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U.S. Congress. Senate. Committee  
on Conservation of National resources  
Seal fisheries of Alaska.



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SEAL FISHERIES OF ALASKA.

MARCH 23, 1910.—Ordered to be printed.

U.S.  
Mr. DIXON, from the Committee on Conservation of National Resources,  
submitted the following

REPORT.

[To accompany S. 7242.]

The Committee on Conservation of National Resources having had under consideration the bill (S. 7242) to protect the seal fisheries of Alaska, and for other purposes, beg leave to report the same with the recommendation that it pass with certain slight amendments.

After extensive hearings, covering every phase of the fur-seal question, your committee is of the unanimous opinion that unless legislation is had immediately the final extermination of the fur-seal in American waters will be an accomplished fact within the next two or three years. The present lease to the North American Commercial Company will expire April 30, 1910. The committee believes that the provisions of the present leasing law are mandatory, and unless remedial legislation is had before April 30 of this year the United States Government will be compelled, under the law, to execute a new lease, either to the present lessees or to some other company, and that with the execution of such lease the final chapter in the history of the fur-seal will have been written. The committee feels that the present situation is a critical one and can not too strongly urge the necessity for immediate action. The climatic conditions existing in these Alaskan waters make the Pribilof Islands the natural home of the fur seal. They are situated about 2,000 miles from Seattle by the most direct route, and are isolated from other land, the nearest point to the south being Unalaska Island, at a distance of 214 miles. The islands constituting the Pribilof group, which are of volcanic origin, are five in number.

St. Paul and St. George islands are the only ones of importance, the others being small islets and uninhabited. Following the discovery of these islands, settlements were at once made thereon by the Russians. The killing of the fur seal by the Russians from the year 1786 until 1835 reduced the fur-seal herd to a little in excess of 4,000. In 1835 a closed season of ten years was established. This resulted in

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a gradual rehabilitation of the Pribilof seal herd. From 1850 until these islands were acquired by the United States, the killing of the male seals only was permitted under strict regulations of the Russian Government, with the result that at the time of our acquisition of these islands in 1867 it was estimated that there were about 4,000,000 fur seals on the Pribilof Islands. In 1870 the United States adopted the leasing system in regard to the fur seal. During the twenty-year period of the first lease, in 1870, 100,000 young male seals were killed annually. It was estimated that so late as 1885 the fur-seal herd approximated about 2,000,000 animals. In 1905 the number had been reduced to about 200,000. The estimate of the present number of seals on these islands varies from 30,000 to 140,000. Last season the catch of male seals on these islands under the lease expiring April 30 was a little in excess of 14,000 male seals.

#### THE FUR SEAL AS A REVENUE PRODUCER.

It is estimated by the government officials that the revenue to the United States Government from 1870 to 1890 from the fur-seal industry turned into the Treasury an income of \$5,981,036.50. Since 1890, under the present leasing system and the rapid diminution of the seal herd, owing to the catch on land and to pelagic sealing, the Government has probably paid out for patrolling the waters, in the pay of its agents and in the maintenance of the natives who live on these islands, more than \$1,000,000 in excess of the revenue formerly derived from this industry. Your committee is of the opinion that if a closed season could be established for the islands themselves and pelagic sealing could be prohibited for a period of ten years that the Pribilof Islands and the American seal herd on the Pribilof Islands could be so rehabilitated that, under proper regulations, not less than 100,000 seal skins annually could be taken that would yield the Government not less than \$1,000,000 in revenue yearly.

The President of the United States being impressed with the urgent necessity of legislation along the lines set forth in the bill under discussion saw fit on the 15th of this month to transmit to the Congress a special message regarding the critical condition of the fur-seal industry, which is made a part of this report and marked "Exhibit A."

