt that any Alaskan would want to go beyond the talking point."[11]

Alaskans were too loyal to support independence, even when intended as a harmless gambit. But the fact that all of the memorialists were Democrats suggested that some of the outrage expressed in the legislature was motivated by partisanship. The memorial was sent to the Special Committee on Statehood, which reported it back without recommendation. On the floor Stanley McCutcheon, retreating before the adverse reaction, moved to eliminate the concluding lines of the memorial. The remainder would stand as a worthy statement in justification of

statehood. Mike Stepovich objected to any amendments. Attempting to embarrass the authors of the memorial, he demanded "that 'the members of this House stand and be counted on the issue'" of whether they wanted independence if statehood should fail to be achieved. When McCutcheon's motion was put to a vote, it was defeated by all ten Republicans and three Democrats. Kay then moved, with the consent of his cosigners, to withdraw the memorial altogether. Lacking sufficient strength to force a vote, the Republicans ultimately yielded to him.[12]

The next day, February 10, a joint statehood memorial was introduced sponsored by twelve of the fourteen Democrats. No action was taken on it. Also failing of enactment, on a 12-12 vote, was a House memorial of February 15 requesting the Interior and Insular Affairs Committee "to forego further hearings on Alaska statehood" and to report the enabling bill which Joseph O'Mahoney and eighteen other senators had introduced in January. Voting against the memorial were two Democrats and all ten Republicans. Wrangling over the order of business on the House calendar and disenchantment with the O'Mahoney bill's apportionment of constitutional convention delegates probably contributed to defeat.[13]

A third defeat for statehood in the House occurred when a Senate-passed bill appropriating funds for the statehood committee was tabled 13-11. The majority consisted of nine Republicans and four Democrats.[14] This series of blows to statehood gave the appearance that Republicans were its enemy

and Democrats its friend. It was true that a higher proportion of territorial Democrats than Republicans favored statehood, but it was also true that an unusually high proportion of all representatives that year were unenthusiastic about it. The partisanship which played a part in the votes was further apparent in the struggle over an elective governorship memorial.

Hugh Butler had introduced elective governorship bills for Alaska and Hawaii in the Senate; Arthur Miller would do the same in the House.[15] On March 3 Mike Stepovich and three other representatives sponsored a memorial on behalf of the concept as it affected Alaska. A succession of amendments and dilatory motions followed which were rejected by all ten Republicans and a few Democrats. At length Stanley McCutcheon said: "I am beginning to feel that this memorial is intended as a slap at Governor Gruening." Bob Bartlett had written Curtis Shattuck that passage "would be a mortal blow to statehood." McCutcheon read a copy of the letter aloud on the floor, but the memorial passed anyway 14-10. Approving it were the ten Republicans and the Second and Fourth Division Democrats.[16]

An elective governorship would, the memorial stated, "constitute an important and decisive step toward the achievement of the ultimate goal of Statehood for Alaska; and will aid and not detract from the Statehood cause...."[17] In December 1950 Hugh Butler had invited Bartlett to support a bill providing his territory with such an office. In reply the delegate had written: "To compromise for an elective governor and an elective governor only now would be to admit that

statehood was finally defeated. That I cannot do because the facts indicate that instead of being lost, statehood is in a much stronger position than ever."[18] Also, at its meeting of January 1951, the Alaska Statehood Committee had resolved in favor of statehood, not "compromise or part-way measures."[19] The meaning of the committee resolution had been spelled out in an editorial by William Baker entitled "Yes, Senator Butler, We'd Like To Elect a Governor, FWS Chief; ANS Director Et Al." These last officials had a more direct bearing on the lives of many Alaskans than the governor did. "Let's not fool around with the governor's office whose budget is about the size of this newspaper's print shop payroll. Let's get on Butler's gravy train and really get a free ride if he's going to plow under our statehood ambitions."[20]

3

While the legislature met at Juneau, the Senate Interior and Insular Affairs Committee considered statehood for the territories afresh. At its meeting of January 23, the question of whether new hearings should be held was debated. George Smathers of Florida and Russell Long of Louisiana argued for them on the ground that they had not sat on the committee before and hence were unacquainted with the bills. Hugh Butler sought hearings, too, noting that Alaskans had been given no opportunity to comment on the changes made in the bill during the previous year, to say nothing of the further modifications contained in the version introduced by Joseph O'Mahoney. The chairman did not want the bills delayed, lest they again be

lost by the threat of a prolonged debate later in the session; the committee supported his view 7-6. Not until April 3, however, were they voted upon. The one for Hawaii was approved 9-4 and the one for Alaska 7-6. The latter carried with it various amendments, among them a provision increasing the internal improvements grant from 1,000,000 acres to 2,550,000. The bill would have failed but for the fact that Guy Cordon had changed his mind about statehood in September of the previous year. He still believed that the North was not being granted sufficient natural resources but had concluded that the matter could be worked out after admission.[21]

The requirements of the Korean War caused the Senate to devote most of the rest of 1951 to important defense and appropriations measures.[22] The Alaska statehood bill was therefore delayed for floor consideration until 1952. While awaiting the beginning of debate, Bartlett, Gruening, Atwood, and Bettinger buttonholed senators of their respective parties to make speeches for their cause. Whenever a senator agreed, George Sundborg, whom the Alaska Statehood Committee had borrowed from the Alaska Development Board, would ghostwrite the speech, sometimes on less than a day's notice.[23] The delegate also engaged Emil Hurja and Hardin Peterson as lobbyists.[24] Hurja had been secretary to Charles Sulzer during his delegateship in Congress and executive director of the Democratic National Committee during 1932-1936. Disillusioned with the New Deal, he left the Democratic party, becoming a journalist, editor, public relations consultant, and Republican.

He had testified without pay on behalf of statehood in 1947 and 1950 and aspired, probably without Bartlett's knowledge, to become the next governor of Alaska or, alternatively, minister to Finland.[25] Peterson had led the effort in 1949 and 1950 to bring the enabling bills to a vote in the House. He did not run for renomination in 1950 but returned to Florida to practice law. His standing among southern Congressmen, Bartlett hoped, would be useful in presenting to them the case for statehood. Remembering the lessons of the Schoeppel affair, the delegate requested reports on both individuals from the House Un-American Activities Committee before hiring them. The committee's clerk replied that it had no information on Hurja and a "crystal clear record" for Peterson.[26]

4

Bartlett was not mistaken in his feeling that the drive for passage needed assistance. Robert Taft and Richard Russell, with help from others, reportedly had devised a strategy for defeating the bill. They planned not to meet the issue head-on but to move that the bill be returned to committee for hearings. A private poll of the membership revealed that the motion would carry by "nine more than a Senate majority." Only forty-three senators planned to vote for Alaska; however, fifty-five were ready to support Hawaii. When this became known, Gruening, Bartlett, Farrington, and O'Mahoney agreed that the Hawaiian bill must be scheduled to come first. If it passed, enough Democrats opposed to Alaska would presumably put aside sectional or other considerations to ensure continued Democratic supremacy

in the Senate. President Truman was said to have sanctioned the switch when Gruening explained the situation to him. But the Democratic Policy Committee, which decided which bills would be considered on the floor and directed general party policy and strategy, had decided on Alaska first. The committee was composed of the sixteen chairmen of the legislative committees of the Senate, ten of whom opposed Alaska's admission. Majority Leader Ernest McFarland was categorically opposed to the precedence of Hawaii, believing that after securing the admission of the Islands, Republicans would vote against the North. Moreover, he was in the difficult position of trying to please everyone, southern Democrats and Hugh Butler included.[27]

Still hoping to reverse the order of the bills, Joseph O'Mahoney opened the debate on Alaska as scheduled on February 4. Two days later the Democratic Policy Committee confirmed its earlier decision that Alaska should be first on the agenda. On the floor George Smathers led the opposition. In so doing the freshman legislator further established himself as a valuable and reliable member of his bloc. It was Smathers' task to move, on February 20, that the bill be returned to committee for hearings. Both he and Russell Long were new to the group, he pointed out, yet neither had been granted the opportunity to examine and cross-examine witnesses. As soon as he moved for recommittal, Mike Monroney of Oklahoma asked Smathers to modify his motion. Monroney wanted the committee instructed "also to consider the granting of

commonwealth status to these Territories...." It was the form of government about to be granted to Puerto Rico. After Smathers agreed to the request, debate was set for February 27.[28]

In the meantime both sides applied strong pressure to wavering senators.[29] William Knowland of California tried to lure Republican votes for Alaska by drawing attention to the wording of Monroney's modification of Smathers' motion. It applied to Hawaii as well as Alaska, he asserted.[30] Joseph Farrington, together with Alaskans at the capital, called on senators in their offices in an effort to overcome indifference and opposition.[31] By the eve of the scheduled debate, Alaska's original handicap had been so far whittled away that the issue would be decided, it seemed, "as much by those who are absent as those who are here."[32]

Hugh Butler, Russell Long, John Stennis, and George Smathers figured prominently in the debate in favor of recommittal. Opposed to them was a large number of other senators, none of whom spoke more directly than Paul Douglas, Democrat from Illinois. Two types of states would lose most by admitting Alaska, he said. One was a large taxpayer like Illinois, since the North would likely join "the public works bloc and be a substantial recipient of Federal funds for development." The other was a southern state, for on civil rights they were poles apart. In earlier times the South had insisted upon the admission of one slave state for every free state. After permanently losing voting parity, southern senators resorted to the filibuster. In 1952 a filibuster

could be broken only if two-thirds of the total membership of the Senate voted for cloture. If thirty-three members opposed it or developed "feigned" illnesses, such a motion would fail. If Alaska and Hawaii were admitted, the number needed to block cloture would rise to thirty-four. The rules of the Senate banned the use of cloture in connection with any proposal to amend the rules. "The issue really boils down," therefore, "to whether our southern friends will be willing to sacrifice the national interest for the sake of one vote."[33]

Whether they would soon became apparent. While newsmen and visitors sat hushed in the galleries, eighty-nine senators answered the roll. Hugh Butler flew to the capital for the occasion, as did Estes Kefauver, who had been campaigning in Iowa. Thomas Hennings Jr. of Missouri got out of his sickbed and, in the company of his physician, went to the Senate to vote against recommittal. Three times the tally was tied. In the end, though, the motion passed 45-44. Twenty Republicans, mostly Taft supporters, voted with the majority and twenty with the minority. Of the twenty-five Democrats who voted for recommittal, only Carl Hayden of Arizona and Pat McCarran of Nevada were not from former Confederate states or those which bordered them.[34]

Ordinarily a vote that close was followed by a motion to lay the bill on the table. Once tabled it could not be brought up again without a two-thirds affirmative vote. Richard Russell, chief strategist of the opposition, did not make the motion. One of the senators who had just voted with him had to

leave immediately after the vote, and Russell hesitated to jeopardize his victory.[35] In the absence of a motion to table, any senator who had voted on the prevailing side or any of the seven who had been absent, regardless of whether they had been paired, was entitled to call for reconsideration. Statehood proponents persuaded one of the absentees, H. Alexander Smith of New Jersey, to make the move.[36] When he did, the bill was revived, even though the Senate did not then vote on his motion. Any senator could later seek to call it up, but the motion would be subject to debate.[37]

After the vote was announced, Ernest McFarland moved that the Senate turn its attention to a controversial bill allowing the states to lease oil and gas lands of the Continental Shelf. In so doing he acted in accordance with a decision of all the members of the Democratic Policy Committee except O'Mahoney. Senators Taft, Knowland, and O'Mahoney objected, asking that Hawaiian statehood be called up instead. McFarland declined on the ground that the two enabling bills had, "in effect, been considered together"; public hearings had been held on neither.[38] The submerged oil lands bill would consume much debate time; after it was considered, other important measures would require attention.

5

Attributing the Republican vote on Alaska statehood to party politics in a closely divided Senate was disputed by some Alaskans. They held that deficiencies in the bill itself (its alleged failure to ensure state control of the fish and

wildlife resources and a sufficient portion of the public domain) motivated the Republican opposition. Discontent with the land provisions of the enabling bill had already caused the territorial Republican party, meeting at Juneau on the last day of March 1950, to adopt a platform critical of the House-passed bill.[39] Other Republicans, more eager for statehood, had been less concerned about the matter. These were found most notably in the Anchorage Republican Club, which reaffirmed its complete support of the bill and declared: "...whether they [the Republicans who met at Juneau] realize it or not, they are harming the cause of statehood." The club also voted to send a delegate to Washington to testify at the Senate hearings the following month.[40]

Among the more forceful members of the club was Walter Hickel, an ambitious, young general contractor. He had arrived in Alaska in 1940 at the age of twenty with only thirty-seven cents in his pocket. A former Kansan, he was a Taft, not an Eisenhower, Republican. This impetuous young man soon demanded personal recognition from the Old Guard, which had long controlled the party in the North. Hickel supported the enabling bill in 1950, but as time went on, he and other members of the club came to qualify their support. In January 1952 the group endorsed a resolution written by its president, Paul Robison, which it hoped the national party would adopt in July: "We favor and strongly urge statehood for Alaska under a statehood bill providing for Alaskan control of Alaska's resources." Hickel "was personally very proud of that

resolution." In mid-January he obtained approval of it from a meeting of western Republicans at San Francisco. Since this criterion for statehood was not met by O'Mahoney's bill, Hickel went to Washington to oppose its enactment. It did not confer control of the fisheries upon the state, he declared. Moreover, Alaskans should receive all, not just 50 percent, of the American share of the Pribilof receipts. Above all, the land grant was too small, and none of it would come from the federal reserves and withdrawals. He told Senator Taft about his objections and asked him and other senators to vote for recommittal. "I tried writing various amendments to the bill," he later explained, "but there were so many things wrong with it that only the Committee could give it the time it deserved. Statehood delayed?--Yes. Killed? No. I would rather see a good bill five years from now as a wrong bill today."[41]

Hickel believed that Taft and some of his supporters voted as they did because of the unsatisfactory nature of the bill. "I honestly believe that we will get Statehood," he wrote, "but it will be the right kind of Statehood. By that I mean, not a bill that will create a vast bureaucracy and antagonize many of the free thinking Senators, for it was plain to me that they will not vote for a Bill which is socialistic in its intent, thereby creating a bureaucracy that would be potentially stronger than our [state] government." By pressing for the bill's enactment, "some of the people associated with the present Statehood movement are its worst enemies. This [the Alaska Statehood Committee] is the group for which we

appropriated $80,000."[42]

Why did Hickel reverse his stand between April 1950 and February 1952? Three reasons probably accounted for it. First, during this nearly two-year period, he had undoubtedly learned more about the bill and how it would affect Alaska. Second, he and certain other Republicans were eager to develop an issue with which to assail Bartlett in the fall election. Third, Hickel was assuming a political posture acceptable to the Old Guard both inside and outside Alaska. If Taft became president, Hugh Butler would have a strong claim to become secretary of the interior, a post to which he desired to be appointed.[43] Even if Butler remained in the Senate, he might be influential in deciding who would fill the governorship, an office which Hickel yearned to hold. Later in 1952 Hickel managed to obtain a substantial endorsement for the office from John Manders.[44] With conventions and elections fast approaching, he would soon be able to measure his prospects.

Notes

1. "Minutes of the Meeting of the Alaska Statehood Committee," January 6-7, 1951, Records of the Office of the Governor of Alaska, box 668, Federal Records Center, Seattle.

2. Ibid.; Anchorage Daily Times, January 8, 1951.

3. Copy, Alaska, Alaska Statehood Committee, "Meeting of the Alaska Statehood Committee," January 28, 1953, pp. 9, 11-12, Alaska Historical Library, Juneau; "Meeting of the Publicity and Public Relations Committee," January 8, 1951, Records of the Governor, box 668; Hilscher to Bartlett, February 18, 1951, copy, Atwood to Lee Bettinger, March 9, 1951, E. L. Bartlett Papers, Statehood File, box 1, folder Alaska Statehood Committee, 1951, Elmer E. Rasmuson Library, University of Alaska, College; Alaska, Alaska Statehood Committee, Statehood for Alaska: A Report on Two Years of Achievement (Alaska Statehood Committee, 1951); Fairbanks Daily News-Miner, June 26, 1951.

4. "Minutes of the Meeting of the Alaska Statehood Committee," January 6-7, 1951, copy, Alaska, Division of Legislative Audit, "Audit Report: Alaska Statehood Committee, Period from April 1, 1949 to June 30, 1956," Records of the Governor, box 668, General Correspondence, 1952-1958, box 2, folder 65--Statehood Committee; copy, Alaska Statehood Committee, "Meeting of the Alaska Statehood Committee," January 28, 1953, p. 12, Alaska Historical Library; ADT, November 14, 1951; interview with William R. Cashen, University of Alaska, College, October 10, 1973.

5. "Minutes of the Meeting of the Alaska Statehood Committee," January 6-7, 1951, Records of the Governor, box 668; ADT, January 8, 25, 1951.

6. Daily Alaska Empire (Juneau), January 5, 24, 1951.

7. U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Statehood for Alaska: Hearings on H.R. 50, H.R. 628, and H.R. 849, H.R. 340 and H.R. 1242, and H.R. 1243, 85th Cong., 1st sess., March 11-29, 1957, pp. 318-319.

8. DAE, January 29, 1951; Alaska, Legislature, House, Journal, 1951, p. 107; H.M. 4, Papers of Hugh Butler (MS 2331), box 218, folder Alaska Statehood, 1951, Nebraska State Historical Society, Lincoln.

9. DAE, February 8, 1951.

10. FDNM, February 9, 1951.

11. ADT, January 30, 1951.

12. House, Journal, 1951, pp. 188, 215, 217-220, 230; DAE, February 14, 9, 1951.

13. House, Journal, 1951, pp. 232-233, 294-295, 322-323, 190; DAE, February 19, 1951; 82d Cong., 1st sess., S. 50, January 8, 1951.

14. Senate, Journal, 1951, p. 825; House, Journal, 1951, pp. 1022-1023.

15. 82d Cong., 1st sess., S. 105, S. 104, January 8, 1951, H.R. 3191, H.R. 3190, March 13, 1951.

16. House, Journal, 1951, pp. 530-531, 749, 908-914, 969-972; DAE, March 19, 21, 1951.

17. Alaska, Session Laws, 1951, p. 589.

18. Bartlett to Butler, December 2, 1950, Butler Papers, box 221, folder 40--Alaska Statehood, 1950 Cont'd.

19. House, Journal, 1951, pp. 445-446.

20. Ketchikan Alaska Chronicle, January 2, 1951.

21. U.S., Congress, Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 2: 1530, 1537, 81st Cong., 2d sess., 1950, 46, pt. 12: 16030; draft of the statement which Butler apparently made before the committee, "Hearings," Butler Papers, box 218, folder Alaska Statehood, 1951; KAC, April 3, 1951.

22. Senate, Congressional Record, 82d Cong., 1st sess., 1951, 97, pt. 10: 13681.

23. Sundborg, personal letter, March 1, 1974.

24. Copy, memorandum, Bartlett to Alaska Statehood Committee Members, February 8, 1952, Anthony J. Dimond Papers, Personal File, 1904-53, box 34, folder Bartlett--Statehood Correspondence, Elmer E. Rasmuson Library.

25. Hurja to Sherman Adams, January 24, 1953, Papers of Dwight D. Eisenhower, Official File, box 314, folder 17-M-1, Endorsement, Hurja, Emil, Dwight D. Eisenhower Library, Abilene.

26. FDNM, January 21, 1952.

27. DAE, February 1, 4, January 31, 1952; Bartlett, "Statehood Memorandum," April 12, 1951, Bartlett Papers, Statehood File, box 17, folder Legislative History, 1951.

28. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 1: 751, 1183-1184, 1186; FDNM, February 6, March 3, 1952.

29. KAC, February 19, 1952; "Shelving Statehood," Newsweek, March 10, 1952, p. 28.

30. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 1: 1327.

31. ADT, June 21, 1954.

32. DAE, February 27, 1952.

33. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 2: 1525.

34. KAC, March 4, 1952; Congressional Quarterly Almanac 8 (1952): 55.

35. DAE, February 28, 1952.

36. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 2: 1705-1706.

37. FDNM, March 4, 3, 1952.

38. Senate, Congressional Record, 82d Cong., 2d sess., 1952, 98, pt. 2: 1537-1539.

39. KAC, March 31, 1950.

40. ADT, April 11, 1950.

41. Ibid., April 11, 1950; Anchorage Daily News, March 4, 1952; Seattle Daily Times, January 17, 1952; KAC, January 23, 1952.

42. ADN, March 4, 1952.

43. KAC, April 3, 1952.

44. Manders to Harry M. Anholt, December 8, 1952, Eisenhower Papers, OF, box 314, folder 17-M-1, Endorsement, Hickel, Walter J.

Chapter 14

Establishing the Republican Position on Statehood

1

The presidential election of 1952 affected both the prospects of statehood and territorial governance. Hints of what was going to happen became numerous during the summer, when the Republican and Democratic parties held their presidential nominating conventions. Hawaii's and Alaska's delegates to the Republican convention agreed that their party's 1948 plank in favor of "eventual" statehood was unsatisfactory. Joseph Farrington wanted immediate statehood for Hawaii; Maurice Johnson, a Fairbanks attorney, sought to straddle the issue of statehood for Alaska by asking for admission "under an equitable enabling act." Each was granted his wish.[1] Being ambiguous, the word "equitable" would take time to determine, allow for differences of opinion, and yet enable the party to claim commitment to statehood. In addition it implied that Bartlett's and O'Mahoney's bills had not been equitable and that Republicans were more sensitive than Democrats to the welfare of the North.

Two of Alaska's three delegates strongly supported Robert Taft, but the convention chose Dwight D. Eisenhower.[2] Unlike the senator, the general was on record as favoring statehood. On September 17, 1950, while president of Columbia University, he had given a brief talk to 1,500 people at Denver. In it he

expressed the hope that Congress would soon pass the pending Alaska and Hawaiian statehood bills. Such action, he said, would show the people of the world "that America practices what it preaches."[3] His vice-presidential running mate, Senator Richard Nixon of California, also had endorsed statehood publicly. In 1950 he had telegraphed O'Mahoney: "These outer defenses [of the United States] will be much better manned when they [Alaska and Hawaii] become full-fledged States, and it is imperative to our security that west-coast defenses are immediately and strongly built up."[4] Nixon had also cosigned O'Mahoney's Alaska statehood bill of 1951.

A little more than one week after the Republicans adjourned, the Democrats assembled for their convention. As in 1948 the two "vital bastions in the Pacific" won support for immediate admission, although not without a struggle in the Platform Committee.[5] Under the influence of Ernest Gruening and Stanley McCutcheon, a majority of the delegates, and hence all six under the unit rule by which they bound themselves, cast their votes for Estes Kefauver. Contrary to their expectations, Governor Adlai Stevenson of Illinois was nominated.[6] Statehood did not thereby seem to be impaired, for Stevenson was a member of the National Statehood Committee, ninety-six prominent Americans whose endorsement of admission Gruening had solicited and whose names adorned the stationery of the Alaska Statehood Committee.[7] John Sparkman, the moderate Alabaman whose successful vice-presidential nomination Bartlett boosted, had voted against recommittal.[8] Therefore

regardless of which team won, Eisenhower-Nixon or Stevenson-Sparkman, statehood seemed assured of executive support.

In December 1951 Bartlett and Bob Reeve, an Anchorage Republican, announced their candidacies for the office of delegate in Congress. Reeve was the owner of several businesses in Anchorage and the founder of Reeve Aleutian Airways. Supporting "proper statehood as soon as possible," he called for state control of the tidelands and Pribilofs, although with due regard for treaty obligations and no interference with "federal control of water power or free navigation rights." He also wanted nearly all federally owned land in Alaska to be conveyed to the state. In August Reeve went to Kansas City, where he told Eisenhower that Alaska needed those resources. The latter promised his support; so did Hugh Butler, who was also there. Several days later, on August 27, Butler announced that he would support statehood when the territory acquired a sufficient tax base. This, he explained, meant the conveyance of nearly all of the public lands to the state. On August 31 Butler telegraphed Reeve: "...I will support statehood for Alaska under an enabling act that gives Alaska proper control of its natural resources." Reeve displayed the telegram throughout the territory.[9]

Noting the senator's position, the Anchorage Daily Times wrote correctly that Butler knew Congress would never consent to wholesale alienation of the public domain. Nevada was about 84 percent federally owned, Utah 72 percent, Arizona 70, Idaho 65, Oregon 53, Wyoming 52, California 46, and New Mexico 45.

If the state of Alaska received substantially all of the public lands within its borders, the other western states would demand theirs. Soon the newspaper concluded that "nothing has happened to convert Butler to be a sincere advocate of statehood. He has always said he favored it while he fought it. He has always said he favored it under a proper bill, but no bill is ever proper."[10]

On October 14 the voters of Alaska elected twenty Republicans and four Democrats to represent them in the territorial House and eleven Republicans and five Democrats in the Senate. Bob Bartlett was one of only a handful of Democrats who survived the Republican sweep, but by the smallest margin of his political career, 14,219-10,893.[11] In accord with Gruening's dictum, "As Alaska goes, so goes the nation," the team of Eisenhower-Nixon won the nation's top elective offices in November. In the Congressional elections 221 Republicans, 211 Democrats, and 1 independent were elected to the House of Representatives. In the Senate, which the Republicans also won, the balance was 48-47-1 (Wayne Morse).[12] A majority so tenuous meant that the partisan implications of statehood, that is, which party would be in a majority on each committee of the Senate and in control of its agenda, remained paramount in the minds of most senators.

On January 10, 1952 Hugh Butler told a reporter that he understood that the people of Hawaii were endeavoring to rid themselves of Communist influence; when they succeeded, they would be ready to enter the Union. Fifteen days after the

November 4 elections, he said, "I am inclined to think I would support it [a Hawaiian statehood bill] this time." He had been trending in this direction all year, but the razor-thin Republican majority in the Senate and the weakening of popular support for Republican candidates in Hawaii undoubtedly contributed to his inclination. As for Alaskans, he said: "...I hope it will not be too long before they themselves feel qualified to carry the load of a state. I don't believe they really do now." On December 1 Bartlett quoted the senator as saying that Alaska should not receive statehood until the western states received the bulk of the public lands within their borders. It would serve as a precedent for enlarging the grant Alaska would receive. Butler then left for a nearly three-week trip in Hawaii. Upon returning to Washington he announced that he would support its admission.[13] Its people had made great progress, he said the following year, in overcoming "the control or threatened control by communism in that area...."[14]

2

Before the new Congress had been in session very long, the Alaska Statehood Committee convened at Juneau for a two-day meeting. On the first day, January 28, Governor Gruening took cognizance of criticisms which had been leveled against the enabling bill. Congress could grant the state $50 million to build a capitol and a mental institution, he suggested, and pay for surveying the land grant during the first ten or fifteen years after admission. But a point would come at which those

who complained of a lack of Congressional generosity would declare that Alaska was unready to enter the Union if it could not afford such expenses itself. Twenty-three million acres of land was a very large area; additional acreage would be an administrative burden to the state in its early years. "I think we would be negligent if we allowed the impression, which is pretty widespread, without protest, that this Bill is no good and that somebody, who has a larger and better concept of what Alaska needs, is going to draw the right kind of a Bill." Gruening, Atwood, and Bartlett decided to try to arrange for the committee to meet with members of the legislature in order to bring out the governor's points.[15]

The meeting took place the following morning in the chamber of the House of Representatives.[16] Bartlett used the occasion to explain the land provisions of the bill he intended to introduce. In November he had discussed with Hugh Butler the possibility of turning over the public lands to the state. The Nebraskan agreed that a bill providing for this could not pass; it would arouse the opposition of conservationists, eastern Congressmen, and officials of the Interior Department. By no means did that preclude all changes. The delegate would try to double the size of the land grant, but he emphasized the belief of himself and the other committee members that the 22,950,000 acres contemplated was adequate. In line with the governor's suggestion, he would also propose a cash grant of $50 million.[17]

The statehood committee met with the legislature under

circumstances which seemed to foreshadow the reconstitution of the former by the latter. On January 27 Howard Pollock, a talented freshman representative from Anchorage, had introduced a bill providing for the dissolution of the existing group and the creation of a new one.[18] The 1949 act establishing the committee failed to provide for replacing existing members or even filling vacancies created by death or resignation. But the fact that it was Pollock who took the initiative suggested strongly that partisanship and personal ambition lay behind the introduction of the bill.

Pollock's bill envisaged a new committee of eleven members. Three would be appointed by the governor and eight by the legislature. Pollock could be expected to be among the latter. The responsibilities of the new committee, as stated in the bill, were a strong, covert criticism of Bartlett and the other existing members. The committee would be empowered to prepare "an adequate Statehood Bill and/or render all possible assistance to the Delegate to Congress from Alaska in the preparation of such Bill, giving Alaska ample control of her own resources." It should give "wide publicity" to the bill "and provide for receipt and utilization of suggestions, comments and criticisms in order that the Bill may be considered and altered as deemed necessary by the members in session assembled." When this work had been completed, the committee was to petition the governor to conduct a special referendum. If approved, the draft bill would be submitted to the delegate for introduction in Congress. The committee would,

in addition, prepare a draft of the fundamental law for submission to the constitutional convention due to meet after the enabling bill was passed.

A modified version of Pollock's bill passed the House 23-0 on March 3.[19] When it came up for a vote in the Senate on March 25, the second from the last day of the session, it was rejected 10-5; on reconsideration it was defeated 9-7.[20] Explaining the difference between the House and Senate actions was problematic, since the votes were not along party or divisional lines. One noteworthy fact was that Pollock was a member of the House, not the Senate. Another was that no members of the Alaska Statehood Committee sat in the House, but Percy Ipalook and Howard Lyng were members of the Senate. Ipalook voted against the bill, but Lyng voted for it. Also suggestive was the comment of Gerrit Snider, Republican from Wasilla: "I've heard the committee has done a good job and now we are kicking them out and spending more money" at a time when statehood seemed more remote.[21] Frank Heintzleman attributed the failure of the bill "to the confusion which marked the last four or five days of the session."[22] Whatever the reason, for better or for worse, the original committee remained intact, but without the new funds that the bill would have provided.

In other legislative action, the House tabled a bill introduced by Richard Greuel, a Fairbanks radio announcer, to hold another referendum on statehood. The Special Committee on Statehood, of which Pollock was chairman, had reported against it, ironically on the ground that its provisions were amply

covered by Pollock's bill establishing a new Alaska Statehood Committee. Greuel, who favored admission, had urged his measure as a means of answering the charge that statehood advocates were attempting "to hold their fellow Alaskans to a vote taken five years ago on the general principle of the proposition which failed to carry in two of the four divisions." The House and Senate did pass without opposition a joint memorial requesting "adequate enabling legislation" from Congress. Yet on February 28, just eight days later, the House tabled a recommendation of the Special Committee on Statehood to telegraph its support of the enabling bill which John Saylor had introduced.[23] Consequently six Republican and three Democratic representatives sent telegrams of their own.[24]

3

Three thousand miles from Juneau, the statehood policy of the president-elect was being shaped without much deliberation.[25] On January 5, 1953 William Knowland and three members of the Interior and Insular Affairs Committee (Hugh Butler, Guy Cordon, and Arthur Watkins) conferred with Eisenhower at a New York hotel. They discussed statehood for Hawaii, Knowland told newsmen, but not for Alaska.[26] On January 20 Eisenhower was sworn into office. Thirteen days later he appeared before a joint session of Congress to deliver his address on the state of the Union. It contained no reference whatever to Alaska. Of Hawaii he said: "The platforms of both political parties promised immediate statehood to Hawaii. The people of that Territory have earned that status. Statehood should be granted

promptly with the first election scheduled for 1954."[27] He hoped, in other words, to bring two Hawaiian Republicans into the next Congress without the offset of two Alaska Democrats.

By unanimous consent the territorial House of Representatives telegraphed the president its deep regret at his failure to mention the Northland and urged him to express his "continued support of statehood at earliest opportunity."[28] On February 25, at the president's second news conference, the legislators received their answer. "To my mind," he remarked, "not yet has the Alaskan case been completely proved. It is more of a dependency than it is a separate and self-supporting region."[29]

In deciding to oppose the admission of Alaska, Eisenhower had not consulted Douglas McKay, his new secretary of the interior. One Seattle salmon canner boasted to "a statehood leader": "We've got you people stopped right up at the White House through Lucius Clay."[30] The "statehood leader" was undoubtedly Ernest Gruening, who repeated the charge on a number of occasions. Much later, however, he acknowledged that it was based on no more than "presumptive evidence."[31] General Clay, whom Gruening identified as Eisenhower's "buddy and trusted confidant," was chairman of the board of the Continental Can Company. One of its principal customers was the Alaska canned-salmon industry.[32] The implication was that Clay had put to use his relationship with the president for reasons of indirect advantage to the company. Eventually Bob Bartlett wrote Clay asking if the rumor were true. He replied that he

had never discussed statehood with anyone in the fishing industry or anyone in government, and that he "would be happy" for Alaska to enter the Union.[33]

Next to the presidency, the most important office in the United States government, as far as Alaskans were concerned, was the secretaryship of the interior. As governor of Oregon, Douglas McKay had sent Hugh Butler a telegram strongly endorsing the Alaska and Hawaiian statehood bills on March 25, 1950.[34] But as secretary of the interior, McKay was disposed to follow the lead of the president. In November, when the governor had been asked about his position on the admission of the territories, he replied that he would have to confer with the general first. "After all, I'm just going to be his hired hand." Around Christmas, while still at Salem, he told a reporter that his votes in favor of statehood at four National Governors' conferences had been in support of the principle, not of any particular bill. He understood that "some people" thought that the bill did not grant enough land to the state. McKay might have been referring to Walter Hickel, who had recently gone to Salem to ask to be nominated as governor of Alaska.[35] On January 7, after stepping down from a train at Washington, McKay told reporters that he did not oppose the admission of the North when it was ready. "But she is not ready under the bills I've seen in the past, which provided for 95 per cent of her land to be property of the federal government."[36]

For director of the Office of Territories, as the Division

of Territories and Island Possessions had become known in 1950, McKay selected William Strand Jr. Hugh Butler had recommended him as "loyal to the core, industrious and efficient"; he was also well acquainted with Alaska.[37] For thirteen years Strand had been a reporter and writer for Col. Robert McCormick's Chicago Daily Tribune. In 1948 he left the staff of its Washington bureau to become managing editor of the Fairbanks Daily News-Miner. In this position he proved to be a bellicosely partisan critic of the Democratic administrations at Washington and Juneau.[38] He also perpetuated the newspaper's opposition to statehood, although on instructions from its publisher, "Cap" Lathrop, rather than out of any personal convictions. After Lathrop died he remained with the newspaper until his three-year contract expired. During that time he prepared summaries of both sides of the statehood issue, which he discussed at some length with the new publisher. After leaving Fairbanks in 1951, Strand spent a short time in California and then returned to the nation's capital to become executive city editor of McCormick's recently acquired Washington Times-Herald. Finally, on May 1, 1953 he assumed the now upgraded post which Ernest Gruening had once occupied.[39]

Appointing a new governor was more problematic, since a horde of resident and nonresident politicians competed strenuously for the post. Indeed the selection of a nominee brought more grief to Secretary McKay than all other "department" appointments combined. On February 24 the announcement of a successor to Gruening was made. The new

governor would be Frank Heintzleman, assistant regional forester of Alaska from 1921 and regional forester since 1937, a man who had not applied for the job. In fact on November 21, 1952 he had written a friend: "...I really do not want the place. I prefer to concentrate during the next few years on the job of promoting the development of Alaska--which I regard as transcending everything else in respect to Alaska's future welfare, and it is a class of work for which I have, I believe, a better background than almost anyone else in the Territory." Restricted in what he could do by civil service rules, he hoped that the legislature would create a territorial post in which he could pursue such work, even if it paid only a dollar a year. "When working on this project, I don't want to be hampered by the political activities and the 'housekeeping' duties which necessarily are a part of the Governor's duties. Also, I have no background in dealing with political affairs."[40]

Having discouraged others from advancing his candidacy and having been inactive in the world of partisan politics, he was without political enemies. "It is probably safe to say," wrote one observer, "that any of the partisan groups would prefer Heintzleman to anyone else except their own candidate."[41] This factor, in addition to his good reputation, administrative experience, and Alaska residency, was a prime consideration in his appointment. Also he was trusted by business interests in Portland and Seattle, including Thomas Pelly and other members of the Seattle Chamber of Commerce, who knew him largely through his development efforts.[42] However, Douglas McKay

later told friends and associates that it was not he who had chosen the governor. Rather the forester "was recommended by others who sold the White House on the appointment." Certain members of Washington's Congressional delegation were particularly influential among these.[43]

Heintzleman was in many respects the opposite of his predecessor. Gruening was a gregarious man; Heintzleman was a bachelor who avoided socializing.[44] Gruening reveled in the role of politician, was articulate in speech, intellectually preeminent, and impetuous. Heintzleman was able and intelligent but possessed few political instincts and was prone to turn the other cheek. He had no inclination to campaign, to raise issues against the Democrats, or to defend the record of the Grand Old Party or any faction of it. Gruening inclined naturally toward leadership, if not domination; irrepressibly he plunged into controversy, often disregarding or even opposing the views of his superiors. Heintzleman, by contrast, was self-effacing and was not given to infighting.

The governor-designate was unable to take office immediately upon appointment, because Gruening refused to resign. The latter wanted to retain office until April 9, the end of his term, but expressed to McKay his willingness to cooperate and to familiarize Heintzleman with the office.[45] By the time he assumed the governorship, his ideas on statehood had already been indicated. At the hearing on his nomination, he told the Senate Interior and Insular Affairs Committee that while he looked forward to admission, it was still "a little

premature." During the next two or three years, Alaskans should direct their efforts toward the development of the North's natural resources instead. New industries could take up the slack when military spending leveled off or declined. With a larger permanent population and greater wealth, Alaskans would be better prepared to finance state government. In the meantime they should have an elective governorship.[46]

Heading the renamed House Interior and Insular Affairs Committee was Arthur Miller, a former physician and surgeon from Kimball, Nebraska. Had Fred Crawford not been defeated for reelection, he would have been chairman. In 1950 Miller had voted for Hawaii's admission but against Alaska's on the ground, he said, that a grant of only four sections of land per township was insufficient for viable state government in the North.[47] Fearing that Alaska would remain a territory while Hawaii was admitted into the Union, Clair Engle moved on March 3 to combine the two statehood bills. Miller ruled the motion out of order and was upheld 11-9. Walter Rogers of Texas then moved to return the Hawaiian bill to the Subcommittee on Territories and Insular Possessions, of which John Saylor, a Republican from Pennsylvania, was chairman, with instructions to forge combination; the motion was rejected 14-13. On both votes the committee divided along party lines. The strength of the two sides having been tested, the congressmen went on to report the bill for Hawaii 21-5.[48]

Just one week later the bill was debated on the floor of the House. Bob Bartlett was among those who spoke on its

behalf, an act for which he received "verbal drubbings" from his party's leadership. John Saylor admired him for doing so and promised to support the bill for Alaska just as vigorously as he had the one for Hawaii. Less effective in bridging the partisan gap was Arthur Miller, who adjured his colleagues not to be "quibbling over political advantages" at this "time for statesmanship." Clair Engle advocated recommittal, as did Minority Whip John McCormack and Minority Leader Sam Rayburn. Said the Texan: "...I will tell you something, Mr. Delegate from Alaska, if this bill passes the House today, Alaska is as dead as slavery for the rest of this session."[49] When Walter Rogers proposed recommittal formally, the motion failed 227-182. Voting for it were 15 Republicans and 166 Democrats; against it were 199 Republicans and 28 Democrats. The House proceeded to approve the bill 274-138: 177 Republicans and 97 Democrats teamed up to defeat 37 other Republicans and 100 other Democrats.[50]

In accordance with his promise to Bartlett, Saylor scheduled hearings on the Alaska statehood bills which he and the delegate had already introduced. They provided for a twofold increase in the basic floating land grant, to 40,000,000 acres, and eliminated the waiting period of five years required before the state could begin selecting its entitlement. Also, for the first time ever, the proceeds derived from the land would not have to be held in trust for the support of public education. The grant of land for community expansion and recreational purposes was also doubled, from 200,000 acres of

public land and 200,000 acres of national forest land to 400,000 acres of each. All of these changes on acreage stemmed from suggestions which Gruening had made to the delegate in March 1952. The provision for an additional 2,550,000 acres of public land for internal improvements was left unchanged. Finally, a grant of $50 million was provided for constructing and improving roads and harbors, building state mental, charitable, penal, and reformatory institutions, and surveying land granted to the state.[51]

When the hearings opened on April 14, James Douglas Jr., undersecretary of the air force, was the first witness to appear. He reiterated what he had already written the committee, namely, "that over a period of years, statehood may provide a more sound political and economic form of government, and that this would be of benefit to the Armed Forces by providing better communications and additional interior security forces. However, the immediate impact from a national-security standpoint would be of no great import because the military responsibility remains the same." This neutral stand was a retreat from the department's affirmative position during the Truman administration. It also contrasted with the recent endorsement which Secretary of Defense Charles E. Wilson had given to Hawaiian statehood.[52] Obviously the Pentagon was following the lead of the president.

More closely connected with Alaska affairs was the Interior Department. On April 11, when the committee still did not know whether someone would speak for Secretary McKay,

Miller wrote him: "Certainly your Department should be represented, and if you can't do anything but take a neutral stand that should be done. You can state you are studying the problem, or better yet, it could be given the support of the Administration if it meets with their approval." Miller chided the secretary for having "not handled this thing very well...." After all, it had been "absolutely necessary that we promise hearings on Alaska if we were to get the Hawaiian Statehood bill out of the Committee."[53]

McKay decided to testify himself. Appearing on April 15, he declared: "I believe in statehood for all people. I do not like to see people live in a colonial status." But whether Alaskans were ready to be self-supporting was a matter for Congress to decide. Having never been to the North, he offered no opinion on the matter. More to the point, he had not yet discussed admission with the president. Not knowing the administration's position, he did not know whether his department would submit an official report on the bill. Bartlett had chosen to equate "equitable" as used in the Republican platform with "liberal." McKay agreed with the committee that the state's land grant should be enlarged, but he did not believe that the federal government should play Santa Claus by giving Alaska $50 million. "I think you ought to start people out with an opportunity to develop themselves."[54]

With the exception of John Pillion of Lackawanna (suburban Buffalo), a freshman Republican, the congressmen were pleasant to the witnesses. Pillion had recently proposed that the

Constitution be amended to provide that no new state should receive even one senator until its population reached one-half of the average number of people represented by a senator from the other states; in 1950 this amounted to 794,646. A new state would receive a second senatorship only when its population reached one and one-half times the average population represented by a senator, 2,383,938 in 1950.[55] Would Alaskans regard as fair the proposition that their state accept reduced Senate and electoral college representation in consideration of its small population? Pillion asked. Bartlett replied that they would not; the North ought to be admitted on the same basis as the existing states.[56]

Pillion was answered also by Robert Atwood and Howard Pollock. Atwood told the subcommittee that statehood would result in the opening of Alaska's lands to settlement and development. When the New Yorker pointed out that Congress could arrange for this without statehood, the editor noted: "Congress has always had the power, but being remote from Alaska and not knowing what to do with Alaska, and having conflicting stories constantly presentd [sic] on what ought to be done, Congress has solved most of the problems by doing nothing." Pillion responded: "You may be right. I do not know." Howard Pollock, whose own homestead patent had arrived some two and one-half years late, believed the proposed grant of 43,350,000 acres to be adequate; the area exceeded that of any of thirty states. If Pillion's amendment were applied to the existing states, thirteen would lose one of their

senatorships and another thirteen would lose both.[57]

For the past few years Mildred Hermann had served as the Alaska Statehood Committee's expert on finances. She had charmed the members of the Senate Interior and Insular Affairs Committee in 1950 and now did the same with the men of the House. In contrast with the situation in 1947, she was able to present a balanced budget. The appropriations just approved by the territorial legislature totaled, on a yearly basis, $12,185,071.62. The tax commissioner had estimated that revenues would be $14,331,000 for each of the two years. Moreover, by March 31, 1953 the territory had accumulated $4,269,471.41 in earmarked funds and $8,246,080.77 in its general fund. Doubling the two-cent per gallon gasoline tax would bring in an additional $1,250,000, and raising the three-cent per pack cigarette tax to five cents would yield $500,000. Reimposing the modest territorial real estate tax which the legislature had just repealed and levying a severance tax on mining were other sources of potential income. If Mildred Hermann's new estimate of $6,799,000 as the net cost of statehood were not too low, the state would be able to afford it. The figures appeared nearly as convincing to Arthur Miller as they were reassuring to John Saylor.[58]

Last among the twenty-two witnesses was Ernest Gruening, who had flown eastward with his wife upon relinquishing office. He reiterated his thesis that the territory had been neglected and that Alaskans, although able to win their battle with nature, had been frustrated in the "more difficult struggle

with long-range bureaucracy." To the amusement of his audience, and while Miller happened to be gone, he told the congressmen the story of how Nebraska had gained admission. Fewer people had voted on whether to ratify that state's constitution than had voted in Alaska's referendum of 1946. Moreover, the 100-vote majority by which the constitution was approved had been fraudulently obtained. The story was not irrelevant, he said, in view of the fact that the Nebraskans who headed the committees on Interior and Insular Affairs had "hitherto" opposed statehood. "...I do not think it is fair to erect standards for us that are so much higher than those that have been observed in the past."[59] Although Gruening did have a point, it should be remembered that women were not enfranchised in 1868.

Nine days after the hearings, the committee sat down to discuss a resolution formally admitting Ohio into the Union retroactive to March 1, 1803.[60] Its passage would, Rep. George Bender told his colleagues, "end the sleepless nights of many historians who are getting hysterical about the" fact that Congress had overlooked the detail. Bartlett raised questions about whether Ohio could afford statehood, whether its people actually wanted it, and whether the subcommittee should not go there to study the matter firsthand.[61] Nevertheless in spite of any lingering doubts, the appropriate joint resolution was reported affirmatively, passed by both houses of Congress, and approved by the president on August 7.[62]

Having reported two statehood bills already, the

subcommittee began on April 27 to deliberate Saylor's bill for Alaska. During the next two and one-half weeks, twenty-three amendments were adopted. One of them concerned United States military and Coast Guard installations in the state, over which the Defense Department had wanted exclusive jurisdiction. Working with the Defense and Interior departments, Saylor had arranged for the state of Hawaii to exercise what amounted to concurrent jurisdiction over such bases in the Islands unless Congress should specifically assume exclusive jurisdiction. The same provision would apply to Alaska. Also the subcommittee reduced the $50 million cash grant to $15 million, a sum small enough to pass the eye of the interior secretary but large enough to compensate the state in part for the failure of the federal government to survey the land to be granted.[63] The Bureau of Land Management had informed Bartlett that the minimum cost of surveying 20 million acres was about $5 million.[64]

Although noteworthy, these amendments paled beside one dealing with the land grant. As usual Arthur Miller sought the transfer of half of the public domain to the state.[65] He contended that it would really need the acreage but might also have hoped, like Hugh Butler, thereby to generate opposition to the bill. Miller, a conservative who seldom voted contrary to his party's leadership, had made other ambivalent proposals concerning Alaska.[66] For example, in 1947 he had suggested the possibility of partitioning the territory. More recently he had introduced an elective governorship bill and raised the

question of holding a new referendum on statehood.[67] These proposals, although not necessarily antagonistic to statehood, had also been advanced by individuals who wanted to delay it.

Ultimately the subcommittee decided to enlarge the basic floating land grant from 40 million acres to 100 million, nearly the size of California. The Bartlett and Saylor bills imposed no time limit for selecting the grant, but the subcommittee, feeling that "private development and enterprise" would thereby be inhibited, restricted the privilege to twenty-five years.[68] The 100-million acre grant was a sort of compromise between the Miller proposal and the 20-million acre provision of the Senate.[69]

Whatever selections the state might make would have to be surveyed, classified, appraised, and auctioned at state expense. Until the land was sold, the state would be responsible for the cost of fire fighting and other responsibilities of management. Then too, as the public domain in Alaska diminished, the amount of money the state would have to raise to obtain each dollar of federal-aid highway funds allocated to it would increase. This last consideration, especially, worried Bartlett. He commented a short time later: "we can do with much less than 100 million acres if we can get suitable land." As Richard Cooley noted in 1967, land ownership would cost the state "at the very least" ten to twelve cents per acre per year.[70]

Besides this immense floating grant, Alaska would receive 2,550,000 acres of other public lands for internal improvements, as well as 400,000 acres of national forest land and 400,000

acres of public land for establishing and expanding community centers and recreational areas. This 103,350,000 acres of land equaled about 28 percent of the landmass of Alaska, or about ten sections out of every thirty-six. By agreeing to so generous a patrimony, the subcommittee ended most complaints that the terms of the bill were inadequate and seemed to meet the Republican requirement of an equitable enabling bill. On May 15 the congressmen voted 12-5 to order it reported; Arthur Miller was on the side of the majority. Eight days later the bill passed the full committee 19-4.[71]

Thus far the voyage of the enabling bills in the House had been relatively smooth. But then, the Alaska statehood bill had never encountered storms of opposition in the House committee to which it had been assigned. It was the Senate Interior and Insular Affairs Committee which had behaved unpredictably. It did so again in 1953.

Notes

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3. Denver Post, September 17, 1950.

4. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, p. 514.

5. Porter and Johnson, National Party Platforms, p. 486; U.S., Congress, Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 3070.

6. Anchorage Daily Times, July 24, 21, 1952, October 14, 1955.

7. Ernest Gruening, The Battle for Alaska Statehood (College: University of Alaska Press, 1967), pp. 13-14.

8. Ketchikan Alaska Chronicle, August 11, 1952.

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10. ADT, August 28, September 10, 1952; U.S., Congress, House, Committee on Interior and Insular Affairs, Hawaii-Alaska Statehood: Hearings on H.R. 2535 and H.R. 2536, and H.R. 49, H.R. 185, H.R. 187, H.R. 248, H.R. 511, H.R. 555, and H.R. 2531, 84th Cong., 1st sess., January 25-February 16, 1955, p. 482.

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12. Congressional Quarterly Almanac 9 (1953): 27.

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16. Alaska, Legislature, House, Journal, 1953, pp. 48-49.

17. Alaska, Alaska Statehood Committee, "Meeting of the Joint Special Committee on Statehood of the Alaska Territorial Legislature," January 29, 1953, pp. 55, 68, 96, 113-114, Alaska Historical Library.

18. House, Journal, 1953, p. 45.

19. Ibid., pp. 268, 446-447.

20. Senate, Journal, 1953, pp. 886-887.

21. KAC, March 26, 1953.

22. Copy, Heintzleman to Henry W. Clark, July 14, 1953, Papers of Hugh Butler (MS 2331), box 225, folder 40--Alaska Statehood, 1953, Nebraska State Historical Society, Lincoln.

23. House, Journal, 1953, pp. 176, 328, 288, 228, 254, 411-412; KAC, February 7, 1953; Senate, Journal, p. 275.

24. Daily Alaska Empire (Juneau), March 2, 1953.

25. ADT, September 5, 1956.

26. FDNM, January 5, 1953.

27. U.S., President, Public Papers of the Presidents of the

United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-1961), Dwight D. Eisenhower, 1953, p. 27.

28. House, Journal, 1953, p. 157.

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30. A. Robert Smith, "Washington Runaround: Alaskan Statehood," Reporter, December 27, 1956, p. 22.

31. Interview with Ernest Gruening, Washington, D.C., April 3, 1972.

32. House, Congressional Record, 84th Cong., 2d sess., 1956, 102, pt. 3: 4103.

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34. Telegram, McKay to Butler, March 25, 1950, Butler Papers, box 220, folder 40--Alaska and Hawaii Statehood.

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37. Butler to McKay, July 9, 1953, Papers of Douglas McKay, box 35, folder BU-BZ, Special Collections Division, University of Oregon, Eugene.

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53. Miller to McKay, April 11, 1953, McKay Papers, box 41, folder MF-MJ.

54. Hearings on H.R. 20, pp. 71-73, 67.

55. 83d Cong., 1st sess., H.J. Res. 199, February 23, 1953; Hearings on H.R. 2535, p. 313.

56. Hearings on H.R. 20, p. 64.

57. Ibid., pp. 91, 126, 119, 123.

58. Ibid., pp. 189-191, 187, 185, 194, 192.

59. Ibid., pp. 207-208, 211-212.

60. Congressional Record, 83d Cong., 1st sess., 1953, 99, pt. 9: A1266-A1267.

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65. Copy, Bartlett to Pollock, December 16, 1953, Bartlett Papers, Statehood File, box 10, folder Correspondence, General, July-December 1953.

66. Interview with George Gerdes, executive director, Nebraska Legislative Council, Lincoln, April 13, 1972.

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Chapter 15

Coupling the Enabling Bills

1

When the Senate convened in 1953, it was divided into forty-nine Republicans and forty-seven Democrats. As a result the statehood issue was colored by partisanship from the beginning. On January 7 Guy Cordon of Oregon introduced a Hawaiian statehood bill for himself, seven other Republicans, seven Democrats, and Wayne Morse, a Republican in transit to the Democracy. Immediately thereafter James Murray of Montana introduced an Alaska statehood bill for himself, thirteen other Democrats, and Wayne Morse; no Republicans joined in sponsoring it.[1] Since Republicans controlled the Senate, the Hawaiian bill received prior consideration. Not until May 12, however, was the full committee ready to vote on approving it. Even then approval was delayed.

In a surprise move Clinton Anderson proposed: (1) that the committee attach the bill for Alaska, on which the committee had yet to hold hearings, to the House-passed bill for Hawaiian statehood, and (2) that the committee hold hearings on the combined bill.[2] Although eight Republicans and seven Democrats sat on the committee, the motion passed by one vote. Siding with the Democrats was George Malone of Nevada, to whom party solidarity meant almost nothing.[3] His chief reason for holding up Hawaii was that "this nation never has granted statehood to

any noncontiguous territory; and it is not conceivable at this time that we could ever have a homogeneous people through the acceptance of areas widely separated from the mainland...."[4]

Since 1932 the Republicans had held a majority of seats in the United States Senate during 1947-1948 and 1953-1954 only. Perhaps for this reason they pressed their advantage more fiercely than the Democrats whenever they had the opportunity. If Hawaiians should elect two Republicans to the Senate, the GOP might retain control for as long as the rest of the decade. Clouding the prospect was the increasing strength of the island Democrats. Republicans had held its delegateship during forty-six of the past fifty-four years, but their margin of victory had dwindled from 50,805 in 1948 to 9,303 in 1952.[5] If the trend persisted and Hawaii became a state, its people might elect only one Republican to the Senate. If in addition the state of Alaska elected two Democrats to that body, the Republicans would suffer a net loss, if not in 1954 then in 1956. The stakes were too high for the GOP to treat Alaska equally.

2

Pursuant to the Anderson motion, hearings were held at Washington during June 29-July 11 on the Hawaiian part of the Hawaii-Alaska statehood bill. Hearings on the Alaska part were conducted in the North during August 17-25. Hugh Butler had been planning another trip there since at least as early as the middle of April.[6] Encouragement had come from Ernest Gruening in a letter of March 9. Few senators on the committee had ever

been to Alaska, he noted, and Butler himself would be impressed by some of the changes of the previous six years. Frank Heintzleman was much less eager for a visit. On July 16 he wrote Butler: "The old Statehood Committee under the direction of the ex-Governor can be expected to organize a program and pay the travel expenses of dozens of witnesses to the hearings everywhere." On August 1 Heintzleman suggested, in another letter to the senator, that Gruening, Sundborg, Atwood, Hermann, and others who "have already had their say many times in the Washington hearings" be excluded from testifying.[7] On August 6, apparently in response to the suggestion, the committee clerk announced that no one who had previously testified on statehood before the senators would be allowed to do so this time.[8]

Butler hoped that the anti-statehood camp would make a respectable showing but worried a little as the date of the hearings approached. He wrote Winton Arnold: "I am going to have Strand with me, and we will try to handle it so that it will do the least damage and, I hope, may do some good."[9] Also to accompany the chairman were Frank Barrett, his Republican colleague from Wyoming, and four Democrats: James Murray, Clinton Anderson, Earle Clements of Kentucky, and Henry Jackson of Washington. George Smathers, who in 1952 had complained of no opportunity to hear and interrogate witnesses, did not join them. Bob Bartlett did, at the committee's invitation, and so did Riley Allen, editor of the Honolulu Star-Bulletin.[10] The newspaper, Hawaii's largest, was owned by Joseph Farrington.

