

House Joint Memorials

HOUSE JOINT MEMORIAL NO. 1.

TO THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES:

Your memorialists, the Senate and House of Representatives of the Legislature of Alaska, respectfully present:

That we deplore the indiscriminate creation of fish reserves in the Territory of Alaska and consider the same not only unjustifiable but inexcusable. We know them to entail numerous evils, which are more than a loyal and self-respecting people should be expected to bear uncomplainingly.

We have been taught to believe, and we do believe, that all the law-making power of the Federal Government has been by the Constitution confided to Congress.

The creation of fish reserves in Alaska is for the avowed purpose of suspending the laws enacted by Congress and to substitute others made by a Bureau. We regard this as a vicious infraction of the fundamental law of the land.

It is astounding for patriotic citizens of a republic to contemplate that, whenever the executive department is dissatisfied with the laws enacted by the legislative branch of government or with the failure of the latter to amend those laws in such manner as the former may desire, any executive may authorize some officer to substitute arbitrary rules of conduct in place of statutes enacted under constitutional powers.

A government of a reserve is essentially a government by men instead of by law and places the individual fortunes at the mercy of official whim. Irrespective of the good intentions of present officials, the privileges upon a reserve must, in the very nature of things, go to those who maintain the strongest lobby. It cannot be presumed that before the Bureau of Fisheries, any more than before a tribunal primarily created to administer justice, a claimant who can neither appear in person nor by counsel can possibly have an even chance with one who is constantly represented by men specially skilled in presenting facts.

The people of Alaska crave that equal opportunity in the pursuit of happiness and that equal protection of the laws

vouchsafed by the Constitution which they have been taught to respect.

To remove from the entire fishing population of Alaska all those constitutional and statutory protections for equal opportunities is such a violent departure from sound, governmental principles that we can view the new system with only the greatest apprehension and as an unnecessary affront to the people of this Territory.

Your memorialists beg to submit that there is no elective official authorized to speak for the people of the Territory of Alaska, except the members of this legislature and the Delegate to Congress from this Territory.

WHEREFORE, your memorialists respectfully urge that no further Fish Reserves be created in Alaska, and that those which have already been created be immediately abolished, and that the Territorial Legislature of the Territory of Alaska be granted full power and authority to manage and control its fisheries.

And your memorialists will ever pray.

Passed by the House, March 24, 1923.

Passed by the Senate, April 6, 1923.

HOUSE JOINT MEMORIAL NO. 2.

TO THE HONORABLE THE SECRETARY OF WAR, THE CHIEF OF ENGINEERS, AND THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS OF THE UNITED STATES:

Your memorialists, the Senate and House of Representatives of the Territory of Alaska, do respectfully submit the following for your consideration:

That the Act of Congress approved September 22, 1922 authorized a preliminary examination and survey of the Yukon-Kuskokwim Portage, Alaska, with a view to its improvement;

That the Yukon River, which is navigable for over 2,500 miles, and the Kuskokwim River, which is navigable for over 800 miles, though they discharge into Bering Sea at points separated by about 400 miles, are separated about 200 miles from their mouths by a distance of only about 30 miles;

That there are two routes across this intervening portage regularly used by canoes and poling boats, but that no survey has ever been made nor is sufficient data available from which