

## CHAPTER 77.

(H. B. No. 68.)

AN ACT creating the office, and providing for the appointment of a Treasurer of the Territory of Alaska, prescribing his duties and compensation, and making other provisions with reference to the administration of that office.

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

Section 1. Office Created, Qualifications: The office of Treasurer of the Territory of Alaska is hereby created. A person to be capable of holding and eligible for the office of Treasurer of the Territory of Alaska shall be twenty-five years of age or more, a citizen of the United States, and at the time of appointment to the office shall be and for at least three years prior thereto shall have been a bona fide resident of the Territory of Alaska.

Sec. 2. First Treasurer; How Appointed: The first Treasurer of the Territory of Alaska shall be appointed by the Governor of the Territory of Alaska and the name of such appointee shall be submitted to the Senate of the Territory of Alaska for confirmation or rejection.

Sec. 3. Term of Office: The term of office of the first Treasurer of the Territory of Alaska shall expire on the first day of January, 1915, but the term of office of all Territorial Treasurers thereafter, unless appointed to fill a vacancy at the time existing, shall be for a period of four years from and after the first day of January next succeeding the date of his appointment, and each Treasurer shall hold and perform the duties of his office until his successor shall have been appointed and duly qualified. The Governor is authorized to fill all vacancies in the office of Treasurer, if the Senate is not in session when this act shall take effect, by granting a commission which shall expire at the end of their next regular session thereafter.

Sec. 4. Treasurer to Qualify; When and How: The first Treasurer of the Territory of Alaska, within thirty days after the receipt by him of a formal written notice of his appointment to the office, which notice shall be prepared and sent to such officer so appointed by the secretary of the Territory under the Great Seal of the Territory, shall qualify by taking an oath to support the constitution and laws of the United States and the Territory of Alaska, and to honestly and faithfully perform the duties of the office upon which he is about to enter, which oath shall be taken at the capitol of the Territory. He shall also within such time, make and file with the secretary of the Territory an official undertaking with a surety company as surety, which undertaking shall be conditioned that the principal will faithfully discharge the duties of his office, keep a strict, true and correct account of all moneys received and disbursed by him, will properly account therefor, and will pay over to his successor, or other person entitled by law to receive the same, all moneys and property in his hands or possession, in accordance with law; or in default thereof that the parties executing said undertaking will pay to the Territory all damages, cost and expenses resulting from such default, not exceeding the amount in the bond. Before said bond shall be filed it shall be submitted to and approved as to form and sufficiency by the Governor. All premiums for said treasurer's bond shall be paid by the Territory. That the amount of the bond of the Treasurer of the Territory of Alaska shall be one hundred thousand dollars, but whenever the funds in the treasury of the Territory shall exceed three-fourths the amount of the bond or undertaking given by the Treasurer of the Territory in accordance herewith, or, whenever for any reason the Governor of the Territory shall give said Treasurer a written notice of such fact and shall require the said Treasurer to, and the said Treasurer shall enter into a new or an additional bond or undertaking with sufficient

sureties within such time, in such amount, and with such sureties as the Governor shall in said notice direct.

Sec. 5. Qualifications of Succeeding Treasurers: Each Treasurer after the first shall, on or before the day on which his term of office commences, take the oath of office as hereinabove prescribed and enter into a bond as herein provided. The successor of the first Treasurer and all Treasurers thereafter shall be appointed by the Governor of Alaska as hereinbefore provided.

Sec. 6. Official Residence, Compensation, etc.: The Treasurer of the Territory of Alaska during his term of office shall reside and maintain his office at the capital of the Territory. He shall be paid an annual salary of four thousand dollars, which said salary shall be paid in equal monthly installments on his own check, to be countersigned by the Secretary of the Territory. Such salary shall neither be increased nor diminished during the term for which any Treasurer is serving, nor shall the Treasurer receive to his use or benefit any fees, emoluments or perquisites of office or other compensation than the salary herein specified. But said Treasurer shall be reimbursed for all necessary expenses incurred when absent from his official residence on the business of the Territory, and he shall be paid therefor by check countersigned by the Secretary of the Territory, out of such fund as shall by law be made subject to that character of expense, but before he shall be paid or receive anything for expenses he shall have prepared and sworn to, in duplicate, and filed, one in the office of the Secretary of the Territory and the other in his own office, a sworn itemized statement of the expenses for which he is reimbursed.

