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John A. Strong (1913-18)

Reference File, Miscellaneous(pt.), 1915-18

Hearings on the 8-Hour Law, 1918

Senate Hearings, 1915

Liquor Trial Transcript, n.d.

Game Laws, Correspondence Relating
to the Case of James Casco, 1918

Alaska Historical Library and Museum,
Newspaper Subscriptions, 1914-19

Thomas Riggs, Jr. (1918-21)

War Draft, 1918-20

Telegrams, 1st Volume, July-Sept. 1918(pt.)



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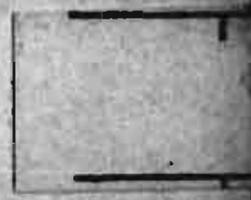
John A. Strong (1913-18)

Reference File

Miscellaneous (pt.)

1915-18

NATIONAL ARCHIVES MICROFILM PUBLICATIONS



TERRITORY OF ALASKA
GOVERNOR'S OFFICE

Juneau

Ref.

CIRCULAR NO. 1.

July 16, 1913.

TO ALL SPECIAL EMPLOYEES:

In connection with your monthly reports to this office covering your operations, it is requested that in future each report be closed with a statement of the exact amount of your expenses for the month. If no expenses are incurred during a given month the report should state the fact so that this office will be definitely informed.

Respectfully yours,


Secretary to the Governor
and S.D.A.

COPIES SENT TO:

Joseph A. Bourke, Valdez
Thomas Gaffney, Nome
A. E. Light, Ruby
Joseph A. Snow, Juneau.

Department of Justice
Office of United States Attorney
Second Division, District
of Alaska.

Nome, April 22, 1915.

Thomas Gaffney,
Special Officer,
Council, Alaska.

Dear Sir:

Yours of the tenth instant in reference to the status of Hannah Cook, was received by me today through the courtesy of Mr. Spencer. In reply to your query I beg to say that in my opinion the divorce of Hannah Cook from her husband does not in any way change her political status. I understand that Hannah is an Esquimo woman who married a citizen of the United States and has recently been divorced.

Section 2 of the Act of Congress approved August 9, 1898
(25 Stat. L. 392) provides -

"That every Indian woman, member of any such tribe of Indians, who may hereafter be married to any citizen of the United States, is hereby declared to become by such marriage a citizen of the United States, with all the rights, privileges, and immunities of any such citizen, being a married woman."

and Section 1994, Revised Statutes, provides that -

"Any woman who is now or may hereafter be married to a citizen of the United States and who may herself be lawfully naturalized, shall be deemed a citizen."

Either of the foregoing provisions of our law is sufficiently broad to cover the case under consideration. Judge Hanford of the District Court for the Western District of Washington held in *Hatch vs Ferguson*, 57 Federal Report, 959, that an Indian woman who leaves her tribe and marries a citizen of the United States thereby becomes a citizen of the United States. It is generally conceded that an Esquime woman by her marriage to a citizen of the United States becomes a citizen. The only question that arises is to the nature and permanency of her citizenship. It will be sufficient to assume, therefore, that the aforesaid Hannah became a full citizen of the United States by reason of her marriage to Cook, provided of course that Cook was at the time of said marriage a citizen of the United States, or became such citizen during the continuance of the said marriage relation. The remaining question is - does her citizenship cease with the termination of her marriage relation to a citizen. Since her citizenship arises from her marriage relation it might be considered, not without reason, that her citizenship would cease with the termination of her marriage relation, but the authorities seem to be unanimous in holding to the contrary.

The best considered case upon this question which I have been able to find is that of *Leonard vs Grant*, 5th Federal Reporter, page 11, in which Judge Dundy uses this language:

"While it may be admitted that none of these authorities expressly decide the point now made by the plaintiff, to wit, that the citizenship imputed to the wife by that of the husband is a qualified one, and continues no longer than the reason of it - - the marriage with a citizen - still it is also true that there is not even a hint or doubt in any of them that the citizenship of the wife thus acquired is a qualified or contingent one, while the language used in all of them is only consistent with a citizenship as enduring and unqualified as if the wife had been actually naturalized upon her own formal application by the judgment of a competent court."

and again the court says, page 16 of said opinions:

"When, therefore, Congress declares that an alien woman shall, under certain circumstances, be 'deemed' an American citizen, the effect, when the contingency occurs, is equivalent to her being naturalized directly by an act of Congress, or in the usual mode thereby prescribed."

The Attorney General of the United States, in 1877, found in 15 Op. Atty.-Gen. 299, in which he had under consideration the political status of an alien woman who had married a naturalized citizen, and after his death had married an alien, ruled that such alien woman upon her first marriage acquired a permanent status of citizenship which could only be lost as in the case of other citizens. I find no authority to the contrary.

Hence, I am forced to the conclusion that Hannah, having acquired citizenship by her marriage to Cook, is just as much a citizen as if she had acquired her citizenship by the judgment of a court of competent jurisdiction, and that the subsequent divorce of Cook from her does not in any way affect her citizenship. I may add, therefore, that it is no more a violation of the statute

-4-

to give her intoxicating liquors than it would be to give the same to any other woman citizen of the United States.

Very truly yours,

(Signed) F. M. SEXTON

U. S. Attorney.

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TERRITORY OF ALASKA
GOVERNOR'S OFFICE
JUNEAU.

December 21, 1914.

-6-

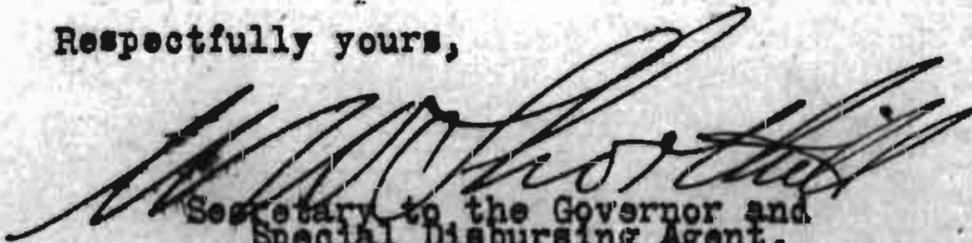
TO ALL SPECIAL EMPLOYES:

A recent decision of the Comptroller of the Treasury holds that there was no authority of law for the issuance by the Secretary of War of regulations requiring that after July 1, 1914, a charge of one-half of the regular commercial rates should be made on all government telegrams transmitted over the Washington-Alaska Military Cable and Telegraph System.

In view of the decision referred to, you are advised that all official telegrams sent by you over the Washington-Alaska System are to be transmitted free, the same as was done prior to July 1, 1914. Every such message should be marked "Official Business" or "O. B.," and should be certified by you in the usual form, the same as heretofore.

Where a message is to be transmitted in part over a commercial line you should pay the tolls charged by such line, taking a receipt therefor in duplicate, and attaching a copy of the message to each copy of the receipt.

Respectfully yours,



Secretary to the Governor and
Special Disbursing Agent.

TERRITORY OF ALASKA
GOVERNOR'S OFFICE
JUNEAU

Ref.

May 11, 1914.

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To All Special Employees:

In connection with your official expenses for subsistence your attention is called to that portion of the Urgent Deficiency law of April 6, 1914, which provides that:

On and after July 1st, 1914, unless otherwise expressly provided by law, no officer or employe of the United States shall be allowed or paid any sum for subsistence in excess of expenses actually incurred while traveling on duty * * * and away from his designated post of duty, nor any sum for such expenses actually incurred in excess of \$5 per day.

The foregoing provision has no effect whatever on expenses other than for subsistence -- meals and room rent.

[Handwritten Signature]
Secretary to the Governor, and
S. D. A.

Copies to Special Employees:

Joseph A. Bourke, Valdez,
A. E. Light, Ruby,
Joseph A. Snow, Haines.

*See copy of opinion of Comptroller
of Treasury in file "D-Treasury" x
[Signature]*

Ref

TERRITORY OF ALASKA
GOVERNOR'S OFFICE
Juneau

January 16, 1914.

--6--

To all Special Employees:

The Governor's office has prepared a form for monthly and quarterly reports of the several Special Employees, a supply of which is being sent to each of said officers under separate cover.

Enclosed herewith will be found a sample form of the Monthly report and of the quarterly report, for the guidance of the officers in filling out their reports.

Immediately upon receipt of the supply of blanks each officer will make up a complete list of all cases brought by him up to December 31, 1913, listing them in the order of the arrest of the defendant, and beginning with number one and numbering them in consecutive order. Full information of the action taken in each case up to December 31 should be shown under the proper headings. This report may be designated as the quarterly report for December 31, 1913.

At the end of January (and similarly at the end of each succeeding calendar month) a monthly report should be made out to cover any cases begun during that month. The numbers of these cases will follow in consecutive order those reported up to ~~January~~ December 31, 1913, and this system of numbering will continue to June 30, 1914.

On March 31 a quarterly report should be made out. This report should take up, first, any cases covered by the report of December 31, 1913, in which further action has been taken subsequent to the date of that report, and, second, cover any cases reported for January and February in which further action has been had subsequent to the dates of the reports for those months; and, third, include any cases begun during March (the report being, in this particular, a repetition of the monthly report for March).

Similar monthly reports will be made for April, May and June, and on June 30 a quarterly report should be made out which will cover any cases reported in the December 31 report and March 31 report in which action has been had subsequent to the quarterly report for March 31; and will then cover the April, May and June cases in the same way as outlined above in respect to the March 31 quarterly report. In other words: the quarterly report of June 30 will practically be a report of the work of the entire period.

In making out the quarterly reports it will not be necessary to give all the data in respect to cases which have been covered in a monthly report of previous date, but show

the NUMBER of the case, and then the data, under proper headings, with respect to any action taken in regard to the case subsequent to the date of the monthly report in which it was first listed, or subsequent to such information as may have appeared in a previous quarterly report. See the enclosed sample of quarterly report, as to cases No. 111 and 113.

A perusal of the explanations of column headings, which appear at the top of the form, will show what this office desires in the way of information, and you will note that it is the purpose eventually to have a complete record of every case from date of arrest to acquittal or imposition of sentence in the district court.

The information under "N" should, of course, be given in the monthly report in which a case first appears.

For the purposes of this report a case will be regarded as begun on the date on which the defendant is arrested -- or, where a warrant is sworn out and the defendant eludes arrest, it may be regarded as begun on the date on which the warrant was issued; the report then showing proper information as to the disappearance of the defendant, etc., in lieu of the information called for by the headings of the report blank.

ON JULY 1, 1914, you will start your list of cases for the fiscal year 1915 with number one, and report these in the same way as above outlined.

After June 30, 1914, all cases begun up to that date and not finally disposed of will be carried over as "1914 Cases" and reported at the end of each quarter only, on separate blanks from those on which the 1915 cases are reported. These 1914 cases will be reported from quarter to quarter until finally disposed of, so that ultimately this office will have a complete record of each of these cases.

It is suggested that each Special Employee start a record of his cases on the form referred to, and use it as a register of cases, entering thereon from time to time the data as to action taken with regard to the several cases. This record will then correspond to the one which will be kept in this office and will be convenient for purposes of reference.

Additional blanks will be sent upon application to this office, as they may be needed.

Respectfully yours,

[Handwritten Signature]
Secretary to the Governor.

(Sent to
J.A. Snow, Juneau, 10 blanks
J.A. Bourke, Valdez, 20 "
A. E. Light, Ruby. 25 "

1/16/14
[Handwritten Signature]

TERRITORY OF ALASKA
GOVERNOR'S OFFICE
JUNEAU

6

July 10, 1913.

To All Special Employees:

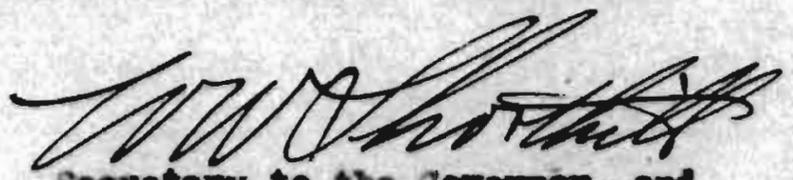
In connection with operations under the law for the suppression of the liquor traffic among the natives of Alaska, the Special Employees working under appointment and direction of the Governor's office are required to observe the following instructions relative to their monthly expense accounts:

1. Voucher forms will be furnished by the Governor's office upon request of the Special Employees. Two of these blanks are to be used for each month's expense account, one to be marked "Duplicate" and to which the duplicate receipts hereinafter mentioned are to be attached in the Governor's office. The Employee will make up his expense account promptly at the end of each calendar month, noting complete reference detail thereon from his receipts (sub-vouchers), and referring to the sub-vouchers by number under the heading "Sub-voucher No." on the main voucher blank. The Employee must fill out the affidavit on the first page of the original expense voucher and execute the same before an officer authorized to administer oaths. The duplicate voucher is not to be signed or sworn to, it being intended merely as a memorandum for use of the Governor's office. Each month's receipts or sub-vouchers should begin with number one. They must be taken in duplicate in every instance. Do not attach the sub-vouchers to the main voucher, but send them in detached, as the vouchers are filled in on the typewriter after they reach the Governor's office, to show the date of payment, etc., and the sub-vouchers are then permanently attached to the main vouchers.

2. Duplicate receipts must be taken for every item of expenditure except in cases mentioned in instruction No. 3 herein. They must contain the fullest possible information as to the purpose of the expenditure, as, place, date of payment, amount paid, itemized details as to meals, lodging, supplies, etc., included therein, showing the inclusive dates, rate per meal, per lodging, per day, quantities and unit prices of all provisions, etc., purchased. Where meals and lodging are charged for at a "rate per day" for both, each meal is regarded as a quarter of a day and the lodging is regarded as one-quarter of a day. Thus, if two meals and a lodging are had at a "per day" rate, the amount taken up in the receipt should be for three-quarters of the daily rate. Too much care cannot be exercised in the matter of showing details of expenditures on the sub-vouchers.

3. In exceptional cases sub-vouchers will not be required when the taking thereof would disclose the identity of the officer and the disclosure would be detrimental to the public interest, provided authority for their omission is granted by the Governor. In general, however, receipts should be taken for all expenditures, and the practice of omitting them is not to be encouraged. Special authority will be issued by the Governor to each Employee to cover cases where it may

be deemed to the best interests of the service to omit the taking of receipts, as above mentioned. In such cases, however, the Special Employee must submit an itemized statement showing full detail of the expenditures for which receipts have not been taken, and must certify that the taking of a receipt would have disclosed the identity of the officer and such disclosure would have been detrimental to the public interest.



Secretary to the Governor, and
Special Disbursing Agent.

APPROVED:



Governor of Alaska.

July 10, 1918.

Sir:

Paragraph 14-b of Interior Department travel regulations of December 17, 1912, reads as follows:

"(b) Subvouchers will not be required when the taking thereof would disclose the identity of the traveler and the disclosure would be detrimental to the public interest, provided authority for their omission is granted by the head of the department or by the chief of the bureau or office under whose supervision the travel is performed."

The Secretary of the Interior has granted authority to this office for the omission of subvouchers of Special Employees under the special conditions set forth in the paragraph of the regulations above quoted. In general you are instructed to take receipts for all official expenditures; but in exceptional cases, where the taking of a receipt would disclose your identity and the disclosure would be detrimental to the public interest, you are hereby authorized to omit the taking of such receipt. In every such case, however, you will submit with your monthly expense account a complete, itemized statement of the expense thus incurred, and such statement must contain thereon a certificate over your signature and title in substantially the following form:

Mr. A. E. Light p.2--

"I hereby certify that the taking of a receipt for the foregoing expenditure was omitted for the reason that my identity would thereby have been disclosed and the disclosure would have been detrimental to the public interest; the omission being authorized by the Governor's letter of July 10, 1913, under paragraph 14-b of Department regulations of December 17, 1912."

Respectfully yours,

Governor.

Mr. A. E. Light,

Special Employee,

Fairbanks, Alaska.

July 10, 1913.

Sir:

Paragraph 14-b of Interior Department travel regulations of December 17, 1912, reads as follows:

"(b) Subvouchers will not be required when the taking thereof would disclose the identity of the traveler and the disclosure would be detrimental to the public interest, provided authority for their omission is granted by the head of the department or by the chief of the bureau or office under whose supervision the travel is performed."

The Secretary of the Interior has granted authority to this office for the omission of subvouchers of Special Employees under the special conditions set forth in the paragraph of the regulations above quoted. In general you are instructed to take receipts for all official expenditures; but in exceptional cases, where the taking of a receipt would disclose your identity and the disclosure would be detrimental to the public interest, you are hereby authorized to omit the taking of such receipt. In every such case, however, you will submit with your monthly expense account a complete, itemized statement of the expense thus incurred, and such statement must contain thereon a certificate over your signature and title in substantially the following form:

"I hereby certify that the taking of a receipt for the foregoing expenditure was omitted for the reason that my identity would thereby have been disclosed and the disclosure would have been detrimental to the public interest;

the mission being authorized by the Governor's letter of July 10, 1913, under paragraph 14-b of Department regulations of December 17, 1912."

Respectfully yours,

Governor.

Mr. Joseph A. Bourke,

Special Employee,

Valdez, Alaska.

1-526.

REGULATIONS FOR TRAVEL EXPENSES.

ORDER.

DEPARTMENT OF THE INTERIOR,
Washington, December 17, 1912.

The following regulations governing travel on official business of the Department of the Interior and its subordinate bureaus and offices are hereby promulgated, effective on and after January 1, 1913.

The heads of bureaus and offices may prescribe such additional regulations not inconsistent herewith as may be necessary to conduct effectually the work under their supervision, and such additional regulations shall be equally binding upon their respective subordinates.

WALTER L. FISHER,
Secretary.

GENERAL PROVISIONS.

WHAT AUTHORITY REQUIRED.

All travel expenses shall be either authorized or approved in writing by the head of the department or the head of the bureau or office under whose supervision and direction the travel is performed, or by the subordinate officer to whom such authority has been properly delegated.

1. *Prior authority.*—Except as provided in section 2 following, the authority shall be issued prior to the incurrence of the expense; shall specify the travel to be performed as definitely as circumstances will permit, and shall be attached to the voucher for reimbursement or (if on file in the auditor's office) be referred to therein. It may also contain a provision authorizing the traveler to issue travel orders to his subordinate employees and directing the method of reference to the general travel order.

