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THE  
JOURNAL OF THE HOUSE  
of  
REPRESENTATIVES  
of the  
Third Legislative Assembly  
of the  
TERRITORY OF ALASKA

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Held at  
JUNEAU  
The Capital of Alaska  
BEGINNING MARCH 5, 1917  
AND ENDING MAY 3.  
1917.

On suggestion of Mr. Snow, the resolution will remain in possession of the Clerk until permanent organization of the Senate.

#### HOUSE RESOLUTION NO. 5

BY MR. SNOW

"BE IT RESOLVED, by the House of Representatives of the Territory of Alaska, that three copies of all Bills, Resolutions, Memorials, Daily Journal and other matters of public interest introduced in the House of Representatives shall be placed on the Press Table for the use of the representatives of the Press at the same time that copies are distributed to the members."

Mr. Burns moved the adoption of the resolution.

Mr. Allan seconded the motion.

Motion carried, and resolution adopted.

Mr. Burns moved the House adjourn to meet at 2 P. M. Monday, March 12th.

Mr. Nerland seconded the motion. Motion carried.

A. H. ZIEGLER

LUTHER C. HESS

Chief Clerk of the House

Speaker of the House

### EIGHTH DAY

House of Representatives,  
Juneau, Alaska, March 12, 1917.

The House was called to order by Speaker Hess at 2:00 P. M. pursuant to adjournment.

Roll call showed all present.

Prayer was offered by Chaplain Condit.

Reading of Journal for previous day deferred until after hearing the Governor's message.

The Chair announced that Governor J. F. A. Strong was present and ready to deliver his message.

Governor Strong prefaced the reading of his message with the statement that the message, like every message to a legislature of two Houses, was addressed to the Senate and House of Representatives but owing to the fact that the Senate had not perfected its organization, necessarily the message would be addressed to the House of Representatives.

#### MESSAGE OF THE GOVERNOR

To the Senate and House of Representatives of the  
Third Legislative Assembly:

Following an established custom, a duty devolves upon me as Governor to address you upon the conduct of the business of the Territorial government and, incidentally, other matters of more or less interest to the Territory which have arisen during the past two years; and in discharging this duty I shall endeavor to be fair and explicit in such statements as I may make, to the end that at least some thoughts that may be developed, or suggestions that may

be offered, will assist you in the work which you are called upon to perform in behalf of the people of the Territory.

A spirit of unrest and uncertainty disturbs the world; a cataclysm, the like of which is unknown to history, ancient or modern, is disrupting Europe and threatening the very foundations of civilization; economic and industrial conditions have been rocked to their center by the red rage of war, and our own nation has not been unaffected by the abnormal conditions that have been eventuated, and at any time our people may be called upon to exemplify their patriotism by their deeds. In the international crisis that is brooding over us it will be well to take stock of ourselves so as to be fully prepared for any emergency that may confront this great democracy. Lip service in such times as these does not suffice; he is the true patriot who is ever ready to sacrifice all that he has in the defense of his country and the institutions that have been the outgrowth of a government "of the people, by the people and for the people," and which, so long as its people are true to the ideals of its founders, shall not perish from the earth.

#### A FORTUNATE PEOPLE

We of Alaska are fortunate in that we are far removed from the scenes of the conflict in war-mad Europe, although we have not been unaffected by it. It is true, beyond doubt, that there is no country on earth that has not in some way suffered, directly or indirectly, because of the unsettled conditions that have developed through a war conflict for which its people are in so wise responsible.

#### DEVELOPMENT RETARDED

The development of Alaska during the past two years has been checked along some lines because of abnormal conditions thus created, while along other lines and in other ways its development has been accentuated to a remarkable degree. For instance, Alaska has forged to the front as a producer of copper, the value of its fisheries production has increased, while at the same time its production of gold has showed no great advance. Alaska, however, has set a new record in the volume of its trade and commerce, which, during the past year, was the greatest in its history. This is a matter of profound gratification and seems to foreshadow the entering of the Territory upon an era of great growth, development and consequent prosperity that will continue indefinitely.