The inquiry being launched was popularly known as the

"Little Man" hearings. The term originated from a statement which Butler had made at Omaha on April 3: "We are going to get the reaction of the little people, not just a few aspiring politicians who want to be senators and representatives." The Ketchikan Alaska Chronicle, which regarded Butler's 1947 investigation as having been "productive of nothing at all constructive," suggested that the committee could better devote its time to inquiring into the causes of the decline of the fishing industry. Irritated by the editorial, Butler retorted at Seattle that "nobody has a right to call me an opponent of statehood for Alaska." After all, he had changed his views on the admission of Hawaii. "I am going to Alaska with an open mind to listen and learn." Joe Townsend, twice president of the AFL Central Labor Council of Alaska, criticized the hearings on different grounds. If the committee wanted to meet the "little fellow," why did the chamber of commerce arrange to hold the investigation on Monday morning, "when the little fellow is hard at work." It should have been scheduled for Sunday afternoon or evening.[11]

Regardless the senators were well received in the territory. Robert Atwood, Ernest Gruening, and George Sundborg did not testify, but others emerged to fill their places, including Dorothy Gruening, "housewife." So numerous were the witnesses, in fact, that most were restricted to ten minutes each and the committee scheduled extra sessions. In all, 127 people addressed it in person, some with considerable emotion. At Juneau, for instance, Jerry Wade, a freshman at Notre Dame

University, became choked with tears seeing "that American citizens had to come here and get down on their knees and plead for the right of complete citizenship." Clinton Anderson was so affected that he got up and walked over to the boy, telling him that his own son was the same age and that he understood how Wade felt.[12]

Upsetting the senators even more was Margaret Rutledge, the Republican committeewoman of the Third Division. Earlier that year she had flown to Washington to attend the inauguration of President Eisenhower. Breaking down in tears, she told the senators of her humiliation and indignation then at having had to pass through customs at Seattle. What made her treatment seem the more poignant was that she had gone to the capital by official invitation.[13] The inspection requirement, which was new for Alaskans, had been provided for in the Immigration and Naturalization Act of 1952.[14] Aliens traveling to the states from Hawaii, Puerto Rico, the Virgin Islands, and Guam had long been examined for undesirability. To determine who was an alien, customs officials checked all entrants. Few aliens entered the states through Alaska, but the requirement was applied to the North anyway on the ground of uniformity.[15] Alaskans never became reconciled to it. As late as 1958 Robert Atwood advised his readers to offer as identification their permits, obtainable for the asking, to use the Anchorage garbage dump. He did so himself, successfully on three attempts but unsuccessfully on the fourth.[16]

Although he stressed his openmindedness, Butler endeavored

to "provoke some thought" among his listeners. At Ketchikan he noted that a great many Alaskans received their paychecks from the federal government. Gasoline taxes would have to be raised from two cents per gallon to over ten, he estimated, to finance road construction under statehood. At Fairbanks and Anchorage he suggested that federal aid of the type which the territory was receiving under the Alaska Public Works Act of 1949 might terminate upon admission. Under this important law the federal government was paying 50 percent of the cost of a $70 million program for the construction of roads, schools, utilities, and other public projects. In fact, the senator estimated, state government would cost 65 to 100 percent more than territorial government. At Anchorage, where about one-half of the classified federal employees in Alaska lived, he stated his belief that the 25 percent cost-of-living allowances they were paid also probably would be discontinued.[17]

Whether these threats were real or imagined, a parade of witnesses gave evidence that Alaska had both the means and the people to meet the costs of statehood. Ralph Browne, assistant general manager of the Alaska Development Board, surveyed in a lengthy but extemporaneous particularization the numerous and varied mineral deposits being investigated or developed in Alaska by American and foreign corporations. And several substantial businessmen told of concrete financial reasons contributing to their desire for admission. Of these Stanley Tatoms, a Fairbanks machinery distributor, was perhaps the most impressive. He related to the senators that W. A. Roberts,

then president of Allis-Chalmers, had once implored him as a friend and associate not to set up business in Alaska. Asked why, Roberts had replied: "Because it is a Territory. It isn't any good." Many manufacturers' and distributors' contracts specified that the shipper would prepay freight charges to a state. In most cases the practice was not extended to a territory, partially, no doubt, because of distance. Less attributable to distance, however, was the fact that manufacturing concerns which customarily extended credit in the states often required payment before shipping goods to Alaska. Such conditions, Tatoms and others hoped, would end with the advent of statehood.[18]

Edwin Suddock, an Anchorage wholesale grocer, complained of the charges made by Alaska's banks for cashing checks. Two weeks earlier he had received a check for $20,000 drawn on a bank in Fairbanks. Of that amount Suddock's bank in Anchorage deducted one-half of 1 percent to transfer the funds from Fairbanks to Anchorage and one-quarter of 1 percent to send them from Anchorage to the states. After Alaska entered the Union, its national banks would be required to join the Federal Reserve System; when they did, they would be compelled to cease charging for the collections they made from other banks. Bankers also had complaints. Elmer Rasmuson, brother-in-law of Robert Atwood, told the senators that development capital would be easier to secure after the attainment of statehood. For example, insurance companies declined to invest in the North in any mortgages not federally guaranteed. "We have been informed

by one of the national insurance companies that when Alaska is a State, they will feel more reliance in loaning in our area." In some states, he said, trust and savings banks were not permitted to invest in the bonds of territories or their municipalities. Also much of the land inside and outside Alaska's towns was owned by the federal government. National banks were forbidden to lend to developers on such land, for it was held on short-term lease.[19]

Besides listening to and questioning the witnesses, the senators went on local tours and side trips and attended public receptions and dinners. By the time they arrived at Fairbanks, they were so fatigued that Butler begged off speechmaking for them.[20] Rest finally came on Saturday at cloudy Mount McKinley National Park. The next day, though, they boarded a special train for Anchorage. Despite the rain which was falling when the train entered the station there, the senators were greeted by a crowd of people holding statehood banners, Alaska flags, and Little Man signs. Betty Orrick and the Daughters of the Pioneers sang "I'm a Little Man for Statehood," and a representative of the Little Man's Club gave each of the senators an ivory Billiken and a bouquet of forget-me-nots, Alaska's flower.[21]

The Little Man's Club had been formed earlier in the month when a group of like-minded residents met at the office of Roger Cremo, an Anchorage attorney. "We're neither non-partisan nor bi-partisan," said one of them. "We're just people who want statehood and want to show that we want it." Methods

of doing so included greeting the senators at the station, appearing at the hearings, displaying statehood signs in store and house windows, and wearing statehood tags in hatbands and on lapels. They also included printing and distributing 5,000 handbills on why the little man wanted statehood and obtaining 3,129 signatures on a petition for it.[22]

When the hearings opened the following morning, the senators found that "Statehood Day" had arrived. August 24 had so been designated by official proclamation of the mayor. At Carpenters Hall, where the hearings were held, a fifty-star American flag hung behind the table where the senators were seated. Butler was presented the petition calling for immediate statehood, as well as a list of seventy-two people wanting to testify. They represented the chamber of commerce, the two major political parties, labor unions, community clubs, other groups, or just themselves. About twenty were members of the Little Man's Club, and all but one supported statehood.[23]

At Ketchikan two individuals had spoken against admission, at Juneau six, and at Fairbanks three. One raised his voice at Anchorage. He was Al McCuen, freight service inspector for the Alaska Railroad and the only individual ever to testify against statehood before any Congressional committee at Anchorage. When someone in the audience began to heckle McCuen, Clinton Anderson reminded the person that Senator Butler had been very fair in listening to both sides and that he should do the same. McCuen presented a petition of his own signed by some individuals who felt that Alaska could not yet afford statehood.

He did not want to have to eat beans, he said; he preferred to eat moose steak. When the witness turned from talking about the cost of statehood to criticizing the Alaska legislature, which he described as wrongheaded and immature, the audience quickly warmed to him. Soon he was receiving applause and no longer felt like "the wise minnow with a bunch of barracudas."[24]

As the hearings drew to a close, Senator Butler invited anyone who had not had an opportunity to testify to mail his statement to Washington; the committee would include it in the record. But "give us something new other than just that you are in favor of statehood. We know that now." Except for Butler, the senators then boarded a plane for Seattle. The chairman spent three days visiting the Valdez-Cordova-Copper River country, the Matanuska-Eklutna area, and the Kenai Peninsula before returning to the states.[25]

From then until Congress reconvened in January, the statehood crystal grew more complex as the scene shifted around the country. First came contradictory reports on Butler's current attitude toward statehood. A week and a half after leaving the territory, the senator was interviewed in his hometown. "I have convinced the rank and file in Alaska that statehood should not come at this time," he told a reporter. "Most of the clamor for statehood is coming from politicians who want to run for office....When we pointed out the obstacles, most of the people agreed they should wait a while." Later when Clinton Anderson, Earle Clements, and Frank Heintzleman contradicted him, Butler admitted that he had been quoted

correctly but said that his statements had been misinterpreted. He agreed that the majority of Alaskans unquestionably wanted statehood. In November Robert Atwood visited the senator at Omaha. "He asked me to report," the editor told a meeting of the Alaska Statehood Committee some days afterward, "that he is for statehood, but that he cannot push for enactment of a bill that doesn't give the state enough of its natural resources." The senator declined to define "enough," not wanting to "push his ideas on Alaskans."[26]

The second significant development after the hearings concerned the combining of the two statehood bills which Anderson had effected in May. Butler predicted that a bill for Hawaii alone would be passed by Congress and that one for Alaska would follow.[27] His prospects for success soared on December 21, when Russell Long announced that he would support statehood for Hawaii.[28] Although Democrats soon branded his change of mind as the "Third Louisiana Purchase," Long said that he had made no political deal with Republicans.[29]

The third development of the Congressional recess related to Republican politics in Alaska. Through most of 1953 the Anchorage Republican Club had been run by the conservative faction of E. Wells Ervin, an ally of Al White, who dominated the party in Alaska through his control of the party's central committee. On December 15 several "liberal" factions, including Walter Hickel, J. C. Morris, Elmer Rasmuson, and Fred Axford, combined to overturn the leadership of the club by electing Hickel as its new president 65-11. As Ervin was a

steadfast supporter of Heintzleman, the victory represented in large measure the failure of the governor to unite either the party or the public behind him. Indeed the nucleus around which the victorious coalition coalesced was a letter critical of the governor. A few days after Hickel's election, it was published in the Anchorage Daily Times. Signed by eighteen members of the new majority, the letter informed the governor that they were "displeased with the present administrative program and policies of the territorial government." Chief among the complaints was Heintzleman's apparent lack of interest in statehood, his neglect of the Westward in favor of the Panhandle (rectifiable by replacing Bob De Armond, his executive assistant, with "a progressive man from the railbelt"), his failure to assert himself against stateside interests allegedly controlling territorial affairs, and his inability to secure more federal funds for Alaska.[30] In part the letter reflected the continuing pique of Hickel, Morris, and Rasmuson at having been passed over for the governorship. Having failed to gain the administration's favor, this "Board of Disappointed Governors," as Fairbanksan Dan Lhamon referred to the group, had little reason to lend it support.[31]

Years later, in analyzing this aspect of the group's action, William Strand wrote: "...a great deal of the emotion that the statehood issue aroused was really a manifestation of the anger and frustration of many Alaska Republicans over the failure of the election victory to yield any immediate or visible reward or advantage to them. They had lived for 20

years under a Democratic national administration and seen all the federal jobs in the Territory filled by Democrats. And with Gruening artfully pulling the wires the bulk of the Territorial jobs had also gone to the Democratic faithful. In their naive, inexperienced way the Alaska Republicans assumed it was now their turn to take over all those jobs. The only trouble was there weren't all that many jobs. A lot of them had been blanketed under civil service during the years of Democratic rule. But when Republicans saw these Democratic job holders blissfully continuing at their work while they were scratching around trying to find patronage appointments it only infuriated them the more. For every job that was available to the GOP there were probably a dozen or 20 applicants. The jealousies, the bitterness, the savage infighting that went on was unbelievable. And of course, for every appointment that was made, many disgruntled and resentful Republicans were created. Also, the Republican administration in Washington was painfully slow in making appointments. The national patronage dispensers were confronted by a divided Republican Party in the Territory and by a mass of applications for the jobs they had to give out. Also, under Eisenhower, the lowliest federal appointment required a full field investigation which is time consuming but also added more fuel to the fire because it gave the Alaskans the opportunity to talk about their fellow Alaskans to the FBI, and talk some of them did, reaching back years to tell tales about those up for jobs."[32]

3

On January 8, 1954, after holding a short hearing on Hawaiian statehood, the members of the Senate Interior and Insular Affairs Committee declared unanimously that their public hearings on statehood were concluded.[33] Five days later, on the motion of Senator Long, the committee began to "perfect" the Hawaiian statehood bill which Guy Cordon had introduced about one year earlier. This was not, of course, the bill which the House had passed and to which the provisions of Senator Murray's bill for Alaska statehood had been appended. Senator Anderson therefore gave notice to the committee that he would later move to add the provisions of Murray's bill to Cordon's bill.[34]

On January 16 Hugh Butler wrote a highly confidential letter to Frank Heintzleman. The senator had become convinced during his recent trip through the territory that "a large majority of Alaskans are strongly in favor of immediate Statehood." Since then he had learned about the letter which Hickel and other Anchorage Republicans had written the governor. Much of the difficulty derived, Butler felt, from Heintzleman's opposition to immediate statehood. "It is an age-old principle of government," he continued, "that any political leader must express and reflect the aspirations of his people, even though he may have some personal doubts." In the interests of commanding popular loyalty and ensuring continued Republican control of the legislature, "you might therefore very appropriately take the lead in the Statehood fight for Alaska."

Not just Butler but also William Strand felt this way. "In fact, he is taking the subject up within the Department and elsewhere in the administration, and is confident that he can work it out [with] the Secretary. There are times when it may be necessary for a man in your situation to take a position which appears not to be exactly the same as that of your superiors."[35]

Butler informed the governor that he planned to make a surprise announcement on January 19. "I am not going to go overboard on the proposition, but I plan to remove myself as an obstacle [to Alaska statehood]." If Heintzleman agreed with the ideas set forth in the letter, it was imperative that he also come out for statehood. But "you MUST DO SO ON MONDAY, JANUARY 18, BEFORE I DO." A telegram on or before that date urging the committee to report the bill would be an appropriate means.[36] On January 18 Heintzleman did as Butler suggested; he sent a message to Secretary McKay urging that he exert his influence to get the bill out of committee and onto the floor of the Senate as soon as possible. "A majority of the people of Alaska favor statehood under equitable enabling legislation and are anxious to know what Congress is prepared to offer."[37]

What had brought Butler to this change of mind? During their tour of the territory, he and Frank Barrett had talked with a good many Republican leaders. From these conversations both senators had become convinced that despite the Republican triumph in 1952, no "more than a handful of Republicans could be elected to office if a determination was held now." Upon

returning to the states, Butler wrote Leonard Hall, chairman of the Republican National Committee, that he would soon recommend certain political appointments which the administration ought to make promptly. "Of course, the elected delegate from there does not vote, but, frankly, we have got to look after them a little bit because it is not going to be too long before they have statehood." Butler felt certain that when Hawaii was admitted into the Union, Alaska would not be far behind. In a similar vein he wrote Assistant Secretary of the Interior Orme Lewis: "We have a very weak party setup in Alaska. If it goes Republican in November 1954, it will be because of work that you and Bill Strand and some of the rest of us can do in the meantime. We must definitely get something done to the credit of the Party."[38]

Politically secure in his own state, the Nebraskan had long shown interest in the politics of the North. Had he come out for statehood while Ernest Gruening was governor, the Democratic party would have reaped the benefit. Now Gruening was out of office; he maintained as his domicile a summer cabin at Eagle River Landing, twenty-four miles north of Juneau, but spent much of his time in Washington and on the lecture circuit. Expecting that Alaska would soon receive statehood, Butler seemed to be trying to obtain for the Republican party of Alaska credit for its accomplishment under favorable terms. Besides, he wrote William Knowland, the territory actually was "ready for Statehood, under the right kind of an enabling act. ...Many residents of Alaska who formerly opposed statehood have

confirmed my own judgment in this respect."[39]

In spite of Butler's unexpected conversion, Clinton Anderson was not mollified. He moved that Senator Murray's Alaska statehood bill be attached to the Cordon bill for Hawaii. Unless this were done, he feared, the Alaska bill would languish in the Rules Committee or face a veto by the president. To the surprise of both Butler and Long, the motion passed by one vote. This time it was not just George Malone who jumped the traces but also Henry Dworshak of Idaho. Anderson had quietly persuaded him to vote for the "shot-gun wedding." After order returned to the committee room, the senators agreed unanimously to report the package to the Senate. First, however, title II, as the provisions of Murray's Alaska statehood bill were known after being appended to the bill for Hawaii, would be perfected in subcommittee.[40]

The committee also agreed to a series of amendments proposed by Anderson, the most important of which would grant the state, for road construction, $48 million in declining amounts over a six-year period, and for maintenance, $30 million, also in declining amounts, over a fifteen-year period. As a result the $15 million which the House Interior and Insular Affairs Committee had authorized for harbors, land surveys, and roads would be restricted to the first two purposes only. The fourth amendment dealt with the mentally ill receiving care or treatment at public expense at the time that statehood would be proclaimed. The House committee had provided that the federal government should continue to pay the

cost of caring for them up to five years after admission. Anderson proposed that the obligation be extended indefinitely.[41] The Interior Department had requested $784,600 for their care and treatment during fiscal 1955.[42]

4

The task of perfecting title II was given to Guy Cordon's Subcommittee on Territories and Insular Affairs, which proceeded to conduct hearings, with Bob Bartlett participating, on all but three of the thirteen days from January 20 through February 4. Officials of the Interior and Defense departments were called in to justify the size of their reserves and withdrawals. What the subcommittee wanted to ascertain was whether an unspecified grant of 100 million acres of public land would be of value to the state. As Clinton Anderson put the matter, "we ought not to give Alaska just the remains after everybody else has picked it dry." At the same time he was irritated with the Alaska Statehood Committee for having failed to suggest further desirable changes in the bill and supply him with implementing language. Also appearing before the senators was Frank Heintzleman, who had just begun an approximately four-month sojourn in Washington. The senators wanted to avail themselves of his unequaled knowledge of Alaska's forests and, of course, to learn his current views about statehood. On the latter subject the governor told the senators that rapid economic strides had been made in the North. This development, combined with the recently adopted Anderson amendments, made him think that the state could get through its "critical

period." If the amendments were enacted, he said, statehood would be a feasible proposition.[43]

On the same day that the governor testified, the full committee reconsidered its vote on combining the enabling bills. This turn of events came when Henry Dworshak again changed his mind. This time he had been influenced by Butler and Cordon, who assured him that the bill for Alaska would be reported within thirty days if it were separated from that for Hawaii. William Knowland, who had replaced Robert Taft as majority leader after the latter's death in 1953, also contributed to Dworshak's change of mind.[44] A long-time supporter of statehood for both territories, Knowland was in a position to promise action on Alaska. Thus when the committee met on January 27, the decision to combine the bills was reversed. Following this the senators voted 12-3 to report Cordon's Hawaiian bill immediately and to vote on Murray's Alaska bill no later than February 4.[45] When February 4, arrived, the latter was approved 14-1; Russell Long was alone in opposing it. "I simply don't think the territory is sufficiently developed to warrant statehood," he told a reporter. The interest of George Malone, George Smathers, and Price Daniel of Texas in getting the bill onto the Senate calendar was worthy of note; all three had voted against admitting Hawaii.[46]

Although the Alaska bill had now been approved, it was not yet in condition to be reported. Numerous amendments had been agreed to which needed to be considered carefully and drafted in legal language. This task, too, was given to the

subcommittee, although it was assumed in the main by Cordon, Anderson, and two committee staff members.[47] Four of the amendments were of enduring importance. First, like the members of their counterpart committee in the House, the senators raised the primary floating land grant to 100 million acres. At the same time they required that all selections be made in reasonably compact areas of at least 5,760 acres (nine square miles) unless isolated from other eligible tracts. Unfortunately the provision was applied also to the 400,000 acres of public land and 400,000 acres of national forest land to be used for community and recreational purposes. The result was a limitation on the number of towns which could qualify for such grants and the necessity for them to apply for more acreage than they needed.[48] A twenty-five-year limitation was imposed on the selection of the 2,550,000 acres of internal improvement grants.

Second, any order of withdrawal revoked subsequent to admission was required to give the state priority for at least ninety days to select the land as its own. This right could be exercised only where it would not supersede "prior existing valid rights" or "equitable claims subject to allowance and confirmation."

The third major change of lasting importance related to the Submerged Lands Act of 1953, which established a state's title to offshore lands as far seaward as its historic boundaries. For Gulf Coast states this was 3 marine leagues (54,685 feet); for Atlantic and Pacific states, it was 3

geographical miles (18,228 feet).[49] Lest the courts interpret the act as applying only to existing states, the committee extended it explicitly to Alaska, as it had already done for Hawaii.[50] Since the Northland had a coastline of 6,640 statute miles (or a shoreline of 33,904 statute miles), an estimated 35 to 45 million acres would be added to its land grant.[51]

Lastly, the committee agreed with the Interior Department that the enabling bill was not the place to deal with aboriginal land claims. The determination of what these claims were and what should be done about them had, for all practical purposes, been deferred in the enabling acts of the thirteen most recently admitted states. But in stating its intent not to affect Native claims, the committee faced the danger of inadvertently creating rights where none had existed previously. If it were not careful, it could unintentionally tie up the development of the state for years and cloud existing land titles. This was true especially because of the uniqueness of the claims, based as they were not upon treaties but upon aboriginal use and occupancy. Guy Cordon rose to the need of the committee by expressing in masterfully unequivocal language that nothing in the enabling bill was to be interpreted as in any way authorizing, establishing, recognizing, or confirming the validity or invalidity of any such claims against the United States.[52]

While touring Alaska in 1953, Hugh Butler asked Robert Atwood if he would have been happy had the territory received statehood under the terms of the O'Mahoney bill of 1952. The

editor replied in the negative.[53] Now, however, the Times feared that this new bill for the "State of Utopia" might be too generous to pass.[54] Butler called it "a tremendous improvement over" previous ones, although he was disappointed that still more resources would not be transferred. "You can't tell what kind of shape it will be in by the time it comes to a vote," he said, "but right now, in its present form, I am supporting it."[55]

5

On the night of February 26, the Senate agreed to make Guy Cordon's Hawaiian statehood bill its pending business. Immediately Clinton Anderson moved to reunite James Murray's Alaska statehood bill with it as title II. Repeatedly during the following weeks William Knowland attempted to weaken Democratic support for the move by promising early consideration of Murray's bill separately. Authority to make the commitment had come from the Republican Policy Committee. In reply Anderson told the Senate that on January 19, 1953 the Senate Interior and Insular Affairs Committee had requested the Bureau of the Budget to file a report on the Alaska bill. To date none had been received. Also, for nearly nine months Representative Saylor's bill for Alaska had been kept on ice in the Rules Committee. As a result House members would probably have a chance to vote on the matter only if the Senate combined it with the Hawaiian bill. If it did, Henry Jackson noted, the issue would lie with the House and the president.[56]

Guy Cordon looked at the matter differently. Through

combination, he warned, each bill would "inherit the disabilities and opponents of the other, as well as keeping its own disabilities and opponents." Spessard Holland of Florida, a long-time friend of statehood for both territories, agreed, pointing out that it would serve the interests of those who sought to block admission. If the Senate defeated the Anderson motion and passed the Cordon bill, he said, the Islands would become the forty-ninth state. Combination would not only fail to help Alaska but would also hurt the chances of its sister territory. If the Anderson motion were approved, some statehood opponents had told him, the merged bills had an excellent chance of dying in conference committee.[57]

Hugh Butler was pessimistic about the chances for blocking Anderson's motion. In fact he had already told the president at a breakfast meeting that the Senate would probably approve it.[58] He was right. On March 11 the motion was debated and approved 46-43 by what came close to being a straight party vote. Forty-two of the forty-six affirmative votes came from Democrats, one from Wayne Morse, and three from Republicans. Against the motion were forty-one Republicans and two Democrats --Russell Long and Spessard Holland.[59]

Butler was "deeply disappointed." If the president had only reaffirmed his 1950 statement in Denver in favor of statehood, he wrote Knowland, or had taken a clear stand against Alaska, the motion might have been defeated. Regardless it was important that Republicans thenceforth "clearly and unequivocally support the combined measure. A statement from

the President to that effect, even now, would be of substantial help." If a filibuster should develop, Republicans ought "publicly call upon the so-called 'liberal' Democrats--those who voted to join with the idea of helping Alaska--" to hold round-the-clock sessions or even invoke cloture. "Such clear-cut action would not only enable us to salvage much of what we have lost with respect to Republican strength in Hawaii, but it would greatly strengthen the Party's position in Alaska. It would be very helpful, politically, with respect to the country as a whole. For I am convinced that the majority of Americans do favor statehood for both Territories."[60]

Eisenhower did not take the senator's advice. Statehood continued to be debated off and on until April 1, when the Senate completed action on the bill. As in 1952 Mike Monroney of Oklahoma introduced an amendment designed to head Hawaii and Alaska in the direction of commonwealth status rather than statehood. His effort was defeated 60-24. Another amendment for commonwealth status, put forth by George Smathers, was defeated 59-26. With no other amendments proposed, Senator Knowland asked, and in a short time received, unanimous consent to discharge the Senate Interior and Insular Affairs Committee of the House-passed Hawaiian statehood bill. All of its language after the enacting clause ("Be it enacted by the Senate and House of Representatives of the United States in Congress assembled") was stricken; in its place was substituted Guy Cordon's bill for Hawaiian statehood and, as title II, James Murray's bill for Alaska. In this form the bill cleared

the Senate 57-28. Voting against it were only nine Republicans and nineteen Democrats; of the latter, all but Edwin Johnson of Colorado and Pat McCarran of Nevada were from southern or border states.[61] It was the first time that statehood for either of the territories or for both of them together had ever passed the upper house.

Notes

1. 83d Cong., 1st sess., S. 49, S. 50, January 7, 1953.

2. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Statehood for Hawaii: Hearings on S. 49, S. 51, and H.R. 3575, 3 pts., 83d Cong., 2d sess., January 13-19, 1954, pt. 3: 654.

3. Fairbanks Daily News-Miner, May 12, 1953.

4. Ketchikan Alaska Chronicle, June 1, 1953.

5. Hearings on S. 49, S. 51, and H.R. 3575, pt. 3: 661; copy, Russell Long to Lyndon B. Johnson, February 8, 1955, E. L. Bartlett Papers, Statehood File, box 11, folder Correspondence, General, February-March 1955, Elmer E. Rasmuson Library, University of Alaska, College.

6. U.S., Congress, House, Subcommittee on Interior and Insular Affairs, Statehood for Alaska: Hearings on H.R. 20, H.R. 207, H.R. 1746, H.R. 2684, H.R. 2982, and H.R. 1916, 83d Cong., 1st sess., April 14-17, 1953, p. 111.

7. Gruening to Butler, March 9, 1953, Heintzleman to Butler, July 16, August 1, 1953, Papers of Hugh Butler (MS 2331), box 225, folder 40--Alaska Statehood, 1953, box 223, folder Alaskan Trip, August 14-27th, Nebraska State Historical Society, Lincoln.

8. Anchorage Daily Times, August 6, 1953.

9. Butler to Arnold, July 23, 1953, Butler Papers, box 225, folder 40--Alaska Statehood, 1953.

10. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood and Elective Governorship:

Hearings on S. 50 and S. 224, 83d Cong., 1st sess., August 17-25, 1953, p. 361.

11. KAC, April 3, August 10, 14, 1953; FDNM, August 17, 1953.

12. Hearings on S. 50 and S. 224, pp. 243, 245; ADT, August 20, 24, 1953.

13. Claus-M. Naske, An Interpretative History of the Alaskan Statehood Movement (Anchorage: Alaska Northwest Publishing, 1973), p. 117; Hearings on S. 50 and S. 224, p. 471.

14. 66 Stat. 188.

15. KAC, January 16, 1953; FDNM, August 26, 1952.

16. ADT, June 28, 1958.

17. Hearings on S. 50 and S. 224, pp. 10-12, 248, 362-363; 63 Stat. 627-629.

18. Hearings on S. 50 and S. 224, pp. 212-220, 268, 273-274; FDNM, July 7, 1958.

19. Hearings on S. 50 and S. 224, pp. 501-503, 397; "Alaska's Job Is Just Beginning," Business Week, September 6, 1958, p. 158.

20. FDNM, August 20, 1953.

21. ADT, August 24, 1953.

22. Ibid., August 8, 14, 20, 21, 25, 1953; copy, Barrie M. White Jr. to Malone, June 8, 1954, Papers of Dwight D. Eisenhower, General File, box 315, folder 17-M-4 (2), Dwight D. Eisenhower Library, Abilene.

23. ADT, August 20, 24, 25, 1953.

24. Ibid., August 26, 1953; Hearings on S. 50 and S. 224,

pp. 465-467.

25. Hearings on S. 50 and S. 224, p. 559; ADT, August 26, 1953.

26. KAC, September 8, 14, 11, 1953; ADT, September 26, November 24, 1953; FDNM, September 23, 1953.

27. ADT, November 24, 1953.

28. FDNM, December 23, 1953.

29. KAC, December 30, 1953.

30. ADT, December 16, 23, 1953.

31. Lhamon to Heintzleman, April 15, 1954, Benjamin Frank Heintzleman Papers, box 2, folder F, Sterling Memorial Library, Yale University, New Haven.

32. Strand, personal letter, March 23, 1974.

33. KAC, January 8, 1954.

34. Hearings on S. 49, S. 51, and H.R. 3575, pt. 3: 655.

35. Copy, Butler to Heintzleman, January 16, 1954, Butler Papers, box 225, folder 40--Alaska Statehood, 1953.

36. Ibid.

37. Daily Alaska Empire (Juneau), January 19, 1954.

38. Copy, Strand to McKay, September 14, 1953, copy, Butler to Hall, August 31, 1953, copy, Butler to Lewis, October 12, 1953, Butler Papers, box 225, folder Alaska General, Political File, box 223, folder Alaskan Trip, August 14-27th; U.S., Congress, Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 2981.

39. Copy, Butler to Knowland, March 12, 1954, Eisenhower Papers, GF, box 315, folder 17-M-4, Statehood for Alaska (1).

40. FDNM, January 28, 1954; KAC, January 25, 19, 1954; ADT, January 21, 1954.

41. FDNM, January 22, 1954.

42. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Providing for the Admission of Alaska into the Union: Report To Accompany S. 50, 83d Cong., 2d sess., 1954, S. Rept. 1028, p. 17.

43. U.S., Congress, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 50, 83d Cong., 2d sess., January 20-February 24, 1954, pp. 23, 1, 150-151; Bartlett, "Memorandum," November 10, 1953, Bartlett Papers, Statehood File, box 17, folder Legislative History, 1953.

44. KAC, January 26, February 1, 1954.

45. DAE, January 27, 1954.

46. Hearings on S. 50, pp. 326-327; ADT, February 5, 1954.

47. Hearings on S. 50, p. 329.

48. U.S., Congress, House, Committee on Interior and Insular Affairs, Amending the Act Providing for the Admission of the State of Alaska into the Union with Respect to the Selection of Public Lands for the Development and Expansion of Communities: Report To Accompany H.R. 6118, 88th Cong., 1st sess., 1963, H. Rept. 647, p. 2. In 1963 Congress amended the statehood act to allow these 800,000 acres to be selected in units as low as 640 acres. 77 Stat. 223.

49. 67 Stat. 29-30.

50. Hearings on S. 50, p. 225.

51. Richard A. Cooley, Alaska: A Challenge in Conservation

(Madison: University of Wisconsin Press, 1966), p. 27.

52. Hearings on S. 50, pp. 293-294, 213-214, 340; Hearings on H.R. 20, p. 52.

53. Copy, Butler to Atwood, January 30, 1954, Butler Papers, box 225, folder 40--Alaska Statehood, 1953.

54. ADT, February 16, 1954.

55. KAC, February 4, 1954; Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 3167.

56. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 2: 2376, pt. 3: 2981, 3070, 3079, 3084, 2909, 2915; Hearings on S. 50, p. 290.

57. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 3082, 3074-3075.

58. Copy, Butler to E. E. Rasmuson, April 7, 1954, Butler Papers, box 225, folder 40--Alaska Statehood, 1953.

59. Congressional Quarterly Almanac 10 (1954): 450.

60. Copy, Butler to Knowland, March 12, 1954, Eisenhower Papers, GF, box 315, folder 17-M-4, Statehood for Alaska (1).

61. Senate, Congressional Record, 83d Cong., 2d sess., 1956, 100, pt. 4: 3371-3372, 3501, 4332, 4338, 4342-4343.

Chapter 16

Heintzleman Proposes Partition

1

Senate passage of the Hawaii-Alaska statehood bill brought forth little rejoicing on the part of its advocates because of the gloomy outlook for obtaining action in the House. There the bill confronted a Speaker and a Rules Committee majority that were unfriendly to Alaska statehood. They drew strength from the knowledge that the president shared their attitude. So crucial did the role of the latter seem to be that Clinton Anderson said: "all he's got to do is take his foot off Alaska and this bill will pass." Hoping that public pressure would help, the Alaska Statehood Committee launched a "write-the-President" campaign. Robert Atwood urged GOP leaders in the territory to take the initiative in the drive; if the bill died, he said, they knew they would be "washed up in Alaska."[1] In its effort the committee had an energetic ally, Operation Statehood. By its very existence, however, the latter suggested what had long been apparent--that the former was somewhat lacking in initiative.

With the exception of the Alaska Statehood Association, no unofficial group ever played so important a role in the drive for admission as Operation Statehood. Not long after the Little Man hearings had ended, several of the most active members of the Little Man's Club set up a temporary board of

directors for a new organization. On October 14, 1953 Joan Walker presided over a meeting of these and other Anchorageites who felt keenly about statehood and wanted to help in the effort to achieve it. A proposed constitution was read to the group, at which time Earl Cooper suggested an amendment. In the form in which it was eventually adopted, the amendment prohibited any political officeholder or anyone active in partisan politics from holding a position in the organization. Several committees were created and set to work discussing plans. Finally, on November 18 the organizational meeting of the group was held, the constitution adopted, and a slate of officers elected. Thereafter the board of directors, annually elected, met weekly until the achievement of statehood.[2]

Operation Statehood was a strictly Anchorage affair, although its constitution provided for the formation of chapters elsewhere in the territory. Its primary purpose, initially, was to urge Alaskans to ask their friends, relatives, business associates, and others in the states to write their own senators and representatives on behalf of statehood for the North.[3] As the Fairbanks Daily News-Miner lamented, "the average citizen of the United States, through his voting representatives in congress, has more influence and control over Alaskan affairs than an Alaskan does himself."[4]

To keep itself in the public eye, Operation Statehood resorted to gimmicks, such as telegraphing happy birthday to the governor of each state on the anniversary of its admission into the Union. In order to finance its activities, the

organization sold regular memberships of $2 each. Also seven thousand Christmas cards picturing a merry-looking Santa Claus carrying a package labeled "Statehood" were printed and sold at local businesses. Chief among the group's early fund-raising efforts was a banquet and dance held at the Elks Club on February 19, 1954, which more than 400 people paid $5 each to attend. Specially recorded tapes of Bob Bartlett, Hugh Butler, six other senators, and two representatives were played on the occasion. The Nebraskan's endorsement of statehood that night brought people to their feet cheering and led the group to "promote a 'lay-off' Butler month." It was also the opportunity Atwood had been waiting for to make up publicly with the senator. On the following day the Anchorage Daily Times wrote, "We should welcome him like a prodigal son come home."[5]

When the Senate passed the combination statehood bill, Operation Statehood asked Alaskans to "flood the White House with telegrams appealing for statehood now." Assisting the promotional effort, the Anchorage city council allowed the organization to occupy a log cabin set up on the lawn of the city hall. Volunteer workers staffed it to help people wanting aid in wording their telegrams to the president. They even offered to deliver telegraph blanks to anyone unable to get downtown and to collect from him the $2.42 required for sending a twenty-five-word night letter to Washington. According to Barrie White Jr., a local newspaper distributor who had been elected president of Operation Statehood, the objective of the

wave of telegrams was to persuade the president at least to hint that he would refrain from vetoing the bill.[6] Mildred Hermann enlisted individuals in other Alaska communities to spearhead their own telegraph campaigns.[7]

2

While the Senate was considering statehood, important developments had been occurring at the White House and the Interior Department. Contrary to appearances, the top officials of the Interior Department were not opposed to Alaska statehood. Douglas McKay evaded endorsing it simply in imitation of the president, not because he believed him to be right. William Strand, in close communication with Hugh Butler, had come to view the president's position as detrimental to Republican victory not merely in the territories but also to some degree in the states. From Strand's viewpoint, and by then from Orme Lewis' and McKay's, too, it was essential that the president announce himself for statehood. In an effort to achieve the objective, an appointment was arranged for Lewis at the White House. "With Lewis talking directly to the President," Bill Strand recollected, "we thought we would finally find out what Ike's hangup was. Meanwhile, we were stuck with the policy [of statehood for Hawaii but not Alaska] and forced to endure a lot of noise and abuse from the far north."[8]

In an effort to prepare Lewis for the meeting, Strand spent about an hour reciting to Lewis the arguments for statehood and suggesting answers to arguments against it.

"Lewis was understandably nervous," Strand wrote, "and he wanted to soak up every bit of information he might need in discussing the question with Ike, and be prepared to answer any arguments Ike might throw at him....Eisenhower with the sunny smile, and the father image for all us little people, was a very tough cookie. He hadn't worn five stars for nothing. I never dealt with him directly, but I have it from those who did, When you saw him you made it short and snappy and to the point. There was no idle chit-chat."[9]

On March 2 McKay, Lewis, and a few other department officials got into a limousine to go to the White House for the meeting with the president and his "chief of staff," Sherman Adams.[10] After the group was seated, the president asked McKay what the visit concerned. He replied that it was about Alaska statehood, but that since Lewis was better informed about the matter, he would like him to make their presentation. Eisenhower swung his chair toward Lewis, his neck reddening and his face tensing, and said, "Very well Mr. Lewis, this better be God damned good." Lewis swallowed and then, for what seemed about twenty minutes, painted the picture as the department saw it. When he completed speaking, Eisenhower thanked him and exchanged a few pleasantries with him. The officials rose from their chairs and began to edge toward the door, but Eisenhower said to Lewis that he had missed the main point and pulled him back toward his desk.

Lewis had brought along with him a large map of Alaska. Eisenhower opened it and told him that the military aspect of

statehood was the snag; if it could be eliminated, there really would be no problem. This was what he meant about Lewis' having missed the main point. It was a point which had not occurred to the officials, who had not known it to be an issue. The president used a pencil to draw a line on the map around the northern and western regions of Alaska. The chief executive, he told Lewis, must have great flexibility in moving the military into an area as strategically located as Alaska. Under statehood it would be necessary for him to consult with the governor before making any such move. Since time or circumstances might not make this possible, the northern and western parts of the territory should not be admitted to statehood but should remain under direct federal control. After telling this to the group, he got up, moved toward the door, and said goodbye to his guests. Outside the office Lewis asked Adams why he had not told them about the military aspect. Adams replied that the president had never mentioned it to him.

A day or two after the meeting, McKay, Lewis, Strand, Heintzleman, and perhaps one or two others met at the Interior Department. After Lewis outlined the president's position, they discussed the matter further and decided that the department should become the advocate of partition. Heintzleman warned that it would be extremely unpopular in the North, but some of the group expressed the opinion that the reaction would be offset by the president's endorsement of partition as a means of achieving statehood. The governor was asked to serve as the public instrument for making the proposal. He was

reluctant to do so but agreed upon the urging of McKay.

At 2:30 p.m., April 1 Heintzleman joined Secretary McKay in a twenty-five-minute visit with the president at the White House. It was the second occasion of his life that he had met Eisenhower and the first that he had ever "visited" with him. Statehood "was discussed at some length." Heintzleman was "quite astonished" by the president's detailed knowledge of conditions in the far northern region of Alaska.[11] Two days later the governor again conferred with McKay and Lewis, at the Interior Department, and that night telephoned to the press the contents of a letter he had written.[12]

The letter, addressed to Speaker of the House Joseph Martin, expressed the view that the enabling bill passed by the Senate was "an excellent one, far more equitable and sound than has ever been proposed before." It would enable the state "to meet the costs of government while continuing to foster continued economic development within its borders....In the past, there has been a feeling that Alaska could not carry the financial burden of maintaining statehood." This feeling was based largely on the burden the state would have administering and policing the approximately 300,000-square mile region of northern and western Alaska. "Rather than delay further the granting of statehood on this ground, I suggest that it might be well to consider for immediate statehood that portion of the Territory that is developed...." The rest could be left as a territory. "If it appears that the above mentioned plans would enhance the prospects for the granting of Alaska statehood at

this time, I will be pleased to confer with you further on the matter at your convenience."[13]

The specific boundaries Heintzleman recommended for the state were the 152d meridian (about seventy-five miles west of Anchorage) on the west and the great, festooning Brooks Range on the north. Such a line would exclude the Pribilof Islands, the rich fishing banks of Bristol Bay, the oil fields of the North Slope, and the mineral lands of the Seward Peninsula. Several days later, after "further consideration," the governor suggested that the 156th meridian be designated in preference to the 152d in order that more mining operations and petroliferous lands would be included within the state.[14]

Coming without advance warning, the letter produced a violent reaction. Bob Bartlett called it "a nicely calculated effort to hurt the statehood cause. It will give statehood foes opportunity to urge further study of the whole statehood matter, thus making available from the Alaska governor himself a convenient excuse to try to hold up the combined Alaska-Hawaii bill...." He particularly resented the governor's failure to discuss the proposal with either himself or Robert Atwood, both of whom were in Washington at the time.[15]

Except for some Juneau area opponents of statehood, nearly all Alaskans objected to partition.[16] Indeed they viewed it as dismemberment. Guy Okakok, the Eskimo correspondent of the News-Miner at Barrow, wrote that more than half of the inhabitants of this most northerly settlement of Alaska discussed the proposal and rejected it. "We said, its [sic]

just [like] losing a brother, or sister."[17] Ernest Patty, president of the University of Alaska, wrote the governor as a friend: "Everyone I have talked to in this area violently opposes this idea."[18] At Nome the Northwestern Alaska Chamber of Commerce unanimously protested partition.[19] The Fairbanks branch of the Pioneers of Alaska telegraphed the White House: "We earnestly want statehood but would prefer statehood for Alaska to fail altogether than see Alaska divided."[20] Operation Statehood, already urging Alaskans to telegraph the president, appealed to them to telegraph Martin as well, requesting that the House not act on the governor's proposal. The Speaker, ironically, told reporters that it "does not meet my objections" to statehood anyway.[21]

Stanley McCutcheon, former Democratic national committeeman from Alaska and a candidate for election to the legislature, drew up and circulated a petition asking the president to request the governor's immediate resignation.[22] Perceiving the partisan aspect of the move, the leadership of Alaska's Republican party joined ranks in condemning it.[23] Primary elections would be held on April 27, a little more than three weeks away. Jessen's Weekly had already observed that Heintzleman's "proposal dealt a below-the-belt punch to Alaskan Republicans and has made a lot of happy Democrats, currently on the outside who are looking for the chance next October to get back in."[24]

3

Speculation was rife concerning who and what were behind

the partition proposal. Almost no one believed that the governor had acted on his own initiative. For example, Jessen's Weekly wrote on April 8: "Certainly Senator Hugh Butler, Interior Secretary McKay, and Governor Heintzleman can't believe that they are kidding any one in Alaska about how the proposal to split Alaska for statehood got to the President. That idea was no more Governor Heintzleman's than the man in the moon's. It was handed to him by 'higher officials' with instructions to trot it right over to the White House. All of which leads to the interesting thought that the switch to back statehood on the part of Senator Butler and the Interior Department may likely have been a 'set-up' from the start."[25] The question of why the proposal had been made was plausibly answered by Senator Jackson, who said: "The shock [of Senate passage of the Hawaii-Alaska statehood bill] was so great to the Republican leadership that they had to find some means to knock off statehood for Alaska."[26]

Bartlett called attention to the fact that a similar proposal had been drawn up some time earlier by Grant Jackson, president of the Miners and Merchants Bank in Nome, and Ralph Lomen, a resident of Seattle who was president of the Lomen Commercial Company and operated the literage business at Nome. The proposal went back further than Bartlett realized. On December 5, 1950 Jackson had suggested to Hugh Butler that Alaska be partitioned into a state and a district. The state would consist of Kodiak Island and all of Alaska east of the 154th meridian and south of the Yukon and Porcupine rivers.

The area north and west of this line would be the district, with its capital at Nome. An appointive governor and secretary would manage the area's affairs without the participation of the legislature. Jackson did not want a representative body, because "there's so few white people in this section compared with the natives that we would be governed by the natives. That might be all right if the native had advanced to a stage where he was capable of government, but the large majority of those natives in this part of Alaska, while they are very fine people, they still have a long way to go to make laws for all of the people."[27]

Butler asked William Strand, who happened to be at Washington at the time, for advice on how to reply to Jackson.[28] Strand wrote the senator: "I would give this guy a gentle brush-off--tell him his idea is wonderful--and then forget all about it." Butler thereupon replied to Jackson: "While I have not given much thought to the proposition of making one portion of Alaska a state and the remaining portion a territory, I surely appreciate having your views on this matter." Jackson continued to raise the subject with the senator and in 1953, with Ralph Lomen, wrote a pamphlet outlining and justifying the proposal. After Lomen mailed a supply of the pamphlets to Bartlett, the latter sent one copy to each member of the Senate Interior and Insular Affairs Committee for his information. The pamphlet suggested that the 153d meridian be the dividing line between the state and the district and that the latter be allowed to join the former "when and if the district developed

to such an extent that it would be an asset to the State instead of a liability as at present."[29]

Another partition proposal had come from Orvis Saxby, an attorney practicing law in Cambridge, Massachusetts. On February 8, 1954 Saxby had mailed copies of his plan to Eisenhower and to Martin and various other Congressmen. Enclosed with each was a neatly drawn map of an Alaska divided into three parts. One of them, Seward Territory, lay north of the 65th parallel, that is, just north of Fairbanks and Nome. The second, McKinley Territory, was bounded on the north by the 65th parallel and on the east by the 150th meridian (the Railbelt) as far south as Cook Inlet. The third part, the state of Alaska, would embrace Kodiak Island, the Kenai Peninsula, and the area east of the 150th meridian. "By granting statehood to a portion of the Territory and retaining the rest under Federal control," Saxby wrote, "the wish of the people of Alaska will be fulfilled and at the same time they will not be over-burdened by the cost of governing vast sparsely populated areas. Action must be taken immediately, since once statehood is granted, any division of the Territory will become impossible."[30]

The president's new objection to statehood put Heintzleman in a difficult position, one from which he never sought exculpation, even posthumously. He would have liked "to see statehood for Alaska now under an enabling act <u>such as the Senate drafted</u>..." he wrote Dan Lhamon of Fairbanks. But "if we cannot get the whole area, I would gladly settle for half.

...The presence of 2 Senators and a voting Representative in Congress will give us added power to help Alaska including power to help in taking on additions from the outside area (which might well be designated 'Frontier Alaska' or 'Alaskan Outpost') as rapidly as their development justifies such action." The governor realized "that it is a shock to old time Alaskans to speak of dividing the Territory especially the leaving out of some of the fine old pioneers who have worked so hard for the good of the northland." As a thirty-six-year resident of the territory, he shared this sentiment to a considerable degree.[31]

At a news conference on April 7, the president was asked whether he would favor statehood for the populous region of Alaska alone, as Heintzleman had proposed. He replied: "I don't know whether I would favor it. It certainly is a different problem; and I would look at it with an entirely different viewpoint than I would if we had all those outer reaches, barren outer reaches, that are lying on the Bering Sea and the Arctic Ocean, included. It would be a different problem in my mind."[32] From this statement the News-Miner conjectured: "Apparently, the governor was proposing a Statehood plan that he knew would be indorsed by the President. We don't think too much of the plan, but it does appear now that the proposal stems from the administration, and the governor was merely offering a plan that he knew had administration approval."[33]

Heintzleman was pleased with the president's remarks, for

they appeared to vindicate what he had done. The governor had "felt sure that we could not get statehood now unless something drastic was advanced to break the stalemate that has existed in the House on Alaska statehood for the past year....My new and unpopular approach to the matter at least jarred it off dead center and it may result in some decision in favor of statehood for at least part of Alaska, whereas we might otherwise go along another ten years without any chance if no action is taken by this Congress. Indeed, if the U.S. should get into some kind of a crisis in the near future, that would almost surely be the result."[34]

The roles of Nathan Twining and the Defense Department in partition seem to have been mixed. In 1950 Nathan Twining, commander in chief of the Alaskan Command, had testified briefly before the Senate Interior and Insular Affairs Committee that statehood would lead to economic development and population growth. These in turn would ease military supply problems, reduce construction costs, and impart stability to the government of Alaska.[35] About one month after Eisenhower's inauguration, Bartlett was told that Twining, then vice-chief of staff for air, "was undercutting us....the news...is decidedly more than a rumor and in fact bears what seems to be the clear imprint of truth." Then on February 28 Lyle O'Rourke, an attorney originally from Nebraska who was close to both Miller and Butler, visited the former and talked with him about statehood. Afterward he went to Bartlett, who reported to Robert Atwood and Governor Gruening "that O'Rourke, an original

Eisenhower man here, said he felt confident he knew the reason why Eisenhower had not endorsed Alaska statehood. His understanding is that Eisenhower decided against us because of representations from the Pentagon to the effect that the military opposed statehood. This could fit in the story related above about Nate Twining."[36]

On December 30 Miller and Bartlett were chatting when the Nebraskan whispered to the delegate that the real reason the administration opposed statehood was that the military opposed it. The military believed, he said, that if war should break out, "its situation in Alaska would be much better if we were to remain a territory." Bartlett mulled over the matter in a letter to Atwood: "It may be that his reference to military attitudes is a faithful reproduction of the thinking over at the Pentagon. But I have very sincere doubts about this because as Doc spoke my memory went back to the days when the statehood bill was under consideration last spring and then, if memory serves, Doc whispered more than once about military opposition. My doubt arises principally because no one else anywhere has reported such a military position, and I rather feel that Doc is merely submitting it as a convenient excuse to delay consideration."[37]

Around the time that Heintzleman sent his letter to Martin, Atwood visited Twining, now air force chief of staff. The general told him that the air force, and he personally, fully supported statehood for Alaska; "other Pentagon officials" told the editor that no opposition had arisen anywhere within the

Pentagon. Indirectly the same word came from Defense Secretary Charles Wilson, who held a press conference at Anchorage on May 12 en route to the Far East. When asked to comment on the partition proposal, in view of the military considerations which had allegedly prompted it, he replied: "The matter hasn't gotten far enough that it has been put up to me." Thus it was easy to be cynical about Eisenhower's new reason for objecting to statehood. Drew Pearson wrote: "Some observers are unkind enough to point out that the White House didn't become concerned about security until after the senate voted, 57 to 28, to approve statehood for both Alaska and Hawaii." The implication was that the Heintzleman letter was Eisenhower's strategy for excising title II from the bill. Bartlett increasingly believed the same, "because in these days so many are so willing to accept a military judgment, real or implied, as representing the gospel truth on any subject under the sun." In time he also wondered if the administration were not attempting to incite Alaskans to quarrel among themselves over the conditions of admission.[38]

Another reason that Bartlett discounted a military rationale for partition was that since 1946, the strategic concept governing the defense of Alaska had been that of the "defense heartland." Strong bases had been constructed at Kodiak, Anchorage, Fairbanks, and Big Delta from which, in case of emergency, forces would move out to repel attack. "Under that plan," Bartlett wrote, "all the westward was to be left undefended. So why would it have to be set up now as a buffer

when there is nothing there now but undefended radar stations?"[39]

On April 27, 1954, three and a half weeks after Heintzleman had mailed his letter, Miller talked with Bartlett again. He told the delegate that it was the White House which had instigated the loosing of Heintzleman's "trial balloon." When asked if the president's objections to the statehood bill were military in nature, Miller replied yes. Bartlett then told him about the heartland concept of defense in Alaska and the fact that neither he nor Atwood had been able to uncover any objection to statehood at the Pentagon. Miller "quickly changed fronts," saying that Eisenhower was probably concerned about the amount of "waste land" which would become part of the state. Bartlett suggested that he and his constituents ought sometime be consulted about the proposals for partition. He added that he did not know whether Alaskans would accept a compromise, but that he was certain they would reject the line Heintzleman had suggested. Impatiently Miller responded: "You must be ready to compromise. That is the trouble with you Alaskans. You always come here demanding. You should come hat in hand begging. You are only a territory."[40]

4

A few weeks before Heintzleman wrote his letter to Martin, Operation Statehood had begun to arrange a chartered flight to Washington. Bartlett did not particularly encourage it, believing that this was "a case where one man personally--Eisenhower--must be swayed; or, alternatively Joe Martin.