2. *Approvals.*—(a) Whenever the travel is a necessary and regular accompaniment of the office or place to which an appointment has been made and the general classes of the expense to be allowed are governed by law or are specified in the appointment, or (b) whenever the expense has been incurred on account of an emergency, the

approval by the officer specified above of the travel voucher for reimbursement shall be sufficient authorization. However, all vouchers for reimbursement on account of emergency travel without prior authorization must be accompanied by full and satisfactory explanation of the facts constituting the emergency.

HEADQUARTERS.

3. *How selected.*—The selection of official stations when not provided by law, departmental regulations, a commission of appointment or a contract of employment, and the assignment of temporary headquarters are placed under the control of chiefs of bureaus and of the independent offices, subject to revision by the head of the department upon his own initiative or upon application of an interested party. Each chief is expected to select official stations and to assign temporary headquarters with justice and equity to employees and in accordance with the best interests of the service. Whenever per diem or other expenses are allowable only when absent from headquarters or from a given station, vouchers should contain sufficient information to enable the necessary facts to be determined.

ROUTE.

4. *How determined.*—All travel performed on official business must be by the shortest practicable route, unless otherwise authorized, and without any unusual or unnecessary delay. The route shall be carefully arranged to avoid unnecessary duplication of travel. When diversion from the shortest practicable route is permitted, the extra expense to be borne by the traveler, the charges for meals shall be limited to the meals which ordinarily would have been taken had the shortest route been traveled.

ACTUAL EXPENSES.

5. *When allowed.*—Except when otherwise provided by law, or when specially authorized by the head of the department, bureau, or office, as provided in section 6 following, only actual necessary expenses, such as are usual and essential to the ordinary comfort of travelers and as further defined in sections 16 to 33, inclusive, herein, will be allowed. (Act of Mar. 3, 1875; 18 Stat. L., 452.)

PER DIEM IN LIEU OF SUBSISTENCE.

6. *When permitted.*—Unless specifically authorized by statute, a per diem in lieu of subsistence as additional compensation can not be granted to any officer or employee except one whose salary is fixed by the head of the department or bureau, as is usually done from a lump-sum appropriation. (6 Comp. Dec., 965; 4 Comp. Dec., 424; 17 Comp. Dec., 619; sec. 1765, U. S. R. S.)

7. *Amount of.*—A per diem in lieu of subsistence as additional compensation in excess of \$5 per day shall not be allowed by administrative direction without the approval of the head of the department.

8. *To include what.*—Whenever a per diem in lieu of subsistence has been granted by statute, it will be held to include the items mentioned in sections 23 to 26, inclusive, and no charges for any such items will be allowed.

A per diem granted by administrative direction shall include the items mentioned in said sections unless otherwise specified.

9. *Commencement and termination of.*—Whenever the allowance of a per diem in lieu of subsistence is dependent upon absence from headquarters or from a given station, it will be allowed for the day of departure from such place if the traveler departs before 12 o'clock noon, and for the day of arrival at any such place if he arrives after 12 o'clock noon, unless otherwise directed by the head of the department, bureau, or office. (Compare 18 Comp. Dec., 1000.)

EVIDENCE OF EXPENDITURES.

10. *Memorandum of expense.*—Every officer or other person traveling should keep a memorandum of the expenditures incurred, noting each item as soon as payment is made. The attention of travelers is invited to the wording of the affidavit as shown on approved voucher forms, which, with certain exceptions, must be affixed to vouchers for reimbursement of traveling expenses.

11. *The principal voucher.*—All accounts for reimbursement on account of travel expense shall be submitted on the regular voucher forms approved by the Comptroller of the Treasury and shall be itemized as fully as practicable.

Every such voucher must show what portion, if any, of the transportation was procured on transportation requests; what portion, if any, was procured by use of mileage books, giving the dates and points from and to, and the number of miles detached from the mileage book, if one was used. The vouchers shall also show such analyses of expenditures as may be prescribed by the several bureaus and offices. Charges for transportation or auxiliary supplies not in accordance with published tariffs, customary rates, or usual prices should be explained. The principal voucher shall be supported by subvouchers, as required in sections 13 and 15, inclusive.

12. *How verified.*—Vouchers for reimbursement of traveling expenses incurred under the United States Geological Survey may be certified on honor as correct under authority of the act of Congress approved June 30, 1906 (34 Stat. L., 727), and the decision of the Comptroller of the Treasury dated August 8, 1912. Vouchers for reimbursement of traveling expenses incurred by school-teachers in

Alaska while in the employ of the Bureau of Education may likewise be certified under authority of the act of March 21, 1906 (34 Stat. L., 824). All other travel-expense vouchers must be sworn to in the manner and form prescribed by law or approved by the Comptroller of the Treasury.

As provided by section 8 of the act of August 23, 1912 (37 Stat. L., 417-487), affidavits may be executed before a postmaster, an assistant postmaster, a collector of United States customs, a collector of United States internal revenue, the chief clerk of any executive department or bureau, or the clerk designated by him for that purpose; the superintendent, acting superintendent, custodian, or principal clerk of any national park or other Government reservation; the superintendent, acting superintendent, or principal clerk of any Indian superintendency or Indian agency; the chief of a field party, or a notary public who is in the service of the United States. The officers named above are not permitted by law to make any charge for such service, and no jurat fee will be allowed therefor. (As to date effective and project engineers, see Comp. MS. Dec. dated Sept. 18, 1912, to the Secretary of the Interior.)

Affidavits executed before any other officer who has been authorized to administer oaths for general purposes and whose signature is attested by an official seal will be accepted, but no jurat fee will be allowed.

False or fraudulent representations in connection with the rendition of reimbursement or other accounts are unlawful, and the offender is liable to a heavy fine or imprisonment under the act of Congress approved March 4, 1911 (36 Stat. L., 1355).

13. *Subvouchers—when required.*—Express and freight receipts will be accepted as subvouchers and must be furnished for all such charges. The weight and rate must be shown.

Copies of telegrams or of cablegrams will be accepted as subvouchers and must be furnished in support of all such charges. The copy shall show whether the message was sent at day or night rate.

Subvouchers must also be furnished for all other charges in excess of \$1, except as noted below in section 14.

14. *Subvouchers—when not required.*—(a) Subvouchers are not required for railroad or steamboat fares, sleeping or parlor car fares, nor for separate meals specifically named which were not taken in connection with lodging.

(b) Subvouchers will not be required when the taking thereof would disclose the identity of the traveler and the disclosure would be detrimental to the public interest, provided authority for their omission is granted by the head of the department or by the chief of the bureau or office under whose supervision the travel is performed.

15. *Subvouchers—how stated.*—Subvouchers for hotel expenses must state the beginning and ending of the full period of service and the

rate by the day or week. The "day" shall be considered as beginning with breakfast and ending with lodging. Receipted bills on the regular billheads of the hotel are acceptable as subvouchers, provided they are properly made out to show the entire period and the services rendered.

Subvouchers for livery and other special transportation must describe the service hired as "one horse and buggy," "two horses and wagon," "with driver"; state the quantity of service rendered, and the rate of compensation by the day, hour, or other unit, as may have been agreed. If subsistence of driver and team are included in the cost of hire, that fact must be stated.

WHAT ITEMS CONSTITUTE ALLOWABLE TRAVELING EXPENSES.

TRANSPORTATION AND EXPENSES INCIDENTAL THERETO.

16. *Railroad and steamer fares.*—Fares upon railroads, stage coaches, steamers, packets, or other usual modes of conveyance. Charges for fares on steamers, packets, or other means of travel by water must show whether meals or lodging, or both, were included without increase of fare over the lowest first-class rate.

(a) Through tickets, excursion tickets, and round-trip tickets must be purchased whenever practicable and economical.

(b) Transportation requests are provided for the use of travelers who do not wish to advance their personal funds and await reimbursement at a later date. They also protect the traveler from any disallowance on account of an overcharge by the carrier. They may be procured upon application to the head of the department or bureau and may be exchanged for railroad, sleeping or parlor car, or steamer tickets, and will be accepted by some stage lines. They should not be used for the payment of livery bills, meals on dining cars, nor any expenses other than those specified. Transportation requests should not be used to pay fares amounting to less than \$2, unless necessary, or so ordered by the head of the office or bureau. If an excursion rate is effective and available, it should be asked for (see sec. 16a), and the transportation request tendered in exchange should be marked "excursion rate." Should the agent of the company refuse to accept the transportation request for an excursion rate ticket, a full fare ticket may be procured in exchange for the transportation request, if cash payment can not conveniently be made.

Should the agent of any railroad or steamship company refuse to accept a transportation request for a ticket, whether issued at full fare or at excursion rates, the fact should be reported to the bureau or office by which the traveler is employed.

A traveler must not attempt to secure a refund from a transportation company for the unused portion of a ticket obtained in

exchange for a transportation request. The unused portion of such ticket must be forwarded, with a full explanation, to the bureau or office by which the person is employed.

(c) Mileage or scrip books may be procured in exchange for transportation requests, but their use is not recommended except when it appears probable that they will be entirely used within the period of their validity.

When such a book is procured the fact must be immediately reported to the head of the proper bureau or office. The report must give the number of the transportation request exchanged, the name of the railroad issuing the book, the number of the book and the number of miles or the value of the scrip contained therein, the cost of the book, and all other information necessary to enable the accounting officer to keep an accurate account of the use of said book. Each mileage book will be charged to the employee in whose name it is issued. He will be held strictly accountable for its proper use and the correctness of the number of miles or the value of the scrip detached for travel between different points, and when the book is exhausted, or when no further travel is to be performed on official business with said book, or when the time limit of the book is about to expire, it should be forwarded, without delay, to the head of the proper bureau or office for settlement. An employee in possession of such a book at the time of his separation from the department must settle his accountability therefor before final payment of his salary will be made.

17. *Excess baggage.*—Charges for excess baggage, when the extra weight consists of public property or private property to be used for public purposes. Such charges must be explained. When practicable, excess baggage should be forwarded by freight or express, and if prior authority is procured, may be covered by Government bill of lading. Mailable articles may be forwarded by mail under penalty label.

18. *Special conveyances.*—Hire of special conveyances, such as automobiles, livery, or boat, when no public or regular means of transportation are available, and the necessary incidental expenses connected therewith, such as feed and stabling of horses and the subsistence of driver, ferriage, and tolls.

If the charges for special conveyance include feed and stabling of horses and subsistence of driver, or any such items, the principal voucher, or subvoucher, must so state. If not so stated, it will be presumed that they are not included.

19. *Transfer of self and baggage.*—Fares on street car, transfer coach, omnibus, or other vehicle, and the transfer of baggage. A charge not to exceed 50 cents for either transfer coach or omnibus, or for the transfer of each piece of baggage, if within the customary

rate, will be allowed. Payment in excess of this amount must be explained in writing, and street cars must be used when practicable.

20. *Checking and handling of baggage.*—Charges for checking or portage of hand baggage at hotels and stations, not exceeding 10 cents for each piece.

21. *Steward fees and steamer chairs.*—Customary fees to stewards, and others on ocean, coastwise, or river steamers (excluding fees for services in connection with meals); usual rent of steamer chair.

22. *Pullman fares and stateroom accommodations.*—Sleeping-car fare for one double berth, customary stateroom accommodations on steamers and other vessels, and fare for one seat for each person in sleeping or parlor car, except those persons to whom allowance for sleeping or parlor cars is denied under the regulations of the bureau or office. Such charges must specify whether for a seat or upper or lower berth, and whether for standard or tourist service. Porter fees on sleeping cars must not exceed 25 cents per night. Porter fees on sleeping cars used in day time or in parlor or chair cars must not exceed 15 cents per trip.

SUBSISTENCE AND EXPENSES INCIDENT THEREON.

Except when otherwise provided by law, the subsistence items as hereinafter defined in sections 23 to 25 shall not be allowed in excess of \$6 per day without the special authorization or approval of the head of the department.

23. *Meals and lodging.*—When the detention is incident to or necessary for the performance of the duties for which the travel is ordered, and necessary meals en route, but for no items of refreshment other than the ordinary food provided for travelers. Charges for meals must be itemized by meal in every instance.

24. *Waiters' fees.*—Fees to waiters at hotels or on dining cars or boats not exceeding 10 cents per meal or 30 cents per day.

25. *Baths.*—Charges for baths not exceeding 50 cents each while absent from designated headquarters.

26. *Laundry.*—Charges for laundry when the travel continues a week or more, not to exceed \$1.25 a week; fractional portions over a week to be prorated at 20 cents per day. Charges for laundry must include all expenses incurred for that item during the period for which the account is rendered and must not be brought forward from a previous account. Charges for laundry necessitated by a trip, but actually paid at designated headquarters after the termination of the trip, will be allowed if the proportionate amount for the week is not exceeded. When the traveler is absent one week or more, expenses for pressing clothes at the rate of \$1 per week.

MISCELLANEOUS EXPENSE.

27. *Telegraph service.*—Telegrams and cablegrams at Government rates. Charges therefor must be accompanied by copies of the messages, marked to show whether sent at day or night rate, and unless prepaid, must designate the bureau or office to which chargeable. Night service should be employed when practicable.

28. *Telephone service.*—Reasonable charges for the use of telephones on official business. Charges for long-distance calls should show with whom communication was held and the points between which service was rendered.

Section 7 of the legislative, executive, and judicial appropriation act approved August 23, 1912 (37 Stat., 414), provides:

That no money appropriated by this or any other act shall be expended for telephone service installed in any private residence or private apartment or for tolls or other charges for telephone service from private residences or private apartments, except for long-distance telephone tolls required strictly for the public business, and so shown by vouchers duly sworn to and approved by the head of the department, division, bureau, or office in which the official using such telephone or incurring the expense of such tolls shall be employed.

The Comptroller of the Treasury holds, in an opinion dated November 27, 1912, addressed to the Secretary of the Interior, citing his decision to the Secretary of Agriculture, dated November 12, 1912, that it is the apparent intent of Congress by this law "not to cast the charge of public telephoning on the officer who sends or receives a message on public business, but to put it out of his power to charge the Government with the cost of his private messages." The comptroller further states that "where the Government has provided telephones the effect of the law is not to permit charges on other telephones to be paid."

29. *Personal services.*—The occasional and temporary service of guides, packers, and interpreters, when necessary. When such persons are employed, the official traveler may also pay for their transportation, subsistence, and lodging, and subvouchers must be taken in accordance with sections 13, 14, and 15.

30. *Stenographic or typewriter service.*—Charges for stenographic or typewriter service when provided by law or specially authorized or approved.

31. *Incidental expenditures.*—Charges for miscellaneous items of expense peculiar to the exigencies of the work on which employed. Charges not allowed by bureau or office regulations must be specially authorized or approved by the head of the department, bureau, or office.

32. *Emergency expenditures.*—Emergency expenditures not enumerated in any of the foregoing classes, such as the payment of extra fare on limited trains when delay would injuriously affect the public

interests, or the use of an extra room at a hotel, when necessary for the proper transaction of official business. When such a charge is made, the nature of the emergency must be clearly set forth in writing and the expenditure must bear the approval of the head of the department or the chief of the bureau or office under whose supervision the travel is performed, or of the subordinate officer to whom such authority has been delegated.

33. *Field-party expenses.*—Officials in charge of field parties may, when duly authorized, hire horses, employ drivers, laborers, cooks, and other temporary minor assistants for service in the field. When necessary, they may also purchase camp outfits and subsistence supplies, subvouchers to be taken therefor, in accordance with sections 13 to 15, inclusive. Subvouchers for subsistence supplies for camp use must show the number of persons composing the field party for the use of which the supplies were purchased.

Such expenditures must be limited strictly to those obligations which it is impracticable to have paid directly by a disbursing officer.

DEPARTMENT OF THE INTERIOR
WASHINGTON

Ref. file (6)

June 27, 1913.

Hon. John F. A. Strong,
Governor of Alaska,
Juneau, Alaska.

Sir:

In response to your letter of June 17, 1913, relating to administration of affairs looking to suppression of the traffic in intoxicating liquors among the natives of Alaska, under federal appropriation for that purpose, the following telegram was addressed to you on June 26, 1913:

Yours seventeenth: Sundry Civil Act approved June 23 appropriates \$12,000 for suppression liquor traffic. Appointments and plan of proposed operation under this act, approved, except as to allowance per diem in lieu subsistence, for special employees, which cannot be authorized under existing law. Authority granted for omission subvouchers for expenses under departmental travel regulations of December 16, 1912, when their taking would disclose identity your agents while on duty, thereby detrimental to public interest in execution work entrusted to them. Copies regulations mailed. Submit same reports as to this service as were required from your predecessors.

The foregoing telegram is hereby confirmed, and five copies of the travel regulations referred to, dated December 16, 1912, are enclosed. Authority for omission of subvouchers is granted under the provisions of paragraph 14-b thereof. Notification to this effect has been forwarded to the Auditor for the Interior Department. To facilitate audit of Mr. Shorthill's accounts under this appropriation it is suggested that certificate over your signature be transmitted therewith, indicating any omissions of subvouchers under departmental authorization.

Respectfully,

(Signed)

Adolph C. Miller,

Assistant to the Secretary

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6
Ref. File

June 17, 1913.

Sir:

Assuming that the sundry civil bill when it becomes a law will include an appropriation for "Suppression of the traffic in intoxicating liquors among the natives of Alaska" for the fiscal year 1914, the same to be expended under the direction of the Secretary of the Interior, and providing the sum of \$12,000 for the purpose, I have the honor to request your consideration and approval of a plan of operations in general similar to that which has been followed during the past two years, and which was outlined in a letter dated April 1, 1911, from Governor Walter E. Clark to the Secretary of the Interior and approved by the Secretary in his letter of April 11, 1911, but with the following changes:

1. In view of the limited appropriation and the rather indifferent results obtained from the employment of Native Police Officers, it is proposed to dispense with the services of such officers during the fiscal year 1914 except as circumstances may seem to warrant the temporary employment of such an officer in certain localities. Where these officers are employed it will be the plan to pay them not more than \$30 per month, as heretofore.

