

CHAPTER 80.

AN ACT

[H. B. 70]

To provide for the care and detention of delinquent or dependent children and to create a Board of Children's Guardians, repealing Chapter 101 Session Laws 1929, and declaring an emergency.

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

Section 1. The commissioner and ex-officio justices of the peace shall have power to commit to a reform school or to an orphan asylum, or to any other suitable public or charitable institution, or to the board of children's guardians for the judicial division in which such commissioner and justice is located, as hereinafter provided for, any child under sixteen (16) years of age for an indeterminate period not exceeding the time such child shall have arrived at the age of twenty-one (21) years:

Dependent or delinquent children committed to public institutions, etc., by whom.

(a) Who may be guilty of a misdemeanor under the laws of the Territory of Alaska;

(b) All children who are destitute of suitable homes and adequate means of earning an honest living;

(c) All children abandoned by the parents or guardians;

(d) All children of habitually drunken, vicious or otherwise unfit parents or guardians;

(e) All children kept in vicious or immoral associations;

(f) All children habitually begging or receiving alms;

(g) All children known by their language or life to be vicious or incorrigible.

Section 2. That the antecedents, character, and condition of life of each child of which such com-

Record of child's history.

missioner and ex-officio justices shall take official notice, shall be investigated as fully as possible, and the facts learned entered in permanent records in which shall be entered the subsequent history of each child so far as it can be ascertained.

Board of Children's Guardians for each Division.

Section 3. There shall be in and for each judicial division a board to be known as "The Board of Children's Guardians", composed of the Judge of the District Court of such division, the United States Marshal for such division, and one woman of such division to be appointed by the Governor. All of said members shall serve without compensation and shall hold office for a term of three (3) years, unless sooner removed by the Governor, excepting in the case of unexpired terms when such appointment shall be for the remainder of such unexpired term. Each of said boards of children's guardians shall elect its own chairman and secretary, and shall have the power to conclude the arrangements with persons or institutions for the care of delinquent or dependent children at such rates as may be agreed upon, and to appoint agents.

Powers of Board.

Section 4. That said board of children's guardians shall be the legal guardians of all children committed to them by the commissioner and ex-officio justice as herein provided, and shall have full power to board them in private families or institutions willing to receive them, to bind them out or apprentice them, or give them in adoption to foster parents.

Governor to prescribe rules, etc.

Section 5. That the Governor shall have the power to prescribe the forms of records to be kept by the commissioner and ex-officio justice and by the boards of children's guardians, and the methods to be employed in paying bills and auditing accounts. A semi-annual report of their operations hereunder shall be made by the boards of children's guardians addressed to the Governor, in which shall be included a report of all actions heard hereunder by the commissioner and

Semi-annual reports to be made by Board to Governor.

ex-officio justice, said reports to be for the use and information of the Governor and the Legislature.

Section 6. The board of children's guardians, or any member of such board, or any agent thereof appointed by such board, shall have authority to visit any child committed hereunder whenever such visitation shall be deemed necessary for the welfare of the child.

Board or any member has authority to visit child.

Section 7. The commissioner and ex-officio justice shall hear and examine all cases relating to children under this Act upon complaint of any parent or guardian, school teacher, member of the school board, truant officer, or any other reliable person, and the commissioner and ex-officio justice and witnesses who may be called before the same shall receive the same fees and compensation as may be provided at the trial of misdemeanors before a commissioner and justice of the peace.

Fees of witnesses.

Section 8. Whenever any complaint or information is filed against any child under this Act, a warrant shall issue by the commissioner requiring the United States Marshal or his deputy to bring such child before the commissioner before whom the complaint is filed, and the parents or guardians of such child, or other person known to be interested in the child or having custody thereof, shall be notified of the arrest and the time and place of the hearing of the charge or charges against the child, and shall have opportunity to be heard relative thereto. It shall be the duty of a United States Marshal or any deputy marshal, to serve any regularly issued process of the commissioner or ex-officio justice under this Act. The commissioner and ex-officio justice shall issue a certified copy of all judgments committing any child under the provisions of this Act, and such certified copy of the judgment shall be sufficient authority for the person or institution to whom any child may have been committed for holding such child, and shall be authority

U. S. Marshal or deputy to serve warrant.

Parents or guardian notified of hearing.

Certified copy of judgment authority of institution, etc. for holding child.

for the marshal or his deputies for transporting such child to any institution to which it is committed.

Act not to
apply to—

Section 9. This Act shall not apply to any child under the jurisdiction of the Indian Bureau of the Department of the Interior or belonging to the class treated as wards of the United States Government; provided, however, that this inhibition shall not apply to the right of this Commissioner to commit incorrigible, vicious or criminal children to the reform school.

Proviso.

Appeal—when.

Section 10. The decision of the Commissioner and Ex-officio Justice of the Peace in any cause or proceeding brought under the provisions of this Act shall be by judgment, and in all such cases an appeal shall lie from the judgment of the Commissioner to the District Court for the Territory of Alaska, and such appeal may be taken by the child affected by his or her guardian or guardian ad litem, the parent or parents of such child, or by any other interested party. Any such appeal shall be taken within thirty days from the date of the judgment sought to be reviewed, and the same shall be taken and prosecuted and heard in and by said District Court and final order or judgment or other decision made in accordance with the provisions of Chapter Ninety, Code of Civil Procedure, Compiled Laws of Alaska, governing appeals in probate cases.

Order made
according to—

Fees of Com-
missioners and
witnesses.

Section 11. In proceedings had under the provisions of this Act, the Commissioners and witnesses shall receive the same fees as are provided for like services in the trial of misdemeanors before a Justice of the Peace. Such fees to be paid out of the appropriation for the care of dependent children upon vouchers approved by the Governor.

How paid.

Chap. 101,
S.L.A. 1929,
repealed—
exception.

Section 12. Chapter 101 of the laws of 1929 is hereby repealed, but any child committed under said Act may be held thereunder during the period for which it has been committed.

Section 13. An emergency is hereby declared to exist and this Act shall take effect immediately upon its passage and approval. Emergency.

Approved April 29, 1931.

CHAPTER 81.

AN ACT

[H. B. 71]

Authorizing the Territorial Board of Road Commissioners for the Territory of Alaska, in conjunction with the Town of Cordova, Alaska, to construct a hydroplane port or mooring within five miles of said Town of Cordova, Alaska, providing for the payment of said work and declaring an emergency to give this Act immediate effect.

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

Section 1. The Territorial Board of Road Commissioners for the Territory of Alaska is hereby authorized to construct a hydroplane port or mooring within five miles of the Town of Cordova, Alaska, and on Eyak Lake, adjoining said Town. Hydroplane port or mooring for Cordova.

Section 2. In the performance of said work, said board is authorized to expend not to exceed the sum of Four Thousand Dollars (\$4,000.00) of which sum the Town of Cordova shall deposit to the credit of the Territorial Road funds for the Third Division, the sum of One Thousand Dollars (\$1,000.00) in accordance with the provisions of Chapter 110 of the Session Laws of 1929. Authority for expenditure—share of town of Cordova.

Section 3. Said work shall be done under the direction of the said Territorial Board of Road Commissioners either under contract or by day labor as said Board may see fit and under plans and specifications to be prepared by the Highway Engineer of the Territory of Alaska. How work is to be done.