

BY MESDAMES FISCHER AND
RYAN AND MR. NORENE

1 IN THE HOUSE

2 HOUSE JOINT MEMORIAL NO. 13

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 TO THE HONORABLE FRED A. SEATON, SECRETARY OF THE INTERIOR;

6 THE HONORABLE WAINO E. HENDRICKSON, GOVERNOR OF ALASKA;

7 THE HONORABLE E. L. BARTLETT, DELEGATE TO CONGRESS FROM ALASKA:

8 Your Memorialist, the Legislature of the Territory of Alaska
9 in Twenty-third Session assembled, respectfully submits that:

10 WHEREAS, the Russian Orthodox Greek Catholic Church of
11 North America has applied for a patent to the land occupied
12 by the present day Naknek village under the Act of June 6, 1900,
13 claiming said land as the Pogugvik mission, the same being
14 Anchorage 023039; and

15 WHEREAS, said application is being protested by the residents
16 of Naknek village; and

17 WHEREAS, by decision dated July 1, 1955, the Manager, Land
18 Office, Anchorage, Alaska, ordered a hearing at Naknek, Alaska
19 in order that the rights of all interested parties might properly
20 be determined; and

21 WHEREAS, by decision dated November 16, 1956 by Earl C.
22 Thomas, the acting director of the Bureau of Land Management,
23 Washington, D. C., summarily vacated the decision of July 1, 1955
24 and the residents of Naknek were thereby deprived of an opportuni-
25 ty to be heard in this matter; and

26 WHEREAS, said residents strongly contend that there are
27 substantial questions of fact that should be determined by public
28 hearing at Naknek, Alaska, before they are deprived of substantial
29 property rights without due process of law; and

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1 WHEREAS, said residents further contend that they are entitl-
2 ed to a hearing as a matter of right under the Rules of Practice
3 of the Bureau of Land Management, 43 CFR, 221. 1 et sequitur; the
4 provisions of the Administrative Procedure Act of June 11, 1946;
5 and by the due process clause of the Constitution of the United
6 States.

7 NOW, THEREFORE, your Memorialist, the Legislature of the
8 Territory of Alaska, respectfully requests as a matter of justice,
9 equity, and due process of law, that prior to a final determina-
10 tion with respect to Anchorage O23039 a public hearing be held at
11 Naknek, Alaska, where the land and witnesses are located, in order
12 that the claims of all interested parties be heard and determined
13 in accordance with the established American concept of due process
14 of law.

15 AND YOUR MEMORIALIST WILL EVER PRAY.

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