

29. Aleutian Islands. Reindeer to Unalaska Island.

30. Blue Grouse to Prince of Wales Island.

To be carried
out by Alaska
Game Commis-
sion.

Proviso.

Section 2. The Alaska Game Commission is hereby authorized and it shall be their duty to carry out said projects by obtaining the necessary animals and placing them on the lands designated in the several projects; Provided, that at least one project shall be undertaken in each Division every two years and that otherwise the projects shall be undertaken in such an order as seems best to the Alaska Game Commission.

Approved May 2, 1929.

CHAPTER 99.

AN ACT

[S. B. 86]

To provide for the incorporation of cities of the second class and to repeal Chapter 47 Session Laws of Alaska 1913, Chapter 18 Session Laws of Alaska 1915 and Chapter 21 Session Laws of Alaska 1917.

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

Municipality
second class,
may be formed.

Section 1. Any community having fifty or more permanent inhabitants may form a municipal corporation of the second class in the manner hereinafter provided.

Petition to
District Court,
stating—

Section 2. A petition praying for such municipal incorporation of the second class shall be presented to the District Court of the Division in which such community is situated, which petition shall be signed by at least fifteen adults, bona fide residents of such community, who shall be the owners of substantial prop-

erty interests therein. Such petition shall describe the boundaries and state the number of inhabitants of the proposed corporation, and shall also specify the name by which it is to be known, and shall give such other facts as may tend to show good grounds for such incorporation. The Judge of the District Court shall thereupon fix the time and place for considering said petition, which time shall not be less than fifteen nor more than sixty days after the date of such order. As soon as such order is signed copies thereof shall be posted in three public places within the limits of the territory proposed to be incorporated. At the time and place fixed for considering the petition the District Judge shall hear those who are in favor of as well as those who are opposed to incorporation, and if he be satisfied that it is for the best interest and welfare of the community to be incorporated as a city of the second class, he shall, by order, so adjudge; and he may, by the order, change or modify the proposed boundaries, which shall in no case embrace more than six hundred and forty acres. He shall also, by said order designate the name and the boundaries of the corporation, and the time and place when and where an election shall be held to determine whether the people of the community desire to be incorporated as a city of the second class; and he shall also, by said order, appoint three qualified voters to act as judges of such election. Copies of such order shall be posted at three public places within the limits of the proposed corporation, at least fifteen days prior to the day of election, and such posting shall be deemed sufficient notice of such election.

Judge to fix time for hearing, when—

Posting.

District judge to hear both sides.

Order to state—

Judges of election appointed.

Copies order to be posted where, when—

Section 3. That the qualifications of an elector hereunder shall be as follows: He or she shall be a citizen of the United States, twenty-one years of age and over, an actual and bona fide resident of Alaska who has been such resident continuously during the year immediately preceding the election and who has been

Qualifications of elector.

such a resident continuously for six months next preceding the election in such community, and is able to read and write the English language as prescribed by the Act of the United States Congress of March 3, 1927, entitled: "An Act to prescribe certain qualifications of voters in the Territory of Alaska and for other purposes", provided however, that the requirement of this section as to ability to read and write shall not apply to any person who is incapacitated from complying therewith by reason of physical disability only.

Form of ballot.

Section 4. That the election herein provided for shall be by printed or written ballot in substantially the following form, to-wit:

"For incorporation as a city of the second class of the city of
(insert name of proposed corporation)

"OR

"Against the incorporation of a city of the second class of the city of
(insert name of proposed corporation)."

Trustees, how many.

The qualified electors of the community proposed to be incorporated shall also at the same election by a separate ballot choose three trustees who shall be qualified electors of the community.

Judges of election to certify result to District Court.

The judges of election shall certify to the District Court the result of the election giving the number of votes cast in favor of incorporation and the number of votes cast against incorporation, as well as the number of votes cast for each person for the office of trustee.

Order of incorporation or non-incorporation.

As soon as such certificate is received by the District Court the Judge thereof shall enter an order declaring

the community incorporated as a city of the second class if a majority of the votes cast was in favor of such incorporation, otherwise the Judge shall make an order declaring the community not incorporated. Such order shall also declare the three who received the highest number of votes for trustees elected to those offices.

Section 5. The trustees shall have the following powers: Powers of trustees.

First: To provide suitable rules governing their own body and to elect one of their members president, who shall be ex-officio Mayor. Rules; choose mayor.