#### FEW LEGISLATIVE NEEDS

A review of the needs of the Territory from a legislative standpoint convinces me that there is no demand for the enactment of a multiplicity of laws. I believe it to be a fact that the United States and the various states and territories are now so overburdened with law, and much of it useless, that it amounts to a

national handicap; and, in my opinion, the members of the Alaska Legislature can render no greater service to the Territory than by holding down new law to actual necessities. Much legislation that might be termed revolutionary has been enacted in the various states during the past two years. Some of the radical changes in policy have not yet been fully tried out. But these years have been years of readjustment and of experiment with the conditions of new legislation, and we are not far enough along in many of our experiments to determine as yet what further changes should be made. The drafting and introduction, by scores or hundreds, of bills for new laws designed to change, amend or repeal existing law that is still in the experimental stage should be avoided. The need for a little breathing time seems indicated, with an opportunity for the people to catch up with legislation and ascertain their needs more accurately. Legislators, and especially young legislators, should rid themselves of the impression that they must fasten some new law upon the people to fully serve them. Very often the ill a legislator does in this respect lives long after him. Legislators, therefore, it is respectfully submitted, should exercise all the intelligence that they have in order to study the Territory's needs, and such judgment as may be utilized in voting intelligently will earn the public gratitude, even if they add very few new laws to the bulk that now retards the activities of the people of many of the States of the Union.

#### TO PERFECT EXISTING LAWS

It will, however, be found necessary to make more perfect some of these laws now on our statute books, and this should be done rather than adding materially to the number; and only such laws should be enacted as have some real purpose to subservise. It seems to me that if legislative bodies, instead of spending the people's time and money in needless discussions and in seeking for partisan or personal advantage, would, through their laws, and by precept and example, teach the people to avoid exaggeration and violent speech and to cultivate moderate and rational modes of expression, they would do a real work and add to the beauties of a free and enlightened citizenship. Effort should be made to resist the tendency to demoralize democracy and substitute the mob mind for the deliberative habit. To hold the popular judgment firmly to the truth that character and manhood, not money and popularity, are the central virtues of human existence, and are, therefore, an absolute prerequisite to permanency of the nation and the upbuilding of citizenship, is a work which should appeal to all lawmakers in an age wherein even the blind should see that the old order changes and gives place to the new; and, therefore, such laws as may be enacted by you should be pro-

gressive in aim and such as will be suited to a new country just entering upon an important era of development.

Laws are intended for the government of mankind, and it has been truly said that that country is best governed which is least governed; that is to say that a country's lot is by far the happier one which has the fewest laws for the guidance of its people, if these laws be fairly and faithfully observed.

#### LAWS OF 1915 SESSION

The laws enacted by the Second Legislature have been fairly satisfactory, so far as their provisions have been applied. The laws passed relating to the white schools in the Territory at the session of 1915, did not become effective, due to an opinion of the Solicitor for the Department of the Interior that the control of these schools, under the organic act, was vested in the Congress. I am pleased to advise you, however, that on March second instant, Congress passed a bill empowering the Legislature of Alaska to establish and maintain schools for white and colored children and children of mixed blood, who lead a civilized life in the Territory, and to make appropriations of Territorial funds for that purpose, and all laws in conflict with such act are, to that extent, repealed. The passage of this law will, therefore, in my judgment, enable the Legislature to enact a school law suitable to the growing needs and requirements of the Territory, as well as to make such appropriations for the maintenance of the schools as may be found necessary.

#### SCHOOLS A CORNERSTONE

I need not point out to you the necessity of good schools for the children who are growing up in the Territory and upon whom will devolve its government in the years to come. They must be educated in order to be fully equipped for the battle of life and to develop the best citizenship; and, furthermore, it is an axiom that it is the duty of the state to educate the children of the state.

The passage of a prohibitory law by Congress, to become effective January 1, 1918, in accordance with the terms of a referendum submitted to the people at the general election of November 7 last, will deprive the incorporated towns of the Territory of an important source of revenue hitherto used for school and municipal purposes. I believe it to be the duty of the Legislature to enact such legislation as will enable appropriations to be made from the Territorial treasury toward the maintenance of schools within incorporated towns. This legislation should be carefully thought out so as to be as equitable as is possible. The white schools outside of incorporated towns may also need some aid

from the Territory and later in the session I shall make this matter a subject of another communication to your honorable body, should it be found necessary, to do so.