2. Heretofore the Special Employees (whites) who have

been engaged under this office in the work of suppressing the liquor traffic among the natives have been allowed actual and necessary expenses of travel and subsistence when absent from headquarters. It has been the experience of all of these officers that the necessity of procuring signed receipts for all items of expenditures for meals, room, etc., has frequently been the means of defeating the work in many localities, through the consequent revealing of their identity as an officer of the government -- the news being quickly spread in the community that a government official is making an investigation, and as a result it has frequently been found impossible thereafter to obtain information leading to the arrest of whiskey peddlers. It is recommended, therefore, that for the fiscal year 1914 these Special Employees be allowed a per diem in lieu of subsistence, and this recommendation is made in the belief that the per diem plan will materially add to the efficiency of the service of these men. It is proposed to employ one of these white Special Employees in the First judicial division, one in the Third division and one in the Fourth division. It is proposed that their salaries and expenses shall be as follows:

In First judicial division, salary of \$175 per month, per diem of \$3.00 per day when absent from headquarters and not traveling on transportation which includes meals and berth; and an allowance for transportation and expenses other than subsistence, of \$25 per month. In the Third judicial division, salary of \$153.33 per

month (\$1600.00 per annum), per diem of \$5.00 per day when absent from headquarters and not traveling on transportation which includes meals and berth, and an allowance of \$60.00 per month for transportation and expenses other than subsistence. In the Fourth division, salary of \$175 per month, per diem of \$4.50 per day when absent from headquarters and not traveling on transportation which includes meals and berth, and an allowance of \$90.00 per month for transportation and expenses other than subsistence. It is expected that these officers will spend practically all of their time at points other than their official headquarters, owing to the nature of the work. Should the per diem allowance not be required for a full month (owing to an officer spending a portion of the month at his headquarters), it is proposed that the surplus in the per diem be used in transportation or other expenses if necessarily required in the enforcement of the law.

May I request that, upon consideration of the foregoing plan of operations, you will kindly inform me as to your views in the premises; and if the plan meets with your approval I would respectfully suggest, in view of the short period of time intervening between this date and July 1st, that I be advised by telegraph of such approval, to the end that I may make appointments and begin the prosecution of this work as soon as possible after the beginning of the fiscal year.

I would also respectfully request to be advised by wire

^{sundry}
when the civil bill becomes a law and whether or not it carries
with it the appropriation for this work.

I have the honor to be

Respectfully yours,

Governor.

The Secretary of the Interior,

Washington, D. C.

Schools
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amine the same and make a full and detailed report of the work done on the same to the Secretary of War, and in such report they shall state whether the road or trail has been completed conformable to the maps, plans, and specifications of the same. It shall be the duty of said board, as far as practicable, to keep in proper repair all roads and trails constructed under their supervision, and the same rules as to the manner in which the work of repair shall be done, whether by contract or otherwise, shall govern as in the case of the original construction of the road or trail. The cost and expenses of laying out, constructing, and repairing such roads and trails shall be paid by the Secretary of the Treasury out of the road and trail portion of said "Alaska fund" upon vouchers approved and certified by said board. The Secretary of the Treasury shall, at the end of each month, send by mail to each of the members of said board a statement of the amount available of said "Alaska fund" for the construction and repair of roads and trails, and no greater liability for construction or repair shall at any time be incurred by said board than the money available therefor at that time in said fund. The members of said board shall, in addition to their salaries, be entitled to receive their actual traveling expenses paid or incurred by them in the performance of their duties as members of the board.

Sec. 3. That the governor of the district of Alaska shall be ex officio superintendent of public instruction in said district, and as such shall have supervision and direction of the public schools in said district and shall prescribe rules and regulations for the examination and qualification of teachers, and shall make an annual report of the condition of the schools in the district to the Secretary of the Interior.

Sec. 4. That the common council of the incorporated towns in said district shall have the power, and it shall be their duty, in their respective towns to establish school districts, to provide the same with suitable schoolhouses, and to maintain public schools therein and to provide the necessary funds for the schools; but such schools when established shall be under the supervision and control of a school board of three members, consisting of a director, a treasurer, and a clerk, to be elected annually by the vote of all adults who are citizens of the United States or who have declared their intention to become such and who are residents of the school district. The members of said board first elected shall hold their offices for the term of two and three years, respectively, and until their successors are elected and qualified, and one member of such board shall be elected each year thereafter and shall hold his office for a period of three years and until his successor is elected and qualified; and they shall each, before entering upon the duties of their office, take an oath in writing to honestly and faithfully discharge the duties of their trust. In case a vacancy in the membership of said board occurs from death, resignation, removal, or other cause, such vacancy may be filled by a special election, upon ten days' notice, called by the remaining members of the board upon the petition of five qualified voters. All money available for school purposes, except for the construction and equipment of schoolhouses and the acquisition of sites for the same, shall be expended under the direction of said board, and the treasurer of said board shall be the custodian of said money, and he shall, before entering upon the duties of his office, give his bond, with suffi-

cient sureties, to the school district, in such sum as the common council may direct, and subject to its approval, but not less than twice the amount that may come into his hands as treasurer, conditioned that he will honestly and faithfully disburse and account for all money that may come into his hands as such treasurer. The said board shall have the power to hire and employ the necessary teachers, to provide for heating and lighting the schoolhouse, and in general to do and perform everything necessary for the due maintenance of a proper school.

Sec. 5. That the clerk of the district court shall have the power, and it shall be his duty, in the division to which he is appointed and in which he resides, upon petition as hereinafter specified, to establish by order in writing a school district at any camp, village, or settlement outside of the limits of any incorporated town, but such school district shall not embrace more than forty square miles of territory nor contain less than twenty resident white children between the ages of six and twenty years. The said petition shall specify as near as may be the location and boundary of the proposed school district, the number of people, the number of families, and the number of children between the ages of six and twenty years, resident therein, and such other material facts as tend to show the necessity for the establishment of the school district. Said petition shall be signed by not less than twelve persons of adult age who are citizens of the United States or have declared their intention to become such and who reside within the boundaries of the proposed school district. If the clerk of the court is satisfied that it is necessary and proper to grant such petition, he shall make an order in writing establishing the school district prayed for, describing the same and defining its boundaries, and he shall also in said order appoint three of the petitioners to supervise and give notice of the first election, and shall specify the time and place of the same. The original order shall remain on file in the records of the court, and a copy of the same shall be posted at three public places in the school district at least ten days before the election, and such posting shall be deemed a sufficient notice of such election. All persons qualified to sign said petition shall be qualified to vote at said election. The qualified voters of said school district shall at said election choose by a plurality vote a school board of three members, consisting of a clerk, a treasurer, and a director, who shall, before entering upon the duties of their trust, each take an oath in writing to honorably and faithfully discharge the duties of their office. In case a vacancy in the membership of said board occurs from death, resignation, removal, or other cause, such vacancy may be filled by a special election, upon ten days' notice, called by the remaining members of the board upon the petition of five qualified voters. The treasurer shall be the custodian of the moneys of the school district, and he shall, before entering upon the duties of his office, give his bond to the school district, with sufficient sureties, to be approved by the clerk of the court, and in such sum as he may direct, but not less than twice the amount of money that may come into his hands as treasurer, conditioned that he, the treasurer, will honestly and faithfully disburse and account for all the money that may come into his hands by virtue of his office. Said board shall have the power to build or

rent the necessary schoolhouse or schoolroom, to equip the same with the necessary furniture and fixtures, to provide fuel and light, to hire and employ teachers, and in general to do and perform everything that may be necessary for the maintenance of a public school. The members of said board shall hold office for the term of one year and until their successors are elected and qualified. An annual election shall be held each year, after the first election, for the election of members of said board. As soon as the members of said school board have been elected and qualified, they shall send to the clerk of the court and file in his office a certificate of their election under the hand and seal of the judges or supervisors of election, their oaths of office, and the bond of the treasurer, and the clerk of the court shall file said papers and carefully keep them as a part of the files and records of his office, and he shall at once send to the governor of the district of Alaska a certified copy of said papers, together with a certified copy of the order establishing the school district, and the governor shall duly file and preserve the same. The said board, as soon as they have complied with the requirements aforesaid, shall immediately report in writing to the governor the number of children in their school district between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained; and after a school has been opened and maintained they shall, at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, the total number of pupils in attendance, and the daily average of such attendance at such term. The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a schoolhouse, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of the said portion of said fund.

SEC. 6. That the clerks of school districts in the incorporated towns shall, at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, the number of pupils in attendance, and the average daily attendance during the term.

SEC. 7. That the schools specified and provided for in this Act shall be devoted to the education of white children and children of mixed blood who lead a civilized life. The education of the Eskimos and Indians in the district of Alaska shall remain under the direc-

tion and control of the Secretary of the Interior, and schools for and among the Eskimos and Indians of Alaska shall be provided for by an annual appropriation, and the Eskimo and Indian children of Alaska shall have the same right to be admitted to any Indian boarding school as the Indian children in the States or Territories of the United States.

SEC. 8. That commissioners appointed by the judges of the district court in the district of Alaska, pursuant to existing laws, shall, as ex officio probate judges and in the exercise of their probate jurisdiction, have the power, and it shall be their duty, in their respective districts, to commit, by warrant under their hands and seals, all persons adjudged insane in their districts to the asylum or sanitarium provided for the care and keeping of the insane of the district of Alaska. No person shall be adjudged insane or committed as such, except upon and pursuant to the following proceedings, to wit: Whenever com-

...by any adult person to a commissioner that there is an insane person at large in the commissioner's district, the commissioner shall at once cause such insane person to be taken into custody and to be brought before him, and he shall then immediately summon and empanel a jury of six male adults, residents of the district, to inquire, try, and determine whether the person so complained of is really insane. The members of said jury shall, before entering upon the discharge of their duty, each take an oath to diligently inquire, justly try, and a true verdict render, touching the mental condition of the person charged with being insane. Before entering upon such trial the commissioner shall appoint some suitable person to appear for and represent in the proceeding the person complained of as insane. And in case there is a physician or surgeon in the vicinity who can be procured, the commissioner shall cause such surgeon or physician to examine the person alleged to be insane, and after such examination to testify under oath before the jury in respect to the mental condition of said person. The commissioner shall preside at said hearing and trial. All witnesses that may be offered shall be heard and shall be permitted to testify under oath in said matter, and after having heard all the evidence the said jury shall retire to agree upon a verdict, and if the jury unanimously, by their verdict in writing, find that the said person so charged with being insane as aforesaid is really and truly insane and that he ought to be committed to the asylum or sanitarium aforesaid, and the commissioner approves such finding, he shall enter a judgment adjudging the said person to be insane and adjudging that he be at once conveyed to and thereafter properly and safely kept in the said asylum or sanitarium until duly discharged therefrom by law. The commissioner shall thereupon, under his hand and seal, issue his warrant, with a copy of said judgment attached, for the commitment of said insane person to the asylum or sanitarium aforesaid, which warrant shall be delivered to the marshal of the division in which said proceedings are had, and shall direct said marshal to safely keep and deliver said insane person to said asylum or sanitarium, and the said marshal, for the service of process in connection with and the guarding and transportation of the insane, shall be compensated from the same source and in the same manner as in the case of prisoners convicted of crime. The commissioner, the jurymen,

and the witnesses in said proceeding shall be entitled to the same compensation and mileage as in civil actions. And all the compensation, mileage, fees, and all other expenses and outlays incident to said proceedings shall be audited and allowed by the district judge of the division in which said proceedings are pending and had, and when so audited and allowed shall be paid by the clerk of the court in such division as the incidental expenses of the court are by him paid and from the same fund.

SEC. 9. That all Acts and parts of Acts inconsistent with this Act are, to the extent of such inconsistency, hereby repealed.

Approved, January 27, 1905.

governing the school district, and the governor shall duly file and preserve the same. The said board, as soon as they have complied with the requirements aforesaid, shall immediately report in writing to the governor the number of children in their school district between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained; and after a school has been opened and maintained they shall, at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, the total number of pupils in attendance, and the daily average of such attendance at such term. The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a schoolhouse, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of the said portion of said fund.

SEC. 6. That the clerks of school districts in the incorporated towns shall, at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, the number of pupils in attendance, and the average daily attendance during the term.

SEC. 7. That the schools specified and provided for in this Act shall be devoted to the education of white children and children of mixed blood who lead a civilized life. The education of the Eskimos and Indians in the district of Alaska shall remain under the direc-

plaint in writing is made by any adult person to a commissioner that there is an insane person at large in the commissioner's district, the commissioner shall at once cause such insane person to be taken into custody and to be brought before him, and he shall then immediately summon and empanel a jury of six male adults, residents of the district, to inquire, try, and determine whether the person so complained of is really insane. The members of said jury shall, before entering upon the discharge of their duty, each take an oath to diligently inquire, justly try, and a true verdict render, touching the mental condition of the person charged with being insane. Before entering upon such trial the commissioner shall appoint some suitable person to appear for and represent in the proceeding the person complained of as insane. And in case there is a physician or surgeon in the vicinity who can be procured, the commissioner shall cause such surgeon or physician to examine the person alleged to be insane, and after such examination to testify under oath before the jury in respect to the mental condition of said person. The commissioner shall preside at said hearing and trial. All witnesses that may be offered shall be heard and shall be permitted to testify under oath in said matter, and after having heard all the evidence the said jury shall retire to agree upon a verdict, and if the jury unanimously, by their verdict in writing, find that the said person so charged with being insane as aforesaid is really and truly insane and that he ought to be committed to the asylum or sanitarium aforesaid, and the commissioner approves such finding, he shall enter a judgment adjudging the said person to be insane and adjudging that he be at once conveyed to and thereafter properly and safely kept in the said asylum or sanitarium until duly discharged therefrom by law. The commissioner shall thereupon, under his hand and seal, issue his warrant, with a copy of said judgment attached, for the commitment of said insane person to the asylum or sanitarium aforesaid, which warrant shall be delivered to the marshal of the division in which said proceedings are had, and shall direct said marshal to safely keep and deliver said insane person to said asylum or sanitarium, and the said marshal, for the service of process in connection with and the guarding and transportation of the insane, shall be compensated from the same source and in the same manner as in the case of prisoners convicted of crime. The commissioner, the jurymen,

The Act of January 27, 1905. (Alaska Road and School law) was amended by Act of February 6, 1909 (Pub. No. 216) which repealed the provision setting aside 5% of the "Alaska Fund" for the care of insane, this 5% thereafter to become a part of the allotment for the establishment and maintenance of public schools. Sec. 7 of the Act of February 6, 1909 covers this subject, and is as follows:

SEC. 7. That the Secretary of the Interior shall hereafter, as in his judgment may be deemed advisable, advertise for and receive bids for the care and custody of persons legally adjudged insane in the district of Alaska, and in behalf of the United States shall contract, for one or more years, as he may deem best, with a responsible asylum or sanitarium west of the main range of the Rocky Mountains submitting the lowest and best responsible bid for the care and custody of persons legally adjudged insane in said district of Alaska, the cost of advertising for bids, executing the contract, and caring for the insane to be paid from appropriations to be made for such service upon estimates to be submitted to Congress annually. So much of the Act approved January twenty-seventh, nineteen hundred and five, entitled "An Act to provide for the construction and maintenance of roads, establishment and maintenance of schools, and care and support of insane persons in the district of Alaska, and for other purposes," as provides that five per centum of the license moneys collected outside of incorporated towns in the district of Alaska shall be devoted to the care and maintenance of such insane persons is hereby repealed, and such five per centum, or so much thereof as may be necessary, shall hereafter be applied to and used for the establishment and maintenance of public schools in said district, under the supervision of the governor.

The Act of March 3, 1913 (Pub. No. 411) providing assistance to indigent persons in Alaska, further amended the Act of January 27, 1905, by providing that 25% of the "Alaska Fund" should be devoted to school purposes; 10% for relief of indigents; and the residue to be devoted to the construction and maintenance of roads, trails, etc. The Act of March 3, 1913, will be found

in full on the two pages which follow this page.

NOTE: Under a decision of the Comptroller of the Treasury, rendered in September, 1911, in the matter of the Haines school (after incorporation of that community) the School section of the "Alaska Fund" is not available for maintenance of schools in the incorporated towns of Alaska.

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[PUBLIC—No. 411.]

[S. 267.]

An Act To provide assistance to persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of an Act entitled "An Act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the District of Alaska, and for other purposes," approved January twenty-seventh, nineteen hundred and five, as amended by an Act approved May fourteenth, nineteen hundred and six, and as further amended by an Act approved February sixth, nineteen hundred and nine, be, and the same is hereby, amended so as to read as follows:

"SECTION 1. That all moneys derived from and collected for liquor licenses, occupation or trade licenses, outside of the incorporated towns in the Territory of Alaska, shall be deposited in the Treasury Department of the United States, there to remain as a separate and distinct fund, to be known as the 'Alaska fund,' and to be wholly devoted to the purposes hereinafter stated in the Territory of Alaska. Twenty-five per centum of said fund, or so much thereof as may be necessary, shall be devoted to the establishment and maintenance of public schools in said Territory; ten per centum of said fund shall be, and is hereby, appropriated and authorized to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident; and all the residue of said fund shall be devoted to the construction and maintenance of wagon roads, bridges, and trails in said Territory: *Provided,* That the clerk of the court of each judicial division of said Territory is authorized, and he is hereby directed, whenever considered necessary, to call upon the United States marshal of said judicial division to aid in the collection of said license moneys by designating regular or special deputies of his office to act as temporary license inspectors, and it shall be the duty of said United States marshal to render such aid; and the said regular or special deputies while actually engaged in the performance of this duty shall receive the same fees and allowances and be paid in the same manner as when performing their regular duties.

"That at the end of each fiscal quarter the Secretary of the Treasury of the United States shall divide the amount of said ten per centum of said fund so received during the quarter just ended into four equal parts, and transmit to each of the four United States district judges in Alaska one of said equal amounts.

