

Twenty Five (\$25.00) Dollars, and the contract for such printing shall be awarded to the lowest bidder. Provided, however, that when immediate delivery or performance is required by public exigency and the obtaining of competitive bids is not practicable, such competitive bids shall not be required, but an affidavit to that effect, made by the officer requiring such printing, must accompany the voucher covering the payment for such printing. Provided further, that all bids called for and contracts made under the provisions of this act shall require the use of nothing smaller than eight-point type and further that all calls for bids shall be issued at least forty-eight (48) hours before the time set for the closing and receiving of said bids.

Proviso.

Bids to be filed and open to inspection for 2 years.

Section 2. All bids must be retained on file and be open for public inspection in such offices or territorial institutions for at least two years after the work has been performed.

Approved April 30, 1923.

CHAPTER 67.

AN ACT

[S. B. 50]

To protect the industry of Fur Farming; to provide for the registering of brands and prescribe the fee therefor; to provide for the marking or tagging of skins; to prescribe punishment for violations, and for other purposes, and making an appropriation.

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

Breeders of blue foxes required to have registered brand.

Section 1. Every person engaged in the business of breeding blue foxes in Alaska shall be the owner of a duly registered brand or mark of identification for marking blue foxes and skins of blue foxes as hereinafter provided.

Section 2. Every bona fide blue fox farmer shall within three months after the passage of this act file an application for a brand with the Secretary of the Territory. Such application shall be under oath and shall state the name of the person, firm or corporation applying for same, the location of their fur farm, when such was established or acquired by them, and such other information as may be required by the Secretary to show that the applicant is a bona fide blue fox farmer. Such application shall be accompanied by a fee of ten (\$10.00) dollars payable to the Secretary.

Application for brand to be made to Secretary of Alaska.

Fee.

Every blue fox farm hereafter established shall within three months after establishment apply for a brand as required of those established at the passage of this Act.

Upon receipt of such application in satisfactory form, showing the applicant to be a bona fide blue fox farmer, the Secretary shall file same and assign to the applicant a brand and register such mark in a book kept by him for that purpose.

Secretary to assign and register brand.

The Secretary shall supply to the registrant a branding instrument suitable for marking skins and live animals. The cost of the implement shall be covered by the Secretary from the fee herein provided, and unused money from said fee shall be turned into the Treasury of the Territory as are other fees.

Secretary to furnish branding instrument.

As soon as such mark is registered, the Secretary shall issue to the person in whose name and for whose benefit such mark is registered a certificate to the effect that the mark (describing it) has been duly registered, and that no one except the person to whom certificate is issued has any right to use such mark or any mark identical with it or so nearly like it as to be readily confused with it.

Secretary's Certificate as to brand.

No brand shall be registered or issued which is identical with any other mark previously registered or so nearly like such previously registered mark as to

No unregistered mark to be used.

be readily confused or mistaken for it, and no person shall mark blue foxes or blue fox skins with any unregistered mark or any other mark, tag or button resembling, imitating, or counterfeiting the system of marks herein provided for.

Assignments of brands how made.

Section 3. The right to use such registered mark of identification shall belong exclusively to the registrant or his assigns. No assignment of such right shall be valid unless it be in writing and signed and acknowledged before a Notary Public or other officer authorized to take acknowledgment of deeds, said assignment to be recorded with the Secretary of the Territory.

Secretary to promulgate rules for carrying out purposes of this act.

The Secretary shall have authority to promulgate rules and regulations and designate marks and methods of marking necessary to carry out the purpose of this Act.

Section 4. Every breeder of blue foxes shall, before disposing of any blue fox skins and before the same are removed from the breeding ground or fox farm, mark such skin on the inside of back at base of tail with a perforating reproduction of his brand which shall be readily visible.

Penalty for violation.

Any person violating the provisions of Section 1, 2, 3 and 4 shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than five hundred (\$500.00) dollars or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment in the discretion of the court.

Dealing in or possessing unbranded skins unlawful, except.

Section 5. No person shall possess, buy, sell, offer to buy or sell, give or receive, or transport any unbranded or untagged blue fox skin other than a fur farmer on his own fur farm, except as herein provided.

All unmanufactured blue fox skins legally held in Alaska prior to the passage of this Act shall, before October 1, 1923, be exhibited to the U. S. Commissioner

in the precinct in which such skins are held, together with an affidavit showing where such skins were raised or from whom and at what time the owner obtained the same, and such other facts as will show the possessor's legal ownership of said skins. Such skins shall then be tagged for identification by the Commissioner in such manner and pursuant to such rules as shall be provided by the Secretary of the Territory. The Commissioner shall file such affidavits and keep in his office such records of such skins and their owners.

