

CHAPTER 24.

AN ACT

(H. B. 54)

Providing for a special election to fill a vacancy in the office of Delegate from Alaska in the House of Representatives, and declaring an emergency.

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

Governor to call
election to fill
vacancy

Section 1. In case of a vacancy caused by death, resignation, incapacity or from any other cause in the office of Delegate from Alaska in the House of Representatives, the Governor of the Territory of Alaska shall cause a special election to be held to fill such vacancy and shall issue a writ ordering such special election to be held not less than thirty (30) days from the date of the writ. The Governor shall, immediately upon the issuance of the writ, notify the Clerk of the United States District Court of each Division of the Territory of the issuance thereof, giving such notice by telegraph where necessary, and the Clerk of the Court of each Division of the Territory shall immediately cause notice of such writ to be given to the City Council of each incorporated town in his Division and to each United States Commissioner therein by the most rapid means of communication, telephone, telegraph or otherwise.

Notice of elec-
tion to be given
—how

Upon the receipt of such notice, it shall be the duty of the Common Council of each incorporated town to at once give notice of the election by posting a written or printed notice in three public places in each precinct in said town, specifying the time, place and purpose of the election, and in case there are one or more newspapers of general circulation published in the town, then a copy of such notice shall be published at least once in one of such newspapers prior to the date of election.

Appointment of
judges, clerks,
etc.

The Common Council of each incorporated town shall also, at the time of providing for the giving of

notice, appoint three (3) judges of election and two (2) clerks for each voting precinct, all of whom shall be qualified voters of the precinct; and no more than two (2) judges and one (1) clerk shall belong to the same political party; and shall immediately notify said judges and clerks of such appointment.

The United States Commissioner in each recording district shall, upon receipt of said notice from the Clerk of the Court, at once proceed to give notice of the election by posting written or printed notices thereof specifying the time, place and purpose of the election, which notices shall be posted as follows: One at the office of the Commissioner in said recording district, and one in each of three conspicuous public places in each of said voting precincts in said recording district, one of which shall be the polling place in the precinct.

Commissioner to give notice of election and how

The failure of any Commissioner to post said notices, as herein provided, on account of notice not having been received by him from the Clerk of the Court in time, shall not invalidate the election held in any precinct if held at the time provided for in the writ issued by the Governor of Alaska.

Failure to give notice not to invalidate—when

Each United States Commissioner shall also select, notify and appoint from the qualified electors in each voting precinct three (3) judges of election for said precinct, not more than two (2) of whom shall be of the same political party.

Commissioner to appoint judges and clerks

Upon the failure of any United States Commissioner to appoint and notify judges of election as herein provided, the qualified voters present, at any election precinct on the day of election, may select judges by viva voce vote in the same manner as provided by law in case where judges of election fail to appear and qualify.

Failure to appoint judges, electors may select

Section 2. The election precincts in and outside of

Election precincts

incorporated towns shall be the same as those established for the last previous general election.

Laws regulating general elections to govern, except as provided

Section 3. The election, when held, shall be governed by the laws of Congress regulating general elections in the Territory of Alaska, except as otherwise provided by this Act; Provided, that in the canvassing of the returns, the canvassing board may, in their discretion, accept telegraphic returns from the Clerk of the Court of each Division, and that a certificate of election may issue, prior to the receipt of the returns from all election precincts, when it is apparent that the vote cast at the missing precincts will not change the result.

Qualifications of voters

Section 3½. That the qualifications of voters at said special election shall be the same as those prescribed by the laws of Congress and the Territory of Alaska, covering general elections.

Chapter 25, Laws of 1915, not to apply

Section 4. The provisions of Chapter Twenty-Five (25), of the Session Laws of Alaska, 1915, entitled: "An Act to provide official ballots for elections in the Territory of Alaska," shall not apply to the special elections provided for in this Act.

Clerk of Court to furnish supplies, etc.

Section 5. It shall be the duty of the Clerk of the Court in each Division to provide and furnish to each United States Commissioner therein necessary election supplies, stationery, duplicate registers and tally sheets for use in the various precincts, and to forward the same to such Commissioners as soon as possible after receipt by said Clerk of the notice of the issuance of the writ of election, but in any precinct where such supplies fail to arrive, the judges and clerks of election shall provide the necessary supplies, stationery, registers and tally sheets.

Emergency

Section 6. That an emergency is hereby declared to exist and this Act shall take effect from and after its passage and approval.

Approved April 28, 1919.