

CHAPTER 77.

AN ACT

[H. B. 81.]

Creating the office of Attorney-General of the Territory of Alaska,
and prescribing his duties.

Be It Enacted by the Legislature of the Territory of Alaska:

Section 1. Office Created, Qualifications: The office of Attorney-General of the Territory of Alaska is hereby created, after the next general election 1916. No person shall be eligible to hold the office of Attorney-General of the Territory of Alaska, unless he shall have attained the age of thirty years, shall be a citizen of the United States, and for five years next preceding his election, a bona fide resident of Alaska, admitted to practice law, and engaged for said period in the active practice of the law in the courts of Alaska.

Office of At-
torney-General
created, quali-
fications.

Section 2. Office How Filled: The first Attorney-General shall be elected by the qualified voters for members of the Legislature at the general election to be held in the year 1916, and his successors shall be elected in like manner at the general election held every four years thereafter, and shall qualify and enter upon the duties of the office on the first day of the following March, and shall hold office for the term of four years, and until his successor is elected and qualified. Vacancies in the office of the Attorney-General shall be filled by appointment by the Governor of the Territory of Alaska, until the next ensuing general election, when the vacancy shall be filled by the election of a person to fill the vacancy until the next general election, when an Attorney-General shall be regularly elected and qualified as herein provided.

Office how
filled

Section 3. Duties: The Attorney-General of Alaska shall be the official legal advisor of the Governor, the Treasurer, the Secretary, and other officers of the Territory. He shall bring, prosecute and defend in the name of the Territory, all necessary and proper actions or suits for the collection of the revenue under Territorial

Duties

laws; he shall file informations and prosecute all offences against the revenue, and other laws of the Territory, prosecution of which is not otherwise provided for; he shall when requested by the Legislature or any member thereof, give legal advice concerning any law or proposed law or legislative measure; and all such other duties as may be required by law, or as usually pertain to the office of Attorney-General in a Territory; and he shall make through the Governor, to the Legislature, at each regular session thereof, a report of the work and expenditures of the office, and upon needed legislation or amendments to existing laws.

Compensation

Section 4. Compensation: The salary of the Attorney-General shall be five thousand (\$5,000) dollars per annum, which shall be paid monthly on the first day of each month by the Treasurer of the Territory out of any moneys in the treasury not otherwise appropriated. He shall be allowed an office and all expenses, necessary clerical assistance, stamps and stationery; and all expenses when absent from the Capital on business of the Territory. And for all such expenses he shall make out an itemized monthly statement, and submit the same to the Governor, who shall examine the same, and if he find it correct and proper shall approve it, and the Treasurer of the Territory shall pay the same out of any moneys in the treasury not otherwise appropriated.

Prohibition
against other
professional
employment.

Residence

Section 5. Prohibition Against Other Professional Employment, Residence: The Attorney-General shall not engage in any other business, nor accept any other professional employment. He shall reside, during his term of office, at the Capital of the Territory, and during his term shall not depart from the Territory except upon written leave of absence granted by the Governor.

Oath of office

Section 6. Oath of Office: Before entering upon the duties of his office, the Attorney-General shall take and subscribe the following oath: "I, (name) do solemnly swear (or affirm) that I will diligently and faithfully perform the duties of the office of Attorney-General of

the Territory of Alaska, upon which I am about to enter, and therein do equal justice to all men, to the best of my knowledge, skill and ability; and in the performance of those duties I will not allow myself to be influenced by any other motive except the interest and well-being of the Territory and its people. So help me God." The oath, when taken and subscribed, shall be filed with the Secretary of the Territory, and thereupon a commission signed by the Governor and countersigned by the Secretary shall issue.

Section 7. Removal From Office: The Attorney-General is subject to removal from office for malfeasance or misfeasance in office, by a vote of not less than three-fourths of the Territorial Senate. All charges against the Attorney-General shall be first examined by the House of Representatives of the Territory of Alaska, and if the charges are sustained by a vote of the majority of the members of such House, a committee shall be appointed from the members of the House, in such manner and number as the House may determine, who shall present the charges in writing to the Senate, and have the management of the prosecution thereof. The committee may employ counsel, to conduct such prosecution before the Senate; and the Senate shall have the power to summon witnesses, and compel their attendance, and enforce by imprisonment for contempt, obedience to its orders and rulings. The defendant in such proceeding shall be served with a copy of the charges made, shall be entitled to process for his witnesses, and a reasonable opportunity to prepare his defense, and to be heard by counsel. If upon the trial before the Senate, the charges are sustained by a vote of three-fourths of the Senators, the office shall be declared vacant, and the Senate may in its discretion, by the same vote, declare and pronounce the defendant ineligible to thereafter fill such office.

Approved, April 29, 1915.