

## CHAPTER 45.

(H. B. No. 22.)

AN ACT to fix the liability of employers for personal injuries sustained by their employees.

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

Persons subject  
to law

Section 1. That every person, association, or corporation engaged in the business of manufacturing, mining, constructing, building, or other business or occupation carried on by means of machinery or mechanical appliances shall be liable to any of its employees, or, in the event of his death, to his personal representative for the benefit of his widow and children, if any, if none, then for his parents, if none, then for his next of kin dependent upon him, for all damages which may result from the negligence of any of its or his or their officers, agents, or employees, or by reason of any defect or insufficiency due to its or their negligence in the machinery, appliances and works.

Beneficiaries

Effect of con-  
tributory negli-  
gence

Sec. 2. That in all actions hereafter brought against a master or employer such as is mentioned in the first section hereof, to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery where his contributory negligence was slight and that of the employer was gross in comparison, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee. All questions of negligence and contributory negligence shall be for the jury.

Contract of em-  
ployment, in-  
surance, etc.,  
not to bar right

Sec. 3. That no contract of employment, insurance, relief benefit, or indemnity for injury or death entered into by or on behalf of any employee, nor the acceptance of any such insurance, relief benefit, or indemnity by the person entitled thereto, shall constitute any bar or defense to any action brought to recover damages for per-

sonal injuries to or death of any employee; Provided, Set-off allowed for insurance paid for by employer however, that upon the trial of such action the defendant may set off therein any sum contributed by such employer toward any such insurance, relief benefit, or indemnity that may have been paid to such employee, or in case of his death to his personal representative.

And Provided further, That any insurance, relief benefit, or indemnity furnished by the master and paid for No set-off when paid for by employee by contributions exacted from, or paid by his employee shall not be allowed as set off.

Sec. 4. That no action shall be maintained under this act unless it be shown that there exist beneficiaries as Action to be brought within two years provided in section 1 hereof; nor unless such action be brought within two years from the time the cause of action accrued.

Approved, April 30, 1913.

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## CHAPTER 46.

(H. B. No. 14.)

AN ACT to amend an act of Congress entitled: "An Act to amend and codify the laws relating to municipal corporations in the District of Alaska."

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

Section 1. That the Act of Congress approved April 28, 1904, entitled: "An Act to amend and codify the laws relating to municipal corporations in the District of Alaska" be amended as follows:

That section 3 of said act be amended by adding thereto the following: