

not less than one year, nor more than five years.

Sec. 18. This act shall take effect and become in force from and after its passage and approval.

Approved, April 30, 1913.

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## CHAPTER 70.

(S. B. No. 26.)

AN ACT to provide for the amicable adjustment of differences that may arise between employers and employees.

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

Arbitration of  
labor disputes

Section 1. That whenever a controversy concerning wages, hours of labor, or conditions of employment shall arise between an employer and his employees, seriously interrupting or threatening to interrupt the business of the employer, the Governor shall, upon the request of either party to the controversy, with all practicable expedition, put himself in communication with the parties to such controversy, and shall use his best efforts, by mediation and conciliation, to amicably settle the same. He may either exercise such powers of conciliation himself, or appoint a commission for such purpose. If such efforts of conciliation shall be unsuccessful, the Governor shall at once endeavor to bring about an arbitration of such controversy in accordance with the provisions of this act.

Governor or  
Commissioner  
to arbitrate

Or disputants  
may select  
commission

Sec. 2. That whenever such controversy shall arise between an employer and his employees which cannot be settled by mediation and conciliation in the manner provided in the preceding section, such controversy, may,

with the consent of the parties to the controversy, be submitted to the arbitration of a board of three persons who shall be chosen in the manner following: One shall be named by the employer directly interested; the other by the labor organization to which the employees directly interested belong, or if they belong to more than one, such arbitrator shall be agreed upon and designated by the concurrent action of all such labor organizations. The two thus chosen shall select the third commissioner of arbitration, who shall be a person disinterested in the controversy, but in the event of their failure to name such arbitrator within five days after their first meeting, the submission to arbitration shall be recalled. A majority of said arbitrators shall be competent to make a binding and valid award under the provisions hereof. The submission shall be in writing, shall be signed by the employer and by the labor organization or organizations representing employees, shall specify the time and place of meeting of such Board of Arbitration, shall state the questions to be decided, and shall contain appropriate provisions by which the respective parties shall stipulate as follows:

Submission to  
be in writing

First—That the board of arbitration shall commence their hearings within ten days from the date of the appointment of the third arbitrator, and shall find and file their award within thirty days from the date of the appointment of the third arbitrator; and that pending the arbitration the status existing immediately prior to the dispute shall not be changed; provided, that no employee shall be compelled to render personal service without his consent.

Stipulation to  
be signed.  
Contents

Second—That the award and the papers and proceedings including the testimony relating thereto certified under the hands of the arbitrators, shall be filed in the clerk's office of the district court for the division wherein controversy arises or the arbitration is entered into, and

shall be final and conclusive upon both parties, unless set aside for error of law apparent on the record.

Third—That the respective parties to the award will each faithfully execute the same, and that the same may be specifically enforced in equity so far as the powers of a court of equity permit; provided, that no injunction or other legal process shall be issued which shall compel the performance by any laborer against his will of a contract for personal labor or service.

Fourth—That employees dissatisfied with the award shall not by reason of such dissatisfaction quit the service of the employer before the expiration of three months from and after the making of such award without giving thirty days' notice in writing of their intention so to quit. Nor shall the employer dissatisfied with such award dismiss any employee or employees on account of such dissatisfaction before the expiration of three months from and after the making of such award without giving thirty days' notice in writing of his intention so to discharge.

Fifth—That said award shall continue in force as between the parties thereto for the period of one year after the same shall go into practical operation, and no new arbitration upon the same subject between the same employer and the same class of employees shall be had until the expiration of said one year if the award is not set aside as provided.

Judgment to  
be entered on  
award

Sec. 3. That the award being filed in the clerk's office of the district court, as hereinbefore provided, shall go into practical operation, and judgment shall be entered thereon accordingly at the expiration of ten days from such filing, unless within such ten days either party shall file exceptions thereto for matter of law apparent on the record, in which case said award shall go into practical operation and judgment entered accordingly when such exceptions shall have been finally disposed of either by said district court or on appeal therefrom. At the expiration of thirty days from the decision of the district court

upon exception taken to said award as aforesaid, judgment shall be entered in accordance with said decision, unless within thirty days either party shall appeal therefrom to the United States Circuit Court of Appeals for the Ninth Judicial Circuit. In such case only such portion of the record shall be transmitted to the Circuit Court of Appeals as is necessary to a proper understanding and consideration of the questions of law presented by said exceptions and to be decided. The determination of said Circuit Court of Appeals upon said questions shall be final, and being certified by the clerk thereof to said district court, judgment pursuant thereto shall thereupon be entered by said district court. If exceptions to an award are finally sustained, judgment shall be entered setting aside the award, but in such case the parties may agree upon a judgment to be entered disposing of the subject matter of the controversy; which judgment when entered shall have the same force and effect as judgment entered upon award.

