

and payable from road funds that shall be allotted to the First Division out of the appropriation provided by Chapter 19, Session Laws of Alaska, 1939, to assist the Town of Douglas, Alaska in the construction of a gymnasium-auditorium, an addition to the Douglas School Building. That the sum of \$10,000.00, or as much thereof as is necessary, is hereby appropriated to assist the town of Skagway, Alaska, in the completion and equipping of its school building and the construction of a gymnasium, the said \$10,000.00 to be set apart from the road fund set apart for the First Division for the biennium 1939-1941.

Section 2. The said sums shall be expended under the ^{How paid.} supervision of the Common Councils of said Towns of Douglas and Skagway and shall be paid by the Territorial Treasurer upon vouchers approved by the Commissioner of Education.

Section 3. An emergency is hereby declared to exist ^{Emergency.} and this Act shall be in full force and effect immediately upon its passage and approval.

Approved March 9, 1939.

CHAPTER 73.

AN ACT

[S. B. 561]

Declaring a policy of cooperation with the Federal Government in flood control and river and harbor improvement projects and defining the liability of the Territory thereunder and for other purposes, and declaring an emergency.

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

Section 1. That the public policy of this Territory is declared to be one of cooperation with the Federal ^{Territorial policy on flood control and river and harbor improvements.}

Government in protecting the lives and property of the residents of this Territory by means of such flood control and river and harbor improvements as may be undertaken by any agency of the Federal Government. It is further declared to be the policy of this Territory to hold and save the Federal Government free from liability for damages to any individual, firm or corporation in the Territory arising from the construction of any flood control or river or harbor improvement, and it is further declared to be the policy of the Territory to protect and maintain such improvements through its proper agencies so long as they may be required.

Territory
to assume
liability.

Section 2. That the Territory shall assume liability for damages arising out of the construction by the Federal Government of any flood control, river or harbor project. Provided that the liability of a private person shall be the measure of liability of the Territory for such damages. Provided further that the submission to any rejection by the Territorial Board of Administration of any claim shall be a condition precedent to the maintenance of suit against the Territory for the recovery of such damages.

Claims for
damages.

Section 3. That the Territorial Board of Administration is hereby empowered to hear and determine claims for damages arising under this Act and to award fair and just compensation therefor, and to that end may adopt any appropriate procedure not inconsistent with existing law.

Payment of
damage.

Section 4. That the payment of awards or judgments made and rendered under the provisions of this Act shall be made from an appropriation for that purpose.

Incorporated
municipalities
to exercise right
to eminent
domain.

Section 5. Incorporated municipalities of the Territory, through their councils, shall have and exercise the right of eminent domain for the purposes of flood control and river and harbor improvements. Such municipalities may exercise such right of eminent

domain within a distance of thirty miles from their corporate bounds for the following: the acquisition of lands and rights of way for flood control and river and harbor improvements and widening, deepening, straightening, changing alignment of, or diverting flow from streams, sloughs or other natural water courses which may aid in such flood control or river and harbor improvement.

Section 6. An emergency is hereby declared to exist^{Emergency} and this Act shall be in full force and effect immediately upon its passage and approval.

Approved March 9, 1939.

CHAPTER 74.

AN ACT

[H. B. 82, 88, 90, 109, 106, 105, 69, 65 and 55]

To set apart the sum of \$178,500 out of the appropriation heretofore made for the construction and maintenance of roads, trails, and bridges, and providing for the specific expenditure thereof.

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

Section 1. The sum of \$178,500.00, or so much thereof as may be necessary, is hereby appropriated, to be paid^{Appropriation for roads during biennium ending March 31, 1941.} out of the road funds allotted to the several divisions respectively, for the biennium ending March 21, 1941. The said sum shall be expended for the construction, maintenance, repair or improvement of the following named projects in amounts not to exceed the sum specified for each of them, to-wit:

In the First Division:

First Division.

| | |
|--------------------------------|-------------|
| Extension of Garden Highway at | |
| Hoonah | \$ 1,750.00 |