

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved April 30, 1913.

---

## CHAPTER 74.

(S. B. No. 11.)

AN ACT to supplement the mining laws of the United States in their application to the Territory of Alaska; providing for the location and possession of mining claims in Alaska and repealing all acts and parts of acts in conflict herewith to the extent of such conflicts.

*Be it enacted by the Legislature of the Territory of Alaska:*

### GENERAL PROVISIONS CONCERNING LODGE AND PLACER MINING CLAIMS.

Section 1. That no person shall hereafter locate any mining claim in the Territory of Alaska as attorney for another unless he is duly authorized thereto by a power of attorney in writing, which shall be witnessed by two witnesses but need not be acknowledged, and recorded in the office of the recorder in whose precinct such location is made, previous to the date of the initiation of such location.

Sec. 2. That the value of work or labor done under the provisions of this act shall be computed on the basis of the wage for similar work current in the precinct wherein the claim is situate.

Sec. 3. That during each year and until patent has been issued therefor, not less than one hundred dollars

Power of At-  
torney to locate  
mining claims;  
requisites

Basis of value  
of labor

Annual assess-  
ment work

worth of labor shall be performed or improvements made on, or for the benefit of each and every lode mining claim, and one hundred dollars worth of labor shall be performed or improvements made on or for the benefit of each and every twenty acres or fractional part thereof contained in any placer claim hereafter located and after the thirty-first day of December, 1914, one hundred dollars worth of labor shall be performed or improvements made on or for the benefit of each and every twenty acres, or fractional part thereof contained in any claim heretofore located, and such work shall be known as "annual assessment work." The owner of such claim or some other person having knowledge of the facts, shall make and file with the recorder of the precinct wherein such claim is situate, an affidavit showing the performance of labor or making of improvements to the amount of one hundred dollars for each and every twenty acres or fractional part thereof contained in such claim as aforesaid and specifying the character of such labor or improvements.

Affidavit of assessment work, by whom made

Affidavit must show

Such affidavit shall set forth the following:

- (a) The name or number of the claim and where situated.
- (b) The number of days work done and the character and value of the improvements made thereon.
- (c) Date of the performance of such labor and making of improvements.
- (d) The place where such work was done and improvements made with reference to the boundaries of such claim.
- (e) At whose instance the work was done and improvements made.
- (f) The actual amount paid for such work and improvements and by whom paid when such work was not done or improvements made by the owner.

To be filed and recorded

Such affidavit shall be filed with the precinct recorder not later than ninety days after the close of the calendar

year in which the work was done or improvements made. For the filing, recording and indexing of such affidavit the recorder shall collect the sum of one dollar and fifty cents. Upon failure to comply with all the provisions of this section such claim shall become forfeited and open to location by others as if no location had been made.

Sec. 4. That any person who shall make or subscribe any affidavit required to be made under the provisions of this act, knowing the statements therein contained, or any of them, to be false in whole or in part, or without knowing the statements therein contained to be true, shall be deemed guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary not less than one nor more than five years. <sup>False affidavit perjury</sup>

Any person who shall induce or procure, or who shall aid in inducing or procuring another person to commit perjury, as the same is herein defined, shall be deemed guilty of subornation of perjury, and upon conviction thereof shall be punished as herein provided for perjury. <sup>Penalty</sup>

#### LOCATION OF LODGE CLAIM.

Sec. 5. Any person who discovers upon the public domain of the United States, within the Territory of Alaska, a vein, lode or ledge rock in place, bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposit, which is subject to entry and patent, under the mining laws of the United States, may, if qualified by the laws of the United States locate a mining lode upon such vein, lode or ledge, in the following manner, viz: <sup>Who may locate lode claim</sup>

Sec. 6. At the time of discovery he must post conspicuously at the point of discovery, a notice of location thereof, containing: (a) The name or number of the claim; (b) the name of the locator or locators; (c) the date of discovery and posting of notice as in this section provided for; (d) number of feet claimed along the course of the vein each way from the discovery post, with the <sup>Notice of location, contents and posting</sup>

width claimed on each side of the center of the vein; (e) the general course of the lode.

