

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12, of the Session Laws of Alaska, 1915, and all other Acts, or parts of Acts, inconsistent herewith are hereby repealed.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

ings, side-walks, sewers and wharves. If such street, alley, side-walk, or sewer, or parts thereof, is located and constructed upon the petition of the owners of two-thirds in value of the property abutting upon and affected by such improvement, then two-thirds of the cost of the same may, in the discretion of the council, be collected by the assessment and levy of a tax against abutting property, and such tax shall be lien upon the same and may be collected as other real estate taxes are collected. The Common Council may by ordinance provide for a general plan for a sewerage system for the municipality, and in pursuance thereof provide for the laying out and construction of main and lateral sewers in and within the corporate boundaries thereof and may establish one or more assessment districts embracing the whole or any portion of the area included within the boundaries of the town benefited by the construction of such system of sewerage, and is hereby authorized and empowered to levy a special tax on the property so benefited within such assessment districts so established for the payment of the cost of the laying out and construction of such main and lateral sewers so provided for; said special tax not to exceed one-half of one per cent. of the assessed value of the property included in such assessment district or districts, and when the same is collected it shall be applied to the payment of the cost of the construction of the improvement for which such tax was levied. Such tax shall be collected and payment thereof enforced in the same manner as taxes on real property are collected by the town and said assessment and tax shall be levied and collected under an ordinance theretofore enacted by the Common Council of the town for that purpose. That when it shall become necessary for the town to take or damage private property for the purpose of establishing, laying out, widening streets and other public highways and places in the town, or for the purpose of rights of way for drains, sewers or aqueducts, or for the pur-

Sewers and sewer districts provided for

Assessment districts

Special tax—how collected

Eminent domain

pose of widening, diverting, straightening the channels of water courses or streams, or improvement of water fronts or the establishment of power or light plants, water works, or other public utilities necessary or convenient for the public welfare, whether within or without the corporate limits of the city, and the Common Council cannot agree with the owner thereof as to the price to be paid, the Council may direct proceedings to be brought for the condemnation of such property under the general laws of the Territory relating to eminent domain."

That sub-division sixth of said Section 627 shall be amended to read as follows:

To grant franchises for public utilities

"Sixth. To provide for fire protection, water supply, lights, wharfage, public health, and police protection, and the relief of the destitute and indigent. And the said Common council is hereby authorized by ordinance to grant franchises for a period of not to exceed twenty (20) years for the construction and maintenance of the public utilities hereby authorized to be provided for, and may in pursuance of such grant authorize the use of the public streets, alleys, squares and public ways for the purpose of erecting, constructing or laying thereon or therein such excavations, poles, structures as may be necessary for the carrying out and maintenance of the franchises so granted under such limitations, regulations, rules and restrictions as the Common Council may prescribe, and it may fix and establish the rates to be charged for services to the municipality and the inhabitants thereof by the person receiving such franchise, and may establish reasonable rates or charge (change) the said rates for such services to be charged by any public service association, corporation or individual to the municipality or the inhabitants thereof, and may regulate by reasonable rules and regulations and prohibit the use of the streets or public ways by any person, association or corporation

Limitation

Establishment of rates, etc.

serving the public or the municipality with any public utility who has not theretofore receive a franchise therefor, subject, however, to the right of review by the courts, Provided, that no franchise for a public utility so granted by the Common Council shall become valid or effective until the same shall have been ratified by a majority vote of the qualified electors of the town cast at an annual general election of the town, or at a special election for that purpose, called after thirty (30) days' notice given in the same manner as is provided for Notice of Annual Municipal Elections, which notice shall specify therein the purpose of calling said election, and every ordinance granting such franchise shall therein and thereby provide for the submission of the ratifications thereof to the qualified electors of the town at either such annual or special election, and the result of the election thereon shall be canvassed by the Common Council of the town and spread on the record of the minutes thereof, and the result declared and certified to by the Mayor, and if ratified by a majority of the votes cast such franchise shall thereupon be in full force and effect

Ratification of franchise by electorate necessary

That sub-division eighth of said Section 627 is hereby amended to read as follows:

"Eighth. To levy a tax or license of not more than six dollars per year upon each dog against the person who keeps the same, and to provide for the impounding or killing of the dog in case the tax is not paid or in case the dog is vicious or dangerous to life or health."

Dog tax

That sub-division Fourteenth of said Section 627 is hereby amended to read as follows:

"Fourteenth. The said Common Council is hereby authorized to license, tax, restrain or prohibit peddling, hawking on or in the streets of the town or at any public place within the corporate limits by means of such reasonable ordinances as they may enact; and it may and is hereby authorized to impose by ordinance

Peddlers, auctioners and itinerate vendors

a reasonable license tax on auctioneers, itinerant vendors and persons, their principals or agents, engaged in a temporary or transient business of vending or selling merchandise within the municipality and who for the purpose of carrying on such business may hire, lease or occupy any building or structure for exhibition and sale of such goods and merchandise; provided the provisions of this subdivision shall not apply to sales made by commercial travelers in the usual course of business or to bona fide sales of goods or merchandise by sample for future delivery, and the said Common Council may, by ordinance after authorization therefor by a majority vote of the qualified electors of the town given at an annual general election or special election called for that purpose, establish for the public convenience and welfare, wood, coal and fuel yards, and provide for the maintenance and upkeep of the same, and for the sale of wood, coal and fuel therefrom at cost, or at such reasonable advance above cost as may by it be determined by ordinance or resolution; and to take such action by ordinance, resolution or otherwise as may be necessary to protect or preserve the life, health, safety or well-being of the people in the town, and to publish all ordinances."

Proviso

Establishment of
fuel yards

Section 2. This Act is to take effect and be in force from and after its passage and approval.

Approved May 5, 1919.

CHAPTER 51.

AN ACT

(S. B. 61)

To authorize and empower the Governor of the Territory of Alaska to grant pardons and reprieves for misdemeanors against the laws of the Territory.

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

Governor may
grant pardons
and reprieves for
misdemeanors

Section 1. That the Governor of the Territory of Alaska be, and he hereby is, authorized and empowered