

CHAPTER 113.

AN ACT

[H. B. 65]

To amend Chapter 67 of the Laws of 1923 to protect the industry of fur-farming.

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

Section 1. Section 4 of Chapter 67 of the law of 1923 is hereby amended so as to read as follows:

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 skins on the inside of back at base of tail with a perforating reproduction of his brand which shall be readily visible.

Section 2. Section 5 of Chapter 67 of the Laws of 1923 is hereby amended so as to read as follows:

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.

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 skins hereafter legally acquired in the Territory, other than

Blue fox
farmers to
brand skins.

Skins to be
presented to
U.S. Commis-
sioners with
affidavit.

To be tagged.

Affidavits and
records filed by
Commissioners.

Imported skins
to be tagged.

Skins otherwise
acquired in
Territory to be
tagged.

skins raised on farms having a registered brand and branded with such brand as heretofore provided, 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 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.

Commissioner's fees.

No person, except a fur farmer on his own fur farm, shall possess any blue fox skin not branded, marked or tagged as herein provided; nor shall any person buy, sell, offer to buy or sell, give, receive or transport any blue fox skin not so branded or tagged as provided in Sections 4 and 5 of this Act. Provided, however, that nothing herein contained shall prevent the legal taking of wild foxes, and the possession, barter, sale or transportation thereof untagged if such possession be had or barter, sale or transportation be made before said skins be brought to any place where a United States Commissioner resides or has an office; but the burden of proving such legal taking and possession, barter, sale and transportation shall rest upon him who asserts the same.

Only fur farmer to possess unmarked skins.

Proviso.

Section 3. Section 6 of Chapter 67 of the Laws of 1923 is hereby amended so as to read as follows:

Subsequent to the first day of October, 1923, every blue fox skin not marked in the manner 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, prima facie, to have been unlawfully obtained and to be unlawfully possessed, bought, sold, given, received or transported as the case may be.

Unlawful possession presumed, when.

Section 4. Section 7 of Chapter 67 of the Laws of 1923 is hereby amended so as to read as follows:

Brand to be used on certain skins only.

Counterfeit brand prohibited.

No holder of a registered brand shall therewith mark any skin or animal other than the animals or skins raised by him nor shall any person 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.

Owner only to possess branding implements.

It shall be unlawful for any person not the registered owner thereof to have in his possession and under his control any implement for marking skins or live animals with any registered brand mark, or for any person to have in his possession any implement for marking skins or live animals with any brand mark resembling or imitating a registered brand mark or the system adopted in the Territory for branding animals or skins.

Counterfeiting material prohibited.

Penalty.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, 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 one year, or by both such fine and imprisonment in discretion of the court.

Section 5. Section 11 of Chapter 67 of the Laws of 1923 is hereby amended so as to read as follows:

Pelts open for inspection, when, by whom.

All persons dealing in, possessing or transporting fur pelts in Alaska, at any time during usual business hours, shall afford any Marshal or Deputy Marshal, Federal or Territorial Game or Fur Warden full and fair opportunity to inspect any and all pelts, furs and skins in their possession, and any person failing or refusing to do so, after demand, shall be guilty of a misdemeanor 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 one year, or by both such fine and imprisonment in the discretion of the court.

Penalty for denying inspection.

Section 6. Section 14 of Chapter 67 of the Laws of 1923 is hereby amended so as to read as follows:

All traps, guns, boats, or other paraphernalia used in or in aid of a violation of this Act shall be forfeited to the Territory of Alaska, and shall be liable to seizure by any Federal or Territorial Game or Fur Warden, or any Marshal or Deputy Marshal, and when so seized shall be delivered into the possession of the Treasurer of the Territory or to someone designated by said Treasurer to act for him in the matter, 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.

Designated property subject to forfeiture for violation.

Disposal of forfeited property.

For the purpose of carrying out the provisions of this section, the Treasurer is authorized to execute all instruments and conveyances necessary for the purpose of conveying title to such property so seized and sold.

Section 7. Section 15 of Chapter 67 of the Laws of 1923 is hereby amended so as to read as follows:

Any person who shall, in violation of the provisions of this Act, have in his possession, buy, sell, offer to buy or sell, give, receive or transport any blue fox pelt not marked or branded as herein provided shall be guilty of a misdemeanor 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 one year or by both such fine and imprisonment.

Penalty for possession, sale, etc. of unbranded pelts.

The pelts of blue fox unlawfully possessed, held or transported by any person in violation of the provisions of this Act shall be the property of the Territory of Alaska and may be seized by any officer of United States or of the Territory, and delivered to the Treasurer of the Territory for disposal as provided in Section 14.

Pelts subject to forfeiture, when.

That whenever property is confiscated under the provision of this Act, any interested person disputing or denying the legality of such confiscation may insti-

Interested party may defend confiscation proceedings.

tute proceedings in replevin against the officer in possession of such confiscated property in any District Court in the Territory of Alaska within sixty days after such confiscation, and if he fails to do so he shall be precluded from afterwards claiming or asserting that the confiscation was unlawful.

Approved May 2, 1929.

CHAPTER 114.

AN ACT

[H. B. 87]

Creating the office of Highway Engineer.

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

Creating office
of Highway
Engineer.

Term.

Salary.

Qualifications.

Duties.

Devote full
time.

Section 1. There shall be elected for the Territory of Alaska a Highway Engineer, who shall hold his office as such for the term of four years and until his successor is elected and qualified, unless sooner removed in the manner hereinafter provided. He shall be paid a salary of Four Thousand Dollars (\$4,000.00) per annum together with his necessary expenses when away from his office on official business. No one shall be eligible for the office of Highway Engineer unless he is a competent civil engineer. It shall be his duty, under the supervision and direction of the Territorial Board of Road Commissioners, to perform all of the duties of the Engineer heretofore appointed by said Commissioners under Chapter 92, Session Laws of Alaska, 1923, and the laws amendatory thereof, to lay out and survey roads and aviation fields, and to make the necessary plans, maps, specifications and estimates relative thereto, and to superintend the construction, reconstruction, alteration, maintenance and repair of all public roads, highways, bridges, ferries and aviation fields. Such Engineer shall devote his entire time to the service of the Territory in such work.