The purpose of the present bill is to radically and completely change the policy heretofore pursued with regard to the fur seal. Under the policy now in existence this herd has diminished from 4,500,000 in 1867, to probably about 60,000 at the present time. Instead of the leasing system heretofore provided for, the present bill proposes to put the control of the seals wholly within the jurisdiction of the Secretary of Commerce and Labor, giving him the right to establish closed seasons if he sees fit to do so, and giving him the right to kill such of the male seals as the experience of the past thirty years seems to justify. The bill prohibits pelagic sealing by American citizens absolutely north of the thirty-fifth parallel of latitude. The North American Commercial Company, whose lease expires April 30, has certain equipment on these islands that the Government may find it convenient to purchase, and provision is made in the bill to give the Secretary of Commerce and Labor the right at his discretion to purchase such of the equipment as, in his judgment, he may find it convenient and necessary for the use of the Government in the future.

There is now on the Pribilof Islands a colony of Aleuts, transported to these islands from the mainland and the adjoining islands, who have heretofore and are now utilized in connection with the taking of the fur seal. They are wholly dependent, temporarily, at least, on this Government for their support and maintenance. It is estimated that they number about 300 persons.

#### PELAGIC SEALING.

The greatest evil at this time arises from what is called pelagic sealing. The fur seals being migratory in their habits, they spend about four months of each year, July, August, September, and October, on the Pribilof Islands, during which time the females give birth to their young. During the remaining eight months of the year the seals take their annual migration, the route in general leading southwesterly from the Pribilof Islands and extending southward as far as San Francisco, the farthest point south being reached about the month of January, when the course of their migration turns again northward along the western coast of Alaska, ending at the Pribilof Islands some time in the month of July. It is estimated at the present time that the pelagic sealing fleet contains about 30 vessels, manned by about 1,200 men and using about 300 boats. The pelagic sealing fleet follows the route of the seals during their migration, killing them at sea in great numbers. The greatest killing, however, is done around the islands and close along the Pacific coast, from San Francisco up to Prince William Sound. During the breeding season, from July to October, the mother seals are obliged to leave the islands to go off shore from 60 to 100 miles in search of food. As soon as the mother seals leave the islands and get beyond the international jurisdictional limit the pelagic sealers kill them indiscriminately. The mother seal is obliged to run the gauntlet of this sealing fleet. The destruction of the mother seal means the starvation of the offspring on shore. During one season not less than 30,000 dead seal pups were counted on the Pribilof Islands whose mothers had been killed at sea by the pelagic sealers.

#### PREVIOUS ATTEMPTS AT LEGISLATION TO PROTECT FUR SEALS.

The committee feels that it would not be amiss to call attention to the fact that heretofore efforts have been made to enact new legislation that would in some way prevent the total extermination of the fur seal. In 1896, the Hon. Nelson Dingley introduced H. R. 3206 looking to the protection of the fur seal. After full debate it passed the House of Representatives unanimously on February 25. It was favorably reported by Senator Frye on March 4 and made a special order for March 11, but under urgent representation that "treaty negotiations had been reopened," the bill did not pass the Senate.

On February 2, 1903, the House of Representatives passed H. R. 13387, but on February 12 of that year the bill failed of passage in the Senate, owing to representations made that the bill would not be needed as the fur-seal question was about to be settled by treaty negotiations.

In 1903, a special subcommittee of Senators, consisting of Senators Dillingham, Nelson, Burnham, and Patterson, visited the Pribilof Islands and made an exhaustive report regarding the need of immediate legislation on the part of Congress. At the following session of Congress Senator Dillingham introduced a bill providing for a closed

season, but the bill never received the favorable consideration of Congress.

In conclusion, the committee would say that the present bill receives the complete approval of the Secretary of Commerce and Labor and the Secretary of State, the Secretary of Commerce and Labor having appeared before the committee and urging the necessity for immediate legislation. The bill was also referred to the Secretary of State, and has his approval.

In order that a full comparison may be had of the provisions of the present proposed law with the laws now in existence relative to the fur seal, we have appended hereto, marked "Exhibit B," the sections of the present law as amended by the present bill; also the sections proposed to be repealed relative to the leasing of fur-seal privileges.

The committee recommends the following amendments to the bill:

On page 2, line 12, strike out all after the word "States," in said section.

On page 7, line 2, strike out all of said line after the word "islands;" also all of line 3, and the words "thereof and their heirs," in line 4.

At the end of the bill, section 10, strike out the period in line 25 and insert in lieu thereof a semicolon, and add the following: "and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred and fifty thousand dollars, for carrying into effect the provisions of this act."

