

there be none, the executive head, of any Territorial department, instrumentality, or agency or of any town, city, school district or other political subdivision may by order or resolution confer upon any officer or employee thereof continuing authority from time to time to secure, certify, and accept the transfer to it of property under this Act and to obligate the Territory or political subdivision and its funds to the extent necessary to comply with the terms and conditions of such transfers. The authority conferred upon any such officer or em-

ployee by any such order or resolution shall remain in effect unless and until the order or resolution is duly revoked and written notice of such revocation shall have been received by the Alaska Surplus Property Service.

Sec. 6. Appropriation. Funds to carry out the provisions of this Act may be appropriated in the General Appropriation Bill of the Alaska Legislature.

Sec. 7. Effective Date. This Act shall take effect on April 1, 1957.

Approved April 3, 1957

CHAPTER 164

AN ACT

To provide a judicial procedure whereby a person previously adjudged insane may petition for an order declaring him sane and for the restoration of such rights and powers as may have been lost or impaired by such prior adjudication.

(H. B. 223)

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

Section 1. Petition to Restore Competency. Any person who has been adjudged insane and committed to a mental institution pursuant to Chapter 4, Title 51, ACLA 1949, and who thereafter has been finally discharged from such institution, or from a facility of the United States Veterans Administration, pursuant to Section 51-4-9 thereof, or pursuant to any other law for the final discharge of such persons from such institutions or facilities, may petition the United States Commissioner, ex officio judge of probate, for the precinct

in which the petitioner resides, for an order adjudging the petitioner sane and competent to exercise such rights and powers as may have been lost or impaired as a result of such adjudication and commitment.

Section 2. Hearing; Judgment; Order. Upon the filing of the petition described herein, the United States Commissioner shall, by order, set the time and place for a hearing thereon, which hearing shall be held not less than 30 days nor more than 45 days from the date such petition is filed; provided, however, that the United States Commissioner may, for good

cause, continue such hearing from time to time on his own motion, or the motion of the parties thereto. A copy of the petition and of the order setting the time and place for hearing shall be transmitted forthwith to the Territorial Commissioner of Health, or his designee. At the hearing, the petitioner shall be entitled to be represented by counsel of his own choosing; the petitioner, as well as the Territorial Commissioner of Health, or the latter's designee, may present such evidence and call such witnesses as may assist the United States Commissioner in making his determination; and the rules of evidence shall be relaxed.

If at the conclusion of the hearing, and after the parties thereto have had a reasonable opportunity to present their evidence, the United States Commissioner finds that the petitioner is sane and competent to exercise fully all rights and powers which may have been lost or impaired as a result of the prior adjudication of insanity

and commitment, he shall enter a judgment setting forth his findings and enter an order declaring the petitioner sane and legally competent to exercise such rights and powers; otherwise he shall dismiss the petition. The entry of an order declaring a petitioner sane and competent shall not act to discharge any guardian who may have been appointed for such petitioner pursuant to the prior adjudication of insanity or incompetence.

Section 3. Costs. The filing and hearing fees payable to the United States Commissioner shall be assessed on the petitioner as provided in civil actions in the justice's court; provided, however, that upon the petitioner's proper showing that he is indigent and without the means to pay the prescribed fees, such fees shall be paid from the same source, and in the same manner, as the fees incident to the judicial procedure by which the petitioner was originally adjudicated insane and committed.

Approved April 3, 1957

CHAPTER 165

AN ACT

To provide for the accumulated terminal leave of the retiring Highway Engineer, part of the salary of the incoming Highway Engineer, and salary accruing to the Attorney General and Treasurer by virtue of the provisions of Chapter 67, SLA 1957; making appropriations; and declaring an emergency.

(S. C. S. for H. B. 231)

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

Section 1. There is hereby appropriated out of moneys in the High-

way fund not otherwise appropriated the sum of \$2,245.41 for the purpose of supplementing the appropriation for terminal leave to