"That each of said judges is hereby authorized to expend so much of the money received by him under this Act as may, in his discretion, be required for the relief of those persons in his division who are incapacitated through nonage, old age, sickness, or accident, and who are indigent and unable to assist and protect themselves: *Pro-*

vided, That each judge shall quarterly submit to the Secretary of the Treasury an itemized statement, with proper vouchers, of all expenditures made by him under this Act, and he shall at the time transmit a copy of said statement to the governor of the Territory: *Provided further*, That any unexpended balance remaining in the hands of any judge at the end of any quarter shall be returned to the Secretary of the Treasury of the United States, and by him deposited in the said 'Alaska fund,' and the said sum shall be subsequently devoted, first, to meeting any actual requirements for the care and relief of such persons as are provided for in this Act in any other division in said Territory wherein the amount allotted for that purpose has proved insufficient; and, second, if there shall be any remainder thereof, said remainder shall be devoted to the construction and maintenance of wagon roads, bridges, and trails in said Territory."

Approved, March 3, 1913.

(COPY)

(SEE Ruby school district file, and File #14-4.)

* * * * *

TREASURY DEPARTMENT

WASHINGTON

April 4, 1913.

The Governor of Alaska,
Juneau, Alaska.

Sir:

I have received your letter of the 19th ultimo concerning payment of the sum of \$85.00 to the Treasurer of the Ruby School District, Alaska, which amount was deducted from your requisition dated December 5, 1912, for \$1,000.00 to cover the construction of the school building in that district.

This deduction was made on account of an item of \$85.00, for stoves and pipe, having been included in your requisition dated October 4, 1912, in favor of the treasurer of this school district, and upon the statement contained in your letter dated January 15, 1913, that you considered these articles to be permanent fixtures attached to the building.

You now state that upon further consideration of the matter you were in error in conceding that these items are a part of the equipment of the school house, and suggest that they should be classed as supplies. I am unable to agree with your contention in this regard. The act appropriating a portion of the proceeds of sales of liquor and other licenses outside incorporated towns in Alaska to pay expenses in-

(COPY - 2)

cidental to the establishment and maintenance of public schools provides, Section 5 -

"Said board shall have the power to build or rent the necessary school house or school room, to equip the same with the necessary furniture and fixtures,
* * * *"

and the Governor of Alaska is authorized to "assign and set apart not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils, for the construction and equipment of a school house in each district."

Webster defines the word "equipment" as

"Whatever is used in equipping; necessaries for an expedition or voyage; the collective designation for the articles comprising an outfit; equipage; as, a railroad equipment (locomotives, cars, etc., for carrying on business); horse equipments; infantry equipments; naval equipments; laboratory equipments."

The maximum amount, \$1,000.00, which may lawfully be advanced for the construction and equipment of a school house having been paid to the Treasurer of the Ruby School District, I have therefore to advise you that the sum of \$85.00, claimed in your letter of the 19th ultimo, is now disallowed.

Respectfully,

H. C. SHOBER,

Auditor.

W.H.R.

R.

C.J.M.

(COPY)

Ref

(SEE RUBY school district ~~file~~ file, and File #14-4.)

March 19, 1913.

Sir:

This office is in receipt of a letter from the Comptroller of the Treasury, dated March 6, 1913, in reply to my appeal from the decision of the Auditor for the Interior Department that the sum of \$85.00, covering a proposed expenditure for stoves and pipe for the school at Ruby, Alaska, was not allowable, since it was an item which should have been regarded as "equipment" for the school house, the sum of one thousand dollars having been allowed for the construction and equipment of the building. The Comptroller says:

"In his report on the case the Auditor states that he has not disallowed this item and that it was deducted from your requisition because it had been conceded by you. Such being the case the Comptroller of the Treasury is without jurisdiction to revise the item until he has been disallowed by the Auditor, and the appeal as to said item, which has been docketed as No. 22442, is dismissed without prejudice to your right to appeal later from the Auditor's final action."

is

It is true that I conceded what I believed to be a disallowance of the item of \$85 in my letter addressed to you under date of January 15, 1913, which was in reply to your letter of December 21, 1912 wherein I was led to believe that the only items suspended and not disallowed were those included in the sum of \$199, among which the item of \$85 for stoves and pipe

(COPY - 2)

was not included. Upon a little further consideration of the matter of the stoves and pipe it appeared to me that I was in error in conceding the disallowance of this item, for the reason that stoves and pipe are not permanent in the sense that a building is permanent, but have to be renewed in some of the schools as often as once in two or three years. It would seem that if these items are to be considered as parts of the building itself, the logic of this ruling would be that no public funds could be allowed for the renewal of stoves when they wear out.

Unless my conceding of the item referred to is considered to have prejudiced further consideration of the matter, I should be glad to have your final decision on the item in the light of the representations which I have made herein.

Respectfully yours,

WALTER E. CLARK,

Governor.

The Auditor for the Interior Department,

Washington, D. C.

Ref

(COPY)

(SEE Ruby school file, Kodiak school file, and File #14-4.)

Appeals Nos. 22442 & 22478.

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TREASURY DEPARTMENT
WASHINGTON

* * * * *

March 6, 1913.

The Honorable Walter E. Clark,
Governor of Alaska,
Juneau, Alaska.

Sir:

By reference of the Secretary of the Treasury I have before me your letter of January 22, 1913, in which you appeal from the action of the Auditor for the Interior Department in suspending and deducting from your requisition, or voucher, for payment from the Alaska Fund, of certain items of supplies, etc., for schools amounting to \$864.00, and of notary fees for oaths to school officers amounting to \$6.00

It appears that all of these items were restored by the Auditor on your explanation except an item of \$85.00, for stoves and pipes, which was conceded by you as being a part of the equipment of the school house, and therefore within the statutory maximum of \$1000 for "construction and equipment" which has been fully allowed and paid to the proper officer; and, except the item of \$6.00 for notary fees disallowed by the Auditor because it was not within the terms of the statute granting the use of this fund for certain specific purposes.

(COPY - p. 2)

You now express a doubt as to the correctness of your concession of the item for stoves and pipe and suggest that, as they are not permanent in their nature, they should be treated as supplies and not as equipment of the school house.

In his report on the case the Auditor states that he has not disallowed this item and that it was deducted from your requisition because it had been conceded by you. Such being the case the Comptroller of the Treasury is without jurisdiction to revise the item until it has been finally disallowed by the Auditor, and the appeal as to said item, which has been docketed as No. 22442, is dismissed without prejudice to your right to appeal later from the Auditor's final action.

You now concede the item of \$6.00 for notary fees though not on the ground stated by the Auditor, and the disallowance of that item per certificate No. 29329, dated December 21, 1912, is affirmed accordingly, and a certificate of no differences will issue.

In response to your request for an opinion as to the general question of law involved in your appeal, it is unnecessary to the disposition of this case to decide said question; and in the present status of the case I am not warranted in giving the opinion which you request (8 Comp. Dec., 518).

Respectfully,

R. J. TRACWELL,
Comptroller.

J.D.T.

Ref

(COPY)

(SEE Ruby school file, Kodiak school file, and File #14-4.)

January 22, 1913.

Sir:

In a letter addressed to this office under date of December 21, 1912, the Auditor for the Interior Department suspends certain items in an order and voucher of the governor of Alaska for the payment of certain moneys from the Alaska Fund to Mr. Peter Jepsen, treasurer of the Ruby school district, Ruby, Alaska, under the provisions of the act of January 27, 1915 (33 Stat., 616), commonly called the Alaska road and school law. The suspended items are as follows:

1. School supplies, including books and express, \$500.
2. Stoves and pipe 85.
3. Lights 80.
4. Miscellaneous and incidentals 199.

The suspensions were made on the following ground:

"Section 5 of the Act of January 27, 1905, limits the amount to be expended for the construction and equipment of school houses to \$1,000.00. As the items above enumerated, with the exception of miscellaneous and incidentals \$199.00, appear to relate to the equipment of the school house, it is my opinion that the amount, \$665.00, which has already been advanced to the Treasurer of this school district, should be deducted from the amount of your requisition for the construction of the school house.

"Referring to the item of \$199.00 for miscellaneous and incidentals, you are requested to state the character of the expense covered by this item, in order that it may be determined whether or not articles of equipment are included therein."

(COPY - 2)

I desire to appeal from the decision of the Auditor that the items enumerated above are necessarily to be considered as a part of the building and equipment, the amount of which must be restricted to the sum of one thousand dollars. In a letter to the Auditor in reply to his of December 21, 1912, I conceded the disallowance of the item covering "stoves and pipe, \$85.00", although upon further consideration I think I possibly committed an error in so doing.

I have the honor to ask your opinion as to whether or not the items enumerated are legitimate objects of expenditures in these school districts over and above the initial sum of \$1,000 which the law allows "for the construction and equipment of a school house", (Section 5, Act of January 27, 1905, supra.)

This office in approving estimates for expenditures in these school districts has never taken cognizance of the severe limitation which is placed upon the sum allowed by the school law for the construction of school houses, but has had no difficulty in regarding ordinary school supplies such as are in current use in all schools, including books, crayons, stationery, etc., and freight or expressage on the same, as legitimate objects of expenditure not connected with the initial construction and "equipment" of the building itself. For many years -- both under my own administration and that of two of my predecessors -- the orders and vouchers of the governor's

(COPY - 2)

office containing items for ordinary school supplies have been approved by the Auditor without question. 3 toves and pipe have also been included in such supplies, for they are articles which in many of the districts wear out within a period of two years and in no district, of course, are supposed to endure during the lifetime of the ordinary building. It has seemed reasonable to suppose that the law never contemplated that as soon as the heating stove in one of these school houses wore out it could not be replaced by a legitimate expenditure of the moneys of the Alaska Fund.

This office has, of course, never questioned items for lights -- that is, the illumination of school rooms -- and these items have appeared in the school requisitions of this office and have been uniformly approved by the Auditor for many years.

There is every presumption in this office that the item "miscellaneous and incidentals \$199.00", above alluded to does not include items justly chargeable to the building fund of \$1,000, but the Ruby school district is at least 1,500 miles distant from Juneau, where there is no telegraphic communication, and between which town and the capital of Alaska several months are required for the exchange of mails. It is impracticable to secure further information in regard to the exact items included under the heading of miscellaneous and incidentals before near the close of the school year. However, the amount was probably intended to cover a number of small expen-

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ditures the exact nature of which could not be anticipated at the time the estimate was submitted by the school board. Heretofore similar items have always appeared in the orders and vouchers of this office and have been approved by the Auditor without question; but whenever it has appeared in the strict accounting which the school treasurers render to this office at the end of each school year that any part of these "miscellaneous and incidental" sums have been expended for building construction purposes the treasurers have been required to restore the amounts so expended to the school treasury under pain of having the amount exacted from their bondsmen. Such improper expenditures, however, have been of the rarest occurrence. Incidentally it may be remarked that this office, during my own administration, has exacted much more painstaking and detailed accounting on the part of the school treasurers for funds estimated for and expended by them than has ever been expected or practised by the Auditor for the Interior Department.

In a letter addressed by the Auditor of the Interior Department to the Secretary of the Treasury under date of December 17, 1912, and forwarded to this office, the Auditor disallows^a certain item (notary fees in connection with the oaths of school officers) on the ground that it is not enumerated in the following provision of the school law which the Auditor

(COPY - 5)

quotes:

"* * * * * for the construction and equipment of the school house" * * * "to pay the wages of a teacher, together with the expense of fuel and light".

And the Auditor adds: "Fees of notaries for oaths administered to the treasurer and other officers of these school boards cannot be brought within the character of any of these classes of expenses for which the appropriation was made."

The disallowance of the item for notary fees in connection with the oaths of school officers is conceded, although not on the ground above stated by the Auditor. I have the honor to ask your opinion as to whether the paragraph which the Auditor quotes from the school law as shown above should be the exact test of items which may be allowed in estimates of the school boards and in the vouchers and orders of this office submitted to the Secretary of the Treasury. In this connection your attention is invited to another provision of ~~the~~ act of January 27, 1905, in the same section (section 5):

"Said board shall have the power to build or rent the necessary schoolhouse or school room, to equip the same with the necessary furniture and fixtures, to provide fuel and light, to hire and employ teachers, and in general to do and perform everything that may be necessary for the maintenance of a public school."

It has been the practice of this office to regard the words which I have underscored above as authorizing the expenditures

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usual and necessary for the maintenance of any ordinary common school of elementary education. If a narrower practice had been inaugurated and followed, the result would have been either that every school in districts outside of incorporated towns in Alaska would have been closed or private subscriptions in communities where the citizens are already paying into the public treasury their own tax moneys for the support of schools and the building of roads and trails would have been necessary for the purchase of the most ordinary services and materials in connection with the maintenance of a public school.

Respectfully yours,

WALTER E. CLARK,

Governor.

The Comptroller of the Treasury,

Washington, D. C.

Ref

(COPY)

(SEE RUBY school file and File #14-4.)

January 15, 1913.

Sir:

Reference is had to your letter of December 21, 1912, in reference to my requisition of December 5, 1912 for an advance of \$1,000 to Peter Jepson, treasurer of the Ruby school district, Ruby, Alaska, for the construction of a school building; and in reference also to certain items included in the first requisition of \$3104 for this district, dated October 4, 1912. You suspend from the said sum of \$1304 the following items:

1. School supplies, including books and express, \$500.
2. Stoves and pipe 85.
3. Lights 80.
4. Miscellaneous and incidentals 199.

I submit the following explanation of these items:

1. The item of \$500 for school supplies, including books and express charges on same should not be disallowed, in the opinion of this office, on the ground that the articles referred to are a part of the initial equipment of the school building. In the case of old, established school districts outside of incorporated towns in Alaska sums of money for the purchase of books and supplies have invariably been allowed, supposedly on the ground that they are not to be considered in the same category as the building itself and the permanent fixtures installed in the building but rather in view of the fact that these articles

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are such as have to be supplied from year to year for the current uses of the school and as such have to be renewed from time to time.

2. The disallowance of the item covering "stoves and pipe, \$85", is conceded on the ground that these articles are to be considered as permanent fixtures attached to the building.

3. The item "Lights, \$80", should not, in the opinion of this office, be disallowed, since the item does not refer to fixtures but to periodical payments for either electric current or oil for the illumination of the school ~~room~~ room. It is submitted that the illumination of the school room is not part of the "construction and equipment" of the building.

4. It is impossible to reply definitely to your inquiry as to what items are included in the estimate "miscellaneous and incidentals, \$199". It was assumed that these items formed no part of the construction of the building or the installation of permanent fixtures therein. The town of Ruby is very remote from Juneau and without doubt the present school year would have been brought to a close before the mails could be exchanged between this place and Ruby during the winter season.

While I am aware that the unfortunate provision of the present school law which limits the funds which may be applied to the construction of a school building to an amount not more than one-third or one-half of the amount actually necessary in the

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interior of Alaska cannot be considered in auditing the accounts of these school districts, I have endeavored to construe the law as liberally as possible with reference to items in the district estimates which do not strictly pertain to the construction of the school building and which, if considered as so pertaining, would exceed the limit of one thousand dollars for such construction. On behalf of the Ruby district and of the other school districts outside of incorporated towns in Alaska I venture to request as liberal a construction as possible by your office of the estimates which are submitted from time to time -- in the light of the undoubted hardships which are imposed upon these districts by the strict limitation of the amount allowable for the construction of school buildings.

Respectfully yours,

(Signed) WALTER E. CLARK,

Governor.

The Auditor for the Interior Department,

Washington, D. C.

(COPY)

(SEE Ruby school district file and File #14-4.)

* * * * *

TREASURY DEPARTMENT
WASHINGTON

December 21, 1912.

The Governor of Alaska,
Juneau, Alaska.

Sir:

Your requisition of December 5, 1912, for an advance of \$1,000.00 to Mr. Peter Jepson, Treasurer of the Ruby School District, Ruby, Alaska, for the construction of a school-building, is received.

On October 4, 1912, you requested that the sum of \$3,104.00 be forwarded to Mr. Jepsen on account of the following items, among others: school supplies, including books and express, \$500.00, stoves and pipe \$85.00, lights \$80.00, miscellaneous and incidentals \$199.00.

Section 5 of the Act of January 27, 1905, limits the amount to be expended for the construction and equipment of school houses to \$1,000.00. As the items above enumerated, with the exception of miscellaneous and incidentals \$199.00, appear to relate to the equipment of the school house, it is my opinion that the amount, \$665.00, which has already been advanced to the Treasurer of this school district, should be deducted from the amount of your requisition for the construction of the school house.

Referring to the item of \$199.00 for miscellaneous and

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incidentals, you are requested to state the character of the expense covered by this item, in order that it may be determined whether or not ~~the~~ articles of equipment are included therein.

Respectfully,

H. C. SHOBER,

Auditor.

W.A.E.
R.

C.J.M.

(COPY)

--See File #14-4, and 36.--

"EWM-7-D

Office of
Comptroller of
the Treasury

* * * *

A.L.W.

TREASURY DEPARTMENT
WASHINGTON

February 27, 1912.

The Honorable

The Secretary of the Treasury.

Sir:

By your reference of the 23rd instant requesting my views thereon I am in receipt of the following letter from the Governor of Alaska ex officio Superintendent of Public Instruction for the District of Alaska:

"In disbursing moneys of the Alaska Fund I believe it has been the practice in the Department to honor all requisitions of the Alaska Road Commission up to 70% of the total moneys in that fund, and not beyond that limit. The Act of January 27, 1905 (33 Stat., 616), creating the Alaska Fund, as amended by the Act of February 6, 1909 (35 Stat., 601), provides that 30%; 'or so much thereof as may be necessary,' shall be applied and used for the support and maintenance of schools outside of incorporated towns in Alaska and that the 'residue' shall be used for the construction and maintenance of roads. It has occurred to me that the law, therefore, does not limit the amount of moneys applicable to the construction and maintenance of roads to 70% of the whole Alaska Fund, but makes the maximum limit of the said amount applicable to roads contingent upon the amount which may be found 'necessary' for the support and maintenance of schools. It is, furthermore, my surmise that the Department would have honored requisitions from the Road Commission for a larger amount of moneys than have heretofore been paid - that is for moneys in excess of 70% of the whole Alaska Fund - had this office informed the Department that much less than 30% of the Alaska Fund has been found 'necessary' for the support of schools.

"I have the honor now to inform you that the support of schools requires probably not more than about 20% of the moneys of the Alaska Fund, and moreover there is no prospect that a larger percentage will be required for this object for some years to come - perhaps never. I believe that there is at present a surplus of perhaps more than \$100,000 in the school section

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of the Alaska Fund, and I should be glad if a portion of this could be transferred on the books of the Department so as to be made applicable to the construction of roads. I venture to request, therefore, that the sum of \$50,000 be so transferred * * * ."