Procedure for legalizing possession of skins held at time of passage of Act.

Unmanufactured blue fox skins hereafter legally imported or brought into the Territory shall, at the time of entering the Territory, be presented to the U. S. Commissioner of that precinct, and shall be tagged in like manner to those legally held prior to the passage of this Act. Any unmanufactured blue fox skin hereafter legally acquired in the Territory other than skins raised on farms having a registered brand and branded with such brand, shall likewise on the first occasion when such skins are brought to a place where a United States Commissioner resides, or has his office, be presented to such U. S. Commissioner with an affidavit showing the facts proving legal possession, and shall be tagged in a like manner. For such services the Commissioner shall receive a fee of one dollar and fifty cents (\$1.50) for each skin, which fee shall be paid by the owner of the skins. Provided, however, that nothing herein contained shall prevent the legal taking of wild foxes, and the barter or sale thereof untagged if such barter or sale be made before said skins be brought to any place where a United States Commissioner resides or has an office.

Unbranded skins caught or imported must be marked by U. S. Commissioner.

Fee.

Proviso.

Any person violating the provisions of Section 5 of this act shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of not more than five hundred (\$500.00) dollars or be imprisoned for not more than six months, or both, in the discretion of the court; it being provided that each skin or pelt manu-

Violation of Section 5 a misdemeanor.

Penalty.

factured or unmanufactured shall constitute a separate offense.

Provision for forfeiture.

Section 6. Subsequent to the first day of October, 1923, every blue fox skin not marked as directed in Sections 4 and 5 of this act and not in possession of a fox farmer on his own fox farm shall be presumed to have been unlawfully obtained, unless the contrary can be shown, and, if the court shall adjudge the possession of any skins to have been unlawfully obtained, the same shall be forfeited to the Territory of Alaska or disposed of as hereinafter provided.

Imitating brands unlawful.

Section 7. No person not a bona fide fox farmer and the owner of a duly registered brand mark shall mark or brand any skin or pelt, or animal so as to resemble, imitate, or counterfeit any registered brand or the system adopted in the Territory for branding such animals or skins.

No holder of a registered brand shall mark any skin or animal with such brand other than animals or skins raised by him or legally acquired.

Violation a felony and penalty.

Any person violating any provisions of this section shall be guilty of a felony, and upon conviction shall be punished by a fine of not more than two thousand (\$2,000.00) dollars, or by imprisonment for not more than three (3) years, or by both such fine and imprisonment in the discretion of the court.

Altering brands a felony.

Section 8. Any person who shall alter, add to, or efface any mark of identification upon any animals or upon the pelt or skin of any animal for the purpose of concealing the identity of the owner of such animal, pelt or skin, or for the purpose of otherwise deceiving or defrauding, shall be guilty of a felony, and upon conviction shall be punished by a fine of not more than two thousand (\$2,000.00) dollars or by imprisonment for not more than three (3) years, or by both such fine and imprisonment in the discretion of the court.

Penalty.

Section 9. For the purpose of the enforcement of this Act any person hereafter adopting or making use of a mark of identification for foxes shall be conclusively deemed to have notice of the various marks registered as herein provided.

Any person using brand deemed to have notice of brands registered.

Section 10. Copies of any document filed in the office of the Secretary or other official under this Act, as well as copies of the records of said office or offices kept pursuant to the provisions of this Act, when certified to by the Secretary or other official as true and correct copies, shall be competent evidence in any court with the same force and effect as the original documents or original records.

Certified copies of filings to be competent evidence, when—

Section 11. No person other than a blue fox farmer having a registered brand shall possess a branding implement of a type which may be used to imitate the brands herein provided for, and possession of such an instrument shall be prima facie evidence of intent to violate the provisions of this Act.

Prohibition against possession of branding instrument by other than blue fox farmer.

No person other than an authorized officer shall remove any raw skin(,) tag, and any skins without such tag or brand shall be forfeited to the Territory, and the burden of proof of legal possession thereof shall rest on the claimant.

Only authorized officers to remove raw skin tags and unmarked skins to be forfeited to Territory.

All persons dealing in, possessing or transporting fur pelts in Alaska shall, at any time during usual business hours, afford duly authorized Federal and Territorial officers for the protection of fur and game, United States Marshals and Deputy United States Marshals, and Territorial tax collectors or other representatives of the Territorial Treasurer or Department of Justice, full and fair opportunity to inspect any and all pelts, furs and skins in their possession, under due process of law.

