

CHAPTER 14.

AN ACT

[H. B. 16]

To provide for the creation of grazing districts and to regulate the grazing of domestic animals.

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

Grazing districts
created.

Section 1. Creation of Grazing Districts Authorized. United States Commissioners are hereby authorized to create and establish within the precinct, upon petition and order as herein provided, grazing districts, to consist to one or more townships or portions thereof or of a contiguous area of not less than two square miles, wherein it shall be unlawful for any domestic animal to graze or run at large unless such domestic animal is herded on open public domain and tended by one or more persons and prevented from grazing upon private roads or highways and privately owned land.

Definitions.

Section 2. Definitions. For the purpose of this Act:—

(A) The term "owner of land" includes not only a freeholder but a tenant, contract vendee or other person in actual possession of land.

(B) The term "domestic animal" includes goats, sheep, cattle, horses and swine.

(C) Words in this singular include the plural.

Petition for
creation of dis-
tricts, contents.

Section 3. Petition for Creation of District. Grazing districts may be created upon petition of not less than seventy-five per centum of the resident owners of land within the area to be included in the district. The petition shall contain a statement of its purpose, shall

define the boundaries of the area to be included within the district, shall be signed by the requisite seventy-five per centum of the resident owners within the area described, and shall be filed with United States Commissioner for the precinct within which the land is situated.

Section 4. Notice, Hearing and Order. Upon receipt of a petition for the establishment of a grazing district, the Commissioner shall set a time for hearing thereon not less than thirty days thereafter. Notice of the time and place of said hearing, and its purpose, shall be posted in not less than three conspicuous public places within the proposed district for a period of at least thirty days prior to the hearing. Included in the places posted shall be any post office within the area concerned, or if there be none, then the post office nearest the area. Upon hearing, it shall be necessary to prove only that the requisite number of signatures have been procured upon such petition, and that the posting of the notices of the hearing has been done as in this paragraph required. Upon establishment of this fact it shall be the duty of the United States Commissioner to enter an order creating and establishing the grazing district as therein described, and to certify to the Clerk of the District Court for the Judicial Division a copy of the findings and order therein.

Notice, hearing, Order by U. S. Commissioner.

Section 5. Liability for Damages—Lien. The owner of land within a grazing district, whether the land is fenced or unfenced, (a) shall be entitled to recover, from the owner or person having custody and control of any domestic animal, for any injury done by a domestic animal which grazes or runs at large within a grazing district contrary to the provisions of this Act, and (b) shall have a lien upon such domestic animal for the amount of the damage done. Provided, however, that no claim for damages in excess of Fifty (\$50.00) Dollars

Land owner in district has lien for damage and can recover damages.

shall be allowed against any one animal for any one trespass.

Section 6. Impounding of Animals Running at Large. The owner of any land within a grazing district may impound any domestic animal trespassing upon his land and keep the same until damages, together with reasonable charges for keeping and feeding the same are paid. Within twenty-four hours after impounding any animal the person impounding shall give notice in writing to the owner or claimant of such animal, if the owner be known, or file a notice of such impounding with the United States Commissioner for the precincts and post a copy of said notice in a public place nearest to the enclosure of the impounded animal, if the owner is unknown. If the owner or claimant fails to claim such animal and pay the reasonable charges for keeping and feeding, and damages and costs within five days after receipt or posting of such impounding notice, the said animal shall be dealt with as in the case of an estray.

Impounding
animals running
at large.

Section 7. Penalty for Removing Impounded Animal. Any person who takes or removes an impounded domestic animal from the possession of the person in whose custody the same may be, without his or her consent, shall be liable to a fine of not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars, or by imprisonment for not more than ninety days, or by both such fine and imprisonment. Such fine, imprisonment or both shall not in any manner affect the lien on the animal.

Removing
impounded
animal, penalty.

Approved March 11, 1941.