"Section 1 of the act of January 27, 1905 (33 Stat., 616), provides that all moneys derived from the sale of licenses outside incorporated towns in Alaska shall be deposited in the Treasury of the United States,--

***** there to remain as a separate and distinct fund, to be known as the 'Alaska fund,' and to be wholly devoted to the purposes hereinafter stated in the district of Alaska. One-fourth of said fund, or so much thereof as may be necessary, shall be devoted to the establishment and maintenance of public schools in said district; five per centum of said fund shall be devoted to the care and maintenance of insane persons in said district, or so much of said five per centum as may be needed; and all the residue of said fund shall be devoted to the construction and maintenance of wagon roads, bridges, and trails in said district.'

'Said 'Alaska fund' was by the act of March 3, 1905 (33 Stat., 1170), appropriated for the purposes stated in the act of January 27, 1905, above quoted.

'The act of January 27, 1905, was amended by section 7 of the act of February 6, 1909 (35 Stat., 601), by providing that--

'So much of the act approved January twenty-seventh, nineteen hundred and five, entitled 'An act to provide for the construction of roads, establishment and maintenance of schools, and care and support of insane persons in the district of Alaska, and for other purposes,' as provides that five per centum of the license moneys collected outside of incorporated towns in the district of Alaska shall be devoted to the care and maintenance of insane persons is hereby repealed, and such five per centum, or so much thereof as may be necessary, shall hereafter be applied to and used for the establishment and maintenance of public schools in said district, under supervision of the governor.'

'The act of January 27, 1905, did not set aside any

exact and definite sum from the 'Alaska fund' to be expended for the establishment and maintenance of schools, but did require that one-fourth, or as amended 30 per centum or so much thereof 'as may be necessary,' shall be devoted to such purposes and that 'all the residue of said fund' shall be devoted to the construction and maintenance of wagon roads, bridges and trails.

'In construction of a statute the whole of the statute must be construed together so as to give effect, if possible, to every part thereof. Applying this principle here, it follows that the phrase 'one-fourth of said fund, or so much thereof as may be necessary' is a limitation on the fund that may be used for the purposes of education. If not a limitation there would be nothing in the law itself to prohibit the use of the whole fund for schools, in which event there would be neither anything for the support of the insane nor a 'residue' for the construction of roads and other internal improvements. I find nothing in the act showing an intention to accumulate a surplus for schools beyond their needs. A contrary intention is shown when the act provides that all the residue of said Alaska fund shall be used for construction and maintenance of roads, etc.

'You are, therefore, advised that there is no legal objection to the transfer of funds as requested by the Governor of Alaska.

Respectfully,
(Sgd) R. J. TRACEWELL,
Comptroller.

(COPY -1)

(See Reservation school file and File #14-4)

"TREASURY DEPARTMENT
Washington

December 29, 1911.

"The Honorable

The Secretary of the Interior.

"Sir:

"I am in receipt of your letter of December 20th, 1911, in which you request that I further consider the questions discussed and decided by me on September 30, 1911, in regard to the use of the school moneys of the Reservation Addition, a school district adjoining the incorporated town of Valdez, Alaska, such moneys now being paid to the school authorities of said incorporated town, and the children of said reservation being educated in said town school.

"It was said in said decision:

"The provisions of sections 4 and 5, supra, provide for a school district outside of incorporated towns and for a school district within incorporated towns. Each is required to have its own organization, and there is no provision for a school jointly for the incorporated town and for the school district outside the incorporated town, but the provisions contemplate that the schools of the respective districts shall be established and maintained separately from each other.

"There is no authority to use the 'Alaska Fund' for the establishment and maintenance of schools within incorporated towns. (12 Comp. Dec., 198; 52 Comp. MS. Dec., 963, to Secretary of the Interior, February 26, 1910.) The use of the 'Alaska Fund' by a school district of unincorporated towns in combination with a school established by an incorporated town would practically be a use of the fund for the maintenance of the incorporated town's school, and I am of opinion is unauthorized."

"As said in said decision:

"The schools within incorporated towns were authorized to be established by section four of the act of January 27, 1905

(33 Stat., 616), as amended by act of March 3, 1905 (33 Stat., 1262), under which the common council of incorporated towns were empowered - 'in their respective towns to establish school districts, to provide the same with suitable school houses, and to maintain public schools therein and to provide the necessary funds for the schools.'

"The schools outside of incorporated towns are authorized under the act of January 27, 1905, as amended by the acts of May 14, 1906 (34 Stat., 192) and February 6, 1909 (35 Stat., 601). By a certain section of said act of January 27, 1905, the clerk of the district court is empowered to establish school districts outside of incorporated towns, the qualified voters of such school district to choose at an election a school board therefor, and it is further provided in said act:

"Said board shall have the power to build or rent the necessary furniture and fixtures, to provide fuel and light, to hire and employ teachers, and in general to do and perform everything that may be necessary for the maintenance of a public school. * * *

"The said board, * * * shall immediately report in writing to the governor the number of children in their school district between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained; and after a school has been opened and maintained they shall, at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, the total number of pupils in attendance, and the daily average of such attendance at such term. The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a school house, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor, (but) of that portion of the (out) said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said ~~portion of said fund~~, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amount so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of the said portion of said fund."

"As seen by the reading of this later section it is provided that after the organization of such school district the governor shall set apart to each school district a sum of money from the "Alaska Fund" depending upon the number of pupils in said district, not less than three hundred dollars nor more than one thousand dollars for the construction and equipment of a school house, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor; that the governor shall apportion to the several school districts a sum to pay the wages of teachers, together with the expenses of fuel and light for five months school in each of said districts in each year; that this latter sum shall be paid to the treasurer of said school district by the Secretary of the Treasury upon the voucher of the governor, and out of the residue of said "Alaska Fund" after making provision for the school houses. It is thus seen that two separate school systems are provided for the people of Alaska, - one in incorporated towns and one in unincorporated territory. Each system being a separate organization and the expenses thereof being paid from separate and distinct funds; in one case it is a local fund under local supervision, and in the other a federal fund under federal supervision.

"The Governor of Alaska in his submission of the question under consideration, among other things said:

"Some months ago it was brought to my attention that the Reservation school district, although it had been supposedly supporting a school out of moneys paid over to the school treasurer by the Treasurer of the United States upon the requisition of the Governor of Alaska, as a matter of fact had never erected a school building and maintained a separate school, but had always provided for the education of the school children of the reservation in the school building erected by the town of Valdez, within the limits of the incorporation. The town school

board and the Reservation school board had always made joint arrangements for the maintenance of the school, and each had shared the expense of such maintenance in what was mutually agreed upon as a fair proportion."

"He goes on to say that this arrangement in his judgment is an economic one and requests, if within the law, that it be continued.

"As before indicated I decided that said arrangement was not in accordance with law, and was unauthorized. You now ask me to consider whether such arrangement may not be treated as maintaining a district school in a building provided for the purpose in the town of Valdez, the contributions by the school authorities to support such school being in effect the payment of rent and employment of a teacher for the purpose of instructing the children of the school district, even though a portion of the teacher's time is employed in the education of children resident within the incorporated limits.

"It is not readily seen by me how I can legally adopt such an hypothesis when all the facts in the case show that all the district school officials have to do with the schools in the incorporated town of Valdez is to pay to these authorities the sum drawn from the "Alaska Fund" on the supposition that they are conducting a school under the law, which is being conducted and operated by a different school board with different powers and authority. In some of the states where persons living outside of corporations and want the benefit of the schools in said corporations, which are supposedly better and more efficient than those in more sparsely settled districts, they attain such ends through transfers, some of which provide that those transferring shall pay the tuition of transferred scholars, and in other instances that the funds set apart for the support of these schools may bear such transfer expenses.

"It is a condition, however, and not a theory which presents itself in this matter, and the interests of the school children in this Reservation should not be lost sight of for an instant. Under existing conditions they have no school house, have no school organized under the law and no teachers provided for them as the law authorizes and as the governor supposed they had when he signed the vouchers turning over to the Treasurer of their supposed school board the allotments for pay of their teacher, or teachers, and for fuel, etc. for their separate school. Under such circumstances and as a temporary matter, until they can comply with the law, I do not believe it to be a violation of the law to permit this so-called school board to agree with the school authorities of the town of Valdez, for the present school year, that the pupils of said Reservation shall be transferred to said town school and that said town school be paid a certain sum per pupil for the privilege of attending such school, out of said "Alaska Fund" in the hands of the said supposed school board.

Respectfully,

(Signed)

R. J. Tracewell

Comptroller."

---COPY-1---

(See File #14-4, and Seward school district file.)

"CCM 6 D

" TREASURY DEPARTMENT
WASHINGTON

"Office of
Comptroller of the
Treasury.
R.L.G .

September 30, 1911.

The Honorable,

The Secretary of the Interior.

Sir:

Your Reference September 18, 1911, submits for decision the request September 6, 1911, of the Governor of Alaska as follows:

"I have the honor to request that the Comptroller of the Treasury be ~~requested~~ asked to render an opinion upon that provision of the Alaska school law (act of January 27, 1905, 33 Stat., 616) which provides for the payment of rent for school buildings outside of incorporated towns.

"In two or three of the school districts organized outside of incorporated towns under the provisions of the act referred to, notably in Seward, Alaska, where there are about fifty school children, the local boards in submitting their estimates of school expenses have asked for funds with which to pay for the rent of the buildings, although the districts have already received the maximum sum of one thousand dollars for the construction of school buildings, and have constructed these buildings.

"In the case of the Seward school, the number of school children is more than can be accommodated in the building which was erected by the board for the sum of one thousand dollars allotted by the government, and it has been found necessary to secure additional quarters. The residents of the school district inform this office that they deem it a hardship to be required to defray the expense of renting an additional building, and they ask that an item of rent be allowed as a part of the regular estimates for the maintenance of the school district from year to year.

"I should be glad to have an opinion from the Comptroller of the Treasury for my guidance in determining whether or not the item of rent, under the circumstances as above described, is consistent with the provisions of the act of January 27, 1905, supra."

"The schools of Alaska in districts outside of incorporated towns are authorized to be established under the provisions of section five of the act of January 27, 1905 (33 Stat., 616), which act, after prescribing in detail the method of electing a school board for each district, provides that--

"Said board shall have the power to build or rent the necessary school-house or schoolroom, to equip the same with the necessary furniture and fixtures, to provide fuel and light, to hire and employ teachers, and in general to do and perform everything that may be necessary for the maintenance of a public school."

"Said section further provides:

"The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a school-house, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year."

"The school board is specifically empowered "to build or rent the necessary schoolhouse or schoolroom," and for the purpose of enabling a schoolhouse to be built the governor of Alaska is authorized to set apart from the "Alaska Fund," which arises under the provisions of section one of said act of January 27, 1905, "not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of

---COPY-3---

pupils in the district."

"The amount to be expended in the construction of a schoolhouse is limited by the number of pupils and cannot exceed the maximum sum of one thousand dollars. If under the authority "to build or rent," a schoolhouse has been built it is clear another schoolhouse is not authorized to be built additional thereto. The said act of January 27, 1905 makes no provision for additional schoolhouses but apparently authorized only one schoolhouse to a school district outside of incorporated towns and there appears no authority to rent a schoolhouse additional to a schoolhouse which was built.

Respectfully,

(Sgd) R. J. TRACEWELL,

Comptroller.

F. 11

(COPY - See File #14-4 and Reservation
school district file.)

"HGB-6 D

TREASURY DEPARTMENT
WASHINGTON

Office of
Comptroller of the
Treasury.
R.L.G.

September 30, 1911.

The Honorable

The Secretary of the Interior.

Sir:

I have your reference September 21, 1911, of the request
September 6, 1911, of the Governor of Alaska as follows:

"I have the honor to request that the Comptroller of
the Treasury be asked to render an opinion upon that provision
of the Alaska school law (act of January 27, 1905, 33 Stat. L.,
616) which provides for the rent of school buildings outside of
incorporated towns.

"The incorporated town of Valdez maintains a graded
school, the expense of the same being paid by the funds from
the municipal treasury. Immediately outside the incorporated
limits of the town is a settlement known as the 'Reservation
Addition,' where a school district was organized several years
ago under the provisions of section 5 of the act above referred
to. The boundary line between the incorporated town and the
Reservation Addition extends through one of the principal
streets of the town, and both areas are thickly settled; it is
substantially one settlement, some of the principal stores and
other business houses being situated on the Reservation Addi-
tion.

"Some months ago it was brought to my attention that
the Reservation school district, although it had been supposedly
supporting a school out of monies paid over to the school treas-
urer by the Treasurer of the United States upon the requisition
of the Governor of Alaska, as a matter of fact had never erected
a school building and maintained a separate school, but had al-
ways provided for the education of the school children of the
reservation in the school building erected by the town of Valdez,
within the limits of the incorporation. The town school board
and the Reservation school board had always made joint arrange-
ments for the maintenance of the school, and each had shared
the expense of such maintenance in what was mutually agreed upon
as a fair proportion. When I learned of this arrangement, which

was established before my term of office began, I instituted an inquiry which has only recently been completed. It appears that the joint arrangement for the education of children in Valdez and in the Reservation district is of an economical character, affording better facilities for education at a smaller expense than could be expected to exist under an arrangement for the maintenance of separate schools. It has been found possible to maintain a larger number of grades, and thereby to afford better means of instruction.

"Unless it be found that the joint arrangement referred to is contrary to the provisions of section 5 of the act of January 27, 1905, supra, the people of Valdez and the Reservation Addition would doubtlessly be benefitted by the continuance of the present arrangement, due supervision being exercised by this office so as to insure a proper division of the expenses of the school as between the municipality of Valdez and the Reservation school district. Moreover, the continuance of the arrangement would result, as I am satisfied that it has resulted in the past, in a saving of public money.

"I should be glad to have the benefit of an opinion from the Comptroller of the Treasury as to whether the present practice may be continued without doing violence to the letter and spirit of the school law above referred to."

"The schools within incorporated towns of the district of Alaska were authorized to be established by section four of the act of January 27, 1905 (33 Stat., 616), as amended by act of March 3, 1905 (33 Stat., 1262), under which the common council of incorporated towns were empowered--"in their respective towns to establish school district, to provide the same with suitable school houses, and to maintain public schools therein and to provide the necessary funds for the schools."

"The schools outside of incorporated towns were authorized to be established and maintained from the "Alaska Fund" provided by the said act of January 27, 1905; as amended by the acts of May 14, 1906 (34. Stat., 192), and February 6, 1909 (35 Stat., 601). By section five of said act of Jan-

uary 27, 1905, the clerk of the district court was empowered to establish the school district for, outside of incorporated towns, the qualified voters of said school district to choose at an election a school board therefor, it being further provided that -

the

"Said board shall have power to build or rent the necessary schoolhouse or schoolroom, to equip the same with the necessary furniture and fixtures, to provide fuel and light, to hire and employ teachers, and in general to do and perform everything that may be necessary for the maintenance of a public school. * * * * *

"The said board, * * * shall immediately report in writing to the governor the number of children in their school district between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained; and after a school has been opened and maintained they shall, at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, ~~and~~ the total number of pupils in attendance, and the daily average of such attendance at such term. The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of ~~pupils~~ pupils in the district, for the construction and equipment of a schoolhouse, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of the said portion of said fund."

"The provisions of sections 4 and 5, supra, provide for a school district outside of incorporated towns and for a school district within incorporated towns. Each is re-

--_COPY-~~5~~--

quired to have its own organization, and there is no provision for a school jointly for the incorporated town and for the school district outside the incorporated town, but the provisions contemplate that the schools of the respective districts shall be established and maintained separately from each other.

"There is no authority to use the "Alaska Fund" for the establishment and maintenance of schools within incorporated towns. (12 Comp. Dec., 198; 52 Comp. MS. Dec., 963, to Secretary of the Interior, February 26, 1910). The use of the "Alaska Fund" by a school district of unincorporated towns in combination with a school established by an incorporated town would practically be a use of the fund for the maintenance of the incorporated town's school, and I am of opinion is unauthorized.

Respectfully,

(Sgd) R. J. TRACKWELL,

Comptroller.

F. "

(COPY-1)

(See Int. Dept. File, Haines school file, and
File #14-4.)

"TREASURY DEPARTMENT
Washington

CCM 6

February 26, 1910.

"The Honorable,

The Secretary of the Interior.

"Sir:

"I am in receipt of your letter dated February 18, 1910, transmitting copy of a letter from Walter E. Clark, Governor of the District of Alaska and ex-officio Superintendent of Public Instruction, dated February 1, 1910. You request my decision of the question presented by Governor Clark, relative to the school in the incorporated town of Haines; that is, whether the present school board, elected before the town was incorporated, is authorized to defray the expenses of the school out of funds allotted to the school board at the beginning of the current school year.

"In his letter Governor Clark says:

"The town of Haines, where for several years a school has been conducted under the provisions of the Act approved January 27, 1905 (33 Stat., 618), has become an incorporated town, the incorporation papers having been signed by the district judge on the 24th of January. I have the honor to request that you will advise me on the following points.

"1. Am I authorized to permit the present school board (elected before the town was incorporated) to defray the expenses of the present school out of funds which were allotted to the board by me at the beginning of the current school year?

"2. The present school building was constructed at the expense of the residents of Haines, no funds having been allotted by the federal government for this object. A small sum has been allowed from time to time out of the Alaska Fund for necessary repairs as provided by the Act of January 27, 1905.

The residents request that they be permitted to have full title to this building for the use of the school which will be conducted in due time by the school board elected by the voters of the incorporated town. Am I authorized to turn over the building to the incorporation?

"In case favorable action is taken on the application of the Haines citizens to conduct their school out of the funds already allotted to the treasurer, they will not elect a new board (under the provisions of the new incorporation) until April next, and the members of the board will not qualify as officers until after the close of the current school year, the latter part of May. In my opinion there is a certain equity which makes it advisable to permit the old school board to use the funds now in hand for the conduct of their school until the end of the current school year although the town has been incorporated, for the reason that the unincorporated town has turned into a federal treasury license moneys for the current year far in excess of the comparatively small balance now remaining in the Haines school fund. I understand that the new municipality will not be able to collect any taxes for the expenses of the local government until July 1st, 1910."