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#### EXHIBIT A.

[Senate Document No. 430, Sixty-first Congress, second session.]

#### *To the Senate and House of Representatives:*

By the terms of section 1963, United States Revised Statutes, the Secretary of Commerce and Labor is directed, at the expiration of the lease which gives the North American Commercial Company the right to engage in taking fur seals on the islands of St. Paul and St. George, to enter into a new lease covering the same purpose for a period of twenty years. The present lease will expire on the 30th of April, 1910, and it is important to determine whether or not changed conditions call for a modification of the policy which has so far been followed.

The Secretary of State and the Secretary of Commerce and Labor unite in recommending a radical change of this policy. It appears that the seal herds on the islands named have been reduced to such an extent that their early extinction must be looked for unless measures for their preservation be adopted. A herd numbering 375,000 twelve years ago is now reduced to 134,000, and it is estimated that the breeding seals have been reduced in the same period of time from 130,000 to 56,000. The rapid depletion of these herds is undoubtedly to be ascribed to the practice of pelagic sealing, which prevails in spite of the constant and earnest efforts on the part of this Government to have it discontinued.

The policy which the United States has adopted with respect to the killing of seals on the islands is not believed to have had a substantial effect upon the reduction of the herd. But the discontinuance of this policy is recommended in order that the United States may be free to deal with the general question in its negotiations with foreign countries. To that end it is recommended that the leasing system be abandoned for the present, and that the Government take over entire control of the islands, including the inhabitants and the seal herds. The objection which has heretofore been made to this policy, upon the ground that the Government would engage in private business, has been deprived of practical force. The herds have been reduced to such an extent that the question of profit has become a mere incident, and the controlling question has become one of conservation.

It is recommended, therefore, that the provision for a renewal of the lease be repealed, and that instead a law be enacted to authorize the Department of Commerce and Labor to take charge of the islands, with authority to protect the inhabitants substantially as has been done in the past, and to control the seal herds as far as present conditions admit of, pending negotiations with foreign countries looking

to the discontinuance of pelagic sealing. If this result can be obtained, as is confidently believed, there is every prospect that the seal herds will not only be preserved but will increase, so as to make them a source of permanent income.

A draft of a bill covering this matter has been prepared by the Secretary of Commerce and Labor, and upon request will be submitted to the appropriate committees.

WM. H. TAFT.

THE WHITE HOUSE, *March 15, 1910.*

## EXHIBIT B.

### SECTIONS AMENDED.

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory, or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than two hundred nor more than one thousand dollars, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo found engaged in violation of this section shall be forfeited; but the Secretary of Commerce and Labor shall have power to authorize the killing of any such mink, marten, sable, fur seal, or other fur-bearing animal under such regulation as he may prescribe; and it shall be the duty of the Secretary of Commerce and Labor to prevent the killing of any fur seal except as authorized by law, and to provide for the execution of the provisions of this section until it is otherwise provided by law.

The Pribilof Islands, including the islands of Saint Paul and Saint George, Walrus and Otter islands, and Sea Lion Rock, in Alaska, are declared a special reservation for government purposes; and until otherwise provided by law it shall be unlawful for any person to land or remain on any of those islands, except through stress of weather or like unavoidable cause or by the authority of the Secretary of Commerce and Labor; and any person found on any of those islands contrary to the provisions hereof shall be summarily removed, and shall be deemed guilty of a misdemeanor punishable by fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both fine and imprisonment; and it shall be the duty of the Secretary of Commerce and Labor to carry this section into effect.

It shall be unlawful to kill any fur seal upon the Pribilof Islands or in the waters adjacent thereto, except under the authority of the Secretary of Commerce and Labor, and it shall be unlawful to kill such seals at any time by the use of firearms, or by other means tending to drive the seals away from those islands; but the natives of the islands shall have the privilege of killing such young seals as may be necessary for their own food and clothing, and also such old seals as may be required for their own clothing and for the manufacture of boats for their own use; and the killing in such cases shall be limited and controlled by such regulations as may be prescribed by the Secretary of Commerce and Labor.

It shall be unlawful to kill any female seal, or any seal less than one year old, at any season of the year, except as above provided; and it shall also be unlawful to kill any seal in the waters adjacent to the Pribilof Islands, or on the beaches, cliffs, or rocks where they haul up from the sea to remain; and every person who violates the provisions of this or the preceding section shall be punished for each offense by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment not more than six months, or by both such fine and imprisonment; and all vessels, their tackle, apparel, and furniture, whose crews are found engaged in the violation of either this or the preceding section, shall be forfeited to the United States.

No citizen of the United States, nor person owing duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or hunt, at any time or in any manner whatever, any fur seal in the waters of the Pacific Ocean, including Bering Sea and the sea of Okhotsk, whether in the territorial waters of the United States or in the open sea.

### SECTIONS REPEALED.

When the lease heretofore made by the Secretary of the Treasury to "The Alaska Commercial Company," of the right to engage in taking fur-seals on the islands of Saint Paul and Saint George, pursuant to the act of July one, one thousand eight hundred and seventy, chapter one hundred and eighty-nine [R. S. 1957, 1960-1971,

5293], or when any future similar lease expires, or is surrendered, forfeited, or terminated, the Secretary of Commerce and Labor shall lease to proper and responsible parties, for the best advantage of the United States, having due regard to the interests of the Government, the native inhabitants, their comfort, maintenance, and education, as well as to the interests of the parties heretofore engaged in trade and the protection of the fisheries, the right of taking fur-seals on the islands herein named, and of sending a vessel or vessels to the islands for the skins of such seals, for the term of twenty years, at an annual rental of not less than fifty thousand dollars, to be reserved in such lease and secured by a deposit of United States bonds to that amount; and every such lease shall be duly executed in duplicate, and shall not be transferable.

The Secretary of Commerce and Labor shall take from the lessees of such islands in all cases a bond, with securities, in a sum not less than five hundred thousand dollars, conditioned for the faithful observance of all the laws and requirements of Congress, and the regulations of the Secretary of Commerce and Labor, touching the taking of fur-seals and the disposing of the same, and for the payment of all taxes and dues accruing to the United States connected therewith.

No persons other than American citizens shall be permitted, by lease or otherwise, to occupy the islands of Saint Paul and Saint George, or either of them, for the purpose of taking the skins of fur-seals therefrom, nor shall any foreign vessels be engaged in taking such skins; and the Secretary of Commerce and Labor shall vacate and declare any lease forfeited if the same be held or operated for the use, benefit, or advantage, directly or indirectly, of any persons other than American citizens.

Every lease shall contain a covenant on the part of the lessee that he will not keep, sell, furnish, give, or dispose of any distilled spirits or spirituous liquors on either of those islands to any of the natives thereof, such person not being a physician and furnishing the same for use as medicine; and every revenue officer, officially acting as such, on either of the islands, shall seize and destroy any distilled or spirituous liquors found thereon; but such officer shall make detailed reports of his doings in that matter to the collector of the port.

Every person who kills any fur-seal on either of those islands, or in the waters adjacent thereto, without authority of the lessees thereof, and every person who molests, disturbs, or interferes with the lessees, or either of them, or their agents or employes, in the lawful prosecution of their business, under the provisions of this chapter, shall for each offense be punished as prescribed in section nineteen hundred and sixty-one; and all vessels, their tackle, apparel, appurtenances, and cargo, whose crews are found engaged in any violation of the provisions of sections nineteen hundred and sixty-five to nineteen hundred and sixty-eight, inclusive, shall be forfeited to the United States.

