

pleased with the influx of immigrants, ninety per cent of whom were of constructive value, producers and homebuilders. Few took an interest in them socially, so, they set up their own community of interest, according to a foreign pattern. Rarely anyone suggested that they should interest themselves in becoming citizens, for that reason they remained aliens, though builders of the community, home owners and tax payers. The upishness of the American neighboring section of the community made it more forbidding and added a strong impetus to the organized sentiment of protest in the foreign section which in many cases developed socialistic tendencies and radicalism.

When the war came the large bulk of the immigrant people of this section — the government records attest the correctness of this statement — answered that they were ready to serve. A large number even volunteered before conscription of America's youth became necessary. There were an unfortunate number of aliens who claimed exemption, and, a still larger number who spoke disparagingly and volubly against our government. But the percentage was much smaller. The public protest and indignation, however, soon lost sight of the record of those who entered the service so willingly.

In applying remedies against the unworthy aliens we have unwittingly struck the worthy immigrants, co-builders with us, many an undeserved blow.

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When the feeling against some radical aliens in Astoria, Oregon — chiefly directed against an undesirable foreign language editor (whom the government since has deported) and against some propagandists infesting the colony of immigrant fishermen in that locality — had gained sufficient ground to make concerted action possible, some irresponsible people of a revengeful mind invented the idea of attaching an anti-alien fishing clause to the fish-legislation program of the Oregon Legislative Session in 1921, and succeeded in causing its passage. The measure so passed reads as follows:

**Sec. 131. Licensee Must Be Citizen.** That it shall be unlawful for any person to fish or take for sale or profit any salmon, sturgeon or other fish in any of the rivers or waters over which the states of Oregon and Washington have concurrent rights and concurrent jurisdiction, unless such person be a citizen of the United States and has been for one year immediately prior to the time he makes application an actual resident of the state in which he seeks to obtain his license.

As no one seemed to know the citizenship status of the fishermen in the Columbia river districts, startling revelations ensued when the little innocent "rider" had become law. A primary check brought the sad realization that if the law was to be rigidly enforced, some canneries would not have any fishermen at all and in no instance would there be a crew sufficient to make operation at all profitable, so far as the canneries were concerned. The loss to the state of Oregon would, in the event of a strict enforcement, have been sufficient to cause the state serious economic embarrassment.

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The 1921 legislative body in the state of Washington declined to adopt a similar arrangement, as suggested by representatives from the Oregon legislative

body. This made the situation more precarious for the Oregon fishing interests.

A predisposition to apply a constitutional test to the law, before abiding by its provisions, became somewhat general in Oregon before the season opened in the spring, the same year the law was enacted. This course of reason was amply sustained by precedents. While the "test case" was being advanced on the court docket the alien fishermen generally continued to fish as they had done for years. Just how the state authorities, in this emergency, regarded the law may be conjectured. Many believed confidently that the courts would find cause to set the act aside on the ground that it was an infringement on certain inalienable rights, etc., etc., but this hope was shattered when the supreme court of Oregon in its decision advised the plaintiffs to seek the remedy where the damage was done — in the legislature.

The intolerant attitude of mind, in the meantime, was sweeping through this section of the country, rendering a large percentage of people bereft of good reason and sound judgement.

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The 1923 Legislature of the state of Washington was more susceptible to the anti-alien propaganda, which the proponents, for reasons of their own, had carefully wrapped up in the agitation against a Japanese encroachment, and before that session adjourned the following intangibly worded measure was passed and became law:

**Section 5711.** It shall be unlawful for any person to fish or take for sale or profit any salmon or other food or shellfish in any of the rivers or waters of this state or over which it has concurrent jurisdiction in civil and criminal cases, unless such person prior to January 1, 1924, be a citizen of the United States or has declared his intention to become such and is and has been, for twelve months immediately prior to the time he engages in such business, a resident of this state or an adjoining state, and from and after January 1, 1924, unless such person be a citizen of the United States and is and has been for twelve months immediately prior to the time he engages in such business an actual resident of this state or an adjoining state; but this section shall not apply to Indians, and nothing in this act shall be construed to prohibit fishing or the taking of fish with a hook and line. The word "fishing" as used in this act shall be deemed and construed to mean the catching or taking of food fish with any appliance, gear or trap, floating or fixed, whatsoever.

Many contend that no set of laws governing the regulation of any industry have ever caused so much grief and such untold difficulties as the matchless alien exclusion laws of these two Northwestern states. Violations have been more than common. Alien fishermen with families, loath to violate any law of the land, yet unable to pass the intelligence requirements for naturalization, have in many instances been forced to choose between violating the law or letting their families suffer.

Had these laws been passed with a three to four year period of grace, aliens, eligible to citizenship, would have had an opportunity to study for citizenship while earning a livelihood for their dependents, but the measures were in each instance passed without any period of grace.

Even till this day there are people in Oregon and Washington — some are members of the present legislative bodies — who do not know that any other kind