"By section 1 of the act of January 27, 1905 (33 Stat., 616), it is provided that all moneys derived from the sale of

"Trade licenses outside of the incorporated towns in the district of Alaska shall be deposited in the Treasury Department of the United States, there to remain as a separate and distinct fund, to be known as the "Alaska Fund" and to be wholly devoted to the purposes hereinafter stated in the District of Alaska. One-fourth of said fund, or so much thereof as may be necessary, shall be devoted to the establishment and maintenance of public schools in said district; * * * "

"By section 5 it is provided that "the clerk of the district court shall have the power and it shall be his duty" upon the petition of twelve persons of adult age, who reside within the boundaries of a proposed school district, "to establish, by order in writing a school district at any camp, village, or settlement outside of the limits of any incorporated town." The qualified voters of the school district so established shall elect a school board of three members, consisting of a clerk,

a treasurer, and a director. The treasurer shall be the custodian of the moneys of the school district. And it is further provided that:

"The said board * * * shall immediately report in writing to the Governor the number of children in their school district between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained. * * * The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a schoolhouse, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expenses of fuel and light, for five months school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of ~~the~~ the said portion of said fund."

"By section 4 of said act, as ~~the~~ amended by the act of March 3, 1905 (33 Stat., 1262), it is provided:

"That the common council of the incorporated towns in said district shall have the power, and it shall be their duty, in their respective towns to establish school districts, to provide the same with suitable schoolhouses, and to maintain public schools therein and to provide the necessary funds for the schools; but such schools when established shall be under the supervision and control of a school board of three members, consisting of a director, a treasurer, and a clerk, to be elected annually by the vote of all adults who are citizens of the United States or who have declared their intention to become such and who are residents of the school district. The members of said board first elected shall hold their offices for the term of one, two, and three years, respectively, and until their successors are elected and qualified and one member of such board shall be elected to each year thereafter and

---COPY-4---

and shall hold his office for a period of three years and until his successor is elected and qualified; and they shall each, before entering upon the duties of their office, take an oath in writing to honestly and faithfully discharge the duties of their trust. * * * All money available for school purposes except for the construction and equipment of school-houses and the acquisition of sites for the same, shall be expended under the direction of said board, and the treasurer of said board shall be the custodian of said money, and he shall, ~~xx~~ before entering upon the duties of his office, give his bond, with sufficient sureties, to the school district, in such sum as the common council may direct, and subject to its approval, but not less than twice the amount that may come into his hands as treasurer, conditioned that he will honestly and faithfully disburse and account for all money that may come into his hands as such treasurer. The said board shall have the power to hire and employ the necessary teachers, to provide for heating and lighting the school-house, and in general to do and perform everything necessary for the due maintenance of a proper school."

"If the town of Haines was incorporated on January 24, 1910, as it seems to have been from Governor Clark's letter, supra, it is my opinion that no portion of the "Alaska fund" is available for the maintenance of a school in that town from the date of its incorporation, because of said is only available for schools outside of incorporated towns in the district of Alaska (See 35 MS. Comp. Dec., 75, 188.)

Respectfully,

(SGD) R. J. TRACEWELL,

Comptroller.

COPY

(Original in Treasury Dept. file.
Reference file.)

Copy in File 14-4 and in

TREASURY DEPARTMENT

Office of the Secretary

Washington

June 17, 1907.

Hon. W. B. Hoggatt,
Governor of Alaska,
Juneau, Alaska.

Sir:

I am in receipt of your letter of the 15th ultimo transmitted to this Department through the Department of the Interior, referring to the Act of Congress approved January 27, 1905, "An Act to provide for the construction and maintenance of roads, the establishment and maintenance of schools x x x in the district of Alaska," &c., and requesting that the sum of \$100. of the Alaska Fund be placed to your credit with the First National Bank of Juneau, Alaska, for the purpose of establishing a uniform system of keeping and reporting attendance at the schools, &c., by prescribing and furnishing the necessary forms, &c.

In reply I enclose copy of the views of the Comptroller of the Treasury in the matter for your information.

Respectfully,

(Signed)

Beekman Winthrop,

Assistant Secretary.

COPY.

(Original in Treasury Dept. file. Copy in File #14-4 and in Reference file.)

~~CCM 6~~

TREASURY DEPARTMENT

WASHINGTON

June 12, 1907.

The Honorable

The Secretary of the Treasury.

Sir:

By your reference, dated June 5, 1907, of a communication from the Governor of Alaska, ex officio superintendent of public instruction for the district of Alaska, dated May 15, 1907, you request my views thereon. This communication is as follows:

"Referring to an Act of Congress, approved Jan. 27, 1905, entitled 'An Act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, ... in the district of Alaska, ...' Section three of which provides among other things 'That the governor of the District of Alaska shall be ex officio superintendent of public instruction in said district, and as such shall have supervision and direction of the public schools and shall prescribe rules and regulations, etc. ...,' and Section five, which provides among other things that the (various) school board (s) shall 'at the end of each school term, report to the governor in writing the length of the term, the wages paid the teacher, the total number of pupils in attendance, and the daily average of such attendance at such term ...,' I have to advise that this office is very desirous of establishing a uniform system for these schools in keeping and reporting attendance, and in the matter of forwarding reports of disbursements, with receipts, for all moneys expended by the treasurers of the various boards.

"I have the honor therefore to request that the sum of \$100.00 of the Alaska Fund be placed to my credit with the First National Bank of Juneau, Alaska, all, or so much thereof as may be necessary to be used in the furnishing of necessary books, blanks, receipts, stationery, etc. to the teachers and boards of the different school districts.

"There are now 12 schools under the supervision of this office, but as this number will undoubtedly be increased from time to time, it is earnestly requested that this money be made available for establishing a uniform and creditable system, and enable the school boards and this office to fully comply with the provisions of the above named law."

Section 3 of the act of January 27, 1905, (33 Stat., 617), constitutes the Governor of Alaska ex officio superintendent of public instruction for the

(Original in Treasury Dept. file. Copy in File #1-4 and in Reference file.)

district of Alaska, but there is no provision in the act authorizing him to disburse that portion of the Alaska fund devoted to the establishment and maintenance of schools in said district.

Section 4 of said act establishes a school board and provides for the establishment of school districts in incorporated towns, and provides that money available for the maintenance of schools therein shall be "expended under the direction of said board," and that the "treasurer of said board" shall be the "custodian of said money".

Section 5 of said act provides for the election of a school board for schools established outside of incorporated towns; authorizes said board to provide for the maintenance of said schools; and provides that "the treasurer" of said board shall be "the custodian of the moneys of the school district."

I think therefore there is no authority to place any portion of said Alaska fund to the credit of the superintendent of public instruction for the district of Alaska, to be expended by him for the purposes specified by him in his communication.

I think, however, the Governor as ex officio superintendent of public instruction may accomplish uniformity in the keeping and reporting attendance at the several schools, etc., by prescribing the necessary forms to be used for these purposes and the method of using them.

Respectfully,

R. J. Tracewell,

Comptroller.

COPY.

(Original in TREASURY DEPT. File. Copy in file 14-4 and reference file.)

TREASURY DEPARTMENT

WASHINGTON

March 15, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have received your communication of the 14th instant, referring to this office and requesting a decision of the question therein stated, a letter from the Commissioner of Education of the 12th instant as follows:

"I have the honor to invite your attention to the fact that 'An Act making appropriations for Sundry Civil Expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes,' approved March 4, 1907, contains the following provision:

"For the support, maintenance, construction, and rental of additional day schools in Alaska, for the Eskimos, Indians, and other natives, to be immediately available, one hundred thousand dollars.'

"I respectfully request that an opinion be secured, through the proper official channels, as to whether, under the terms of the Act which I have quoted, I am authorized, from said one hundred thousand dollars, to construct school buildings in places in Alaska where this Bureau now maintains public schools but owns no buildings.

"In several villages in Alaska this Bureau is carrying on day schools in buildings or rooms which have been placed at its disposal for the purpose of missionary societies or by private organizations.

"At Igloo the United States public school is conducted in a cabin belonging to an Eskimo.

"In the town of Council a benevolent individual has granted the use of his house for school purposes.

"Such arrangements serve our purposes only temporarily and imperfectly and I respectfully submit that it is desirable in such cases that the Government should provide buildings of its own for the use of its schools."

The act of March 4, 1907 (Public No. 255) referred to in said letter provides:

"Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska; for erection, repair and rental of school buildings * * * one hundred thousand dollars ***".

"For support, maintenance, construction and rental of additional day schools in Alaska, for Eskimos, Indians, and other natives, to be immediately available, one hundred thousand dollars."

It is assumed that all schools now being conducted in Alaska have been provided for in annual appropriations or from funds now being used for that purpose.

The first appropriation above quoted would be available for that purpose and to build or rent schoolhouses at such places.

The last appropriation is for "additional day schools", i.e., schools in addition to those already provided for. This would seem to indicate that this appropriation was to be used to establish schools at places where there are no schools now and not merely as an addition to the sum first appropriated as would be the case if it could be used to construct buildings at places where there are now schools. This would be to use it for "additional school" buildings instead of for "additional day schools" as is required by the language.

It must be used to provide more or "additional day schools" and not to provide better or more permanent facilities for those now being conducted. If it can be used to construct school buildings at places where there are now schools, it can be used to support and maintain the schools now being conducted or to rent the same houses that are not being rented.

In my opinion Congress did not intend that this appropriation should be so used. You are therefore authorized, from said appropriation, to construct school buildings in places in Alaska where the Bureau of Education now maintains public schools but owns no buildings.

Respectfully yours,

L. P. Mitchell,

Assistant Comptroller.

COPY. ✓

(Original in Treasury Dept. File. Copy in File 14-4 and in reference file.)

December 18, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have received your letter of the 14th instant as follows:

"The Department is in receipt of a letter from the Honorable Secretary of War, dated 11th instant, transmitting an account of the Northern Commercial Company, of St. Michael, Alaska, amounting to \$34.10, for medical supplies purchased by Brig. Gen. Frederick Funston, U. S. A., in August, 1904, and distributed to Alaskan natives in destitute circumstances, together with correspondence relative to said claim. The Secretary of War states that there is no appropriation under control of his Department from which the bill in question could be paid, and suggests that payment thereof be made from the appropriation to enable the Secretary of the Interior to provide for the education and support of the Eskimos and other natives of Alaska.

"It is supposed that the appropriation to which the Secretary of War refers is that contained in the Sundry Civil Act of March 3, 1905 (33 Stat., 1188), which is the earliest appropriation made by Congress for education and support of natives of Alaska, and which is in the following terms:

"Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Indians, and other natives of Alaska, for erection, repair and rental of school buildings; for text-books and industrial apparatus; for pay and necessary traveling expenses of general agents, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, fifty thousand dollars to be immediately available.'

"The legislation prior to March 3, 1905, relative to education of natives of Alaska, so far as material, may be briefly summarized as follows:

"For a number of years prior to 1901, Congress made annual appropriations for the education of Alaska natives, in substantially the following terms:

"Education in Alaska: For the industrial and elementary education of children in Alaska, without reference to race, thirty thousand dollars.'

"(Sunday Civil Act of June 6, 1900; 31 Stat., 620).

"Upon the recommendation of the Secretary of the Interior, there was included in the Act of March 3, 1901 (31 Stat., 1438), amending the Alaska Civil Code, the following provision:

"Fifty per centum of all license moneys provided for by said Act of Congress approved March third, eighteen hundred and ninety-nine, and any amendments made thereto, that may hereafter be paid for business carried on outside incorporated towns in the district of Alaska, and covered into the Treasury of the United States, shall be set aside to be expended, so far as may be deemed necessary by the Secretary of the Interior, within his discretion and under his direction, for school purposes outside incorporated towns in said district of Alaska.'

"An amendment not affecting the present question was made by the Act of March 2, 1903.

"The Act of January 27, 1905 (33 Stat., 516), creating the 'Alaska Fund', derived from licenses outside incorporated towns, provided that one-fourth of said fund should be devoted to the maintenance of public schools for white children and those of mixed blood leading a civilized life; such schools to be under the direction of the Governor of the District; and also provided that the education of Eskimos and other natives should continue under the direction of the Secretary of the Interior.

"This act repealed the prior act (March 3, 1903) providing funds for the education of natives of Alaska, above referred to. Hence, it became necessary to make an appropriation for the education of the natives, if this work was to be continued. To meet this necessity, Congress made the appropriation, first above quoted, contained in the Sundry Civil Act of March 3, 1905, of \$50,000 for the education and support of Alaskan natives. While this act made the appropriation 'immediately available', it was passed after the purchase of the supplies in question from the Northern Commercial Company, on August 20, 1904, and, as above stated, it was the first appropriation in which the 'support' of the natives was named.

"Under these circumstances, I have the honor to request your opinion as to whether the appropriation contained in said Act of March 3, 1905, for education and support of Alaskan natives, is applicable to the payment of the account of the Northern Commercial Company for medical supplies purchased by an officer of the War Department in August, 1904, and distributed to sick and destitute natives of Alaska.

"A similar question arises under the appropriation contained in the Sundry Civil Act of June 30, 1906, for education and support of Alaska natives during the fiscal year ending June 30, 1907. This appropriation reads as follows:

"'Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians and other natives of Alaska; for erection, repair and rental of school buildings; for text-books and industrial apparatus, for pay and necessary traveling expenses of general agent, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, one hundred thousand dollars.'

"As the Department has received numerous requests from missionaries and others in Alaska to furnish food, clothing and medical supplies for the relief of natives of Alaska, who, it is stated, are in destitute circumstances and suffering for the necessities of life, it is requested that you advise the Department whether, in your opinion, the appropriation contained in the Sundry Civil Act of June 30, 1906, above quoted, can properly be used to pay the cost of furnished supplies of the character indicated to destitute natives of Alaska.

"It is proper to add that, so far as the Department is advised, the various appropriations made from 1886 to 1901 for education of Alaskan natives, as well as the funds derived from licenses under the Act of March 3, 1901, were used only for the education of natives, and for support incidental to education, that is to say, for the support of children actually attending school."

The appropriation made in the act of March 3, 1905, quoted in your letter above, was not made for more than six months after the purchase of the supplies.

It is wholly prospective and would not be available to pay for supplies bought and used before it became operative. You are not therefore authorized to pay the claim from said appropriation.

The other appropriations cited and quoted by you are limited in their use to educational and school purposes. This construction appears to have been put on the various appropriations made from 1886 to 1901 and also on the use of the fund derived from licenses under the act of March 3, 1901, supra. I see no reason for changing this construction now which is clearly warranted by the language of the various acts cited.

The supplies do not appear to have been purchased for school or educational purposes. You are not therefore authorized to pay the claim under any of the appropriations cited or from the license fund created by the act of March 3, 1901, supra. This fund is the only fund, if any, from which you would be authorized to pay the claim and as it is not applicable therefor you are not authorized to make the payment.

The act of June 30, 1906 (34 Stat., 729) quoted in your letter provided, for "education and support of the Eskimos, Aleuts, Indians and other natives of Alaska," in the discretion and under the direction of the Secretary of the Interior. You would be authorized to use this appropriation to furnish such support as is indicated in paragraph of your letter next to the last, quoted above, during the period that it is available.

Respectfully,

L. P. Mitchell,

Assistant Controller.

(COPY)

From 12 Comp. Dec., p.196-9. (Copies in File #14-4 and Haines and Seward school district files.)

DISTRIBUTION OF "ALASKA FUND" AMONG SCHOOLS DISTRICTS IN
UNINCORPORATED TOWNS.

The provision in section 5 of the act of January 27, 1905, for the distribution of the "Alaska fund" among the school districts of unincorporated towns in Alaska "in amounts sufficient for each district to pay the wages of a teacher * * * for five months school in each year" only fixes the minimum number of teachers and the minimum time for which they are required to be provided, and leaves to the discretion of the governor the employment of one or more than one teacher for each district, and for either five months or a longer time in each year.

(Decision of Comptroller Tracewell, October 13, 1905.)

The Auditor for the Interior Department has reported for approval, disapproval, or modification a decision making an original construction of a statute as follows:

"I submit, in pursuance of the requirements of law, for your approval, disapproval, or modification, the following construction of section 5 of the act of January 27, 1905 (33 Stat. L., 616), in the matter of the application of the governor of Alaska for the payment to the treasurer of the school board in the school district of Haines, Alaska, of a sum sufficient to enable him to pay, among other expenses incidental to the maintenance of a school in said district, the salary of a teacher for a period of nine months.

"By section 1 of the act it is provided that all moneys derived from the sale of 'trade licenses outside of the incorporated towns in the district of Alaska shall be deposited in the Treasury Department of the United States, there to remain as a separate and distinct fund, to be known as the "Alaska fund," and to be wholly devoted to the purposes hereinafter stated in the District of Alaska. One-fourth of said fund, or so much thereof as may be necessary, shall be devoted to the establishment and maintenance of public schools in said district; * *'

"By section 5 it is provided that 'the clerk of the district court shall have the power and it shall be his duty' upon the petition of twelve persons of adult age, who reside within the boundaries of a proposed school district, 'to establish, by order in writing, a school district at any camp, village, or settlement outside of the limits of any incorporated town.' The qualified voters of the school district so established

shall elect a school board of three members, consisting of a clerk, a treasurer, and a director. The treasurer shall be the custodian of the moneys of the school district. And it is further provided that: 'The said board * * * shall immediately report in writing to the governor the number of children in their school district between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained. * * * The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a schoolhouse, which sum shall be paid by the Secretary of the Treasury to the Treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall, by the governor, be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of the said portion of said fund.'

"I decide that under this act the portion of the Alaska fund set apart for public schools is not available for the payment of the salary of a teacher for any period in excess of five months in any calendar year in the same school district.

"This decision is in conflict with your decision of July 21, 1905, in the matter of the application of the governor of Alaska for an advance, among other sums, of \$2,350 to enable the treasurer of the school board of Sitka to pay the salaries of three teachers for a period of one year, wherein it was held that under this act 'the Auditor for the Interior Department is authorized thereon to state an account in favor of the said treasurer for the aggregate amount of said sums.'"

