

CHAPTER 16.

AN ACT

[H. B. 15]

Requiring advance notice of alibi defense and time of commission of offense in criminal prosecutions.

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

Section 1. At or before the arraignment of a defendant charged in an indictment or information with the commission of a felony, the prosecution shall notify him of the time when and the place where the alleged offense was committed, as far as the same is ascertainable or known. Whenever in any such criminal action the defendant intends to rely upon the defense of alibi, he shall give the prosecution written notice of such intention not later than forty-eight hours after his arraignment, and this notice shall also contain specific information as to the room, house, building, boat, structure, street, or other place where the defendant claims to have been at the time of the commission of the alleged offense, together with the name or popular designation of each person present, as far as is known to defendant. At the time of the arraignment the accused shall be informed by the trial judge of the requirements of this Act.

Section 2. In the event the defendant fails to give such notice and information to the prosecution, no evidence of the defense of alibi shall be admitted except in the discretion of the Court for cause shown.

Approved March 5, 1935.