Missionary efforts do not have to spread further." Regardless he eventually informed the organization that a trip would be timely. He wanted to leave no stones unturned. "...additionally, and quite properly, the people at home are always bound to feel they may have a few aces up their sleeve...." Then too, Joseph Farrington had pressed Bartlett hard for joint action, since Farrington had already urged a pilgrimage from Hawaii. The island legislature, called into special session in April to deal with the statehood crisis, had afoot a plan to send all of its members to the nation's capital at territorial expense. The Honolulu newspapers editorialized against the idea, expecting that the legislators could do little but enjoy the sights. As some of the criticism was directed at Farrington, he wanted to be able to point to a similar trip from Alaska. However, the Alaskans had to pay their own way. Filling a plane at the cost of $295 per passenger required more than the usual promotional work. "...Alaskans suffer from a case of defeatism..." the News-Miner observed. "...many people have lost hope that Statehood will be granted to Alaska during the present session of congress." Nevertheless when the plane departed on May 9, almost all of the seats were occupied, mostly by Anchorageites. And when the Alaskans arrived in Washington, they found fifty-five Hawaiians at the same hotel, thirty-three of them legislators. The rest had been intimidated into staying at home.[41]

On Monday, May 10 the Alaskans met with Arthur Miller. He displayed a map on which Heintzleman's revised partition line

was drawn. It was "the most you can get," he said. Lee Bettinger expressed the feeling that partition was "just a stall" and would be voted down by Alaskans. "Then," replied Miller, "you'll probably get nothing if most people in the territory feel like you do."[42] The congressman expressed the view that there was no reason the truncated state should not receive the 100 million-acre land grant and the Pribilof proceeds provided in the bill. On the other hand, he thought, partition would preclude eventual annexation of the excluded area to the state. After Miller left the room, the group discussed the matter further. They were almost unanimous in opposing partition. Ralph Rivers suggested that they continue to insist upon statehood for all of Alaska but agree to the establishment of a military reservation north and west of the partition line. Such a reservation would "revert" to the state whenever the military should vacate the area.[43]

The following day eight of the Alaskans met with Speaker Martin. He asked them numerous questions and declared that the territory was entitled to statehood in principle. His attitude seemed more friendly at the end of the meeting than at the beginning, but the group had little else to report.[44] The Alaskans were better received by Hugh Butler and other members of the Senate Interior and Insular Affairs Committee on Wednesday afternoon. Butler "was given a standing ovation for 'spearheading the best Statehood bill ever written.'" He seemed to respond well to the idea that a military reservation be substituted for partition. "The proposal should be put up

to the Chief," he said, "...to see if he won't go along." After the group visited the president, it should meet with the Speaker again. "The success of your trip depends almost entirely on changing Joe Martin's attitude. I wouldn't think the prospects are very good unless you get the nod from Joe Martin and the White House."[45]

On May 1 Eisenhower had met with Robert Atwood and talked freely to him about statehood, saying nothing in opposition to it. In fact he seemed to the editor to be sympathetic to admission, although placing very great emphasis on the strategic importance of the North.[46] On May 11 nineteen members of the Hawaiian delegation spent twenty minutes with the president. Finally came the turn of a party of Alaskans. On Thursday morning, May 17, Heintzleman, Bartlett, and fifteen other Alaskans had a fifteen-minute audience with him. Orme Lewis, Sherman Adams, and Gerald Morgan, special counsel to the president, were also there.[47] To Barrie White the visit had more than ceremonial importance. As he had written Adams: "this fog [which obscures the facts about who had written Heintzleman's letter and why] is frightening, and leads us to believe the President is not getting the true facts. Again I think we cannot be blamed, when everything we send him is answered by the Interior Dept. Of course we realize he can't read and answer everything himself, but we have no reason whatsoever to believe the Interior Dept. is any friend of statehood, or even unbiased." In the same vein White had written Senator Butler: "all it [the enabling bill] needs is a

nod from the President. We Think [sic] there is a smokescreen around the President, produced by our enemies. What emerges from the White House doesn't sound like Eisenhower, the man. It simply doesn't ring true. Neither does it ring true that Eisenhower merely needs to 'get off the hook', hence the partition plan. He's just not that kind of person."[48]

Walter Hickel, recently elected Republican national committeeman, and John Butrovich, a Fairbanks insurance agent and senior Republican in the territorial legislature, were the principal spokesmen when the group met with the president. Looking him straight in the eye, Butrovich said: "Sir, we think that you are a great American, but we are shocked to come here and find a bill which affects the lives of more than 150,000 Americans bottled up in a House committee when a nod from you could bring it out and allow it [to] be passed or killed by the House of Representatives of the United States." Afterward Butrovich's companions praised his statement, and several of them noticed, Bartlett wrote, "that the President had a rush of blood to the face as John continued to utter and was almost firey red when" he finished. Conscious that they were not representing the territory officially at the capital, none of them mentioned partition or a military reservation. However, they did indicate their willingness to recognize defense considerations and to cooperate in finding ways to satisfy them. Before leaving they presented the chief executive with a number of gifts, including smoked salmon, a handcarved ivory cribbage board, and a tie clasp of gold nuggets.[49]

Later that day the group queried Ralph Tudor, undersecretary of the interior. Douglas McKay was out of town at the time.[50] Asked why the department had not submitted an official report on Alaska statehood, as the Senate Interior and Insular Affairs Committee had requested, Tudor said that it had --in fact, three of them--but that all had been rejected by the Bureau of the Budget. To find out the reason for the bureau's action, the Alaskans attempted to meet with its director. They were unsuccessful but did manage to meet on Saturday with Percival Brundage, the deputy director. He told them that the bureau had received no reports from the Interior Department and showed them the bureau's card file to prove it. Even if the department had submitted a report, it could not have been approved. The reason, he explained, was that the administration had not taken an official position on Alaska statehood.[51]

Besides attending these meetings, the Alaskans divided into smaller groups for the purpose of visiting lawmakers in their offices with the object of breaking the stalemate in the House. They also arranged to have Alaska king crab and Matanuska Valley potatoes served in the restaurants of the House and Senate and placed Alaska flags and book matches advertising "Statehood Now!" on the tables. At the Lincoln Memorial the Alaska and Hawaiian delegations gathered to pledge allegiance to a forty-nine-star flag supplied by the Hawaii Statehood Commission and to sing the national anthem. For bipartisan reasons they visited the Jefferson Memorial, too. Finally, on Friday evening, the Alaskans attended a cocktail

party at the Alexandria residence of William Strand, who greeted his guests warmly and engaged them in lively conversation. All was pleasant until Walter Hickel approached Strand about patronage.[52]

Hickel was seeking the appointment of Mike Stepovich as judge of the Fourth Division. At the Justice Department Hickel had been informed the White House had issued instructions that all Alaska appointments were to be recommended by William Strand and Orme Lewis. When Hickel thus approached Strand, the latter invited him to discuss the matter upstairs. There away from the conviviality, the discussion evolved to the stage where Strand "told young Wally he would run things for Alaska without an [sic] interference from Republicans in the territory, that he didn't give a tinker's dam for what Mr. Hickel thought and that the National Committeeman-elect could go back home and tell his Alaskans so."[53]

The two men also touched on statehood. Strand reportedly told Hickel "that he has it safely sewed up through three members of Congress (Sam Rayburn, Lyndon Johnson, and Joseph Martin) and the bill isn't going to get anywhere." He boasted that his power over statehood was greater than the Senate's, because he had "Speaker Martin in my pocket." If Alaska should be admitted into the Union, "it will be on my terms." Ralph Tudor had already "chastised" one of the Alaska newspaper editors in Washington for refusing to "sell" Alaskans on partition. Strand now warned Hickel that as long as they did not "support and defend" the Heintzleman administration, they

would get nothing. Alaskans must accept partition; "it was Hickel's job to see that they do." Hickel asked how anyone could expect to "sell" them on such a scheme. "You don't sell it to them--" Strand replied, "you tell them. You stuff it down their throats."[54]

Afterward Hickel, disconcerted, talked freely about the exchange.[55] When Douglas McKay was interviewed about the affair, he naturally affirmed confidence in his subordinate: "It is ridiculous to say that Strand had anyone in his hip pocket. He doesn't and he wouldn't say so if he did." The day after the encounter, Anchorage City Councilman Arthur Engebreth called Strand at the Interior Department. He acknowledged that a wrangle had taken place but said that it had been over the judgeship; statehood had been mentioned only incidentally. When asked about his failure to support admission, Strand told Engebreth: "You know how long I'd be in this job if I came out for statehood--one week." He was only "a 'small spud' in the administration," he said.[56]

Barrie White, Ray Plummer, Chester Peterson, and others who went to Washington had already concluded that it was officials of the Interior Department who had been holding up statehood by lobbying Congressmen and misadvising the president. "After the Strand-Hickel conference," wrote the Times, "many of the Alaskans [wondering what lay behind the administration's opposition to statehood and the plan for partition] felt that they had found the missing piece in the jig-saw puzzle they were trying to put together." The Times felt "no joy in

discovering that a high official is basing his actions on personal hate and vindictiveness." But it wondered if the director of the Office of Territories would be so bold without "strong backing in high places."[57]

If Strand were speaking for someone else, who was he? The following month the newspaper thought it had found the answer.[58] On July 14 A. Robert Smith, an unusually perceptive and diligent reporter of Pacific Northwest news, said to the president at his news conference: "At the Interior Department I hear that there are certain defense considerations there [in Alaska], but at the Pentagon there is no apparent apprehension on that count; and in both departments they suggest that at the White House there is a certain feeling in that regard." Eisenhower commented: "Anyone that looks at the map can see what the importance of Alaska, the Alaskan territorial expanse, is to the United States from a security standpoint. So I am very deeply concerned as to the fate of all those outlying areas that lie, let us say, west of the 150th meridian and, let's say, north of the Yukon or Brooks Range. Those regions are of tremendous importance, and I don't think I should say any more than that." John Vandercook of the American Broadcasting Company pursued the matter anyway, confessing that he did not understand why a territory was easier to defend than a state. He received the answer: "...I don't say it is easier to defend; I say it is easier to use, because, in one case, it is under the absolute control of the central government, and in the other it isn't."[59]

This reply, wrote the Times, "explains the mysterious frustrations that marked the experiences of Alaskans who visited Washington in May and discovered that statements by administration representatives were so conflicting, vague and often erroneous that they made no sensible pattern. The men must have been acting under administration orders and were groping because they either didn't know or were covering up the reasons."[60] The Juneau Independent evidently thought the same. It forecast "bleak and bitter weather ahead from here to 1956. The new Ike-age for Alaska has begun."[61]

5

Was the House of Representatives going to act on the Hawaii-Alaska statehood bill? The first step in the effort to secure a vote had begun on April 12, when Arthur Miller requested unanimous consent to send the bill to conference committee. Since Sam Rayburn objected, on behalf of himself and other Democrats, the bill lay inactive on the Speaker's desk. In a situation of this kind, an effort is usually made to persuade the Rules Committee to prepare a resolution authorizing a conference.[62] On May 19, shortly after the Operation Statehood flight had returned to the North, the committee listened to Bartlett, Miller, and Farrington urge it to prepare a rule for the bill. Seventy-five minutes later, Chairman Leo Allen of Illinois adjourned the hearing "until 'some future time.'" It was apparent that most of the Republican majority on the committee was determined to prevent a conference unless assured that title II would be stricken

from the bill, and that the southern Democratic minority was opposed to admitting either or both of the aspirant territories. On May 24 Joseph Martin and other Congressional leaders discussed the matter at their regular Monday morning meeting with the president. Martin told newsmen afterward that "strong efforts" were being made to break the deadlock.[63] Two weeks later, after another Monday morning conference, he said, "There is a better chance for Hawaii to become a state than we had hoped earlier." Senator Knowland commented, "we hope that a bill with only Hawaii in it will be passed."[64]

Miller was prepared to do his part in the effort to remove title II. On June 3 he had written Homer Gruenther, an assistant to the deputy assistant to the president: "If you can get the Speaker of the House to agree to let the bill out of the Rules Committee or go to conference, our problems can be quickly settled."[65] Miller had publicly proposed that same day, in association with Paul Robison, a Spenard (suburban Anchorage) Republican legislator studying law in Washington, that Alaskans forget about enacting a statehood bill for up to two years. Meanwhile they should concentrate on drafting a constitution. Concurrently a special commission consisting of three senators appointed by Vice-President Nixon, three congressmen appointed by Speaker Martin, and six Alaskans appointed by Governor Heintzleman would study the requirements of the military and recommend new boundaries for the state. The Nebraskan said that he found partition distasteful but, after discussions with military leaders, had come to realize that "the military will

continue to oppose giving up control over certain areas."[66]

Bartlett agreed that a constitutional convention should be convened "at the earliest possible moment" but called the idea of a twelve-man boundary commission a "bunch of nonsense." The Times also objected to the plan. Writing a constitution before passing an enabling bill was, it contended, like building a house before the blueprints have been drawn. The bill specified the provisions which the constitution must contain. What these would be when the bill finally passed no one could say. If the document drawn up did not meet the Congressional requirements, the convention might have to be reconvened. Besides, how could the convention and boundary commission deliberate concurrently? Inhabitants of the areas to be excluded from the state could not legitimately participate in the convention. Nor could election districts be described before the boundary was drawn.[67]

If the Rules Committee could be persuaded to approve a resolution authorizing a conference committee, Joseph Martin and Richard Nixon would select the members to participate in it. Reportedly seven of the ten members who would be chosen favored deleting title II. The plan was never put into effect. On June 19 Joseph Farrington died of a heart attack. Twelve days later Hugh Butler, the man scheduled to head the conference, died of a massive cerebral hemorrhage. Then on July 26 the Rules Committee, after holding another session on the bill, voted to table the resolution.[68] The Rules Committee majority probably consisted of all four Democrats and three Republicans.

Virtually no hope remained for getting the bill through Congress during the rest of 1954. Since the twenty-one-day discharge rule employed in 1950 had been repealed in 1951, a discharge petition now required the signatures of 218 congressmen.[69] Almost 400 such petitions had been filed since 1924, but only 16 had received the requisite number of signatures. "Something about 'orderly procedure,'" Bartlett explained. Of the 16, 13 had failed because the Speaker refused to recognize the members authorized to call up the bills.[70] Pursuing this course would thus have been futile. On August 21 the Senate and House adjourned for the year in recognition of the fact that the campaign season had begun.

Notes

1. Fairbanks Daily News-Miner, April 2, 3, 1954.

2. Minutes, October 14, 28, November 18, 1953, constitution, Operation Statehood Papers, 1953-1958, box 7, folder 94, Operation Statehood--Minutes of Board of Directors, Call to Order, folder 87, Operation Statehood--Constitution and By-Laws, Elmer E. Rasmuson Library, University of Alaska, College.

3. Constitution, minutes, October 28, 1953, Operation Statehood Papers, box 7, folder 87, Operation Statehood--Constitution and By-Laws, folder 94, Operation Statehood--Minutes of Board of Directors, Call to Order; Anchorage Daily Times, November 25, 1953.

4. FDNM, April 20, 1954.

5. Ibid., Progress ed., November 7, 1956; ADT, November 10, 1953, February 4, 20, 1954; Barrie M. White Jr. to Butler, April 21, 1954, Atwood to Butler, February 22, 1954, Papers of Hugh Butler (MS 2331), box 225, folder 40--Alaska Statehood, 1953, Nebraska State Historical Society, Lincoln; White to Bartlett, February 23, 1954, E. L. Bartlett Papers, Statehood File, box 10, folder Correspondence, General, March 1954, Elmer E. Rasmuson Library.

6. FDNM, April 3, 1954; ADT, April 3, 1954.

7. Daily Alaska Empire (Juneau), April 5, 1954.

8. Strand, personal letter, March 23, 1974.

9. Ibid.

10. Bartlett, "Confidential Memo for Statehood Files,"

Bartlett Papers, Statehood File, box 10, folder Correspondence, General, March 1954; Strand, personal letter, March 23, 1974.

11. Ketchikan Alaska Chronicle, April 2, 1954.

12. ADT, April 13, 14, 1954.

13. Copy, Heintzleman to Martin, April 3, 1954, Benjamin Frank Heintzleman Papers, box 2, folder E, Sterling Memorial Library, Yale University, New Haven.

14. Ibid.; White to Butler, April 21, 1954, Papers of Dwight D. Eisenhower, Official File, box 752, folder 147-D (1), Alaska, Dwight D. Eisenhower Library, Abilene; copy, Heintzleman to W. H. Dan Lhamon, April 9, 1954, Heintzleman Papers, box 2, folder E.

15. KAC, April 8, 1954.

16. DAE, April 5, 1954.

17. FDNM, April 15, 1954.

18. Patty to Heintzleman, April 7, 1954, Heintzleman Papers, box 2, folder E.

19. U.S., Congress, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 17: A2630.

20. Jessen's Weekly (Fairbanks), April 8, 1954.

21. KAC, April 5, 1954.

22. ADT, April 15, 1954.

23. DAE, April 19, 1954.

24. JW, April 8, 1954.

25. Ibid.

26. ADT, April 19, 1954.

27. Jackson to Butler, December 5, 1950, Butler Papers,

box 221, folder 40--Alaska Statehood, 1950, Cont'd.

28. Ibid.

29. Strand to Butler, December 14, 1950, Butler to Jackson, December 26, 1950, Jackson to Butler, April 25, July 6, 1951, Butler Papers, box 221, folder 40--Alaska Statehood, 1950 Cont'd., box 222, folder 40--Alaska Statehood, 1951; U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood and Elective Governorship: Hearings on S. 50 and S. 224, 83d Cong., 1st sess., August 17-25, 1953, pp. 578-582; copy, Bartlett to Jackson, December 11, 1953, Bartlett Papers, Statehood File, box 10, folder Correspondence, General, July-December 1953.

30. Copy, Saxby to Martin, February 8, 1954, Heintzleman Papers, box 2, folder E.

31. Copy, Heintzleman to Lhamon, April 9, 1954, Heintzleman Papers, box 2, folder E.

32. U.S., President, Public Papers of the Presidents of the United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-1961), Dwight D. Eisenhower, 1954, p. 386.

33. FDNM, April 8, 1954.

34. Copy, Heintzleman to Harold E. Pomeroy, April 12, 1954, Heintzleman Papers, box 2, folder F.

35. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, pp. 60-61.

36. Copy, Bartlett to Atwood, March 2, 1953, Bartlett Papers,

Statehood File, box 10, folder Correspondence, General, January-March 1953.

37. Copy, Bartlett to Atwood, December 30, 1953, Bartlett Papers, Statehood File, box 17, folder Legislative History, 1953.

38. FDNM, May 19, 22, 1954; copy, Bartlett to Hermann, April 12, 1954, copy, Bartlett to White, April 10, 1954, copy, Bartlett to Ancil H. Payne, April 4, 1955, Bartlett Papers, Statehood File, box 10, folder Correspondence, General, April 1954, folder Correspondence, General, February-March 1955; ADT, May 12, 1954.

39. George W. Rogers, Alaska in Transition: The Southeast Region (Baltimore: Johns Hopkins Press, 1960), p. 48; copy, Bartlett, "Memorandum on Senate Armed Services Committee Alaska Report in Relation to Statehood," March 1, 1951, copy, Bartlett to Atwood, August 9, 1954, copy, Bartlett to Hermann, April 12, 1954, Bartlett Papers, Statehood File, box 17, folder Legislative History, 1951, box 11, folder Correspondence, General, June-December 1954, box 10, folder Correspondence, General, April 1954.

40. Bartlett, "Office Memorandum," April 27, 1954, Bartlett Papers, Statehood File, box 17, folder Legislative History, April-July 1954.

41. ADT, March 17, April 2, May 3, 4, 8, 1954; copy, Bartlett to Atwood, March 16, 1954, copy, Bartlett to Hermann, April 27, May 4, 1954, Bartlett Papers, Statehood File, box 10, folder Correspondence, General, March 1954, box 11, folder

Correspondence, General, April 1954, folder Correspondence, General, May 1954; FDNM, May 6, 1954; KAC, May 11, 1954.

42. FDNM, May 10, 1954.

43. KAC, May 11, 1954; Anchorage Daily News, May 11, 1954.

44. KAC, May 11, 1954.

45. FDNM, May 12, 1954.

46. Atwood to Butler, May 4, 1954, Butler Papers, box 225, file A.

47. Bartlett to Hermann, May 20, 1954, Bartlett Papers, Statehood File, box 11, folder Correspondence, General, May 1954.

48. White to Adams, April 22, 1954, copy, White to Butler, April 21, 1954, Eisenhower Papers, OF, box 752, folder 147-D (1), Alaska.

49. FDNM, Golden Days ed., July 22, 1969, May 14, 11, 13, 1954; copy, Bartlett to Hermann, May 20, 1954, Bartlett Papers, Statehood File, box 11, folder Correspondence, General, May 1954.

50. Copy, Bartlett to Hermann, May 20, 1954, Bartlett Papers, Statehood File, box 11, folder Correspondence, General, May 1954.

51. DAE, May 14, 15, 1954; Juneau Independent, May 27, 1954.

52. KAC, May 12, 11, 1954; DAE, May 14, 1954; FDNM, May 11, 1954, Progress ed., November 7, 1956; ADT, May 8, June 15, 1954.

53. ADT, June 8, 1954.

54. Ibid., June 8, 2, 1954; "Recollections of the Evening of May 14, 1954 on the Part of Mary Lee Council," May 15, 1954,

Bartlett Papers, Statehood File, box 17, folder Legislative History, April-July 1954.

55. Copy, Bartlett to Hermann, May 20, 1954, Bartlett Papers, Statehood File, box 11, folder Correspondence, General, May 1954.

56. ADT, June 9, 10, July 1, 1954. Years later Strand wrote: "Don't underestimate the stern limitations that a stated policy places on government employees serving an Administration all down the line. With Eisenhower's views on an issue made known, it ill-behooved any employee to act, write or speak publicly to the contrary. Especially Eisenhower with his military background. This isn't thought control or brainwashing. It's merely the way the system has to work if it's going to make any sense at all. Everybody is free to suggest changes internally, and if he doesn't like the decision he is certainly free to get out and take his talents elsewhere. But you can't have twelve different officials -- Cabinet, Subcabinet, Bureau Chiefs, etc. -- going in twelve different directions at the same time or you will have chaos." Strand, personal letter, March 23, 1974.

57. ADT, June 9, 1954.

58. Ibid., July 15, 1954.

59. President, Public Papers, 1954, pp. 638-639.

60. ADT, July 15, 1954.

61. JI, July 22, 1954.

62. House, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 4: 5002.

63. KAC, May 19, 1954; FDNM, May 27, 24, 1954.

64. DAE, June 7, 1954.

65. Miller to Gruenther, June 3, 1954, Eisenhower Papers, General File, box 315, folder 17-M-4 (2).

66. ADT, June 3, 1954; KAC, June 3, 1954.

67. ADT, June 3, 4, 1954; KAC, June 4, 1954.

68. DAE, July 6, 1954; KAC, July 21, 26, 1954; ADT, July 1, 1954.

69. House, Congressional Record, 82d Cong., 1st sess., 1951, 97, pt. 1: 17.

70. FDNM, May 12, 1954; copy, Bartlett to White, April 10, 1954, Bartlett Papers, Statehood File, box 10, folder Correspondence, General, April 1954.

Chapter 17

Alternatives to Statehood

1

Governor Heintzleman's partition proposal was a major complication of the prospects for statehood. Two others were the perennial idea that Alaska should have an elective governorship and the relatively new one that commonwealth status should be substituted for statehood, at least temporarily. Both of these proposals, especially the one for commonwealth status, affected Hawaiian as well as Alaska statehood.

Bob Bartlett had introduced elective governorship bills in 1945, 1947, 1948, and 1953, but his feelings about them were mixed. The fact that Hugh Butler, Arthur Miller, and other past or present opponents of statehood had also sponsored such legislation gave it the aspect of a substitute for enabling legislation. Under statehood Alaskans would elect their own governor anyway. The delegate therefore regarded these bills as deserving attention at only such times as hope for admission waned.[1] A similar attitude had been taken by the Department of the Interior in 1953. In a letter to Arthur Miller that year, Orme Lewis endorsed Bartlett's latest elective governorship bill "if enabling legislation for statehood is not enacted by the congress." The following month the Subcommittee on Territories and Insular Possessions tabled the bill after a

brief hearing. Rep. John Saylor typified the view of the majority when he said that "the elective governor bill would set back the cause of Alaska statehood 20 years."[2]

When Hugh Butler went to Ketchikan in August 1953, he talked about the bill he had introduced. By its terms the first gubernatorial election would be held in 1954. "...I have received requests from so many people here and in the administration," he said, "that they think Governor Heintzleman should be permitted, at least, to serve out his 4-year appointment, that the bill undoubtedly will be amended, whether I amend it or somebody else amends it, making it applicable to the 1956 election."[3] The suggestion for deferring the first election originated, apparently, with Winton Arnold. With the 1954 prospects of Alaska's Republicans poor and with Gruening "standing by to resume the driver's seat," he had recommended that the senator "so arrange the progress of the bill as to make its final passage so close to February 1, 1954 (or after that date) as to require postponement of its application until 1956."[4] On January 7, 1954 Butler offered the amendment he had forecast, explaining to the Senate that the filing date prescribed by Alaska's election laws (February 1) was so close that the bill could not practicably take effect that year.[5]

By this time the Bureau of the Budget had questioned whether popular election would even be constitutional. Since the governor would continue to carry out federal as well as territorial functions, the bill seemed at variance with the Constitution. The latter provided that the president "shall

nominate, and, by and with the consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments." As long as the governor managed interests of the United States, his selection by the people seemed unauthorized.[6]

One means of avoiding the dilemma would have been to provide for preference elections; then the president could appoint whomever Alaskans chose. Such an election had been held in 1923, although Calvin Coolidge ignored the victor, Cash Cole, when selecting the man to succeed Scott Bone.[7] The appointment of Alaska's governors consequent to preference elections would have reduced the prerogatives of the chief executive and set a precedent for Hawaii and the possessions. Moreover, the matter was complicated by the generally Democratic complexion of the Alaska electorate. If the administration found the victorious candidate objectionable and then appointed a defeated candidate or someone who had not even run, the situation would be worse than ever.

The Bureau of the Budget also questioned whether one man could serve two such diverse interests as the territory and the United States without serious conflict.[8] In 1947, when Congress authorized Puerto Ricans to elect their own governor,

it also provided for a presidentially appointed coordinator of federal agencies in Puerto Rico. No such official existed in Alaska or was contemplated in the elective governorship bills. Indeed by an act of August 29, 1914, Congress had permitted the legislature to impose nonfederal duties upon the governor and many other federal officials in the North so long as not inconsistent with the performance of their primary duties.[9] Over the years the legislature had designated the governor as a member or ex officio member of numerous boards and agencies and had bestowed upon him powers of appointment. Thus had repeatedly arisen suggestions that the legislature create an elective administrator general to which would be assigned the strictly territorial functions of the governorship.[10]

The governor was the servant of two masters but the appointee of only one. This did not mean that he therefore took the side of Washington in all disputes between the two. Ernest Gruening had not hesitated to battle with Interior Department officials when territorial interests were at stake. He had come to identify himself with the land he governed, which also became his base of power. John Troy, too, had ventured to defy Ickes' wishes, although not so directly as Gruening. Heintzleman refused to clash publicly with the administration, having spent half of his life in the federal bureaucracy. Yet having also chosen the territory as his duty station and being deeply involved in its development, he, too, represented its interests to Washington.

An elective governorship would have advanced self-

government for the North while ending the schizophrenic nature of the existing office. The idea had widespread support, but it also produced hesitation. With popular election, the Anchorage Daily Times noted, "Alaska would still be a colony but the interest of the mother country would be lessened." As long as Alaska was a territory, its people had two connections with the federal government: the delegate and the governor. The former was responsible to Alaskans alone and the latter more or less to the federal government. As a member of the federal family, the governor could expect to receive a hearing at decision-making levels whenever he pleaded the case of the territory. As the administration's own appointee, he was known to it, presumably acceptable to it, and executed its directives. He was in a position to call upon the Department of the Interior for assistance in dealing with the other federal departments, the president, and Congress. An elective governor could not expect such entree and leverage. An apt comparison could be drawn with the delegate. Alaskans had elected a Democratic delegate to serve them during a Republican administration. What if they should elect also a Republican governor? What sort of attention could he claim from the administration? As the Fairbanks Daily News-Miner wrote, federal officials might say to him, "The people of Alaska elected you; go to them for your money." As long as Alaska remained the redheaded stepchild of the federal family, its interests would be served better by an appointive than an elective chief executive. Thus, wrote the Times, the proposal

became "something in the nature of a perpetual motion, without a second."[11]

2

The prospects for statehood were menaced not only by the elective governorship idea but also by the proposal that the territories be transformed into commonwealths. Mike Monroney of Oklahoma was the chief proponent of the latter alternative. He had first suggested it formally in 1952, the year that Puerto Rico officially became a commonwealth. When he revived the proposal two years later, it was in association with three other southern Democrats: George Smathers, William Fulbright, and Price Daniel. The proposition, in the form of an amendment to the Hawaii-Alaska statehood bill, provided that a referendum should be held in each territory to determine whether its people wanted commonwealth status. If they did, the legislature was instructed to convoke a convention to draft a commonwealth constitution. This new fundamental law would become effective when ratified by the people of the territory and approved by Congress.[12]

To make the bait attractive, Monroney included in his amendment a declaration of Congressional "intent" to extend to the new commonwealths the tax privileges of Puerto Rico, that is, exemption from the internal revenue laws of the United States. This would be especially appealing to Alaskans, whose higher than average incomes did not compensate for their still higher than average living costs and graduated rates of taxation. Operating a commonwealth would be more costly to

Alaskans than operating a territory, but the difference would not nearly equal the amount of taxes paid by them to the federal government. On the other hand, commonwealth status would not give them control of 100 million acres of public land or of their fish and game resources. Neither would it bring them representation in the United States Senate. But Monroney said that if the commonwealth experiments should prove "highly successful," he could envisage perhaps granting the areas voting representation in the House of Representatives and the privilege of voting for president. Such benefits could be secured, of course, only through a constitutional amendment.[13] Delegates Farrington and Bartlett denounced the proposal as a red herring. If it were implemented, Farrington said, the government of Hawaii would immediately request a refund of the $1.6 billion in federal taxes which its people and businesses had paid since annexation.[14]

In the 1954 debate Guy Cordon, principally, rebutted the commonwealth arguments. He submitted a report from the Library of Congress which indicated that no incorporated territory had ever been exempted from or had ever been rebated federal taxes. However, the report also cited a reference to the fact that in 1863 Internal Revenue Commissioner George Boutwell had made such a proposal on the ground that the cost of collecting taxes from the territories sometimes exceeded the receipts. Cordon also submitted an eleven-page memorandum prepared by Rhoda Lewis and Richard Sharpless, deputy attorneys general of Hawaii, which argued that the application of commonwealth status to an

incorporated territory was unconstitutional. They contended, in essence, that the same federal taxes paid in a state had to be paid in an incorporated territory, and that an incorporated territory could not be disincorporated.[15]

Whether the Supreme Court would have accepted their argument was the subject of considerable disagreement. It depended partially upon whether a court majority would have decided that an incorporated territory was indeed incapable of being disincorporated. Also John Marshall notwithstanding, were territories really parts of the United States? That is, was the United States a country of states and territories, or of just states, united? Finally, how complete was the power of Congress "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States"? Congress had imposed quotas on the importation of both Puerto Rican and Hawaiian sugar into the states. Its right to limit Puerto Rican imports rested on the unincorporated status of the island. Its authority to restrict Hawaiian imports presumably derived from its plenary power over the territories.[16] Whatever the court might have decided, the Senate rejected the Monroney amendment 60-24.[17]

3

In proposing commonwealth status for the territories, Senator Monroney was probably motivated by sectional considerations; Alaskans who agreed with him were prompted by economic concerns. As John Manders put the matter: "the main object of the so called movement for commonwealth status for

Alaska is to take off the backs of the people the burdensome taxation that is now plaguing each and every one of them." Asked if he would favor commonwealth status without remission of the federal income tax, he replied, "I would not."[18] Verne Martin, another Anchorage attorney supporting commonwealth status, went further. Neither it nor statehood was acceptable to him without "an adequate share of the lands and natural resources."[19]

In July a group of nine people met informally to organize the Committee for Commonwealth. For chairman they elected Alex Bowker of Spenard, the owner of a trailer business; for cochairman they chose Corneil Sherman, a consulting engineer and president of the Alaska Chrome Corporation. The latter's office served as headquarters for the group. Within a short time the committee collected almost $400 in donations. Using this money it began about August 10 to distribute, mostly by mail, 20,000 copies of a pamphlet on commonwealth status. The committee also wrote every member of Congress asking for his views on commonwealth status for Alaska. Among the respondents was William Fulbright, who thought that the "revolutionary step" of admitting the two noncontiguous territories would be comparable to France's attempt to integrate North Africa into its political system. Antonio Fernós-Isern, the resident commissioner of Puerto Rico, also replied to the committee's letter. Less friendly to the cause than Fulbright, he declined to transcribe a message to Alaskans on the virtues of Puerto Rico's form of government. Nor would he mail several hundred

copies of the island's constitution to the Committee for Commonwealth.[20]

On August 14 articles of incorporation were filed for a different group, Commonwealth for Alaska. John Manders and Harold Sogn, two of the founders of the always inactive and now defunct organization Statehood for Alaska, were among the directors of the new corporation. Thomas Walker, an accountant, and Manders' two secretaries were the others. The stated purpose of the corporation was "to sanction and promote, and become the official sponsor of commonwealth status for Alaska...."[21] It was organized, Manders said, "because we felt that people sometimes are more willing to deal with a corporate body."[22]

The Manders group, true to form, immediately became inactive, but the Committee for Commonwealth continued to agitate. In September Corneil Sherman invited Ingram Stainback, governor of Hawaii from 1942 until 1951 and an associate justice of the Hawaiian Supreme Court, to address a $25-a-plate banquet at Anchorage. About 150 people attended. Once an advocate of statehood for Hawaii, Stainback had become an opponent of it and the leading figure in the island drive for commonwealth status. Like its Alaska promoters, he found lower taxes to be its chief attraction. Stainback spoke also to the Anchorage Chamber of Commerce, appeared on radio and television, and addressed audiences at Fairbanks and Juneau.[23] "I think Alaska has an excellent chance to obtain commonwealth status if you want it," he said. For Hawaii he held out less hope, due

to the greater intensity of its feeling for statehood.[24]

Not long afterward Alex Bowker resigned from the Committee for Commonwealth in order that the group could maintain its nonpartisan status during his race for a seat in the territorial Senate.[25] He ran as an independent and was defeated.[26] In November Verne Martin completed modifying the constitution of the Commonwealth of Puerto Rico to fit his projected Commonwealth of Alaska. A petition which the committee intended to circulate requested that Congress authorize commonwealth status for the North and that it include in the bill Martin's constitution. Through this shortcut Alaskans would not lose time holding a constitutional convention and obtaining subsequent Congressional approval of it. As soon as Congress passed a bill providing for commonwealth status, Alaskans could hold a combined ratification referendum and primary election.[27]

In December the committee filed papers of incorporation. Shortly thereafter it published another pamphlet, Commonwealth for Alaska: Facts & Comments, which included a copy of the proposed constitution. Commonwealth status meant, the pamphlet declared: "(1) "Self government," (2) "Freedom from Federal taxation," and (3) "Control of at least a major portion of the lands and natural resources of Alaska by Alaska." It also meant higher taxes to operate the government of Alaska, since the commonwealth would be expected to assume what, in effect, was the cost of statehood. The $64 million (actually $49 million in fiscal 1954) which the federal government collected from individuals and businesses in the territory would be

devoted to: (1) the "cost of statehood," (2) needed transportation, judicial, health, and welfare services which the federal government had neglected, (3) tax incentives to encourage new industry to locate in Alaska and, perhaps, "freedom from local taxation to industries which benefit Alaska," and (4) augmenting the incomes of Alaskans. The pamphlet also included an application form for membership in the Commonwealth Committee. Five dollars was the first year's dues. Commonwealth status would, the pamphlet contended, be a steppingstone to statehood, although Martin had already predicted that "once the people of Alaska have lived under commonwealth for ten years they will never want statehood."[28]

Commonwealth status had become an important topic of discussion in the North. William Baker wrote in the Ketchikan Alaska Chronicle that Alaskans should have the opportunity to vote on it as opposed to statehood; several candidates for the legislature felt the same. But he was uneasy about the origin of the movement. "The elaborateness with which this commonwealth propaganda was spread this week," he wrote in August, "plus the simultaneous support of the well-known canned salmon newspaper organs, lead to the natural assumption that this is another professional job originating in the Fifth Division."[29] The term "Fifth Division" referred to the Puget Sound basin, where the owners of many important businesses in Alaska resided. Bartlett, however, observing the "amateurish" quality of the pamphlet, concluded that "the master minds of the fishing industry" had not been involved in its writing.[30]

Sharing Baker's feeling was the Times, which noted that Winton Arnold had been at Anchorage in August. Robert Atwood was always quick to suspect the Alaska Salmon Industry of skulduggery. A week after the Times raised the suspicion, Carl Rentschler, a member of the Republican Central Committee and a candidate for the territorial legislature, attributed the commonwealth movement to "hirelings" of the industry. Arnold refused comment except for: "I hope Mr. Rentschler gets elected." Alex Bowker told the press that the Committee for Commonwealth was "'in the red' and would appreciate an 'angel' to pay its bills."[31]

The Times editorial also noted that Douglas McKay, who toured the territory in July, had conferred at that time with some of the men leading the movement. It also asserted that the first newspaper to espouse the cause nationally was the Oregon Journal, published in Portland. The Journal had even offered Alaska newspapers free cartoons fostering commonwealth status. Larry Smyth, McKay's personal assistant and director of information, had been the newspaper's political editor before going to Washington. But McKay said that no one had mentioned commonwealth status to him during his visit. "The ultimate goal should be statehood..." he felt. "That's why I didn't think much of commonwealth."[32]

4

Alaska newspapers which supported statehood generally derided the suggestion of commonwealth status. A temporary exception was Jessen's Weekly. As with statehood in 1943, it

wanted more information before deciding its position.[33] Until 1954 the Chronicle, Times, and Jessen's Weekly had been the only large-circulation newspapers in the territory supporting statehood. Opposing it longer than any other was the Daily Alaska Empire, published by Helen Monsen. In 1952 the Juneau newspaper remarked that commonwealth status was "reminiscent of the 'Home Rule' plan for which the late Governor John W. Troy fought so long and well."[34] The Empire did not actually promote commonwealth status, although it did want some of its advantages. Much the same can be said of the Ketchikan Daily News, published by Sid Charles, who denounced statehood in scathing terms. Also attacking statehood was the Anchorage Daily News. Its editor, Norman Brown, was an early member of the Committee for Commonwealth.[35] These three opponents of statehood, together with the News-Miner, constituted what William Baker and Robert Atwood occasionally referred to as the "Axis press."

With the single exception of the News-Miner, these newspapers remained antagonistic to statehood. After the death of Austin Lathrop, the News-Miner was purchased by C. Willis Snedden, a Washington state newspaperman and real estate investor and former linotype machinist-salesman whom Lathrop had recently employed to operate the mechanical end of the paper. At first Snedden and John Ryan, who replaced William Strand as editor on February 1, 1951, followed Lathrop in advocating that Alaska await further growth "before taking the long step to Statehood." In time the new publisher began to

wonder if territoriality were not holding up development, especially when, as a member of the Municipal Utilities Board, he saw outside bonding houses quoting interest rates for a new electrical generating plant far in excess of those being charged in the states. During the fall of 1953 Snedden made a concerted effort to collect as much material on statehood as he could. Then the day after Christmas, he sent Ryan to a vacant apartment upstairs in the Northward Building, telling him not to return before February. While secluded upstairs he was to use this material, as well as the old Strand summaries, to prepare two briefs--one on the merits of remaining a territory and the other on the merits of becoming a state. Two weeks later Ryan returned downstairs, telling his boss he "probably was going to have to get someone else to write the 'con' side of the [statehood] question." Snedden sent him back upstairs, telling him to concentrate on it. Although he no longer had any heart for it, he managed to complete the assignment and then discussed the briefs with Snedden. In the process the latter, too, became a convert to statehood. Thus on February 27, 1954 the News-Miner announced that it was switching its position to all-out advocacy of statehood.[36]

While this change was of great importance to the statehood movement, it was also, from the same point of view, ill-timed. In December Snedden had negotiated an agreement with Helen Monsen to purchase the Empire. When she learned of Snedden's conversion, she asked him to release her from their agreement, which was due to become effective March 1. Although not

legally obliged to do so, he yielded to her request, an action he was later "tempted to regret."[37] At any rate, from February 27 onward Snedden fought vigorously and imaginatively for statehood, personally as well as editorially. Collaterally the News-Miner questioned the constitutionality of attempting to transform an incorporated territory into a commonwealth and expressed the opinion that, in any event, Congress was extremely unlikely to exempt Alaskans from the federal income tax.[38] The transformation of this widely circulated, high-quality newspaper meant that the Interior no longer had any significant publication opposed to statehood. In fact west of the 141st meridian, the eastern boundary of the bulk of Alaska, the only important daily or weekly adversary was the Anchorage Daily News, which was overshadowed by the Times. Media opposition in Alaska became confined largely to the Panhandle, particularly after the Chronicle folded in 1956.

5

In the midst of the developing ferment over commonwealth status, Douglas McKay left Washington on an official inspection trip of the North. He was accompanied by Mrs. McKay and by William Strand and other department officials.[39] On his travels around the country, the secretary customarily met with local party leaders. Thus on the afternoon of July 17, when he arrived at Anchorage, the secretary conferred with a group of twelve Republican politicians who had been invited to meet with him. The party's candidates for the Alaska legislature had been outperformed by their Democratic rivals in the April

primary. The territorial administration's lack of vigor, the national administration's sourness on statehood, cutbacks in federal spending in Alaska, the disastrous fishing season of 1953, Heintzleman's plan for partition, and the factiousness of the Republican party in the North had all figured in the result. As such the secretary told the group that he was writing off the party's chances of winning in October. When Carl Rentschler told him that statehood was the most important political issue in the territory, he indicated that he was aware of the fact. He had been bombarded with telegrams opposing partition. Opposing it was "the silliest thing they could do," he said.[40]

On Tuesday the secretary was scheduled to speak with at least fifty members of Operation Statehood at a meeting room in the Westward Hotel. The questions the group wanted to ask had been mailed to him before he left Washington. Barrie White Jr., president of the organization, waited in the lobby to greet him. When McKay approached, White extended his hand, but the secretary brushed it aside and hurried into the room. Although perplexed, White followed, opening the meeting by welcoming McKay to Anchorage and thanking him for taking time to meet with the organization. He explained that Operation Statehood was nonpartisan, that its cause was statehood, and that its members would appreciate any advice he might have to offer on how to attain the objective. With McKay's consent, White read the questions which had been mailed to the secretary earlier and sat down.[41]

McKay answered the questions as a whole by saying: "I'm for statehood. But the President of the United States is the one who writes the policies for the executive department and I just work for him." He mentioned six reasons that statehood was stalled, among them the "belligerent attitude of Alaskans"; referred to the group as "you Democrats," although White was a stanch Republican; and chastised it for its behavior toward himself, William Strand, other administration officials, and Congress. As for the question of how Alaskans could advance statehood, McKay told them they could "get back down to earth and start acting like ladies and gentlemen." There was not "one thing done by this administration that you approve.... You've given Bill Strand the devil and Strand was probably one of the hardest workers for statehood. I just get sick and tired of getting kicked around by Alaskans." In reference to the allegation in the local press that Strand was hanging onto Alaska for the department, McKay said: "I assure you it would take away a lot of headaches if you got statehood tomorrow....I have no empire ambitions...they could take away all the territories. The Department of Interior is a department of natural resources." Furthermore, why should the Eisenhower administration be "razzed about statehood"? It had been in office only one and a half years, while Democrats had held sway for twenty years.[42]

McKay's rudeness to Barrie White before entering the room suggested that the secretary had been angry with the group before meeting with it. He "had not anticipated receiving kind

treatment" from it, he subsequently wrote an Alaskan.[43] The Times speculated that McKay might have associated Operation Statehood with the Strand-Hickel episode of May. It was also possible, thought the newspaper, that he connected the group with those rebellious Republicans in Anchorage who were trying to break the power of Al White and the Fifth Division over the party organization in the North.[44] Regardless McKay continued on his inspection trip, telling the audience at each banquet he attended that he was aware of their feelings on statehood. Many people inside and outside the Interior Department sympathized with them, he said, but the president had alluded to the military importance of Alaska. "There may be some who would quarrel with President Eisenhower on military questions. I do not happen to be one of them....If circumstances were different and times were different, you would have statehood."[45]

Ten days after arriving in the North, the secretary left for Portland. There he told reporters he had no regrets about his remarks to Operation Statehood, in which he had "laid it on the line." Moreover, he said, except for "some segments of the 'new deal' press," Alaskans had reacted favorably to the criticism.[46] When McKay arrived back in Washington, a letter awaited him from Barrie White. It denied that any member of Operation Statehood had acted ungentlemanly or belligerently in pursuing statehood. The group had spoken "plainly and earnestly with the" president at Washington and had conducted its mission vigorously. But "we didn't travel 10,000 miles and spend an average of $500 apiece from our own pockets to attend

pink teas." McKay had told them to be patient, White recalled. "We stand at the threshold of victory. Only the administration is keeping us from it. You're right, we are a trifle impatient." As for the advice that they seek their objective "hat in hand," Alaskans would never "go 'hat in hand' before any servant of the people in stating what we believe to be our rights as American citizens."[47]

The same day that McKay had deplaned at Anchorage, Adlai Stevenson walked down the gangplank from the Princess Louise at Juneau. The two politicians proceeded to work the territory from opposite directions.[48] Accompanying the former Democratic standard-bearer was Bob Bartlett. At a dinner in Anchorage honoring Stevenson, Bartlett told his constituents: "In all seriousness let me say that when the day arrives--which it never will--when you are ready to take this advice (to go hat in hand) you will not be entitled to statehood."[49]

McKay had prepared the way for a Stevenson coup, even though the former was probably more sympathetic to statehood than the latter. Stevenson paid lip service to the cause but had substantial doubts about Alaska's ability to afford statehood and had reservations about admitting any noncontiguous area into the Union.[50] An estimated 1,000 people turned out to hear him tease the Republicans at the Tanana Valley fairgrounds pavilion and almost 5,000 at the Anchorage ballpark. Addressing them emphatically as "ladies and gentlemen," he referred to the GOP as the "grand old partition" and McKay as the "secretary of the terrorists." In 1952

Republicans had told the nation that "it was time for a change, and everything changed after the change of 1952, including, evidently Secretary McKay's mind about statehood for Alaska. But his wasn't the only mind that changed." Another was that of "President Eisenhower of Columbia 'the gem of the ocean'...."[51]

6

The coming elections were on the minds of both Stevenson and McKay, just as they were with many Alaskans. Not only candidates but also issues provoked the interest of the latter, particularly the question of a referendum on commonwealth status. Such a referendum should not, wrote James Walker of Spenard, set "eventual commonwealth" against "eventual statehood"; almost everyone favored eventual statehood. Rather the ballot should ask: "Are you in favor of obtaining commonwealth status as a stepping stone to eventual statehood? Yes or no."[52] The view that a new referendum should be held, either on statehood alone or on statehood versus commonwealth status, had been expressed in and out of Congress for years, not merely by opponents of admission. For example, at its January 1954 convention at Juneau, the territorial Democratic party proposed that if the legislature should meet in special session that year, it should provide for a referendum on "statehood now."[53]

In May a small, soft-spoken woman appeared at Washington on behalf of the Alaska Referendum Committee, which was herself. She was Alice Stuart of Fairbanks, editor and publisher of the

"Alaska Calendar for Engagements," a photo-memo book. Miss Stuart carried a petition signed by about 1,420 resident Alaskans asking for a referendum. She met with members of the House Rules Committee, the Senate and House Interior and Insular Affairs committees, Speaker Martin, and a White House aide but was unable to secure five minutes with the president. A new referendum, the petition stated, should be worded "clearly and definitely, in an unbiased manner, such as: 'Are you in favor or against immediate statehood for Alaska?'" and should be placed on the 1954 general election ballot.[54]

Miss Stuart represented the petition as a request by Alaskans to delay statehood until after the referendum. When news of this reached the North, she was accused of deception, for she had said nothing about delaying statehood when soliciting signatures. Had she done so, several employees of the News-Miner and other pro-statehood residents would not have signed it. They had agreed to the request for a referendum, believing that it would result in overwhelming approval for immediate admission. Even worse, some of the thirty-five people who contributed money to finance her trip had done so in the belief that she was a member of the Operation Statehood flight. Delay was her objective and a referendum the means. Miss Stuart did have one reservation about what she was doing. "The Senate bill is such a beautiful bill, I wonder if when we're ready we'll get as much. But," she caught herself, "if you can't afford it, you shouldn't buy it."[55]

Two polls were held on statehood in 1954, although neither

was official. One was conducted by Operation Statehood, which sent questionnaires to the seventy-five candidates for territorial office in the October election. "Immediate statehood," "commonwealth status," and "continued territorial status" were the choices offered. Of the fifty-nine candidates who responded, fifty-four indicated that they favored immediate statehood, two commonwealth status, and none continued territoriality; the remaining replied in ways which fitted none of the categories.[56] The second poll, taken at the end of September and the beginning of October, was conducted by the Alaska Broadcasting System. All six of the network's stations, in Fairbanks, Anchorage, Seward, Juneau, Sitka, and Ketchikan, participated. Listeners were asked to send in post cards indicating the kind of government they preferred. To guard against improper weighting of the result, respondents were required to sign their names.[57] After the votes were counted, it was found that 3,752 favored statehood now, 258 statehood later, 784 commonwealth status, and 120 territoriality.[58]

The results of the Operation Statehood and Alaska Broadcasting System polls were released shortly before the general election. As Douglas McKay had anticipated, his party's candidates were disastrously defeated. In the races for election to the territorial House, the Republicans won three seats and the Democrats twenty-one. In the Senate, where only one-half of the membership was up for election, the new lineup would be four Republicans and twelve Democrats. These results were almost exactly the reverse of those in 1952. The

Republicans, said Gruening, were "McKay'od."[59]

In Hawaii, too, Republicans fared poorly, primarily because local Democrats had organized the Americans of Japanese ancestry in support of a program for tax revision, land reform, and social welfare legislation. For the first time in history, the Democratic party there won control of the legislature, 22-8 in the House and 9-6 in the Senate. Betty Farrington, elected delegate in July after the death of her husband, was reelected in November but by only 890 votes.[60] In the states voters gave the Democrats a majority of one in the United States Senate and twenty-nine in the House of Representatives.[61] The question now was how these developments would affect the chances for statehood.

Notes

1. Jessen's Weekly (Fairbanks), February 19, 1953.

2. Fairbanks Daily News-Miner, June 23, 1953.

3. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood and Elective Governorship: Hearings on S. 50 and S. 224, 83d Cong., 1st sess., August 17-25, 1953, p. 29.

4. Arnold to Butler, June 15, 1953, Papers of Hugh Butler (MS 2331), box 225, folder 40--Alaska Statehood, 1953, Nebraska State Historical Society, Lincoln.

5. U.S., Congress, Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 1: 58.

6. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska-Hawaii Statehood, Elective Governor, and Commonwealth Status: Hearings on S. 49, S. 399, and S. 402, 84th Cong., 1st sess., February 21-28, 1955, p. 140.

7. Cole to Irving Swanson, November 14, 1955, Papers of Douglas McKay, box 62, folder Alaska--1954-1955, Political, Special Collections Division, University of Oregon, Eugene.

8. Hearings on S. 49, S. 399, and S. 402, p. 140.

9. 61 Stat. 772; 38 Stat. 711.

10. FDNM, December 3, 1952.

11. Anchorage Daily Times, January 27, 9, 1956, November 4, 1952, January 29, 1954; FDNM, January 26, 1956.

12. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 3501.

13. Ibid., pp. 3501, 3508.

14. FDNM, March 26, 19, 1954.

15. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 4069-4071.

16. Francis D. Wormuth, "The Constitution and the Territories," Current History 29 (1955): 340.

17. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 4: 4332.

18. Daily Alaska Empire (Juneau), May 3, 1955.

19. JW, September 2, 1954.

20. ADT, August 17, 20, 1954; Hearings on S. 49, S. 399, and S. 402, pp. 131, 133.

21. DAE, August 14, 1954.

22. ADT, August 17, 1954.

23. ADT, September 8, 11, 14, 1954; FDNM, September 23, 1954.

24. Ketchikan Alaska Chronicle, September 24, 1954.

25. ADT, October 2, 1954.

26. Alaska, Territorial Canvassing Board, "Official Canvass of Results, Alaska General Election, Tuesday, October 12, 1954."

27. Commonwealth Committee, Commonwealth for Alaska: Facts & Comments (Anchorage: Commonwealth Committee [1955]), Records of the Office of the Governor of Alaska, box 668, Federal Records Center, Seattle.

28. ADT, August 10, 24, 1954; Commonwealth Committee, Commonwealth for Alaska, Records of the Governor, box 668; U.S., Bureau of the Census, Statistical Abstract of the United States, 1955, 76th ed. (Washington, D.C.: U.S. Government

Printing Office, 1955.

29. KAC, August 16, 11, 1954.

30. Copy, Bartlett to William A. Egan, August 19, 1954, E. L. Bartlett Papers, Statehood File, box 18, folder Legislative History, August 1954, Elmer E. Rasmuson Library, University of Alaska, College.

31. ADT, September 16, 23, 25, 1954.

32. Ibid., September 16, 20, 1954.

33. JW, March 10, 1955.

34. DAE, February 29, 1952.

35. ADT, August 17, 1954.

36. Snedden, personal letter, March 25, 1974; FDNM, January 26, 1951, February 27, 1954; copy, Snedden to George H. Lehleitner, May 7, 1964, Snedden to Bartlett, March 30, 1967, Bartlett Papers, Statehood File, box 33, folder Tennessee Plan, 1958-1967, box 15, folder Correspondence, General, 1965-1967.

37. Copy, Snedden to George H. Lehleitner, May 7, 1964, Bartlett Papers, Statehood File, box 33, folder Tennessee Plan, 1958-1967.

38. FDNM, September 22, 1954.

39. "Itinerary of the Official Inspection Visit to Alaska by the Honorable Douglas Mc Kay, Secretary of the Interior," McKay Papers, box 55, folder Alaska, July 1954.

40. ADT, July 19, 1954.

41. Ibid., August 11, July 20, 1954, February 19, 1955.

42. Ibid., July 20, 1954, February 19, 1955. When McKay was questioned about this episode at a hearing of the House

Interior and Insular Affairs Committee in February 1955, he said: "The group I was talking to were a little tough with me and so I got a little tough." U.S., Congress, House, Committee on Interior and Insular Affairs, Hawaii-Alaska Statehood: Hearings on H.R. 2535 and H.R. 2536, and H.R. 49, H.R. 185, H.R. 187, H.R. 248, H.R. 511, H.R. 555, and H.R. 2531, 84th Cong., 1st sess., January 25-February 16, 1955, p. 234. No evidence exists to substantiate the allegation.

43. McKay to Barbara Dimock, July 30, 1954, McKay Papers, box 55, folder Alaska, July 1954.

44. ADT, July 29, 1954.

45. FDNM, July 22, 1954.

46. Ibid., July 29, 1954.

47. KAC, July 30, 1954.

48. George Sundborg, "Northwest Bellwether," New Republic, August 16, 1954, p. 10.

49. ADT, July 26, 1954.

50. Bartlett, "Office Memorandum," August 16, 1954, Bartlett Papers, Statehood File, box 18, folder Legislative History, August 1954.

51. FDNM, July 21, 1954; ADT, July 26, 1954; E. J. Kahn Jr., "The Ethnocentrics," New Yorker, April 2, 1960, p. 110; Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 20: A5820.

52. JW, August 26, 1954.

53. KAC, January 18, 1954.

54. FDNM, May 21, 1954; J. William Barba to Bernard M.

Shanley, May 17, 1954, Mary R. to Mr. Stephens, May 17, 1954, Papers of Dwight D. Eisenhower, Official File, box 753, folder 147-D-1, Alaska Statehood, Dwight D. Eisenhower Library, Abilene; Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 5: 7067-7077.

55. FDNM, May 25, 21, 1954; White to George W. Malone, June 8, 1954, Eisenhower Papers, General File, box 315, folder 17-M-4 (2).

56. ADT, October 7, 1954.

57. FDNM, September 27, 1954.

58. Hearings on S. 49, S. 399, and S. 402, p. 137.

59. JW, October 14, 1954.

60. Philip Woodyatt, "When Coconuts Dropped on the G. O. P.," Reporter, December 1, 1955, pp. 28-29; Hearings on S. 49, S. 399, and S. 402, pp. 155-156.

61. Congressional Quarterly Almanac 11 (1955): 16.

Chapter 18

A Setback for the Territories

1

"As the complex problems of Alaska are resolved, that Territory should expect to receive statehood. In the meantime, there is no justification for deferring the admission to statehood of Hawaii."[1] These were the views the president expressed to Congress on January 6, 1955, when he delivered his address on the state of the Union. Although hedged in respect to Alaska, the words represented a distinct advance over those of the previous two years, when he had mentioned nothing at all about the territory. The complex problems to which he referred were unspecified. Presumably they related to the commercial fisheries, federal lands, and military considerations, the items mentioned in a draft which the Interior Department had prepared for the speech.[2]

Clair Engle, the new chairman of the House Interior and Insular Affairs Committee and a leader of the move to join the statehood bills in 1953, had come to regard juncture as a mistake. On November 4, 1955, two days after the election, he said: "We should not sacrifice statehood for Hawaii in an effort simultaneously to achieve Alaska statehood." New enabling bills would pass through his committee "so fast," he predicted, "they will smoke from the friction." After the House of Representatives was organized, though, both Engle and

John Saylor introduced combination bills.[3] Engle had not changed his mind; rather, he explained later, he bowed to the wishes of certain "people who had an interest in the legislation." John McCormack was among these, but Bartlett and Gruening were not.[4]

Title II of the new bills drew more heavily upon the Alaska statehood bill passed by the Senate in 1954 than upon the one reported by the House Interior and Insular Affairs Committee in 1953. One new feature would allow the state to select, as part of its patrimony, coal, phosphate, sodium, oil, oil shale, and gas lands leased from the Bureau of Land Management prior to the time the enabling act was approved.[5] Existing contractual arrangements would be unaffected, except that the state would step into the place of the federal government as a contracting party. Thus all rentals, royalties, and other payments due from such leases would thenceforth go to the state, not the federal government. Hugh Butler had proposed this as early as February 4, 1954.[6] As revived in the Engle and Saylor bills, it was qualified to provide that the state must select the leased lands it wanted within five years after admission and that its selection must embrace the entire area subject to a lease, permit, license, or contract.

The House Interior and Insular Affairs Committee was organized on January 24; on the following day it met to decide upon a course of action. John Pillion sought to have the bills reviewed thoroughly by the Subcommittee on Territories and Insular Possessions, but the committee voted 15-7 to omit that

stage. Hearings would be held by the full committee only, primarily for the benefit of newcomers. Two sets of hearings would have been redundant, since all but five members of the committee had requested seats on the subcommittee and Engle wanted to accommodate them. In the meantime he asked representatives of the Interior, Agriculture, and Defense departments to submit reports on statehood without awaiting clearance from the Budget Bureau, "the most notorious foot-dragging outfit in the Government...."[7]

When the committee began discussing title II, Clifton Young opposed its land provisions. After all, the federal government still owned 84 percent of the acreage of his own state of Nevada. The grant should make "a sufficient contribution to do the job, but not so lavish as to beggar the family resources." Clair Engle drew the Republican's attention to the need for satisfying the administration's requirement that the land grant be adequate. "If we reduce the acreage, we are going to put another shell in the gun down there at the White House." Bartlett had already pointed out that Alaska, unlike many states, had never come to control public lands through federal grants for railroad building. For this purpose 37,128,531 acres had been given to the states directly and 94,257,904 acres to railroad corporations.[8]

More than anyone else, Arthur Miller defended the grant against the charge of being a "giveaway." This "father" of the super grant wanted to "get the Government out of the business of owning land" so that Alaska could become self-supporting.

During and since the Second World War, he told the committee, the acreage owned by the federal government had increased to one-fourth of the country's area. "Personally I would like to see the land in the hands of individuals who will develop that land and live on it." As he explained several years later, "It has been my experience that the State never develops the resources of the land it holds." Young noted that 5,000-some laws dealing with the disposition of the public land were already on the statute books. They had been in force for a long time, Miller observed. Wayne Aspinall of Colorado remarked that the procedures established for the existing states did not fit the circumstances of Alaska, but Young thought they could be made to "with a few minor legislative changes." He moved to reduce the grant to 50 million acres, but his proposal was rejected 16-4.[9]

Young objected to the land grant but not to admission itself. In a different category was John Pillion, now beginning his third year of opposition. He had already pointed out in letters to the 48 governors and 7,500 legislators the prospective loss of political power of their states in Congress should Alaska and Hawaii join the Union. In recognition of this prospect, three types of constitutional amendments had been proposed. The first, sponsored by Frederic Coudert, would empower Congress to determine whether a new state would receive one, two, or no senators. While lauding its intent, Pillion noted the difficulty of settling upon appropriate representation without reference to partisan advantage.[10]

The second type of amendment would make admitting new states as difficult as amending the Constitution. That is, it would require the approval of two-thirds of the members of each house of Congress voting on the matter and the concurrence of three-fourths of the state legislatures. Representative Coudert sponsored this memorial, too, as did William Colmer of Mississippi, Thomas Dodd of Connecticut, and James Davis of Georgia.[11] Dodd felt that the United States had grown big enough. "As I read history," he said, "nations that have extended themselves as is now suggested for us in this way, have sown the seeds of their ultimate weakness and destruction."[12] Pillion rejected the proposal for the same reason that it appealed to its sponsors; it would "erect an almost insurmountable barrier to statehood." Besides it would not satisfy his basic objection.[13]

The kind of amendment Pillion favored would grant Senate representation to a new state proportional to its population. Existing states would be unaffected because of the "unamendable" constitutional provision "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."[14] Until his amendment should be adopted, Pillion would defer admitting Alaska and Hawaii. Price Daniel of Texas later said that admission would not have to wait that long. Congress could require that the people of a territory seeking admission give their consent at the time of admission.[15] When approved by three-fourths of the states, the amendment would have retroactive effect, presumably through a consent clause.

