

HOUSE JOINT MEMORIAL NO. 8.

TO THE HONORABLE, THE CONGRESS OF THE UNITED STATES:

Your Memorialist, the Legislature of the Territory of Alaska, in regular session assembled, respectfully represents:

WHEREAS, practically the entire native population and a large percentage of the white population of southern Alaska are engaged in commercial fishing and have their entire capital invested in it; and

WHEREAS, the Bureau of Fisheries of the United States, under the provisions of the Acts of Congress approved June 26, 1906 and June 6, 1924, and acts amendatory thereto are charged with the administration of the said laws and with the conservation of the Fisheries of Alaska and under the power given them have issued orders governing fishing that are sometimes ambiguous and technical; and

WHEREAS, the said acts provided penalties for breaches thereof or violations of any of the orders issued thereunder and these penalties permit fines of not more than \$5,000 or imprisonment of not more than ninety days or both upon conviction in the criminal court and in addition the seizure and forfeiture of boats, gear or appliances under the Admiralty law where the trial is before the judge, alone; no provision is made for the release of these boats or paraphernalia on bonds or otherwise, pending the disposition of the case; and

WHEREAS, a practice has arisen whereby the agents of the said Bureau of Fisheries immediately seize the boats, gear or appliances as soon as a breach of the law is suspected and the accused is then notified by the said agents that if he, they or it, as the case may be, will agree to plead guilty to offense charged and pay a fine designated by the said agents, that the boats, etc. will be released upon the said plea of guilty being made to a charge that would be filed in the criminal court and paying the fine agreed upon, otherwise the said boats, etc. would be held for disposition by the Admiralty Court; and

WHEREAS, this practice is unjust and UnAmerican since it deprives the accused of the right guaranteed by the Constitution to appear and answer and the right to a speedy trial by jury on the charge presented and compels the innocent to either accept the alternative of admitting the commission of a crime of which he was not guilty or paying the penalty for the said crime by losing the use of his property for a period likely to cover the whole fishing season, thereby limiting his means of earning his living.

NOW, THEREFORE, Your Memorialist respectfully prays that Section 6 of the Act of Congress approved June 6, 1924, be amended to provide that no boats, gear or other appliances used in fishing shall be seized until the accused has been convicted of the crime charged against him.

Passed by the House, February 1, 1935.

Passed by the Senate, February 9, 1935.

HOUSE JOINT MEMORIAL NO. 10.

TO THE HONORABLE DANIEL C. ROPER, SECRETARY OF COMMERCE; AND TO THE HONORABLE, THE CONGRESS OF THE UNITED STATES:

Your memorialist, the Legislature of the Territory of Alaska, in regular session assembled, respectfully represents:

WHEREAS, oyster culture has been carried on in the waters of southeast Alaska for a number of years immediately last past; and

WHEREAS, it has been definitely proven and established that the said waters contain the proper food for the culture of oysters and that said bivalves so produced are of an excellent grade and fine quality; and,

WHEREAS, from the experiments so carried on it has been demonstrated that oysters can be grown at a profit and that if the beds be protected there would be created a necessary and prosperous business to the people of coastal Alaska; and,

WHEREAS, owing to the existing fishery regulations no protection can be afforded to persons engaged in said industry on account of such persons being unable to occupy said beds exclusively,

NOW, THEREFORE, Your Memorialist, the Legislature of Alaska, respectfully prays that the existing fisheries law and regulations pertaining to Alaska be amended so as to provide a system of leasing of oyster beds in order to protect those persons who are or might be-