

## CHAPTER 75

## AN ACT

[S. B. 82]

Relating to travel of Territorial officials and employees: amending subsection 3 (c) of Section 11-4-1 ACLA 1949.

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

Section 1. Subsection 3(c) of Section 11-4-1 ACLA 1949 is amended to read as follows:

(c) Officials and employees traveling for the Territory may, upon the approval of the head of the office for which they are traveling, use their own conveyance, but reimbursement for the same shall not exceed twelve cents per mile for actual travel. Where two or more employees are traveling in the same direction, on the same mission, and it is possible to share the convenience of a private conveyance, the mileage permitted shall be allowed only once.

Mileage  
allowance.

Approved March 26, 1953.

## CHAPTER 76

## AN ACT

[S. B. 84]

Validating: Defective acknowledgments, defective deeds and other instruments to real property, deeds on judicial sales, executors' and administrators' sales and deeds, and defective tax deeds; and curing any defects and irregularities in any proceedings pertaining to such instruments or connected with their execution; and amending Sections 22-3-38, 22-3-40, 22-3-41, and 22-3-42, Alaska Compiled Laws Annotated 1949; and declaring an emergency.

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

Section 1. That Section 22-3-38, Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Validation of  
defective  
acknowledgments.

Exception.

Section 22-3-38. Validation of Defective Acknowledgments. All defective and informal acknowledgments of deeds, contracts, leases, powers of attorney, mortgages, or other instruments for the conveyance of real property, or any interest therein, or pertaining to any right, title or interest in real property, heretofore or hereafter made by any person or persons in good faith, whether the acknowledgments were taken by or before any clerk, deputy clerk, or judge of any Federal, State or Territorial court of record, or any commissioner, notary public or other person authorized to administer oaths, shall be, and they are hereby, legalized and declared sufficient in law as to acknowledgment, provided, that no suit has been filed in a court of record in the judicial division in which the real property affected by such instrument is located within ten years from the date of said instrument, or the acknowledgment, to have said instrument set aside, altered, or otherwise changed or reformed; in event of such proceedings the determination of the court shall govern.

Section 2. That Section 22-3-40, Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Section 22-3-40. Validation of Defective Instruments and Use as Evidence. All deeds, contracts, leases, powers of attorney, mortgages, or other instruments for the conveyance of real property or any interest therein, or pertaining to any right, title or interest in real property, heretofore or hereafter signed and delivered by any person in good faith, as grantor, lessor, mortgagor, or otherwise as maker thereof shall be, and they are hereby legalized and shall be sufficient in law for the purpose for which such instruments had been executed and delivered,

although such instruments may be otherwise defective as to form; provided, that no suit has been filed in a court of record in the judicial division in which the real property affected by any such instrument is located within ten years from the date of said instrument to have said instrument set aside, altered, or otherwise changed, or reformed; and such instruments so executed and delivered shall be received in evidence in all courts in the Territory and be evidence of the right, title or interest to the real property therein described against the grantors, lessors, mortgagors or makers, and their heirs, successors and assigns.

Validated  
instruments  
as evidence.

Exception.

Section 3. That Section 22-3-41, Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Section 22-3-41. Deeds on Judicial Sales. All judicial sales of real property heretofore or hereafter made in the Territory on execution to satisfy a judgment, or to satisfy, or made pursuant to terms and provisions of an order or decree of any court in the Territory, and the moneys bidden thereon having been paid to the officer making such sale, or his successor, and such sale having been confirmed or acquiesced in by the court from which such execution has issued or wherein such order or decree has been entered, shall be valid and sufficient in law to sustain a deed based on such sale, and when no such deed has been executed shall entitle a purchaser at such sale to such deed; and such deed, when executed and delivered, shall be sufficient to convey all the title of the judgment debtor or other person affected by such order or decree, in the premises so sold to the purchaser at the sale; and all defects and irregularities in the proceedings or suit in which such execution has

Deeds on  
judicial sales  
validated.