For the time being, Pillion thought, Alaska should receive full powers of self-government, the privilege of selecting up to 20 million acres of the public domain, and cash grants of $7 million a year for five years in compensation for federal services it would assume. Until admitted, both territories would continue to be represented by delegates rather than representatives. This was not a disadvantage, he contended, since Bartlett and Mrs. Farrington were capable and diligent. Moreover, while most congressmen sat on only one standing committee each, Farrington sat on three and Bartlett on four (Agriculture, Armed Services, Interior and Insular Affairs, and Merchant Marine and Fisheries). No other members of the House enjoyed the opportunity of associating closely with so many of their colleagues. This was significant, since the "great mass of decisions made by Congress are made without a vote." Furthermore, without the power to vote, the delegates were spared the unpleasantness of voting occasionally for bills detrimental to some of their colleagues. On balance, Pillion concluded, Bartlett and Farrington were better off voteless.[16]

The greatest problem facing the committee was how to satisfy the president on statehood for Alaska. Perhaps Douglas McKay would supply the answer. Appearing at his own request, he told the committee that each territory should be judged on its merits; therefore a joint bill should not be enacted. Not that he opposed admitting the North. "As a matter of fact, I am for statehood for Alaska with a proper bill...." But the "barren wildernesses" of northern and western Alaska "could be

nothing but a burden on an infant state." Clair Engle asked: "if the President were empowered in relation to this enabling act to stake out the areas which he regarded as strategically important and reserving those for the time necessary in the national interest, would that modify the views of your Department with reference to the desirability of statehood?" Replied McKay, "Yes, it would." He had not heard about the reservation alternative until arriving at Anchorage the previous summer. Would such a reservation, Saylor wanted to know, be inside or outside the projected state? "Personally, I do not think it makes any difference," McKay answered, "but as to the people of Alaska it does. They do not like the idea of a partition."[17]

Arthur Miller subsequently asked the committee staff to prepare an amendment which would meet the requirements of the Interior Department. After the amendment had been drawn up, the department's liaison legislative office sent him an unsigned memorandum expressing the hope that its adoption would ward off a presidential veto. The only warning Bartlett received of it "was a statement by John Saylor of Pennsylvania some days before when I passed him in a corridor to the effect that he was going to introduce something about military reserves." The amendment would empower the president "to establish, by Executive order or proclamation issued prior to admission...one or more special national defense withdrawals within the exterior boundaries of Alaska...." Exclusive jurisdiction over each such withdrawal would be vested in the

United States. Nevertheless "all laws in force within the Territory of Alaska immediately prior to the admission of the State of Alaska into the Union, whether enacted by the Congress or by legislature of the Territory," would also apply to the withdrawal. School districts, municipalities, and other political subdivisions would operate as usual, unless the president should decree otherwise.[18]

The 176,640,000-acre region within which special national defense withdrawals might be proclaimed included much of southwestern Alaska and the Aleutian Islands and the area north and west of a line running one mile from the right bank of the Yukon River. Saylor acknowledged that the president already had the power to create military reservations on the public domain. Indeed he could even take over privately owned land through condemnation proceedings in return for just compensation. The amendment would, according to Committee Counsel George Abbott, merely lend to his power "a degree of certainty and limitation." It would consolidate scattered powers which the executive was assumed to possess but which he could not necessarily exercise, except in emergencies, without implementing legislation. It would also retain in the United States, he said, "exclusive jurisdiction over private lands."[19]

Bartlett did not like the amendment. He pointed out that no authoritative word had come from either the Defense Department or the president stating that it met their objections. Moreover, the language of the amendment was complicated, and he did not understand the rationale for drawing the line precisely

where it was. Why did it include the Aleutian Islands? Ever since the Second World War, the air force had downgraded the strategic importance of the archipelago. Anyway the president was already empowered to take over the land for military purposes. In addition the proposal would lead to the admission of Alaska on a basis of inequality. Above all, he wrote, "...I had no opportunity to analyze the provisions of the amendment and was frightened when a map was produced before the committee which set forth the boundaries suggested by the Miller amendment and the red ribbon which twisted around hither and yon had a startling resemblance to one of the partition maps." Partition, Bartlett had come to believe, was opposed by 99 percent of Alaskans. Saylor tried earnestly to convince the delegate that the amendment was necessary to win White House approval. Ellis Berry of South Dakota pointed out that his own state had entered the Union with substantially one-fifth of its land owned or held by Indians under the "absolute jurisdiction and control of the Congress...." The committee went along with Bartlett, however, voting down the amendment 14-5. Miller and Saylor believed that the bill had no chance of passing without it; therefore the former moved to strike title II altogether. The motion was rejected 15-3.[20]

That afternoon Secretary of Defense Wilson dispatched a letter to the committee by special messenger. It was the report on the bill which Engle had requested three weeks earlier. The department had no objections to admitting Hawaii, the letter stated. But in view of the great size, sparse population,

limited communications, strategic location, and importance of defense activities in Alaska, as well as "the international situation that exists today, it seems important that no immediate change in the political status of this Federal area be made." After hearing the letter read, Bartlett concluded that nothing had been lost by the morning rejection of the withdrawal amendment. But Miller said it was the vote which had prompted the secretary's reaction.[21] Since the report had been cleared by the Bureau of the Budget before being sent, Bartlett was probably correct.

When a news dispatch quoting the report reached Juneau, Stanley McCutcheon read it to the territorial House. The Democrats immediately went into caucus and then spent forty-five minutes denouncing "birddog Charlie" Wilson.[22] Following the oratory, an indignant telegram to Clair Engle and James Murray was drawn up protesting Eisenhower's talk of "using" Alaska, McKay's personal recollections of the wartime loyalty of the Hawaiian people and failure to refer in equally elaborate terms to the loyalty of Alaskans, and Wilson's reference to the Northland as a "Federal area." The entire membership of the House signed the telegram.[23]

The Interior and Insular Affairs Committee had set aside the following day, February 16, for voting on amendments. Rep. William Dawson of Utah moved, on behalf of True Morse, acting secretary of the Department of Agriculture, that Alaska receive 25 percent of the gross receipts of the national forests within its boundaries rather than 37.5 percent. The reason, Morse had

written, was that Alaska should be treated the same as other states. Morse and his department seemed to have forgotten that the idea of a bonus grant had originated in his own department. In 1947 Charles Brannan, assistant secretary of agriculture, had recommended to the House Public Lands Committee that Alaska, like Utah, New Mexico, and Arizona, receive a bonus share of the gross proceeds in lieu of sections from the national forests. Since then the bill had come to provide that the state would receive 400,000 acres of national forest land adjacent to communities, but this fell far short of being equivalent to four sections in every township. Since Bartlett had also forgotten the origin of the bonus grant and since other committee members were unaware of it, the department's new proposal was accepted on voice vote.[24]

Representative Dawson moved also that the committee reconsider its vote on the Miller amendment it had rejected the previous day; the motion lost 18-6. Bartlett, who by this time had been able to study the amendment, had concluded that it was "relatively meaningless." Realizing the need to make concessions, he worked out and then discussed with Miller and Saylor, during the half hour before the committee met, an amendment which he thought might be more acceptable to Alaskans. The amendment was identical to Miller's in all but two respects. First, the line running one mile north of the right bank of the Yukon would, at longitude 158°, turn due north to latitude 65°. From there it would turn west into the Bering Strait, bisecting the Seward Peninsula. Nome would thus be left out of the

withdrawal area, as would all of southwestern Alaska and more of the Aleutians than Miller had envisaged. Second, the president would be authorized to create special national defense withdrawals, but not in excess of 40 percent of the withdrawal area and not after the proclamation of Alaska as a state. Adam Clayton Powell Jr., a Democrat from New York City, proposed that the president be allowed to establish withdrawals anywhere in the North, before or after admission, but the committee turned him down 16-7. It proceeded to approve the Bartlett amendment 21-5 and Engle's combination bill 19-6.[25]

Miller, satisfied at last, told the group that it had acted wisely and announced that he would support the bill. Saylor pointed out that it was the first time a Hawaii-Alaska statehood bill had ever been reported by a committee on Congress.[26] It was also the first time that special national defense withdrawals had been considered in committee. The second followed five days later.

2

As in 1954, the Senate Interior and Insular Affairs Committee would inquire into statehood for the territories without much reference to the work of the House. On January 6 James Murray and twenty-five other senators reintroduced without substantive alteration the bill the Senate had passed a little over nine months earlier.[27] Two markedly different executive reports awaited the attention of Henry Jackson's Subcommittee on Territories and Insular Affairs. One, from Secretary Wilson, was identical to the report sent to Engle on

February 15. The other, from Assistant Secretary of State Thruston Morton, pointed out, as his department had in 1950, that admitting the territories into the Union would accord with the Charter of the United Nations. Chapter 11 of that document prescribed standards for the administration of nonself-governing territories and required administering powers "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions...." Fulfilling the political aspirations of Hawaiians and Alaskans would not only accord with the Charter but also redound to America's credit in the eyes of Asians, Africans, and Latin Americans and contrast starkly with the Soviet denial of political liberty. The variation in the two reports was due to more than different perspectives. Because of limited time, the State Department had not cleared its report with the Bureau of the Budget before dispatching it to the committee.[28]

The highlight of the hearings was the testimony of Undersecretary of the Air Force James Douglas Jr. "...it was quite a job..." remarked Jackson "to get someone from the Defense Department to come." He relished the opportunity to examine its representative as much as the department wished to avoid it. "It is not my desire," Douglas told the senators, "or the Defense Department's desire to try to prove specific serious difficulties that will certainly arise from Alaskan statehood. I think, frankly, that that is a very difficult thing to do." The military wanted only to operate in its

accustomed manner. "Perhaps the military is a little conservative in its approach to changes." Jackson asked Douglas to reconcile Nathan Twining's statement before the committee in 1950 with the department's present stand. Douglas said he thought Twining was "very friendly to Alaskan statehood and would like to see it realized at a reasonably early time." Nevertheless the general's "view at the present time is that in this world situation [since the outbreak of the Korean War] he is somewhat reluctant to see any new problems enter the Alaskan defense." Jackson asked Douglas if he were authorized to say that Twining had changed his position. "Yes, sir," was the reply.[29]

Jackson and some of his colleagues pressed Douglas to give them examples of how statehood would alter the military's situation. The undersecretary made several valiant attempts, but none of them withstood examination. The Washingtonian continued to toy with his defenseless witness, even though he sympathized with Douglas' predicament. The committee would much rather have grilled Secretary Wilson. "You think the corollary of this is that the State of Washington should be made a territory so that you could operate more easily?" Jackson asked. No, answered Douglas. Should Nevada revert to a territory because it, too, has few people per square mile? "I don't think so." By this time the undersecretary had become irritated at being backed into a corner. "If it is a matter of defense," said Joseph O'Mahoney, "if there is a present danger, if there are any conditions that this committee does not know

of which are governing the Secretary of Defense in what he says, by all means let the Secretary come here and in executive session tell us what they are." Douglas replied, "I am sure you would be advised, Senator, if there were such considerations." Jackson refused to accept Wilson's conclusions on statehood without knowing the grounds on which they were based. What provisions could the committee put into the bill which would ease the military's difficulties of adjustment? he asked. Douglas answered that he was in no position to advise the committee; besides, the uncertainties which concerned the department did not "lend themselves to specific legislative treatment."[30]

Douglas was unprepared to answer several other questions, too. These he took up on March 10 in a letter to Senator Jackson, at the latter's request. Concerning the contradictory reports submitted by the State and Defense departments, the letter informed Jackson that the State Department had "advised that it defers to the judgment of the Department of Defense respecting its position...." What was his department's attitude toward the Bartlett amendment? Douglas wrote that the proposal which Secretary McKay had adumbrated in his February 21 appearance before the committee was "less objectionable."[31]

McKay's proposal was formally presented on March 23 in a letter to Jackson from Orme Lewis. Under the amendment the president would be authorized to establish, prior to admission, one or more special national defense withdrawals covering any amount of the withdrawal area. The latter would embrace the

Aleutian Islands and the region north of the main channels of the Porcupine, Yukon, and Kuskokwim rivers but would be included within the state. Robert Ross, assistant secretary of defense for legislative and political affairs, endorsed the proposal as coming "nearer than any other pending amendment to meeting defense needs." Both his and Lewis' letters were cleared by the Bureau of the Budget.[32] "If congress adopts this line and passes the statehood bill," Lewis told a reporter several days later, "we think the President would take another look at it."[33]

To find out if the president really would, Senator Jackson and Representative Miller each wrote letters to him asking what sort of legislation he would accept. On March 31 he replied: "I am in doubt that any form of legislation can wholly remove my apprehensions about granting statehood immediately. However, a proposal seeking to accommodate the many complex considerations entering into the statehood question has been made by Secretary of the Interior McKay, and should legislation of this type be approved by the Congress, I assure your subcommittee that I shall give it earnest consideration."[34] In other words Eisenhower confirmed Lewis' prediction that adoption of the amendment would ease the problems of statehood as the president saw them while leaving in doubt the question of whether he would sign an act containing the amendment.

3

After the House Interior and Insular Affairs Committee had reported its own version of the combination bill on February 23,

the bill was sent to the Rules Committee. Its new chairman, Howard Smith of Virginia, was an implacable opponent of statehood for either territory. Clair Engle candidly told him that if the committee did not prepare a special order for the bill, he would move to bypass the committee under the provisions of an old rule of the House. This rule, of which he had only recently become aware, allowed the Committee on Interior and Insular Affairs to bring statehood bills directly to the floor without first obtaining Rules Committee clearance.[35] Engle preferred not to take advantage of the privilege. Most congressmen were reluctant to defy the powerful Rules Committee; moreover, a bill called up under the direct reporting rule permitted each of the members to speak for one hour.[36]

The Rules Committee decided to pave the way for floor action. Before it did, though, it held an almost unprecedented thirteen hours of hearings spread over eight separate days from March 16 through April 26. The rule finally granted was a closed, or "gag," rule under which no modifications would be permitted except for the fifty-six amendments reported by the Interior and Insular Affairs Committee. Clair Engle wanted an open rule, hoping that a few additional changes might pick up votes. The McKay amendment, which the president had indicated might alleviate his objections to the admission of Alaska, was an example; under the closed rule, it could not be offered. Arthur Miller also wanted an open rule, but for the purpose of removing title II. The prime sponsor of this Rules Committee

strategy was William Colmer of Mississippi. "Republicans want statehood for Hawaii," he said; "Democrats want it for Alaska. I want it for neither....And I think this is the best way to kill the bill." Agreeing with him, the committee voted by a more than 2:1 ratio to allow seven hours of floor debate under the Colmer proviso.[37]

Reluctantly Engle's committee decided to make the best of what it had.[38] On May 9, therefore, the House accepted the resolution prepared by the Rules Committee. During the two-day debate which followed, James Haley, a Democrat from Florida, proved to be the star performer, bringing "squeals of delight" from the opposition. "First," he cried, "out of the 503 pages [of the printed record of the hearings] let us take off 85 for the bill itself." He ripped out the pages and let them flutter to the floor. "Then there is the appendix. Let us take off an additional 65 pages. Then we read the bill in committee, so we will take that off. Then we read the bill again in committee. Then we get around to explaining the bill. That is a member of the staff of the committee, so we will take that off. We come down to Dr. Taylor explaining the bill. This is on another day. So we take that off....Then we voted on the bill in committee. That is 36 pages. So we take that off." By the time he finished striding the aisles, leaving a trail of paper behind him, only 140 pages remained.[39] Haley was the former president and director of the Ringling Brothers-Barnum and Bailey Circus.

When the debate was over and the committee amendments were discussed, Miller asked the House to send the bill to the

Senate in the hope that it would replace Bartlett's amendment with McKay's. John Pillion had a different idea. After the House approved the amendments, he moved that the bill be returned to committee without instructions.[40]

The motion to recommit the bill received 218 affirmative votes and 170 negative votes. This devastating defeat was not a true indication of the strength of either Hawaiian or Alaska statehood, since congressmen who opposed one but not the other tended to vote against both. Democrats split 105-107 on the motion, while Republicans divided 113-63. As usual the sectional opposition to statehood was strongest in the South. Its congressmen voted 101-19 for recommittal. In the West, by contrast, the vote was 15-38. In the New England states, recommittal was favored 13-12, in the Middle Atlantic states 36-38, and in the North Central states 53-63. Republicans representing these last three sections voted 90-42 for recommittal, but Democrats only 12-71.[41] Clearly it was Republican congressmen who decided the issue. To most of them, barring Alaska from the Union took priority over admitting Hawaii. Eighty-two percent of the American people might have favored statehood for Alaska and 78 percent for Hawaii, but few congressmen stood to lose much constituent support for merely returning the bill to committee.[42]

Whenever the views of a congressman's constituents did not govern his vote, the attitude of the administration became important.[43] Recommittal was what the administration wanted. On April 28 Homer Gruenther had written Bryce Harlow, an

administrative assistant to the president: "It seems to me that the strategy should be to recommit the bill--and this can be done if the Republicans stick together. If the bill is recommitted and then reported separately, Hawaii has a chance."[44] Recommittal was also what Betty Farrington wanted, for the same reason. And recommittal was what Joseph Martin and Charles Halleck had worked for weeks to achieve, realizing, Ernest Gruening wrote, "that Hawaii was not certain of sending Republicans to the Senate, and in fact unlikely to send two...."[45]

4

When Eisenhower had entered office and pushed for Hawaiian statehood only, Democrats had countered by forcing combination. Understandably Joseph Farrington viewed their success as a "serious blow," since the Islands had stronger Congressional, although never popular, support than the North. The Anchorage Daily Times, by contrast, had come to see combination as a means of keeping alive the hopes of the North. "Political circumstances in Washington," it wrote, "have placed Alaska in the position of a drowning man who attaches himself to a float that is unable to support him. The Hawaiians can't ask Alaskans to let go and drown. That would be cruel. Neither can Alaskans do so themselves. They had no part in attaching themselves and they have nothing to say about detaching themselves. Besides, they don't want to drown even though they don't want Hawaii to sink either."[46]

After the bill was recommitted, Alaska had nothing to gain

by remaining title II. On March 11, the day after recommittal, John Saylor introduced separate bills, the one for Alaska containing the McKay line.[47] Bartlett endorsed the concept of Hawaii first, but Clair Engle said to a reporter, "I'm not going to fight a windmill." John McCormack, the only one of the four House leaders of either party who sympathized with Alaska statehood, insisted on an Alaska bill first or no bill at all. Holding Hawaii hostage would protect the Democrats from the risk that only Hawaii would become a state. Bartlett and Gruening, believing that the admission of one territory would trigger the admission of the other, sought to persuade Senators Jackson and Anderson to go along with the strategy of Hawaii first. The Senate subcommittee, waiting to see what the House would do, had not reported any statehood bill, separate or combination. Knowing what the two Alaskans wanted to talk with them about, the two senators made themselves "a little bit hard to get." Like McCormack they viewed Hawaii as Republican.[48]

More than one and a half years remained before a new Congress would be seated. What should be done in the meantime? The day after recommittal Bartlett resurrected from his files the bill Irwin Silverman had drafted in 1945 for revising the Second Organic Act. He saw little point in introducing it, however, except for political reasons, unless a commitment to bring it up could be obtained from the leadership of the House. When Bartlett discussed the question with staff members of the House Interior and Insular Affairs Committee, "one fellow said

that we ought to strike when feelings are at 'white heat' and some of the members might be feeling apologetic for their Tuesday action. Another staff consultant allowed that the heat would be something less than white before the Budget Bureau reported." Bartlett himself had reservations, believing that the salmon industry would find it far easier to defeat a general revision of the Organic Act than a statehood bill, and he expected opposition from the Interior Department. For these and other reasons, he took the advice of Wayne Aspinall to solicit the leaders of the House about the possibility of enacting an elective governorship bill instead. Looking forward to adjourning on August 1, they replied to him: "Let's talk about it next January." "This was always a convenient excuse anytime after February 1," Bartlett had earlier observed. "Of course, this does not take into account the fact that we still do practically no business on Monday, little on Tuesday, and Friday is supposed to be exempt from important matters so the New Yorkers can stream home."[49]

5

After adjourning, Congress began "its annual invasion of Alaska."[50] The most ambitious hearings undertaken then, indeed the most wide-ranging and lengthy ever held up to that time in the North, were conducted by Leo O'Brien and seven other members of the House Subcommittee on Territories and Insular Affairs.[51] O'Brien, a former newspaper reporter from Albany, had for months argued about statehood with John Pillion. "I decided that neither of us knew what we were talking about,"

O'Brien said.[52] He resolved, therefore, to learn firsthand, but Pillion stayed away. He also stayed away from Hawaii because, he had explained to the House Rules Committee in March, "...I'm afraid I might change my mind."[53]

As suggested by their title, Alaska, 1955, the hearings were not confined to statehood. "We hope," said George Abbott, "to be able to take the record of this hearing and stamp it 'This Is Alaska.'"[54] Traveling from Point Barrow and King Salmon to Annette Island, the congressmen had, by the time hearings at Ketchikan ended, listened to 234 witnesses for eighty-one and one-half hours. During most of the three-week tour, Bob Bartlett acted as chairman. Had Alaska been a state, he would have been chairman in his own right. Clair Engle had more seniority but he did not go along on the trip.[55] Statehood was mentioned prominently to the group, and so were a number of related matters, particularly the administration of mental health, justice, and fishing in the North.

Since 1904 the Department of the Interior had awarded contracts to the Sanitarium Company in Portland to treat and care for mentally ill patients from Alaska. The institution the company operated, Morningside Hospital, was poorly staffed, provided inadequately for its patients, and exploited them through "vocational therapy."[56] Edith Green, the newly elected congresswoman from Portland, was so outraged about the situation and about the barbaric commitment procedures of the federal government, which included incarceration in jail while awaiting trial, that she introduced a bill to transfer the responsibility

to Alaska. When the effort succeeded in 1956, mental health stopped being a projected cost of statehood. To assist the North bear the new expense, Congress granted the territory $6.5 million to construct mental health facilities, $6 million to defray ten years of operating expenses, and one million acres of vacant, unappropriated, unreserved public land, mineral or nonmineral in character, to be selected within ten years.[57] A land grant for such purposes was not without precedent. Utah, Oklahoma, Idaho, Wyoming, and South Dakota had received similar assistance, although not so generous.[58]

The scandalous mental health situation was thus solved prior to statehood, but the breakdown of the judiciary was not. Even before the Korean War, one judge had been insufficient to handle all of the criminal, civil, and bankruptcy cases brought before the Third Division court at Anchorage. Since criminal cases were given priority, civil cases went untried for two or three years. It was a good example of the aphorism "Justice delayed is justice denied." Law enforcement officers in Anchorage refrained from arresting people who indulged in gambling and other vices in order to minimize the burden on the court. The root of the problem was that, except for municipal courts, the federal government monopolized the administration of justice. Yet about 95 percent of the cases concerned territorial rather than federal law. Congress could have cleared the dockets at Anchorage simply by providing a second judge and courtroom, but for one reason or another it repeatedly failed to do so. The Justice Department assigned

other federal judges to Anchorage on a temporary basis from as far away as New York and Hawaii to help with the caseload, but to little avail. Under these circumstances the Times remarked, "While Senators are expressing concern over whether Alaska is ready for statehood, Alaskans have good reason to be concerned with whether the United States is ready to govern the territory."[59]

When the subcommittee opened hearings in the Panhandle, the nature of the testimony changed. As befitted a region dependent on fishing, the continued decline of the salmon pack was the most pressing matter brought up by the witnesses. Criticism was, as usual, leveled at the centralized administration of the Fish and Wildlife Service and the susceptibility of its officials to the influence of the industry it regulated and West Coast politicians. Complaints were also aired about the service's allowing too many herring to be taken for reduction purposes, since herring were the feed of the king salmon. Finally, the congressmen were introduced to the conflicting theories of resource management held by the Fish and Wildlife Service on the one hand and the territorial Department of Fisheries on the other. Officials of the latter were convinced that salmon fishing should be regulated according to the views of William F. Thompson, director of the Fisheries Research Institute of the University of Washington. He contended that the salmon entering a stream at the peaks of a run were the most reproductive of the species and should, therefore, be allowed to escape. To conduct fishing on such a

basis required intermittent closure, the practice in British Columbia. Since this would extend the fishing season over a period of three months rather than three or four weeks, and since the outside labor upon which the canneries depended would have to be maintained by them that much longer, such a practice would be much more costly unless the industry resorted to freezing the fish for subsequent canning or some other technique not generally practiced by it.[60]

As with the control of justice, the power to regulate the fisheries would be denied to Alaskans until after admission. In this sense statehood had overarching significance for many of the grievances mentioned at the hearings. Until the congressmen arrived at Juneau, statehood had been spoken against by only one witness, Ralph Lomen. At Juneau, by contrast, five of the first seven witnesses acknowledged their opposition. The reason, basically, was that they wanted to avoid higher taxes. All five appeared as representatives of the Juneau Chamber of Commerce, once described as "the most conservative group in the world." In 1950, for example, news commentator Lowell Thomas had found that fewer than a dozen of the eighty or more members to whom he spoke favored immediate admission. Surprised by the abrupt change, O'Brien observed that although Nome and Anchorage were very different types of places, the subcommittee had found overwhelming support for statehood in each. What made Juneau different? he asked Robert Cowling, one of the five. Cowling was unable to provide an answer.[61]

Listening to the many witnesses who wanted to testify was a long and probably tiring chore for the congressmen. As for Alaskans, so many hearings had been held in the past that many people doubted new ones would be fruitful. Yet there were compensations for both. "I do not think any of us will forget the reaction," O'Brien told his audience at Juneau, "the attitude of the group at Point Barrow when we arrived there, the happiness that we had come, that Uncle Sam did not regard them as poor relations." Four years ago, he confessed, "I rather resented being assigned to a committee which had charge largely of western affairs. But that indifference has been dissipated in the last 2 weeks."[62] Securing the interest of this congressman would in time prove to have been important.

Notes

1. U.S., President, Public Papers of the Presidents of the United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-1961), Dwight D. Eisenhower, 1955, p. 28.

2. Anchorage Daily Times, February 22, 1955.

3. Fairbanks Daily News-Miner, November 4, 1954, January 20, 1955, November 20, 1956; 84th Cong., 1st sess., H.R. 2535, H.R. 2536, January 20, 1955. Engle also introduced a bill, on the opening day of the new Congress, for Hawaiian statehood alone. 84th Cong., 1st sess., H.R. 511, January 5, 1955.

4. Copy, Bartlett to Ancil H. Payne, May 21, 1955, E. L. Bartlett Papers, Statehood File, box 11, folder Correspondence, General, May-June 1955, Elmer E. Rasmuson Library, University of Alaska, College.

5. In 1959 the state was empowered to select lands which were leased up to five years after admission, as well. 73 Stat. 395.

6. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 50, 83d Cong., 2d sess., January 20-February 24, 1954, p. 308.

7. U.S., Congress, House, Committee on Interior and Insular Affairs, Hawaii-Alaska Statehood: Hearings on H.R. 2535 and H.R. 2536, and H.R. 49, H.R. 185, H.R. 187, H.R. 248, H.R. 511, H.R. 555, and H.R. 2531, 84th Cong., 1st sess., January 25-February 16, 1955, pp. 91, 88, 98, 94, 92, 111-112.

8. Ibid., pp. 135, 437, 287, 291.

9. Ibid., pp. 287, 215, 289-290, 292-294; U.S., Congress, House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9486.

10. Hearings on H.R. 2535, pp. 301, 313; FDNM, January 4, 1954; 83d Cong., 1st sess., H.J. Res. 17, January 3, 1953.

11. 83d Cong., 1st sess., H.J. Res. 214, March 9, 1953, 2d sess., H.J. Res. 361, January 25, 1954, H.J. Res. 364, January 27, 1954; 84th Cong., 1st sess., H.J. Res. 233, February 24, 1955.

12. House, Congressional Record, 84th Cong., 1st sess., 1955, 101, pt. 5: 5947.

13. Hearings on H.R. 2535, p. 313.

14. Ibid., pp. 313-314; 84th Cong., 1st sess., H.J. Res. 208, February 8, 1955.

15. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 3391.

16. Hearings on H.R. 2535, pp. 320, 319.

17. Daily Alaska Empire (Juneau), February 3, 1955; Hearings on H.R. 2535, pp. 211, 218, 213, 223.

18. Hearings on H.R. 2535, pp. 342, 337-339; Bartlett, "Memorandum Seeking To Preserve for the Benefit of History Certain of the Events Which Took Place during the Week Starting February 13 as They Related to Alaska Statehood," February 18, 1955, Bartlett Papers, Statehood File, box 18, folder Legislative History, January-February 1955.

19. Hearings on H.R. 2535, pp. 339, 337, 340, 344, 347.

20. Ibid., pp. 397, 350-355; Bartlett, "Memorandum Seeking

to Preserve..." February 18, 1955, Bartlett Papers, Statehood File, box 18, folder Legislative History, January-February 1955.

21. ADT, February 22, 1955; Hearings on H.R. 2535, pp. 395-396.

22. ADT, February 16, 1955.

23. Alaska, Legislature, House, Journal, 1955, pp. 209-210.

24. Hearings on H.R. 2535, pp. 411, 399, 464, 401-402, 420.

25. Ibid., pp. 421-426, 428-432; U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska-Hawaii Statehood, Elective Governorship, and Commonwealth Status: Hearings on S. 49, S. 399, and S. 402, 84th Cong., 1st sess., February 21-28, 1955, p. 26; Bartlett, "Memorandum Seeking to Preserve..." February 18, 1955, Bartlett Papers, Statehood File, box 18, folder Legislative History, January-February 1955.

26. Hearings on H.R. 2535, pp. 433-434.

27. 84th Cong., 1st sess., S. 49, January 6, 1955.

28. Hearings on S. 49, S. 399, and S. 402, pp. 20-21; U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on H.R. 331 and S. 2036, 81st Cong., 2d sess., April 24-29, 1950, pp. 46-47.

29. Hearings on S. 49, S. 399, and S. 402, pp. 28, 67-68, 70.

30. Ibid., pp. 68-69, 84, 71, 73, 76, 83, 77-78.

31. Ibid., pp. 87-88, 27.

32. Ibid., pp. 36-38; Ross to Engle, March 22, 1955, Papers of Dwight D. Eisenhower, Files of Harlow, Bryce N., box 22, folder Statehood--Alaska and Hawaii, Dwight D. Eisenhower

Library, Abilene.

33. FDNM, April 2, 1955.

34. Hearings on S. 49, S. 399, and S. 402, pp. 89-90; House, Congressional Record, 84th Cong., 1st sess., 1955, 101, pt. 5: 5880.

35. FDNM, March 17, 1955; U.S., Congress, House, Constitution, Jefferson's Manual, and Rules of the House of Representatives of the United States, Eighty-fourth Congress, by Lewis Deschler, 83d Cong., 2d sess., H. Doc. 507 (Washington, D.C.: U.S. Government Printing Office, 1955), pp. 356-357.

36. House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9217.

37. ADT, April 25, 1955; House, Congressional Record, 84th Cong., 1st sess., 1955, 101, pt. 5: 5878-5880; DAE, May 10, 1955.

38. DAE, May 2, 1955.

39. House, Congressional Record, 84th Cong., 1st sess., 1955, 101, pt. 5: 5927; ADT, May 16, 1955.

40. House, Congressional Record, 84th Cong., 1st sess., 1955, 101, pt. 5: 5974-5975.

41. Ibid., pp. 5975-5976.

42. Congressional Record, 84th Cong., 1st sess., 1955, 101, pt. 13: A246.

43. FDNM, May 10, 1955.

44. Memorandum, Gruenther to Harlow, April 28, 1955, Eisenhower Papers, Files of Harlow, Bryce N., box 22, folder Statehood--Alaska and Hawaii.

45. Copy, Bartlett, "Confidential Memorandum on Statehood," May 4, 1955, copy Gruening to Oren Long, May 20, 1955, Bartlett Papers, Statehood File, box 11, folder Correspondence, General, April 1955, folder Correspondence, General, May-June 1955.

46. ADT, June 21, 1954.

47. 84th Cong., 1st sess., H.R. 6177, H.R. 6178, May 11, 1955.

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Chapter 19

Laying the Foundation of State Government

1

After the combination statehood bill was recommitted, the enthusiasm of statehood advocates in Alaska might have drained away for a while but for the fact that the legislature had, less than two months earlier, authorized the holding of a constitutional convention. In so doing it followed the legislature of Hawaii by about six years. Hawaii, in turn, had followed a course charted by fifteen of the forty-eight states.[1]

One reason that the Alaska legislature had not acted earlier was, ironically, the opposition of the Alaska Statehood Committee. At its meeting of January 1951, for example, Victor Rivers had moved, and the committee agreed unanimously, to oppose the calling of a convention and drafting of a constitution until after the enabling bill passed Congress.[2] At that time committee members were under the impression that they would draw up a constitution which the convention would then deliberate.[3] At the November 1953 meeting of the statehood committee, Rep. Wendell Kay proposed that a convention be held in order to revive interest in statehood. Robert Atwood replied that a constitution would serve as a target of attack for the foes of admission. Unconsciously prejudging the document, he said "they would point to its shortcomings as evidence Alaskans can't even make their

own laws."[4]

In 1954 sufficient pressure was finally generated to ensure action. In April the Fairbanks chapter of the All-Alaskan League for a State Constitution was provisionally organized under the temporary chairmanship of Donald Moberg, associate professor of political science at the University of Alaska. He expressed the hope that similar groups would be organized elsewhere, but none ever were. Robert McNealy, a Fairbanks attorney, was elected president of the league, and an executive committee of four, including Rep. Richard Greuel, was chosen. Working with Moberg and other members of the group, McNealy spent more than six months drafting a convention bill. McNealy's work gained added importance when he was elected to the House of Representatives. Thomas Stewart, an assistant attorney general of Alaska, was also elected a representative in the fall. After his victory he obtained leave to visit several universities and the Library of Congress to gather information and expert advice on holding a convention and drafting a constitution. Richard Greuel also won election, again, and became majority leader of the House.[5]

The groundwork well laid, twenty-one Democrats in the House cosponsored the McNealy bill in January 1955. All sixteen members of the Senate signed an identical bill, which was introduced in the upper house. When Governor Heintzleman addressed the legislature the following day, he noted that holding a convention would be "a long step in the right direction," particularly since Hawaii had already done so.

But if Alaskans took the initiative, he pointed out, they would have to pay the cost, for which $200,000 was allowed in Bartlett's enabling bill.[6]

After being reported from the Committee on Statehood and Federal Relations, of which Thomas Stewart was chairman, the bill passed the House 23-1 and the Senate 16-0.[7] The lone dissenter was Joseph McLean, a Republican attorney from Juneau, who felt that Alaska could afford the cost of neither statehood nor a convention.[8] As signed by the governor, the bill provided for a convention of fifty-five delegates, the same number as had participated in the federal convention of 1787. They would assemble at College on November 8 for a period not to exceed seventy-five days. Except for appointed federal officials, all legal voters who had resided in the North for at least three years prior to the opening of the convention were eligible to run for a delegateship. Seven of the delegates would be elected from an at-large district; the other forty-eight would run in twenty-one smaller electoral districts. Nomination would be by petition, and the election would be nonpartisan. Three hundred thousand dollars was authorized to finance the convention and related elections.

The Juneau Independent had recently expressed alarm at the relocation of federal and even territorial offices in Anchorage.[9] Holding the convention at College seemed to be one more step in the steady march of government away from Juneau. It also meant the loss of potential business for town merchants and the diminution of influence which the editor and publisher

of the Daily Alaska Empire and other interested people there could exert. Bartlett's enabling bill designated Juneau as the site, but Robert McNealy had decided upon College. Ernest Patty, president of the University of Alaska, formally invited the legislature to designate the campus, and Donald Moberg promoted College as a place "not in the running" to be capital of the state.[10]

The Empire contended that the legislature should have selected Juneau, or at least Sitka or Ketchikan. Government records and officials would be readily available to the delegates only if they met at the capital.[11] But College also had advantages. The university would have adequate facilities to accommodate the convention. The Polar Star, published by the Associated Students of the University of Alaska, pointed out that its library and professoriat would also be available and asserted that "the impartial, academic air of the University would relieve all external pressures on the delegates...."[12] Actually neither the library nor the faculty, with the exception of Donald Moberg, would prove of much use to the convention. Moreover, external pressures would not be absent so much as they would be different. For example, the newspaper which would report convention news to the rest of the territory and would be read by the delegates during their stay would be the pro-statehood Fairbanks Daily News-Miner, not the anti-statehood Empire. Finally, as the Anchorage Daily Times observed, holding the convention at College would enhance the prestige of the university in the eyes of Alaskans.[13]

Bartlett's enabling bill provided that delegate representation should be apportioned by judicial division according to the 1950 census of population, but the convention act distributed the delegates among twenty-two electoral districts, including the at-large district. Anchorage, Fairbanks, Nome, Juneau, and Ketchikan had always been well represented in the legislature; on occasion they had been the only hometowns of the legislators. The creation of twenty-two electoral districts ensured that outlying areas would also receive representation. The experiment, Moberg noted, might also suggest to the convention a way to draw the electoral districts of the state.[14]

2

All of this activity invigorated the Alaska Statehood Committee. On February 2, 1955 Mildred Hermann told the press that the group had revised its thinking. Holding a convention was necessary to enable Alaska to draw abreast of the forerunner, Hawaii. If this were not done, committee members felt, the prospect that enactment of the combination bill would upset the existing partisan balance in Congress would damage the chances for both territories. In this new frame of mind, the committee opened its three-day meeting at Juneau. The moment had arrived to begin arranging for the "fully detailed information and analyses" without which the delegates would surely flounder. The University of Hawaii had performed much of the preparatory work for the Hawaiian convention. As the University of Alaska was not similarly equipped and the

territory had no experience in constitution-making, Alaskans had no feasible alternative but to depend on outsiders. To finance the preparatory work, the legislature appropriated $75,000 to the statehood committee. Added to the $26,000 which remained unspent from the appropriation of 1949, the committee would have the wherewithal to expand its "educational" program and hire an executive officer, too.[15]

Thomas Stewart believed that the committee should engage six or eight "truly eminent men," each versed in a different area of concern to the convention, to conduct the necessary research and then "assist and advise" the delegates at College. If a single research organization did the work, he feared, "a patterned approach that will not be adapted to the Alaskan scene" would result. Also if the organization's researchers did not follow up their work by interpreting it to the delegates at College, the materials they prepared would be little used. From the beginning Robert Atwood favored the second approach, and since he was chairman of the statehood committee, he prevailed.[16] He wrote several research groups about the committee's need, but all of them proved uninterested, incapable of performing the job, or indefinite about making a commitment. Finally, the Council of State Governments recommended that he contact the Public Administration Service, a nonprofit organization in Chicago established in 1933 with a grant from the Rockefeller Foundation. The PAS, located in the same building as the council, not only expressed an interest in the work but also drew up a contract proposal and gave Atwood

examples of its work. Inasmuch as no other such response was received, the committee signed with the service.[17]

The contract and operations of the PAS were broad-gauged enough to meet most of Stewart's criticisms. For the task of preparing the studies which Louis Weinberg had once begun and for providing consultant services and a small reference library to the convention, the committee eventually paid the organization $49,453.34. In June the committee appointed Stewart as its executive officer and liaison officer with the PAS to provide the latter with needed information about the territory.[18] The twelve staff papers which the service prepared were similar to those which had been written for other recent constitutional conventions, but they were also fresh in approach and tailored to fit Alaska conditions. Each was designed to inform the delegates about the structure and operation of a particular aspect of state government and to examine critically the practices and experiences of the existing states in dealing with it.[19] Combined they constituted a highly readable and informative textbook on the matters which would need to be decided and the considerations which ought to enter the delegates' decisions.

At the suggestion of the PAS, Stewart was sent to Honolulu to talk with officials of the Hawaiian constitutional convention. They had made a careful analysis of the strengths and weaknesses of their convention management, but much of the information and advice they could supply were available only in the Islands. Earlier constitutional conventions had lost

valuable time organizing themselves and setting up administrative and mechanical services. Therefore when the PAS staff papers were being printed, Stewart went to Fairbanks and College to arrange for the employment of convention clerks, secretaries, and pages, the assignment of rooms at the university, and other such matters.[20] Attention to these details was essential for efficient operation.

3

Between March and November, nomination petitions were circulated, campaigns undertaken, and elections held. In order that legislators might serve in the convention, Congress exempted them from the provision of the Organic Act that "no member of the legislature shall hold or be appointed to any office which has been created, or the salary or emoluments of which have been increased, while he was a member, during the term for which he was elected and for one year after the expiration of such term...."[21] A similar organic act prohibition and Congressional waiver had been made for Hawaii.[22]

Candidates for delegate should not, the Times advised, commit themselves on too many issues; they would serve Alaska better if, for the most part, they kept an open mind.[23] By September 13, when the election was held, 169 candidates had been certified for the ballots. Of these the electorate chose thirty-six from the five municipalities ordinarily represented in the legislature and nineteen from seventeen other localities. Thirteen delegates were attorneys, nine merchants, four miners, four fishermen, three housewives, two freighters, two ministers,

two pilots, and two hotel operators; the other fourteen were distributed among an equal number of other occupations. Most of the delegates were in their middle or late years, the extremes being twenty-nine and eighty-two.[24] In other words the convention would be the most representative assembly of Alaskans ever gathered up to that time.

Several efforts were undertaken to inform the public about the questions the delegates would face. The most important of these efforts was made early in November, when the Alaska Statehood Committee, taking a leaf from the book of the Alaska Statehood Association, placed an order with Jessen's Weekly for approximately 50,000 copies of an eight-page, tabloid-sized "Constitutional Convention Supplement." Like the Sundborg report, it was distributed free with Alaska's newspapers.[25] In the supplement were the text of the act setting up the convention, a roster of the delegates, and fourteen articles covering, in condensed form, much the same ground as the PAS studies. Thoughtful and informative, the articles went far toward bringing an understanding of the issues to civic-minded Alaskans.

4

The classic example of how a constitution should be drafted was provided by the federal convention of 1787. The constitution written at Independence Hall was brief and flexible and distributed the powers of government among three coordinate branches, each of which checked and balanced the others. Until the Second World War, most state constitutions

fell short of the federal example. Then the pattern began to change, in Missouri, New Jersey, and most recently Hawaii, where structures were designed and power was granted suitable for modern, efficient state government. Would the founding fathers of Alaska continue the trend, or would they model their constitution on the prewar documents?

Shortly after the convention opened, William Egan was elected its president. The soft-spoken, mild-mannered owner of a small grocery store, Egan had been a town councilman and mayor of Valdez, a representative during five sessions of the legislature, one of them as Speaker, and a senator since the beginning of 1953. Each of the delegates was assigned to two of the convention's fourteen committees, where the issues received their most thorough examination and tentative articles were drafted. The committees held open hearings, at which other delegates and the public were free to testify. It was at this level that the consultants exerted their greatest influence. After a committee had studied the material prepared by the PAS, listened to witnesses, read the pertinent articles of the model constitution of the National Municipal League and the constitutions of New Jersey and Hawaii, and discussed the issues with each other and the consultants, it reported its findings to the convention, along with a draft of suggested language. The mimeographed reports and recommendations were then debated in plenary session, frequently vigorously and without limitations on time. Generally speaking, the committee proposals remained largely unchanged. This indicated not

acquiescence on the part of the delegates, but the thoroughness of the committees' work and the ability of their members to defend their decisions on the floor.[26]

During the first few days of the convention, some strain was noticeable among the delegates; soon, however, it was replaced with a surprising amount of goodwill and cooperation. Thenceforth the delegates often remarked with satisfaction and astonishment on the virtual nonexistence of partisanship among them. Observed Egan, "In a Juneau restaurant during legislature time people of different sides of the fence wouldn't sit within half a mile of each other, but here they are at the same table and talking too."[27] Part of the reason was that they met at a dry campus in the dead of winter when there was not much else to do or think about. Had the convention been held during the hurried and excited days after the statehood bill was approved, the atmosphere and the result would almost surely have been different.[28]

A more important reason was that the voters had generally chosen well. Several of the delegates were prominently identified with the statehood movement, for example, Mildred Hermann, George Sundborg, Barrie White, and Ralph and Victor Rivers. Most of the delegates were intelligent, earnest, practical people who respected ability in their midst yet also made their own decisions. At first many of them seemed awed by the task, since their pertinent knowledge and experience were limited. Also they realized that the effects of their decisions would be vast and enduring, both for the chances of

statehood and for the state itself. But as Burke Riley later observed, "The high purpose of the proceedings brought the best out in everyone." In mid-November Egan revealed that not even one delegate had asked him for a committee chairmanship.[29] Thus good staff work and consultants, an appropriate time and place to meet, and delegates who took their work seriously and, by and large, selflessly, augured well for the future.

5

Leo O'Brien had warned Anchorageites in September: "There are people in Washington who will look critically at every word in that constitution and use it as an excuse to redouble their opposition to statehood."[30] In order that the document would satisfy at least the minimal requirements of Congress, the delegates included in it all of the requirements of the enabling bill. In case Congress should add others later, a catchall clause was also included: "All provisions of the act admitting Alaska to the Union which reserve rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property, are consented to fully by the State and its people."

Early in the convention the delegates formally resolved that the constitution, about 14,400 words in length, would consist of a statement of basic principles, an outline of the structure of the state government, and an enumeration of powers conferred and withheld.[31] In confining themselves to fundamentals and avoiding the temptation to include material which was properly the sphere of legislation, the delegates

rightly made the document somewhat difficult to modify. They did not make the procedure so difficult, however, as to tempt judges into revision by judicial interpretation. A two-thirds vote of each house of the legislature and ratification by a majority vote of the electorate were needed to amend. Anytime that ten years passed without a constitutional convention's being held in the state or without the electorate's having had an opportunity to vote on whether it wanted another convention, the secretary of state was instructed to place on the ballot at the next general election the question: "Shall there be a Constitutional Convention?"

Like the tripartite system of the federal government, the government of the state was to be divided into legislative, executive, and judicial branches, each in a position to check and balance the others. No branch was given powers which properly belonged to another, and each was streamlined in organization and granted wide authority within its realm. Yet the leading officials of all three branches were made directly answerable to the public at the polls.

After debating for a full evening the question of how the legislature should be structured, the delegates decided on bicameralism, or two houses, even though unicameralism would have been more efficient and economical and would have obviated interhouse rivalry. As Niilo Koponen, a defeated candidate for the convention, remarked, "I never could see much sense in hiring two bunches of politicians who went off to two sides of the hall and argued twice on the same question."[32] Fear was

expressed, though, that Congress might frown upon a form different from its own and from that of all existing states except Nebraska. In addition numerous voters in Alaska clung to the traditional form, and several legislators argued that two houses were useful for catching each other's mistakes. Finally, suggested the Times, if the legislature of the state proved no more responsible than that of the territory and yet had power to determine the use and disposition of over 100 million acres of land, it needed to be crippled with procedural encumbrances.[33]

The Alaska bicameral was to consist of a forty-member House and a twenty-member Senate, large enough for the committee system to function effectively but not so large as to lead to regimentation of the membership. Twenty-four electoral districts were drawn up for the House, from each of which one or more representatives would be chosen, depending upon the population of the district. District lines would be redrawn after each decennial census. Representation in the Senate would be less closely tied to population. Two senators would be elected from each of four electoral districts which approximated the existing judicial divisions; one senator would be elected from each of twelve other districts which overlay these. Senate districts could be modified to reflect the decennial changes in House districts, subject to the restriction: "A [Senate] district, although modified, shall retain its total number of senators and its approximate perimeter." The legislature would meet annually to keep

abreast of changing situations and could be called into special session by either the governor or its own members. As no time limit was placed on the duration of regular sessions, the hasty and chaotic consideration customarily given to bills during the closing days and hours of most territorial sessions would be unnecessary from a constitutional viewpoint.

For a legislature to be truly representative, its seats needed to be promptly and fairly reapportioned after every census. Reluctance to risk losing their seats or to give increased representation to districts of different political or economic complexion had often led state legislators to wrangle over reapportionment and create weirdly shaped districts of unequal population. To avoid this problem the delegates gave the function of drawing new districts to an advisory Reapportionment Board appointed by the governor. Over loud objections, a majority of the delegates decided to bar all public employees and officials from serving on the board.[34] The governor was required in turn to proclaim the adoption of a redistricting plan, explaining any variations which he might make in the one submitted by the board. Any qualified voter was authorized to apply for a court order forcing the governor to perform his duty or to "correct any error" he might make.

Reacting against the diffusion of power in the territorial government, the delegates decided to provide the state with a strong executive possessing a manageable span of control and the power to reorganize his branch. Both Ernest Gruening and Frank Heintzleman argued strongly in favor of such a

provision.[35] The delegates also decided that the offices of highway engineer, treasurer, attorney general, and commissioner of labor should no longer be elective. In the executive, only the governor and secretary of state, running as a team on the same ticket, would be chosen by the people. But to ensure that the secretary of state, the potential governor, would have independent standing and popular support, the decision was made, after much debate, that aspirants for the office would have to run in a primary election. Whoever received the most votes would be his party's candidate. The delegates also guaranteed that some fifty-eight departments, boards, commissions, and agencies would no longer be permitted to work at cross-purposes with the governor.[36] The number of departments was not to exceed twenty, each of them headed by a single executive, but the legislature was authorized to allow exceptions. Since the governor was empowered to hire and fire department heads, both he and the populace were given the means of fixing responsibility.

The governor was also empowered to veto ordinary legislative acts in their entirety and to veto or reduce items in appropriations acts. Against strong and persistent opposition, the convention agreed that to override a veto, the affirmative vote of three-fourths of all of the legislators, voting together, should be required in the case of appropriations acts and two-thirds in the case of other acts. This would limit the capability of a minority of senators to block legislation favored by a large majority of the legislature

as a whole.[37] In order that appropriations requests would be well considered and balanced against anticipated revenue, the governor was charged with preparing the state budget and drafting whatever revenue bills might need to be enacted. The legislature was required to appoint a post-auditor responsible to itself who would check that executive expenditures accorded with the law and with legislative intent. Few restrictions were placed on the taxing power of the state. Earmarking the proceeds of any state tax or license receipts was forbidden except as required by federal grant-in-aid programs. Earmarked funds created prior to ratification of the constitution could continue in existence until abolished by the legislature, but the rate of these earmarked taxes or licenses could not be changed. The reason for such restrictions was that earmarking, a method of financing favored by education, highway, and sportsmen's lobbies, tended to overfund some programs while increasing the burden on other sources of revenue. Moreover, it tended to limit the power of the legislature over the public purse.

Checking the strong legislature and executive would be an equally strong judiciary. The convention decided to pattern the state's judicial system on the widely acclaimed plan of Missouri. That is, Alaska would have a unified court system headed by the chief justice of its supreme court. As the administrative head of all state courts, he would appoint an administrative director to supervise them. Whenever a vacancy occurred on either the supreme court or the superior court, the

governor would appoint a replacement from a list of two or more names. The list would be compiled by the judicial council, a body consisting of the chief justice, three attorneys selected by the state bar, and three laymen appointed by the governor. Three years after a judge was appointed, his name would automatically be placed on the ballot for popular approval or rejection. If approved he would continue to be subject to election every six years if a superior court judge and every ten years if a supreme court justice. Since he would run on his own record and without party label, the electorate would not be burdened with the task of choosing among a legion of lawyers of whom it knew little.

In providing for local government, the delegates declared their intent "to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions." Wherever feasible, local government was to consist of cities and boroughs, the latter being a type of political subdivision new to Alaska. In using the term "borough" rather than "county," the delegates intended to free the mind from thinking in terms of the ossified structures of county government found in most states. Home rule would extend automatically to all first-class cities and boroughs, but a local affairs agency of the state executive would provide them with financial and technical assistance while restraining local abuses, examining accounts, coordinating local efforts, and so forth. Determined to avoid overlapping, uncoordinated special service districts, the

creation of new districts was forbidden wherever existing ones could provide the services desired or wherever an area could incorporate or be annexed as a city.

After less than a day of debate, the delegates broke new ground by including in the constitution an article on natural resources.[38] To provide against speculative landholding, they declared that the policy of the state would be "to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." All replenishable resources, including fish, forests, wildlife, and grassland, were to be developed on a sustained yield basis, "subject to preferences among beneficial uses." Except for gold and a few other minerals, most nonrenewable minerals were to be developed under lease.

Two of the most lengthily and repeatedly debated questions of the convention were the extent of the suffrage and the uses of the ballot. To vote in a territorial election, a resident Alaskan, unless physically unable, had to be able to read and write in the English language. After considerable debate the delegates decided that the state should be satisfied with the ability to read or speak the language. The point which clinched the argument was the fact that until recently, schools had not been available to residents of some of the outlying areas. Kentucky and Georgia allowed eighteen-year olds to vote, but all other states withheld the suffrage from people under twenty-one. The constitutional convention of Hawaii had thought twenty years appropriate; that of Alaska settled on

nineteen. This was no radical change for the North. In the last year of the Second World War, the territorial legislature had provided that eighteen should be the age. As Congress never validated the act, it remained a dead letter. In regard to the uses of the ballot, Alaskans, like Californians, Oregonians, and Washingtonians, were to possess the three standard instruments of direct democracy--the initiative, referendum, and recall. Although not surprising, the decision came after prolonged debate on whether these were desirable, needed, workable, or compatible with representative government.[39]

Finally, the convention dealt with the sensitive issue of where the state capital should be located. Proposals were offered to make Palmer the site, declare Juneau as the "seat of government," or put the question before the voters in the form of a referendum. Aware that capital relocation was the one issue which could tear the convention apart and jeopardize ratification, a sizable majority of the delegates voted to chisel into the granite of the fundamental law: "The capital of the State of Alaska shall be at Juneau." By not declaring the town to be the seat of government, however, they allowed some state operations to be located elsewhere.[40]

By the time the document had been drafted, the earlier apprehension that the delegates might conduct themselves in the manner of their legislators had vanished.[41] Like the founding fathers of their sister territory, they proved that they had learned from many of the mistakes of their older brothers. In

this respect, at least, Hawaii and Alaska showed themselves worthy of membership in the Union. Until Congress provided for admission, however, the new constitutions would have no effect. Eager to speed action in Washington, the proud fathers of Alaska's constitution went one step further: they adopted the Alaska-Tennessee Plan.

Notes

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4. Fairbanks Daily News-Miner, November 27, 1953.

5. Ibid., May 22, 1954, December 2, 1955; Jessen's Weekly (Fairbanks), January 20, 1955; ADT, January 5, 26, 1955.

6. Alaska, Legislature, House, Journal, 1955, pp. 26, 37; Senate, Journal, p. 53.

7. House, Journal, 1955, pp. 337-338, 494; Senate, Journal, 1955, p. 460.

8. U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Alaska, 1955: Hearings Pursuant to H. Res. 30, 5 pts., 84th Cong., 1st sess., September 14-October 6, 1955, pt. 4: 37.

9. Juneau Independent, December 2, 1954.

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11. Daily Alaska Empire (Juneau), May 2, 1955.

12. FDNM, March 1, February 8, 1955.

13. ADT, March 4, 1955.

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15. DAE, February 2, 3, 7, 1955; KAC, February 7, 1955; copy, Bartlett to J. F. Krause, January 11, 1949, E. L. Bartlett

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20. FDNM, October 6, 1955.

21. 69 Stat. 299-300.

22. U.S., Congress, Senate, Congressional Record, 84th

Cong., 1st sess., 1955, 101, pt. 7: 9447.

23. ADT, August 26, 1955.

24. FDNM, February 12, 6, 1956.

25. ADT, March 27, 1956; JW, November 4, 1955.

26. FDNM, November 10, 12, 15, December 28, 1955; ADT, November 18, 16, 1955; William A. Egan, "The Constitution of the New State of Alaska," State Government 31 (1958): 211; Bebout, "Charter for Last Frontier," p. 160.

27. ADT, November 18, 1955; FDNM, February 6, 1956.

28. Congressional Record, 85th Cong., 1st sess., 1957, 103, pt. 16: A2176; John S. Hellenthal, "The Forty-ninth State Sets an Example," American Bar Association Journal 44 (1958): 1147-1148.

29. ADT, November 16, 1955; FDNM, February 6, 1955.

30. Hearings Pursuant to H. Res. 30, pt. 2: 315-316. Except where noted otherwise, the following discussion of the constitution is based on the document itself and the "Constitutional Convention Supplement."

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32. Ibid., December 1, 1955.

33. ADT, December 1, September 9, 1955.

34. FDNM, January 13, 1956.

35. DAE, December 6, 1955.

36. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 9: 12207.

37. FDNM, January 12, 1956.

38. Ibid., January 20, 1956.

39. Alaska, Compiled Laws of Alaska, 1949, ed. J. Oliver Tucker (San Francisco: Bancroft-Whitney, 1948), title 38, secs. 1-4, 1-8; FDNM, December 13, 14, 16, 17, 19, 1955, January 5, 1956.

40. FDNM, January 27, 18, 1956, November 30, 21, 1955.

41. ADT, January 23, 1956.

Chapter 20

The Alaska-Tennessee Plan

1

Besides authorizing the drafting of a constitution, the 1955 legislature had provided that "the convention shall have power to make ordinances and to take all measures necessary or proper in preparation for the admission of Alaska as a State of the Union." As viewed by the convention's Committee on Ordinances and Transitional Measures, ordinances differed from other provisions of the constitution in being alterable by the legislature or by constitutional amendment.[1] One of the three ordinances adopted asked the electorate whether it accepted or rejected the fruit of the delegates' efforts. A second posed the question of whether the taking of salmon by fish trap for commercial purposes should be prohibited from the coastal waters of the state. By taking such action while Alaska was a territory rather than waiting for the first state legislature to meet, the objective could be achieved quickly and surely. The third asked whether the Alaska-Tennessee Plan, "calling for the immediate election of two United States Senators and one United States Representative," should be adopted.

Like the question of holding the convention, the idea of electing Congressmen prior to enactment of an enabling bill had been mentioned for more than a decade. On August 13, 1945, for example, Bob Bartlett recalled to the Anchorage bar and the

visiting House Committee on the Territories that Californians had held a constitutional convention and elected and dispatched Congressmen to Washington before Congress approved their bid for admission.[2] However, the impetus for the Alaska-Tennessee Plan came not from any Alaskan but from George Lehleitner, a New Orleans wholesale distributor of home appliances. A naval officer during the Second World War, he had become abhorrent of the "wholly un-American system of government" existing in Hawaii and of the feeling against its admission into the Union because of its Oriental population. Desiring to show that the United States could function smoothly with a noncontiguous state and, hence, be ready to join with other countries in a "Union of the Free" against future Hitlers and Napoleons, Lehleitner made Hawaiian statehood his postwar civic project. In 1951 he became aware of a study by Daniel Tuttle Jr. of the Legislative Reference Bureau at the University of Hawaii examining how certain previous territories had established state governments without the sanction of enabling acts. Lehleitner became so enamored of the idea that he tried to persuade Hawaii's statehood leaders to adopt it. They rejected it on different grounds, among them fear that action so aggressive might offend some Congressmen friendly to their cause. Besides, Joseph Farrington felt confident that success was imminent.[3]

After Congress failed to admit Hawaii in 1954, Lehleitner induced Russell Long, one of his senators, to have the Library of Congress examine the idea. William Tansill, the researcher

assigned to the project, found that the first territory to become a state after adopting a constitution and choosing its senators in anticipation of Congressional action was the territory south of the river Ohio, that is, Tennessee. Subsequent constitutional conventions in Michigan, Iowa, California, Oregon, and Kansas followed a similar course, also with success. Curiously, Tansill wrote, few in Congress, the territories, or the country at large found the practice objectionable.[4] The initiative taken by Tennessee was not a true precedent, since the entire procedure had been authorized by Congress. Fulfilling the terms of the agreement by which North Carolina had ceded its western lands to the United States, Congress provided in 1790 that the inhabitants of the area would receive "all the privileges, benefits and advantages" granted to those of the Northwest Territory in 1787.[5] The Northwest Ordinance had provided that whenever any of the areas of the Northwest Territory designated to become states became populated by 60,000 free inhabitants, "such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever; and shall be at liberty to form a permanent constitution and State government...."

Pursuant to the act of 1790, the legislature of the area authorized, in 1795, an enumeration of the territory and directed the governor, if more than 60,000 free persons were found to live there, to call for the election of delegates "for the purpose of forming a constitution or permanent form of

government." Since the territory did have the requisite population, delegates assembled in January of the following year. They not only drafted a constitution but also directed that elections be held for choosing the governor and legislature of the state. The General Assembly, when it met, elected a number of individuals to state office, as well as presidential and vice-presidential electors and two United States senators. By the time the latter arrived in Philadelphia, President Washington had received the census report, state constitution, and certain other documents and forwarded them to Congress.[6] The Republicans in the House, looking forward to augmenting their numbers through admission, proved readier to admit the area than the Federalist Senate. After a certain amount of politicking, a compromise was arranged leading to the accession of Tennessee to the Union as the sixteenth state. Since the election of two senators had not been federally sanctioned, those which the General Assembly had sent were not seated. The governor therefore called the legislators into special session, with the result that the same two men were reelected.[7]

Lehleitner stopped urging the "Tennessee Plan" upon Hawaii's leaders not merely because of the fears they expressed but also because of the changing political complexion of the Islands. If the voters there should elect mostly Democrats to Congress, a good deal of Republican support for its admission would be lost. Since the backbone of Hawaii's Democratic party was non-Caucasian, the effect might be even more pronounced, on

Democrats as well as Republicans. In addition, the Tennessee Plan traditionally had been authorized at a constitutional convention, and Hawaii's constitution had already been approved. Finally, Lehleitner had by this time been persuaded that Alaska, too, should be admitted, a move which he had earlier opposed. The man who converted him was Coast Guard Commander Ed Chester Jr., Governor Gruening's highly efficient naval aide. In 1950 Chester had done yeoman service for Alaska statehood in Washington by working with big national organizations to canvass the senators' views on admission and then bringing pressure on the undecided or unfavorable through the state affiliates of these organizations. In fact, Bartlett had remarked to Gruening, compared with Feltus, he "should be receiving about $4,000 per month." In 1954 Chester was stationed in New Orleans and belonged to the local Lions Club, where he got to know George Lehleitner. The latter, apparently, was mainly responsible for having persuaded Senator Long to back statehood for Hawaii. Now Chester became responsible for convincing Lehleitner that the principles which motivated his work for Hawaii applied equally to Alaska. Once Lehleitner became convinced, he set about trying to convert Senator Long on Alaska, too.[8]

Thus turning his attention to Alaska, Lehleitner drove to the territory in the fall of 1955. There he explained the background of the Tennessee Plan to eighteen of the delegates-elect and twenty-five other influential Alaskans. Among them was Bill Snedden, who took to the plan enthusiastically.

Repeatedly, though, concern was expressed to Lehleitner that implementing it might antagonize Congress. Also he was asked, more often than any other question, "What is Bob Bartlett's attitude?" In attempting to determine what the effect of the plan upon Congress would be, Lehleitner laid the idea before four of its members without any information about its precedents. In each case the reaction was negative. Then he asked them to read some of the historical materials he had collected concerning the operation of the plan in the past. After reading them one of the Congressmen concluded that the idea might work after all, and the other three reversed themselves completely.[9]

The only two men prominent in the statehood movement who had serious reservations about the plan were Robert Atwood and Bob Bartlett. How would the chances for statehood be affected, the former asked, if the plan should fail? Also should not Alaskans first be assured that some leading Congressmen would "carry the ball" for them from within Congress? Bartlett's worries were along different lines. The effect of Alaskans' electing Democrats to all three positions, or just the two Senate ones, could damage the chances for statehood, he feared. Even if that did not happen, what grounds existed for believing that more than a few Congressional votes would be changed or that Eisenhower would be swayed in his views? Lehleitner expected that the boldness and drama of the plan would capture and hold newspaper, radio, and television attention and thus build up overwhelming public support. Bartlett felt, on the

other hand, that the media were geared to a fast pace. Still he did not express his criticisms publicly. For one reason he felt a high regard for and deep sense of appreciation to Lehleitner for his considerable exertions on Alaska's behalf. Then too, "my predictions and prophesies concerning statehood are almost always" wrong. He agreed with Lehleitner that the outlook was growing dimmer. Maybe the Tennessee Plan could impart needed momentum. Above all, the delegate had no better alternative to suggest.[10]

Within a month after the constitutional convention convened, the delegates were enthusiastically discussing the plan privately. Several of them also talked about it with William Knowland, who visited the convention. He endorsed the plan strongly to them and pledged his wholehearted support. Lehleitner thought the plan should be provided for in the constitution itself, but the Committee on Ordinances and Transitional Measures felt it should be in the form of an ordinance. Lehleitner also believed that state officials and legislators should also be elected, even though none of them would take office until after admission. The idea was rejected by the delegates, many of whom thought it would be unwise. On December 13 the committee reported the plan unanimously. During the convention's holiday recess, Lehleitner mailed each of the delegates copies of a pamphlet he had written summarizing its operation in the past. Also, at Bartlett's request, he sent an outline of the plan to a number of Congressmen friendly to statehood and solicited their candid responses.[11]

Working from all angles to achieve his goals, Lehleitner turned once again to the delegate. Indecisiveness on the part of Alaska's leadership would be reflected in its people, he pointed out; the plan had a chance of success only if "pursued with boldness, enthusiasm, and intelligence...."[12] Although still unconvinced, Bartlett responded by telegraphing the convention on January 20: "...I am bound in candor to state that without the Tennessee plan a combination of circumstances, not at this time to be readily foreseen, will be needed to bring statehood soon. If the Tennessee plan is adopted it might well shorten the long road to statehood....I see only remote possibilities of loss."[13]

Invited to address the delegates at College, Lehleitner was escorted into the convention hall three days later by Walter Hickel and Alex Miller, the Republican and Democratic national committeemen. Alaska and Hawaii were drifting away from statehood, he said. Largely responsible for the current situation was the close partisan division of Congress, in which a tightly knit bloc of Democratic Congressmen from the South controlled most of the key positions, a situation which would remain indefinitely, he predicted. The Democratic trend in Hawaii would stiffen Republican opposition to statehood. In spite of the apparent bleakness of the picture, a ray of hope did exist, one which depended upon Alaskans themselves. In several earlier states, the "citizens' pleas for Constitutional self-government had also fallen upon deaf or ineffectual Congressional ears....until the delegates to their

Constitutional Conventions, by means of a life-giving clause WRITTEN INTO THE DOCUMENTS THEY FASHIONED, precipitated the action that achieved statehood within two years thereafter!" He recommended its adoption by Alaskans but also acknowledged that it could fail. In either case it would attract publicity to the "monstrous injustices" suffered by the North and would invigorate its people.[14]

The following day Lehleitner sent the delegates photostatic copies of letters he had received to his holiday inquiry. Seventeen of them indicated that the plan would not offend Congress. Five other affirmative replies, he wrote in an accompanying letter, had been received too late for reproduction, and another three expressed the belief that the effort would be unproductive. These last replies had been sent by Representatives James Utt, a Republican from California, and Lee Metcalf, a Democrat from Montana, and by Senator Anderson.[15]

On January 29, one week after the speech, the delegates approved the plan 53-0. It provided, contrary to Alaska's strong tradition of nomination by primary election, for choosing the candidates by political convention. The principal reason was that the filing date for the April primary, February 1, was fast approaching. For the convention to advance the date to February 20 would be of questionable legality. Not enough money remained in the convention fund to hold a separate primary later in the year, and waiting until 1958 would kill the plan. Accordingly after an hour of heated discussion, the reluctant delegates voted 39-14 in favor of

selecting the candidates by convention. As James Hurley of Palmer confessed: "I never dreamed the day would come when I would stand up and oppose primaries....I'm yielding to what I am not entirely proud of to get the job done." Robert Atwood was not displeased. Otherwise, he had written Bartlett, "we might [get] some awfully funny people" elected. Two days later John Rosswog of Cordova moved to strike the ordinance. The decision on candidate nomination was made after the Tennessee Plan had been adopted, he protested; besides, executing it would cost "quite a bit" of money. Frank Barr of Fairbanks replied that the territory, like a turtle, would not "get anywhere without sticking its neck out." Evidently most other delegates felt the same, for the ordinance, renamed the Alaska-Tennessee Plan, was reaffirmed 48-6.[16]

On February 2 Steve McCutcheon of Anchorage and others proposed that if Alaskans ratified the constitution and Congress failed to grant them statehood "before the fourth Monday in January 1959, the territorial Legislature shall provide for the election of officers under this Constitution and for proclaiming the date on which the Constitution shall become effective." The suggestion was turned down 37-16, for its execution would have been defiant toward the United States. Moreover, said Ralph Rivers, "All we would be doing is electing a governor and secretary who couldn't take over their desks and legislators who couldn't take their seats."[17]

2

After framing the constitution and adopting the ordinances,

all but one of the delegates looked forward to signing the document. The exception was Ralph Robertson, a delegate at large from the First Division. He had stayed at College as long as he did only to ensure that Juneau would remain the capital. Having concluded rightly that he had no chance of persuading his fellow delegates to vote against the document and nursing assorted objections to it, he mailed his resignation to William Egan on February 3.[18] The other fifty-four delegates proceeded as planned. On the afternoon of Sunday, February 5, they and more than 1,000 visitors crowded into the gymnasium. Governor Heintzleman, the featured speaker, told the audience that charges of imperfection might come "from special interests, regional points of view and the frequent propensity of people to consider one feature of a proposition with reference to how it influences or is influenced by other features of the proposition." Therefore when the delegates returned to their homes, they must follow the lead of their forefathers in interpreting the document to the people.[19]

After the governor resumed his seat, the chief clerk called the names of each of the delegates, beginning with Egan's. Visibly nervous the convention president stepped down from the podium and signed the last of fourteen sheets of parchment lying on a table. Except for music from recorded chimes, nothing broke the silence of the ceremony. When the fifty-four delegates had signed their names, Egan, too, addressed the convention. Finally, as the Ladd Choral group sang the "Alaska Flag Song," tears slid down the faces of more

than half of the delegates. The public left the gymnasium, but the delegates remained standing a while, silently looking at the document they had framed.[20]

The next morning, the seventy-fifth day of the convention, the delegates assembled for the last time. Weary from the emotionalism of the previous day, they had expected "an hour of pleasant amenities." But the clerk became so choked with tears that she could barely call the roll. Again the group became sentimental. And when a large oil portrait of William Egan was brought into the hall and presented to him as a gift from the other delegates, Egan, too, lost his composure. Earnest Collins, dean of the convention, said afterward, while removing tears from his eyes: "This has transcended everything. I thought I was tough. But everyone had thin skins this morning." Several months earlier, observed Burke Riley, "no one knew what to expect or how much to hope for." But now "no one wants it [the convention] to end."[21]

3

The awakening of broad citizen interest was important in the campaign for ratification. Thus on the day that the convention adjourned, the Fairbanks Daily News-Miner printed 61,500 copies of an eight-page, full-sized newspaper supplement. The News-Miner kept 11,000 copies for its own use, and the Alaska Statehood Committee purchased the rest for distribution with Alaska's other newspapers. In the supplement were articles about the convention, the delegates, and the constitution, photographs of the delegates and the meetings, and the complete

text of the constitution and ordinances. The statehood committee placed orders, too, for 15,000 copies of the constitution and 100,000 copies of a summary of the document and attended to their distribution. "Know Your Constitution" and "Vote on April 24th" radio and television spots, as well as seven half-hour radio programs on the constitution, were sent to the broadcasting stations of the territory. Further, at the request of the committee, but not at its expense, William Egan made a series of public appearances in the major towns of southeastern Alaska to explain its provisions.[22]

Most of the substantive criticism of the constitution was directed at the executive article. To many Alaskans, it seemed to place extraordinary power in the hands of one man. From having lived under what was perhaps the weakest executive under the flag, they were planning to live under the strongest. As with the referendum campaign of 1946, however, opposition was individual rather than organized, whereas support was both individual and collective.[23]

The extensive publicity surrounding the convention, the constitution, and the ordinances ensured a large turnout in the balloting. Also drawing people to the polls were the primary elections for territorial office, Alaska's first presidential preference primary, and contests for Republican and Democratic national committee members. On the constitution the voters cast 17,447 votes for ratification and 7,180 against. A majority in favor of the proposition was obtained in every division, the lowest being in the First Division (1.2:1) and

the highest in the Third (3.8:1). The ordinance to abolish fish traps passed easiest of all, 21,285 to 4,004. Large majorities were tallied in all of the divisions except the Second, where the affirmative vote was nonetheless substantial (2.3:1).[24]

On the question of adopting the Alaska-Tennessee Plan, the voters were more hesitant, approving it 15,011 to 9,556. The result was highly significant, since the question was tantamount to a referendum on statehood. In the 1946 referendum 58.53 percent of the voters supported statehood; in 1956, in effect, 61.10 percent did. Breaking down the vote by judicial division is illuminating. In 1946 voters in the Second and Fourth divisions had rejected statehood 933 to 742 and 1,679 to 1,589 respectively. In 1956 they reversed themselves dramatically, supporting the Alaska-Tennessee Plan by a more than 2:1 margin, 1,162 to 408 and 3,137 to 1,439. In 1946 the Third Division had favored statehood 3,427 to 2,257; now it voted 7,460 to 3,789, an increase in total support of only about 6 percent. Counterbalancing the gains achieved in northwestern and interior Alaska were losses incurred in the First Division. In 1946 the Panhandle had supported statehood by a larger proportion than any other division, 3,872 to 1,953. Now it rejected it 3,920 to 3,252.[25] Popular attitudes toward the issue in the four divisions corresponded fairly closely with the editorial positions of their dominant newspapers. As Bartlett wrote Snedden about one month later: "I have analyzed very carefully the returns from the Fourth Division in respect

to the vote on the constitution and the Tennessee Plan. It is obvious to me...that when some of these little communities away from the main stream voted affirmatively and by wacking [sic] majorities that was...because of the stand taken by the NEWS-MINER."[26]

4

With ratification out of the way, party conventions were organized to nominate candidates to send to Washington. Worried, like Bartlett, that the populace might elect only Democrats to serve, Bill Snedden proposed that each party nominate only one candidate for senator--the Democrats Bob Bartlett and the Republicans Ernest Patty. A dual candidacy for Bartlett would not have been unprecedented. In 1858 Joseph Lane, the Democratic delegate from Oregon, had been reelected as delegate of that territory and also elected as a United States senator. In those days delegates were chosen by the people and senators by the legislature. For the position of representative, Snedden suggested at first that William Egan be nominated as a coalition candidate; later he suggested that the position be opened to a true contest. Bartlett gave the coalition plan close and sympathetic consideration, mostly because of Snedden's advocacy of it. Ideally, the delegate wrote, each party would nominate one strong and one weak candidate. How that could be arranged he could not conceive. When it came time to nominate candidates, each party would be motivated to win all of the offices. Moreover, if such slates were contrived, news of the fact would soon reach Washington,

where its revelation would neutralize its intended effect.[27]

Bartlett's expectations were borne out when seventy-one Republicans assembled at Juneau on June 1. For the Senate they chose unanimously two of their most illustrious figures, John Butrovich and Robert Atwood. As their nominee for the House, they turned to Charles Burdick of Juneau, a former assistant regional forester of Alaska who operated an investment business in the capital. He was an unknown whose race for Congress would be his first real venture into politics. The mood of the delegates on coalition was clear (they shouted down the proposal), but the leadership retained its options by not taking a formal vote on the question, by keeping secret for a time whether Atwood or Butrovich would run for the six-year term, and by the expressed willingness of both nominees to step aside if a coalition slate should be arranged.[28]

The Democrats, when they met, felt the same compulsion to capture all of the offices. As Treasurer Hugh Wade wrote Felix Toner, chairman of the Democratic Central Committee, "Bob Atwood is a nice guy, so is Johnny Butrovich, but they are in the opposition camp and running on a Republican ticket, and if either of them should win it would be a real victory for them and it might give them just what they need to begin to rebuild a strong Party, and we can't let that happen." Choosing the Democratic nominees was complicated by the fact that Bartlett already sat in Congress. Lehleitner applied enormous direct and indirect pressure to the delegate to run for one of the three offices, preferably that of representative. "Otherwise,"

he wrote the convention delegates, "I'm afraid the Congress would interpret such an action as clearly indicative of a lack of faith in the efficacy of the Tennessee Plan." Vide also wanted him to run for a senatorship "in fairness to statehood and in fairness to my [Bob Bartlett's] own personal fortunes...." If the Alaska-Tennessee Plan succeeded, as he hoped it would, and Alaska was admitted into the Union, he would "be out and injured with no job and no salary." Then too, some Congressmen would probably accept the plan more readily if Bartlett were a participant.[29]

The circumspect delegate decided not to do as Lehleitner wanted. First among his reasons was that he could not do justice to both jobs, for he already often worked on Sundays. "What then happens," he asked, "to the thousands of Alaskans who every year want us in this existing and legal office to do things for them?" He wrote Bill Snedden, "If the choice had to be made--and it would have to be made--between giving time to the Delegate's job or the other one, I should first attend to the Delegate's." Second, he continued to lack the devotion and enthusiasm for the Alaska-Tennessee Plan which he felt a candidate for one of its offices should have. Third, if he ran for the two offices, it "could be said and would be said that my interest in statehood was personally in self-aggrandizement rather than the cause itself." Fourth, if both he and Gruening were chosen by the people, "...I know precisely what would happen...." he wrote Hugh Wade. "I am 52 years old now, not 35 as I was when Ernest and I started our association. I could

not and would not abide the utter control he would seek to exercise in every matter involving execution of the TP. This would be especially the case because while I admire him, as you know, so greatly in so many ways I think he is as politically naive today as when he started out. Which is to say plenty. I want none of it." In another letter to Wade, Bartlett supplied his fifth and final reason. "...let me get this straight," he wrote. "Even if EG were not around, I should not want to run under the TP. Call it a hunch, call it what you will, I just have a feeling that those mixed up in it are going to seal their own personal political doom. I hope otherwise."[30]

Bartlett not only hoped for the success of the Alaska-Tennessee Plan but also worked for it. Moreover, he worked for the nomination of strong candidates by his own party, although regretting that Atwood would be defeated. Even before the constitutional convention had adopted the plan, Bartlett had pledged to Gruening his support for the Senate. But since he did not declare himself out of the race immediately after the primary election, Gruening did it for him without finesse. Bartlett also sought to interest William Egan in the race, because of the man's sincerity and honesty, because he had become fairly well known throughout the territory, and because he had gained considerable political strength through his presidency of the constitutional convention. Initially Egan did not want to run, but since he reported "that business has gone all to pot in Valdez," Bartlett thought that "...perhaps he wouldn't be surrendering too much if he got rid of the

business and undertook to make a full-time profession of public life." Thus to head off his own candidacy and yet ensure that his party would run able candidates, Bartlett declared that he would not be a candidate and suggested that Gruening and Egan would make "a first-rate, top-flight team."[31]

When the convention delegates met at Anchorage, they respected Bartlett's wishes. Gruening was nominated to oppose Butrovich for a six-year term in the Senate and Egan to oppose Atwood for a four-year term; Ralph Rivers was nominated for the House. Since leaving the office of attorney general, Rivers had practiced law and served as mayor of Fairbanks for two years, territorial senator, and second vice-president of the constitutional convention.[32] He had declared himself unavailable for nomination, but a caucus of Fourth Division delegates persuaded him to become their favorite son candidate. It was "history in the making," he observed, "and an opportunity for experience that could not be lightly cast aside." He preferred being matched against Butrovich, but his fellow Democrats decided otherwise.[33]

Later in the year Gruening set out on the campaign trail to renew old ties. His opponent also traveled around the territory but did not use his newspaper to promote his candidacy. Egan and Butrovich cut less impressive figures than their teammates, but each of them had large followings. The News-Miner dropped its advocacy of a bipartisan ticket and urged voters to elect only Republicans to Congress. The Anchorage Daily News, on the other hand, the most outspokenly

Republican newspaper in the North, suggested a bipartisan vote for Egan and Butrovich. Bipartisanship would give something to both the administration and the Democratic Congress. The Ketchikan Alaska Chronicle also supported bipartisanship but reversed the choices of the News.[34]

When the voters went to the polls, they elected Gruening over Butrovich 14,169 to 13,301, Egan over Atwood 15,634 to 11,588, and Rivers over Burdick 15,569 to 11,345.[35] They also gave, once again, 21 of the 24 House seats to the Democrats and increased the party's lead in the Senate from 10-6 to 11-5. Three reasons may be cited for the landslide. First, Alaska had more Democratic than Republican voters, even though party allegiance was weak. Second, as Walter Welch, manager of a Fairbanks television station observed, "There hasn't been...any positive direction out of his [Governor Heintzleman's] office, and there has been general dissatisfaction from that. Coupled with that, the Democrats work as a team and have campaigned strongly and effectively, whereas the Republicans in their campaigning were more or less working on individual effort.... And I think that, as a whole, the Democrats have a better slate of candidates." Third, dissatisfaction continued to be felt with the national administration. As Robert Atwood said: "the Republicans haven't done enough about Alaska. People are discontented with the whole business, want something done, and they feel the Democrats are a better bet." Ralston Derr, manager of the Fairbanks Chamber of Commerce, and Walter Hickel both felt that a recent remark by the president contributed to

the Democratic victory.[36] At his news conference on September 11, Eisenhower had said: "Now, Alaska is a very great area, there are very few people in it, and they are confined almost exclusively to the southeastern corner."[37] In Alaska "southeastern" referred to the Panhandle. From the perspective of Alaskans, therefore, it seemed that the president was being misinformed.[38]

Nationally Republicans lost less ground. When voters in the states went to the polls, they gave Eisenhower a resounding 57.4 percent of their votes and Adlai Stevenson, who again opposed him, only 42.0 percent. In the Senate the Democrats maintained their edge of 49-47, and in the House their lead was nearly unchanged, 234-201.[39] In Hawaii the Democrats retained control of the legislature and, for the first time since 1934, captured the delegateship. The victor, John Burns, had been defeated by Betty Farrington in 1954 and by her husband in 1952. Now he rolled into office with a plurality of 16,000 votes through hard work and successful organization.[40]

5

Even before the Democratic convention had met, Bartlett, Lehleitner, Atwood, and Ernest Bartley had begun planning the execution of the Alaska-Tennessee Plan. Bartley, a professor of political science at the University of Florida and member of the Florida Constitution Advisory Commission, had been engaged by the PAS as a consultant to the Alaska constitutional convention. One of the two elements of the plan was lobbying, that is, Gruening, Egan, and Rivers would visit every member of

Congress to canvass and strengthen support for the bill. Collateral to this work was a project to which Bartley donated his time and the Alaska Statehood Committee agreed to reimburse him for his expenses up to $2,500. It involved his tabulating the voting records of the Congressmen on statehood and related issues. Those who had voted consistently against it would not be investigated further. Those whose record had been erratic, who seemed to be wavering, or who were new in Congress would be extensively investigated as to personal background, the economic and social characteristics of their districts, their views, activities, and associations, and the people in their districts and other Congressmen who were influential with them.[41]

The other element of the plan was a public relations effort for, as Bartley remarked, "You don't fight battles successfully in today's Congress simply because right and justice are on your side." Since the novelty of the Alaska-Tennessee Plan would soon wear off, stories about it would "have to be made." An individual with extensive media contacts would be engaged who could get the three Congressmen-elect on nationwide television, arrange for them to be interviewed by the national press corps, place articles written by Gruening and others in important national magazines, and so forth. A beginning no later than July 1 seemed essential, for many important national television shows and magazines had lead times of as long as five or six months. The Alaska Statehood Committee would probably be able to pay such a public relations

expert $2,000 per month, only a fraction of the fee he could ordinarily expect. Thus he would have to be attracted also by the cause itself and by the chance to perform a public service. George Lehleitner had already begun the search for such a man, feeling "that the Alaska-Tennessee Plan will succeed--or fail--largely on the strength of the kind of publicity the effort sparks." With the assistance of several people well versed in public relations work, a list of possibilities was compiled and narrowed and the outstanding prospects interviewed. Of these John Adams, who possessed broad experience in both newspaper and electronic media work on the national level, was selected, partially because "he developed an immense amount of enthusiasm for the problem...." Lehleitner engaged him on September 20 on his own responsibility and without any commitment from the Alaska Statehood Committee for reimbursement. Eventually the committee took up the responsibility, even though recollections of the Feltus episode brought hesitation. When Adams was paid by the territory, he, in turn, would reimburse Lehleitner.[42]

6

The election over in Alaska, the North's eldest "phantom senator" flew to Washington. When William Egan and Ralph Rivers decided to take their cars to Washington, Snedden developed visions of a publicity bonanza. He induced the Alaska Statehood Committee to recommend strongly that Gruening return to Alaska in order to make the trip, over the Alaska Highway, with his colleagues. Gruening, although sixty-nine years of age, possessed the resilience and determination to

endure such a drive but declined the suggestion. As a consolation he offered to drive, with his wife, from Seattle if the statehood committee would finance the cost. This was never done. Thus on the afternoon of Sunday, December 9, only the Egans and Riverses were present to be honored at a colorful farewell program held in the gymnasium of the University of Alaska. The following afternoon they left Fairbanks in -47° weather on a long and difficult journey, the high point of which occurred at Nashville. There in the cradle of the Tennessee Plan, they and, at last, the Gruenings were officially received at the capitol, taken on a tour of the Hermitage, Andrew Jackson's home, and honored at a dinner in the executive mansion.[43]

Finally, on December 31, three weeks after leaving Fairbanks, the weary motorists drove up to the New House Office Building. The odometer of the Egan car registered 6,227 miles and that of Rivers 6,647. After Bob Bartlett greeted them, they spent nearly an hour before television, newsreel, and press cameras and then talked with reporters.[44] Thus even before Congress assembled, the delegation had attracted national publicity, their chief objective. The question now was whether the coverage could be sustained and how the administration and Congress would receive them.

Notes

1. Fairbanks Daily News-Miner, January 18, 1956.

2. Anchorage Daily Times, August 14, 1945.

3. Copy, Lehleitner to James C. Wright Jr., September 12, 1963, Alaska Historical Library, Juneau; Daniel W. Tuttle Jr., "'State' Elections Prior to Admittance into the Union," Legislative Reference Bureau, University of Hawaii, rept. no. 1, 1951, E. L. Bartlett Papers, Statehood File, box 32, folder Tennessee Plan, 1955, Elmer E. Rasmuson Library, University of Alaska, College.

4. Copy, William R. Tansill, "Election of Congressional Delegations Prior to the According of Statehood," Library of Congress, Legislative Reference Service (1955), Bartlett Papers, Statehood File, box 32, folder Tennessee Plan, January 1956.

5. 1 Stat. 108-109, 123.

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Chapter 21

Seaton Breaks the Logjam

1

The continued close partisan division of the United States Senate and the Democratic victories in Alaska and Hawaii could not have enamored the administration of statehood for Alaska. Yet it was more willing to go along with it than anytime during the previous four years. The reason was unrelated to the constitutional convention or the Alaska-Tennessee Plan; rather it derived from a change in the president's cabinet. Pressured into running against Wayne Morse in the fall election, Douglas McKay had resigned as secretary of the interior in March 1956.[1]

In choosing a replacement for the Oregonian, the president deliberated at length. In fact, he told a news conference in May 1956, "...I don't know of anything I have thought more about and studied more on lately than that one."[2] In the end he nominated Fred Seaton, a publisher and broadcasting executive from Hastings, Nebraska. Seaton had served in the Nebraska legislature in 1945 and 1947 and had been chairman of its legislative council from 1947 to 1949. When Senator Kenneth Wherry died in 1951, the governor appointed Seaton in December to fill the vacancy. While a member of the United States Senate, Seaton urged Eisenhower to run for the presidency and later became one of his campaign advisers and speech writers. It was during the campaign he took the

opportunity to mention the merits of Alaska statehood to Eisenhower, arguing primarily: "(1) Simple justice called for recognition of tax-paying Americans living in Alaska who had no voice in government; (2) The day was certain to come when America would be acutely in need of Alaska's vast natural resources, and orderly development of the resources would be much more practical in a state."[3]

Seaton chose not to run for election himself in 1952 but returned to his business affairs in Nebraska. Eight months later Eisenhower appointed him assistant secretary of defense for legislative and public affairs, and in 1955 he moved into the White House itself as an assistant to the president.[4] In choosing Seaton to be interior secretary, Eisenhower nominated an affable executive who possessed the capacity for quickly comprehending complex problems and finding intelligent, harmonious solutions to them.

Bob Bartlett was elated by the nomination, for he remembered Seaton's maiden speech in the Senate. The occasion had been the 1952 debate on recommitting the statehood bill. Bowing to the feelings of neither Hugh Butler nor his party's leadership, Seaton told the Senate that many of the same objections raised against admitting Alaska had been heard in the debates on bringing Nebraska, Oregon, Wyoming, and Arizona into the Union. "As an organized Territory--as an inchoate State--Alaska's star has for too long been denied its rightful place on the glorious flag of the United States of America."[5] This speech, like a number of other pro-statehood speeches

delivered in the Senate at the time, had been written by George Sundborg. Seaton clearly had an independent streak, and not just on the issue of statehood. During the year he had spent in the Senate, he voted with the majority of his Republican colleagues only 69 percent of the time. Unlike Douglas McKay he would not keep his eyes fixed on the White House for cues as to what positions to take. When Seaton became interior secretary, Eisenhower instructed him "to find out the right thing to do and then do it."[6]

At the time he went before the Interior and Insular Affairs Committee in connection with his nomination as secretary, Seaton was asked by Richard Neuberger of Oregon how he stood on the question of immediate statehood for Alaska. "Personally, I am for it," he replied. "Furthermore...I should certainly be glad to do everything I can to work that [the withdrawal of lands necessary for defense purposes] out so that Alaska can become a State."[7] On his first day in office as secretary, he told Robert Atwood, who had requested an interview with him, that he had been trying to get the "defense concern" defined.[8] Not much later he talked with Bartlett, too, telling him that he had worked very closely on the matter while an assistant to the president and that, as assistant secretary of defense, he had discovered that not everyone at the Pentagon favored statehood. In addition, "Seaton made a chance remark which I may have misinterpreted. However that may be, I came away with the feeling that it was Nate Twining principally who was responsible for delaying statehood on military grounds."[9]

The new secretary set about trying to accommodate statehood with defense. The first concrete indication that he was succeeding came during the summer of 1956, when the Democratic and Republican parties adopted their national campaign platforms. The Democrats pledged themselves to immediate statehood and went on to "condemn the Republican Administration for its utter disregard of the rights to statehood of both Alaska and Hawaii."[10] In this connection it is interesting to note that less than four months earlier, Adlai Stevenson had told Bartlett and Gruening that while he still had doubts about whether Alaska could finance statehood, he favored it and would work for its achievement. However, "he would not fight for statehood if it became apparent that to do so would be to rend the party," for his primary objective was to keep it together.[11]

The Republicans reiterated their 1952 pledge on Hawaii, but a resolution in favor of statehood for Alaska caught in the craw of some of the delegates. Fred Seaton went before the Resolutions Committee to support a plank which was affirmative and yet took note of the president's objection. It was accepted by the committee, for Seaton had secured Eisenhower's sanction of it.[12] Thus the centennial Republican convention pledged itself to "immediate statehood for Hawaii" and "immediate statehood for Alaska, recognizing the fact that adequate provision for defense requirements must be made."[13] This left the door open to either partition or special national defense withdrawals. At his news conference on September 11, Eisenhower indicated that he was still thinking in terms of

partition: "Could there be a way worked out where the areas necessary to defense requirements could be retained under Federal control in the great outlying regions and a State made out of that portion in which the population is concentrated, it would seem to me to be a good solution to the problem."[14]

2

A new chief of the Interior Department was not the only change affecting the prospects for statehood. Effective January 3, 1957 Frank Heintzleman resigned as governor, twenty-five days before the legislature was due to convene and more than three months before the expiration of his term. He had not been happy in the office. As he told a reporter the day he cleared his desk, "I won't miss the job a bit."[15] A loyal administrator in a politician's job, he had been subjected to much criticism which he failed to counter for the good of himself or of his party. When the 1956 election determined that Democrats would again control the legislature, he decided to spare himself a possible repetition of the two months of misery he had suffered in 1955.[16] That session had been marked, wrote the Daily Alaska Empire, "by a lack of dignity, vitriolic tirades against public officials and bitter intra-legislature disputes...."[17]

The sixty-eight-year-old governor undoubtedly would not have been reappointed even if he had not resigned, since Fred Seaton, having reconciled the president to statehood, must have felt an obligation to enhance the prospects that Alaskans would elect some Republican Congressmen. Seaton's first choice for

successor was Bill Snedden, with whom he had first become acquainted in 1936, when Snedden worked for the Mergenthaler Linotype Company and Seaton was already a publisher. The two became friends and maintained a relationship over the years. Shortly after Seaton was appointed secretary of the interior, Snedden took the initiative in going to Washington to discuss Alaska's problems and potentials with him. During the week he spent there, the two men talked about Alaska for some twenty to thirty hours. "Part of the discussion centered around the 'chicken or the egg' theory which was inevitable at that time when mentioning Alaska: Which should come first--development or statehood?"[18]

Seaton asked Snedden if he was interested in being considered for the governorship of the territory. He replied negatively, possessing neither the inclination nor, Snedden felt, the proper qualifications.[19] As Seaton had no other choices in mind, Waino Hendrickson remained acting governor. A man of humble origin, he had been mayor of Juneau from 1945 until his appointment as secretary in 1953 and had served concurrently in the House in 1951 and 1953. Seaton had doubts that Hendrickson could handle the governorship on even an interim basis, but in time the Juneauite demonstrated that he could.[20]

Appointment of a successor to Heintzleman consumed so much time that Hendrickson became the first secretary of Alaska ever to occupy the governor's chair through an entire session of the legislature. As a whole the two worked together in relative

harmony. The legislature did reject thirty-six of Hendrickson's ninety-five nominations, but such behavior was nothing new to Juneau. When the territory became a state and the governor became an elective official, the legislature would be more respectful of him. Moreover, the chance that the governor would belong to one party and the legislature to another would be diminished. The legislature also flirted with the idea of establishing an administrative governorship. This was not intended as a barb at Hendrickson; rather it was a response to Democratic anxiety that the next governor would be a "shrewd and practical Republican politician." On the important matter of appropriations, the 1957 legislature left the budget in balance. Its predecessor, by contrast, had allowed the territorial bank account to dwindle by about $3,000,000. In 1957 general fund appropriations of $36,248,818.38 were voted and approved, but taxes were raised to protect the balance remaining in the fund, approximately $3,000,000 on January 1 after outstanding bills were subtracted.[21]

Included in the appropriations was $185,925.41 for the operation of the Alaska-Tennessee Plan from January 1, 1957 through March 31, 1959. Part of the money would go to reimbursing the Alaska Statehood Committee for financing the venture during its first sixty days. Gruening, Egan, and Rivers would each receive a salary of $9,000 a year, rather less than Bartlett thought justifiable, plus $16 a day for living expenses when away from his residence in Alaska. The rest of the money was allocated to office, travel, rent, and

public relations expenses.[22] Hendrickson let the act become law without his signature, a reflection of both his own feelings and those of most other First Division residents.[23]

Approximately two months after Heintzleman told Fred Seaton he would resign, the interior secretary went to Alaska. Eight of his predecessors had also toured the North, but Seaton was the first to go there in winter. Flying into Anchorage International Airport on January 26, he was greeted by Waino Hendrickson and the commanding general of the United States army in Alaska, a crowd of several hundred people, a jet streaking across the sky, a military band, and an honor guard of troops dressed in winter camouflage uniforms, a fitting tribute to the "tsar" of Alaska, as the secretary of the interior was sometimes called.[24] Seaton's ten-day, whirlwind tour was designed partially to acquaint him with the territory but primarily to enable him to meet its numerous candidates for governor.[25] Several of them impressed him, but after his return to Washington, at least three of the men declined his offers to recommend them to the president. Ultimately, perhaps chiefly on the recommendation of Snedden, Mike Stepovich, a Fairbanks attorney and territorial senator, received a telegram asking him to fly to Washington. A few days later, shortly before Bartlett and the Alaska-Tennessee planners were scheduled to visit the president, Eisenhower met with Stepovich. Two days after that, on May 9, he was nominated to be governor and Hendrickson was reappointed secretary.[26]

Stepovich was born at Fairbanks, where his father had gone

during the gold rush. He was reared in Portland by his mother and educated at Portland, Gonzaga, Notre Dame, and Santa Clara universities. The thirty-eight-year-old nominee was a sports enthusiast, an easygoing conversationalist, and the father of seven lively children. Good looks, friendliness, and a ready smile added to his attraction, as did the fact that he had not become a focus of antagonism in his party. He was a thoroughgoing economic conservative but also supported statehood for Alaska, having first gone on record as favoring it at the Little Man hearings of 1953.[27] Until his inauguration, however, he had never been a leader in the movement. In his June 8 inaugural address, he told its opponents, bluntly though respectfully, that the time had come "for Alaskans to close ranks on this issue and turn their united efforts toward obtaining that for which the overwhelming majority has spoken...."[28] George Sundborg, whom Snedden had just engaged as editor of the News-Miner, was the author of the speech.[29]

Stepovich enjoyed a long honeymoon period in office. One reason was that in assuming the governorship after the legislature had adjourned, his devotion to economy did not become a live issue. Another was that he promoted statehood vigorously and declared war on Alaska's sectionalism. Conservative opponents of statehood were not persuaded to change their views just because of the new governor, but they generally left him out of their attacks. The newspapers treated him particularly warmly, referring to him as "Mike" and

writing human interest stories about him and his wife and their many children. Time and Life magazines found them equally interesting and photogenic, too.[30] More than a little politics was involved in this warm bath of publicity.[31]

3

Now that prospects for admission were again improving, opponents revived the agitation for commonwealth status. The Anchorage Daily Times thus called it "a phony movement. It is nothing more than an effort to divert attention away from statehood, divide Alaskans and delay, impede or prevent favorable statehood action in Congress."[32] Practically nothing had been heard of the commonwealth issue since 1954. Then on the night of March 22, a group of seventy people whose guiding light was Emery Tobin, editor and publisher of the Alaska Sportsman magazine, organized the Ketchikan Commonwealth Club. Its complementary purposes were to oppose "statehood now" and to promote commonwealth status for the Panhandle. The group hoped to spark the formation of other clubs with the same objective, but its slight activity was confined to Ketchikan.[33]

In August O. E. Darling, the president of Brown and Hawkins Commercial Company, became chairman of a new group known as the Alaska Citizens for Commonwealth Committee. Ralph Lomen was its president and John Manders its secretary. Its membership appears to have been confined to these three, for whom Darling was always the spokesman. As a "committee," however, the group received the attention of the press. The Times early suspected the nature of Darling's organization,

having never "heard of a meeting of his committee, except when he announces that one 'was held.'" Its "slogan" was: "Give Alaskan businessmen a commonwealth status for 25 years and they will develop a prosperous and self-sustaining economy--then it will be time to talk about statehood." The "businessmen members of the group" reasoned, he said, that the administration was "not going to give away its control by bringing in a new group of Democratic congressmen to vote against them." However, "just to get the problem out of their hair," Congress might be willing to grant Alaska commonwealth status. Near the end of August, Darling went to Washington. The committee had provided him funds to retain a lobbyist, he said. And with "the help of Sen. Knowland I hope to get directly to President Eisenhower." After returning from the capital in September, Darling mentioned nothing about a lobbyist. However, "We got a very complete written plea into the hands of President Eisenhower," and "were able to plant seeds of information with a few influential members of congress."[34]

More broadly based and menacing to statehood than the movement for commonwealth was a campaign for tax relief. It began in 1950 when Neil Moore, the anti-statehood deputy auditor of Alaska, took up the cry "No taxation without representation." His motive was probably political publicity, for he later ran for the office of auditor and eventually even the delegateship. When Moore first raised the question of exempting individuals and corporate investments in Alaska from the federal income tax, Bartlett requested the Legislative

Reference Service to investigate the possibility. It returned to him a mass of legal opinions which held, in effect, that what the American colonists had held that Parliament could not do was fully constitutional for Congress to do.[35]

In the spring of 1954 Bob Bartlett and Joseph Farrington jointly proposed to the Treasury Department that privately employed people in their territories be taxed the same as federal employees. That is, since federal employees were exempt from paying taxes on their cost-of-living allowances, people working for other employers should be exempt from paying taxes on the same percentage of their wages. The request was not unreasonable, since part of the taxable incomes of Alaskans and Hawaiians represented nothing more than compensation for their unusually high costs of living. Not unexpectedly Undersecretary of the Treasury Marion Folsom rejected the plea. Nevertheless that fall Cyril Coyne, mayor of Skagway and chairman of the Income Tax Exemption Committee of its Central Labor Council, went to Washington to seek action on it. Bartlett and several others joined him in trying to convince Folsom that exemption was justifiable. The latter sympathized with them but would not yield. Great differences in living costs existed in the states, too; moreover, taxation based on costs of living "would appear to open the way to really immense complications and new and different sorts of discriminations between sections and regions."[36]

The next major effort to gain tax relief began, apparently, with Paul Robison, who had served as Governor Heintzleman's

counsel during the 1955 session of the legislature. On May 14, 1955, less than a week after the Hawaii-Alaska statehood bill had been recommitted, Robison publicly called upon the governor and delegate to seek federal tax exemption for "new capital invested in the development of Alaska's resources. I think congress would go for it." His motives might have been the same as Neil Moore's, for in time he, too, ran for delegate. At any rate on September 9 Heintzleman told the Western Area Development Conference at Portland that Alaskans needed a federal tax "holiday of, say, 20 years."[37] One week later he reiterated the suggestion to Leo O'Brien's subcommittee at Fairbanks. Like all other pioneer areas, the governor said, Alaska needed venture capital. A tax holiday of fifteen or twenty years would lead all of the large mining companies in the United States to prospect for minerals in the North. Using the money available through the moratorium, the territory could assume responsibility for many of the activities in Alaska which the federal government was supporting.[38]

When the subcommittee reached Juneau, Cyril Coyne and Norman Banfield, the latter representing the town's chamber of commerce, spoke in favor of a 20 percent income tax exemption, that is, one equivalent to what federal employees received. O'Brien told Banfield that in his opinion not a chance existed that Congress would grant it. And although this would not have disturbed Banfield greatly, "a tax moratorium, if pushed vigorously in Washington, could very well be the opiate which would put statehood to sleep permanently."[39]

The push for tax relief reached its height, and in some ways its depth, when William Prescott Allen adopted it. A native of Olympia, Washington, he and his sons published the Laredo Times in Texas and the Montrose Daily Press in Colorado. For two years he had tried to buy a daily in Alaska, evidently in hopes of being appointed governor. In 1955 he succeeded, purchasing from Helen Monsen the Empire Printing Company, which had been losing money for about eight years. A year later the new publisher proclaimed, in a tedious open letter to Fred Seaton: "We intend to work vigorously to bring statehood to Alaska through a 20-year moratorium on excise and federal income taxes...." In 1957 Allen espoused also the causes of detaching southeastern Alaska from the rest of the territory and holding another referendum on statehood. All of this brought him into a protracted debate with Bill Snedden which culminated in mutually unacceptable offers to wager the assets of their respective newspapers as to when statehood or a tax moratorium would be granted by Congress.[40]

One reason Allen got himself into controversy was that he was not well enough acquainted with Alaska to get his facts straight. Another was that he had an exasperating penchant for arguing in half-truth. The man could not be ignored, however, because his business was journalism. He carelessly reported that Arthur Miller, Thomas Pelly of Washington, and several other Congressmen had "stated that if the Alaska people would petition congress for a 20-year moratorium on all federal taxes, it is quite likely congress would give each and every

person in Alaska this 20-year moratorium." What Pelly had actually written, in an extension of his remarks in the Congressional Record, was that "if Alaska would ask for commonwealth status and forego for a time the right of having voting representatives in Congress, she might be given complete self-government in all other respects and, in addition, exemption from Federal income taxes." A week later Allen began urging his readers to write Miller and Pelly whether they wanted the relief he suggested. To scare them into doing so, he repeated Miller's warning that 15,009 federal employees in Alaska stood a very good chance of losing their cost-of-living allowances when statehood came.[41] Bartlett corrected him that only 7,718 of the 15,131 employees on June 30, 1956 received the 25 percent differential.

Miller also had a correction to make; it came in response to Allen's republication in the Washington Daily News of an open letter which had appeared in the Empire. Scores of Alaskans had written the Nebraskan believing that he favored a tax moratorium. Miller informed the publisher, through an open letter in the Congressional Record, that he had never endorsed such a plan. "I could no more vote for an income-tax moratorium for Alaska than I could for one for my home State of Nebraska." Allen had referred to Miller's recently announced decision to support the statehood bill as an instance of expediency, but Miller replied: "While statehood for Alaska is a matter of interest in my State, it is not a matter of controversy. The issue will gain no votes, lose no votes,

for me in Nebraska."[42]

4

In the meantime the Alaska-Tennessee Plan had been launched in Washington. The operation was well-designed, but its results fell short of expectation. First came the failure of the publicity campaign. John Adams had arranged a fine reception for the planners at Nashville and a well-attended news conference for Egan and Rivers at Washington, but that was about the extent of his achievements. During November and December he had talked repeatedly of the network television shows on which the planners would appear, but invitations were never received. As the success of the campaign hinged on its accomplishments in January, the opportunity for success was quickly lost. Thus on February 13 Bartlett wrote Snedden: "The Tennessee Planners have been here too long now to expect that the world will hereafter be willing to express astonishment at their arrival in Washington and to demand a spate of publicity about them."[43]

Assigning reasons for the failure was not easy. Perhaps, thought Bartlett, Adams' task was impossible to accomplish. Lehleitner wondered if other clients were not competing for his time, in addition to the magazine he edited and published, U.S. Lady. Howard Chernoff, one of the men who had helped Lehleitner evaluate Adams for the job, noted that Washington was typically full of competing causes; "the Middle East crisis, the arrival of Arab royalty, etc." augmented the problem of attracting attention. Theodore Granik, producer of the NBC

program "Youth Wants To Know," felt "that the Alaskan controversy" did not have "enough meat in it to warrant a half-hour interview...." Granik indicated that he would consider a discussion of the question on "American Forum of the Air," another show he produced, if Adams could find a suitable opponent for one of the senators-elect, but this did not occur.[44]

Compounding the disappointment were the problems of reimbursing Adams and Lehleitner. The contract between the two prescribed "that expenses, as presently contemplated, will be kept at an absolute minimum, but in any event will not exceed an average of $1,000 per month unless specifically approved for any particular project." No such approval was ever granted. Lehleitner had taken "particular pains" to point out to Adams the need to document or certify his expenses exactly, required for the disbursement of territorial funds, as the Alaska Statehood Committee might assume Lehleitner's obligation under the contract. Since Adams had been in Washington for years, both in and out of the federal government, he presumably understood the requirement anyway. Yet he failed to give monthly accountings, although Thomas Stewart requested him to do so several times, provided sketchy justification and inadequate documentation, and claimed not only the full $6,000 for expenses authorized but also well over $700 additional. Not until months after Mildred Hermann instructed him how to proceed did he comply to a sufficient extent. She thus wrote the delegate: "I join with you in feeling that we wasted that

money--all same as that we paid Feltus in the dear dead days."[45]

The failure of the publicity program did not mean the failure of the Alaska-Tennessee Plan as a whole, since Gruening, Egan, and Rivers could still lobby. Their efforts in this regard did not really begin until after the state of the Union address. An endorsement from the chief executive would be of inestimable value in obtaining Republican support. When Eisenhower went before Congress, however, he mentioned nothing about statehood or most of his other legislative proposals. These were relegated to his budget message, transmitted to Congress and read for him six days later. It stated in part: "I also recommend the enactment of legislation admitting Hawaii into the Union as a State and that, subject to area limitations and other safeguards for the conduct of defense activities so vitally necessary to our national security, statehood also be conferred upon Alaska." It was the president's strongest recommendation for the North in over four years. Yet as Bartlett had observed earlier, "there will be a downgrading of its importance if it is only mentioned elsewhere."[46]

Also retarding the lobbying effort was Egan's misfortune in rupturing an eardrum. Since Gruening already knew many senators but Egan did not, the former delayed making formal calls on the 96 senators until his colleague could accompany him. Rivers went ahead with the much larger task of trying to call on the 431 congressmen, studying pertinent data in the Bartley files before his visits. The number of his daily visits was limited, not because of the length of their

conversations, he said, which lasted only about twenty minutes each, but because the people he called on frequently were not in their offices. "Often we'd get to talking about Alaska's problems, and then the congressman I would be interviewing would start telling me his troubles." When Gruening and Egan finished their work in the Senate, they went over to the House side of the Capitol to call on some of the congressmen Rivers had not had time to visit. In the process the three planners counted 60 pro-statehood votes among the senators although a proportionately smaller number among the congressmen. Nevertheless by mid-June they reported to Representative O'Brien that "as many as 238 favorable votes" in the House were indicated.[47]

The tally gave grounds for optimism, but the favorable result could hardly be said to have been the product of the twenty-minute visits. As Bartlett recollected later, Rivers proved unable "to introduce Bill Snedden to a single member of the Rules Committee on the Democratic side; it was an office which I had to perform. And his acquaintance with other members of the House of Representatives was so limited that I doubt very much if Ralph could call by name on sight a dozen members." Until the beginning of spring, the three planners had no delegation office, since Gruening refused to allow one to be rented prior to the legislature's appropriation of the necessary funds. In the meantime Rivers found quarters in a corner of Bartlett's office. About two weeks after an office was rented, "...Bill Egan broke with Gruening and moved his

office to the basement of his home. His contacts thereafter were almost exclusively confined to administrative assistants to Senators or other staff members, and in trying to save Territorial money which had been appropriated for the Alaska-Tennessee plan." Such associations, Bartlett noted, occasionally prove to be important. "However, Bill spent practically all of his time in my office and instead of taking some member of Congress out to lunch, or some other person who could aid the cause, almost invariably he would slip away by himself and have lunch alone in one of the joints in the now demolished block we called Ptomaine Row." No such criticism could be levied at Gruening. He was, Bartlett wrote, "vigorous and continually active and entertained, as all the members of the delegation should have done. However, many many senators told me he was too persistent, demanded too much time, talked too much about discriminations against Alaska...."[48]

5

The Alaska-Tennessee Plan delegation was best able to deal with other Democrats. Persuading Republican Congressmen to back statehood could best be performed by other Republicans, particularly those with leverage to exert. It was in this work that Fred Seaton, Bill Snedden, and Theodore Stevens made an indispensable contribution of which Bartlett was only partially aware. Stevens, shortly before Seaton was nominated as interior secretary, had resigned his post as United States attorney in Fairbanks to become acting legislative counsel of the Interior Department. Less than two months afterward,

Seaton appointed him legislative counsel and nearly a year later, assistant to the secretary as well.[49] A concerted effort by these three Republicans began in December 1956. At that time Snedden suggested to Seaton and Stevens that they quietly poll their party's Congressmen on statehood. They did, and when the task was complete, Stevens supervised the preparation of data sheets on those who were undecided or unfavorable. As with the Bartley files, the materials were used to gauge how best to approach the Congressmen.[50]

The material was used in another way, too. In the process of gathering material on the Congressmen's backgrounds and "possible vulnerable points," information was sometimes uncovered which warranted further investigation. Snedden contributed to the latter work when he returned to Washington in January, usually by asking a newspaper friend in the Congressman's district to investigate. Wherever he did not know someone locally whom he could trust, he hired a newspaperman there recommended to him by columnists and wire service executives he did know who would do the needed detective work. "When we struck 'pay dirt', one of our top news men in Washington would have a casual conversation with the individual involved, mentioning lightly what he had stumbled across, and inquiring what their opinion was of the merits of Alaska statehood. This was a very delicate operation...and," Snedden confessed, "...a great many times I was greatly concerned over the distinct possibility we would fumble the ball and the whole project would blow up in our face, with possibly some very

embarrassing results. However, it worked out nicely, and I am convinced that it undoubtedly was the only way we could have accomplished the job."[51]

Under Seaton's guidance, Snedden also compiled background sheets on all Congressional staff assistants who had been newspapermen. Using them as sources of information, he set up what Seaton later called "the most efficient 'grapevine operation' Washington had ever seen." Or as Snedden put it, "we had friends located at virtually all the key strategic spots in our opposition." This intelligence network proved useful in several ways, for example, by alerting them to speeches which would be made on the floor, including often the salient points. Using this information, Snedden and Stevens were able to prepare rebuttal material, sometimes even entire speeches, to give to their friends when the need arose.[52]

Without Seaton's assistance, the offices of many key Republican Congressmen and administration officials would have been inaccessible to Snedden. But with the secretary arranging appointments for him, he was able to see virtually every one of them, from Vice-President Nixon on down. The fact that someone in the administration was known to be thoroughly committed to statehood made it easier for the people Snedden visited to lend their aid to the cause of statehood. Even when Seaton was hospitalized in the spring of 1957, Snedden wrote, "he kept his fingers on the pulse and guided me virtually every step of the way." At least once a day Snedden went to the hospital to report what he and Stevens had been doing and to plan the next

day's activities. "Without Fred's guidance I am sure I would have made major mistakes which likely would have lost the battle for us (at least on the Republican side of the aisle) somewhere along the line." Seaton supplemented Snedden's visits with telephone calls of his own "and occasionally invited a 'problem child' out to see him." One of these, Arthur Miller, "...Uncle Fred gave...a really rough working over." He "used every resource he had at hand in his position as a cabinet officer and a member of the Administration in power--and those resources were very substantial. Through him we had trading stock ranging all the way from federal judgeships to new facilities in parks and national monuments to an additional star route on some rural post office--encompassing many, many things in between."[53]

Two further activities in which Snedden was involved were speechwriting for Congressmen, an activity which often occupied Stevens, too, and proselytizing among the country's newspaper editors and publishers. The latter activity he began shortly after his conversion. "...selling the merits of statehood to the ordinary reasonably intelligent individual," he discovered, "was not much different than selling the merits of mother-love. The biggest problem usually was to secure enough time to present a factual picture." In 1957 and 1958 his work in this area increased, as when he set about to interest Time and Life magazines in the statehood movement through personal visits to New York and when he wrote editorials for the home newspapers of certain Congressmen he wanted to influence. Visiting

newspapermen around the country was an activity in which Gruening, too, had long engaged with considerable effectiveness. Both men received especially great help from William Randolph Hearst Jr., both personally and editorially.[54]

The work done by Seaton and the Alaskans was prodigious, but was it sufficient to mitigate the blows that the statehood bill would receive during the renewed effort to run it through the gantlet of Congress? The first blows would be delivered in the Interior and Insular Affairs committees, which undertook to consider the bill in the late winter and early spring of 1957.

