

HOUSE JOINT MEMORIAL NO. 2

TO THE HONORABLE, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE HONORABLE, THE SECRETARY OF THE INTERIOR, AND DELEGATE FROM ALASKA:

Your memorialists the Legislature of the Territory of Alaska, respectfully represent that for the purpose of stimulating the production of gold and other needed minerals, including oils and coal, in the Territory of Alaska, and for the development of said territory and the creation of tonnage for the railroad now being constructed by the Government of the United States from tidewater to the interior of said territory, and for other purposes, we feel that an appropriation should be granted this territory and placed under a fund to be known Alaska Prospecting and Development Fund.

In the great crisis just passed Alaska did her share in furnishing men, money and material required by the Government, and what she did is but a fraction of what she can do if necessary, after her entire resources are developed, and she feels, and justly so, that in asking for this appropriation, which is but a temporary loan, to assist her prospectors, she is asking for nothing but what should be freely and gladly given. We find that there is no one thing that has driven a prospector from Alaska. For the necessity of referring to statistics, it is a patent fact that within the past few years an entire change in conditions has come about, which has all but driven the prospector out of business. Mining has been reduced to a scientific calculation of values, yardage, tonnage, etc.—cold dollars and cents, and return to the old and somewhat reckless way of doing business is entirely undesirable.

Since prospecting of an extensive nature is one of the essential requirements for the future development of mining in Alaska, in order that the efforts of the future prospector may not be wasted, he must be given not only scientific advice and assistance by competent technical men but must also receive material and financial aid. Some foreign governments, notably Australia and Canada, have been for some time extending aid of this character, both material and educational, to the prospector, and our government can do nothing greater to insure the future development of the mining industry in Alaska than to expand the activity of the Bureau of Mines to include a constructive program of material and educational aid. This will not require a large appropriation because the

means of accomplishment has already been partially provided in the establishment of a mining experimental station in Alaska. As a matter of fact, this work of providing educational and financial aid for prospecting is but the logical development of work already undertaken.

It is a well recognized fact that the activity of the prospector is not only an accurate index to the virility of the mining industry, but it is also one of the most vital and essential factors for its continuance and maintenance. Unlike farming, where a new crop may be raised each year, or manufacturing industry, where the supply of raw materials is unlimited, each year's mining operations causes just that much decrease in the future reserves, and the only way that the available supply of minerals can be maintained is through the discovery of new deposits. For this, prospecting is absolutely necessary in order that such work may be carried on with any degree of success, and to prevent the waste of the prospectors' honest, but oft-times in the past, misguided efforts in the development of unworthy prospects, which has been as tremendous as it was deplorable, and in order that his efforts in the future may not be wasted, the prospector must be given not only scientific advice and assistance by competent technical men, he must also receive material and financial aid.

Since the prospector is the very foundation of the mining industry, Congress should recognize fully its responsibility for the furtherance of his importance, by rendering him such assistance as may be necessary. Government aid has been extended to the farmer, both educational and financial, and there are many provisions for the assistance of other industries. The United States is building a railroad into the interior of Alaska, and in fact there has been a marked disposition on the part of Congress during the past few years to do many things necessary for the upbuilding and development of this vast empire. The railroad, however, in order to be successful requires tonnage, and since mining is beyond any question the most important industry of the interior of Alaska, it must be the mining industry that the railroad will have to look to for this tonnage, not only in hauling ore and agricultural produce from the interior to the coast but also in transporting supplies and provisions from the coast to the interior. Therefore, so as to protect the investment in this railroad, which already amounts to some thirty millions of dollars, the mining industry must not be allowed to perish through sheer inaction, and since as we have seen, prospecting of the new thoroughgoing, painstaking kind is absolutely essential in the mining industry, the prospector must receive such assistance

as will enable him to meet the changed condition of mining. Under the plan outlined in this memorial, it is expected that the government will furnish but a temporary loan to the mining industry of Alaska, and it is expected that within a short period of time this work of assisting the prospector will become self-supporting. And the plan outlined in this memorial and in the bill, which is attached hereto and made a part hereof, there will be a responsible technical man with such assistants as he may require in each division of Alaska. This would have incidentally a secondary result; that in a shortage, these engineers would have accurate and reliable data of the likely resources and possible mineral production of the different sections of Alaska, and the information would be of priceless value to our Government in times of stress.

THEREFORE, we, your memorialists, do most earnestly pray that Congress appropriate a sum of not less than one hundred thousand dollars (\$100,000.00) for each of the four judicial divisions of Alaska. This sum should be made available until expended under the direction, and with the advice of the Secretary of the Interior for carrying out this important constructive work.

And in duty bound, we, your memorialists, pray that a bill along the following lines, carrying out the above set forth contention, be passed:

An ACT to promote and develop the mining industry, stimulate the production of gold and other precious minerals, including oils and coal, in the Territory of Alaska, and for other purposes.

BE IT ENACTED by the Senate and House of Representatives of the United States of America in Congress assembled:

Section 1. That for the purpose of stimulating the production of gold and other needed minerals, including oils and coal, in the Territory of Alaska, and for the development of said Territory and the creation of tonnage for the railroad now being constructed by the Government of the United States from tidewater to the interior of said Territory, and for other purposes, a fund is hereby created to be known as the "Alaska Prospecting and Development Fund," and there is hereby appropriated from any moneys in the Treasury of the United States, not otherwise expended, the sum of Four Hundred Thousand Dollars to be available until expended by the BUREAU OF MINES under the direction of the Secretary of the Interior, for the promotion and development of the mining industry and the stimulation of the production of gold and other minerals, including

oils and coal, in the Territory of Alaska, as hereinafter provided.

Section 2. The Secretary of the Interior shall designate, appoint and maintain in each of the four judicial divisions of the Territory of Alaska, a competent mining engineer, and such technical, clerical, and other assistants as may be required, under the Bureau of Mines, having headquarters in said division, and who shall gather and collect accurate and reliable data, not in conflict with the work of the United States Geological Survey, relative to the mineral resources and possible productivity of gold and other precious metals and minerals, including oils and coal, in each of the respective divisions, and who shall therein, under the Bureau of Mines, direct, supervise, control, encourage and assist reliable and experienced miners and prospectors to explore, prospect for, and discover valuable deposits of gold or other precious minerals, and valuable ores or metals, upon the public domain in the Territory of Alaska.

Section 3. To carry out the purposes of the Act the Bureau of Mines shall be, and it is hereby, allotted from the funds appropriated by this Act, for the Alaska Prospecting and Development Fund, the sum of One Hundred Thousand Dollars for each of the four Judicial Divisions of Alaska, to be available until expended, and may expend the same in the respective divisions for salaries, traveling expenses, equipment, supplies, and other administrative expenses, and for outfitting, supplying and furnishing to reliable and experienced miners and prospectors desiring the benefits of this Act, the necessary provisions, tools and equipment, and where necessary transportation, required for proposed prospecting and exploring expeditions; and for such other purposes as may be necessary to carry out the provisions of this Act.

Section 4. All mining claims, whether placer, quartz, oil, or coal, discovered by any person or persons, or association of persons, who shall have received the benefits of this Act, and all gold and gold-dust or other valuable metals or minerals produced therefrom, shall be charged with a lien in favor of the Government of the United States to the extent of five per cent. of the gross value of the output therefrom until the amount thereof equals in value the amount or value furnished or advanced to the locator, or locators thereof, under the provisions of this Act, or until the same shall be otherwise paid, and thereafter to the extent of one per cent. of the gross value of the output therefrom, provided, however, that all sums due from said person, or persons, or association of persons, receiving the benefit of this Act, as in this paragraph provided,

shall be due and payable immediately after any cleanup held upon said mining claim if the same be placer or immediately after the value has been ascertained of any such metal or mineral extracted from any claim other than a placer claim; provided, further, that the person, or persons, or association of persons, receiving aid under this Act may at any time pay the full amount so advanced.

Section 5. All placer claims located by any person or persons, or association of persons, wholly or in part within a radius of five miles from the discovery of any mining claim discovered and located by any prospector, or person or persons, or association of persons, while receiving benefits under the provisions of this Act shall be charged with a lien in favor of the Government of the United States to the extent of one per cent. of the value of the gross output of the minerals produced therefrom, payable at the time and in the manner provided in Section 4 of this Act, and any quartz or other claims other than placer, located wholly or in part within a radius of one mile from the discovery of any quartz or other claim other than placer discovered and located by any prospector or person, or persons, or association of persons, receiving benefits under the provisions of this Act shall likewise be charged with a lien in favor of the Government of the United States, to the extent of one per cent. of the value of the gross output of mineral or metal produced therefrom, payable at the time and in the manner provided in Section 4, hereof;

Provided, however, that the provisions of this section shall not apply to any person or persons, or association of persons, who shall have, or may have, made a valid location on quartz or placer or other mining claims within the prescribed radius, as above set forth, prior to the date of execution of the undertaking made by the person or persons, or association of persons, receiving benefits under the provisions of this Act prescribed in Section 6 hereof.

