

1 IN THE SENATE

BY SENATORS NOLAN, ENGSTROM
AND ELLIS

2

SENATE JOINT MEMORIAL NO. 6

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

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

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ALASKA SENATORS-ELECT, HONORABLE ERNEST GRUENING AND HONORABLE

7

WILLIAM BEAN; ALASKA REPRESENTATIVE-ELECT, HONORABLE RALPH J.

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RIVERS; THE CHAIRMEN AND MEMBERS OF THE COMMITTEES ON INTERIOR

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AND INSULAR AFFAIRS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE

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OF THE UNITED STATES.

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Your Memorialist, the Legislature of the Territory of

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Alaska, in Twenty-Third Session assembled, respectfully represents:

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WHEREAS, Alaska has approximately 25,000 miles of coast line,

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and the tidelands along the coast, now and heretofore held by the

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United States, in trust for the future state, have been occupied

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for generations, by structures erected, maintained and used by

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private owners and municipalities; and

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WHEREAS, this occupation and use of the tidelands with docks,

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and other plants, saw mills, business structures, other indus-

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trial properties, residences, etc. erected more particularly in

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the First and Third Judicial Divisions at a cost of several hun-

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dred million dollars, have been absolutely essential to the estab-

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lishment of towns, to access to the uplands, and to the settlement,

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development and commerce of the whole Territory of Alaska; and

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WHEREAS, there has heretofore been no law under which an

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occupant of tidelands in Alaska could obtain title or file any

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claim or entry, or take any other step toward procuring title,

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although they have made their investments and their very necessary

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contributions to the development of Alaska on the assumption that

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1 they would be protected in their use and occupancy; and

2 WHEREAS, there are six Bills for granting Statehood to
3 Alaska, pending in the House of Representatives, namely H.R. 50,
4 340, 628, 849, 1242 and 1243, and one Bill in the U. S. Senate,
5 namely S. 49, none of which seem to clearly provide for granting
6 title to the new State, of the tidelands;

7 NOW THEREFORE, Your Memorialist, the Legislature of the
8 Territory of Alaska, respectfully urges that in each of the
9 pending Bills, or such of them as may come up for consideration
10 by Congress, there be inserted a new section or paragraph,
11 appropriately numbered, reading as follows: "The State of
12 Alaska is granted, without restriction as to use or disposal,
13 the beds and shores of all navigable waters in the state up to
14 and including the line of ordinary high tide, in waters where
15 the tide ebbs and flows, and up to and including the line of
16 ordinary high tide within the banks of all navigable rivers and
17 lakes.

18 Provided, however, this grant shall be subject to existing
19 preexisting rights and shall not be construed so as to debar any
20 person from asserting his claim to such rights in the courts of
21 the state."

22 AND YOUR MEMORIALIST WILL EVER PRAY.

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