

Vacancies in
Common Council,
how filled

In the event that any member has failed to attend the meetings of the Common Council for a period of ninety continuous days of his term, the Common Council may declare a vacancy therein, and the same shall be filled by the Common Council, the person chosen to fill such vacancy, holding until a successor is elected at the next annual election and qualified: Provided, that a vacancy may also be created by the resignation of any member in writing duly accepted by the council.

Approved, April 29, 1913.

CHAPTER 47.

(H. B. No. 20.)

AN ACT to provide for the incorporation of cities of the second class in the Territory of Alaska.

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

Fifty inhabitants
necessary
to incorporation

Section 1. That any community in the Territory having fifty or more permanent inhabitants, exclusive of Indians, who are not citizens, may form a municipal corporation of the second class in the manner hereinafter provided:

Petition to U.
S. Commissioner

Sec. 2. A petition praying for such municipal incorporation of the second class shall first be presented to the commissioner, ex-officio probate judge, for the recording district in which such community is situated, which petition shall be signed by at least fifteen adults, bona fide residents of such community, who shall be the owners of substantial property interests in the proposed municipal corporation of the second class, and shall specify the boundaries and the number of inhabitants of the

To be signed by

proposed corporation of the second class, and shall also specify the name by which it is to be known, and such other fact as may tend to show good grounds for such incorporation of the second class. The commissioner, ex-officio probate judge, shall thereupon fix the time and place of considering said petition, which time shall not be less than fifteen nor more than thirty days after the date of such order. Upon making such order the commissioner, ex-officio probate judge, shall forthwith cause to be posted in three public places within the limits of the territory proposed to be thus incorporated a copy of said order. At the time and placed fixed for considering said petition, the commissioner, ex-officio probate judge, shall give a reasonable hearing to those who are in favor of, and those who are opposed to the same, and if he is satisfied that it is to the best interest and welfare of the community to be incorporated as a city of the second class, he shall, by an order so judge; and he may, by the order, change or modify the proposed boundaries, which shall in no case embrace more than 640 acres. He shall also, by said order, designate the name and the boundaries of the corporation of the second class, and the time and place when and where an election shall be held to determine whether the people of the community desire to be incorporated as a city of the second class; and he shall also, by said order, appoint three qualified voters to act as judges of such election. A copy of said order shall be posted at three public places within the limits of the proposed corporation of the second class, at least fifteen days prior to the day of election, and such posting shall be deemed a sufficient notice of such election.

Order for hearing; publication thereof

Hearing

Area to be included

Sec. 3. That the qualifications of an elector hereunder shall be as follows: He or she shall be a citizen of the United States, or one who has declared his or her intention to become such and of the age of twenty-one years, and a resident for thirty days within the limits of the proposed corporation of the second class.

Election

Sec. 4. That said election shall be by printed or written ballot in the following form, to-wit:

“For Incorporation as a City of the second Class of the Town of.....”

(Name of proposed second class incorporation.)

“Against Incorporation as a City of the Second Class of the Town of.....”

(Name of proposed second class incorporation.)

Trustees to be chosen

The qualified electors of the vicinity proposed to be incorporated as a city of the second class shall also at said election by a separate ballot choose three trustees who shall be qualified electors of the community. The said trustees shall have the following powers:

Powers of Trustees

First. To provide suitable rules governing their own body and to elect one of their members president, who shall be ex-officio mayor;

Second. To make rules for all municipal elections in said city of the second class;

Third. To provide for necessary street improvements, fire protection, water supply, all lights, wharfage, sewerage, protection of public health and expense of assessment and collection of taxes;

Fourth. To impose and collect a poll tax on electors, tax on dogs and cats, a general tax on real and personal property, and possessory rights and improvements; Provided, no such tax shall exceed one-third of one per centum of the assessed valuation of property, and all assessments made by the assessor of the corporation of the second class shall be subject to review by the council; Provided further, no bonded indebtedness shall be authorized for any purpose.

Sec. 5. Nothing in this act shall be construed to give said incorporation of the second class any authority over or right to any moneys collected therein under the provision of the Act of Congress approved, March 3, 1899,

entitled, "An Act to define and punish crimes in the District of Alaska, and to provide a Code of Criminal Procedure in said District," or any amendments made thereto.

Sec. 6. The commissioners, ex-officio probate judges, shall for acts rendered in pursuance of this act receive the same fees and commissions as are prescribed for similar services when acting as probate judges, and accompanying any petition praying for the incorporation of a town as a city of the second class by virtue of this act shall be a cash deposit or bond sufficient to cover any fees or commissions which may be earned by said commissioners, ex-officio probate judges, because of said petition.

Approved, April 24, 1913.

CHAPTER 48.

(Substitute For H. B. No. 40 and H. B. No. 61.)

AN ACT to provide for the formation of banking corporations, and to regulate the business of banking in the Territory of Alaska, and securing supervision thereof; for the appointment of a Territorial Banking Board, defining its duties and fixing penalties for the violation of this act.

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

Section 1. There is hereby established in this territory a Banking Board which shall have charge of the laws relating to banks and the banking business in this territory. Such board shall be designated as the Territorial Banking Board. The Governor, the Secretary of

Personnel of
Banking Board