#### ELECTION LAWS INSUFFICIENT

Chapter 25, Session Laws of Alaska, 1915, "An Act to provide official ballots for elections in the Territory of Alaska," should either be amended in many important particulars, or repealed, and a new law enacted in its stead. I am doubtful if the law, as it now stands, is valid, and in any event, a law better suited to the needs and requirements of a Territory such as Alaska, is an imperative necessity, in my opinion. I scarcely need point out to you that the conditions obtaining in Alaska are much different from those existing in any of the States or Territories, and a law governing elections should be at once sound and yet elastic enough to suit the various and varying conditions of all sections of the Territory, due regard being taken for those conditions which surround and affect the remoter precincts. The Territorial election law, as it now stands, is so indefinite and uncertain in important particulars that a complete revision along comprehensive lines or its repeal and the substitution of a new law, if carefully drawn, will not only aid the safeguarding of the ballot, but should remove those doubts and difficulties in the canvass of votes that will perpetually arise unless adequate relief is given by the enactment of a law that is clear and specific in all its provisions.

#### THE PROHIBITORY LAW

At the election on November 7, 1916, the people of Alaska, in an unmistakable manner, endorsed the provisions of Chapter 7, Session Laws of Alaska, 1915, entitled "An Act to provide for an expression by the people of the Territory of Alaska, as to whether liquor shall be manufactured or sold in the Territory after the first day of January, 1918." and, following this expression, Congress promptly passed a prohibitory law which will become effective on January 1, 1918. The law provides that the Territorial Legislature may make such further provision for its enforcement as may be deemed expedient and if, in the judgment of the Legislature, this will be necessary, action to this end would be advisable. The endorsement of a prohibitory measure by the people was so emphatic that their action cannot be misconstrued, and the law, as soon as it shall take effect, should be strictly enforced.

#### GENERAL EIGHT-HOUR LAW

Chapter 58, Session Laws of Alaska, 1915, "providing for an expression, by the electors of the Territory of Alaska, whether they are in favor, or not in favor, of a general eight-hour law for all wage and salary earners in the Territory of Alaska," was also en-

dorsed by an overwhelming vote of the people, and it will be for the Legislature to give careful consideration to this important matter, and to take such action as will carry out the expressed mandate of the people.

#### AMENDMENTS TO LAWS

Chapter 27, Session Laws of Alaska, 1915, entitled "An Act creating road districts in Alaska, and for other purposes," has caused difficulty in carrying out some of its provisions, and consequent delay in payment of vouchers for work done and in securing necessary repairs to roads, etc. Section 5 of the act provides that all work performed under its provisions shall be by contract, and manifestly, to enforce this section has been, at times, practically impossible, as emergencies frequently arise where road repairs are immediately needed and delay means the impeding of travel and consequent loss. The law should be so amended as to permit the road commissioner to make oral emergency contracts, without notice, or employ labor in such cases, under the immediate supervision of the road commissioner.

It may also be found expedient to amend the laws relating to the practice of medicine and surgery, and the laws relating to the practice of dentistry, recommendations to this effect having been made by those boards in their annual reports.

The Territorial banking law passed by the First Legislature, contains a provision permitting the establishment of "branch banks," and I have to advise you that this provision, being vague and difficult of interpretation as to its actual meaning and scope, should be repealed. Under existing conditions, the branch banking system is not satisfactory, nor, in my opinion, is it necessary. It would be much better for all concerned, if the so-called "branch banks" were conducted under individual charters. This part of the Territorial banking system is discussed fully in the report of the Territorial Banking Board, which will be laid before you.

#### TERRITORIAL BANKING BOARD

There was one small bank failure during the biennium, but the depositors suffered no loss. The Territorial Banking Board has exercised as strict supervision over Territorial banks as was possible, and excellent results have been obtained. The Territorial banks, as a whole, have made substantial progress during the past two years, and the safe banking methods that have been followed speak well for the character of the men connected with our Territorial banks and the efficient supervision of the Territorial Banking Board and the examiners employed under its direction. The report of the banking board, showing in detail the conditions of the various banks of the Territory, under the supervision of the

Territorial Banking Board at the close of business on November 8, 1916, will be laid before you.

#### WORKMEN'S COMPENSATION LAW

I deem it my duty, at this time, to discuss briefly the so-called workmen's compensation or employers' liability laws. Laws of this kind, though known in some of the European countries, for a generation or more, are very new to the United States, although such a law has been enacted by the Federal Congress, and more than half of the states have some kind of workmen's compensation laws; and there are also some forms of industrial insurance. Chapter 71 of the Session Laws of Alaska, 1915, has met with both favor and criticism. It is quite probable that an entirely just and equitable law of this kind has never been formulated. It belongs to a class of experimental legislation which will take the experience of years to bring to a state of tolerable perfection. There can be no doubt that the principle is sound. It is in the equitable application of the principle that divergences of opinion arise, both on the part of the employer and employee. The Alaska law, moreover, relates solely to the measure and recovery of compensation to injured employees in the mining industry of the Territory. If, in your judgment, the present law should be amended and amplified. I have only to repeat the remarks made by me in discussing this subject in my message to the Second Legislature, when it was said that this entire subject must be judged in a spirit of fairness, with broad views of the dignity and importance of the laborer, aside from the labor that he performs, and also with a true conception of the rights of capital and its relations to industrial affairs. Each, to a great extent, is dependent upon the other, but we must never forget the human equation. Money is for the use and support of the man, not to rule him. It is merely a measure of value and those who have much of it should never be permitted to use it in such way as to control the man or the government established by him for his use and advancement.

#### DEPLETION OF SALMON FISHERIES

Although the fisheries of Alaska are under the direct control of the Federal government, they are an asset of great economic and industrial importance to the Territory; and hence I have thought it fit and proper to refer to them at this time. The proper and just conservation of our fisheries is a matter of vital importance to our people. The views entertained by myself as to the threatened depletion of the salmon and halibut fisheries, and especially of the former, are at direct variance with those of the United States Bureau of Fisheries, which service is charged with the administration of the laws and regulations for their protection, as well as the handling of problems, both scientific and economic

regarding these fisheries. The Bureau of Fisheries contends that the salmon fisheries are not in danger of depletion, and while the sincerity of the Bureau's attitude cannot be questioned any more than can its scientific knowledge, the depletion of fish is a matter that is not strictly confined to scientific determination or incomplete observation. The question has a practical as well as an economic side. In support of the contention that the salmon fisheries are being rapidly depleted, due to the rapid increase in canneries, improved fishing gear of various kinds and intensive fishing, I beg to refer, in this respect, to my annual report to the Secretary of the Interior for the fiscal year 1916, in part as follows:

"Salmon fisheries in Alaska, especially those of the Southeastern section, are being rapidly depleted, and probably a great deal more rapidly than the Bureau of Fisheries realizes. The few statistics available to the Bureau cannot show this growing scarcity of the salmon, and, in fact, may even be misleading to the extent of giving the impression of an increase. It is true that the statistics of the packs for a number of years past show, as a rule, an increase in the annual production of canned salmon, but as against this condition it must be borne in mind that there has been a substantial increase in the number of canneries, together with longer seasons of constant operation, and an increased amount of fishing gear operating. There has also been an enormous increase in the number of traps, both in actual numbers and in varieties of positions, coupled with increased efficiency in traps, as developed by years of experience in the observation of the courses of the fish, and corresponding correction in positions and shapes of traps. An increased number of seines of large size and efficiency, both of design and skill in handling, is to be noted, as well as an increase in the number of gill nets, a greater variety of places in which they are used, longer hours of use of these nets daily, often 24 hours, with longer seasons in which to use them. There has also been an increase in the miscellaneous kinds of gear and methods of obtaining salmon, such as hooking, dipping, fish wheels, etc." \* \* \* Added to all this is the remarkable increase in the number of men engaged in the capture of salmon; the vast increase and accumulation of knowledge and experience by cannery men and fishermen, which add to their efficiency, and, in short, every step in the development of Alaska has had its effect, either directly or indirectly, to increase the production of canned salmon. The Bureau of Fisheries has statistics showing the truth of some of these statements, but in others equally true, there is no data to be had. In the end the statistics will undoubtedly show the maximum capacity of production of salmon in Alaska, but it is feared that ere this is shown, the supply will have become so badly depleted that the industry will have been ruined before even the most drastic measures can recoup the loss and bring back the maximum production, if in fact it can ever be accomplished."