Section 6. That in the event of a default in the payment of the sum to the Government of the United States, as hereinbefore provided, the said Bureau of Mines shall be authorized to immediately make application to a Court of competent jurisdiction for the appointment of a receiver who shall be authorized to collect sufficient of the minerals or metals, including oils and coal, produced from said mining claim, or claims, from time to time or the moneys due and payable therefor, as may be necessary to cover the amount due to the Government, as herein provided, together with all expenses of said court proceedings and receivership.

Section 7. That the amounts due from the locator, or locators, of said mining claim or claims, as provided in sections four and five of this Act shall likewise be due from the successors in interest of the original locator or locators of said claim and payment, as herein provided, shall be made from all minerals or metals extracted from said ground, or moneys due and payable therefor, until the same shall have been fully worked out, and the liens hereinbefore provided for shall be superior to, and take precedence over, all transfers or contracts or statutory liens upon said property.

Section 8. That before any disbursement shall be made under the provisions of this Act for the benefit of any person or persons, or association of persons, the said persons, or persons, or associations of persons, shall be required to execute an undertaking, in the form to be prescribed by the Secretary of the Interior, with one or more sureties having the qualifications of bail in the Territory of Alaska, and to be approved by the Engineer in charge, for the faithful compliance by the said persons, or persons, or association of persons, receiving the benefit of this Act with the provisions hereof and with such rules and regulations as may be promulgated by the Secretary of the Interior relative to the administration of said fund.

Section 9. That all payments received by the Bureau of Mines from the locator, or locators of mining claims in Alaska, as provided under this Act, shall be covered into the Alaska Prospecting and Development Fund for the particular Judicial Division of the Territory of Alaska from which said payments may have been received, except that fifty per cent. of the amount of all payments so received from the locator or locators of said claim or claims, or their successors in interest, shall be repaid to the Treasurer of the United States, at such time as may be designated by the Secretary of the Interior, until the amount so paid to said Treasurer shall equal the total amount appropriated by Congress for said fund and set aside for the use of the Judicial Division of said Territory from which said payments are received. The said Alaska Prospecting and Development Fund shall be available until expended and shall be expended by said Bureau of Mines under the direction of the Secretary of the Interior within the Judicial District from which said payments were received for the encouragement of prospectors and miners, and for the development of the mineral resources of said Judicial Division and otherwise for carrying out the purposes of this Act, as hereinbefore provided.

Section 10. The Secretary of the Interior is hereby authorized to make all necessary rules and regulations for the administration of the said Alaska Prospecting and Development Fund hereby created, not inconsistent with this Act, and necessary to give the same immediate effect, and may from time to time alter or amend said rules as the exigencies of the occasion may require. Claims lying in two Judicial Divisions of the Territory shall be governed by the Division from which aid is first received under this Act.

BE IT LASTLY RESOLVED, That a copy hereof be sent to the President of the United States Senate, to the Speaker of the United States House of Representatives, the Honorable Delegate from Alaska to Congress, the Honorable Secretary of the Interior, to the Honorable Charles B. Henderson and Key Pittman, Senators from the State of Nevada, to the Honorable Charles F. Curry, Representative in the House of Representatives of the United States from the State of California, and to the President of the American Mining Congress, and we, your memorialists, will ever pray.

Passed the House April 3, 1919.

Passed the Senate April 7, 1919.

HOUSE JOINT MEMORIAL NO .3

TO THE HONORABLE, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED:

Your memorialists, the Legislature of the Territory of Alaska, do most respectfully represent that:

WHEREAS, the Legislature of the Territory of Alaska is prevented from legislating with regard to the fisheries of the Territory, by reason of the Enabling Act.

NOW, THEREFORE, we, your memorialists would respectfully urge and request that your Honorable Body pass an appropriate law to prohibit the canning of clams in Alaska during their spawning season, as a continuation of the present system of canning, whenever it is possible to obtain sufficient clams, regardless of season, will result in the early destruction of the clam beds.

We would also respectfully call your attention to the fact that the spawning season for clams varies considerably in different parts of Alaska, and would suggest that in any