

1 IN THE SENATE

BY SENATOR COOPER

2

SENATE BILL NO. 93

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6 For an Act entitled: "An Act authorizing and governing civil  
7 actions against the Territory of Alaska:"

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

9 Section 1. Any person or corporation having any claim  
10 against the Territory of Alaska shall have a right of civil  
11 action against the Territory in the District Court for the  
12 District of Alaska.

13 Sec. 2. Such action shall be commenced by filing a complaint  
14 and obtaining the issuance and service of a summons in the manner  
15 required for civil actions under the laws of the United States  
16 and the Territory of Alaska.

17 Sec. 3. The plaintiff in such action, at the time of filing  
18 the complaint, shall file a surety bond executed by the plaintiff  
19 and a surety company authorized to carry on business in the Terri-  
20 tory of Alaska to the effect that the plaintiff in such action  
21 will indemnify said Territory against all costs that may accrue  
22 and will pay all costs in case the plaintiff fails to prosecute  
23 the action or to obtain judgment against the Territory.

24 Sec. 4. The Attorney General shall appear as counsel for  
25 the Territory. The action shall proceed as other civil actions  
26 and appeals may be taken as in other causes. If an appeal is  
27 taken by the Territory, no bond shall be required.

28 Sec. 5. No attachment or execution shall issue against the  
29 Territory in any such action. Whenever a final judgment is ren-

SB # 93, Re-engrossed

1 dored in any cause the clerk of the court rendering the same  
2 shall forthwith transmit a duly certified copy thereof to the  
3 Territorial Department of Finance which shall audit the amount  
4 and thereafter shall transmit such copy to the Legislature with  
5 the recommendation that an appropriation be made for the payment  
6 thereof.

7       Sec. 6. All provisions of law relating to the limitations  
8 of personal actions shall apply to claims against the Territory  
9 but the computation of time hereunder shall not begin until  
10 this Act shall have become law,

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29