

matter of securing adequate revenue for the support of its public schools and other educational institutions;

And the Legislature of the Territory of Alaska does respectfully represent that the young men and women of Alaska are in the same need of vocational education as those of any State of the Union, and that the Territory of Alaska is deserving of the same consideration at the hands of Congress as the States of the Union; and

WHEREAS, in support of the war with Germany the Territory of Alaska—

1. Exceeded her quota of subscription to Liberty Bonds in greater proportion than any State of the Union;

2. Led all the States of the Union in exceeding her quota of subscription to the American Red Cross; and

3. Has furnished more young men for service in the war in proportion to her population than any State of the Union, twelve per cent of her population having enlisted or been drafted into the service;

NOW, THEREFORE, your petitioners pray that Congress extend the provisions of the Act of Congress of February 23, 1917, known as the Smith-Hughes Act, to the Territory of Alaska, and that in all future legislation in aid of the support of education in the States, the Territory of Alaska be given the same consideration as the States of the Union.

And your memorialists will ever pray.

Passed the House April 24, 1919.

Passed the Senate April 30, 1919.

HOUSE JOINT MEMORIAL NO. 18

TO THE PRESIDENT AND CONGRESS OF THE UNITED STATES:

Your memorialist, the Legislature of the Territory of Alaska, respectfully represents:

1. That the law providing for the location and sale of oil and gas bearing lands in the Territory of Alaska was abrogated by executive order issued on November 3rd, 1910, withdrawing all the oil lands in the Territory from location and sale, and there has been no law in effect on that subject since then.

2. That there are large areas of oil and gas bearing lands in various localities in the Territory, but that it all belongs to the Public Domain of the United States, except

one single claim of 151 acres, which was patented before the law was abrogated.

3. That the principal industries of the Territory, such as fishing, mining and transportation, depend largely on oil for fuel and power there being little coal produced commercially in the Territory. About thirty million gallons of petroleum products are consumed in Alaska annually, all of which is imported from California except a very small quantity produced from the one patented claim heretofore mentioned.

4. That the effect of said withdrawal order was to destroy the oil industry in its infancy causing the loss of hundreds of thousands of dollars, which had theretofore been expended in development work or work preliminary thereto, and bankrupting those engaged in the business. The failure of Congress to pass any new law on the subject has prohibited the development of an oil supply in this Territory for more than eight years.

5. Your memorialist respectfully submits that the order of withdrawal of November 3rd, 1910, went entirely beyond the authority of the Act of Congress, authorizing withdrawals in the following particulars:

"A" The law did not contemplate the withdrawals of all the oil lands in any State or Territory, but only limited areas for specific purposes. The order withdrew the entire area of oil lands in Alaska, thus sweeping away the general law and destroying the industry. Similar orders issued in the States withdrew limited areas only and did not destroy the industry, because sufficient land had already been patented and the business well established there.

"B" The Act authorized only temporary withdrawals while the order has been in effect more than eight years.

"C" The order declares the Alaska oil lands were withdrawn "in aid of legislation." The Act does not authorize withdrawals for any such purpose.

"D" The order declares the Alaska oil lands were withdrawn for classification, but there has been no classification of the lands nor any pretense of any.

6. For purposes of comparison, the Act authorizing

withdrawal, and the order of November 3rd, 1910, is here set forth:

THE LAW

That the President may, at any time in his discretion, temporarily withdraw from settlement, location, sale or entry, any of the public lands of the United States, including the District of Alaska, and reserve the same for water-power sites, irrigation, classification of lands, or other public purposes to be specified in the orders of withdrawals, such withdrawals or reservations shall remain in force until revoked by him or by an Act of Congress.

THE ORDER

It is hereby ordered that all of the public lands and lands in national forests in the District of Alaska containing petroleum deposits be, and the same are hereby, withdrawn from settlement, location, sale or entry and reserved for classification and in aid of legislation affecting the use and disposal of petroleum lands belonging to the United States.

7. The withdrawal order was prepared without public debate or discussion or any of the constitutional safeguards of the law making power. It was issued and put into effect without notice to the people of Alaska and without an opportunity to be heard by those affected by it.

8. It is well known that the real purpose of the order was not "for classification" but was intended to give Congress an opportunity to substitute a leasing system for oil lands in place of the existing law for the location and sale thereof.

Your memorialist respectfully submits that if a leasing system was to be established, the leasing law should have been enacted within a reasonable time after the other law was suspended, so that the Territory should not be without any law on the subject and its development held up as it has been for more than eight years.

WHEREFORE, your memorialist respectfully but earnestly prays that the withdrawal order of November 3rd, 1910, be vacated, and that the public law relating to the location and sale of oil lands in Alaska be administered and enforced according to its terms, until repealed or modified by an Act of Congress.