All skins to be subject to inspection by officers.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than

Violation a misdemeanor.

Penalty.

one thousand (\$1,000.00) dollars or by imprisonment for not more than six (6) months, or by both such fine and imprisonment in the discretion of the court.

Landing on fox islands without permission from lawful owner unlawful, except—

Section 12. It shall be unlawful for any person, other than an officer on lawful business, to land or enter upon any island lawfully used for fur farming without the permission of the lawful occupant or the person using said island as a fur farm. When such landing or entrance is made at any other place than within sight of said fur farmer's dwelling house and at a place established by him for landing purposes, such landing or entrance shall be presumed to be without the permission required by this section. Nothing herein contained shall be construed as limiting any rights specifically reserved in the lease, contract, or permit under which any fur farm or island is occupied, nor any right conferred by Federal law or regulation. Provided, further, that a landing made on any island by stress of circumstances, storm or accident shall not be deemed unlawful.

Signs must be posted on fox farms.

Every person occupying an island or land for the purpose of propagating blue foxes shall within three months after the passage of this Act place signs within sight of each other, bearing the words in black letters at least six inches high, on white background: "Fox Farm—No Trespassing." in conspicuous places upon said island or land.

Violation a misdemeanor and penalty.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than one thousand (\$1,000.00) dollars or by an imprisonment in jail for not more than six (6) months, or by both fine and imprisonment in the discretion of the court.

Section 13. Any person other than the fur farmer himself or his duly authorized agent, who shall take or attempt to take, capture, or kill any animals of any

kind on any fur farm, or who shall set any trap on such fur farm, or place poison thereon, or who shall fire or discharge any gun thereon, or shall shoot at any birds or animals upon such farm, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than one thousand (\$1,000.00) dollars, or imprisonment in jail for not more than six (6) months, or by both such fine and imprisonment in the discretion of the court.

Misdemeanor to do certain acts on fox farms.

Penalty.

Section 14. All traps, guns, boats, or other paraphernalia used in violation of this Act shall be forfeited to the Territory of Alaska, and all such property as well as all pelts or skins forfeited to the Territory under the provisions of this Act, unless ownership be proved by owner, shall be liable to seizure by any Federal or Territorial game or fur warden, or any marshal or deputy marshal, or Territorial tax collector, and when so seized shall be delivered into the possession of the Treasurer of the Territory or to someone designated by said Treasurer for such purpose, and shall by the Treasurer or under his direction be sold at public auction and the proceeds covered into the Treasury of the Territory after all expenses of seizure and sale have been paid.

Paraphernalia used in violation of this act to be forfeited to Territory.

Provision for sale of forfeited property.

For the purpose of carrying out the provisions of this section, the Treasurer is authorized to execute all necessary instruments and conveyances for the purpose of conveying title to such property so seized and sold. The forfeitures provided by this section shall be adjudged and declared only in and by the district court for the Territory of Alaska.

Treasurer to execute instruments for conveyance of seized property.

Forfeiture to be declared only in District Courts of Territory.

Section 15. For the purpose of carrying out the provisions of this Act there is hereby appropriated from the General Fund one thousand (\$1,000.00) dollars.

Appropriation.

Section 16. Definitions:

The word "person" as used in this Act shall apply to individuals, firms, corporations, and associations.

Terms defined. "Unmanufactured fur" shall mean a raw fur in the common usage of the term; one which has not been tanned, or otherwise treated, lined or changed from the usual condition in which furs are obtained from trappers.

Invalidity of part of act not to impair the whole. Section 17. If any section, sentence, clause or phrase of this Act shall be found by a court of competent jurisdiction to be invalid, such invalidity shall not impair any portion of the Act other than the section, sentence, clause or phrase directly involved.

Approved May 1, 1923.

CHAPTER 68.

AN ACT

[S. B. 53]

Prescribing the qualifications for persons serving as jurors in the courts of the Territory of Alaska, exempting certain classes of persons from such service, and repealing all acts and parts of acts in conflict with this act.

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

Qualifications for jury service. Section 1. That from and after the date on which this act goes into effect, every person, without regard to sex, who is a citizen of the United States, an inhabitant of the Territory of Alaska, over the age of twenty-one years, in possession of his or her natural faculties, of sound mind, and who has never been convicted of a felony, shall be competent to act and serve as a juror on any grand jury and on any petit jury or trial jury in or attendant upon any of the courts of the Territory of Alaska.

Women not to be excluded from jury. Section 2. That in the drawing or empaneling of any grand jury, or any petit or trial jury, in any of the courts of said Territory, no discrimination shall be made against women on account of their sex nor because they