

CHAPTER 11.

AN ACT

[S. B. 60]

To amend Section Nine Hundred Eighty Five (985) of the Compiled Laws of Alaska 1913, relative to garnishment.

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

Section 1. That Section 985 of the Compiled Laws of Alaska be and the same hereby is amended to read as follows:

What order on garnishee shall require.

“Section 985. The order provided for in Section 975 shall require such person or officer to appear before such judge or court at a time and place therein stated. In the proceedings thereafter upon such order, such person or association or corporation shall be known as the garnishee.”

Approved March 30, 1923.

CHAPTER 12.

AN ACT

[S. B. 15]

To provide for the extradition of persons of unsound mind, and to make uniform the laws of the states and territories which enact the same and that all acts in conflict herewith are hereby repealed.

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

Act, how cited.

Section 1. Name of the Act. This Act may be cited as the Uniform Act for the Extradition of Persons of Unsound Mind.

Definition of terms.

Section 2. Definition of Terms. The terms “flight” and “fled” as used in this act, shall be construed to mean any voluntary or involuntary departure from the jurisdiction of the court where the proceedings hereinafter mentioned may have been instituted and are still

pending, with the effect of avoiding, impeding or delaying the action of the court in which such proceedings may have been instituted or be pending, or any such departure from the state where the person demanded then was, if he then was under detention by law as a person of unsound mind and subject to detention. The word "state" wherever used in this act shall include states, territories, districts and insular and other possessions of the United States. As applied to a request to return any person within the purview of this act to or from the District of Columbia, the words "executive authority," "Governor" and "Chief Magistrate" respectively shall include a justice of the Supreme Court of the District of Columbia and other authority.

Section 3. Persons Subject to the Act. A person Persons subject to act. alleged to be of unsound mind found in this Territory, who has fled from another state, in which at the time of his flight:

(a) he was under detention by law in a hospital, asylum or other institution for the insane as a person of unsound mind; or

(b) he had been theretofore determined by legal proceedings to be of unsound mind, the finding being unreversed and in full force and effect, and the control of his person having been acquired by a court of competent jurisdiction of the state from which he fled; or

(c) he was subject to detention in such state, being then his legal domicile (personal service of process having been made) based on legal proceedings there pending to have him declared of unsound mind;

shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed Fugitive to be delivered on demand of executive authority. thereto.

Section 4. Procedure. Whenever the executive authority of any state demands of the executive Procedure.

authority of this Territory, any fugitive within the purview of Section 3 and produces a copy of the commitment, decree or other judicial process and proceedings, certified as authentic by the Governor or Chief Magistrate of the state whence the person so charged has fled, with an affidavit made before a proper officer showing the person to be such a fugitive, it shall be the duty of the executive authority of this Territory to cause him to be apprehended and secured, if found in this Territory, and to cause immediate notice of the apprehension to be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within thirty days from the time of the apprehension, the fugitive may be discharged. All costs and expenses incurred in the apprehending, securing, maintaining and transmitting such fugitive to the state making such demand, shall be paid by such state. Any agent so appointed who receives the fugitive into his custody shall be empowered to transmit him to the state from which he has fled. The executive authority of this Territory is hereby vested with the power, on the application of any person interested, to demand the return to this Territory of any fugitive within the purview of this act.

Time
limitation.

Section 5. Limitation. Any proceedings under this act shall be begun within one year after the flight referred to in this act.

Uniformity of
interpretation.

Section 6. Interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Repealing
clause.

Section 7. Repeal. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 31, 1923