

CHAPTER 10.

(H. B. NO. 27.)

AN ACT to amend Section 18, Chapter 1, Title 1, Part III of the Alaska Code, relating to the duties of notaries public. (Compiled Laws of Alaska, Sec. 382.)

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

Section 1. That Section 18, Chapter 1, Title 1, Part III, of the Alaska Code be amended by adding thereto at the end of said section the following:

Sixth.—To endorse after his official signature the date of the expiration of his commission.

Approved, April 18, 1913.

CHAPTER 11.

(S. B. NO. 35.)

AN ACT regulating and prescribing fees and license tax to be paid by domestic corporations and by foreign corporations doing business in the Territory of Alaska.

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

Section 1. Filing Articles of Incorporation.—Every corporation incorporated under the laws of this Territory, or of any state or territory in the United States or of any foreign state or country, required by law to file articles of incorporation in the office of the Secretary of the Territory of Alaska, shall pay to the Secretary of the Territory of Alaska a filing fee of twenty-five dollars.

Sec. 2. Filing Amendatory or Supplemental Articles.—Every corporation, foreign or domestic, desiring to file in the office of the Secretary of the Territory of Alaska articles amendatory or supplemental, or certificates of

increase or decrease of capital stock shall pay to the Secretary of the Territory of Alaska a fee of ten dollars.

Sec. 3. Filing Appointment of Agent of Foreign Company.—Every foreign corporation filing in the office of the Secretary of the Territory of Alaska a certificate of the appointment of an agent residing in this territory, or a certificate of the revocation of such appointment of the resident agent, shall pay to the Secretary of the Territory of Alaska a fee of five dollars.

Sec. 4. Certified Copies.—The fee for furnishing a certified copy of articles of incorporation, or articles amendatory or supplemental, or certificates of increase or decrease of capital stock, or certificate of appointment of resident agent, or certificate of revocation or appointment of resident agent, shall be five dollars.

Sec. 5. Recording Fees, When.—There shall be no charge for recording any of the documents mentioned in this act or for making or certifying to copies of same other than the fees in this act prescribed, unless the document to be recorded or the copy to be certified shall exceed twenty folios, in which case there shall be a further charge of fifteen cents per folio for all such excess.

Sec. 6. Annual License Fee.—Every corporation incorporated under the laws of this Territory and every foreign corporation having its articles of incorporation on file in the office of the Secretary of the Territory of Alaska shall, on or before the first day of January of each and every year, pay to the Secretary of the Territory of Alaska, for the use of the Territory, the following license fees: Every corporation having a capital stock, fifteen dollars. Every corporation failing to pay the said annual license fee, on or before the first day of January of each and every year, and desiring to pay the same thereafter, and before the first day of July next following, shall pay to the Secretary of the Territory of Alaska, for the use of the Territory, in addition to the said license fee, the

following further fee, as a penalty for such failure: The sum of two dollars and fifty cents.

Sec. 7. Shall Not Maintain Suit Unless License Is Paid—Names To Be Stricken from Records by Secretary of the Territory of Alaska.—No corporation shall be permitted to commence or maintain any suit, action or proceeding in any court of this Territory, without alleging and proving that it has paid its annual license fee last due. A certificate of the payment of such annual license fee, or any duplicate of such certificate under the seal of the Secretary of the Territory of Alaska, shall be prima facie evidence of such payment; and the Secretary of the Territory of Alaska is hereby required to issue such duplicate certificate, upon request, at a charge of twenty-five cents for each thereof. The Secretary of the Territory of Alaska may institute suits to enforce the payment of any license fee, due from any corporation under this law. Failure upon the part of any corporation to pay its annual license fee for a period of one year from and after the date when such payment first became due, shall be prima facie evidence of the insolvency of such corporation, and the fact of such insolvency may be shown by the Territory or by any private person or corporation; Provided, That as to corporations now delinquent in the payment of their annual license fees for a period of one or more years, such presumption of insolvency shall not exist until after one year from the date of the passage of this act and the continuation of such delinquency. It shall be the duty of the Secretary of the Territory of Alaska to strike from the records of his office the names of all incorporations which have neglected for a period of two years to pay their annual license fees; and any corporation thereafter organized may take and shall have the exclusive right to use the corporate name of any corporation so stricken from the records; Provided, That no corporate name shall be so stricken from the records for

a period of one year from the date of the passage of this act.

Sec. 8. Reinstatement of delinquent corporation.—Every corporation whose name has been or shall hereafter be stricken from the records of the office of the Secretary of the Territory of Alaska in pursuance of law for failure to pay its annual license fee for two years is hereby authorized and permitted to apply to the Secretary of the Territory of Alaska for reinstatement at any time within six months from the approval of this act, or within six months after its name has been stricken from the records of the office of the Secretary of the Territory of Alaska.

Sec. 9. Penalties to be paid for reinstatement.—Any corporation so applying for reinstatement shall at the time of its application pay to the Secretary of the Territory of Alaska, for the use of the Territory, all license fees and penalties then due from it and the sum of one hundred dollars as additional penalty; Provided, That this shall apply to the reinstatement of corporations, the names of which shall have been stricken at the present time, and hereafter whenever any corporation shall have its name stricken from the records by the Secretary of the Territory of Alaska it shall, in applying for reinstatement, pay all license fees and penalties then due from it and the additional sum of twenty dollars for each and every year that its name has been stricken from the records, and upon the making of such application and such payment, it shall be the duty of the Secretary of the Territory of Alaska to enter upon his records a notation that such corporation is reinstated.

Sec. 10. Rights restored.—Thereafter such corporation shall have and enjoy the same rights and powers as if its name had never been stricken from the records, and all things done by it in the exercise of its corporate powers before such reinstatement are hereby validated and confirmed.

Sec. 11. Dissolution for non-payment.—If, however,

within the period named within which a corporation may make application to be reinstated such corporation shall not have made such application, the Secretary of the Territory of Alaska shall enter upon his records a notation that such corporation is dissolved, and it shall thereupon be dissolved and the trustees of such corporation shall hold the title to the property of the corporation for the benefit of its stockholders and creditors to be disposed of under appropriate court proceedings.

Sec. 12. Adoption of name of delinquent corporation.—The name of no corporation which has been stricken from the records of the office of the Secretary of the Territory of Alaska for non-payment of its annual license tax shall be adopted by another corporation until the expiration of the time within which such delinquent corporation is allowed in which to apply for reinstatement, or while such application for reinstatement is pending.

Sec. 13. Not to apply to certain corporations.—This act shall not apply to domestic corporations organized for religious, fraternal, scientific, benevolent, social, charitable, or educational purposes, or to foreign corporations organized for like purposes, when not engaged in this Territory in the loaning of money or the conducting of any other business pursuits for profit.

Sec. 14. All fees shall be paid in advance.—All fees provided for in this act are due in advance and shall be paid to the Secretary of the Territory of Alaska before the services desired are performed.

Sec. 15. All fees and licenses paid under the provisions of this act, shall be accounted for and covered into the Treasury of the Territory of Alaska.

Sec. 16. All acts and parts of acts inconsistent with and in conflict with this act are hereby repealed.

Approved, April 21, 1913.