The Auditor has also reported for approval, disapproval, or modification, another decision making an original construction of the same statute, relating to the application of the governor of Alaska for the payment to the treasurer of the school board in the school district of Seward, Alaska, of a sum sufficient to enable him to pay, among other expenses incidental

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to the maintenance of a school in said school district, the salaries of two teachers. In this decision the Auditor decides as follows:

"I decide that under this act the portion of the Alaska fund set apart for public schools is not available for the payment of the salary of more than one teacher."

In my decision of October 6, 1905, disapproving a similar decision by the Auditor relating to the town of Valdez, Alaska, for the reason that these questions were not involved in the case then decided by the Auditor, I held that the act of January 27, 1905, supra, which authorizes the use of the fund provided for therein for the establishment and maintenance of schools in unincorporated towns, did not authorize the use of that fund for the establishment and maintenance of schools in incorporated towns. It does not affirmatively appear from the statement of facts reported by the Auditor that the towns of Haines and Seward are unincorporated. For the purpose of this decision, however, it will be assumed that the Auditor has satisfactory evidence that they are, in fact, unincorporated.

It is provided in section 5 of the act, quoted by the Auditor, supra, that the governor shall assign and set apart to each school district established and organized thereunder, for the construction and equipment of a schoolhouse, a sum "not less than three hundred dollars nor more than one

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thousand dollars." This provision requires the governor to assign for the purpose specified a sum "net less" than \$300, and it also limits the amount which he is authorized to assign to \$1,000.

It is further provided in the same section that the residue of the portion of the fund referred to shall be apportioned by the governor among the school districts "in amounts sufficient" for each district to pay the wages of a teacher, etc., for five months' school in each year. This provision requires the governor to apportion moneys of the fund in amounts "sufficient" to pay the wages of a teacher, etc., for each district for five months; but it does not limit the amount which he may apportion for the wages of teachers, etc., to any specified sum or to the payment of the wages of teachers, etc., for any specified period.

If it had been the intention of Congress to limit the amount to be expended for teachers, it is to be presumed that it would have used appropriate language for that purpose, as was done in the preceding provision for the construction and equipment of schoolhouses. But the terms of the provision only fix the minimum number of teachers and the minimum time for which they are required to be provided, leaving to the discretion of the governor the employment of more than one for each district or of one or more than one for a longer time

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ethan five months.

The decisions of the Auditor are therefore disapproved.

COPY.

(Original in Treasury Dept. File. Copy in File 14-4 and in reference file.)

TREASURY DEPARTMENT

Office of the Comptroller of the Treasury.

October 6, 1905.

The Auditor for the Interior Department has reported for approval disapproval or modification a decision making an original construction of a statute as follows:

"I submit, in pursuance of the requirements of law, for your approval, disapproval or modification, the following construction of section 5 of the act of January 27, 1905, (33 U. S. Stat., 616) in the matter of the application of the Governor of Alaska for the payment of the sum of \$500.00 to the treasurer of the school board in the school district of Valdez, Alaska, to enable him to pay the salary of a teacher and certain other expenses upon estimates submitted for the maintenance of a school in said school district for a period of ten months.

"By section 1 of the Act it is provided that all moneys derived from the sale of --

"Trade licenses outside of the incorporated towns in the district of Alaska shall be deposited in the Treasury Department of the United States, there to remain as a separate and distinct fund to be known as the 'Alaska Fund' and to be wholly devoted to the purposes hereinafter stated in the District of Alaska. One-fourth of said fund, or so much thereof as may be necessary, shall be devoted to the establishment and maintenance of public schools in said district; * * *

"By section 5 it is provided that 'the clerk of the district court shall have the power and it shall be his duty' upon the petition of twelve persons of adult age, who reside within the boundaries of a proposed school district, 'to establish, by order in writing a school district at any camp, village, or settlement outside of the limits of any incorporated town'. The qualified voters of the school district so established shall elect a school board of three members, consisting of a clerk, a treasurer, and a director. The treasurer shall be the custodian of the moneys of the school district. And it is further provided that:

"The said school board ** shall report in writing to the Governor the number of children in their school districts between the ages of six and twenty years that intend to attend a public school, and the wages per month for which a teacher can be obtained. * * * The Governor shall assign and set apart to each school district not less than three hundred dollars nor more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a schoolhouse, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the Governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall be by the Governor apportioned among the

several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the Governor out of the said portion of said fund.'

"By section 4 of the act of the common council of the incorporated towns in the District of Alaska are required to provide the funds necessary for the maintenance of public schools in such towns.

"It appears from the last annual report of the Governor of Alaska that Valdez was an incorporated town.

"I decide that under this act no portion of the Alaska fund is available for the establishment or maintenance of a school in the incorporated town of Valdez, Alaska, and that the portion of such fund set apart for public schools is available only for the establishment and maintenance, for a period of not exceeding five months in any calendar year, of public schools established at a camp, village, or settlement, outside of any of the incorporated towns in said district of Alaska, and that the fund is not available for the payment of the wages of more than one teacher in any of such school districts.

"This decision involves a construction of the act in some particulars not covered by your decision of July 21, 1905, in the matter of the application of the Governor of Alaska for an advance of money to the treasurer of the school district at Sitka, Alaska.

"I transmit herewith the application of the Governor of Alaska for a payment out of such fund of an amount necessary to enable the School Board of the School District of Valdez, Alaska, to maintain a school in that district."

If the town of Valdez, Alaska, is incorporated, as from the information furnished it appears to be, I concur with the decision of the Auditor that the act of January 27, 1905, supra, which authorizes the use of the fund provided for therein for the establishment and maintenance of schools in unincorporated towns, does not authorize the use of that fund for the establishment and maintenance of a school in Valdez. The decision of the Auditor on this question is therefore approved.

This being so, his further decision that the fund provided for these purposes is available for the payment of only one teacher for each school district, and for the payment of the wages of a teacher etc. for only five months in each year, is a decision of a question not involved in the case presented. It is

therefore unnecessary for me now to decide this question, and the decision of the Auditor thereon is not approved.

R. J. Tradewell,
Comptroller.

COPY

(Original in Treasury Dept. File. Copy in File 14-4 and in reference file.)

TREASURY DEPARTMENT

Office of the Comptroller of the Treasury

July 21, 1905.

The Honorable,

The Secretary of the Treasury.

Sir:

By your reference, dated July 15, 1905, of a communication from the Governor of Alaska, dated May 19, 1905, addressed to the Secretary of the Interior and by him referred to you, you request an expression of my views on the question therein presented as follows:

"In Sec. 5 of the law Public No. 26 it says that the sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the 'order and voucher of the governor'.

"I do not know just what is meant and what forms are required to conform with the requirements of the Treasury Department. I would be pleased to have information on this subject and if they have the proper blanks I would request to be furnished with a sufficient number for my use."

The act referred to by the Governor is the act of January 27, 1905 (33 Stat., 616), to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the district of Alaska.

Section 5 of the act provides for the election of a school board of three members, one of whom shall be treasurer, and that he shall be the custodian of the moneys of the school district, which section 1 of the act provides shall be collected and deposited in the Treasury as a separate and distinct fund, to be known as the "Alaska Fund". Section 5 also contains the following provisions:

"The governor shall assign and set apart to each school district established and organized under the provisions of this section a sum, not less than three hundred dollars, not more than one thousand dollars, in proportion to the number of pupils in the district, for the construction and equipment of a

schoolhouse, which sum shall be paid by the Secretary of the Treasury to the treasurer of the school district upon the order and voucher of the governor out of that portion of the said Alaska fund set apart for the establishment and maintenance of public schools. The residue of said portion of said fund, or so much thereof as may be necessary, shall by the governor be apportioned among the several school districts established under the provisions of this section in amounts sufficient for each district to pay the wages of a teacher, together with the expense of fuel and light, for five months' school in each year. And the amounts so apportioned to each school district shall be paid to the treasurer of the district by the Secretary of the Treasury upon the order and voucher of the governor out of the said portion of said fund."

A communication from the Governor of Alaska, dated May 19, 1905, and addressed to you, is also transmitted by you, which contains the following declarations and request for transmission of moneys to the treasurer of the Sitka school board:

"I have the honor to inform you that, under the provisions of an Act of Congress approved January 27, 1905, the people of the town of Sitka petitioned the clerk of the district court of Division No. 1 to establish a school district within certain specified limits.

"He did so order on the 29th day of March, 1905, and named three of the petitioners to supervise the first election, which was held on the 15th day of April.

"At said election W. A. Kelly was elected director, W. P. Mills treasurer, and Mrs. George Stowell, Clerk, and so certified to by the supervisors of election.

"On the 18th day of April three persons took the oath of office.

"On the 5th day of May A. D. 1905 the said treasurer, William P. Mills with William A. Kelly and William R. Mills as sureties, filed his bond unto the Sitka School district Division No. 1 in the sum of seven thousand dollars.

"Said bond was approved on the 10th day of May by the clerk of the U. S. District Court, Division No. 1.

"I have received a communication from the clerk of the school board stating that there are in the school district one hundred sixteen children of school age who intend attending school the ensuing year, that there are three teachers necessary, the principal at one thousand dollars for the year and two assistants at six hundred seventy-five dollars each making a total of two thousand three hundred fifty dollars (\$2,350) for teachers salaries and the sum of four hundred twenty-five dollars for fuel and light, and incidental expenses. She further requests that one thousand dollars be set aside for the construction and equipment of a school house.

"I, therefore, under the provisions of said law, set aside and apportion these amounts for said purposes out of the school funds now in your custody and request that you will transmit the said amounts to W. P. Mills, Treasurer of Sitka School Board."

I think the foregoing declarations sufficiently vouch for the right of the treasurer of the school district to receive the sums of money specified by the Governor, and that his request for the transmission thereof is a proper order therefor; and that the Auditor for the Interior Department is authorized thereon to state an account in favor of the said treasurer for the aggregate amount of said sums.

Respectfully,

R. J. Tracewell,

Comptroller.

COPY

(Original in Treasury Dept. file. Copy in File 14-4 and in Reference File).

TREASURY DEPARTMENT

WASHINGTON

March 31, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have received your letter of the 15th instant as follows:

"Prior to January 25, 1905, education has been provided by this Department for the whites, as well as Eskimos and natives, outside of incorporated towns in Alaska, under the act of March 2, 1903 (32 Stat., 946), which set aside fifty per cent of all license moneys paid for business carried on outside of incorporated towns in the District of Alaska, for educational purposes, to be expended under the supervision of the Secretary of the Interior. The act of January 27, 1905, entitled 'An Act to provide for the construction and maintenance of roads, the establishment and maintenance of schools and the care and support of insane persons in the District of Alaska, and for other purposes,' however, repealed the act of March 2, 1903, supra, and provided, among other things, that the education of the Eskimo and Indians in the District of Alaska should remain under the direction and control of the Secretary of the Interior, and schools for and among the Eskimos and Indians of Alaska should be provided for by an annual appropriation.

"Accordingly, on the 3rd of February, 1905, an estimate of \$100,000 for the education of Eskimos and Indians in the District of Alaska, was submitted to Congress through proper channels, and in the bill making appropriations for the sundry civil expenses of the Government, and for other purposes, approved March 3, 1905, provision was made for education in Alaska, as follows, to wit:

"'EDUCATION IN ALASKA: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Indians, and other natives of Alaska, for erection, repair, and rental of school buildings; for text-books and industrial apparatus; for pay and necessary traveling expenses of general agent, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, fifty thousand dollars, to be immediately available.'

"The Commissioner of Education has been authorized to expend \$60,000 for school buildings in the District of Alaska and proposals have been solicited by advertisement to be opened at 2 o'clock P. M. Saturday, April 15, 1905, for the construction of such school buildings. The moneys received on account

of licenses in the District of Alaska up to and including the 26th of January, 1905, appear to be available not only for the purpose of providing for the ordinary educational expenses in Alaska, but also for the construction of the requisite school buildings; before acting, however, upon such proposals as may be received under the above mentioned advertisement for the erection of school buildings, I have to request to be advised, in view of the specific appropriation of \$50,000 provided in the sundry civil bill, above mentioned, whether the moneys received on account of licenses up to and including the 26th of January, 1905, are available until expended in the construction of school buildings and providing for other expenses of education in Alaska, or whether the same is only available up to March 3, 1905, the date of the sundry civil bill."

In response to an inquiry from this office dated the 20th instant you submit the following:

"Your letter of the 20th instant has been received in which, for use in connection with Department inquiry of the 15th instant as to the availability of funds arising from licenses in Alaska and covered into the Treasury under the act of March 2, 1903 (32 Stat. 946) prior to January 27, 1905, you request the following information:

1. How much of said moneys remains unexpended?
2. To what extent have obligations been incurred to be paid from said moneys?
3. To what extent have expenditures been authorized, payable from said moneys?
4. How much of said moneys has been withdrawn from the Treasury for said expenditure, and when was the last requisition on the Treasury for funds from said moneys honored?
5. I would also thank you for an expression of your views as to the availability of said funds for expenditure after January 27, 1905.

"In response thereto I have to submit the following answers to the interrogatories in the order in which they are given:

"1. That there remains unexpended of said moneys warranted from the Treasury to the Secretary of the Interior, Jan. 26, 1905, - - - \$99,407.75.

"2. Obligations incurred from said moneys for teacher's salaries outstanding, - - - - - 35,043.80

"3. Expenditures from said moneys have been authorized for outstanding salaries as stated above, - - - - - 35,043.80

"Also for erection of school buildings under authority from the Secretary of the Interior dated May 26, 1904, - - - - - 60,000.00

"4. The last requisition on the Treasury for funds from said moneys was honored March 23, 1905.

"There has been withdrawn from the Treasury for said expenditure between January 27, and March 23, 1905, - - - - - 7,991.89

"In my judgment the unexpended balance of moneys from licenses in Alaska for educational purposes in Alaska, up to and including the 26th day of January, 1905, is available for expenditure during the present fiscal year."

You request my decision of the question as to the present availability of moneys derived from licenses under the act of March 2, 1903 (32Stat., 946) in view of the acts of January 27, 1905, (Public No., 26), and the act of March 3, 1905, (Public No., 216), quoted by you.

I am of the opinion that the act of January 27, 1905, (Public No., 26), is wholly prospective. (White v. United States, 191 U. S., 5450552.) So construed the system inaugurated by the act of January 27th, supra, is to be wholly supported by license money collected in the future, and the use of the funds collected prior to January 27, 1905, for the purposes specified in the act of March 2, 1903, supra, is not inconsistent with anything contained in the acts of January 27, 1905, and March 3, 1905.

You are, therefore, in my opinion, authorized to use the funds collected under the act of March 2, 1903, for the purposes specified in that act to meet expenditures authorized by you prior to the passage of the act of January 27, 1905, and also to use said funds for the purposes specified in the act of March 2, 1903, to meet expenditures not heretofore authorized if the same shall not be for purposes for which the acts of January 27, 1905, and March 3, 1905, make specific provision.

Respectfully,

L. P. Mitchell,

Acting Comptroller.



*Ref file
Schools*

Territory of Alaska

Office of the Governor

Ex-officio Superintendent of Public Instruction

Juneau

*(This form issued July 17, 1916,
1,000 copies, Empire print.)*

In reply to the inquiries contained in your letter of..... you are informed as follows in respect to the Alaska public schools:

The Governor is ex-officio superintendent of public instruction for the white schools of the Territory, and is the only officer who exercises a general supervision over them. These schools are divided into two classes: 1. Those in the incorporated towns; 2. Those in communities outside of the incorporated towns (commonly called "Nelson schools"). Both classes are for white children and children of mixed blood leading a civilized life. In all cases teachers are employed by the local school boards, and applications should be addressed to the clerks of the boards. A complete list of the white schools is shown on the back of this circular.

Salaries in the white schools of Alaska range from \$80 to \$200 per month for the school year of nine months, the average being about \$100. Expenses of room and board vary from \$40 to \$60 per month in the coastal section, and from \$75 to \$125 in the interior and northern sections. No transportation is furnished to teachers.

Licenses, or permits, are required to be obtained by all teachers employed in the white schools, and are issued only to such persons as actually obtain such employment. They are issued by the Governor, as ex-officio superintendent of public instruction, upon presentation of State certificates, diplomas, or other proper credentials, or, in exceptional cases, in the absence of such certificates, upon strict proof that the applicant has had the benefit of proper training and experience. These licenses are usually issued for a period of two years.

The usual length of the school term is nine months, beginning in September and ending in June. There are no teachers' organizations, and no school publications other than occasional local ones. The courses of study are not standardized, but in general are similar to those of the States of Washington, Oregon and California, from which states many of the teachers come. No report is published on the work of the white schools, but brief reference is made to them in the annual report of the Governor.

The native schools (for Indians, Eskimos and Aleuts) are maintained by the United States Bureau of Education, Washington, D. C.. They are under the supervision of Mr. W. T. Lopp, Chief of the Alaska Division of the Bureau, who maintains an office in the L. C. Smith building, Seattle, Washington. Five local superintendents are in charge of the work under the Chief. Applications to teach in these schools should be addressed to Mr. Lopp. Teachers are generally required to possess, besides other qualifications, a theoretical and practical knowledge of the several branches of manual training. The Bureau issues an annual report covering the work of these schools, of which there are now approximately 100 in the Territory.

Respectfully Yours,

Secretary to the Governor.

List of White Schools in Alaska

CLASS 1. SCHOOLS IN INCORPORATED TOWNS. The following are the incorporated towns, in each of which (except Chena and Eagle) a school is maintained. The figures following the names indicate the number of teachers employed:

Chena
Cordova—2
Douglas—8
Eagle
Fairbanks—7
Haines—2

Iditarod—1
Juneau—14
Ketchikan—6
Nome—6
Petersburg—3
Seward—2

Skagway—4
Tanana—1
Valdez—5
Wrangell—4

The total number of pupils in attendance at these schools in the school year 1914-15 was 1,542.

High school work is provided in the following schools: Douglas, Fairbanks, Juneau, Ketchikan, Nome, Seward, Skagway, Valdez, Wrangell.