Marking loca-  
tion on the  
ground

Establishment  
of corners and  
boundaries

Sec. 7. At the time of posting the notice of location, he shall distinctly mark the location on the ground so that its boundaries can be readily traced. It shall be prima facie evidence that the location is properly marked if the boundaries are defined by a monument at each corner or angle of the claim, consisting of any of the following kinds; (1) A tree or post not less than three feet above the ground and three inches in diameter and hewed on the side or sides facing the claim, set at least one foot in the ground, unless solid rock should occur at a less depth, in which case the post shall be set upon such rock, and surrounded by a mound of earth or stone at least four feet in diameter by two feet in height; or (2) A stone or rock at least six inches square by eighteen inches in length, set two-thirds of its length in the ground, with a mound of earth or stone alongside at least four feet in diameter by two feet in height; or (3) A boulder at least three feet above the natural surface of the ground on the upper side. Where in marking the surface boundaries of a claim any one or more of such posts or monuments shall fall by right upon precipitous ground where the proper placing thereof is impracticable or dangerous to life or limb, it shall be valid to place any such post or monument at the nearest practicable point, suitably marked to designate the proper place. Such post or monument shall be known as and be marked "witness monument."

Where any other monument, or monuments of lesser dimensions than those above described, are used, it shall be a question for the jury or court, as to whether the location has been marked upon the ground so that its boundaries can be readily traced. Whatever monument is used it must be marked with the name or number of the claim and the designation of the corner or angle by number, and the monument nearest the discovery shall be

the initial post, stake or monument, and shall be stake, post or monument number one; and further, the corners or angles shall be numbered in regular rotation. If the claim is located on ground covered wholly or in part by brush, or trees, such brush shall be cut and trees marked or blazed along the lines of such claim to indicate the location of such lines; if located in an open country the boundary lines shall be marked by placing line stakes or line monuments, so as to readily lead from corner to corner of such claim.

Sec. 8. Within one year from the date of discovery not less than one hundred dollars worth of development work shall be performed within the exterior boundaries of the claim. Such work shall include the sinking of a shaft upon the vein or lode, or ledge, to be known as discovery shaft. Such shaft shall be sunk to a depth of at least ten feet, vertically, below the lowest part of the rim of such shaft at the surface, and deeper if necessary to disclose the vein located. Any open cut, crosscut, adit or tunnel, which shall cut the vein at a depth of ten feet below the surface, shall be deemed the equivalent of such discovery shaft; and if such discovery shaft or the equivalent thereof shall require less than one hundred dollars worth of labor for its excavation, the balance of such one hundred dollars worth of labor shall be applied to deepening the discovery shaft, or making further horizontal extensions, or by any excavation made elsewhere upon the claim. The development work in this section required, shall be known as and shall constitute location work.

Sec. 9. Within thirty days after such location work has been completed, the owner of such claim or some person having personal knowledge of the facts, shall file in the office of the recorder for the precinct in which the claim is situate, a certificate which shall set forth a description of such location work and the place where the same has been performed with reference to the boundar-

Development  
work, quantity  
and character

Certificate of  
location work

ies of such claim. Such certificate shall be sworn to before some officer authorized to administer oaths. For such verification and the execution of the certificate thereof the precinct recorder or other officer taking and executing the same shall charge a fee of not more than fifty cents and no other or additional fee shall be charged or collected for the filing, indexing and recording of such certificate.

Certificate of location

Sec. 10. Within ninety days after discovery, the locator shall record with the recorder of the precinct wherein the claim is situate, a certificate of location. Such certificate shall contain:

- (a) The name or number of the claim;
- (b) The name of the locator or locators;
- (c) The date of discovery and posting of the location notice;

(d) Number of feet claimed along the course of the vein each way, from the discovery or initial post, stake or monument, which is post, stake or monument number one, with the number of feet in width claimed on each side of the center of the vein.

Such certificate shall set forth a description of the location of such claim with reference to some natural object, permanent monument or well known mining claim; and a description of the boundaries, corner monuments, and markings thereon.

Failure to comply with requirements

Sec. 11. If the discoverer of any vein, lode or ledge or rock in place, bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposit, shall fail to comply with any of the provisions of sections seven, eight, nine and ten within the time therefor specified, all right to appropriate any portion of the public domain, acquired by him by reason of his discovery, shall cease.

Definition of "lode"

Sec. 12. The term "lode" as used in this act shall be construed to mean ledge, vein or deposit.