Sec. 7. Duties of the Treasurer: The Treasurer of the Territory of Alaska shall:

(a) Receive and safely keep all monies of the Territory of Alaska from whatever source derived which are not by law entrusted to the care and custody of some

other officer. Said Treasurer shall not keep these funds all in any two banks in the Territory but shall divide the funds which he shall hold in such three or more territorial banks as shall be designated as safe and proper places of deposit by a commission on official depositories, which commission is hereby created, and that said commission shall consist of the Governor, the Secretary of the Territory and himself, and the amounts deposited in the respective banks shall be reasonably divided and apportioned according to the amount of funds in the hands of the said Treasurer. Provided, however, That before said Treasurer shall deposit said funds of the Territory in any such bank, said bank shall enter into a bond to the Territory of Alaska, with a surety company as surety thereon conditioned, that it will safely keep and repay to the Territory as required thereby all funds of the Territory deposited with it.

(b) Disburse public moneys only upon warrant drawn upon the Treasurer by such officers as shall hereafter be authorized so to do by law. Such warrants shall be paid by the Treasurer in the order of their number, date, and issue, and from the fund under the proper appropriation.

(c) Endorse on each warrant as he shall pay it the date of payment, the amount paid, from what appropriation paid, specifying separately what part of said amount is principal, and what part is interest, and before paying any warrant shall require the person presenting the warrant and receiving payment therefor to endorse upon the back thereof his name. Such warrants shall be attached to and made a part of the Treasurer's quarterly report.

(d) Pay no moneys or funds out of the treasury except in pursuance of laws authorizing the payment thereof, but whenever any moneys are paid out they shall be paid from the appropriation provided therefor and from no other fund.

(e) Keep a fair, true, just and comprehensive account

of all moneys received, showing the sources thereof, and of all moneys disbursed, showing when, to whom, for what purpose and from what appropriation.

(f) Keep a just and true account of each appropriation made by law and of the disbursements made under each appropriation.

(g) Render an account of the condition of the Treasury to the Governor of the Territory on the first day of January, April, July, and October of each year, covering in each said report the transactions of three months next preceding the date of report. The Treasurer shall also, not more than twenty and not less than ten days before the convening of each regular and special session of the Legislature of the Territory of Alaska, transmit to the Governor of the Territory, to be by him transmitted to the Legislature, an account and report giving a detailed statement of the treasury and of its operations since the date of the last report to the Legislature.

(h) Furnish the Governor and the Secretary of the Territory and either House of the Legislature with such information as to the condition of the finances of the Territory, or upon any subject connected therewith or touching any duty of his office, at such time and times and as often as they or either of them so request such information.

(i) Account for all moneys received and paid out and pay over and deliver to his successor in office all funds, moneys in bank and on hand and property of every description in his possession as Treasurer, and deliver to such successor all books of account and other books, vouchers, and effects of office at the end of his incumbency. The incoming Treasurer shall receipt for moneys, funds and property as well as books of account, other books, vouchers, effects of office and all other property or papers of any kind or character belonging to his said office and turned over to him by his predecessor.

(j) Permit the books, papers, and records of the of-

office (of) Treasurer to be at all times open to the inspection and for the examination of the Governor, the Secretary of the Territory or of any committee of either house of the Legislature. The said books, papers, records and transactions are public records and shall be open for the inspection of the public during all the time that his said office shall be open for business.

