

1 IN THE HOUSE

BY MESDAMES FISCHER, RYAN
AND MR. NORENE

2

HOUSE BILL NO. 177

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the law of trespass;
7 amending Sections 65-5-110, 65-5-112 and
8 65-5-113, ACLA 1949."

9 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

10 Section 1. Sec. 65-5-110, ACLA 1949, is hereby amended to
11 read as follows:

12 Sec. 65-5-110. TRESPASSING ON IMPROVED LANDS. That if
13 any person shall willfully enter upon the garden, orchard, or
14 other improved lands of another, or in his possession, with
15 intent to cut, take, carry away, destroy, or injure the trees,
16 grain, grass, hay, fruit, or vegetable products there growing
17 and being, such person, upon conviction thereof, shall be pun-
18 ished by imprisonment in THE COUNTY jail not LESS THAN ONE
19 NOR more than six months, or by fine not LESS THAN FIVE NOR
20 more than two hundred fifty (\$250.00) FIFTY dollars, or by
21 both such fine and imprisonment.

22 Sec. 2. Sec. 65-5-112, ACLA 1949, is hereby amended to read
23 as follows:

24 Sec. 65-5-112. TRESPASS. That if any person other than
25 an officer on lawful business shall go or trespass on any
26 lands or premises in the lawful occupation of another, and
27 shall fail, neglect, or refuse to depart therefrom immediate-
28 ly and remain away until permitted to return upon the verbal
29 or printed or written notice of the owner or person in the

1 lawful occupation of said lands or premises, such trespasser
2 shall be deemed guilty of a misdemeanor, and upon conviction
3 thereof shall be punished by fine not ~~LESS THAN FIVE NOR~~
4 more than two hundred fifty (\$250.00) ~~FIFTY~~ dollars, and
5 shall be committed, in default of payment of the fine and
6 costs imposed, one day for each five (\$5.00) ~~TWO~~ dollars of
7 the said fine and costs.

8 Sec. 3. Sec. 65-5-113, ACLA 1949, is hereby amended to read
9 as follows:

10 Sec. 65-5-113. EVIDENCE OF NOTICE. That printed or
11 written notices having attached thereto, by authority, the
12 name of the owner or person in the lawful occupation of said
13 lands or premises, and requiring all persons to forbear
14 trespassing on said lands or premises and to depart therefrom,
15 posted in three conspicuous places on said lands or premises,
16 and if the perimeter of said lands or premises equals or is
17 greater than 330 feet, also posted along the boundaries of
18 said lands, not less than 330 feet apart and at all roads and
19 entrances to give evidence of private ownership, shall be
20 held and deemed to be sufficient prima facie evidence of no-
21 tice as mentioned in the last preceding section.