Sec. 4. That for the purposes of this act the arbitrators herein provided for, or either of them, shall have power to administer oaths and affirmations, sign subpoenas, require the attendance and testimony of witnesses, and the production of such books, papers, contracts, agreements and documents material to a just determination of the matters under investigation, as may be ordered by the courts; and may invoke the aid of the said courts to compel witnesses to attend and testify, and to produce such books, papers, contracts, agreements and documents as the courts shall determine to be material and competent evidence.

Sec. 5. That every agreement of arbitration under this act shall be acknowledged by the parties before a notary public or clerk of the district court of the Territory, and when so acknowledged a copy of the same shall be filed with and recorded by the recorder of the precinct in which the arbitration is entered into, and a copy

Appeal to Circuit Court of Appeals

Power of arbitrators

Agreements for arbitration acknowledged and recorded

Secretary of  
Territory to  
notify arbitra-  
tors named

shall also be sent to the Governor who shall file the same in the office of the Secretary of the Territory, who shall cause a notice in writing to be served upon the arbitrators, fixing the time and place for a meeting of said board, which shall be within fifteen days from the execution of said agreement of arbitration; provided, however, that the Governor shall decline to call a meeting of the arbitrators under such agreement unless it is shown to his satisfaction that the employees signing the submission represent or include a majority of all the employees in the service of the same employer and of the same grade and class, and that an award pursuant to said submission can justly be regarded as binding upon all such employees.

Status pending  
arbitration

Sec. 6. That during the pendency of arbitration under this act it shall not be lawful for the employer, party to such arbitration, to discharge the employees, parties thereto, except for inefficiency, violation of law, or neglect of duty; nor for the organization representing such employees to order, nor for the employees to unite in, aid or abet, strikes against said employer; nor during a period of three months after an award under such an arbitration, for such employer to discharge any such employees, except for the causes aforesaid without giving 30 days' written notice of an intent so to discharge; nor for any of such employees, during a like period to quit the service of said employer without just cause, without giving to said employer thirty days' written notice of an intent so to do; nor for such organization representing such employees to order, counsel, or advise otherwise. Any violation of this section shall subject the offending party to liability for damages; provided, that nothing herein contained shall be construed to prevent any employer, party to such arbitration, from reducing the number of its or his employees whenever in its or his judgment business necessities require such a reduction.

Sec. 7. The agreement of arbitration shall provide for the compensation of arbitrators, and their traveling and other necessary expenses. Compensation and expense of arbitrators

Approved, April 30, 1913.

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## CHAPTER 71.

(S. B. No. 16.)

AN ACT making it unlawful to wrongfully and without authority use the name, title of officers, insignia, emblem, ritual or ceremonies of any order or society, and providing punishment for the violation of the provisions of this act.

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

Section 1. Any person who wilfully wears the badge of the Grand Army of the Republic, the insignia, emblem, badge or rosette of the Military Order of the Loyal Legion of the United States, or of the Military Order of Foreign Wars of the United States, or the badge, emblem or button of the Spanish War Veterans, or the Order of Patrons of Husbandry, or of the Benevolent and Protective Order of Elks of the United States of America, or Order of Masonry, or the Order of the Knights of Pythias, or the Order of Knights of Columbus, or of any Greek letter college fraternity, or any society, order or organization of one year's standing in the Territory of Alaska, or use the name to obtain aid or assistance within this Territory, or wilfully uses the insignia, emblem, button, rosette or badge or uses the name of any society, order or organization, the title of its officers, or its insignia, rituals or ceremonies, unless entitled to use or wear the