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24. Heintzleman to Elmer Bennett, December 3, 1956, Benjamin Frank Heintzleman Papers, box 1, folder C, Sterling Memorial Library, Yale University, New Haven; ADT, January 25,

26, November 20, 1957.

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Chapter 22

Reworking the Statehood Bill

1

During the decade that Congress examined statehood for Alaska, the original Dimond and Bartlett bills underwent four major overhauls. The first occurred in 1948, when the old House Committee on Public Lands revised the bill to accord with precedent and the wishes of the executive departments. The second was in 1950, when the Senate Interior and Insular Affairs Committee reshaped it to fit the peculiar natural resources base of the North. The third came in 1953 and 1954, when the House and Senate Interior and Insular Affairs committees decided to be generous to the prospective state. In 1957 the fourth important set of revisions was made. The changes were numerous and substantial but not so easily categorized as the earlier ones. Several benefits were added to the bill, but several others were removed from it. Some amendments were made to satisfy the executive, some to reduce expected opposition on the floor, and some to please certain Congressmen.

James Murray introduced, at the request of Bob Bartlett and John Burns, separate statehood bills for the territories. In the House each of the delegates introduced a separate bill for his own territory. Leo O'Brien's Subcommittee on Territorial and Insular Affairs decided to give prior

consideration to the one for Alaska. The order, said the chairman, was "for alphabetical reasons only." This could have meant either that Alaska came before Hawaii or that Democratic came before Republican. Over the past decade Hawaii had been scheduled first whenever Democrats controlled the House. In 1957 its Democratic leadership continued the tradition by giving priority to Alaska.[1]

The new bills for Alaska were different from their predecessors in several respects. First, they consolidated the 2,550,000 acres of internal improvement grants with the 100,000,000-acre unspecified grant of public lands. Proceeds from the entire acreage were now unspecified as to use. Second, neither bill contained any provision for subsequent Congressional determination of whether the state constitution conformed to the requirements of the act. This provision had first been added to the bills for Alaska and Hawaii in 1950 at the urging of Joseph O'Mahoney.[2] By now the people of the North had drafted and ratified a constitution, and Congress had ample opportunity to scrutinize the document. The Alaska statehood bills thus declared that the constitution "is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed." As a result they came to be designated as admission bills rather than enabling bills. That is, they confirmed the state constitution rather than authorized the people to draft it.[3]

Bartlett's bill provided that Ernest Gruening, William Egan, and Ralph Rivers would take seats in Congress after the president proclaimed the admission of Alaska. Senator Murray's bill, by contrast, required that the Congressional elections be repeated. The provision was only partially designed to give Republicans hope that new elections might bring different results. Mainly it was intended to assure them that Gruening and Egan would not strengthen the Democratic majority in the existing Congress. If death should remove from the Senate just one Democrat from a state with a Republican governor, for example, seventy-nine-year-old James Murray, and if that governor should choose a Republican replacement, Vice-President Nixon would be able to swing the resultant 48-48 balance in favor of his own party.[4]

2

In March hearings were held in both houses of Congress on the admission of Alaska into the Union. In order that interested people might be able to present their views, Leo O'Brien planned to hold five days of sessions. Reps. John Pillion and Walter Rogers wanted the hearings prolonged, seeing in delay the possibility of defeat. The chairman was willing to be fair to the minority but would not allow it to thwart the majority indefinitely.[5] Even so the investigation was extended by more than a week. Four blocks away the Senate Interior and Insular Affairs Committee, now composed entirely of westerners, also considered statehood for Alaska. Presiding over the hearings was Henry Jackson of Washington. As in 1955, he

welcomed any new information which citizens might have to offer but was cold to "merely repetitious or cumulative evidence." Consequently the hearings opened on March 25 and closed on March 26.[6]

The first important question to be addressed was that of authorizing the establishment of special national defense withdrawals, that is, of making the bill accord with the views of the president as expressed in his budget message. At a news conference the previous fall, Fred Seaton had told a reporter that he was uncertain whether the withdrawal area would be located inside or outside the boundaries of the state. Whichever proved to be the case, the line defining it would follow closely the McKay line of 1955. The matter was still undecided when Egan and Rivers arrived at Washington. In fact, said Rivers, "the idea of partition was much alive." On December 21 Bill Snedden had spent most of a three-hour conference with Elmer Bennett, assistant to the secretary for legislation, trying to impress upon him that "'partition' was a nasty word in Alaska, and very certainly should not be included in any statehood bill." When the Alaska-Tennessee planners presented their credentials to Seaton on January 2, they told him that Alaskans opposed any proposal for granting statehood to only part of the Northland. However, they left his office convinced that the administration intended to come out for partition. They followed up the meeting by writing a letter to the secretary setting forth their arguments.[7]

The administration's decision on the matter was not worked

out finally until March 5, when an interdepartmental conference was held in the office of Maj. Gen. Wilton Persons, deputy assistant to the president. The conferees decided against partition, since it would disfranchise the residents of northern and western Alaska, be awkward to explain in the United Nations, give the federal government no substantial benefit which could not be achieved through withdrawal, deprive the state of valuable mineral resources "necessary for the full development of the more populated areas of Alaska," require the United States to spend about $4 million a year supporting a new territorial or district government, be painful for Republican politicians in Alaska, and repudiate public statements previously made by Douglas McKay, James Douglas, and Dwight Eisenhower indicating that special national defense withdrawals would satisfy the administration.[8]

As Seaton was in the hospital at the time, the decision was announced to O'Brien's subcommittee on March 11 by Hatfield Chilson, assistant secretary of the interior. In consideration of Alaska's "unique position," Seaton's statement read, the president should be granted authority to proclaim or declare special national defense withdrawals anywhere north and west of the McKay line. Within this area was approximately 276 million square miles, 25,000 acres of it privately owned, 15,000 Natives, 5,000 servicemen and civilian employees of the Department of Defense, and 4,000 other people. McKay had asked that the president be authorized to establish the withdrawals anytime prior to the proclamation of admission. The new

amendment would allow them to be declared afterward as well. The Defense Department, therefore, would "not have to telegraph our defense plans by stating now what areas it needs in the future for security reasons."[9]

During the time that a special national defense withdrawal remained in existence, the federal government would possess exclusive legislative, executive, and judicial jurisdiction over it. But to minimize interference with ordinary governmental activities, all state and local laws pertaining to municipalities, school districts, and other political subdivisions of the state would continue in effect. All other applicable state laws in force at the time and not in conflict with federal law would be considered as having been adopted as laws of the United States. This accorded with the principle of international law that the laws of ceded territory remained in force except as they conflicted with the laws or policies of the new sovereign and until they were changed by him. Consequently except for election laws, state legislation enacted and approved after a withdrawal order went into effect would not apply to the area affected until the order was lifted.[10]

Existing state law would be administered within the withdrawal by whatever civilian officials or agencies the president might prescribe. These would undoubtedly be the state officials and agencies already in charge, unless the need for other arrangements were indicated. The state might continue to serve civil or criminal process upon any person

within the withdrawal and might continue to enact and enforce elections laws there. However, the United States District Court for the District of Alaska would assume original jurisdiction over all civil actions arising and crimes committed within the withdrawal, just as in territorial days. The Interior Department intended that the state should be permitted to select some of its floating land grant from within the withdrawal area, but the approval of the president or his designated representative would be necessary.[11]

The amendment Chilson discussed was, in all but five specifics, identical to the McKay proposal of 1955. It was not Chilson, however, but Nathan Twining, acting chairman of the Joint Chiefs of Staff, who presented the amendment to the subcommittee. Twining explained that his 1950 endorsement of statehood had been in support of "the general proposition," not of any particular bill. Moreover, it had been motivated by his distress over the inadequacy of the defense establishment in the North prior to the Korean War. He had felt that statehood would bolster support "from Congress and back home here" for the building of defenses in Alaska. The nation's defense posture there had greatly improved since that time but, he told the subcommittee: "My personal views that statehood should be granted when the time was ripe have never changed. I am happy, therefore, to be able to say in my official capacity, in this month of March 1957 that, in my opinion, the time is ripe for Alaska to become a State."[12]

Acceptance of the substance of the withdrawal amendment

was the quid pro quo of administration support for statehood. As such Bartlett, Gruening, Egan, and Rivers acquiesced in it; indeed they were relieved by it. Not only was it not partition, but it also might never be invoked. In addition it was not a totally novel concession. In 1951 the legislature of Arizona had ceded to the federal government exclusive jurisdiction over all past and future military withdrawals from the public lands within that state. In all other states, the federal government possessed only concurrent jurisdiction.[13]

3

Another important matter considered by the O'Brien and Jackson groups was federal funds for roads in Alaska. Both the Senate and House versions included Clinton Anderson's 1954 amendments authorizing $48 million in construction grants over a six-year period and $30 million in maintenance grants over a fifteen-year period. These, Bartlett was disturbed to learn, the Bureau of the Budget wanted eliminated, holding "that any special provisions needed for Alaska to participate as a State in highway apportionments [should] be determined when the Congress considers future highway acts."[14] The reason was that in 1956 Congress had for the first time included Alaska in the federal-aid highway program on a modified basis.[15]

Two factors lay behind the change of 1956. First, Alaskans stood to gain from it. Federal appropriations for road construction in the North had dropped substantially from 1950-1952, when $20,000,000 or more annually had been provided, largely at the urging of the military. For fiscal 1956 the

Alaska Road Commission had received only $6,300,000. Second, the territory was better able to afford participation. In 1955 the legislature had raised the motor fuel tax from two cents a gallon to five cents. Even so, funds from this source and other highway user taxes would amount to only a little more than $2 million a year. Since this was inadequate to cover even maintenance, Congress decided to allow the territory, as Dimond and Bartlett had long requested, to use federal matching funds for both construction and maintenance. Also its matching requirement was arbitrarily set at 10 percent. In return for these benefits, Bartlett was willing to have Alaska's share of the funds computed on a modified basis. Instead of giving the territory credit for all of the unappropriated and unreserved public land and nontaxable Native land in the North, as would ordinarily have been the case, he suggested that only one-half of the land be computed.[16] The committee agreed, but on the Senate floor, at the instance of Francis Case of South Dakota, the fraction was reduced to one-third. Otherwise, the Republican felt, Alaska would receive too much money relative to the states. Lowering the fraction meant that in fiscal 1958 the territory would be allotted $13,390,000.[17] The gain was very slight when compared with the loss of the Anderson amendments.

Inclusion in the federal-aid highway program would facilitate long-range planning by eliminating much of the uncertainty over future funding.[18] However, the Territorial Board of Road Commissioners was not given control of the

function, and the Alaska Road Commission was simply moved from the Interior Department to the Commerce Department. Also, in the very act in which the gain was made, the territory was left out of the new 41,000-mile National System of Interstate and Defense Highways which Congress was authorizing. To finance the latter, increased federal taxes were levied on tires, trucks, truck trailers, buses, and motor fuel in Alaska as well as Outside.[19]

4

During the O'Brien hearings, Arthur Miller questioned the degree of popular support in Alaska for statehood. He told the subcommittee that he had "received a number of letters from the Territory asking me to conduct a poll among the people of Alaska, asking me to send wires to the radios and newspapers, asking this question: 'Are you in favor of immediate statehood for Alaska?'" This he did, to the five daily newspapers and ten radio stations of the North, on March 20. Bartlett, Egan, Gruening, and Rivers noted that Alaskans had recently indicated their answer. They had ratified a constitution, approved the Alaska-Tennessee Plan, and elected pro-statehood candidates to the legislature. Nevertheless, fearful that opponents would respond to the poll while supporters scorned it, Operation Statehood, the News-Miner, and various other proponents urged Alaskans to reply to Miller. Their efforts were unsuccessful, for the final tally was 522 votes for statehood and 1,394 against it. Many of the replies were in the form of letters and, according to Miller, about 99 percent were signed.

Commenting on the result, Gruening said: "There is always a minority of dissenters. Rep. Miller's poll resulted in arousing of this minority. The majority took no interest in the poll." Miller seemed to substantiate this analysis when he noted that the letters from opponents were "longer and stronger" than those from the proponents. In contrast with these results were those which the Nebraskan obtained from his home district on the same question. There 84 percent replied affirmatively.[20]

Also during the hearings, Miller became cross with Bill Snedden, who referred to Alaskans as "second-class citizens" and to their government as "colonial" in form. Alaskans supporting statehood had used these terms for years. James Haley joined the Nebraskan in taking exception to them, but O'Brien came to Snedden's defense. Alaskans were taxed without representation, and Operation Statehood was engaged in a drive to induce Alaskans to ask their friends and relatives in the states to write their own Congressmen on behalf of admission. "Now, I say that people, American citizens, who have to get other people to write to a Congressman with a vote to get their rights, instead of to their own voting Representative, are second-class citizens."[21]

5

The principal controversy of the March hearings dealt with transferring jurisdiction over the fisheries to the state. The issue was brought to the fore by representatives of several sportsmen's groups and by two members of the Washington state congressional delegation. The former had tried to pressure the

delegates to the constitutional convention into stipulating that the state's fish and game resources would be administered by two separate, independent commissions. After considering the matter carefully, the delegates voted 34-21 the first time and 35-20 on reconsideration to leave the matter to the legislature. As William Egan explained: "The constitution is a document of basic principles and doesn't spell out details of how the different articles will be implemented. In the case of management of the resources, the easy, popular thing would have been to specify how they should be managed. But the delegates decided that in so doing all the other articles would have been entitled to the same consideration." Had they decided otherwise, executive power would have been dissipated and the administration of government rigidified. When the legislature considered the question in 1957, sportsmen again clamored for two commissions, one for sports fishing, hunting, and trapping and the other for commercial fishing. A single commission would, they contended, lead to domination of their interest by the commercial interest. The reason lay in the proposed makeup of the commission: one hunter, one sports fisherman, one trapper, one fish processor, and three commercial fishermen. Disagreeing, the legislature adopted the single commission plan preferred by the commercial fishermen.[22]

In the North the sportsmen's interest was organized as the Alaska Sportsmen's Council, composed of fourteen independent organizations. The council was affiliated with the three million-member National Wildlife Federation.[23] When the

legislature passed the bill for a single commission, Charles Callison, conservation director of the federation, telegraphed Waino Hendrickson: "If senate bill 30 becomes law national conservation organizations will be forced to oppose statehood. We respectfully urge a veto." Callison's telegram outraged legislators on both sides of the issue and also Bob Bartlett, who telegraphed Hendrickson: "I hope every Alaskan will join with me in feeling and expressing displeasure at what I consider unwarranted, underhanded attack which seeks to force you unfairly into position where you would be responsive to demands of these non-Alaska organizations as contrasted with will of Alaska people as expressed by their duly elected legislature."[24] Hendrickson was critical of some features of the act, but since thirty-one of the forty members of the legislature had voted for it, enough to override a veto, he permitted it to become law without his signature.[25]

Having lost twice in the territory, A. W. Boddy, president of the Alaska Sportsmen's Council, went to Washington to testify before O'Brien's subcommittee. He acknowledged, in reply to a question from Bartlett, that he personally opposed statehood for Alaska, since it would lead to higher taxes. But this had nothing to do with his appearance before the subcommittee; it was fish and wildlife administration which concerned him. Congress, he suggested, should prescribe dual commissions in the statehood bill. Without such a provision, the sportsmen's council would oppose giving Alaska jurisdiction over the fish and wildlife resources. Representatives Miller

and O'Brien told Boddy that it was not a matter for Congressional concern. The correct arena for him to wage his battle was in Alaska, not Washington. O'Brien also expressed regret that members of a sportsmen's group would go so far as to say, "unless we get our way on Territorial legislation we will burn the whole house down."[26]

Buttressing the position of the Alaska Sportsmen's Council and the National Wildlife Federation was the Wildlife Management Institute. Its president, Ira Gabrielson, was an ornithologist who had directed the Fish and Wildlife Service during 1940-1946. He had made a special trip to Alaska in 1955 to persuade the constitutional convention to provide for dual commissions in the fundamental law.[27] Representing the institute at the hearings, though, was not Gabrielson but Clinton Gutermuth, its vice-president. Either the fish and wildlife should be kept under federal control, he said, or Congress should require that for at least twenty years the state must regulate the resources through separate commissions. By then "we could hope for a better type of stability in Alaska." Like Boddy, he believed that statehood was premature; he believed also, he told the congressmen, that the majority of Alaskans did not want it.[28]

Also concerned about control of the fisheries were two Washington Republicans, Jack Westland of Everett and Thomas Pelly of Seattle. They submitted to the subcommittee a letter from George Johansen, secretary-treasurer of the Alaska Fishermen's Union, which in 1955 had consisted of 3,100

outsiders and 600 Alaskans.[29] Especially powerful in Bristol Bay, the union had for years "rigged it," wrote the Anchorage Daily Times, "so that Alaskans have often been left unemployed on the beaches while Seattle residents had what work was available."[30] Johansen complained that the legislature of Alaska prevented nonresidents from receiving the same employment security benefits as residents and charged more for out-of-state fishermen's licenses than for in-state licenses. It had also just enacted a bill outlawing the taking of salmon for commercial purposes by fish trap, which would become effective whenever the federal government relinquished jurisdiction. This might not be bad for resident fishermen, he wrote, the great majority of whom owned their own nets and boats. "Fish traps," however, "are maintained and operated almost entirely by company fishermen who are nonresidents, and the effect of the act is to destroy their employment."[31]

It was true that the legislature differentiated between resident and nonresident commercial fishermen to the disadvantage of the latter, but there were bounds to what the Supreme Court would allow. For example, in 1952 the court struck down the $50 license fee requirement which the legislature had imposed in 1949 on nonresidents. The court regarded it as an abridgment of the privileges and immunities clause of the Constitution, since residents paid only $5. "...we cannot presume," the justices held, "that Congress authorized the Territorial Legislature to treat citizens of States the way States cannot treat citizens of sister States."

In 1953, therefore, the legislature authorized the territorial treasurer to refund $45 of each $50 paid by a nonresident and provided that the nonresident fee would thenceforth be $10. Disparity of treatment was not unconstitutional, but it had to be justified on such grounds as added costs of enforcement or conservation which were met by taxes levied on residents alone.[32]

Representative Westland, a member of the subcommittee, wanted more than the protection offered by the Constitution. He asked that the state of Alaska be restrained from applying any differential, even though his own state of Washington charged nonresidents three times as much as residents for using purse seines and five times as much for using other gear. Oregon barred commercial fishing altogether, except by seine or net, to anyone who had not been a resident for one year. In view of the differentials of the Pacific Northwest states, John Saylor felt that Westland's recommendation came "with rather poor grace."[33]

Another representative of the fishing interests of western Washington was Thomas Pelly, who had once done business in Alaska and whose congressional district embraced the cannery operators and fishermen of north Seattle.[34] As president of the Seattle Chamber of Commerce several years earlier, he had crossed swords with Governor Gruening for railing against the high tariffs of the Alaska Steamship Company and for encouraging Portland merchants to compete for the Alaska trade.[35] Gruening, in turn, was disappointed that the chamber,

unlike its sister organizations in Tacoma, Portland, San Francisco, Oakland, Los Angeles, and San Diego, refused to endorse statehood for Alaska. Its board of trustees would not present the question to the membership without a recommendation from the chamber's Alaska Committee. Since the latter group consisted of cannery, steamship, mining, commission house, and other operators whose businesses earned millions of dollars from Alaska, such a recommendation was never forthcoming. They feared higher taxes, loss of special privileges, tighter regulation of their activities, and competition from Alaska-based companies which might arise after admission.[36] The influence of the Alaska Committee was sufficient to have forestalled the endorsement of statehood by the United States Chamber of Commerce, too, until 1949.[37]

Alaska would, Pelly told the subcommittee, "fare much better under commonwealth status than actual statehood." Twenty years without federal taxation would equalize production costs in the North with those in the states. At the end of that time, it would have an invigorated, self-sustaining economy capable of supporting statehood. If admission occurred before this stage of development, Alaska's government would overtax its domestic enterprise and neither properly exploit nor properly conserve its natural resources. Suspecting that the subcommittee would elect for statehood anyway, he asked, "in order to insure the conservation and protection of the fisheries and wildlife of Alaska and to lessen the financial burden otherwise imposed by statehood," that the federal

government retain control of these resources "until the end of the calendar year next ensuing, 10 years after Alaska shall finally be admitted as a State...."[38]

6

After the hearings were concluded, the subcommittee began marking up the bill. Not until May 23 was the work completed, due partially to what the chairman termed "shilly shallying" and "stalling" by members opposed to it. Chief among the changes made, because it was the price of administration approval, was the nearly wholesale adoption of the amendment authorizing special national defense withdrawals. However, the subcommittee struck the provision that "any [state or local] law or ordinance which is inconsistent with the full operation and use of any [special national defense] withdrawal...shall be inoperative during the existence of such withdrawal." This was done to make the amendment correspond with the statements of Chilson and other administration witnesses that state law in general, including statutes dealing with mining, fishing, and hunting, would apply to such a withdrawal. Also, at the request of Bob Bartlett, the PYK line was moved from the main channels of the Porcupine, Yukon, and Kuskokwim rivers to a line five miles north of their right banks. The towns of Bethel, Holy Cross, Tanana, Purgatory, and Beaver were thus removed from the withdrawal area.[39]

Another concession to the administration was the striking of the $78 million authorization for highway construction and maintenance. For good measure the subcommittee also eliminated

the $15 million provision for constructing and improving harbors and for surveying the land grant. Removing these items from the bill would strengthen its chances of passage, said O'Brien. Bartlett agreed with the chairman's analysis, since Congress was economy-minded in 1957, but regretted the actions nonetheless.[40] To strengthen the bill further, the subcommittee eliminated the provision for seating the Alaska-Tennessee Plan delegation. If Gruening, Egan, and Rivers wanted to take the seats to which Alaskans had elected them, they would have to appeal to the voters again.[41]

Not all of the efforts to strengthen the bill worked to weaken the state. As introduced by Bartlett on January 3, the bill provided that the state's share of the net proceeds from the sale of sealskins and sea otter skins would be 70 percent rather than 50 percent. Seventy percent of the net American proceeds of 1955 amounted to $1,173,593.[42] Not only did the subcommittee raise no objections to the increase, but it also incorporated into the bill the two provisions of a measure which Bartlett had originally introduced as separate legislation and which had already passed the House.[43] The Interior Department believed, "however, that the subject matter of this bill would be more appropriately covered in statehood legislation."[44] Since the measure was enacted separately anyway, the inclusion of its provisions in the statehood bill, too, increased the likelihood that they would endure after Alaska entered the Union.[45]

The first of the two provisions dealt with the Alaska Coal

Leasing Act of 1914, under which the president was authorized to reserve 5,120 acres of the Bering River coal field, 7,680 acres of the Matanuska field, and up to one-half of the other coal lands of Alaska. Prior to 1954 the Bureau of Land Management had reserved about 38,000 acres of land under the act. All net profits derived from the operation of government-owned coal mines and all royalties and rentals from coal mining on these lands went into the United States treasury to reimburse the federal government for constructing the Alaska Railroad. In 1956 these sums amounted to $65,800. Under the Bartlett proposal, this land would remain with the federal government, but 90 percent of the federal proceeds would go to the state and only 10 percent to the United States.[46]

The second of the two provisions would amend the Mineral Leasing Act of 1920, which provided for the allocation of money collected from the mining of coal, phosphate, sodium, oil, oil shale, and gas on the public domain. Thirty-seven and one-half percent of these receipts were paid to the state from which they came for the purpose of constructing and maintaining public roads and educational institutions, 10 percent went into the United States treasury, and the remaining 52-1/2 percent, except in the case of Alaska, was deposited in the reclamation fund. From this account irrigation projects in seventeen "western" states were financed without regard to the origin of the money. Since Alaska was not included in the reclamation program, the 52-1/2 percent collected from there went into the United States treasury.[47]

In 1954 Senator Frank Barrett of Wyoming had proposed that the state of Alaska be given title to all of the enumerated minerals except those in national parks and monuments, naval petroleum reserves, and military reservations. He wished that the same privilege would be granted to his own state, which could then finance a reclamation program of its own. The proposal was not adopted then, partially because it was assumed to be prejudicial to passage of the statehood bill.[48] Since Alaska was not included in the reclamation program, Bartlett now sought the substance of the Barrett proposal by providing that 90 percent of the revenue collected would be paid to the state. In 1956 only $468,000 had been obtained from this source; soon it would be much more. In fact the delegate optimistically predicted that the state's share of the Alaska Coal Act and Mineral Leasing Act proceeds alone would cover the cost of statehood.[49]

Adopting one of the suggestions of Glen Franklin, legislative representative of the Alaska Miners Association, the subcommittee also agreed to permit the state to make conditional leases and conditional sales of any land which the state might select as soon as the Interior Department tentatively approved the selection. A similar provision was found in the Alaska Mental Health Enabling Act. Although an individual's right to land or resources obtained in this manner would be subject to annulment, mining would not need to be held up until a perimeter survey was completed and final patent issued.[50]

In addition to these amendments, the subcommittee adopted four others, all of them controversial and destined to be altered at least once. The first would withhold from the state, for five years after admission, jurisdiction over the fish and wildlife, that is, for a period half as long as Representatives Westland and Pelly requested. The compromise was proposed by B. F. Sisk, who was friendly not only to statehood but also to conservationists. As Westland quickly agreed to it, the result, no doubt, of previous discussion, it was adopted by a substantial majority over Bartlett's objections. Second, Alaska would receive, under Arthur Miller's perennial proposal, about one-half of the land acreage of the North, 182 million acres. Bartlett wondered if the congressman were "hurt as well as being shocked and surprised because I did not oppose." Indeed no one did. Third, at the request of John Pillion, a referendum on statehood would be held. Fourth, the Federal Maritime Board (formerly the United States Maritime Commission) would continue to regulate seaborne commerce to and from Alaska. After deciding these and other matters, the subcommittee voted 17-5 to order the bill reported favorably.[51]

Five days later the amendments were reviewed by the parent committee. This body undid some of the subcommittee's work by dropping three of the four seesaw amendments. Only the one increasing the land grant remained. The provision for retaining fish and wildlife resource management in the federal government was eliminated on a 17-14 vote when Bartlett explained that "one of the fundamental reasons Alaskans want

statehood is to take the fisheries over from a distant bureaucracy in an effort to check depletion of the resource."] The mandated referendum on statehood lost on a tie vote, probably on the grounds that it would be redundant and an unnecessary expense. And the jurisdiction of the Federal Maritime Board was clipped when the committee found itself unable to understand why the Interstate Commerce Commission, which regulated the coastwise and intercoastal shipments of all existing states, should not do so with those of Alaska as well. Following these decisions the committee approved the bill 24-6.[52]

In order that other members of the House would not have to ponder the many substantive changes which had been made, Leo O'Brien asked Bartlett to introduce a clean bill; Bartlett returned the compliment. "I can think of no honor which would be more meaningful to me than to have the bill conferring statehood to Alaska bear my name," he remarked. But having the New Yorker's name on the bill would suggest that statehood was not an issue between states with small populations and those with large populations.[53] O'Brien estimated the bill's chances of passage at better than 50-50. "Our hope is not so strong, however, that we should put all other Alaska legislation aside --because we have been fooled before." Neither the subcommittee nor the full committee took action on Hawaiian statehood. Any attempt to effect combination on the floor could, it was hoped, thereby be foiled.[54]

7

A short time later Henry Jackson's Subcommittee on Territories and Insular Affairs began to mark up Senator Murray's Alaska bill. Jackson was in no hurry, believing that Senate action should trail that of the House. Since in retrospect the subcommittee's work was of no permanent consequence to statehood, only its decision on maritime transportation needs to be highlighted. Hawaii's delegate and the steamship companies serving the mid-Pacific wanted the Federal Maritime Board to retain jurisdiction over their trade with the mainland states. The steamship companies serving Alaska, as well as the Interior Department, wanted the same for the North, but Bartlett and most other Alaskans had long wanted a change. The Times expressed the feelings of the latter when it wrote: "Too many Alaska freight tariffs have been placed on file and made effective with no action, scrutiny, justification or consideration."[55]

At first Senator Jackson and other members of the subcommittee agreed that regulatory power over the Alaska trade should be vested in the ICC. But then the chairman began to change his mind.[56] Under the Federal Maritime Board, the subcommittee learned, any carrier wishing to serve the North might do so with little more formality than filing a tariff. In the case of the Interstate Commerce Commission, a certificate of public convenience and necessity first had to be secured. The requirement might well result, Jackson predicted, in limiting the carriers to the Alaska Steamship Company and

perhaps one other company at a time when "more and better transportation" was needed. Another reason for letting well enough alone was the legal prolixity of the ICC. Anticipating that it would assume authority over the Alaska trade, the commission had submitted thirty-eight pages of amendments to the statehood bill. In view of their length and complexity, the subcommittee felt that the existing situation ought not be changed except after independent hearings by the Interstate and Foreign Commerce Committee.[57] This would complicate and prolong consideration of the bill but would probably result in the same decision. Rep. Thor Tollefson, a Washington Republican, and most other senior members of the Interstate and Foreign Commerce Committee had already informally expressed the view that the Federal Maritime Board should continue in control. Tollefson also complained, it is worthwhile noting, that the ICC had permitted West Coast railroad and trucking interests to lower their rates to the point where water carriers could not compete.[58]

Bartlett came to the same position as Jackson by a different route, one which began in 1946 or 1947. At that time George Sundborg, general manager of the Alaska Development Board, requested several major railroads to apply export rates to carload shipments bound for Alaska; the railroads refused. After Eisenhower came to office, William Strand induced Douglas McKay to take up the matter with the General Services Administration. The GSA discovered that the charges for rail shipments of freight between eastern, southern, and Middle

Western states and Pacific Coast ports were much greater if bound for Alaska than if bound for Hawaii, Middle or South America, or Asia.[59] For example, the charge for shipping a carload of mixed freight from Chicago to Seattle was $2.77 per hundredweight if Hawaii or one of the foreign ports were its destination but $4.26 if Alaska were.[60] The practice began after the opening of the Panama Canal had enabled eastern manufacturers to send their products by steamship from New York or some other eastern port to a mid-Pacific or Far Eastern destination at less cost than if they used rail to carry them to a West Coast port and laded them onto a ship for the rest of the distance. In order to recapture lost business, the railroads jointly classified all freight destined for Hawaii and other overseas points as "foreign," for which they charged special, low, competitive rates. Since no steamship lines undercut railroad business between the East Coast and Alaska, northbound freight was classified as "domestic."[61]

In March 1955 the GSA filed a complaint against the Great Northern Railway and 460 other railroads on behalf of itself, the Interior and Defense departments, and the territory of Alaska. After considering the complaint, the ICC decided 8-2 on June 25, 1957 to sustain the practice of the railroads as being "within management discretion." Thus Japanese canned salmon, for example, would continue to be shipped from Seattle to Kansas City at a lower rate than Alaska canned salmon.[62] The decision cooled Bartlett's ardor for ICC jurisdiction.[63]

After the subcommittee had discussed this and other

controversial matters and marked up Senator Murray's Hawaiian statehood bill, the members voted unanimously to order both bills reported favorably to the full committee. When the latter met on July 30 it, too, approved them unanimously. George Malone, who later expressed irritation that the voting took place during his absence, was permitted to file a minority report. He was, after all, the committee's ranking minority member. Although the bills had now been approved, they would not be brought to the floor that year. One reason was that calling them up in 1957 might result in losing them in a last-minute rush for adjournment. Another was that the Senate was at that time engaged in an emotional debate over the civil rights bill of 1957.[64]

Notes

1. Fairbanks Daily News-Miner, January 7, 1957, May 13, 1958; 85th Cong., 1st sess., S. 49, S. 50, January 7, 1957, H.R. 50, H.R. 49, January 3, 1957; U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Statehood for Alaska: Hearings on H.R. 50, H.R. 628, and H.R. 849, H.R. 340 and H.R. 1242, and H.R. 1243, 85th Cong., 1st sess., March 11-29, 1957, p. 91; U.S., Congress, House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 13738.

2. Copy, Bartlett to Victor C. Rivers, December 16, 1950, E. L. Bartlett Papers, Statehood File, box 16, folder Legislative History, August-December 1950, Elmer E. Rasmuson Library, University of Alaska, College.

3. Daily Alaska Empire (Juneau), January 2, 1957.

4. FDNM, January 15, 1957.

5. Hearings on H.R. 50, pp. 92, 94.

6. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 49 and S. 35, 85th Cong., 1st sess., March 25-26, 1957, p. 2; idem, Alaska-Hawaii Statehood, Elective Governor, and Commonwealth Status: Hearings on S. 49, S. 399, and S. 402, 84th Cong., 1st sess., February 21-28, 1955, p. 20.

7. FDNM, November 9, 1956, October 2, January 7, 3, 1957; Snedden to Bartlett, December 29, 1956, copy, Bartlett to Snedden, January 3, 1957, Bartlett Papers, Statehood File, box 33, folder Tennessee Plan, January-February 1957; copy,

Gruening, Egan, and Rivers to Seaton, Files of Anderson, Jack Z., administrative assistant to the president, box 2, folder Interior--Alaskan Statehood, Dwight D. Eisenhower Library, Abilene.

8. Legislative Counsel (Theodore Stevens) to Persons, March 6, 1957, Papers of Dwight D. Eisenhower, Official File, box 753, folder 147-D-1, Alaska Statehood, Dwight D. Eisenhower Library.

9. Hearings on H.R. 50, pp. 94-95, 105; Hearings on S. 49 and S. 35, p. 131; Legislative Counsel to Persons, March 6, 1957, Eisenhower Papers, OF, box 753, folder 147-D-1, Alaska Statehood.

10. Hearings on H.R. 50, pp. 105-106; Hearings on S. 49 and S. 35, p. 111.

11. Hearings on H.R. 50, pp. 106, 105, 129, 113.

12. Ibid., pp. 104, 103, 128.

13. Ibid., pp. 131, 135.

14. Hearings on S. 49 and S. 35, p. 7.

15. Copy, Bartlett to Tennessee Plan Delegation, Alaska Statehood Committee and Robert Retherford, February 27, 1957, Bartlett Papers, Statehood File, box 19, folder Legislative History, January-February 1957; 70 Stat. 377.

16. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood and Elective Governorship: Hearings on S. 50 and S. 224, 83d Cong., 1st sess., August 17-25, 1953, pp. 345-346; U.S., Congress, House, Subcommittee on Roads of the Committee on Public Works, National Highway

Program, Federal Aid Highway Act of 1956: Hearings on H.R. 8836, 84th Cong., 2d sess., February 7-March 5, 1956, pp. 179-180, 160.

17. Senate, Congressional Record, 84th Cong., 2d sess., 1956, 102, pt. 7: 9203-9204.

18. Anchorage Daily Times, July 9, 1956.

19. 70 Stat. 377, 378, 398.

20. Hearings on H.R. 50, pp. 330-331; FDNM, March 21, April 11, 20, 1957; DAE, March 21, 25, 1957; ADT, March 21, 1957; House, Congressional Record, 85th Cong., 1st sess., 1957, 103, pt. 8: 10748.

21. Hearings on H.R. 50, pp. 160, 166-167.

22. ADT, January 24, 1956; FDNM, April 21, 1956; DAE, March 12, February 27, 1957; Alaska, Session Laws, 1957, p. 60.

23. ADT, December 29, 1956.

24. DAE, March 14, 1957; Hearings on H.R. 50, p. 254.

25. FDNM, March 19, 1957.

26. Hearings on H.R. 50, pp. 250-252, 257, 263.

27. FDNM, December 15, 1955.

28. Hearings on H.R. 50, pp. 429-430, 432, 440.

29. U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Alaska, 1955: Hearings Pursuant to H. Res. 30, 5 pts., 84th Cong., 1st sess., September 14-October 6, 1955, pt. 5: 255.

30. ADT, March 20, 1957.

31. Hearings on H.R. 50, pp. 336-337, 460; Alaska, Session Laws, 1957, p. 39.

32. Mullaney v. Anderson, 342 U.S. 416-417, 420; Alaska, Session Laws, 1953, pp. 113, 162; Toomer v. Witsell, 334 U.S. 396, 398-399. Previous to 1949 the license fees had been $1 for residents and $25 for nonresidents. Alaska, Compiled Laws of Alaska, 1949, ed. J. Oliver Tucker (San Francisco: Bancroft-Whitney, 1948), title 39, sec. 4-2.

33. Hearings on H.R. 50, pp. 468, 345; FDNM, June 21, 1957.

34. Hearings on H.R. 50, p. 455.

35. Pelly, "92nd Weekly Broadcast" [1951], Papers of Hugh Butler (MS 2331), box 218, folder Statehood--General, Nebraska State Historical Society, Lincoln.

36. Ernest Gruening, Many Battles: The Autobiography of Ernest Gruening (New York: Liveright, 1973), pp. 362-363; ADT, January 18, 1958, December 9, 1957; FDNM, January 4, 1956.

37. For details, see Ketchikan Alaska Chronicle, April 26, June 18, August 7, 1947, January 15, 1948, May 5, 1949.

38. Hearings on H.R. 50, pp. 454, 459, 458.

39. FDNM, April 30, May 8, 1957; copy, Bartlett to Thomas B. Stewart, May 20, 1957, Bartlett Papers, Statehood File, box 12, folder Correspondence, General, May 1957.

40. DAE, May 17, 1957; copy, Bartlett to Alaska Statehood Committee, May 17, 1957, Bartlett Papers, Statehood File, box 19, folder Legislative History, May 1957.

41. FDNM, May 22, 1957.

42. Hearings on H.R. 50, p. 357.

43. 85th Cong., 1st sess., H.R. 3477, January 23, 1957; House, Congressional Record, 85th Cong., 1st sess., 1957,

103, pt. 4: 4884.

44. Hearings on S. 49 and S. 35, p. 67.

45. 71 Stat. 282; copy, Bartlett to Al Anderson, July 10, 1957, Bartlett Papers, Statehood File, box 13, folder Correspondence, General, July 1957.

46. 38 Stat. 742, 744; FDNM, February 26, 1958; Hearings on S. 49 and S. 35, pp. 67-68.

47. 41 Stat. 450; U.S.C., 1958 ed., title 43, sec. 391.

48. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 50, 83d Cong., 2d sess., January 20-February 24, 1954, pp. 310, 311, 314-315, 317-318; Hearings on S. 50 and S. 224, p. 267.

49. Hearings on S. 49 and S. 35, pp. 67-68; FDNM, February 26, October 14, 1957.

50. Hearings on H.R. 50, pp. 218-219, 225.

51. FDNM, April 10, May 23, 22, 1957; Bartlett to Hermann, Atwood, Snedden, and Lehleitner, April 15, 1957, copy, Bartlett to Robert E. Ellis, April 15, 1957, Bartlett Papers, Statehood File, box 19, folder Legislative History, March-April 1957.

52. FDNM, May 28, 1957; House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9486; DAE, May 26, 1957; ADT, June 13, 1957.

53. ADT, June 11, 1957; House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9218.

54. FDNM, May 17, July 18, 1957.

55. Ibid., May 25, June 15, 1957; Hearings on S. 49 and S. 35, p. 152; ADT, June 15, 1957.

56. FDNM, June 15, 1957.

57. Copy, U.S., Congress, Senate, Committee on Interior and Insular Affairs, [Hearings on] S. 49 and S. 50, 85th Cong., 1st sess., July 30, 1957, pp. 9, 5-6, National Archives and Records Service, Washington, D.C.; "Amendments to S. 49--Alaska," Bartlett Papers, Statehood File, box 13, folder Correspondence, General, July 1957.

58. ADT, June 14, 1957.

59. Hearings Pursuant to H. Res. 30, pt. 2: 230-231; FDNM, June 26, 1957.

60. Senate, Congressional Record, 83d Cong., 2d sess., 1954, 100, pt. 3: 4071.

61. ADT, June 26, 1957.

62. Jessen's Weekly (Fairbanks), May 12, 1955; ADT, June 25, 1957, April 16, 1959.

63. DAE, June 27, 1957.

64. FDNM, July 1, August 6, September 17, 1957; [Hearings on] S. 49 and S. 50, pp. 37, 46, 26-27.

Chapter 23

Ordeal by Rules Committee

1

During the decade that House committees considered statehood for Alaska, the Rules Committee had relented in its bipartisan obstructionism only in 1955. However, the bill under consideration that year provided also for Hawaiian statehood and was cleared for action under a closed rule. Had the committee not believed that the bill would be defeated, it surely would not have granted the concession. Now that prospects for passage had measurably improved, the chances for obtaining a rule had decreased commensurately. The Interior and Insular Affairs Committee could seek to bypass the Rules Committee by invoking the privileged character of the statehood bill. Anticipating that the attempt would someday be made, Howard Smith introduced a resolution on February 7, 1957 to strip the Interior and Insular Affairs, Veterans' Affairs, and Public Works committees of their limited power of direct reporting.[1] As the House did not adopt the resolution, Leo O'Brien, to whom Clair Engle had turned over management of the Alaska bill, was able to file a privileged report.[2] He was not committed to employing the alternative procedure; it was simply ammunition held in reserve.

On July 11 Smith replied to O'Brien's request for a hearing. "I'll give you a hearing but then I'll fight you,"

the New Yorker quoted him as saying. No date was set, since the committee intended to dispose of two other matters first.[3] One week later O'Brien told the press that the committee had "definitely" agreed to hold a hearing within two more weeks. As such he looked forward to bringing the bill to a vote late in the session so that the Senate could act on it early in 1958.[4] On June 25 Sam Rayburn demolished the plan when he saw Bartlett in a corridor of the Capitol and stopped to say, "Bob, I doubt the wisdom of going ahead now." The two men arranged to discuss the matter in Rayburn's office a few hours later. When they did, O'Brien was with the delegate.[5]

The Speaker told them that although he had opposed enactment of the bill in the past, he was for it now. However, the "climate" was unsuitable for an effort to take it up at that time. Tempers were frayed from recent floor fights over a string of controversial bills, more of which were to come. Also after being in session for nearly seven months, the members were fretting to return home. He "volunteered the promise that he would see to it that the bill was considered by the House next January. 'We won't have anything to do then, everyone will be happy and I think the bill will be aided by this delay.'" Any doubts which the delegate might have had were put to rest a few weeks later when the Speaker deferred, for the same reasons, a bill he was championing relaxing federal controls on natural gas production. Since the burden of explaining why no action was being taken on the statehood bill would be borne mainly by the Alaska-Tennessee planners,

Bartlett asked Rayburn to repeat the message to them. Agreeing he met with them later that day and authorized them to announce to the press that he supported the bill. He reiterated that support on August 1 after Bartlett showed him an article from the News-Miner about a telegram which Fred Seaton had sent Mike Stepovich expressing "keen disappointment" over the delay. Because of the telegram's political overtones, Rayburn dictated a statement to Bartlett intended for publication: "I am for the admission of Alaska as a state into the union," it declared. "The people of Alaska can be assured again that they will have their day in court. This is not a partisan issue and I do not intend to treat it as such....The only reason for setting the bill over until January was because of the lateness of the session and the confusion that always occurs at a time like this." That endorsement, in O'Brien's opinion, was worth twenty-five extra votes.[6]

After Congress adjourned on August 30, Gruening, Egan, and Rivers returned to Alaska to "report" on what the anti-statehood press was criticizing as their "costly" mission in Washington. John Burns returned to Hawaii to be traduced by his foes and some of his friends as "a great Representative of Alaska, but not a Representative of Hawaii." On the day of his departure, he had said: "we ought to put every effort to get Alaska statehood approved, without regard to whether Hawaii is right behind. We can come in in the next congress." His position was identical to that which Bartlett had taken in 1955 and 1956 after recommittal of the Hawaii-Alaska statehood bill,

but it involved far more risks than Bartlett's had. After the vote on recommittal, only Hawaiian statehood seemed to have much of a chance. Moreover, unlike Burns, Bartlett had made no commitments to return home with statehood or an elective governorship. Most importantly, Bartlett's constituents, including even the directors of Operation Statehood, had encouraged Bartlett in a Hawaii-first strategy. Burns, on the other hand, represented a constituency which had long regarded itself as having the better claim and chance for statehood. Realism and enlightened self-interest lay behind his concession, but many Hawaiians were unwilling or reluctant to go along with it.[7]

2

Shortly after Congress returned to Washington in January, President Eisenhower reaffirmed his support of statehood: "I also recommend that the Congress complete action on appropriate legislation admitting Hawaii and Alaska into the Union as States." Once again, though, he left the recommendation out of his state of the Union address, placing it in the last few pages of his twenty-two thousand-word budget message. Said Bartlett: "My feelings are similar to those of a youngster expecting a big birthday cake and receiving instead a part of a stale cookie." Three days after the latter was delivered, the delegate received another disappointment when Sam Rayburn told Leo O'Brien that the Alaska statehood bill would not be taken up in January. Bartlett could not fathom a reason, since few bills were being considered at the time. It might have been

that Rayburn was awaiting Rules Committee action, and that Howard Smith showed no disposition to grant a rule speedily. In view of the delay, James Murray requested the Senate Democratic Policy Committee not to wait for the House to act but to schedule his own Alaska statehood bill for early consideration. As time went on, the Montanan feared, the Calendar of Business would become crowded with other bills; moreover, since 1958 was an election year, Congressmen would want to adjourn early.[8]

On January 24 Bartlett had a revealing talk with Rayburn. The Speaker told him "that as a man of the west he would have no objection to Alaska coming in at all..." even though foreign territory would separate it from the other states. Alaska was still part of the North American continent. The presence of a large Indian and Eskimo population did not offend him either. He had previously opposed its admission, believing that "if Alaska is admitted to the union inevitably Hawaii will be too and I'm strongly against Hawaii, very strongly against Hawaii and the reason I'm against Hawaii is not because a minimum [sic] of the population is composed of races other than Caucasian but because it offends my sense of what is right that a group of islands removed by over 2,000 miles from our western coast should be permitted in the union. I think this is wrong. I don't think it was ever intended initially that our system of states be extended in this manner and I believe it will be a distortion of the American scheme of things if Hawaii is to come in." In spite of his strong feelings on the matter, he

had decided to help Alaska.[9]

Bartlett never understood why Rayburn changed his mind. The reason can be guessed by enlarging the perspective. In 1947 and 1948 a Republican Congress had resisted the enactment of much of the liberal domestic program of President Truman. The election of 1948 placed Congress in the hands of Democrats again, but liberal members of the party still faced the prospect that their bills would be stymied. The reason was that a Rules Committee coalition of four Republicans and three Democrats (Edward Cox of Georgia, Howard Smith of Virginia, and William Colmer of Mississippi) seemed likely to bar the bills from the floor. As a means of circumventing the committee, the liberals succeeded in adopting a twenty-one-day discharge rule requiring the Speaker to recognize the chairman of a committee which had reported a bill favorably but for which the Rules Committee had failed to grant a special rule. Rayburn backed the proposal and, in the ensuing two years, used it eight times, including once for Alaska and once for Hawaii. After the liberals lost strength through the election of 1950, a combination of Republicans and southern Democrats repealed the rule in 1951.[10]

In 1958 a liberal majority would again be elected to Congress and again talk of instituting a twenty-one-day discharge rule. They would even talk of changing the majority and minority party composition of the Rules Committee from 8-4 to 9-3. Rayburn would not support the changes but would assure the committee's critics that "legislation which had been duly

considered and reported by legislative committees will be brought before the House for consideration within a reasonable period of time." It is probable that Rayburn was already sensitive to the pressures which were building, for he and his protégé Lyndon Johnson had been arranging passage of a steady succession of liberal measures including, in 1957, the first civil rights bill since Reconstruction. Rayburn, in other words, was apparently trying to draw off some of the pressure for institutional change designed to achieve the desires of the moment.[11]

Three days after speaking with Bartlett, the Speaker "passed the word" to Howard Smith that he wanted a rule on the statehood bill. "...the Rayburn word is a magic one," the delegate wrote Bill Snedden. "Once the [Rules Committee] meeting is held, the votes are ours in the committee as well as on the floor." One day after that, on January 28, Bartlett walked to the other side of the Capitol for a talk with Lyndon Johnson. The majority leader told him that the bill would be brought "to the floor of the Senate within the next 10 days" and "will be passed in anywhere from three days to one week" afterward. It would not be filibustered by senators from the South, "although to protect the record they may in individual cases feel compelled to talk at length." It was one part of a strategy which Johnson had devised largely by himself. The other part was an agreement by liberal Democrats and pro-statehood Republicans not to make Hawaiian statehood title II of the bill for Alaska. William Knowland gave his consent, and

the same day that Johnson talked with Bartlett, agreement was obtained from James Murray, Paul Douglas, Clinton Anderson, Frank Church of Idaho, Joseph Clark of Pennsylvania, Theodore Green of Rhode Island, and aides of Henry Jackson and Warren Magnuson.[12] Realistically these Democrats had no incentive to force combination as long as Alaska statehood was scheduled first. However, a deal might have seemed necessary to Johnson as a means of approaching his southern colleagues and assuring them that he was not selling them out.

Everything seemed to be going well, but then the unexpected happened. The bill's progress, Bartlett remarked, had been like an automobile "traveling along without trouble on any icy road only to be sent spinning when the brakes were touched." The man who put his foot on the pedal was William Knowland. On February 4 President Eisenhower held one of his regular legislative strategy meetings with his party's leaders, Senators Knowland and Styles Bridges and Representatives Martin and Charles Halleck. Fred Seaton would have been there except that he was in bed with the flu. When the group told Eisenhower that statehood for Alaska would be put ahead of that for Hawaii, the president expressed surprise; he regarded the island territory as more deserving. The Congressmen complained that O'Brien's subcommittee had bottled up the Hawaiian bill. Eisenhower's reaction was revealed in his press conference the following day. "Now," he said, "what I personally would like to see--the two bills coming on simultaneously--that is what I'd like to see." Then on February 6 Knowland disclosed to the

press he had told Johnson that without assurances that the bill for Hawaii would be considered immediately after the one for Alaska, some senator undoubtedly would move to combine the two. The administration, Knowland said, regarded the consideration of only one of the bills as inadvisable. Since Johnson declined to give the assurances the Californian wanted, the drive in the Senate suddenly stopped.[13]

The morning after the announcement about Knowland, Bartlett had another talk with Johnson. He asked the majority leader if he were for statehood. Johnson said he did not know and remarked, as Bartlett had heard elsewhere, that he had been receiving a lot of mail from Alaska against it. He might find it necessary to vote against the bill, although he remained willing to bring it to the floor. He would do so in the capacity of "a midwife," however, not a doctor. He mentioned that he had discussed statehood with Rayburn and others the previous night. When Johnson asked the Speaker why he had come out for statehood, Rayburn replied, "Well, they just kept after me so long I finally gave in." But, Johnson observed: "Sam is older, he has more prestige, he was able to come out for statehood where I can't right now....After all, the hard core of my support is from the South." As the conversation neared the end, Bartlett asked, "Lyndon, do you think Alaska will have statehood this year?" The reply was no.[14]

With the statehood bill stymied in the Senate, attention was diverted back to the House. On February 25 Clair Engle wrote Howard Smith that unless a rule were in prospect by

March 15, he would be required by his committee to invoke the privileged status of the bill. On March 4 Smith replied that the Rules Committee had concluded informally that hearings "should be held sometime in the near future, but probably not before the deadline of March 15 set in your letter."[15]

3

While Bartlett and O'Brien awaited a hearing, several crosscurrents flowed in the North. Imparting momentum to the strongest of these was George Sundborg. In his strategically situated position as editor of the News-Miner, Sundborg helped to nourish the "John Q. Citizen" movement which Art Sexauer, the thirty-one-year-old partner of a Fairbanks restaurant, originated on February 14. Although a political independent who had never before participated in politics, Sexauer wanted to do something to help bring about statehood. After discussing the matter with three others one morning, a luncheon meeting was arranged. Among the thirty people who showed up for it were Sundborg and Ed Merdes, a local attorney. Later that day Merdes placed recorded telephone calls to Bob Bartlett and Theodore Stevens at the expense of the News-Miner and station KFAR. Asked what people in Alaska could do for statehood, Bartlett and Stevens recommended writing and telegraphing Congressmen, especially Johnson, Knowland, Rayburn, and Martin.[16]

The following day a steering committee which included Sexauer, Sundborg, and Merdes discussed plans for setting up a booth in the arcade of the Northward Building to assist people

in sending messages. The committee also set about organizing a statehood parade for the coming Saturday, Washington's birthday. "It will," said Mark Ringstad, parade marshal, "be the only parade in history where there won't be anybody standing at the curb watching it go by, because they'll all be marching."[17]

Sexauer then flew to Anchorage where, shortly after his arrival, he was interviewed on television about the movement. The next day he attended a breakfast meeting with officers of Operation Statehood and the Democratic and Republican parties, as well as other backers of statehood. They decided to erect a booth on the city hall lawn for sending airmail post cards and telegrams from Anchorage. Also a section of the annual Fur Rendezvous parade would be devoted to statehood. The superintendent of the city's schools asked students to make statehood placards and to march in the parade Saturday. Finally, Operation Statehood arranged for Bartlett to deliver round-trip tickets to Johnson, Knowland, Rayburn, and Martin so that they might officiate at the parade. Invitations were later sent from Fairbanks, too, to which the four would be flown from Anchorage by chartered plane. The "big four," of course, declined the invitations; their duties in Washington were too heavy, they said.[18]

At the same time that he was writing quasi-news stories about these developments, Sundborg reflected on their significance. In the spring of 1946, he recalled, the Anchorage chapter of the Alaska Statehood Association had asked him to address one of its meetings. He agreed but found on his

arrival that the audience consisted of only three people, two of whom were Robert and Evangeline Atwood. Not until Sexauer sparked the John Q. Citizen movement, he wrote, had people stopped sitting back letting the "so-called leaders take care of the advocating of causes." Not until then had ordinary citizens made "a strong, positive show of DEMAND for statehood."[19]

In writing this, Sundborg was carried away with his enthusiasm. He would have been more correct had he observed that for the first time in a decade of activity, significant popular agitation had spread beyond the confines of Anchorage. What Sundborg had observed there in 1946 was less true in 1948, when 300 to 400 people had stopped work for a union-sponsored "Statehood Tea Party" to listen to Mrs. Atwood and other civic leaders proclaim that the time for admission had come. It was even less true in 1950, when participants in the Senate hearings were given a rousing sendoff at a rally which was climaxed by a torchlight motorcade and fireworks display.[20] It was not at all true in 1953, when the Little Man's Club and its successor, Operation Statehood, were organized. Nevertheless the two parades were important as agencies by which not just hundreds but thousands of people publicly displayed their commitment to statehood. Held in warm weather and under fair skies, the parades fulfilled the hopes of their sponsors.[21]

At the height of the promotional effort, one Fourth Division resident telephoned Sundborg: "I have a feeling I'm for statehood, but I'd like to know just what it will mean to

me." The caller had raised the question at a social gathering the previous night. Everyone else there seemed favorably disposed toward statehood, too, but could not exactly explain its benefits. "We're afraid to ask questions for fear we'll be thought either anti-statehood or ignorant." Sundborg asked him if the individuals were recent arrivals. "Heck no," the man replied, "I've been here six years, and most of the others have been here about that long too." This conversation, as well as a request from another resident, impelled the editor to write three articles explaining some of the implications of admission.[22] The episode was a valuable reminder that in spite of the vast amount of material which had been published and broadcast about statehood, most Alaskans, old-timers included, knew little about it.[23]

4

Eight days after the parade, fourteen million Americans viewed the popular CBS public affairs program "See It Now," hosted by Edward R. Murrow. The first half of the one-hour presentation was devoted to Alaska and the second half to Hawaii. Among those speaking in favor of statehood for the North were Bob Bartlett, Mike Stepovich, and Robert Atwood; against it were Winton Arnold, John Manders, and George Malone.[24] Of all the participants, the senator drew the most newspaper attention. If this noncontiguous territory were admitted, he warned, Hawaii, Puerto Rico, Taiwan, and the Philippines would follow. "First thing you know 10 or 15--16 offshore Senators on that Senate floor. It's the balance of

power--you just go off the deep end--one-worlders, and one world free immigration, free trade--that's the ultimate objective....I think in the long run it may be a good many years, but some time you may take all of the Western Hemisphere in one contiguous group."[25] The Washington Post and Times-Herald editorialized: "We don't think the Senator swayed many persons about Alaskan statehood but a few listeners may have developed some queasy doubts about Nevada."[26]

Like many other events connected with statehood, the broadcast proved to be repercussive. One of its effects was to bring into doubt the credibility of the Alaska Citizens for Commonwealth Committee. The "See It Now" program had been shown in the states on March 2 and was telecast in Alaska on March 22. Local residents who appeared on the film and members of Operation Statehood were invited to preview it in Anchorage on March 17 and 18. On March 21 O. E. Darling informed Ernest Patty that his committee had previewed it, too, on March 20. The committee was "shocked," he wrote, "to see that you as president of the University of Alaska had dragged the name of the university into partisan politics by openly expressing your prejudice for statehood for Alaska...." A former advocate of commonwealth status for the North, Patty had indeed been filmed speaking on behalf of statehood and his name had been listed in the advance publicity. However, the network had edited out his part, along with many others, from the version which was finally shown.[27]

Shortly after the film was broadcast in the states, John

Pillion charged the network with having failed to balance its presentation. Frank Stanton, president of CBS, concluded that the "complaint was not without foundation, in part because a disproportionate amount of time had inadvertently been devoted to the proponents of statehood." Pillion was therefore granted one-quarter hour of prime television time to rail against admitting Alaska and Hawaii. When Gruening and Egan learned of the decision, they asked Stanton and William Paley, chairman of the board of CBS, to allow them time for rebuttal. The network's vice-president in charge of public affairs declined to commit the company until "we hear what Pillion says."[28]

What Pillion said when he went on the air was that admission would give Alaskans and Hawaiians disproportionate representation in the Senate. And in words more virulent than Hugh Butler had used in 1950, he predicted: "Just as soon as statehood is granted, Bridges can and will send 100 organizers into Alaska. It will be 'apple pie' to take over its politics. The chain of command, the line of discipline will be completed from Moscow to Foster [chairman of the American Communist party] to Bridges, to Honolulu and Juneau, Alaska, then into our Congress."[29]

Three days after the broadcast, Stanton wrote Gruening and Egan that balance could not be achieved by using either a stopwatch or slide rule. If time were granted for a reply to Pillion, the network would become "engaged in an endless chain of reaction...." Besides, Stanton added, "Pillion's charges were so ridiculous that they did the statehood cause no more

harm than Senator Malone's recent attacks." In the latter opinion Egan concurred. Bob Bartlett protested anyway, but to no avail.[30]

5

Creating a different kind of stir was the publisher of the Empire. On March 13 William Prescott Allen requested and received a conference with Bartlett, Gruening, Egan, and Rivers. Bill Snedden was also present. Allen told the group, in a confused way, that because statehood did not "have the chance of a snowball in H---," he wanted to enlist their support for a tax moratorium. After about five minutes Egan rose unexpectedly and asked Allen about an editorial he had recently placed in the Washington Daily News as an advertisement. It read: "To grant statehood to Alaska at this time, we would find that the leftist extreme element in Alaska and Hawaii would undoubtedly run a race in case of war to see which area would voluntarily join the Communist bloc first, and being next door to Russia, Alaska might go first." Allen, too, got up and informed Egan that he had written every word of the letter. Egan, ordinarily mild-mannered, replied that he had lived in the North all of his life and that Alaskans did not need an overnight resident from Texas to tell them what was best for them. Infuriated, Allen shouted that he would never talk to the three planners again, called them "a bunch of phonies," bolted from the room, and slammed the door. He did, however, talk with others at the capital, among them Fred Seaton. Since Allen owned a newspaper in Texas, he also got to see Lyndon

Johnson. The latter sent him to Richard Russell, leader of the southern Democrats in the Senate, who inserted the editorial in the Congressional Record.[31]

On the same day that Allen slammed the door, Representative Pelly served notice on Alaskans, through an extension of his remarks in the Congressional Record, that he would not vote for statehood unless his constituents were allowed to fish the waters of the North on the same basis as Alaskans. To ensure that they could, he would seek retention of federal jurisdiction over the fish and game until the secretary of the interior certified to Congress that the state had provided for their conservation and nonresident access. An amendment providing for this had been sent to the congressman by Clinton Gutermuth, who had drafted it in conjunction with Winton Arnold and other interested parties. Conservationists and sportsmen at the capital had not yet awakened to the fact that the interests they were serving were not only their own. An earlier, more drastic, version of the amendment would have required affirmative action by Congress, as well as certification by the interior secretary, before control of the fish and wildlife would be transferred to Alaska. Congressional approval, Bartlett thought, would take about 10,000 years to achieve. As Fred Seaton frowned on the clause relating to Congressional action, it was removed from the draft.[32] Seaton also helped to placate the conservationists by promising the establishment of the 8,900,000-acre National Wildlife Refuge proposed for the northeastern corner of Alaska.[33]

The News-Miner answered Pelly by printing excerpts from Ice Palace, Edna Ferber's latest novel, eight days before its official publication. The parts which the newspaper selected portrayed Thor Storm telling his granddaughter about the cannery operators in Seattle and San Francisco who exploited the Alaska fishery. The fish traps they owned caught millions of salmon which, when sold, provided the money to hire smart men to lobby for their interests at Washington. No way existed to stop the plunder, for people in the states were not interested and Alaska lacked voting Congressional representation. The selections were a melancholy but powerful reply to Pelly. The book quickly became the nation's best seller and was serialized in the Ladies Home Journal. "Everyone will be talking about it," the magazine advertised. "It may even help in Alaska's fight for Statehood."[34]

6

Public opinion was already well-disposed toward admitting the territories; the problem, as usual, was with Congress. On March 2 the American Institute of Public Opinion revealed that 73 percent of the American people favored admission, 6 percent opposed it, and 21 percent had no opinion. For Hawaii the comparable percentages were 65, 12, and 23. Wrote George Gallup: "The public willingness to accept Alaska and Hawaii in the Union and the present impasse on the question in Congress point up what is a classic example of a lag between public opinion and legislative action."[35]

Howard Smith scheduled hearings on the Alaska bill to

begin March 27, nine months and one day after Engle had first requested them. When the appointed day arrived, the Virginian opened the hearings fifteen minutes late, pointed out that Alaska's civilian, non-Native population was small, claimed that the admission of the North might lead to the admission of Puerto Rico, fretted that statehood for noncontiguous Alaska and Hawaii "could swing the balance of power in the United States," noted that some existing state would lose a seat in the House of Representatives, and alleged that the bill provided for "the greatest giveaway of natural resources in history...." O'Brien replied to each of the statements but, thirty minutes after the session began, Smith recessed it for a quorum call on the floor. He called another meeting for the afternoon, knowing that most of the members would be occupied elsewhere. In the afternoon, after vainly waiting an hour for a quorum to appear, he "owlishly recessed the hearing." Another would be scheduled, he announced, possibly the following week.[36]

On March 31 Bill Snedden happened to be riding the same elevator as Smith when another congressman jocularly asked the chairman if the committee had decided to grant a rule for the bill. Replied Smith, "The bill will get out of my committee only over my dead body." That same noon Snedden had a luncheon engagement with Walker Stone, editor in chief of the Scripps-Howard newspaper syndicate. When Snedden repeated Smith's words to Stone, the latter sketched on a napkin a dummy of the front page of what became the April Fool's Day issue of the

Washington Daily News.[37] It was taken up by a graphic illustration of how "This Little Man Stalls a Vote by These 11 Men..." (Smith's colleagues on the Rules Committee), "And Defeats the Will of This Entire Body..." (the House of Representatives).[38] Actually the Rules Committee lineup was far from 11-1. Based on their subsequent voting records, the division was 4 for statehood and 8 against. Still, the committee was abusing its function as "traffic director."[39]

O'Brien worried about the amount of time being lost. He wrote Majority Leader John McCormack that if the committee did not grant a rule by April 30, he wanted to bring the bill directly to the floor. McCormack told him and other statehood supporters that he would schedule the bill whenever they desired. However, until Speaker Rayburn returned from Texas, where he was nursing a cold, no final decision would be made. In the meantime Howard Smith scheduled a hearing for April 24, four weeks after the first one. On the day before it was to be held, Engle, O'Brien, and Bartlett conferred with Rayburn about bypassing the committee. They told him, Engle related afterward, that "it's getting to the point where if we don't move, there was no reason to move." The Speaker remarked that his enthusiasm for statehood continued to be less than consuming; nevertheless he had made a commitment and thought they were entitled to floor consideration. On the basis of a canvass of his own, he told them that six of the eight Democrats on the committee would vote for a rule, but that Smith and Colmer were hopeless. Bartlett assured the Speaker

that at least two Republicans, and maybe all four, would also vote to clear the bill. The possibility of bringing the bill to the floor as privileged matter was also discussed, "but no firm decisions were reached on that." Immediately after the meeting, though, Engle told a waiting reporter: "If we don't get a rule, we're not going to wait at all. I'm going to bring the bill up on the floor and the speaker said he would recognize me." Later Bartlett wrote Snedden: "For the life of me, I can't remember hearing the Speaker say that. But I may have been listening too intently or something. Anyway, I am glad Clair said what he did."[40]

Later that day, in the Speaker's lobby, Rayburn asked Smith how long he intended to "filibuster" the bill. Smith replied that he was not filibustering; twelve congressmen wanted to be heard yet. "It's time to quit stalling," Rayburn told him. "We'd better get a rule out tomorrow." Smith inquired if the Speaker wanted him "to tell all the witnesses that they can't testify? If I do I'll tell them that it was because the Speaker said so." Rayburn rejoined: "I don't care what you tell them. I want a rule." The next day Smith said to his committee: "We haven't made much progress, and as you know I'm not interested in making progress. But this committee has been threatened by the leadership to get this bill to the floor." It was up to them, he said, whether to follow their "customary procedure" or to submit to "steamroller tactics." Then without abandoning his leadership role, he proceeded to take two hours of testimony, part of it from William Egan. In

all the years Smith had sat on the committee, only two or three people who were not members of Congress had been permitted to testify. When Gruening heard Smith invite Egan to speak, he slipped him a note asking for the same opportunity himself; Smith "grinned and turned him down." Finally, Thomas Pelly was called to testify. The Washingtonian noted that the last of the committee's four Republicans had left the room only a moment earlier. Since it was contrary to the rules of the committee to conduct hearings without at least one member of each party present, Smith adjourned the Friday session.[41]

Later the chairman said he would place the bill on Monday's agenda. But because he listed it sixth and last, time was unavailable to consider it that day. The day afterward, April 29, Rayburn gave his permission to bring up the bill as privileged matter one week later. Charles Halleck objected to the timing, since his home state of Indiana would hold its primary election that day. Customarily the House did not hold roll call votes on primary election days. Arthur Miller also objected. The Rules Committee should be given an additional week or ten days, he said; deserting "orderly procedure" would cost the bill 12-15 votes. Fred Seaton, who played no part in Miller's move, expected the loss would be 15-20 votes. Engle agreed that obtaining a rule was preferable but told the Nebraskan, "...I have worked calluses on my knees" pleading with the committee to act. To accommodate Halleck and Miller, though, debate was rescheduled for May 14.[42]

In the meantime, on May 1 and 2, Miller testified before

the Rules Committee. He used the occasion to suggest that Alaskans be given another chance to vote on whether they wanted statehood. Howard Smith and William Colmer thought the idea splendid. Another committee member, Clarence Brown of Ohio, proposed sidetracking the bill while enacting legislation providing for a referendum alone. "I'd hate to force into the union any area if the people don't want it," he said. Miller also "suggested," but did not advocate, the possibility of a tax moratorium to assist the state through its early stages. At the conclusion of the short session, Smith said he hoped to schedule another meeting early the following week.[43]

As the date approached for employing the bypass procedure, O'Brien announced that he would support four additional amendments to the bill. One, heralded by Congressman Pelly, would retain federal jurisdiction over the fish and game of Alaska until "the first day of the first calendar year following the expiration of ninety legislative days after the Secretary of the Interior certifies to the Congress that the State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest...." Another provided for a referendum on statehood, which could be held in conjunction with another election. A referendum, Theodore Stevens had suggested, "would be a good way to pull the rug out from under such as Alice Stuart." A third was designed to blunt Howard Smith's charge that the admission bill provided for "the greatest giveaway of potential natural resources in the history of our

country." O'Brien agreed to cut back the basic grant of public lands from 182,000,000 acres to the 102,550,000 acres originally contemplated. As he had told Miller during the subcommittee hearings of 1957: "I know that milk is very good for kittens. I also know that you can drown a kitten in milk." A fourth would permit the Federal Maritime Board to retain control of Alaska's seaborne trade with other states.[44]

Bartlett acquiesced in all of the concessions except the one about the fish and wildlife; that he opposed for reasons of "principle and sentiment. After all," he wrote, "I cannot forget that the resident fishermen of Alaska have given the statehood cause unswerving support through the years....We cannot let them down now, and don't want to." The delegate would not battle mightily over the issue, however. Allowing it to become a central issue of debate on the floor would be to play into the hands of their enemies. Also, contrary to his expectations, hardly a ripple of protest had come from Alaska when the amendment had been added in subcommittee a year earlier. Finally, Bartlett felt that once Alaskans could vote in Congress, the provision would be repealed. An earlier conviction of his that the courts would declare it unconstitutional, partially because it concerned wildlife and fish in inland waters as well as fish offshore, had by then been shaken by Ernest Bartley. In a court case addressed to the question of whether the police powers of a state or the property rights of the federal government were involved, Bartley believed that the latter would prevail.[45]

Robert Atwood once said, in a different context, "I know enough about legislatures never to bet on anything." The up-again, down-again outlook for statehood confirmed the wisdom of his restraint. As late as Wednesday, May 13, the motion to resolve the House into the Committee of the Whole was postponed for two reasons. First, debate on the year's foreign aid authorization and state-justice-judiciary appropriations bills turned out to require more time than anticipated. Second, Rayburn advised statehood backers not to seek approval for their motion on a Friday. Several dozen eastern congressmen customarily returned to their districts early that day. Since debate on the motion was prohibited, a showdown vote was likely at the outset. "We could go down then without firing a shot," explained O'Brien.[46] Therefore the effort to bypass the Rules Committee was rescheduled for May 21.[47]

This latest delay had at least two disadvantages. Fred Seaton would leave Washington on May 22 to receive an honorary doctorate of laws from the University of Alaska. Bill Snedden, who had spent much of the time since February 19 in the capital, would be going with him. The day before leaving, however, Seaton attended a White House conference at which Joseph Martin and certain other Republican leaders tried to persuade Eisenhower to withhold his support from the statehood bill. The reason, they said, was that the Democrats would not follow up on Alaska by admitting Hawaii. Eisenhower, according to a report in the New York Times, became aroused at the prospect, only to be swayed back by an earnest appeal from Seaton, who

reminded him of his party's platform pledge. Seaton also obtained his assent for John Saylor to tell the House that the president favored enactment of the bill.[48]

Nevertheless the outlook was uncertain. On May 20 Martin had told the press he doubted that the bill's proponents had the votes to bring it to the floor. Deepening the pessimism were Sam Rayburn and House Parliamentarian Lewis Deschler, who told Engle that they feared recommittal. Bartlett felt more confident but also had his fingers crossed. Not liking to enter the fray as an underdog, he said "I'd rather be in the position of the overdog." He had faced a similar prognosis early in 1952. Whether 1958 would be just enough different to change the outcome would become evident in the following eight days.

Notes

1. 85th Cong., 1st sess., H. Res. 159, February 7, 1957.

2. Fairbanks Daily News-Miner, September 17, 1957.

3. Daily Alaska Empire (Juneau), July 11, 1957.

4. FDNM, July 18, 1957.

5. Bartlett, "Memo," July 25, 1957, copy, Bartlett to George Lehleitner, August 1, 1957, E. L. Bartlett Papers, Statehood File, box 19, folder Legislative History, June-December 1957, box 13, folder Correspondence, General, August 1957, Elmer E. Rasmuson Library, University of Alaska, College.

6. Bartlett, "Memo," July 25, 1957, copy, Bartlett, "Memorandum on Statehood," August 17, 1957, copy, Bartlett to George Lehleitner, August 1, 1957, Bartlett Papers, Statehood File, box 19, folder Legislative History, June-December 1957, box 13, folder Correspondence, General, August 1957; FDNM, July 27, 30, August 1, September 17, 1957, April 22, 1958.

7. FDNM, August 27, 23, September 5, 1957; U.S., Congress, Senate, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 12: 14978; copy, Bartlett to Oren E. Long, March 6, 1956, Barrie White Jr. to Bartlett, May 15, 1955, Bartlett Papers, Statehood File, box 12, folder Correspondence, General, January-April 1956, box 11, folder Correspondence, General, May-June 1955; George H. Lehleitner to James C. Wright Jr., September 12, 1956, Alaska Historical Library, Juneau.

8. U.S., President, Public Papers of the Presidents of the United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-1961), Dwight D.

Eisenhower, 1958, pp. 73, 7; FDNM, January 16, 14, 1958; copy, Bartlett to Burke Riley, February 22, 1958, Bartlett Papers, Statehood File, box 19, folder Legislative History, January-April 1958.

9. Copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, pp. 4-5, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968.

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11. Ibid., p. 54.

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24. FDNM, DAE, March 3, 1958.

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27. FDNM, March 3, 1958; ADT, March 31, 1958.

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45. Copy, Bartlett to Gara H. Lyon, May 6, 1957, copy, Bartlett to Bartley, April 24, May 20, 1957, Bartley to Bartlett, May 16, 1957, Bartlett Papers, Statehood File, box 12, folder Correspondence, General, April 1957, box 19, folder Legislative History, May 1957.

46. DAE, October 24, 1956, May 14, 1958; ADT, May 13, 1958; copy, Bartlett to M. J. Walsh, May 16, 1958, Bartlett Papers, Statehood File, box 19, folder Legislative History, May 1958.

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Chapter 24

The Final Struggle

1

On Wednesday, May 21 Wayne Aspinall, acting on behalf of Clair Engle, moved that the House resolve itself into the Committee of the Whole in order to consider the Alaska statehood bill. When objections were made to the motion, debate began on whether the rule allowing the direct reporting of statehood bills applied to the bill for Alaska. Rep. Clarence Cannon of Missouri contended that the presence of unprivileged items in it destroyed the privileged character of the entire bill. Grants of money were unprivileged, he said; provision for them was incidental to the purpose of the bill, not necessary to it.[1]

Ultimately Sam Rayburn decided the question. He had not been informed that the point of order would be raised, but Lewis Deschler had anticipated it and researched the matter thoroughly. Rayburn thus told the House that the Wyoming, Idaho, New Mexico, and Arizona statehood bills had been reported and taken up under the same rule of privilege being sought for Alaska. As Cannon's point of order had not been raised in connection with them, the Speaker reviewed related precedents. Then he announced his ruling to the House, now packed with hushed congressmen and visitors: "where the main feature of the bill relates to the admission of a new State,

lesser provisions incidental thereto do not destroy its privilege...." Howard Smith called for a vote on Aspinall's motion. Voting in favor of it were 217 congressmen, about 6 more than had been expected; against it were 172.[2] Of the opponents, 100 were Republicans, 65 were southern Democrats, and 7 were nonsouthern Democrats.[3] The Rules Committee was thus bypassed; the bill, said Bartlett, had cleared "the big hurdle."[4]

Under the rules of the House, each congressman wanting to debate a bill taken up in this manner was allowed one full hour to speak. However, debate was subject to curtailment by either unanimous consent or majority vote. The first congressman to take advantage of the opportunity to speak was the sponsor and manager of the bill, Leo O'Brien. On the other side of the issue were, most prominently, John Pillion, Howard Smith, James Haley, and Walter Rogers, who not only spoke against statehood but also subjected the House to frequent quorum calls. Nevertheless, realizing that the great majority of congressmen had already decided how they would vote and that the crucial decision had already been made, they saw little point in prolonging the ordeal to the maximum 431 hours allowed. Therefore one day after the debate began, opponents and proponents agreed to a unanimous consent resolution to terminate the debate no later than 5 p.m., May 26.[5]

The next step was the amending process, during which each congressman was allowed a maximum of five minutes to speak on each proposal. Craig Hosmer of Long Beach proposed that

Congress outlaw gambling in the state. The amendment triggered a lively debate but was defeated 53-33. Hosmer then moved that the president be prevented from issuing his proclamation of admission until the Bureau of the Census determined that 250,000 people resided permanently in Alaska. At the time of the debate, the civilian and military population was about 213,000. The amendment was rejected on voice vote.[6]

Then came the serious amendments. William Dawson of Utah rose to present the first of the changes which O'Brien had announced he would accept. It would reduce the grant of 182,000,000 acres of public land to 102,550,000 acres and require that the additional 400,000 acres of public land and 400,000 acres of national forest land also be selected within twenty-five years. Walter Rogers of Texas suggested that the acreage be reduced even further, to 21,000,000 acres. Before either of the proposals was brought to a vote, Rogers offered a preferential motion: "that the Committee [of the Whole] do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out." Since more opponents than proponents showed up for the teller vote, the motion passed 144-106.[7]

The success of this by no means unexpected move suggested that the opponents had been poised to strike. The absence of so many proponents was due to the custom of the House not to conduct roll call votes on days when state primary elections were held. Since Kentucky was holding a primary election that day, many congressmen in favor of statehood did not bother to

enter the chamber. They remained in their offices or were in their home states. After the chairman of the Committee of the Whole reported the decision to the Speaker, Rogers moved to recommit the bill to the Committee on Interior and Insular Affairs. Because of the commitment to "protect absent members," final action was postponed.[8]

Since the move to strike the enacting clause was decided in Committee of the Whole rather than in the House itself, the setback was only tentative. Nevertheless O'Brien was in leaden spirits. Meeting afterward with six or seven lieutenants, he asked, "Well, what do we do now?" Gracie Pfost of Idaho suggested that they divide the list of those who failed to vote, call them wherever they might be, and tell them that their presence was urgently needed. In the absence of any better idea, the group agreed and dispersed to their offices. An hour later O'Brien exclaimed, "Right now we have 26 commitments we didn't have this afternoon."[9] Fred Seaton, still in Alaska, also began placing telephone calls. Even so, as late as the following morning, O'Brien confessed that he feared defeat. Bob Bartlett did not give up but continued to call his many friends, whose goodwill toward Alaska he had engendered over the years. These efforts, plus the fact that Wednesday was ordinarily the day of best attendance during the week, resulted in regaining the lost ground. Recommittal was rejected 199-174, and the recommendation to strike the enacting clause was rebuffed on voice vote. The House then resolved itself back into Committee of the Whole to resume its consideration of

amendments.[10]

Rogers' motion to slash the land grant was rejected 74-46, but Dawson's original amendment was adopted 91-8. Other amendments were also treated expeditiously. Jack Westland moved that federal regulation over the fish and wildlife of Alaska be continued until the legislature made adequate provision for their management. Bartlett spoke in opposition to the amendment, but his remarks were for the record. He knew that it would be accepted, for Aspinall, O'Brien, Miller, and Saylor endorsed it. Next came a proposal by Herbert Bonner of North Carolina, chairman of the Merchant Marine and Fisheries Committee, to reduce Alaska's share of the Pribilof receipts from 70 percent to 25 percent. When the proposal was rejected, he moved that the Federal Maritime Board continue to exercise jurisdiction over trade between Alaska and other American territory. This amendment was accepted without debate. Finally, on the motion of Howard Smith, the requirement that the national banks of any new state join the Federal Reserve System was altered so as to apply to Alaska alone. The Virginian wanted no implication that a fiftieth state was in the offing.[11]

With no more amendments to consider, the Committee of the Whole rose again and its chairman reported to the Speaker. Bells were rung to signal a roll call vote. First the House agreed to the amendments en bloc. Then it defeated a motion by John Pillion to recommit the bill 202-172. Finally, the House voted on the bill as a whole, passing it 210-166.[12] For the

second time in history, and by nearly the same ratio as in 1950, the House agreed to admit Alaska into the Union.

Not just the total vote but also, for the most part, the sectional and partisan lineups were similar to those of 1950. That year, when the tally had been 186-146, southerners had split 41 for statehood and 62 against. In 1958 only 27 southerners voted in favor of it but 81 against. They had, Ernest Bartley suggested, "been forced over completely into the segregationist camp by the Supreme Court decision of 1954 and subsequent events."[13] During the eight-year interval, opposition had strengthened in the West, too, although that section again voted preponderantly in the affirmative. In 1950 the tally had been 39-3; in 1958 it was 37-10. Eight of the 10 negative votes came from California Republicans. Balancing the augmented negative votes of these two sections was an increase in affirmative votes from the other three sections of the Union. In 1950 North Central congressmen had split 70-47 on statehood; in 1958 they divided 76-40. A similar change occurred in New England, where statehood had lost 11-13 in 1950 but won 15-11 in 1958. The crucial sectional vote, however, the one which offset the increased opposition of the South, was that of the Middle Atlantic states of New York, New Jersey, and Pennsylvania. In 1950, 25 of their congressmen had voted for statehood; in 1958 the number was 53. The negative vote remained about the same, 21 in 1950 and 24 in 1958.

As with the 1950 vote, a sectional analysis alone would be inadequate to explain the result; just as important was the

party lineup. In the earlier year Democrats had split 125-66 and Republicans 61-80. In 1958 the result was, for the Democrats, 119-82, and for the Republicans, 89-84. But because sectionalism meant more than partisanship to a southerner or westerner voting on statehood, the votes of these two sections must be eliminated in order to arrive at meaningful data. In 1950 Democrats from the New England, Middle Atlantic, and North Central states gave statehood a resounding 66-6 vote of confidence; in 1958 the proportion was much the same, 76-8. More significant was the way that Republicans from these three sections voted. In 1950, 40 Republicans had voted for statehood and 75 against; in 1958 the party divided 68-67. The shift was attributable mainly to the 22 freshman Republicans, that is, those who had been elected to the House for the first time in 1956. All but 4 of them followed the president's sentiments as expressed by Fred Seaton.[14]

The victory was greater than had been expected; Bartlett had predicted passage by only 17 votes.[15] It was rather close, nonetheless, as with other controversial matters. A reversal of only 23 votes on final count would have brought defeat. Even fewer would have turned the tide, as was apparent by the discrepancy between the votes on recommittal and final passage. The 166 negative votes did not even represent the total number of congressmen opposed to statehood. Forty-eight others were paired with an equal number of proponents, 2 answered present, and 7 did not vote or pair. This large coalition of opponents stood resolute against overwhelming public sentiment for

admission and a preponderance of the country's newspaper editors, including those of the three daily newspapers in Washington.[16] It defied nearly all important business, labor, fraternal, and veterans organizations which had declared on statehood, as well as the Democratic leadership of the House. It ignored the expressed backing of President Eisenhower and the formal commitment of both major parties. And it resisted the small army of congressmen, Interior Department officials, White House aides, and others who for months had worked to organize support for the bill.

2

The news that the bill had passed reached Alaska in the morning. Most residents reacted with restraint, for they had been through the experience before.[17] Fred Seaton, by contrast, was jubilant. "I must say that next to the early news that World War II was over, the news which came in as I was shaving this morning is about the best news I have ever heard in my life." Since his department had made a "very careful head count" of the Senate, he was confident that the bill would become law.[18] This optimistic outlook came in spite of the fact that statehood proponents had paid little attention to the Senate since 1954 and that the power of each of its members, particularly those from the South and the populous states, would be diminished far more than in the House.

Another reason for optimism was the expectation that the Senate would not adjourn until sometime in August, even though 1958 was an election year. Then too, Lyndon Johnson, evidently

trying to improve his presidential prospects among eastern liberals and to build a record of legislative performance on which Democrats could appeal to the electorate, had been engineering Senate enactment of a steady stream of progressive legislation. Further, "substantial guarantees" had been given that the Hawaiian bill would not be brought up in 1958. In an apparent move to reassure conservative southern senators on this point, Leo O'Brien told reporters immediately after the Alaska bill had passed the House, "We'll take up Hawaii first thing next session."[19]

This got the New Yorker into trouble with his Republican allies, for he had said still earlier, "I'm going to hold the Hawaii bill in my subcommittee until the Alaska bill is safely on its way to the White House." Once the outlook for Alaska had improved, these Republicans expected him to fulfill his promise. This he intended to do, but not in 1958. In an effort to assuage their feelings, he took the initiative in discharging his subcommittee of the Hawaiian bill in order that the full committee might amend and report it before adjournment. He did this as a "gesture of good faith," he said, but added frankly: "Anyone who believes Hawaii has a chance for statehood this session is completely unrealistic." Republicans continued to grumble dissatisfaction but did not threaten to defeat statehood for Alaska. William Knowland stated, although after a period of uncertainty, that he would support it even without a commitment on Hawaii; moreover, he would oppose any effort to combine the bills.[20] He lacked the votes to effect

combination anyway.[21]

Another element working in favor of Alaska had grown out of the maneuvering over the civil rights bill of 1957. A coalition of northern Democrats and moderate Republicans had passed it over the opposition of an older coalition of southern Democrats and conservative Republicans.[22] If the younger coalition could enact such a bill, it could enact a statehood bill. An amendment ensuring jury trials for anyone accused of violating an individual's voting rights had enabled Johnson to persuade his fellow southerners not to filibuster the civil rights bill. Although opposed by eastern liberals as a diluent, the amendment had drawn support from moderate southerners and Pacific Northwesterners. Many of the latter had solid records on behalf of civil rights but were also willing to compromise. Like those southerners with whom they had come to an understanding, development seemed more important than reform.[23] These same Pacific Northwest senators were among the strongest backers of statehood for Alaska, partially because it was a regional matter. Moreover, Henry Jackson and Warren Magnuson of Washington, Richard Neuberger and Wayne Morse of Oregon, James Murray and Mike Mansfield of Montana, and Frank Church of Idaho were Democrats. Southerners had no wish to antagonize allies such as these.

When the southern bloc caucused for two hours on June 9, it was split. Estes Kefauver, John Sparkman, and Spessard Holland had strongly supported statehood for years. Russell Long, once he joined them, had been no less ardent. Thus when

Strom Thurmond of South Carolina proposed that the bloc filibuster the bill, Long declared that he would vote in favor of invoking cloture if necessary. As George Lehleitner later observed, "For a Southerner this was heresy!" With such disunity within the ranks and with Hawaiian statehood effectively blocked, Alaska statehood, Bartlett remarked, was "home and free as far as they are concerned."[24]

Yet one thunderhead marred the otherwise clear sky--the likelihood of amendments to the bill. Important bills passed in different form by the Senate and House were usually reconciled in conference committee and repassed in common form. Occasionally as an alternative, one house concurred in the amendments of the other. For either of these courses to take place in the House, unanimous consent had to be obtained. Since this would be impossible in the case of statehood, clearance would have to be sought from the Rules Committee, just as in 1954. There Howard Smith and his cohorts would block it. One way around the problem would be for the House to agree to suspend its rules and vote directly to set up a conference committee or concur in the amendments of the Senate. Since such a procedure required a two-thirds majority vote, and since 210-166 was less than two-thirds, this avenue also seemed closed. Finally, the House Interior and Insular Affairs Committee might be able to meet and again report out, as privileged legislation, whatever statehood bill the Senate passed. But could such a course succeed? In view of the uncertainties, Bartlett asked Charles Murray, the senator's son

and administrative assistant, to set up a conference on June 3 to discuss strategy. Attending it were Murray and his father, Bartlett, Gruening, O'Brien, Jackson, and two of Jackson's staff members. The objective of the conference was to persuade Jackson to drop the Senate version of the bill and accept without change the one passed by the House.[25]

Jackson, who would manage the bill on the floor, had spent a good deal of effort marking up the Murray bill. Moreover, substantive differences existed between it and the House-passed version. For example, the Senate bill would grant the state $15 million for land surveys and would not defer state assumption of jurisdiction over the fish and wildlife resources. However, Jackson, who was up for reelection that fall, favored banning not just reasonable, but all, tax discrimination by Alaska against nonresidents. He also favored a five-year delay in transferring the fishery or, alternatively, delaying for perhaps four years the effective date of statehood itself. Either course would enable the cannery operators to "amortize their investments in traps." Nevertheless much to the surprise and delight of his fellow conferees, Jackson opened the meeting by observing the parliamentary situation and declaring that in his opinion the House-passed bill should be accepted without change. As a former member of the House, he realized that any amendments would result "in no end of difficulty." Murray supported the move, too, and after the conference sent letters to about sixty senators regarded as friendly to statehood explaining the situation and asking for their support.[26]

Jackson was fearful that the plan would not succeed, partially because of a sentimental provision of the bill inserted, it was said, at the instance of some Alaskans: "Upon enactment of this Act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska." The provision would make it possible for "the first official notification of passage of the bill" to arrive in Alaska on the Fourth of July.[27] In view of the fact that the Senate would consider other measures first, including appropriations bills for the fiscal year soon to begin, Jackson felt that the deadline could not be met. He hoped for passage, therefore, "by such an overwhelming majority that the powerful House Rules Committee will not dare to bottle it up when it goes back to the lower chamber." He would appeal personally to Sam Rayburn for assistance and anticipated that Lyndon Johnson would do the same.[28]

Even so, delays ensued, as when Johnson himself placed an omnibus rivers and harbors authorization bill and a bill to establish the National Aeronautics and Space Administration ahead of statehood on the agenda.[29] During the delay the influence of Winton Arnold and Nick Bez, a very political canner from Seattle, was to some extent neutralized. Bill Snedden "hired a total of four men to keep track of the activities of these two gentlemen," he revealed later, "and of course received reports upon whom they called, how long they stayed, and in a couple instances parts of conversations when they talked to people in public." For years Arnold had

supplied information and speech writing services to Congressmen who opposed statehood, in addition to more direct lobbying. His latest effort, which appeared in the June 18 mail of a number of Democratic senators, pointed out that virtually all states since the original thirteen [outside the South] had sent mainly Republican senators and representatives to Washington. As a generally undeveloped area, Alaska was fertile ground for free enterprise and, hence, Republicanism to flourish. Election data from years in which the Republicans had held sway in Alaska were cited to impress the reader with the potential even more. Arnold also sent to a number of Republican senators a letter pointing out that Bartlett, Gruening, Egan, and Rivers were Democrats and that Alaskans would likely send an all-Democratic delegation to Congress after admission. Election data from years when the Democrats had been ascendant in the territory were included. Within a day Seaton, Snedden, and Stevens had copies of these two letters. They were incredulous that someone as astute as Arnold would have written both of them under his own name. After discussing the matter until late at night, Seaton drafted a short cover letter to some of these same senators, enclosing with it copies of both of Arnold's letters.[30]

3

Finally on Tuesday, June 23 Mike Mansfield, wearing the same shamrock tieclasp which Mrs. Egan had given O'Brien to wear a month earlier, obtained unanimous consent to take up the statehood bill passed by the House. Mansfield was acting

majority leader at the time, for Johnson had begun a vacation in Texas. Or, as Bartlett believed, "...Johnson made all the necessary arrangements to assure the vote's being taken, knowing that it would pass, and stated his own position as being in favor of the legislation and then slipped out of town so his southern colleagues could not hurl too many poison arrows at him." The debate opened a few days earlier than expected; perhaps the deadline could be met after all. Mansfield's fellow Montanan James Murray delivered the opening remarks on the bill. The version passed by the House was "completely acceptable to" his committee, he said; there was "no difference of policy or principle between the two measures...." Seeking Republican support, Murray renewed his pledge to back statehood for Hawaii "at the appropriate time" with all the strength at his command. Seeking also to reassure southern Democrats, he quoted O'Brien as saying that Hawaii had no realistic chance of being admitted that year, and he read from a letter by John Burns urging all friends of Hawaiian statehood to unite behind Alaska.[31]

The principal speaker for the opposition was James Eastland of Mississippi, chairman of the Committee on the Judiciary. He threatened the bill with three points of order designed to entangle it in legalistic snarls. One of them concerned the transitional article of the Alaska constitution providing that one United States senator from Alaska would "be elected for the long term and one senator for the short term...." The state was usurping a prerogative of the Senate,

Eastland declared, for that body had always decided such matters itself through the drawing of lots.[32]

Eastland's most serious point of order dealt with the special national defense withdrawal amendment. Jackson had to insist that it remain unchanged in order to avoid any amendments to the bill and in order to hold administration support. Eastland contended that vesting the president with sovereign power over the government of one-half of a state without declaring martial law would make Alaska unequal to the other states. In what Eastland identified as the "leading case" (Coyle v. Smith) dealing with such an issue, but which, in fact, was an exception to the rule, the Supreme Court had nullified a provision of the Oklahoma enabling act. That provision stipulated that the state's constitutional convention must provide by irrevocable ordinance that the capital would not be moved from Guthrie to Oklahoma City prior to 1913 and that the legislature might not in the meantime appropriate funds to construct state buildings in the latter location.[33]

If such Congressional action were sustained, the court had held, Congress would be able to extend its powers beyond those delegated to it by the Constitution. Moreover, such a restriction would do violence to the provision of Oklahoma's enabling act that admission was to be on the basis of equality. The court neglected to note that the Founding Fathers had voted 9-2 not to require equality of admission. Nevertheless political and legal equality had become the custom, and the Supreme Court vigorously upheld the principle, even when

Congress failed to provide for it explicitly, in view of "the general character and purpose of the union of states...." This did not mean that Congress could not limit the jurisdiction of new states over such matters as the disposition of public lands within their borders and the regulation of interstate commerce; these were within its proper sphere.[34]

The fact that Eastland and other opponents of statehood questioned constitutional and procedural features of the bill rather than the undesirability or unfeasibility of statehood indicated that their chief objective was to amend the measure. Nevertheless the first amendment to be offered was designed to transform the territory into a commonwealth. The chief sponsor was, once again, Mike Monroney, and its cosponsor William Fulbright. When the amendment came to a vote on June 27, it was defeated 50-29, less resoundingly than four years earlier but still decisively.[35]

Next to be voted upon was Eastland's point of order concerning special national defense withdrawals. Since even the senators arguing for statehood had expressed doubts that the provision was constitutional, Frank Lausche of Ohio, who supported the bill, announced that he would vote for the point of order. Otherwise, he said, he would be acting contrary to his responsibilities as a senator. John Sherman Cooper of Kentucky would also vote for it, but for a different reason, he said. The statehood bill contained, on the recommendation of Deputy Attorney General William Rogers, a severability clause stipulating that if any part of the act should be held invalid,

the rest would not be impaired. Since "the Government of the United States and the Secretary of Defense" regarded the withdrawal provision as necessary to the security of the country, how would the nation's defenses be affected if it were declared unconstitutional? His question was never answered, but the point of order was defeated 53-28, about the same as with the Monroney amendment.[36]

These two votes were, to a large extent, tests of strength on the bill itself. The majorities, Jackson noted, were "much bigger than we expected." George Smathers remarked to a reporter, "It's [the bill is] going to pass, there's no use dragging it out." Further delaying tactics by southern senators would, he said, only jeopardize their friendship with the western Democrats who were leading the drive to admit Alaska.[37] James Eastland, a realist, agreed not to raise his third point of order. Mike Mansfield was so pleased with the indications of success that he called off a previously announced Saturday session.[38]

Monday, June 30 was a day of expectation. For the first time in thirteen and a half years, Bartlett closed his office on a working day. On the door was placed the sign "Gone to the Senate for statehood." By the time Mansfield convened the Senate at 11 a.m., every seat in the public galleries was filled. The delegate took his place on the Senate floor, as every congressman had a right to do, ready to supply any information needed by statehood advocates. As usual, interruptions and speeches on extraneous subjects punctuated

the debate, but the engine of statehood drove inexorably forward. When Eastland's point of order concerning the long and short terms of Alaska's senators was defeated 62-22, the Mississippian tossed in the sponge. John Stennis, however, threw it back. He moved that the bill be referred to Richard Russell's Committee on Armed Services with instructions to report it back within thirty days. A motion to refer, it should be noted, was not a motion to recommit, even though its practical consequences might be the same. Stennis received strong support for his motion from Leverett Saltonstall of Massachusetts, a long-time opponent of statehood. However, he prevailed upon Stennis to limit the referral to twenty days. Another debate thereupon took place on special national defense withdrawals. Jackson acknowledged he had serious doubts that Congress was constitutionally authorized to condition the admission of a state upon popular acceptance of such a surrender of jurisdiction. He would vote against Stennis' motion nonetheless. As Frank Church pointed out, whether the provision was constitutional or not, if the bill were referred to the Armed Services Committee, the opportunity to achieve statehood could well be lost. Others evidently agreed, for the motion was defeated 55-31.[39]

Strom Thurmond proposed to exclude the withdrawal area altogether from the state; that is, he proposed partition. This motion was also defeated, 67-16. Next he suggested that no special national defense withdrawal proclamation should go into effect without first being approved by a majority vote of

each house of Congress. No roll call was taken on the amendment; it was simply shouted down.[40] No more amendments were offered; the opposition "had gasped its last."[41]

Barry Goldwater recalled to the Senate that one of his earliest memories was of his mother's sewing a new star on the American flag when Arizona became a state. "I know something of the struggle, something of the almost tragic appeal of the people of my Territory," he said, "who struggled for many years to become a State...." Several other senators delivered short statements of their own; others inserted their speeches in the Congressional Record. The Senate was getting ready to vote. There was no need to worry about the July 3 deadline, Jackson told his colleagues. Not only was the date three days away, but also Fred Seaton had informed him, on the basis of legal opinions prepared in his department, that presidential compliance within the designated time was not essential. Then as several senators cried "Vote! Vote!" the clerk began calling the roll. The time was 8 p.m., Eastern Daylight Time. Two minutes later the result was announced; the bill had passed 64-20. The galleries, packed with visitors and dignitaries, erupted in cheers and applause. Such expressions of sentiment were strictly prohibited, but Richard Neuberger, who was presiding at the time, exerted no real effort to quell them.[42]

The sources of the negative votes were predictable. Seven of them were cast by Republicans: Styles Bridges of New Hampshire, Prescott Bush of Connecticut, Leverett Saltonstall of Massachusetts, John Sherman Cooper of Kentucky, Edward

Martin of Pennsylvania, John Butler of Maryland, and Andrew Schoeppel of Kansas. The other thirteen were cast by Democrats, all of them from southern or border states: A. Willis Robertson and Harry Byrd of Virginia, Richard Russell and Herman Talmadge of Georgia, James Eastland and John Stennis of Mississippi, J. William Fulbright and John McClellan of Arkansas, Strom Thurmond and Olin Johnston of South Carolina, Sam Ervin Jr. of North Carolina, Allen Ellender of Louisiana, and Mike Monroney of Oklahoma. Even if all twelve paired and unannounced votes had been counted, only three more negatives would have been polled: George Malone, George Smathers, and Irving Ives, Republican from New York.[43]

For the first time in forty-eight years, Congress had voted to admit a new state. As the applause died in the Senate chamber, without anyone's actually suggesting it, about fifty Alaskans and others walked silently to the small chapel in the Capitol. There as evening passed into night, they expressed reverent gratitude for the fulfillment of their hopes. Their voices echoed into the rotunda as Mrs. Egan led them in singing the "Alaska Flag Song" and "The Star-Spangled Banner." It was a touching expression on the part of people who had been united in a common purpose. Just as significant to recall, however, was the political opportunism which never had been completely suppressed. Outside the Senate chamber Senators Jackson, Magnuson, and Church, Representative O'Brien, and Congressmen-elect Gruening, Egan, and Rivers held up a forty-nine-star flag for the benefit of news photographers. Spotting the scene,

Senators Kuchel of California and Watkins, Governor Stepovich, Walter Hickel, and Robert Groseclose (chairman of the Republican Central Committee of Alaska) crowded in "with bulldog tenacity." As one reporter aptly observed, "Successful politicians are attracted to a camera like a moth to a flame."[44] It was important to each of these partisans that he plume himself publicly on passing the bill; it was important also to his party.

For months Interior Department officials had been minimizing the significance of the work of the Alaska-Tennessee planners. When the Columbia Broadcasting System invited the three to appear with the delegate and governor on television, the department objected that the odds were four to one. Threatened that Stepovich would not be permitted to appear if balance were not achieved, the network added Hickel and Atwood to the roster. But because the show was limited to one-half hour, Bartlett and Hickel were removed from the panel, and since Gruening spoke longer than he was supposed to, Stepovich's appearance had to be curtailed.[45] Thus the two facets of the struggle for statehood, selfless devotion to a common cause and selfish commitment to one's own interests, were apparent in the aftermath of victory at the Capitol.

4

It is interesting to speculate what would have happened if Congress had not passed the bill in 1958. Leo O'Brien thought that the issue would have been "dead for a generation...."[46] Bartlett came to feel the same, explaining that "a cause, no

matter how noble it is, no matter how deserving it is, can be prosecuted only so long then the people at home weary and they need a lull, a spell in which to regroup. More importantly, I sensed that the Congress was not disposed year after year to go through the motions of rejecting Alaska statehood. It would simply have said to us when we came knocking at the gate next time, we have too much other business. Every year we've taken so much time out in committee and sometimes on the floor of the House and the Senate in discussing and voting on Alaska statehood and it always gets licked so we're not going to do it again."[47]

Certainly enormous energy had been spent in both Alaska and Washington pushing for enactment of the bill; certainly, too, if it had been stymied again, or especially if it had been defeated, the letdown would have been tremendous. Under such conditions some Alaskans might have been tempted to resort to more dramatic steps than the Alaska-Tennessee Plan. For example, Bill Snedden had been thinking of the possibility of bargaining with Canada for admission as a province, perhaps on the basis of a twenty-year tax moratorium, or of "making overtures to the United Nations to set up the 'Independent State of Alaska.'" Such action could, he thought, "create enough furore that Uncle Sam would take us in in a hurry--if for no other reason than to hush us up." Gruening had been crying "colonialism" with increasing frequency ever since addressing the constitutional convention in a manner reminiscent of the Declaration of Independence. As late as

March 1958 he had suggested that the Alaska Statehood Committee take its case to Lake Success.[48] Such measures, even if they had carried with them the seeds of success, probably would not have been needed. The country was on the verge of a major shift of power in Washington in the direction of liberalism and in favor of the Democracy. In the case of Congress, this shift was only a half year away; in the case of the executive, it was two and a half years away. Also if the leadership of the House and the Senate had failed to smooth the way for Alaska, it would probably have failed with other bills. Such a result would have intensified the pressure for institutional changes in Congress.

Regardless the bill did pass in 1958. As Bartlett dated the beginning of the modern statehood movement as December 1, 1943, he observed: "It took 15 years for fruition and I think that given the nature of the opposition, the size of the project, the fact that no state had been admitted since 1912, that actually it was a pretty successful campaign."[49] It is even more amazing if one considers that the enabling bill which passed the House in 1958 did so by no greater proportion than in 1950. In this sense it had reached the pinnacle of its strength in less than seven years. Had Scott Lucas been as determined to enact the bill in 1950 as Senator Mansfield was in 1958, rather than deviously trying to kill it through delay, the bill might have become law in 1950.

Another eight years of struggle and heartache followed upon 1950, but was the delay a net loss for Alaskans? In 1974

George Sundborg wrote: "Many times since the unavailing Statehood efforts of the period 1947-55 I have reflected on how fortunate we really were that Statehood did not come in those times and more especially under the bills which were then considered. As it happened, the greatly improved bill of 1958, the improvement in our economy and political sophistication which had occurred and especially the fact that we had been able to hold a Constitutional Convention and devise an excellent State Constitution in an atmosphere of detachment and absence from the pressures which would have been present had a convention been held following congressional action, all helped make Statehood possible and successful when it occurred."[50] Indeed not until 1969, when some $900 million in oil lease bonuses was paid to Alaska, did statehood become manageable without strain.

When the bill was enacted in 1958, many people sought accolades for its achievement or denied the importance of someone else's. Illustrative of both were assessments of Gruening's contribution. After the bill had passed the House, two editorials appeared in the News-Miner praising everyone connected with the victory from Eisenhower to Edna Ferber except the Alaska-Tennessee planners. The editorials were undoubtedly written by Bill Snedden, who had also inspired the Time magazine cover story about Governor Stepovich due to appear on the newsstands on June 2. This twin neglect of the former governor left him "so agitated and so concerned and so childishly hurt," Bartlett wrote, "that I continue to feel very

sorry for him despite a few invisible (I hope) bobbings of my Adam's apple as I sat across from him at the coffee table and heard him declare himself as Mr. Statehood." After the Senate passed the admission bill, Drew Pearson avenged Gruening's injury by writing: "A lot of Johnny-come-latelies such as Gov. Mike Stepovich are now claiming credit for making Alaska the 49th state in the Union. But the man who unobtrusively, but consistently, badgered senators, bottonholed congressmen, maneuvered in the smoke-filled rooms to bring statehood to Alaska is an ex-newspaperman named Ernest Gruening. He more than anyone else is the father of the 49th state."[51]

Bartlett's long-standing resentment at having not received due credit for playing the central role in the statehood movement was evident in his response to Gruening's plight. Drew Pearson notwithstanding, though, it was the delegate who, with his engaging personality, enormous capacity for work, and steady, intelligent, largely unpublicized promotion of statehood for thirteen and a half years in Congress and Alaska which made him the real father of Alaska statehood. Gruening was nevertheless important, not only for his efforts on behalf of statehood, but also for the transformation he had wrought as governor in the way that Alaskans thought about their land. Robert Atwood was important for much the same reasons; indeed it is difficult to conceive of how the statehood movement could have developed, particularly in the forties, if the Anchorage Daily Times had opposed it. And yet the men who played the decisive roles in 1958 were two non-Alaskans--Fred Seaton and

Sam Rayburn. It is probably worth mentioning, though, that if the bill had passed in 1950, Oscar Chapman, rather than Fred Seaton, would deservedly have received significant credit. Moreover, if any few of a sizable number of people had slackened their efforts at any of several critical movements in 1958, the drive for statehood would again have failed.

Notes

1. U.S., Congress, House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9212-9213.

2. Ibid., pp. 9213-9216; Anchorage Daily Times, May 21, 1958; Deschler to Bartlett, June 18, 1965, E. L. Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968, Elmer E. Rasmuson Library, University of Alaska, College.

3. Congressional Quarterly Almanac 14 (1958): 382-383.

4. Fairbanks Daily News-Miner, May 23, 1958.

5. House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9217-9218, 9368.

6. Ibid., pp. 9600-9604; George W. Rogers, The Future of Alaska: Economic Consequences of Statehood (Baltimore: Johns Hopkins Press, 1962), p. 95.

7. House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9607-9608, 9611.

8. Ibid., pp. 9611-9612; John P. Saylor to Wilton B. Persons, May 23, 1958, Papers of Dwight D. Eisenhower, Official File, box 753, folder 147-D-1, Alaska Statehood, Dwight D. Eisenhower Library, Abilene; FDNM, May 27, 22, 1958.

9. Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 22: A5627.

10. House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9744; "At Last, Statehood?" Newsweek, June 9, 1958, p. 40; FDNM, June 5, May 28, 1958.

11. House, Congressional Record, 85th Cong., 2d sess., 1958,

104, pt. 7: 9744-9745, 9747-9752, 9755.

12. Ibid., pp. 9755-9756.

13. Copy, Ernest R. Bartley, "Approaches to Members of Southern Congressional Delegations," Bartlett Papers, Statehood File, box 33, folder Tennessee Plan, November-December 1956.

14. FDNM, June 5, 1958.

15. Daily Alaska Empire (Juneau), May 29, 1958.

16. FDNM, March 25, 1958.

17. DAE, May 29, 1958; "Land of Beauty & Swat," Time, June 9, 1958, p. 18.

18. ADT, May 28, 1958.

19. FDNM, June 3, 10, 13, 1958.

20. DAE, June 4, 12, 1958; FDNM, June 13, 5, May 29, 1958.

21. Ernest Gruening, Many Battles: The Autobiography of Ernest Gruening (New York: Liveright, 1973), p. 390.

22. FDNM, June 28, 1957.

23. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 13042, 13013.

24. ADT, June 10, 1958; Lehleitner to James C. Wright Jr., September 12, 1963, Alaska Historical Library, Juneau.

25. FDNM, June 3, 1958; copy, Bartlett to Robert B. Atwood, June 5, 1958, Bartlett Papers, Statehood File, box 20, folder Legislative History, June 1958.

26. Copy, Bartlett to Lehleitner, June 3, 1958, copy, Bartlett to Robert B. Atwood, June 5, 1958, Murray to Senator, June 17, 1958, Bartlett, "Confidential Memorandum," May 8, 1958, Bartlett, "Memo," February 6, 1954, Bartlett Papers, Statehood

File, box 14, folder Correspondence, General, June 1-12, 1958, box 20, folder Legislative History, June 1958, box 19, folder Legislative History, May 1958, box 17, folder Legislative History, January-February 1954; U.S., Congress, Senate, Subcommittee on Territories and Insular Affairs of the Committee on Interior and Insular Affairs, Hearings on S. 49, 85th Cong., 1st sess., June 5, 1957, pp. 18, 23, National Archives and Records Service, Washington, D.C.; FDNM, June 4, 1958.

27. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 12649.

28. FDNM, June 4, 20, 1958.

29. Ibid., June 16, 1958.

30. Copy, Snedden to Lehleitner, May 7, 1964, copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, pp. 13-14, Bartlett Papers, Statehood File, box 33, folder Tennessee Plan, 1958-1967, box 20, folder Legislative History, 1959-1968.

31. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 9: 11942, 11944-11946; FDNM, June 24, 23, 1958; "The Statehood Story," Newsweek, July 7, 1958, p. 20; copy, Bartlett to Helenka Brice, December 19, 1963, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968.

32. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 9: 12020.

33. Ibid., pp. 12175-12176; Bartley to Bartlett, May 16, 1957, Bartlett Papers, Statehood File, box 19, folder

Legislative History, May 1957.

34. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 9: 12176-12177; Ernest R. Bartley, "Comment and Opinion on Proposed Amendment To Be Offered by Mr. Westland to H.R. 50," Bartlett Papers, Statehood File, box 19, folder Legislative History, May 1957.

35. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 9: 12313, pt. 10: 12449-12450, 12453.

36. Ibid., pt. 10: 12469, 12459, 12471; U.S., Congress, House, Committee on Interior and Insular Affairs, Providing for the Admission of the State of Alaska into the Union: Report To Accompany H.R. 7999, 85th Cong., 1st sess., 1957, H. Rept. 624, p. 33.

37. FDNM, June 28, 26, 1958.

38. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 12480, pt. 9: 12333.

39. Ibid., pt. 10: 12578, 12602, 12611, 12637, 12619, 12624-12625, 12630, 12632; copy, E. L. Bartlett [Mary Lee Council], "June 30, 1958 Was No Blue Monday," copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, Bartlett Papers, Statehood File, box 30, folder Statements--Bartlett, E. L. & Others, 1959-1967, box 20, folder Legislative History, 1959-1968.

40. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 12632, 12634, 12637; ADT, June 30, 1958.

41. "The 49th State," Time, July 14, 1958, p. 16.

42. Senate, Congressional Record, 85th Cong., 2d sess.,

1958, 104, pt. 10: 12645-12646, 12649-12650; copy, Lewis S. Travis to Legislative Counsel [Theodore Stevens], June 20, 1958, Snedden to Bartlett, March 30, 1967, copy, E. L. Bartlett [Mary Lee Council], "June 30, 1958 Was No Blue Monday," Bartlett Papers, Statehood File, box 20, folder Legislative History, June 1958, box 15, folder Correspondence, General, 1965-1967, box 30, folder Statements--Bartlett, E. L. & Others, 1959-1967.

43. Senate, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 10: 12650; FDNM, July 3, 1958.

44. Seattle Daily Times, July 1, 1958; FDNM, July 8, 25, 1958; Ernest Gruening, The Battle for Alaska Statehood (College: University of Alaska Press, 1967), p. 92.

45. FDNM, July 25, 1958.

46. House, Congressional Record, 85th Cong., 2d sess., 1958, 104, pt. 7: 9218.

47. Copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, pp. 3-4, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968.

48. Copy, Snedden to Lehleitner, June 21, 1957, copy, minutes of the Alaska Statehood Committee, March 7-8, 1958, Bartlett Papers, Statehood File, box 12, folder Correspondence, General, June 1957, box 2, folder Alaska Statehood Committee, 1958-1959; Gruening, The Battle for Alaska Statehood, pp. 74-91.

49. Copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, p. 30,

Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968.

50. Sundborg, personal letter, March 2, 1974.

51. FDNM, May 29, 31, July 7, 1958; Bartlett, "Confidential Memo," June 3, 1958, copy, Bartlett to Anthony J. Dimond, March 24, 1948, Bartlett Papers, Statehood File, box 33, folder Tennessee Plan, 1958-1967, box 7, folder Correspondence, General, 1958.

Chapter 25

Holding the First State Elections

1

Within minutes after news of the Senate's action was flashed northward, air raid sirens wailed across the Great Land, signaling not only the beginning of the territory's biggest celebration since V-J Day but also the end of twelve years of conflict. Immediately the editors of the Daily Alaska Empire, Ketchikan Daily News, and Anchorage Daily News ceased their criticism of statehood and, in sentiments different only in words, expressed good wishes for the state--their own state. For example, Norman Brown, editor of the Anchorage Daily News, wrote: "There is obviously but one thing to do. Everyone must now become members of the first team, pulling with every iota of his strength to make the state a success--to demonstrate to doubters everywhere that we are capable of running our own affairs from now on."[1]

Many Indians in the Southeast had supported the bill out of a desire for Alaska control of the fisheries; others had opposed it because it was not also a bill to settle their land claims. But the latter group also reconciled itself to passage. Stella Martin, grand president of the Alaska Native Sisterhood, said: "I feel real bad about it, but now that we are a state we will go along with it and hope for the best." Bob Martin, grand treasurer of the Alaska Native Brotherhood, expressed

much the same feelings: "We fought statehood because of our land claims, but now that we have statehood we will back it all the way."[2]

The feelings of most people about the coming of statehood were not to be discovered through interviews with government officials or officers of local chambers of commerce. They could be learned by asking people at random how they felt, as a reporter of the News-Miner did on July 1. Many of the replies were remarkably similar to those reported by the Chronicle in 1945. One Fairbanksan, the happiest of all who were quoted, was the district traffic sales manager of Pan American World Airways. When the news arrived that the Senate had passed the statehood bill, he wrote to his supervisor: "Alaska is now a state, I am a citizen, and Pan American is a domestic carrier." To the reporter of the News-Miner, he said: "It's like arriving at 21 years of age: You're able to vote and take care of yourself. As for finances, it's like raising children. You're afraid you can't afford it but you always find ways of financing it."[3]

Another person told the reporter: "We drove around yesterday to see how the farmers were taking it, and the biggest reason we heard was, 'By golly, now we can vote for president!'" Not everyone was pleased. "There's a minority--about one out of five--who came here to get away from the states, to come to a territory." A few individuals told the reporter that statehood would not change matters much. Taxes were already so high, they held, that further increases would

drive people away. Others felt that taxes would go higher anyway. A plumber commented: "I don't see how taxes can keep from going up with all the governmental offices that will probably shape us. There is one point I like about it--all the bigger companies, such as the FE [Fairbanks Exploration] company [the local name for the United States Smelting, Refining and Mining Company] and the fish canneries around Juneau, that are not paying taxes to the territory, will have to pay state taxes. They've been riding on the backs of the other taxpayers for too long." An airman at Ladd Air Force Base said that everyone there was worried about losing his overseas and station allowances.[4]

John Manders remained grumpy about admission. Time magazine quoted him as saying: "Did you ever see anybody stop a crowd on its way to a hanging? Wait till the honeymoon is over and the taxes arrive...."[5] John Van Horn, a prominent Sitka Republican, placed a black-bordered advertisement in the local newspaper reading: "Phooey! As of today everything I have is for sale, cheap." A few days later John Hurlock, a Juneau truck farmer and businessman, replied with an advertisement bordered by forty-nine stars which read: "Dear John: HOW cheap?" Passage of the admission bill also brought sharp gains in the price of Alaska-Juneau Gold Mining Company and Alaska Airlines stock. And it brought a large number of letters to chambers of commerce, banks, and newspapers in Alaska from people and companies wanting to learn about job and investment opportunities. The prospects for increased tourism were

especially great.[6]

2

The admission act was not yet a statute. President Eisenhower had been expected to sign it no later than July 3, but he did not.[7] Anne Wheaton, associate White House press secretary, explained that it, like other acts, had first to be checked by White House lawyers, the Bureau of the Budget, and interested executive departments, a process which usually took at least three days. In this case, however, the Interior Department and the Bureau of the Budget had not waited until passage to examine the bill; they had put everything in order so that the president could sign promptly. Bartlett was upset about the delay. Had the act been signed on or before July 3, no "shadow of doubt" would have been cast over it. Since the act was not signed then, it was not signed on any of the following three days either, for most employees of the federal government were given a three-day holiday in commemoration of the adoption of the Declaration of Independence.[8]

Eisenhower signed the act on July 7, but no announcement preceded the event and no leaders of the struggle for statehood were invited to be witnesses. Indeed by the time that hastily summoned cameramen arrived, he had begun to sign his name. The reason for this performance, Senator Murray suggested, was that the president did not want his picture taken in the presence of "all those" Democrats who had been instrumental in passing the bill. "Lord knows where he's going to find two Republicans who were sufficiently important in bringing about Statehood for

Alaska to whom to present the two pens he used in the signing." If Murray's remark is construed as referring to Congressmen alone, it contained a measure of truth. Rep. John Saylor had for about a year conducted a "one-man campaign" to line up votes on his side of the House. In the Senate Thomas Kuchel gave the bill "warm and hearty support." But few other Republicans had promoted it in any strong and active way. One reason was that Democrats were in a position to lead by virtue of their control of the House and Senate. Another was that the bill was expected to benefit the Democrats more than the Republicans. Still another was that the House Republican leadership was solidly arrayed against the bill. At the same time that Jack Anderson, an administrative assistant of the president, had been lobbying for an affirmative vote, Joseph Martin, Charles Halleck, and Leslie Arends, the minority whip, had been lobbying against it. The latter had even "summoned Republicans committed to statehood into the cloakroom and threatened them with political excommunication if they did not" oppose the bill. In the Senate the situation was different, for William Knowland had long favored statehood for Alaska; nevertheless he could hardly have been enthusiastic about it after being outmaneuvered in regard to Hawaii.[9]

Another explanation for the conditions under which Eisenhower signed the bill was that he continued to lack enthusiasm for admission. Moreover, he did not much care for bill signing ceremonies. At any rate a few minutes after he signed the bill, the White House released the statement that he

was pleased by its enactment but was also "extremely disturbed over reports that no action is contemplated by the current Congress on pending legislation to admit Hawaii as a state." The statement revealed also that the president had requested his new secretary of defense, Neil McElroy, to recommend the extent to which he should exercise his power to establish special national defense withdrawals. What was important, though, was that the act was now the law of the land. One evidence of the fact was that all regional offices of the Immigration and Naturalization Service were notified by telegram to discontinue checking the identity of Alaskans entering the states directly from the territory.[10]

3

From this point forward, most of the steps preceding admission had to be taken by Alaskans. The statehood act required the governor to call primary and general elections, the latter not later than December 1. Accordingly Governor Stepovich proclaimed on July 16 that candidates for office must file no later than July 28. The primary election would be held on August 26. Republican and Democratic leaders in Alaska agreed that this schedule would provide sufficient time for filing and campaigning. Candidates for the United States Senate would run for either term A or term B. In response to James Eastland's point of order of a few weeks earlier and on the recommendation of United States Attorney General William Rogers, neither term was identified as to length.[11]

At the primary election, three referendum propositions

also would be put to the voters. They were, first, "Shall Alaska immediately be admitted into the Union as a State?" Second, were Alaskans willing to relinquish irrevocably all claims to territory outside the boundaries of the state as described by the act of admission? Third, did they consent fully to all provisions of the act "reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska...."? This last proposition embraced both the special national defense withdrawal amendment and the fish and wildlife amendment. If the three propositions were approved, the state constitution would be deemed amended accordingly, as prescribed by the admission act. But if even one of the propositions were defeated, the act would "cease to be effective." Thus the Alaska Statehood Committee, Operation Statehood, and most of the candidates for territorial office urged people to vote yes three times.[12]

The most exciting part of the preprimary was taking place at the time that Stepovich issued his proclamation. It was the uncoordinated efforts of Bob Bartlett, Ernest Gruening, and William Egan to sort themselves out as to which office each would seek. Bartlett was the key to the problem. Paul Butler, chairman of the Democratic National Committee, and a number of other national party leaders wanted him to run for the Senate. On the other hand a number of party leaders within Alaska wanted the delegate to run for governor. Each group of partisans was seeking its most attractive candidate to run for

the office which would serve it best. Less hesitant to make a decision than the delegate was Egan, who announced his candidacy for the Senate on the day the admission act was signed. For years Gruening had been particularly eager to sit there. Thus shortly after the bill had passed, he was reportedly "inspiring little boomlets of 'Bartlett for governor' within the party." On July 14 he announced his own candidacy for the Senate.[13]

Mike Stepovich was subject to much the same kind of pressures as Bartlett. Expecting to run for governor, he had told a reporter on June 18 that in view of the Democratic proclivity of Alaska's voters, they would probably elect three Democrats to Congress. Later he tried to cover up his mistake. Party leaders in the North wanted him to run for governor, believing that he was the only Republican they could elect to major public office. But Fred Seaton and other national party leaders "pointedly communicated to him the U.S. Senate's need for more Republican bodies." Regardless the Anchorage Daily Times advised him to do nothing until Bartlett announced his own intentions, lest he get "his political head cut off."[14]

Bartlett could not decide what to do. The Times suggested that he might be "too tender and loyal to his party and friends for the good of himself and of Alaska." If he wanted to be governor, that would be fine; otherwise "Bartlett Should Be in the U.S. Senate."[15] At a dinner held in his honor at Juneau, he told an audience of 700 that after serving for fourteen years in Washington, his "natural instinct" was to run for the upper house. Yet, "The other night in Seattle I reread the

constitution of the state of Alaska and realized again how important the office of governor will be." His audience was also undecided. When some shouted "Senator Bartlett," others replied: "No, no. We need Governor Bartlett." Egan relieved some of the pressure by telephoning the delegate. Troubled by an article in the Washington Post and Times-Herald which accused the Alaska-Tennessee planners of trying to squeeze Bartlett out of Congress, Egan told the delegate that whatever he decided was all right with Egan.[16]

Finally Bartlett made up his mind. At a dinner in Fairbanks on July 18, he announced that he would run for the Senate. However, he did not intend to let his party down. "If Governor Stepovich should file for governor, I shall give what aid and comfort I can to my party--The Democratic party. I shall then withdraw my candidacy for the U.S. Senate and file for governor." This dramatic challenge to Stepovich was intended as an answer to those whom Bartlett thought had the idea that he feared a contest with Stepovich. The crowd rose to its feet and cheered, but the Times reacted differently. "A Hero's Armor Takes on Tarnish" was the way it titled an editorial. The premature announcements of Egan and Gruening had "boxed in" the delegate, it wrote. Moreover, the morning of the day that Bartlett made his announcement, at least three Democrats had declared that they would run for governor. Did he expect them to withdraw if Stepovich also declared for the office? Bartlett's announcement had made it seem that only he could defeat the governor; it had cast him in the role

of a bully.[17]

After going to bed that night, Bartlett was unable to sleep. At 4 a.m. he got up and typed a revised statement of his intentions. A few hours later he boarded a plane for Ketchikan; when it landed at Juneau en route, he gave the statement to a reporter. The reporter informed him that Egan had just announced that he would run for the governorship. A short time later Stepovich, too, arrived at the airport, destined for Fairbanks. When he and Bartlett met, they had a private conversation in which the delegate told him what he had typed. The statement read: "After brief but sufficient reflection, I have come to the conclusion that a candidacy such as this should have no strings attached. Therefore I now affirm by [sic] candidacy for the Senate without conditions of any kind." A great weight lifted from his mind. Observed a friend, "He was like his old self when he left for Ketchikan."[18] With Bartlett now committed to running for one Senate seat, Stepovich declared for the other. Not only did he thereby satisfy Seaton, but he also avoided a contest with Egan, who was thought to be a stronger candidate than Gruening.[19]

Elmer Bennett, now solicitor of the Department of the Interior, believed that territorial governors were among the officers which the Hatch Act forbade from participating actively in partisan campaigns.[20] Consequently Stepovich resigned on August 9, after an incumbency of 428 days. Since Waino Hendrickson had decided not to contest for elective office, he again became acting governor.[21]

In early June about one-third of Alaska's voters had been estimated to oppose statehood. When the admission bill was enacted, however, resistance crumbled. "It's here," said one Juneauite who had opposed it. "There's no point in delaying the inevitable." Another remarked: "I'd be a fool to vote against statehood now, even though I still don't think we're economically prepared for it. We might as well make the best of it and get in and pitch."[22] Many people remained anxious, nonetheless, fearing that additional tax burdens would be imposed, that problems with the fishing industry would not be solved, that cost-of-living allowances would be eliminated, or that existing welfare payments would be continued by neither the state nor the federal government.[23] In an effort to quell one of the fears, Bartlett secured a telegram from Harris Ellsworth, chairman of the United States Civil Service Commission, affirming that the statutory authority for paying cost-of-living allowances to federal employees would be unaffected by admission.[24] Also Secretary of the Army Wilber Brucker stated explicitly in a letter to Bartlett that statehood would not affect the duty tours and special pay of servicemen stationed in the North, since these were based upon such factors as isolation from the forty-eight contiguous states, separation from family, and climatic conditions.[25]

Requiring more effort to counter were rumors spread in remote arctic villages that when statehood came, Eskimos would be placed on reservations and restricted to small areas of land for hunting and trapping. Similar stories were spread among

Indians of the Interior, as well as predictions that high taxes would be imposed on them, Native hospitals would be closed, and federal welfare payments would cease. When Mike Stepovich informed Fred Seaton about the tales, the secretary sent him a letter intended for publication. As American citizens, he wrote, Alaska Natives possessed the same rights as other Americans. They would be able to continue living where they were and using the land they had been using. As far as his department was concerned, "We do not want any more reservations." Seaton repeated this message even more strongly when he visited the territory on the eve of the primary election at the invitation of the Alaska Statehood Committee.[26]

Since the territory did not have a system of preregistration, any Alaskan wanting to vote needed only to appear at the appropriate 1 of 297 polls on election day, declare his eligibility, and sign his name.[27] Among those eligible to vote were nineteen and twenty-year olds since, in accordance with the terms of the admission bill, the election took place under the state constitution. Officials had expected more than 35,000 people to turn out, even though the previous all-time high, in 1956, had been 28,903.[28] Their estimate was low; in all, 48,462 votes were polled.[29] Many places, running out of ballots, used samples or ordered fresh supplies to be flown in.[30]

After returning from campaign swings through the territory, most candidates for state office predicted that statehood would receive no more than a 3:1 vote of confidence. Fred Seaton,

who predicted euphorically 5:1 or 6:1, proved to be correct.[31] In answer to the question "Shall Alaska immediately be admitted into the Union as a State?" 40,452 Alaskans voted yes and only 8,010 no, a ratio of a little over 5:1. Support for the proposition was lowest in the Southeast, where the ratio was 3.5:1. The Northwest favored it 4:1 and central Alaska (the Interior) 4.7:1. In southcentral Alaska, where more than 49 percent of all votes were cast, it was resoundingly approved 6.6:1. The totals recorded on the other two propositions were similar. The boundary question was approved 40,421 to 7,766 and the concessions dealing with land withdrawals, special national defense withdrawals, and temporary retention of federal jurisdiction over the fish and wildlife 40,739 to 7,500.[32] Clearly Alaskans were not being dragooned into statehood.

In deciding who the contestants of the general election would be, the voters had no choice when it came to the United States Senate. Bob Bartlett and Ralph Robertson ran unopposed for term A and Ernest Gruening and Mike Stepovich for term B. Gruening emerged the underdog, receiving 5,721 votes fewer than his rival, who had received the lion's share of publicity during the previous sixteen months. For Alaska's single seat in the House of Representatives, Ralph Rivers defeated Raymond Plummer, former Democratic national committeeman, by 630 votes. Rivers' Republican opponent would be Henry Benson, the territorial commissioner of labor. In the race for governor, John Butrovich was nominated without opposition on the

Republican ticket. In the Democratic contest William Egan defeated Attorney General J. Gerald Williams and Senate president Victor Rivers.[33]

4

From the time of Stepovich's proclamation until the date of the primary election, five weeks and six days elapsed. Between the August 26 primary and the November 25 general election, thirteen weeks intervened. The first period was too short and the second too long.[34] While Alaskans awaited the general election, voters in the lower forty-eight states went to the polls, trouncing the Republicans. For the first time in eight years, the division in the Senate spread wider than 49-47. In the session beginning January 7, 1959, the division would be, without Alaskans, 62 Democrats and 34 Republicans. Much the same occurred with the House of Representatives, where the Democrats, without an Alaskan, would hold 282 seats to 153.[35] Now the question became: Would Gruening's slogan be reversed to "As the nation goes, so goes Alaska"?

Dominating the thirteen-week campaign was the contest between the two former governors. Aware that he needed to run hard just to catch up, Gruening launched a well-organized, intensive campaign which covered "the territory like a blanket." In the efforts of both candidates to win votes, a feature new to campaigns in the North appeared--the participation of national figures. Now that Alaska would soon be a state, its votes in Congress and the electoral college were a matter of national significance. Vice-President Nixon, Senator John

Kennedy of Massachusetts (an erstwhile opponent of statehood), Senator Frank Church of Idaho, and Fred Seaton all went north to campaign with the candidates. Kennedy and Nixon drew crowds but probably changed no one's vote. Seaton was a more potent figure, for Alaskans owed him a debt of gratitude. Moreover, he had a more direct affect upon their lives and talked about matters which interested them, not the national and international situations. In fact, so large did Seaton loom that he unavoidably overshadowed the candidates he tried to help. His campaign became a subject of controversy, for he combined it with announcements of projects to be undertaken in the North. Gone were the muted partisanship and outward show of goodwill apparent earlier in the year, when the fate of statehood had weighed in the balance.[36]

On election day 50,343 Alaskans, out of an estimated 65,000 eligible residents, chose among the candidates. Bob Bartlett defeated Ralph Robertson 40,939 to 7,299. No one had expected the latter to win; he had done little campaigning anyway. Bartlett, by contrast, had campaigned extensively, although mostly for Gruening and other Democrats. Gruening managed to reverse the results of the primary by polling 26,045 votes to 23,464 for his rival. The boundless energy and determination which the septuagenarian put into his campaign, making known both his own great ability and accomplishments and Stepovich's conservative voting record, figured prominently in the result. For the office of congressman, Henry Benson lost to Ralph Rivers 20,699 to 27,948. Finally, in the race for

governor, William Egan retained the strength he had shown in the primaries by defeating John Butrovich 29,189 to 19,299. Thus all four top offices of Alaska were handed by the voters to Democrats. More astounding were the results of the legislative contests. In the Senate, Democrats would hold seventeen seats against only three for Republicans; one of the three was gained through a public drawing consequent to a tie vote. In the House, Democrats would hold thirty-three seats, Republicans five, and independents two.[37] One stunned observer remarked, "We might as well face it--Alaska has just joined the solid south."[38]

A true understanding of the Republican debacle would require separate analysis of each of the races, as was evident from the different majorities of the winners. Short of that, the Democratic landslide may be attributed to four factors. First was the matter of party affiliation and timing. The election took place in a territory where most party-affiliated voters were Democrats and during a year of Republican defeats throughout the country. Second was the factor of recognition: Democratic politicians were better known and more politically experienced. Third, Democrats were better organized and campaigned vigorously for their entire slate, whereas Republicans concentrated on Stepovich and Butrovich.[39] The fourth reason was neatly summed up in a Times editorial, "What Alaska Needs Is a GOP Party." For more than two decades, competing factions of the party had clawed at each other as much as at the Democrats. Many of the best-known Republicans

were uninclined to enter such an arena.[40]

The candidates' previous stands on statehood played practically no part in the gubernatorial and legislative races. The great majority of candidates were on the statehood bandwagon anyway. What concerned the voters, to the virtual exclusion of almost all other matters, was governmental policy during the initial years of the state. Realizing that they would be operating on a shoestring budget and that the costs of statehood would be substantial, the candidates of both parties took a conservative stance on spending. Commonality was found also on such specific issues as the abolition of fish traps and the need for wisely selecting and utilizing Alaska's regal land grant. In an election in which the candidates expressed generally identical views on the fundamental issues, the contest involved mainly personalities. Here the Democrats had the edge.[41]

5

After the ballots were counted, Alaska's days as a territory drew to a close. Planning had already begun on the means of effecting the transition to state government, a task in which the Alaska Statehood Committee made its last contribution. The membership of the committee now was somewhat different than in 1949. In 1953 Howard Lyng had resigned, saying that Governor Heintzleman should have the opportunity to name his own appointees to the boards and committees of Alaska's government.[42] No other members followed his example; even if they had, the governor could not have named

replacements. Not until 1957 did the legislature bestow upon him the power to fill a committee vacancy or the position of any member who had moved from Alaska or was continuously absent from it for six months. The legislature also provided then that the committee would dissolve automatically when Alaska was admitted into the Union and its state and Congressional officers assumed their duties.[43] Pursuant to this authorization, three new appointments were made to the committee: Bill Snedden, who replaced Howard Lyng; Mike Walsh, a Nome miner and businessman, who replaced the deceased Andrew Nerland; and Jack Hinckel, an oil company consignee and former mayor of Kodiak, who replaced Lee Bettinger after he resigned and moved to South America.[44]

The act setting up the committee directed the group to obtain "information and suggestions" on how to bridge the gap between territorial and state government. Partly to enable the committee to carry out the project, the 1957 legislature appropriated $53,000 for its use. Once again the committee turned to the Public Administration Service. The choice was natural in view of its excellent work for the constitutional convention and its familiarity with the document which had been drafted. Not until March 8, 1958, however, did the committee agree to enter into a $15,000 contract for the service to propose how the state should be organized. An additional $10,000 was allotted for clerical and stenographic assistance, local research, office space, equipment, and supplies. In July the scope of the project was expanded so that the PAS came to

prepare detailed reports and drafts of proposed legislation and executive orders on the organization of the executive, judiciary, local government, and personnel administration. For engaging in the additional work, the basic contract allocation was increased from $15,000 to $35,000.[45] By the time the first of the reports was completed, near the end of 1958, Alaskans were looking forward to the proclamation of admission.[46]

Notes

1. Anchorage Daily News, June 30, 1958; Fairbanks Daily News-Miner, June 30, July 8, 1958.

2. FDNM, July 8, 1958.

3. Ibid., July 1, 1958.

4. Ibid.

5. "The 49th State," Time, July 14, 1958, p. 16.

6. FDNM, July 1, 17, 7, 1958; "Alaska's Job Is Just Beginning," Business Week, September 6, 1958, p. 155.

7. Daily Alaska Empire (Juneau), July 2, 1958.

8. FDNM, July 5, 1958; copy, Bartlett to M. J. Walsh, July 8, 1958, E. L. Bartlett Papers, Statehood File, box 14, folder Correspondence, General, July 1-9, 1958, Elmer E. Rasmuson Library, University of Alaska, College.

9. FDNM, July 7, June 6, 1958, July 18, 1957; Murray to Ernest Gruening, July 9, 1958, Alaska Historical Library, Juneau; copy, transcript, interview of Bartlett by Val Trimble and Scot Hart, Washington, D.C., August 1, 1965, p. 12, copy, Bartlett to C. W. Snedden, May 29, 1958, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968, box 14, folder Correspondence, General, May 1958.

10. FDNM, July 8, 1958.

11. Ibid., July 16, 19, 1958.

12. Anchorage Daily Times, July 15, 24, August 20, 1958; Donald R. Moberg, "The 1958 Election in Alaska," Western Political Quarterly 12 (1959): 259-260.

13. ADT, July 2, 1958; FDNM, July 7, 9, 14, 1958.

14. FDNM, June 18, 1958; ADT, June 26, July 12, 1958; "Builders of a New State," U.S. News & World Report, July 11, 1958, p. 77; "Alaska's Senator?" Time, August 4, 1958, p. 16.

15. ADT, July 11, 1958.

16. FDNM, July 15, 28, 1958.

17. Ibid., July 19, 28, 1958; ADT, July 19, 1958.

18. FDNM, July 28, 21, 19, 1958.

19. "Alaska's Senator?" p. 16.

20. DAE, July 22, 1958. However, in May 1959 Interior Department Solicitor George Abbott discovered that in 1943 Warner Gardner, one of his predecessors, had given Ingram Stainback and Ernest Gruening the opinion that the Hatch Act did not prohibit partisan activity on the part of territorial governors or secretaries. ADT, May 14, 1959.

21. DAE, August 10, 1958.

22. Ibid., July 6, 1958.

23. Copy, Mary Lee Council to Bartlett, July 12, 1958, Bartlett Papers, Statehood File, box 2, folder Alaska Statehood Committee, 1958-1959.

24. FDNM, July 24, 1958.

25. ADT, August 2, 1958.

26. FDNM, August 14, 9, 25, 1958; Robert Atwood, "Alaska's Struggle for Statehood," State Government 31 (1958), p. 208.

27. FDNM, August 19, 25, 1958.

28. DAE, July 13, August 26, 1958; Alaska, Territorial Canvassing Board, "Official Canvass of Results, Alaska General Election, Tuesday, October 9, 1956."

29. Alaska, Secretary of State, "Alaska Official Returns of the Special Statehood Referendum Election, August 26, 1958, and the General Election, November 25, 1958," p. 27.

30. ADT, August 27, 1958.

31. FDNM, August 25, 23, 1958.

32. Secretary of State, "Alaska Official Returns..." p. 27.

33. "Statehood Primary Election Results," Alaska Historical Library, Juneau.

34. Moberg, "The 1958 Election in Alaska," p. 260.

35. Congressional Quarterly Almanac 15 (1959): 24.

36. FDNM, November 28, 4, August 2, 1958; "Fred & the 49th," Time, November 24, 1958; Moberg, "The 1958 Election in Alaska," pp. 260-262; DAE, December 1, 1958.

37. Secretary of State, "Alaska Official Returns..." p. 6; Moberg, "The 1958 Election in Alaska," pp. 263-264; FDNM, November 28, 1958.

38. ADT, November 26, 1958.

39. Moberg, "The 1958 Election in Alaska," pp. 265, 260-261.

40. ADT, July 30, 1958.

41. Moberg, "The 1958 Election in Alaska," pp. 263-264.

42. Lyng to Heintzleman, May 26, 1953, Records of the Office of the Governor of Alaska, General Correspondence, 1952-1958, box 2, folder 65--Statehood Committee, Federal Records Center, Seattle.

43. Alaska, Session Laws, 1957, pp. 34-35. In 1949, by contrast, the legislature had provided for dissolution whenever the constitution drawn up by a Congressionally authorized

convention was approved by the electorate.

44. FDNM, July 5, 1958.

45. Thomas B. Stewart to Bartlett, May 25, 1957, copy, minutes of the meeting of the Alaska Statehood Committee, March 7-8, 1958, "Minutes of Meeting, Executive Committee of the Alaska-Statehood Committee," July 12-13, 1958, "Contract Amendment," Bartlett Papers, Statehood File, box 12, folder Correspondence, General, May 1957, box 2, folder Alaska Statehood Committee, 1958-1959; Alaska, Session Laws, 1957, p. 471; Public Administration Service, Proposed Organization of the Executive Branch, State of Alaska: A Summary Report (Chicago: Public Administration Service, 1958); idem, Proposed Organization of the Executive Branch, State of Alaska: A Survey Report (Chicago: Public Administration Service, 1958); idem, Proposed Organization of the Judicial Branch, State of Alaska (Chicago: Public Administration Service, 1959); idem, Local Government under the Alaska Constitution: A Survey Report (Chicago: Public Administration Service, 1959); idem, Functional and Staffing Charts for the Proposed Organization of the Executive Branch, State of Alaska (Chicago: Public Administration Service, 1959).

46. FDNM, December 10, 1958.

Chapter 26

Adding a Forty-Ninth Star to the Flag

1

The admission act directed the governor of Alaska to certify to the president the results of the referendum and the races for Congressional and state office. This Waino Hendrickson did on December 27 by airmail letter.[1] If the president found that the three propositions had been adopted, he was directed to issue a proclamation announcing the results. "Upon the issuance of said proclamation by the President, the State of Alaska shall be deemed admitted into the Union...."

Since the White House intended for Alaska's Congressmen-elect to be treated the same as those of the existing states, the office of the attorney general advised the president to sign the proclamation "immediately after the stroke of noon, official time, on January 3, 1959." A ceremony was planned to commemorate the occasion, and six Alaskans were invited to attend: Bartlett, Gruening, Rivers, Hendrickson, Stepovich, and Atwood. All of them gathered at the White House in the forenoon of January 3 and had a chance to visit with Eisenhower in his office. After a quarter hour, they were ushered into the Cabinet Room, where newsmen, photographers, and television cameramen had assembled. The president sat down at the table, with Speaker Rayburn and Vice-President Nixon flanking him. Fred Seaton stood in back of the president, separating the

three Republicans and three Democrats from Alaska. Then at exactly 12 o'clock, Eisenhower began signing the first of three copies of a document which stated "that admission of the State of Alaska into the Union on an equal footing with the other States of the Union is now accomplished."[2]

Since at noon in Washington the time was only 7 a.m. in Anchorage and Fairbanks, many Alaskans were still in bed. For those who were walking the streets of Fairbanks, the -8^{o} temperature was, according to the News-Miner, too cold for people to pay much attention to blaring fire horns and air raid sirens. At Juneau, where the time was 9 a.m., William Egan and Hugh Wade prepared to be sworn into office as governor and secretary of state. The governor-elect had been invited to the White House, but his doctor advised against the trip, for Egan was still recuperating from a recent operation. Therefore the swearing-in ceremony took place in the governor's office. Dawn was just breaking when, at 9:18, United States District Judge Raymond Kelly administered the oath of office to Egan and, two minutes afterward, to Wade. Later that morning, commemorative ceremonies were held at a downtown theater and at Anchorage and Ketchikan.[3]

2

The proclamation of admission was not the only document signed by the president. Using another six pens, he wrote his name on three copies of an executive order designating a new flag for the United States.[4] Changing the flag after so many years of familiarity with six rows of eight stars each was not

a trivial matter. In fact the prospect had been a factor in the reluctance of many Americans to want to admit a forty-ninth state. In 1943, for example, the Atlanta Journal, while endorsing statehood for Alaska, noted "that it would throw the neat symmetry of the Flag's blue field all out of line."[5] Similarly Rep. John McGuire of Connecticut told the House in 1951: "It is with deep nostalgia that most Americans will say farewell to the flag of 48 stars. For this has been the flag which they have known through wars, depressions, peace and prosperity."[6] Fear that a new design would adversely affect their businesses had also prompted several flag manufacturers to lobby against statehood beginning as early as 1953. They owned large inventories of forty-eight-star flags, had little recent experience in design innovation, and foresaw lagging sales until Hawaii was admitted.[7]

The prospective change in the flag brought suggestions from Congressmen on who should design it. The forty-eight-star flag had been designed by a joint army-navy board, headed by Admiral George Dewey, and approved by President William Howard Taft.[8] Eisenhower decided to name a special committee to sift through the approximately 1,900 suggestions sent in by the public.[9] The group consisted of Secretary of State John Foster Dulles, Secretary of Defense Neil McElroy, Secretary of the Treasury Robert Anderson, and Chairman of the Commission on Fine Arts David Finley. On January 2, 1959 several designs selected by the committee were presented to the president at his home in Gettysburg. The next day, after signing the

executive order, Eisenhower helped to unfurl the twenty-sixth American flag. Seven staggered rows of seven stars each studded the blue canton. He preferred an arrangement of four rows of six stars alternating with five rows of five stars but, he told Bartlett, "...I was overruled by all my advisers." Still thinking about Hawaii, he remarked also that the middle row could easily accommodate an eighth star.[10]

Following the eight-minute ceremony, Eisenhower flew back to Gettysburg, while the Alaskans ate lunch with Secretary Seaton. On Monday employees of the Office of Territories began shifting to other jobs. However, an Alaska desk would be maintained for a time to answer inquiries concerning the North which still arrived at the department. The department's interest in Alaska would not cease, of course. The Office of Territories would continue to exercise jurisdiction over the Alaska Railroad and, until it expired on June 30, over the Alaska Public Works Act as well. The Bureau of Land Management, Bureau of Mines, Bureau of Indian Affairs, Geological Survey, and Fish and Wildlife Service would also remain active in the North.[11]

3

The length of Bartlett's and Gruening's first terms in the Senate had not yet been decided. Nor had a decision been made as to which would be designated the senior senator. The question of who would draw lots first on the Senate floor was resolved in Gruening's office on January 6 through the flipping of a silver dollar. When the coin landed, Bartlett called out

heads. Since the reverse of the coin came up, Gruening won the privilege. To determine who the senior senator would be, the coin was flipped again. This time Gruening called out heads. Again the coin came up tails, making Bartlett the senior senator. To satisfy the photographers present, the two senators and Frank Vaille, the reporter who had supplied and flipped the dollar, were required to repeat the ceremony over and over and to get down on their knees to examine the coin. The result, observed one reporter, was "a posed shot that looked for all the world like a three-cornered crap game."[12]

When Congress convened on January 7, Vice-President Nixon administered the oath of office to the senators of all the older states and then to Gruening and Bartlett. Immediately thereafter Lyndon Johnson sent to the desk a resolution for classifying the two new senatorships according to the method established on May 14, 1789. As no objection was heard, the secretary of the Senate dropped three slips of paper of equal size into a small wooden box which had not been used for more than forty-six years. After Johnson shook the box, Gruening drew one of the slips. He sought to take a look at it, but the chief clerk took it from his hand and gave it to the vice-president. After opening the slip and conferring briefly with the secretary for the majority and the parliamentarian, Nixon announced that it entitled Gruening to a four-year term. Then came the turn of Bartlett. He drew the lot assigning him the same term as each of his seven terms in the House.[13]

Now that Alaska had three voting Congressmen, it was able to exercise power, not just influence. Two matters soon arose of especial importance to them: the admission bill for Hawaii and the omnibus bill for Alaska. As late as December 1958, "Washington soothsayers" had encountered difficulty determining the odds for enacting the statehood bill. Much would depend, it seemed, on efforts in the House to reinstitute the twenty-one-day discharge rule and in the Senate to facilitate shutting off a filibuster. Southern Democrats had refrained from filibustering the Alaska bill in the Senate, lest they precipitate an immediate change in the rules. With Hawaii, however, feelings ran higher, since Japanese-Americans might be elected to Congress. Nevertheless statehood for the Islands had tremendous support in both parties. Neither Sam Rayburn nor Lyndon Johnson favored the bill, but both expressed the opinion that the new Congress would enact it.[14]

On February 4, the House Interior and Insular Affairs Committee approved the bill with amendments 25-4. O'Brien hoped that the House would act on it by or shortly after Easter, but the committee chairman, Wayne Aspinall, refused to be stampeded. A bill's timing, he pointed out, was just as important to enactment as its merit. This time the Rules Committee would not be a problem. Realizing the strength behind the bill, Howard Smith reportedly said, "I know enough to get out of the way of a steamroller." After holding four days of hearings, the Rules Committee voted to send the bill

to the floor under an open rule.[15] The next day, March 11, debate began in Committee of the Whole.[16]

Meanwhile on February 25, Henry Jackson's Subcommittee on Territorial and Insular Affairs held a hearing on the Senate version of the bill. The following day the subcommittee voted unanimously to report it, and on March 5 the full committee did likewise. Senator Malone had been defeated for reelection the previous fall. Six days later, the same day that the House took up the question of statehood, the Senate did, too. The brief debate was devoid of drama. For one reason, fifty-two of the ninety-eight senators sponsored the bill. For another, when the debate began Gruening presided over the Senate and when it ended Bartlett did. With opponents resigned to another defeat, the bill passed that same day 76-15. All of the negative votes were cast by southern or border-state senators, and all seven absentees favored the bill.[17]

The following day the House shelved its version of the bill, substituted the one approved by the Senate, and passed it 323-89.[18] One week later it was signed by the president. The statute not only conferred statehood on Hawaii but also transferred to it title to all of the "territorial lands."[19] Now, said O'Brien, "I'm going back to my corner to knit." With Alaska and Hawaii in the Union, the work of his subcommittee would, he estimated, be reduced by about 60 percent. No longer would it be responsible for considering matters which "an upstate New York alderman could have handled."[20]

Approximately one week after the Hawaiian act became law, the Alaska omnibus bill was introduced in both the Senate and House.[21] A kind of afterthought to the admission bill, its origin lay in a memorandum which Maurice Stans, director of the Bureau of the Budget, had sent to Eisenhower on July 17, 1958. In it he proposed that the president direct the bureau to launch and coordinate a study of the fiscal and administrative affects which the admission of Alaska would have upon federal legislation and activities. The objective would be to identify problems, resolve issues, and draft appropriate executive orders and bills.[22] Similar bills had been enacted soon after the admission of Oklahoma, New Mexico, and Arizona although, since the federal government had been less complicated then and its involvement within the states less far-reaching, the earlier ones were much simpler.[23] The results of the bureau study were presented to the House and Senate Interior and Insular Affairs committees in May.[24]

If Alaska were to be "on an equal footing with the other States in all respects whatever," said Harold Seidman, who directed the study, the apportionment and matching formulas of various federal grant-in-aid programs needed to be revised.[25] These affected, among other matters, national defense education, vocational education, schools in federally impacted areas, vocational rehabilitation, water pollution control, hospital and medical facilities, child and welfare services, and assistance to the aged, blind, and disabled.[26] The effects of

these changes would aggregate not more than $100,000 a year "one way or the other," Seidman predicted.[27] In regard to programs for the restoration of wildlife and sport fish, however, equality of treatment would make a substantial difference. These activities were financed by hunting and fishing license receipts under the Pittman-Robertson and Dingell-Johnson acts. Since 1950 Alaska had been allotted $75,000 a year for each of these programs, although no matching funds had been required. If the apportionment formula applying to the states had applied to the territory, it would have been eligible to receive in fiscal 1957 Pittman-Robertson Act funds amounting to $811,800 and Dingell-Johnson Act funds amounting to $241,300. Alaska would now be included in these programs on an equal basis, but this would necessitate its contributing $1 for every $3 of federal money it wanted.[28]

Parity of treatment required also that the federal government cease setting policies for and conducting governmental functions in the North which elsewhere were controlled by state or municipal governments. In this respect the Bureau of the Budget showed more determination than the state. The reason for the reluctance of the latter was that equality was going to cost it money. Realizing the difficulties and seeking to avoid the continued direct performance of services by the federal government at the same time that the state was attempting to set up and staff an essentially duplicate organization, the bureau recommended that $27,500,000 of special assistance be granted to the North. Comprising this

amount would be $10,500,000 for fiscal 1960, $6,000,000 for fiscal 1961 and 1962 each, and $2,500,000 for fiscal 1963 and 1964 each. These sums were calculated on the assumption that they would be used for certain purposes, but none of them was specified in the bill. Now that Alaska was a state, the bureau felt that the federal government should stop making decisions for it. It believed also that after five years, sufficient revenue would be flowing to the state from the sale of state and federally owned lands in the North, leased oil and gas lands, and net receipts from the Pribilof operations to enable it to dispense with further such aid.[29]

One of the functions which the state would assume was the operation of the Anchorage and Fairbanks International airports and seventeen intermediate airports. The current value of the two larger installations, built by the federal government, was about $16,000,000. Inasmuch as the federal government did not operate civilian airports elsewhere in the country except for Washington, D.C., it intended to give the ones in Alaska to the state. Such grants were not exceptional. Since enactment of the Surplus Property Act of 1944, some 550 federally constructed airports, worth about $1,420,000,000, had been given gratis to states and localities. The problem with the Anchorage and Fairbanks airports was that they were in need of capital improvements, above all the lengthening of their runways to accommodate jet passenger aircraft. All told these improvements would cost about $9,800,000. Using $3,400,000 of its transitional money, the state could secure $6,400,000 in

matching funds under the Federal-Aid Airport Act. Since the bureau had arrived at the figure of $27,500,000 for transitional grants partly by calculating $4,500,000 for capital improvements, the state would have $1,100,000 left over to improve and expand the Anchorage and Fairbanks passenger terminals, an expense for which federal matching funds were not available.[30]

The seventeen intermediate airports, built at a cost of $25,461,200, were far less lucrative than the two international airports. Combined, the nineteen were expected to earn an average of $1,215,000 per year during fiscal 1960-1964. Of this amount the intermediate airports were expected to earn, in fiscal 1960, only $70,295. Offsetting these earnings would be estimated costs of $845,000 to operate the international airports and $593,000 to operate the others. Funds sufficient to cover the projected deficit of $223,000 per year for five years was another constituent of the $27,500,000 transitional grant.[31]

Another important activity to be assumed by the state was road construction and maintenance. For this the bureau wanted Congress to give the state the highways and highway rights-of-way located in Alaska, as well as whatever real estate and equipment it owned which was being used to build and maintain them. This did not include roads in the national forests and Mount McKinley National Park, or the property used in constructing and maintaining such roads, for they would remain a federal responsibility.[32] These gifts to the state would

mean more than a transfer of title. For example, in 1949 the Bureau of Land Management had reserved as rights-of-way a strip 600 feet wide for the Alaska Highway, 300 feet for other through roads, 200 feet for feeder roads, and 100 feet for other roads.[33] As a result Alaskans had been prevented from locating their homes and businesses close to roadside. They had been isolated, subjected to the danger of fire in the untended brush lying between the highways and their dwellings and businesses, forced to spend money to build and maintain access roads, and burdened with extra snow removal work in winter.[34]

To assist the state maintain its roads, the Bureau of the Budget recommended grants of $4 million for each of the 1960, 1961, and 1962 fiscal years. It recommended also that Alaska be included in the Federal-Aid Highway program on the same basis as other states. Parity of treatment would require the state to pay about 13.91 percent, rather than 10 percent, of the cost of road building in the North but would enable it to draw $36,768,519 a year in federal matching funds if it put up matching funds of $5,940,877. The reason was that all, not just one-third, of the state's eligible land area would be computed to determine its formula share. However, none of the matching grants could be used for maintenance. Hugh Wade, acting governor while Egan was recuperating from another operation, was so worried about strained budgets after the transitional funds were exhausted that he proposed allowing the state to continue using matching funds for maintenance in

return for computing only two-thirds of the eligible land area. This would reduce the maximum available yearly grant by about $9.5 million. If this were not done, he feared, the money would be used just to extend the state's highway mileage, which would further increase the cost of maintenance. "...we do not want to get into a program of new construction of highways up there..." he said, "but we will...because the money is there, and you know you cannot stop legislatures."[35]

Wade did not say that Alaska would be unable to support such a program. He did say, however: "...I do not think from a public official standpoint, it is a wise policy to proceed on the theory that the oil and gas coming into Alaska is going to be the answer to all of our problems. I do not know how many times we spent it...on educational programs and other programs." Harold Seidman was insistent that Alaska not receive special treatment. The basic purpose of the Federal-Aid Highway Act was to accelerate road construction. Other states had from time to time proposed using federal funds for maintenance. All had been turned down, mainly because the privilege would become a perpetual burden upon the federal treasury. Looking at the matter from the bright side, Seidman pointed out that Alaska would need to pay less for its matching funds, at least initially, than any other state in the Union. Because of its great area, it would also be entitled to receive more of these funds than any other state. Within five years, the bureau was convinced, state revenue would increase to the point where Alaska could afford the cost. Ralph Rivers expected the period

to be at least ten years. In any event, the bureau noted, Alaskans paid only 3.5 percent of their incomes in state taxes compared with the national average of over 4.5 percent. Finally, the state had no bonded indebtedness; many of the lower forty-eight states had acquired their debts partly through borrowing to finance road improvements.[36]

The airport and highway components of the transitional grant involved state assumption of federal programs. In a different category were $4,000,000 for mental health and $3,190,000 for general health care. Alaska already was in charge of these activities, and Congress had authorized appropriations to it for these amounts, the former under the terms of the Alaska Mental Health Enabling Act of 1956. However, in the interest of making Alaska "master in its own house," no more money would be paid under the old authorizations. Instead equivalent sums totaling $7,190,000 were included in the $27,500,000 transitional grant. The same was true of $200,000 which Congress had authorized the Interior Department to spend on the construction of recreational facilities in Alaska during fiscal 1960 and 1961.[37]

Intending that the transition from federal to state control be short, the administration had requested no funds from Congress for civilian airports, roads, mental health, general health, or recreational facilities in Alaska for fiscal 1960. Rather it had requested the first installment of the $27,500,000 transitional grant. To avoid any interruptions in service during the transition, the omnibus bill provided that

the state could request the president to use part of its grant money to finance continued federal operation of the airports or any other property or function being transferred to it. Alternatively the state could contract with the federal government on a reimbursable basis to provide the services. The latter course was preferable, since the federal government would then be operating as an agent of the state. Direct federal operation of the airports would result in the deposit of airport revenues into the United States treasury and the expenditure on operations of matching money which should go to capital improvements. Also to smooth the transition, the act authorized the president, until July 1, 1964, to convey or lend to the state without compensation federal property made surplus by the termination or curtailment of federal activities and their assumption by the state. Finally, it provided that the state would receive "Fund C," consisting of more than $500,000 in unspent fines and fees collected by the federal district court in Alaska. The money would facilitate establishment of the state's own court system.[38]

Although a major purpose of the omnibus bill was to put an end to unequal treatment, a few statutory inequalities would be perpetuated. They were justified by the bureau on the grounds that they did not really confer special benefits and did not affect federal-state relationships. For example, the National Housing Act permitted the federal housing commissioner to exceed the usual maximums on the principal obligations of federally insured mortgages in Alaska, Hawaii, and Guam by as

much as 50 percent because of their higher construction costs. Unless this special treatment were continued, Alaskans would effectively be denied participation in the program. They would, for the most part, be unable to afford the construction, design, and livability standards required by the federal government to obtain federal mortgage insurance. Henry Jackson would have preferred amending the National Housing Act to provide that the insurance would be available in any state in whatever amount was needed to meet federal housing standards, since exempting a single state from the provisions of a general statute was apparently unprecedented. However, the Bureau of the Budget preferred the latter course, wishing to avoid "any general substantive amendments to general statutes."[39]

Another exception to the rule of uniformity concerned the general requirement of the Federal Highway Act of 1921 that a state's federal-aid primary highway system not exceed 7 percent of its total highway mileage in 1921 outside urban areas and federal reserves. Since the total mileage of the lower forty-eight states was nearly the same in 1959 as it had been in 1921, this presented no problem for them. But Alaska in 1921 had less than 2,000 miles of through, feeder, and local roads and in 1959 less than 4,000. Unless the 7 percent requirement continued to be waived for the North, its primary highway system would be extremely short. The primary highway systems of Hawaii, Puerto Rico, and Washington, D.C. were also exempt from the 7 percent requirement.[40]

The omnibus bill also extended to the state several other

general laws hitherto inapplicable to Alaska and eliminated inappropriate statutory references to the "Territory of Alaska." Finally, it supplied a much needed definition: "Wherever the phrase 'continental United States' is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided."

After hearings had been held on the bill, several amendments were adopted. Ralph Rivers asked his colleagues on the House Territorial and Insular Affairs Subcommittee to add $1 million to the $2.5 million cash grant for fiscal 1963 and another $1 million for fiscal 1964. The purpose was primarily to subsidize expansion of the Anchorage and Fairbanks airport facilities. The subcommittee met him halfway, thereby raising the total grant to $28.5 million.[41]

Another Rivers amendment modified the provision of the admission act which temporarily retained federal jurisdiction over the fish and wildlife. Hugh Wade had moved to meet the state's responsibility on April 17 by signing three legislative acts dealing with the matter. One of them created a Board of Fish and Game composed of eight members "selected without regard to political affiliation or special interest."[42] On April 27 Fred Seaton reported to Congress that Alaska had complied with the requirements of the admission act, even though he was disappointed with some features of the three acts. The state was thus assured of receiving control of the resources on "the first day of the first calendar year

following the expiration of ninety legislative days...." Since the admission act failed to specify whether the legislative days were to be those of the House or the Senate, Rivers proposed, and the subcommittee accepted, an amendment substituting the word "calendar" for "legislative." The effect would be to convey jurisdiction to the state on January 1, 1960.[43] To Clarence Anderson, director of the Department of Fish and Game, this would be satisfactory. In June 1958 he had pointed out that the legislature needed to enlarge the responsibility of his department before it could assume control; moreover, changing jurisdiction in the midst of a fishing season did not make sense to him.[44]

After Leo O'Brien's subcommittee approved these and other amendments, a clean bill was introduced.[45] When it was taken up by the Rules Committee, Wayne Aspinall explained to the members that the five-year, $28.5 million authorization amounted to only $3.5 million more than the federal government would have had to pay if Alaska had remained a territory. Howard Smith and William Colmer commented approvingly on the modesty of the sum. The Rules Committee cleared the bill, although Smith objected to the provision which allowed the president to transfer real and personal property of the federal government to the state. At the hearings and in Committee of the Whole, he asserted that Congress had already delegated too much power to the president and the executive departments. "If there is going to be any giving away it should be done by the Congress." As several other congressmen shared the scruple,

O'Brien proposed to confine the president's authority to those functions "authorized in this act or the act of July 7, 1958." This, after all, was the subcommittee's intent. Transferring the Alaska Railroad or land which the federal government might not want to continue policing had never been contemplated by it. With the clearing up of this detail, all opposition vanished and the bill passed on voice vote.[46]

The entire discussion took about one hour in the House; in the Senate, debate consumed only twelve minutes.[47] Thus none of the fears of the proponents were realized. O'Brien and Saylor had expected a "we told you so" attitude about the need for a subsidy but heard nothing of the kind.[48] Indeed Howard Smith had prefaced his own objection by complimenting O'Brien, "who engineered this nefarious Alaskan statehood bill through the House last year," and Aspinall on having "done a magnificent piece of work, in my judgment, in bringing about this transition in the bill....I do not think there is anything controversial about this bill." Henry Jackson had worried about exempting the state from the general requirements of the National Housing Act. Yet nothing was said about it. After approving two minor amendments, the Senate approved the bill without a roll call vote. On June 11 and 12 minor differences in the versions of the two houses were harmonized, and on June 25 the act was signed by the president.[49]

6

At the time the Alaska Omnibus Act was signed, the flags which waved over the Capitol and the White House each bore

forty-eight stars. Nine days later, in spite of the objections of certain Congressmen, the forty-nine-star flag became official. Behaving as though Alaska were still a territory, Senator Jackson, without consulting either Bartlett or Gruening, had proposed that Congress authorize the president to adopt a fifty-star flag as soon as Hawaiians voted in favor of the referendum propositions which would be presented to them. Doing so would telescope the time before the Islands received full recognition as a state. Alaska's two senators objected. "I think Alaska is sufficiently important to rate a flag," said Gruening. What spoiled Jackson's plan were not the objections of his northern colleagues but the lateness of the date, June 27, for which Governor William Quinn set the primary election. Not enough time remained between then and July 4 to make the senator's plan feasible. Rep. Alfred Santangelo of New York would have made the fifty-star flag official on July 4, 1959 anyway. Again Bartlett felt compelled to protest, insisting that Alaska deserved its "hour" of glory.[50]

Gruening and Bartlett had their way. On July 4, 1959 forty-nine-star flags were raised at Juneau and Sitka; on the Capitol in Washington, more than 1,000 new flags were raised, flown for two minutes each, and lowered for Congressmen to send their constituents.[51] The official national ceremony was held at none of these locations, however. At the request of Governor J. Millard Tawes of Maryland, it was held at Fort McHenry, the place where, on the morning of September 14, 1814, Francis Scott Key had been inspired to write "The Star-Spangled

Banner." The fort, located in the harbor of Baltimore, was one of only five places in the United States where Congress had authorized the American flag to be displayed at night. There at 11 p.m. on July 3, Fred Seaton read a message from the president to a crowd of about 5,000 people. Following this, in a speech of his own, the secretary pronounced the interment of the argument against admitting noncontiguous states. "We have proved once again," he said, "that the great unifying factor in world affairs is not geography, but belief, and from this we can logically draw the larger inference that distance is not an insurmountable barrier to understanding between people, that men who share common ideals can indeed work together toward common purposes, no matter how far removed they may be from one another."[52]

As the clock neared the hour of midnight, two naval destroyers traded blank salvos with four howitzers at the fort in mock of the 1814 bombardment and defiance. The flag of fifteen stars and fifteen stripes inside the fort was lowered down a replica of the original eighty-seven-foot staff. Then with Fred Seaton manning the halyards and the Marine Corps band playing "The Star-Spangled Banner," the new, forty-nine-star flag was raised. At 12:01 it broke at the top in the glare of a battery of lights and fireworks.[53] In a din similar to that in which the country had earlier been defended, Alaska was baptised as the most northerly rampart of the American Union.

Notes

1. Fairbanks Daily News-Miner, December 26, 1958.

2. Arthur B. Focke to Attorney General, December 23, 1958, Office of the Attorney General, "Memorandum Concerning the Time of Admission of the State of Alaska" [December 31, 1958], diagram of the seating and standing arrangements, Papers of Dwight D. Eisenhower, Official File, box 752, folder 147-D (3), Alaska, Dwight D. Eisenhower Library, Abilene; Daily Alaska Empire (Juneau), January 15, 1959; 73 Stat. c. 16.

3. FDNM, January 3, 2, 1959, December 31, 1958.

4. Text, speech, Bartlett, recorded at KJNU, Juneau, June 2, 1964, E. L. Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968, Elmer E. Rasmuson Library, University of Alaska, College; U.S., President, Executive Order 10798, "Flag of the United States," Federal Register 24 (1959), pp. 79, 81.

5. Anchorage Daily Times, October 5, 1943.

6. U.S., Congress, House, Congressional Record, 81st Cong., 2d sess., 1951, 96, pt. 5: 5951.

7. FDNM, March 29, December 31, 1958, August 1, 1956; DAE, July 2, 1958.

8. FDNM, July 9, May 29, 1958; 85th Cong., 2d sess., H.R. 13338, July 9, 1958, H.R. 13522, July 24, 1958, H.R. 13552, July 28, 1958.

9. For examples, see "New Looks for Old Glory," Life, July 7, 1958, pp. 8-9.

10. FDNM, October 18, 1958, January 3, 1959; text, speech,

Bartlett, recorded at KJNU, Juneau, June 2, 1964, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968; Sun (Baltimore), July 4, 1959; "New Stars, Old Stripes," Time, January 12, 1959, p. 19.

11. Text, speech, Bartlett, recorded at KJNU, Juneau, June 2, 1964, Bartlett Papers, Statehood File, box 20, folder Legislative History, 1959-1968; DAE, January 15, 1959; FDNM, January 2, 1959, Progress ed., December 3, 1958.

12. FDNM, January 6, 10, 1959.

13. Senate, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 1: 6-8; ADT, January 7, 1959.

14. FDNM, November 6, 7, 1958; ADT, December 12, 1958.

15. ADT, February 4, March 9, 1959; Congressional Quarterly Almanac 15 (1959): 174.

16. House, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 3: 3903.

17. Senate, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 3: 3828, 3890-3891; Congressional Quarterly Almanac 15 (1959): 174, 173; FDNM, November 5, 1958.

18. House, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 3: 4038.

19. 73 Stat. 13, 5.

20. ADT, March 17, 1959.

21. 86th Cong., 1st sess., S. 1541, March 25, 1959, H.R. 6091, March 26, 1959.

22. Stans to the President, July 17, 1958, Stans, Budget Bulletin no. 59-1, August 4, 1958, Eisenhower Papers, OF,

box 752, folder 147-D (3), Alaska.

23. House, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 7: 9472.

24. U.S., Congress, House, Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, Alaska Omnibus Bill: Hearings on H.R. 6091, H.R. 6109, and H.R. 6112, 86th Cong., 1st sess., May 4-5, 1959; U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Omnibus Bill: Hearings on S. 1541, 86th Cong., 1st sess., May 7, 1959.

25. Hearings on H.R. 6091, p. 25.

26. Stans to the President, March 24, 1959, Eisenhower Papers, OF, box 752, folder 147-D (4), Alaska.

27. ADT, March 25, 1959.

28. U.S., Congress, House, Committee on Interior and Insular Affairs, Providing for the Admission of the State of Alaska into the Union: Report To Accompany H.R. 7999, 85th Cong., 1st sess., 1957, H. Rept. 624, pp. 27-28.

29. Hearings on H.R. 6091, pp. 55-56, 27-28, 36.

30. Ibid., pp. 67-69; House, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 7: 9473.

31. Hearings on H.R. 6091, pp. 73-74; Hearings on S. 1541, p. 11.

32. Hearings on H.R. 6091, p. 45.

33. U.S., Department of the Interior, Bureau of Land Management, Public Land Order 601, "Reserving Public Lands for Highway Purposes," Federal Register 14 (1949): 5048-5049.

34. U.S., Congress, Senate, Committee on Interior and Insular Affairs, Alaska Statehood: Hearings on S. 50, 83d Cong., 2d sess., January 20-February 24, 1954, p. 155.

35. Hearings on S. 1541, pp. 11, 10; copy, Paul F. Royster to Rivers, September 25, 1959, Rep. Ralph J. Rivers Papers, 1959-1966, Legislative File, 1959-1966, box 18, folder Omnibus Bill, Elmer E. Rasmuson Library; Hearings on H.R. 6091, pp. 59, 63.

36. Hearings on H.R. 6091, pp. 61, 78, 63.

37. Hearings on S. 1541, p. 11; Hearings on H.R. 6091, pp. 26, 33, 35.

38. Hearings on H.R. 6091, pp. 38-39, 27; ADT, March 25, 1959.

39. Hearings on S. 1541, pp. 5-8, 74; U.S.C., 1958 ed., title 12, sec. 1715d.

40. Hearings on H.R. 6091, pp. 56, 58; U.S.C., 1958 ed., title 23, sec. 103.

41. ADT, May 11, 1959; Hearings on H.R. 6091, pp. 79-80.

42. Alaska, Session Laws, 1959, pp. 89-104.

43. ADT, April 21, 28, May 11, 1959.

44. FDNM, June 30, 1958.

45. 86th Cong., 1st sess., H.R. 7120, May 14, 1959.

46. ADT, May 28, 1959; House, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 7: 9470, 9480, 9482-9484.

47. ADT, June 15, 1959.

48. Hearings on H.R. 6091, pp. 31, 63.

49. House, Congressional Record, 86th Cong., 1st sess.,

1959, 105, pt. 7: 9470, pt. 8: 10568; Senate, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 7: 9678-9679, pt. 8: 10594; 73 Stat. 154.

50. ADT, March 28, April 13, 1959; 86th Cong., 1st sess., H.J. Res. 329, March 26, 1959.

51. Senate, Congressional Record, 86th Cong., 1st sess., 1959, 105, pt. 11: 14429.

52. Sun (Baltimore), July 4, 1959.

53. Ibid.

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