

of Section 2 of Chapter 76 of the Session Laws of the Territory of Alaska of the year 1927, for the benefit of the said Benny Benson, the same not having been expended, is hereby repealed.

Approved April 27, 1929.

CHAPTER 52.

AN ACT

[S. B. 50]

To amend Section 1019 of Chapter 17 of the Compiled Laws of Alaska, relative to the conduct of trial by jury.

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

Section 1. That Section 1019 of Chapter 17 of the Compiled Laws of Alaska, relative to the conduct of trial by jury is hereby amended to read as follows:

Conduct of trial
by jury.

Section 1019. When the jury has been completed and sworn the trial shall proceed in the order prescribed in this section unless the court for special reasons otherwise direct.

Plaintiff and
defendant
state case.

First. The plaintiff shall state briefly his cause of action, and the issue to be tried; the defendant shall then in like manner state his defense or counterclaim.

Evidence by
plaintiff—
and defendant.

Second. The plaintiff shall then introduce the evidence on his part, and when he has concluded the defendant shall do the same.

Rebutting evi-
dence, unless.

Third. The parties may then respectively introduce rebutting evidence only, unless the court, for good reason and in furtherance of justice, permit them to introduce evidence upon the original cause of action, defense, or counterclaim.

Fourth. Not more than two counsel shall be allowed to address the jury on behalf of the plaintiff or defendant, unless otherwise allowed by the court; and the court may limit the time to be consumed by counsel in arguing the cause to the jury.

Number of counsel addressing jury.

Time limitation.

Fifth. When the evidence is concluded the court shall charge the jury; such charge shall be reduced to writing and read to the jury. Each party shall prepare and submit such instructions as he deems material to the case and the court may hear them upon the propriety of the requested instructions before finally settling the charge that he will give. If a stenographer shall be in attendance upon the trial of the cause, the court shall have the right to dictate the charge he desires to give to such stenographer, and to have the stenographer reduce the same to writing for him and have a copy for each of the parties, plaintiff and defendant. And the cost thereof shall be taxed as other costs in the action. When the charge shall have been given by the court, the plaintiff, or party having the burden of proof may, by himself or one counsel, address the court and jury upon the law and facts in the case, after which the adverse party may address the court and jury in like manner by himself and one counsel or by two counsel, and be followed by the party or counsel first addressing the court. No more than two speeches on behalf of the plaintiff or defendant shall be allowed. If the plaintiff waives the opening argument and the defendant then argues the case to the jury, the plaintiff shall not be permitted to reply to the argument of the defendant. After the argument shall have been concluded, the jury shall retire to consider the

Charge to jury in writing.

Requested instructions.

Reduce to writing, when.

Address of party having burden of proof.

Address of adverse party.

Limitation.

Argument waived, effect of

Retirement of jury.

verdict, and shall take with them to the jury room the written charge given them by the court.

Approved April 27, 1929.

CHAPTER 53.
AN ACT

[S. B. 54]

To amend Section 2551, Compiled Laws of Alaska, and to repeal Section 2552, Compiled Laws of Alaska, relative to appeals in criminal actions from a judgment of conviction given in the Justice Court, to the District Court.

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

Section 1. That Section 2551 of the Compiled Laws of Alaska be and the same hereby is amended to read as follows:

“Sec. 2551. That an appeal may be taken within thirty (30) days from the date of the entry of the judgment by serving a notice upon the District Attorney or upon the private prosecutor in the action and filing the original, with proof of service endorsed thereon, with the justice; Provided that service and filing of a written notice of appeal may be dispensed with if at the time the decision is rendered or the judgment is entered the aggrieved party gives oral notice in open Court, in the presence of the United States Attorney, or one of his assistants, or of the private prosecutor, that he appeals to the District Court from the judgment of the Justice Court. Such notice, so given, shall be entered upon the docket of the Justice Court.”

Appeal from justice court may be taken upon notice.

Proviso.

Repeal.

Section 2. That Section 2552 of the Compiled Laws of Alaska be and the same hereby is repealed.

Approved April 27, 1929.