Exception.

been issued or order or decree entered, and all defects or irregularities in the issuance of the execution or in obtaining the order or decree of court, and in the manner of making or conducting such sale shall be disregarded; provided, that no suit has been filed in a court of record in the judicial division in which the real property affected by such deed is located within ten years from the date of said deed, to have said deed set aside, altered, or otherwise changed or reformed; in the event of such proceedings the determination of the court shall govern.

Section 4. That Section 22-3-42, Alaska Compiled Laws Annotated 1949, is hereby amended to read as follows:

Executor and other sales and deeds validated.

Section 22-3-42. Executors', Administrators' and Guardians' Sales and Deeds Validated. All sales heretofore or hereafter made by executors, administrators, or guardians of their decedents', wards', or incompetent persons' real property in the Territory to purchasers for a valuable consideration, which have been paid by such purchasers to such executors, administrators, or guardians, or their successors, in good faith, and such sales not having been set aside by the court, but having been confirmed or acquiesced in by such court, shall be sufficient to sustain an executor's, administrator's, or guardian's deed to such purchaser for such real property, and in case such deed shall not have been given, shall entitle such purchaser to such deed; and such deed shall be sufficient to convey to such purchaser all the title that such decedent, ward, or incompetent person had in the real property; and all defects or irregularities in estate or court proceedings or in obtaining the order of the court for such sale, and all defects or irregularities in the making or conducting of such

sale by such executor, administrator or guardian shall be disregarded; provided, that no suit has been filed in a court of record in the judicial division in which the real property affected by such deed is located within ten years from the date of said deed, to have said deed set aside, altered or otherwise changed, or reformed; in the event of such proceedings the determination of the court shall govern.

Exception.

Section 5. Tax Deeds Validated. All sales of real property heretofore or hereafter made in the Territory in proceedings to enforce the lien of taxes against real property, and the moneys bidden thereon having been paid to the clerk of the city conducting such sale, or his successor, in good faith, and such sale having been confirmed or acquiesced in by the court ordering such sale, shall be valid and sufficient in law to sustain a tax deed based on such sale, and when no such deed has been executed, shall entitle such purchaser to such deed; and such deed, when executed, shall be sufficient to convey all of the right, title or interest of the delinquent owner or any person in privity with him in the real property so sold to the purchaser at the sale; and all defects or irregularities in the delinquent tax roll, any notices, presentations of delinquent tax roll to a court, proofs of notice, orders of sale, confirmation of sale or any other proceedings prior to or in connection with such sale, and all defects and irregularities in obtaining the order of the court for such sale, or the lack of an order of court confirming such sale or the lack of, or failure to issue, a certificate of sale and purchase, and all defects and irregularities in the making or conducting of such sale by the clerk of the city, or by any other person authorized to make or conduct such sale, shall be disregarded; provided, however, that no suit has been filed in a court of record in the judicial division in which the real property affected by such deed is located within ten years from

Tax deeds  
validated.

Exception.

the date of said deed, to have said deed set aside, altered, or otherwise changed, or reformed; in the event of such proceedings the determination of the court shall govern.

Emergency clause.

Section 6. An emergency is hereby declared to exist, and this Act shall take effect immediately upon its passage and approval.

Approved March 26, 1953.

---

## CHAPTER 77

### AN ACT

[S. B. 118]

To amend Section 36-1-102 ACLA 1949, relating to notice to stockholders.

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

Section 1. Section 36-1-102 ACLA 1949 is hereby amended to read as follows:

Section 36-1-102. ANNUAL MEETINGS: LIST OF STOCKHOLDERS. Stockholders' meetings shall be held annually, at the principal corporate office of the corporation, which may be within or outside of the Territory of Alaska, and notice thereof must be delivered personally, or be deposited in the post office addressed to each stockholder, at the address last given by him to the corporation, at least thirty (30) days prior to such meeting; Provided, that if the corporation receives written notice from the postoffice that the addressee on said notice is deceased or does not reside at his last known address, the said company is not obligated thereafter to notify said stockholder until the company receives notice from said stockholder advising of his correct address. At least thirty days before such meeting a complete list of the

Notice of annual stockholders' meetings.

List of stockholders.