

CHAPTER 57.

AN ACT

[H. B. 55]

Amending Section 1328 Compiled Laws of Alaska, relative to service of process and other papers.

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

Section 1. That Section 1328 Compiled Laws of Alaska, 1913, be and the same hereby is amended to read as follows:

“Section 1328. The service or deposit in the Post Office, when served by mail, may be made by any person other than the party himself. The proof of service shall be the same as proof of service of a summons, and shall be returned with the original notice, or other paper of which service is made, at the time and place therein prescribed for the hearing or other proceeding to be had thereon. The service may be personal by delivery of a copy of the notice or other paper to the party or attorney on whom the service is required to be made, or it may be as follows:

Notices and other papers how served.

“First. If upon an attorney, it may be made during his absence from his office by leaving the copy with his clerk therein, or with the person having charge thereof; or when there is no person in the office, by leaving it between the hours of six in the morning and nine in the evening in a conspicuous place in the office, or if it be not open to admit of such service, then by leaving it at the attorney's residence with some person of suitable age and discretion.

If upon an attorney—

“Second. If upon a party, it may be made by leaving the copy at his residence between the hours of six in the morning and nine in the evening with some person of suitable age and discretion.

If upon a party—

“Third. (a) Any writ or order in any civil suit or proceeding and all other papers requiring service, may be transmitted by telegraph for service in any place,

and the telegraphic copy of such writ or order or paper so transmitted may be served or executed by the officer or person to whom it is sent for that purpose, and returned by him, if any return be requisite, in the same manner and with the same effect and force in all respects as the original thereof might be if delivered to him; the officer or person serving or executing the same shall have the same authority and be subject to the same liabilities as if such copy were the original. The original when a writ or order shall also be filed in the court from which it was issued. In sending it, either the original or a certified copy may be used by the operator transmitting the same.

Transmission
by telegraph.

“(b) Whenever any document to be sent by telegraph bears a seal, it shall not be necessary for the operator in sending the same to telegraph a description of the seal, or any word or device thereon, but the same may be expressed in the telegraphic copy by the word ‘seal.’

Method of
telegraphing
seal.

“(c) The term ‘telegraphic copy’ shall be confined to mean any copy of a message made or prepared for delivery at the office to which said message may have been sent by telegraph or wireless.

Terms defined.

“(d) The term ‘telegraph’ shall include ‘wireless’ message.”

Approved April 28, 1923.

CHAPTER 58.

AN ACT

[H. B. 56]

To amend Section 1, Chapter 56 of the Session Laws of Alaska, 1917, entitled: “An Act relating to and regulating marriage and marriage license in the Territory of Alaska, and providing penalties for the violation of the same,” approved May 3, 1917.

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

Section 1. That Section 1, Chapter 56 of the Session Laws of Alaska, entitled “An Act relating to and regu-