(k) Submit his office to the inspection of, and all the records, files, accounts and transactions thereof to be audited by a board of audit, which board is hereby created and shall consist of the Governor, the Secretary of the Territory and the clerk of the district court for the first division, or by an expert accountant to be employed by said board, the expense of said audit to be paid out of the funds appropriated for the running expenses of the Treasurer's office, within thirty days before the expiration of his term of office, or at such other time as said board shall order.

(l) Perform all other duties imposed upon him by law.

Sec. 8. Seal of the Treasurer: The Treasurer of the Territory of Alaska shall have a Great Seal of Office, which shall be two and one-half (2 1-2) inches in diameter and bear just within the perimeter of the seal the words Great Seal of the Treasurer of the Territory of Alaska, and within the words a star at the top of the seal, representing the North Star, beneath which is a key.

Sec. 9. Expenses, How Provided: There shall be appropriated biennially, to provide for the necessary traveling and other expenses, office rent, furniture, supplies and clerical assistance of the Treasurer's office, to be expended under the direction of the said Treasurer, the sum of not less than eight thousand dollars, fifty per centum or four thousand dollars, thereof, to be annually available for such purpose.

Sec. 10. Treasurer to Administer Oaths: The Treasurer shall have power to administer all oaths and take

all acknowledgements required by law in matters pertaining to the duties of his office.

Sec. 11. Records, Treasurer's Office: Copies of all deeds, bonds, documents, instruments or papers filed in or a part of the records and filings of the office of the Treasurer of the Territory of Alaska and the transcripts from the books or records kept in such office, certified by the Treasurer in his official capacity, shall be evidence in any proceeding, judicial or otherwise, or for any other purpose, equally and in like manner as the originals.

Sec. 12. Civil Liability of Treasurer: Whenever the Treasurer shall wilfully neglect or refuse to pay any warrant lawfully drawn upon the treasury or shall knowingly pay any warrant out of its order, as in this act provided, he shall forfeit and pay treble the amount thereof to the person or persons injured thereby, which sum may be recovered by an action in the District Court for the District of Alaska against the said Treasurer and his sureties.

Sec. 13. When Guilty of Embezzlement: If any Treasurer of the Territory of Alaska, or any person exercising the duties of that office, shall fail, neglect or refuse to account for or pay over, or account for and pay over, all moneys in his hands as such Treasurer, in accordance with law, or shall unlawfully convert to his own use in any manner whatever or use by way of investment in any kind of property or loan without the authority of law any portion of the public money entrusted to him for safe keeping, transfer or disbursement, or unlawfully convert to his own use any money that may come into his hands by virtue of his office, he shall be deemed guilty of the embezzlement of so much of the money as is thus taken, converted, invested, used, loaned or unaccounted for, and upon conviction thereof he shall be subject to the same punishment as generally provided in the laws of Alaska for the crime of embezzlement.

Sec. 14. Fiscal Year. The fiscal year of this Terri-

tory shall commence on the first day of January of each year and shall close at midnight on the 31st day of December next succeeding, and all accounts of the Treasurer of the Territory of Alaska or of other territorial officers whose accounts are in any way connected with the Treasury of the Territory, shall be kept and all duties of such Treasurer and other officers shall be performed with reference to the beginning and ending of the fiscal year as herein provided.

Sec. 15. Repeal. All acts and parts of acts in conflict herewith or with any of the provisions hereof are hereby repealed.

Approved, April 30, 1913.

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## CHAPTER 78.

(H. B. No. 89.)

AN ACT to create a board of Commissioners to provide for a home for aged prospectors in Interior Alaska.

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

Creation of  
Board

Section 1. That there is hereby created a board to be known as the Board of Aged Prospectors Home Commission, and to be composed as follows: Of the Governor, Secretary of the Territory, and the Delegate to Congress, to have power and perform the duties as hereinafter provided. The said board or a majority thereof shall meet as soon as convenient and shall investigate as to the climatic and other conditions of the several hot springs in Interior Alaska, the adaptability of same for use as a home for aged prospectors, the title price and possible methods of securing same, and to secure options on property adjoining any such springs as may be determined upon as desirable for such purpose.