In view of the above statements, I have to recommend that

the Legislature take such action as may, in its wisdom, seem fit and proper, to the end that this threatened calamity be averted by securing if possible, through the Congress, more complete preservation of this fishery and the proper observation of laws and regulations for the protection of the fisheries, and their development and extension.

#### THE ALASKA INSANE

A matter of vital concern to the people of Alaska is the care of its insane persons. As your honorable body knows, insane patients of the Territory are under the direct control of the Federal government and are cared for under a contract entered into between the Sanitarium Company of Portland, Oregon, and the Secretary of the Interior, the appropriation for their maintenance for the fiscal year 1916 being \$70,000. In my several annual reports I have taken the ground that the insane of Alaska should be cared for in Alaska and that the Federal government should erect suitable buildings for that purpose. I need not enter into detailed reasons for this conclusion, as I believe they will be obvious to the great majority of Alaskans. Neither need I dwell upon the evils that inevitably surround the contract system of caring for insane persons, no matter with what fidelity the contract may be discharged. The proper care of defectives of all kinds should be a matter of grave concern to the state; and, while it is quite probable that the treatment accorded the insane of Alaska by the contractors will compare very favorably with that accorded persons in other similar institutions, the fact does not relieve the government of the responsibility of providing a modern, well-equipped institution in the Territory, where its insane can be properly maintained. The number of insane under treatment on December 31, 1916, was 211, of which 184 were males and 27 females.

Your attention is, therefore, invited to this matter, and I trust that you will do what you can to induce the Federal government to establish a Territorial hospital for the care of the insane.

#### THE ALASKA PIONEERS' HOME

The number of inmates in the Alaska Pioneers' Home, at Sitka, established by an act of the Territorial Legislature in 1913, has steadily increased during the biennium, there being now 72 inmates in the Home. As a result, the cost of maintenance has materially increased. Additional hospital and other facilities were added last year, as there are a number of inmates who require constant hospital and medical attention. The report of the Board of Trustees of the Home, together with the report of the superintendent, will be transmitted to you in due course.

As supplementing the objects for which the Pioneers' Home was established, the Second Legislature passed a law "To provide

allowances for certain aged residents of Alaska, and for other purposes," the maximum allowance being \$12.50 per month. The number of persons receiving allowances on January 1 last was 109. This law should be amended in several particulars so as to eliminate, as far as possible, the occurrence of fraud, which, at all times in the pension history of the United States has been more or less prevalent. An amendment that may be suggested is the requiring of a medical examination by a qualified physician, so as to determine the degree of physical disability of the applicant for an allowance, and more complete verifications of the statements made by the applicant. The board which passes upon the applications for allowances has found that there is a belief current that when a person has reached the age of 65 years and, having attained the residence in the Territory required by law, is entitled to an allowance, no matter what his physical or financial circumstance may be. The fact that these allowances have increased materially during the past two years should serve as a guide to future legislation of this kind, and emphasizes the importance of adequate safeguards which, while permitting the worthy to secure allowances, will prevent the granting of allowances to those who are not fairly entitled to them.

#### TERRITORIAL REVENUES

Chapter 76, entitled "An Act to establish a system of taxation to create revenue and to provide for the collection thereof, for the Territory of Alaska, and for other purposes," approved April 29, 1915, has been the subject of litigation and still is, for that matter. Payment of taxes levied under this act and also the revenue act approved May 1, 1913, was refused by certain salmon cannery corporations and also by certain mining companies, and an agreement was entered into by the Territorial Counsel, with the approval of the Governor, to submit test cases for adjudication by the Courts, in which the Territory was successful, the Circuit Court for the ninth circuit, having affirmed the decisions of the lower court. A writ of certiorari asked for by the appellants, was denied by the Supreme Court of the United States in January last, but action on a writ of error, sued out in the Circuit Court, is now awaiting the action of the Supreme Court. I am advised by the Attorney-General for the Territory that, in his opinion, the writ of error will be denied, and the right of the Territory to lay the taxes specified in the above law will be finally established.

