

Penalty

Sec. 12. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not more than one hundred dollars nor less than five dollars, or imprisoned in the federal jail for not more than thirty days nor less than one day.

Sec. 13. This bill shall take effect from and after its passage.

Approved, May 1, 1913.

CHAPTER 55.

(S. B. No. 61.)

AN ACT declaring the use of water for mining, power and other purposes, and the use of pole and tower lines for telephone and telegraph purposes for aerial tram and for the transmission of electric light and power to be a public use and providing for the condemnation of rights-of-way therefor.

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

Rights of way
for mining pur-
poses

Section 1. The use of water for mining, power and municipal purposes and the use of pole and tower lines for telephone and telegraph wires, for aerial trams and for the transmission of electric light and electric power, by whomever utilized, are each and all declared to be beneficial to the public and to be a public use within the provisions of chapter Twenty-two of Part V of the Alaska Code. Rights-of-way across private property, whenever the same shall be shown to be necessary for operation of the mine or other project in connection with which it is intended to be used may be condemned and

taken therefor in the manner as laid down in Chapter Twenty-two Part V of the Alaska Code, and all proceedings to enforce the rights herein granted must be in accordance with those laid down in said chapter.

Sec. 2. The right-of-way for which provision is made in the last preceding section shall extend only to a right-of-way along, upon and across the surface of the lands to be condemned and to a strip thereof of sufficient width to permit of the construction thereon of such ditch, flume pipe line, canal or other means of conveying water as shall be adequate for the purposes intended, or for the setting of poles or the construction of towers upon which to string wires for telephone and telegraph lines and lines for the transmission of electric light or power for the operation of aerial trams and to permit of maintaining the same and keeping it in repair.

Necessary area
only may be
condemned

Sec. 3. The word person whenever used in this act, shall be deemed to mean either a natural person, partnership, association, corporation or any other group or combination of natural persons.

Sec. 4. So much of Chapter Twenty-two of Part V of the Alaska Code and all other acts or parts of acts inconsistent or in conflict with the provisions hereof are hereby repealed.

Sec. 5. This act shall take effect and be in full force as provided by law.

Approved, April 28, 1913.