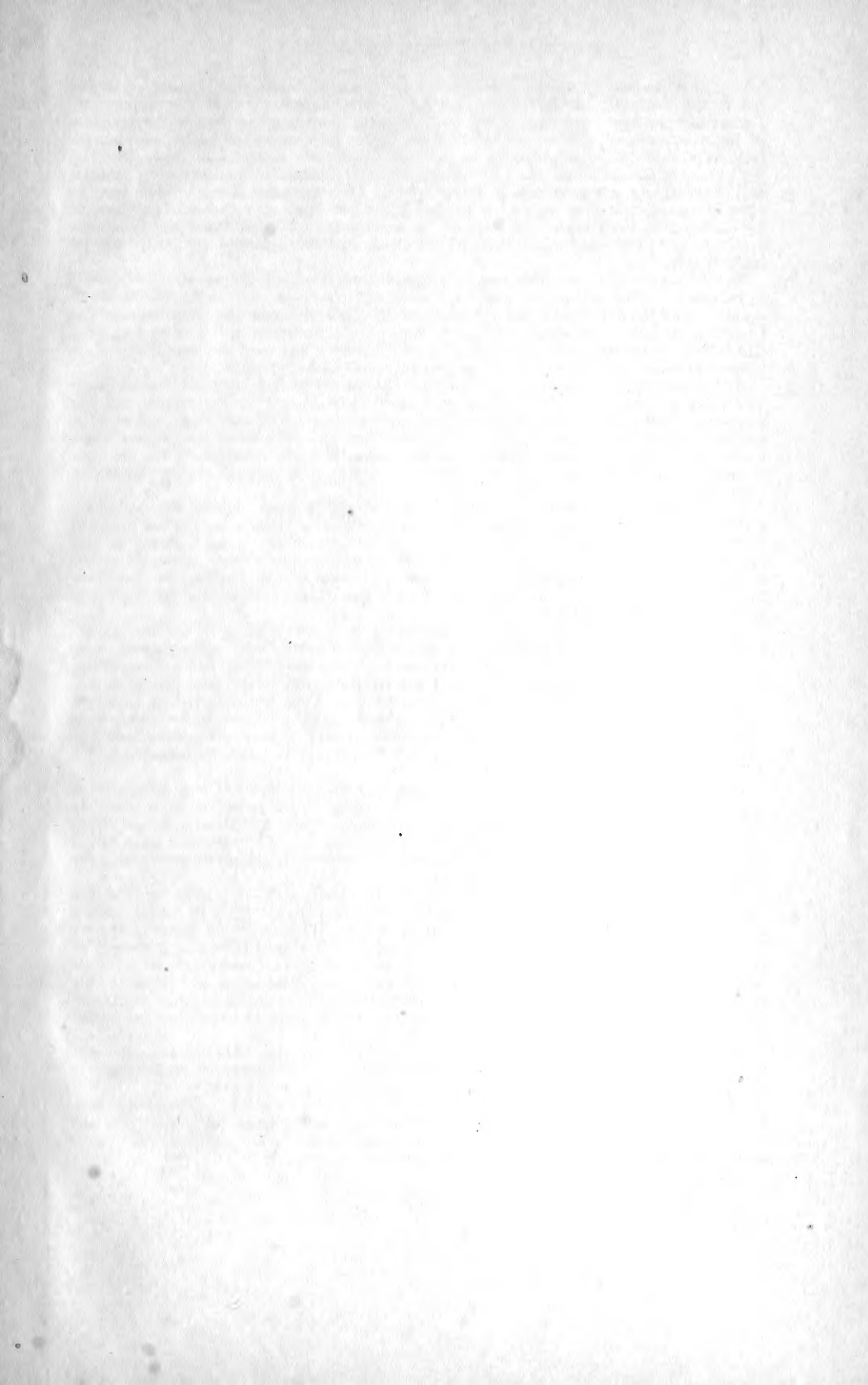
If any person or company, under any lease herein authorized, knowingly kills or permits to be killed, any number of seals exceeding the number for each island in this chapter prescribed, such person or company shall, in addition to the penalties and forfeitures herein provided, forfeit the whole number of the skins of seals killed in that year, or, in case the same have been disposed of, then such person or company shall forfeit the value of the same.

In addition to the annual rental required to be reserved in every lease, as provided in section nineteen hundred and sixty-three, a revenue tax or duty of two dollars is laid upon each fur-seal skin taken and shipped from the islands of Saint Paul and Saint George, during the continuance of any lease, to be paid into the Treasury of the United States; and the Secretary of Commerce and Labor is empowered to make all needful regulations for the collection and payment of the same, and to secure the comfort, maintenance, education, and protection of the natives of those islands, and also to carry into full effect all the provisions of this chapter except as otherwise prescribed.

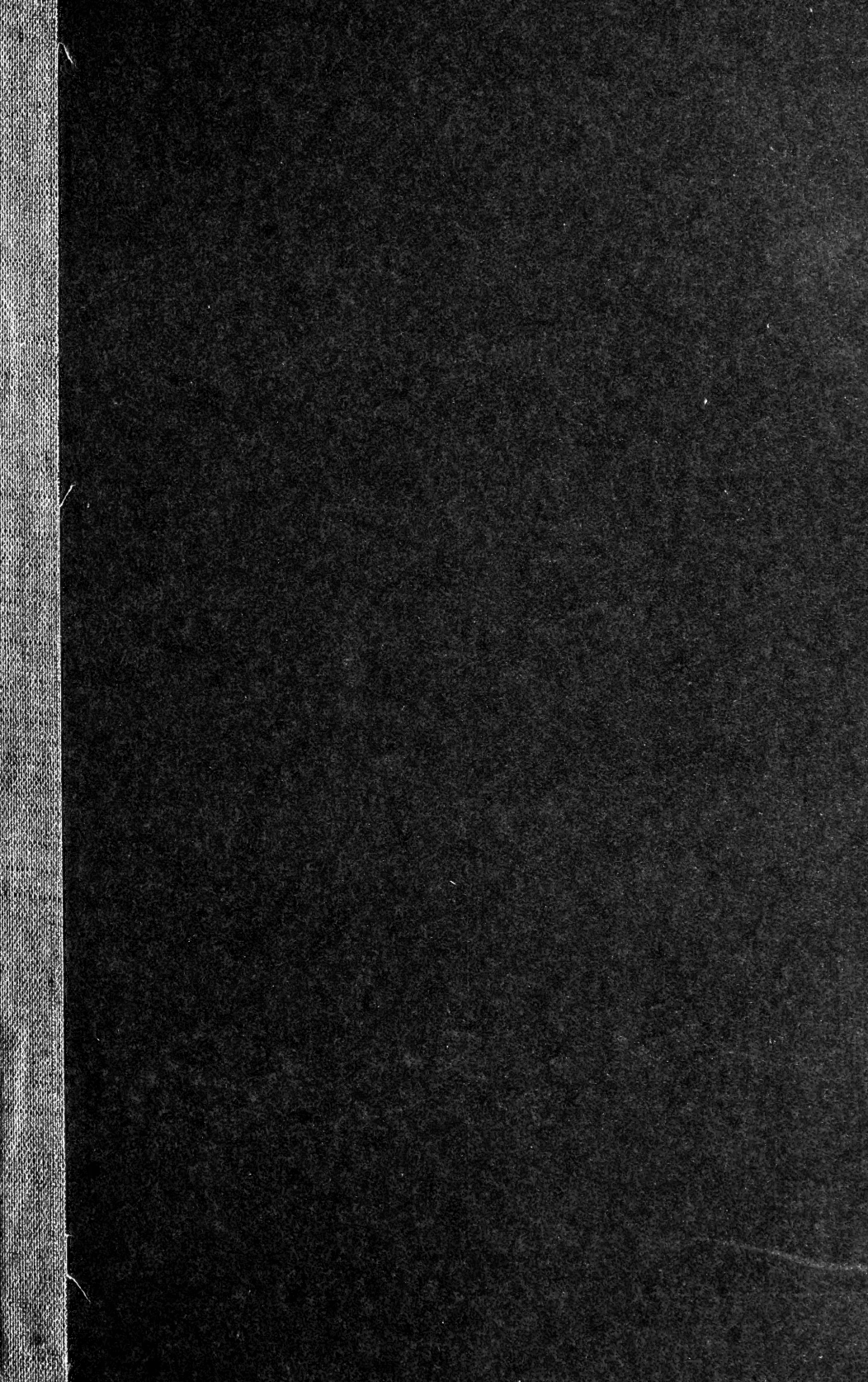
The Secretary of Commerce and Labor may terminate any lease given to any person, company, or corporation on full and satisfactory proof of the violation of any of the provisions of this chapter or the regulations established by him.

The lessees shall furnish to the several masters of vessels employed by them certified copies of the lease held by them respectively, which shall be presented to the government revenue-officer for the time being who may be in charge at the islands as the authority of the party for landing and taking skins.









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