Notwithstanding the litigation that has ensued, the Territory has received a substantial amount of taxes from various sources, and the present revenue laws, when actually in full operation, will, in my opinion, produce an amount of revenue sufficient for all reasonable needs of the Territory for the next few years. The receipts of the

Territorial treasurer's office, from all sources, from January 1, 1915, to December 31, 1916, were \$347,143.70. The disbursements during the same period were \$203,202.97. The balance of cash on hand on December 31, 1914, was \$73,085.77, and the balance of cash on hand January 1, 1917, was \$217,026.56. The report of the Territorial Treasurer, showing in detail the transactions of the department will be submitted to you. I may be permitted to express my satisfaction with the financial condition of the Territory, notwithstanding the delay in payment of taxes which I have referred to above. The expenditures have, in all cases, been kept well within the appropriations, and the strictest economy, consistent with efficiency, and the needs of the Territory, has been exercised, and in some of the funds, substantial balances will be noted.

#### THE MINING INDUSTRY

Alaska keeps well up in the front rank of mineral producing countries, and, while the gold output has remained practically stationary during the past two years, a tremendous impetus has been given to copper production, due to the great demand for this metal caused by the European war. The completion of the government railroad to the Interior should greatly stimulate mining operations, both lode and placer, especially in the interior of Alaska, and in the region tributary to the line of railroad.

The reports of the Territorial inspector of mines for the years 1915 and 1916 will be laid before you.

#### FARMING IN ALASKA

The Territory is making progress along agricultural lines, and, during the past two years, many homestead entries have been made, especially in the Cook Inlet region. Every encouragement should be given to those who are seeking lands in Alaska for agricultural and stock raising purposes. We have land suitable for farming in abundance, and stock raising offers excellent opportunities; and, if the Territorial revenues will permit, I believe that an appropriation should be made by the Legislature to furnish accurate information to intending settlers. The Federal government furnishes free information of various kinds concerning the resources of Alaska, but this work could be well supplemented by the Territory in a more concrete and practical manner, perhaps, than by the Federal government. Alaska needs publicity of the right kind in order to induce the right sort of immigration. The more people that can be induced to come to Alaska and attach themselves permanently to the soil, engage in fishing and other occupations, the greater will be the growth, development and permanent prosperity of the Territory; and I submit that the Legislature could do a splendid work, if finances will permit, in cooperating with the Federal government in giving the right kind of publicity to Alaska and the op-

portunities here presented for the investment of both labor and capital.

There are other matters which I might call to your attention, were it not for the fact that this message is already of quite sufficient length, but, should it be deemed necessary, I shall take an opportunity to address you concerning them later in the session.

In conclusion, let me say that your work will be judged by its quality rather than its quantity, and that the laws which you shall enact should be carefully considered, keeping in mind constantly the greatest good to the greatest number.

I believe you all appreciate the high responsibility which has been placed upon you; that you have in mind to do only those things which will make for the best interests of our great Territory, and that you will be wise and patriotic enough to lay aside all consideration of party or personal advantage in the deliberations upon which you are entering, considering only the welfare of the Territory and its citizenship. In this, I assure you, it will be my great pleasure and privilege to cooperate with you.

J. F. A. STRONG,  
Governor.

Mr. Burns moved that the Governor's Message be spread in full upon the day's Journal.

Motion seconded by Mr. Price. Motion unanimously carried. The Chair declared a recess of ten minutes.

The House resumed at 3:00 P. M., Speaker Hess in the chair. Journal for previous day was read and approved.

#### REPORT

#### UNITED STATES OF AMERICA TERRITORY OF ALASKA

#### JUNEAU

TO ALL TO WHOM THESE PRESENTS SHALL COME,  
GREETINGS:

KNOW YE, That in compliance with the provisions of the Act of Congress entitled, "An Act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes," approved August 24, 1912, the undersigned, forming a Canvassing Board to canvass and compile in writing the vote in the election held on November 7, 1916, for the election of members of the Territorial Legislature, and for other purposes, having duly canvassed and compiled the returns of said election, find that the following vote was had under the provisions of Chap-