

## House Joint Memorials

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### HOUSE JOINT MEMORIAL NO. 4.

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF  
THE UNITED STATES OF AMERICA, IN CONGRESS AS-  
SEMBLED:

Your memorialists, the Legislative Assembly of the Territory of Alaska, respectfully represent,

That the Act of Congress, approved May 14, 1898, entitled "An Act extending the homestead laws, etc., to Alaska", and the Act of Congress amendatory thereof, approved March 3, 1903 (U. S. Stat. 30-409 and U. S. Stat. 32-1028, respectively), provide, *inter alia*, that between Homestead, S. A. Homestead and Trade and Manufacturing Site surveys abutting on navigable waters, a shore space of eighty rods, direct measurement, must be reserved from entry;

That in practical operation, the intent of said provisions of law (which was to prevent monopolization of shore fronts on navigable waters) is largely nullified, to the advantage of corporations, companies, associations and individuals;

That, although theoretically it prevents the monopolization of shore frontage, in reality it does not. While it is true that it does prevent a monopolization by title, it does not as to occupancy and use by adjoining claimants when it is to their interest to exercise control of the same;

That by such provision of law a single claimant may obtain practical control of as extensive a shore frontage as may be desired at trifling expense, by procuring title to small tracts at lawful intervals by scripping them with Soldiers' Additional Homestead scrip, no occupancy of or improvements being required in connection with

such claim. By such means it is feasible, not only to obtain practical control of extensive water frontage, but to debar others from establishing homesteads, canneries or other enterprises within the limits that a single claimant wishes to control; therefore

Be it Resolved by the Legislative Assembly of the Territory of Alaska, that we respectfully and earnestly petition your honorable body to repeal the aforesaid Acts [Act] in so far as it relates to reserve spaces along the shores of navigable waters, and substitute in stead easements for all classes of valid claims and rights-of-way of whatsoever sort along said navigable waters, and as far inland as conditions may require, the easements to include wagon roads, railroads, both steam and electric, telegraph, telephone and electric power lines, pipe lines, flumes, tunnels, ditches, etc. The easements should also provide for the crossing over or under other previous rights-of-way for any purpose, but in such manner as not to obstruct or interfere with the proper operation of such intercepted right-of-way.

Be it further Resolved, that a copy of this memorial be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Chairman of the Committee on Public Lands of the United States Senate, the Chairman of the Committee on Public Lands of the United States House of Representatives, the Honorable James Wickersham, Delegate to Congress from Alaska, and the Commissioner of the General Land Office.

Passed the House, March 10, 1915.

Passed the Senate, April 17, 1915.