Second: To make rules for all municipal elections in said city of the second class. Rules of election.

Third: To provide for necessary street improvements, fire protection, water supply, light, wharfage, sewerage, protection of public health, and expense of assessment and collection of taxes. Provide for general upkeep and improvements.

Fourth: To assess, levy and collect poll tax of not more than Four Dollars per year on all male residents over twenty-one and under fifty years of age. Such tax shall be a lien upon and may be collected from any real or personal property of the person against whom the tax is levied except wearing apparel and household furniture of the head of a family or householder of less than Two Hundred Dollars in value. Poll tax, lien, exemptions.

Fifth: To provide for impounding dogs, horses, and other stock when found running at large within the incorporated limits of said town in violation of its ordinances; to provide for advertising and selling or destroying the same if not redeemed by the owner, his agent or person having such stock in charge. Impounding animals.

Sixth: To assess, levy and collect a general tax for school and municipal purposes, not to exceed two per centum of the assessed valuation upon all real and personal property and to declare such tax with penalty Taxing power; enforce collection.

a lien upon such property, and to enforce the collection of such lien by foreclosure, levy, distress and sale, in the manner provided for the collection of taxes in municipal corporations of the first class, and all the provisions of the laws of the Territory relative to the levy and collection of taxes in cities of the first class shall apply with full force and effect to incorporated cities of the second class; Provided, however, that all property belonging to the municipality, all property used exclusively for religious, educational or charitable purposes, and the household furniture of the head of a family or householder, not exceeding Two Hundred Dollars (\$200.00) in value, shall be exempt from such tax; Provided, further, that the laws exempting certain property from levy and sale on execution shall not apply to said taxes or the collection of the same.

Proviso re exemption.

Proviso.

Appointment municipal officers; term.

Seventh: To appoint a clerk, a treasurer, an assessor, a municipal magistrate, a chief of police, and such other officers or employees as may be necessary, but none of such officers or employees shall be appointed for a longer term than one year nor beyond the term for which the trustees are elected; Provided, however, the said Board of Trustees may, if it so elects, itself make all assessments for taxes, and may select such clerk, treasurer and municipal magistrate from among its own number, but no member of the said Board of Trustees shall receive compensation for performing the duties of any of the said offices.

Proviso.

To prohibit, what.

Eighth: To prohibit drunkenness, gambling, houses or places of ill fame, disorderly conduct, or conduct endangering the public peace, public health, or public safety, and define such offenses, and to prescribe the punishment therefor, but such punishment shall not exceed in any case a fine of One Hundred Dollars or imprisonment in the municipal jail not exceeding ninety days, or both, in the discretion of the court, together with the costs of prosecution. All fines and costs im-

Penalty.

Fines, etc. to be paid to—

posed and collected for violation of municipal ordinances shall belong to the municipality and be paid over to the treasurer. The municipal magistrate shall have jurisdiction of all actions for violations of municipal ordinances, and appeals shall lie from his judgment to the United States District Judge for the Division in which such city of the second class is situate, in the same manner as appeals from the judgment of the ex officio Justices of the Peace to the District Court. The proceedings before the magistrate shall be conducted as nearly as practicable like criminal proceedings before a Justice of the Peace, except that there shall be no jury trials.

Appeals from judgment municipal magistrate.

Conduct of magistrate proceedings.

Ninth: To make provision for the maintenance of a municipal jail and to provide the same with a keeper.

Municipal jail.

Tenth: To take such action by ordinance, resolution, or otherwise, as may be necessary to protect and preserve the lives, the health, the safety, and the well-being of the people of the town and to publish all ordinances.

Protection of citizens.

Publish ordinances.

Eleventh: All assessments made by the assessor of the corporation of the second class shall be subject to review by the Trustees; but no indebtedness shall be authorized for any purpose beyond the revenues for the year.

Assessments subject to review, by whom.

Section 6. Whenever a petition for the incorporation of a city of the second class shall be filed in the office of the Clerk of Court the petitioners or some of them shall deposit with the Clerk a sum of money sufficient to pay the fees to be earned by him in connection with the proceedings required for incorporation.

Deposit to cover fees Clerk of Court.

Section 7. Chapter 47, Session Laws of Alaska, 1913; Chapter 18, Session Laws of Alaska, 1915 and Chapter 21, Session Laws of Alaska, 1917, are hereby repealed.

Repeal.

Approved May 2, 1929.