

[CHAPTER 514]

AN ACT

August 8, 1947
[H. R. 174]
[Public Law 383]

To amend section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588).

Alaska.

48 U. S. C. § 381.

Mining laws.

Exploration and
mining for precious
metals.

Miners' regulations.

Revocation of ex-
clusive permit.

Right to dump tail-
ings, etc.

Reservation of road-
way.

30 Stat. 413.
48 U. S. C. §§ 359,
461-465.

Title to land below
line of ordinary high
tide.

Transfer of title to
future State.

48 U. S. C. § 356.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 26, title I, chapter 1, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended by the Act of May 31, 1938 (52 Stat. 588), is further amended to read as follows:

"SEC. 26. The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the Territory of Alaska: *Provided*, That, subject only to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States, and to the laws for the protection of fisheries, and subject also to such general rules and regulations as the Secretary of the Interior may prescribe for the preservation of order and the prevention of injury to the fisheries, all land below the line of ordinary high tide on tidal waters and all land below the line of ordinary high-water mark on nontidal water navigable in fact, within the jurisdiction of the United States, shall be subject to exploration and mining for gold and other precious metals by citizens of the United States, or persons who have legally declared their intentions to become such, under such reasonable rules and regulations as the miners in organized mining districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law: *Provided further*, That the rules and regulations established by the miners shall not be in conflict with the mining laws of the United States; and no exclusive permit shall be granted by the Secretary of the Interior authorizing any person or persons, corporation, or company to excavate or mine under any of said waters, and if such exclusive permit has been granted it is hereby revoked and declared null and void. The rules and regulations prescribed by the Secretary of the Interior under this section shall not, however, deprive miners on the beach of the right hereby given to dump tailings into or pump from the sea opposite their claims, except where such dumping would actually obstruct navigation or impair the fisheries, and the reservation of a roadway sixty feet wide under the tenth section of the Act of May 14, 1898, entitled 'An Act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes', shall not apply to mineral lands or town sites. No person shall acquire by virtue of this section any title to any land below the line of ordinary high tide or the line of ordinary high-water mark, as the case may be, of the waters described in this section. Any rights or privileges acquired hereunder with respect to mining operations in land, title to which is transferred to a future State upon its admission to the Union and which is situated within its boundaries, shall be terminable by such State, and the said mining operations shall be subject to the laws of such State."

Sec. 2. Nothing in this Act shall be deemed to affect or impair any valid claims, rights or privileges, including possessory claims under the first proviso of section 8 of the Act of May 17, 1884, (23 Stat. 26), arising under any other provision of law.

Approved August 8, 1947.