

CHAPTER 49.

AN ACT

[H. B. 75]

To amend Section 5 of Chapter 13, Session Laws of Alaska, 1915, relative to liens of laborers and miners.

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

Section 1. That Section 5 of Chapter 13, Session Laws of Alaska, 1915, entitled "An Act to provide for the liens of Laborers and Miners working on, in and about Mines and Mining Property, Repealing the Act of the Legislature of Alaska entitled 'An Act to create, establish and provide liens in favor of laborers and material men, and repealing all Acts in conflict herewith,' approved April 30, 1913, and declaring an Emergency," be, and the same is hereby amended to read as follows:

"Section 5. All work and labor performed in, on or upon a mine or mining claim at the instance of any person in privity with, or having the right of possession, or privilege of working or mining thereon from the owner or his authorized agent, in prospecting, opening up, developing, mining, or doing any other class of work necessary or convenient to the opening up, development or mining of such mine or mining claims, or the separation or reduction to a commercial value of the minerals therein, thereon, or extracted therefrom, and all work so done as above on any mine or mining claim worked or mined by a lessee under a written lease or lay, or under a bond or contract of sale from the owner or executed by his authority, shall be deemed to have been done at the instance of the owner of the mine or mining claim, and such owner's interest therein shall be subject to any lien filed in accordance with the provisions of this Act,

All work on mining claims deemed to be done at instance of owners.

Exceptions.

unless such owner shall, within ten days after he shall have obtained knowledge of such work or labor being performed, give notice that he will not be responsible for the same, by posting notices in writing to that effect, in three conspicuous places on such mine or mining claim. All work and labor done on, in and about a dredge, steam shovel, mill or machine, used in mining and on account of which the same is subject to a lien under the provisions of this Act, at the instance of any person having the right of possession or right of use thereof from the owner thereof, shall be deemed to have been done at the instance of the owner of said dredge, steam shovel, mill or machine, and the interest of such owner therein shall be subject to the lien provided for herein, unless such owner shall within ten days after he shall have obtained knowledge of such use give notice of his interest therein, and that he will not be responsible for the work and labor involved in such use by posting a notice in writing to that effect in a conspicuous place on such dredge, steam shovel, mill or machine, and no chattel mortgage, conditional sale agreement, reserving title in the the vendor, or other agreement reserving title in other than the possessor of such dredge, steam shovel, mill or machine shall take precedence of the lien provided for herein thereon, unless the same be in writing and shall have been filed or recorded in the precinct records of the precinct wherein the said dredge, steam shovel, mill or machine was used for mining prior to the commencement of the labor for which the lien may be claimed, and the notice so posted thereon refer to such instrument so filed or

Owner's notice
of interest.

Miner's lien to
have preference,
unless.

recorded. All labor performed in any manner directly aiding or assisting in the production of lump or mass of gold bearing sands, gravels, earth, ore or rock, shall be deemed to have been performed at the instance of the owner thereof and the lien thereon herein provided shall be prior and preferred over any deed, mortgage, bill of sale, attachment or other claim whether given prior to such labor or not."

Approved April 29, 1925.

CHAPTER 50.

AN ACT

[H. B. 84]

For the relief of Adolph Biederman of Eagle, Alaska, a United States mail carrier, and to reimburse Thomas P. McLain of Circle, Alaska, for transportation furnished, and the Hudson Stuck Memorial Hospital of Fort Yukon, Alaska, for care and treatment of the said Adolph Biederman; making an appropriation for the purposes of this Act; and declaring an emergency.

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

Section 1. That there be, and hereby is, appropriated, out of the general funds in the Territorial Treasury, not otherwise appropriated, the sum of Two Hundred Thirty (\$230.00) Dollars, to reimburse Thomas P. McLain of Circle, Alaska, for transportation between Circle and Fort Yukon, Alaska, furnished by him to Adolph Biederman, a mail carrier, carrying the United States Mail between Eagle and Circle, who was caught in a blizzard while carrying the mail over the aforementioned route in January, 1925, and was badly frozen.

Appropriation
for reimburse-
ment Thos. P.
McLain.

Section 2. That there be, and hereby is, appropriated, out of the general funds in the Territorial Treasury, not otherwise appropriated, the sum of Five Hundred

Appropriation
for reimburse-
ment Hudson
Stuck Memorial
Hospital.