

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.

(June 6, 1900, ch. 786, title I, § 26, 31 Stat. 329; May 31, 1938, ch. 297, 52 Stat. 588; Aug. 8, 1947, ch. 514, § 1, 61 Stat. 916; Pub. L. 85-662, Aug. 14, 1958, 72 Stat. 615.)

#### REFERENCES IN TEXT

Section 687a-2 of title 43, referred to in text, was repealed by Pub. L. 94-579, title VII, §§ 703(a), 704(a), Oct. 21, 1976, 90 Stat. 2789, 2792.

#### CODIFICATION

Section was formerly classified to section 381 of Title 48, Territories and Insular Possessions.

#### AMENDMENTS

1958—Pub. L. 85-662 substituted “fish and game” for “fisheries” in three places, and inserted provisions permitting mining for all metals in Chilkat River, and its tributaries, within two and three-tenths miles of United States survey numbered 991.

1947—Act Aug. 8, 1947, permitted exploration for and mining of gold and other precious metals in beds of navigable streams.

1938—Act May 31, 1938, extended waters subject to exploration and mining for gold to include all water on shores, bays, and inlets of Alaska, and substituted Secretary of the Interior for Secretary of War, among other changes.

#### ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

#### NON-IMPAIRMENT OF VALID CLAIMS AND RIGHTS

Act Aug. 8, 1947, ch. 514, § 2, 61 Stat. 916, provided: “Nothing in this Act [amending this section] 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) [25 U.S.C. 280a], arising under any other provision of law.”

#### § 49b. Mining laws relating to placer claims extended to Alaska

The general mining laws of the United States so far as they are applicable to placer-mining claims, as prior to May 4, 1934, extended to the Territory of Alaska, are declared to be in full force and effect in said Territory: *Provided*, That nothing herein shall be held to change or affect the rights acquired by locators or owners of placer-mining claims prior to May 4, 1934, located in said Territory under act August 1, 1912 (37 Stat. 242, 243) and amendatory act March 3, 1925 (43 Stat. 1118).

(May 4, 1934, ch. 211, § 2, 48 Stat. 663.)

#### REFERENCES IN TEXT

Act August 1, 1912 (37 Stat. 242, 243) and amendatory act March 3, 1925 (43 Stat. 1118), referred to in text,

were repealed by section 1 of act May 4, 1934. See sections 35 to 37 and 49b of this title.

#### CODIFICATION

Section was formerly classified to sections 119 and 381a of Title 48, Territories and Insular Possessions.

#### EFFECTIVE DATE

Act May 4, 1934, ch. 211, § 3, 48 Stat. 663, provided that: “This Act [enacting this section] shall take effect thirty days subsequent to the date of convening of the first regular session of the Alaska Territorial Legislature which is held after the passage of this Act [May 4, 1934].”

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#### § 49c. Recording notices of location of Alaskan mining claims

Notices of location of mining claims shall be filed for record within ninety days from the date of the discovery of the claim described in the notice, and all instruments shall be recorded in the recording district in which the property or subject matter affected by the instrument is situated, and where the property or subject matter is not situated in any established recording district the instrument affecting the same shall be recorded in the office of the clerk of the division of the court having supervision over the recording division in which such property or subject matter is situated.

(June 6, 1900, ch. 786, title I, § 15, 31 Stat. 327.)

#### CODIFICATION

Section is comprised of the proviso of section 15 of act June 6, 1900, which was formerly classified to section 382 of Title 48, Territories and Insular Possessions. The remainder of section 15, which was formerly classified to section 119 of Title 48, was omitted from the Code.

#### § 49d. Miners' regulations for recording notices in Alaska; certain records legalized

Miners in any organized mining district may make rules and regulations governing the recording of notices of location of mining claims, water rights, flumes and ditches, mill sites and affidavits of labor, not in conflict with this Act or the general laws of the United States; and nothing in this Act shall be construed so as to prevent the miners in any regularly organized mining district not within any recording district established by the court from electing their own mining recorder to act as such until a recorder therefor is appointed by the court: *Provided further*, All records regularly made by the United States commissioner prior to June 6, 1900, at Dyea, Skagway, and the recorder at Douglas City, not in conflict with any records regularly made with the United States commissioner at Juneau, are legalized. And all records made in good faith prior to June 6, 1900, in any regularly organized mining district are made public records.

(June 6, 1900, ch. 786, title I, § 16, 31 Stat. 328.)