### LOCATION OF PLACER CLAIM.

Sec. 12 1-4. That no association placer mining claim shall hereafter be located in Alaska in excess of forty acres. Association placer not to exceed 40 acres

Sec. 12 1-2. No person shall locate placer mining claims for more than two individuals under power or powers of attorney, executed as provided in section one of this act, and no agent or attorney shall be permitted to locate more than two placer mining claims for any one person during any calendar month. Locations under Power of Attorney

Sec. 12 3-4. That no person shall hereafter locate or cause to be located for himself more than two placer mining claims in any calendar month. May not locate more than 2 claims in one month

Sec. 13. Any person who discovers upon the public domain of the United States, within the Territory of Alaska a placer deposit of gold, or other deposit of mineral having a commercial value, which is subject to entry and patent under the mining law of the United States, may, if qualified by the laws of the United States, locate a mining claim upon such deposit in the following manner: Who may locate

Sec. 14. He must at the time of discovery post conspicuously at the point of discovery, a notice of location thereof, containing (a) the name or number of the claim; (b) the name of the locator or locators; (c) the date of discovery and posting of notice as in this section provided for; (d) the number of feet in length and width claimed; the notice herein described shall be known as the location notice. Notice of location, contents and posting

Sec. 15. At the time of posting the notice of location, he shall distinctly mark the location on the ground so that its boundaries can be readily traced, by placing at each corner or angle thereof substantial stakes or posts not less than three feet high above the ground and three inches in diameter and hewed on the side or sides facing the claim or by placing at each corner or angle thereof mounds of earth or rock not less than three feet high. Marking location on ground

Whatever monument is used it must be marked with the name or number of the claim and the designation of the corner by number, and the monument nearest the discovery shall be the initial post, stake, or monument, and shall be post, stake, or monument number one; and further the corners shall be numbered in regular rotation. If the claim is located on ground that is covered wholly or in part with brush or trees, such brush shall be cut and trees be marked or blazed along the lines of such claim to indicate the location of such lines. If located in an open country the boundary lines shall be marked by placing line stakes or line monuments so as to readily lead from corner to corner of such claim.

Location work

Sec. 16. Within ninety days from the date of discovery, and prior to the filing of the certificate of location as provided in the following section, the locator or locators shall perform labor upon such claim in developing the same, to an amount which shall be equivalent in the aggregate to one hundred dollars worth of such work for each twenty acres or fractional part thereof, contained in such claim, and such work shall be known and shall constitute "location work."

Does not apply  
to oil claims

Sec. 16 1-2. Nothing in this act shall be held to apply to lands located under the laws of the United States as placer claims for the purpose of the development of petroleum and natural gas and other natural oil products.

Certificate of  
location

Sec. 17. Within ninety days after the discovery the locator shall record with the recorder of the precinct wherein such claim is situate, a certificate of location. Such certificate shall contain:

- (a) The name or number of the claim;
- (b) The name of the locator or locators;
- (c) The date of discovery and posting of the location notice;
- (d) Number of feet in length and width claimed.

Such certificate shall also set forth a description of the location of such claim with reference to some natural

object, permanent monument or well known mining claim; a description of the boundaries, corner monuments and markings thereon, and a description of the location work and the place where the same has been performed. Such certificate of location shall not be accepted for record by the precinct recorder unless the same be verified, before the recorder of the precinct or some officer authorized to administer oaths, by the locator, or one of the locators, if there be more than one or by the authorized agent, having personal knowledge of the facts required to be stated therein. For such verification and the execution of the certificate thereof the precinct recorder or other officer taking and executing the same shall charge a fee of not more than fifty cents. A certificate of location so verified, or a certified copy thereof, shall be prima facie evidence of all the facts properly recited therein.

Sec. 18. If the discoverer of any placer deposit fail to comply with any of the provisions of sections 14, 15, 16 and 17, within the time therefor specified, all right to appropriate any portion of the public domain, acquired by him by reason of his discovery, shall cease; and any placer mining claim attempted to be located in violation of sections 12 1-4, 12 1-2, and 12 3-4, or any of them, shall be null and void and the area thereof may be located by any qualified locator as if no such previous attempt had ever been made.

Failure to comply with requirements

Sec. 19. All acts and parts of acts in conflict herewith are hereby repealed to the extent of such conflicts.

Approved, April 30, 1913.