

1 IN THE SENATE

BY SENATOR OWEN

2 SENATE BILL NO. 29

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compulsory mining claim
7 assessment work affidavits, and amending"
8 Sec. 47-3-55, ACLA 1949."

9 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

10 Section 1. Sec. 47-3-55, ACLA 1949 is hereby amended to read
11 as follows:

12 Sec. 47-3-55. -EFFECT OF RECORDING: FAILURE TO RECORD
13 DEEMED ABANDONMENT BURDEN OF PROOF WHERE AFFIDAVIT NOT FILED
14 IN TIME. The affidavit when recorded as provided in this
15 Act (Secs. 47-3-30---47-3-34, 47-3-51, 47-3-53, 47-3-55--
16 47-3-57 herein) shall be prima facie evidence of the perform-
17 ance of the work or of making the improvements therein
18 stated. The failure to file for record the assessment work
19 affidavit as herein provided shall be deemed an abandonment
20 of the claim and it shall then be subject to relocation by
21 any other person, provided, however, that a compliance with
22 the provisions of this Act before any relocation, shall
23 operate to save the rights of the original locator, and
24 further provided, that if said claim has not been relocated
25 by any other person or persons within one year after such
26 forfeiture, the last locator, claimant or owner of such
27 forfeited claim may return to said forfeited claim and
28 relocate the same as though the same had never been located.
29 BUT IF SUCH AFFIDAVIT BE NOT FILED WITHIN THE TIME FIXED

1 BY THIS ACT THE BURDEN OF PROOF SHALL BE UPON THE CLAIMANT
2 TO ESTABLISH THE PERFORMANCE OF SUCH WORK OR THE MAKING OF
3 SUCH IMPROVEMENTS⁷.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29