

of exchange, and other evidences of debt, bottomry and respondentia interests, and every insurance appertaining to or connected with marine risks and risks of transportation and navigation, including the risks of lake, river, canal and inland transportation and navigation, and of reinsurances against loss of any risk taken by it; Provided, that no single risk of insurance shall be undertaken to exceed in amount Fifteen per cent of the total capital stock of the company.

Prohibited from dealing in merchandise, etc.—except

Section 7. No Marine Insurance Company incorporated under the provisions of this act shall directly or indirectly deal or trade in buying or selling goods, wares or merchandise, or other commodities, except such as may have been insured by it, and such as may be sold under judicial process or otherwise in which or in the profits of the sale of which it may be interested by reason of having previously become insurer of the same or of some share of portion thereof.

Section 8. This Act shall take effect immediately upon its passage and approval.

Approved May 5, 1919.

CHAPTER 49.

AN ACT

(S. B. 40)

To prevent family desertion, declaring the same a misdemeanor, imposing penalties therefor, and to provide for support bonds, and declaring an emergency.

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

Family desertion and non-support a misdemeanor

Section 1. Every person who, being the parent or guardian of any child or children under the age of sixteen years dependent upon him or her for care, education or support, deserts or abandons such child or children, ward or wards, in any manner whatever, or wilfully omits, without lawful excuse, to furnish necessary food, care, clothing, shelter, medical attend-

ance, education or support for his or her said child or children, ward or wards; or any person who, without lawful justification, wilfully abandons and leaves his wife or who refuses or neglects to provide such wife with necessary food, clothing, shelter or medical attendance, shall be guilty of a misdemeanor and, on conviction thereof, be punished by a fine of not more than five hundred (\$500.00) Dollars, or by imprisonment in the federal jail for not more than twelve (12) months, or by both such fine and imprisonment: Penalty Provided, that before the trial, with the consent of the defendant, or after conviction, instead of imposing the penalties hereinbefore provided, or in addition thereto, the court, in its discretion, having regard to the circumstances and to the financial ability and the earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by For support—bonds it from time to time as circumstances may require, directing the defendant to pay a certain definite sum, or a certain sum weekly during such time as the court may direct, into the court for the benefit of the wife, or guardian or custodian of the minor child or children; and the court may release the defendant from custody or place him on probation during such time as the court may direct, upon his or her entering into an undertaking with one or more sufficient sureties who shall qualify as bail upon arrest in such sum as the court may direct, which said undertaking shall be conditioned that the defendant shall personally appear before the court whenever ordered to do so and shall at all times comply with the terms of the order or any modification thereof which the court may thereafter make, and that, should the conditions of said bond be broken, the said defendant and his sureties do thereby consent that judgment may be at once entered against them by the court in the amount specified in such undertaking. Condition of bond

Complaint—how
and where made

Section 2. Complaint for violation of the provisions of the foregoing section may be made by the deserted wife, or on her behalf, or on behalf of the minor child or children, by any one having personal cognizance of the facts, before the Commissioner and ex-officio Justice of the Peace having jurisdiction in the precinct where the wife or minor child or children or the defendant at the time may be. If, however, the defendant be out of the judicial division where the deserted wife or children are, the complaint may be made by the United States Attorney, or his deputy, of such Division, in the nature of an information before the District Court of the judicial division where the deserted wife or children may reside. In either case, the proceedings for the trial of the defendant shall be had in the same manner as misdemeanors are tried in such court, except as herein modified.

Violation of or-
ders of court

Judgment on un-
dertaking

Section 3. If the court be satisfied, by information, complaint or other proof, that at any time the defendant has violated the terms of the order set forth in Section one (1) of this Act, it may issue an order directing the defendant and his sureties on the undertaking in said section provided for, to show cause before the court on a day certain to be fixed by the court why judgment should not be rendered against them on such undertaking for the amount thereof, and the court, if satisfied, after hearing the testimony, that the defendant has violated the terms of such order, may at once enter a personal judgment against the defendant and his sureties on the undertaking to the amount thereof, and such judgment may be enforced against the property of the defendant and his sureties on the undertaking by execution as judgments in civil actions, and if said judgment is ordered by a commissioner and ex-officio justice of the peace, the said judgment may be docketed in the District Court as judgments of the Commissioner and justice of the

peace in civil actions and enforced in like manner; Provided, however, that the rendering of such judgment against the defendant and his sureties on his undertaking aforesaid shall not be exclusive, but the court may proceed with the trial of the defendant under the original complaint or information or sentence him under the original conviction and enforce the original sentence, as the case may be. In case of a judgment against the defendant and his sureties, as hereinbefore provided for, and the enforcement thereof by execution, the sum recovered may, in the discretion of the court, be paid, in whole or in part, and at such times and in such amounts as the court may order, to the wife or to the guardian or custodian of the minor child or children for their support.

Proviso—Pro-
cedure

Section 4. Where conviction is had and sentence to imprisonment in the federal jail is imposed, the court may direct that the person so convicted shall be compelled to work on the public roads or highways or any other public work in the District and Division wherein such conviction is had, during the time of such sentence, and in such sentence may provide the means of carrying out the terms thereof.

Defendant may
be required to
labor on public
works, when

Section 5. Proof of the abandonment or non-support of a wife or the desertion of a child or children, ward or wards, or the omission to furnish necessary food, clothing, shelter or medical attendance for said child or children, ward or wards, shall be prima facie evidence that such abandonment or non-support or omission to furnish necessary food, clothing, shelter or medical attendance is wilful. No other evidence shall be required to prove marriage of such husband and wife or that such person is the lawful father or mother of such child or children than is or shall be required to prove such facts in a civil case. In all prosecutions under this Act, any existing provisions of law prohibiting the disclosure of confidential communications be-

Evidence on trial
of action

Husband and
wife competent
witness against
each other

tween husband and wife shall not apply, and both husband and wife shall be competent to testify for or against each other as to any and all relevant matters, including the fact of such marriage and the parentage of said child or children. The provisions of Section one (1) of this Act are applicable as to the maintenance and support of the child or children whether the parents of said child or children are married or divorced and regardless of any decree made in any divorce action relative to alimony or to the support of the wife or child or children.

Chapter 12,
Laws 1915, re-
pealed

Section 6. Chapter 12, of the Session Laws of Alaska, 1915, and all other Acts, or parts of Acts, inconsistent herewith are hereby repealed.

Emergency

Section 7. An emergency is hereby declared to exist because of the ineffectiveness of present laws on the subject of this Act, and this Act shall be in force and take effect from and after its passage and approval.

Approved May 5, 1919.

CHAPTER 50.

AN ACT

(S. B. 55)

Amending sub-divisions fourth, sixth, eighth and fourteenth of Section 627 of the Compiled Laws of Alaska relating to powers of Common Councils of incorporated towns and declaring an emergency.

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

Section 1. That Section 627 of the Compiled Laws of Alaska relating to the powers of Common Councils of incorporated towns be, and the same is hereby, amended as hereinafter set forth:

That subdivision fourth of said section be amended so as to read as follows:

Streets, etc.

“Fourth: To provide for the location, construction, and maintenance of the necessary streets, alleys, cross-