Full courses in domestic science and manual training are given in the Ketchikan school, and limited courses in the Skagway school.

CLASS 2. SCHOOLS OUTSIDE OF INCORPORATED TOWNS. The following school districts have been established. Except as noted the name of the district is also the name of the post office:

Afognak
Anchorage
Blackburn
Candle
Charcoal Point (Ketchikan P. O.)
Chatanika
Chichagof
Chitina
Council
Craig
Eagle River (Amalga P. O.)
Ellamar
Fox
Garden Island (Graehl P. O.)
Hope
Kasaan
Katalla
Kenai
Kiana
Knik
Kodiak
Latouche
Longwood (Kodiak P. O.)

Mendenhall (Juneau P. O.)
McCarthy
Ninlichic (mail via Seward)
Nushagak
Otter (Discovery P. O., via Iditarod)
Ouzinkie (Kodiak P. O.)
Ruby
Saint Michael
Sannak
Scow Bay (Petersburg P. O.)
Seldovia
Sitka
Teller
Thane
Treadwell
Unga-Peninsula (Unga P. O.)

The districts of Afognak and Anchorage employ 3 teachers each, the Kodiak district 5, Longwood 2, and Sitka 2. Each of the other districts employs but one teacher. A special instructor in manual training is employed in the Kodiak school. A limited amount of instruction in domestic science and manual training is given in quite a number of these schools, the same being incidental to the regular work. School was maintained in 31 districts in the school year 1914-15, the total number of pupils in attendance being 961.

Territory of Alaska

Office of the Governor

Ex-officio Superintendent of Public Instruction

Juneau

In reply to the inquiries contained in your letter of..... you are informed as follows in respect to the Alaska public schools:

The Governor is ex-officio superintendent of public instruction for the white schools of the Territory, and is the only officer who exercises a general supervision over them. These schools are divided into two classes: 1. Those in the incorporated towns; 2. Those in communities outside of the incorporated towns (commonly called "Nelson schools"). Both classes are for white children and children of mixed blood leading a civilized life. In all cases teachers are employed by the local school boards, and applications should be addressed to the clerks of the boards. A complete list of the white schools is shown on the back of this circular.

Salaries in the white schools of Alaska range from \$80 to \$200 per month for the school year of nine months, the average being about \$100. Expenses of room and board vary from \$40 to \$60 per month in the coastal section, and from \$75 to \$125 in the interior and northern sections. No transportation is furnished to teachers.

Licenses, or permits, are required to be obtained by all teachers employed in the white schools, and are issued only to such persons as actually obtain such employment. They are issued by the Governor, as ex-officio superintendent of public instruction, upon presentation of State certificates, diplomas, or other proper credentials, or, in exceptional cases, in the absence of such certificates, upon strict proof that the applicant has had the benefit of proper training and experience. These licenses are usually issued for a period of two years.

The usual length of the school term is nine months, beginning in September and ending in June. There are no teachers' organizations, and no school publications other than occasional local ones. The courses of study are not standardized, but in general are similar to those of the States of Washington, Oregon and California, from which states many of the teachers come. No report is published on the work of the white schools, but brief reference is made to them in the annual report of the Governor.

The native schools (for Indians, Eskimos and Aleuts) are maintained by the United States Bureau of Education, Washington, D. C.. They are under the supervision of Mr. W. T. Lopp, Chief of the Alaska Division of the Bureau, who maintains an office in the L. C. Smith building, Seattle, Washington. Five local superintendents are in charge of the work under the Chief. Applications to teach in these schools should be addressed to Mr. Lopp. Teachers are generally required to possess, besides other qualifications, a theoretical and practical knowledge of the several branches of manual training. The Bureau issues an annual report covering the work of these schools, of which there are now approximately 100 in the Territory.

Respectfully Yours,

Secretary to the Governor.

(Back of Circular)

List of White Schools in Alaska

CLASS 1. SCHOOLS IN INCORPORATED TOWNS. The following are the incorporated towns, in each of which (except Chena and Eagle) a school is maintained. The figures following the names indicate the number of teachers employed:

Chena
Cordova—2
Douglas—8
Eagle
Fairbanks—7
Haines—2

Iditarod—1
Juneau—14
Ketchikan—6
Nome—6
Petersburg—3
Seward—2

Skagway—4
Tanana—1
Valdez—5
Wrangell—4

The total number of pupils in attendance at these schools in the school year 1914-15 was 1,542.

High school work is provided in the following schools: Douglas, Fairbanks, Juneau, Ketchikan, Nome, Seward, Skagway, Valdez, Wrangell.

Full courses in domestic science and manual training are given in the Ketchikan school, and limited courses in the Skagway school.

CLASS 2. SCHOOLS OUTSIDE OF INCORPORATED TOWNS. The following school districts have been established. Except as noted the name of the district is also the name of the post office:

Afognak
Anchorage
Blackburn
Candle
Charcoal Point (Ketchikan P. O.)
Chatanika
Chichagof
Chitina
Council
Craig
Eagle River (Amalga P. O.)
Ellamar
Fox
Garden Island (Graehl P. O.)
Hope
Kasaan
Katalla
Kenai
Kiana
Knik
Kodiak
Latouche
Longwood (Kodiak P. O.)

Mendenhall (Juneau P. O.)
McCarthy
Ninilchik (mail via Seward)
Nushagak
Otter (Discovery P. O., via Iditarod)
Ouzinkie (Kodiak P. O.)
Ruby
Saint Michael
Sannak
Scow Bay (Petersburg P. O.)
Seldovia
Sitka
Teller
Thane
Treadwell
Unga-Peninsula (Unga P. O.)

The districts of Afognak and Anchorage employ 3 teachers each, the Kodiak district 5, Longwood 2, and Sitka 2. Each of the other districts employs but one teacher. A special instructor in manual training is employed in the Kodiak school. A limited amount of instruction in domestic science and manual training is given in quite a number of these schools, the same being incidental to the regular work. School was maintained in 31 districts in the school year 1914-15, the total number of pupils in attendance being 961.

TERRITORY OF ALASKA
GOVERNOR'S OFFICE
JUNEAU

September 15, 1915.

15-2

TO ALL SCHOOL BOARDS:

Under the provisions of the Act of Congress of January 27, 1908 (Sec. 323, Compiled Laws of Alaska, 1913), the Governor of Alaska is made ex officio superintendent of public instruction in the Territory, with supervision and direction of the public schools, and authority to prescribe rules and regulations for the examination and certification of teachers.

You are advised that all teachers who have been engaged for the school year 1915-16 in the white schools of the Territory should take immediate steps to obtain permits authorizing them to teach in Alaska, if they do not now hold such permits.

Those teachers who hold State or other certificates or diplomas should submit the same for examination when making application for Alaska permits. Those who do not hold such certificates or diplomas will be required to produce other satisfactory evidence of their qualifications and ability.

All applications should be addressed to the Governor of Alaska, at Juneau. No fee is charged for the issuance of an Alaska permit.

Each school board will be expected to see that the teachers employed under its supervision comply with the foregoing without delay.

Governor, ex officio Superintendent
of Public Instruction.

NOTE: Sept. 15, 1915, mailed to
Clerk of School Board at:

- | | |
|------------|-------------|
| Cordova, | Nome, |
| Douglas, | Petersburg, |
| Fairbanks, | Seward, |
| Haines, | Skagway, |
| Iditarod, | Tanana, |
| Juneau, | Valdez, |
| Ketchikan, | Wrangell. |

15-2
Ref

CERTIFICATE BY ENDORSEMENT.

Department of Public Instruction.

THIS CERTIFICATE has been awarded by the Territorial Department of Public Instruction to Miss Ruby Rogers who having presented a summer normal first grade certificate, State Department of Education, Austin, Texas, and satisfactory testimonials of good moral character and successful experience in teaching, as required by law, is authorized to teach in the white schools of the Territory of Alaska for two years from the date hereof, unless this certificate is revoked for cause.

Given at Juneau, Alaska, this 20th day of July, 1915.

Governor, ex-officio Superintendent of Public Instruction.

Granted upon:

**Summer Normal First Grade Certificate
State Department of Education, Texas,
dated August 24, 1911.**

TERRITORY OF ALASKA

Office of the Governor

Ex officio Superintendent of Public Instruction

JUNEAU

For explicit inquiries from persons desiring information as to schools, vacancies, etc., you are informed as follows in re-

In reply to the inquiry contained in your letter of the spect to the several branches of the Alaska public school system:

The Governor is ex-officio superintendent of public instruction for the white schools of the Territory, and is the only officer who exercises a general supervision over these schools. The white schools are divided into two classes: 1. Those in the incorporated towns; 2. Those outside of the incorporated towns (commonly called "Nelson Schools"—for white children and children of mixed blood leading a civilized life). The following are the incorporated towns, in each of which a school is maintained under the direction of a local board of three members: Chena, Cordova, Douglas, Eagle, Fairbanks, Haines, Iditarod, Juneau, Ketchikan, Nome, Petersburg, Seward, Skagway, Tanana, Valdez, Wrangell. High school work is carried on in the schools at: Douglas, Fairbanks, Juneau, Ketchikan, Nome, Seward, Skagway, Valdez, Wrangell. Applications to teach may be made to the clerk of the school board at any of the places named.

The schools outside of incorporated towns are conducted under the direction of local school boards elected for the purpose. Teachers are employed in all cases by the local boards, and applications should be made to the clerks of the boards. Licenses or permits to teach in these schools are required, and are issued by the Governor, upon the presentation of State teacher's certificates, or in exceptional cases in the absence of such certificates, upon strict proof that applicants have had the benefit of proper training and experience. Manual training is required. Schools are now maintained in the following communities outside of incorporated towns: Afognak, Blackburn (P. O. Kennecott), Candle, Chitina, Chichagof, Chitina, Council, Ellamar, Fox, Garden Island (P. O. Graehl), Katalla, Knik, Kodiak, Latouche, Longwood (P. O. Kodiak), Mendenhall (P. O. Juneau), Ninilchik, Nushagak, Otter, Ouzinkie, Reservation (P. O. Valdez), Ruby, Saint Michael, Scow Bay (P. O. Petersburg), Sitka, Teller, Unga, *Craig.*

Salaries in the white school are various, fixed in each case by the local school board.

The Native schools (for Indians, Eskimos and Aleuts) are administered by the Bureau of Education, Washington, D. C., through superintendents stationed at Juneau, Seward, Unalakleet, Nome and Tanana. Applications to teach in these schools should be made to the bureau, or to one of the superintendents. There are about 90 of these schools, situated in various parts of the Territory. Teachers are generally required to possess, besides other qualifications, a theoretical and practical knowledge of the several branches of manual training.

The usual length of the school term in the Alaska schools is nine months—beginning in September and ending in June. There are no teachers' organizations. The Bureau of Education issues an annual report on the Native school work, but no report is made on the work of the white schools other than the reference to them which appears in the Governor's annual report on conditions in the Territory. There are no school publications other than occasional local ones. The courses of study are not standardized, but in general the work compares favorably with schools of similar size in the States.

Respectfully yours,

Secretary to the Governor.

TERRITORY OF ALASKA
OFFICE OF THE GOVERNOR
EX-OFFICIO SUPERINTENDENT OF PUBLIC INSTRUCTION
JUNEAU

Sir :

The necessary papers in the matter of the.....
School District, including a bond of the Treasurer in the sum of \$
having been approved by the Clerk of the Court for the.....Division,
I have the honor to request that the following moneys of the Alaska Fund be forwarded
to Mr., Treasurer
of the.....School District,....., Alaska :

Respectfully yours,

Governor and ex-officio Superintendent
of Public Instruction.

The Secretary of the Treasury,
Washington, D. C.

TERRITORY OF ALASKA
GOVERNOR'S OFFICE
JUNEAU

Sirs:

Your attention is called to the fact that the following named annual reports or other papers relating to your School District have not been received by this office:

If the reports or other papers in question have not yet been sent they should be forwarded without further delay, since it is required that the reports should be complete in this office before requisition can be made for funds for the support of the District during the new school year.

FOR THE GOVERNOR:

Respectfully yours,

Secretary to the Governor.

School Board,

., Alaska.

TERRITORY OF ALASKA
Office of the Governor,
ex-officio Superintendent of Public
Instruction
JUNEAU

SUPPLEMENT to "Circular of Information, and Regulations Concerning the administration of Schools Outside of Incorporated Towns", issued November 20, 1913.

Juneau, February 14, 1914.

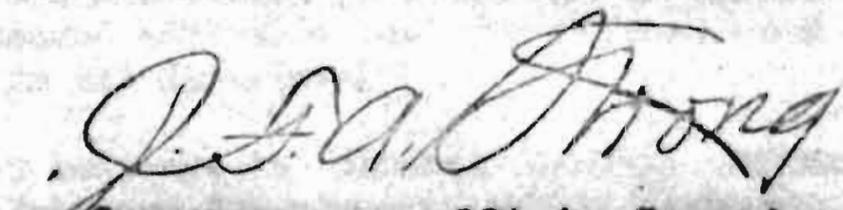
To all Clerks, Treasurers, and Directors of School Boards:

A question having arisen as to what constitutes a "school" month under the provisions of Regulations 1 and 2 of the Circular of November 20,

JUNEAU, February 14, 1914.

MEMO for Clerk of School District:

Immediately upon receipt of enclosed supplement, you will show the same to the Treasurer and the Director of the district for their information and guidance, after which it should be filed with the school papers in your possession. At the end of your term of office all school papers and records should be turned over to your successor in office for the information and guidance of future boards.


Governor, ex officio Superintendent of Public Instruction.

~~... (the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, etc.); and any day designated by public proclamation of the President of the United States or of the Governor of the Territory as a legal holiday or as a day of thanksgiving.~~


Governor, ex-officio Superintendent of Public Instruction.

TERRITORY OF ALASKA
 Office of the Governor,
 ex-officio Superintendent of Public
 Instruction
 JUNEAU

SUPPLEMENT to "Circular of Information, and Regulations Concerning the ad-
 ministration of Schools Outside of Incorporated Towns", issued November 20, 1913.

JUNEAU, February 14, 1914.

To all Clerks, Treasurers, and Directors of School Boards:

A question having arisen as to what constitutes a "school" month
 under the provisions of Regulations 1 and 2 of the Circular of November 20,
 1913, the following ruling is deemed advisable and will in future govern in
 all districts under the supervision of this office:

For the purpose of payment of salaries of teachers, as well as for
 all other purposes, a "school" month shall correspond to a "calendar" month.
 For instance: If school opens on September 2, the first "school" month will
 begin on that date and will end with October 1. The salaries of the teachers
 for the month will be due and payable on October 1 and 2 as the convenience of
 the treasurer may require. The second "school" month will begin on October
 2 and end on November 1, the salaries being due and payable in the same manner
 as for the first month. The same rule will apply throughout the school year.

It is expected that school will be in session in each district on
 every regular school day during each such "school" ("calendar") month. School
 will not be in session on Saturdays, statutory holidays as they occur, nor
 during the Christmas and Easter vacation periods. This will give an average
 of 20 school days in each "school" (calendar) month, or not less than 180
 school days in a term of 9 months. At the same time the pupils and teachers
 will have the benefit of the holidays and vacation periods, and the teachers
 will receive pay therefor. It is deemed advisable that the Christmas and
 Easter vacation periods be observed in all districts.

The following are statutory holidays in Alaska: Sunday; January
 1, commonly called New Year's Day; February 22, commonly called Washington's
 Birthday; May 30, commonly called Memorial or Decoration Day; July 4, com-
 monly called Independence Day; the first Monday in September, commonly called
 Labor Day; October 18, commonly called Alaska Day; December 25, commonly
 called Christmas Day; the day on which a general election is held throughout
 the Territory -- being the Tuesday next after the first Monday in November
 biennially (in 1914, 1916, 1918, etc.); and any day designated by public
 proclamation of the President of the United States or of the Governor of the
 Territory as a legal holiday or as a day of thanksgiving.

John A. King
 Governor, ex-officio Superintendent
 of Public Instruction

TERRITORY OF ALASKA

OFFICE OF THE GOVERNOR

EX-OFFICIO SUPERINTENDENT OF PUBLIC INSTRUCTION

JUNEAU

CIRCULAR OF INFORMATION, AND REGULATIONS CONCERNING THE ADMINISTRATION OF SCHOOLS OUTSIDE OF INCORPORATED TOWNS.

(Superseding all previous circulars.)

Juneau, November 20, 1913.

To all Clerks, Treasurers and Directors of School Boards:

To insure the orderly and economical administration of the Schools outside of Incorporated Towns in Alaska, provided for in Act of Congress approved January 27, 1905, the following Regulations are promulgated by the Ex-officio Superintendent of Public Instruction:

"SCHOOL YEAR" AND LENGTH OF SCHOOL SESSION.

Regulation 1. By "school year" is meant the total period during which the school is maintained out of funds apportioned by the Governor of Alaska for the school expenses of that year. "School year" does not correspond to "calendar year," but usually comprises a part of two calendar years.

Regulation 2. It is expected (and as a rule it will be required) that the school year shall begin (that is, the school shall actually open) in September and end in May or June. This assumes that a nine months' school is held. In any event the school year should not be regarded as beginning before July 1; the end of the school year will vary, according to the number of months of school arranged for by the local boards, and according to the intervening vacations at Christmas and Easter.

Regulation 3. In case it is desired to have the school in session in any given district chiefly in the summer season, instead of chiefly in the winter season, this can be arranged by the school board. But the beginning of such a school year for purposes of computing estimates and rendering Treasurers' final accounts should be regarded as not earlier than July 1, whether school is in session at the time or not. It is urgently recommended, wherever local conditions make it possible, that school sessions begin in July, August or September—the latter month preferred. By this arrangement, ample time is given between the April election and the opening of the new school session to secure approval of election papers, annual estimates and necessary funds from Washington, D. C.

SCHOOL ELECTIONS

Regulation 4. A new school election must be held in each school district each year, and every election is required to be held on or about the second

2

Monday in April. In case of efficient service and a willingness to remain in office, it is earnestly recommended that Treasurers be re-elected in all of the school districts.

Regulation 5. The notice of each school election, the certificate of such election, the oaths of office of the newly elected officers, and the new bond of the Treasurer (whether the old Treasurer is re-elected or not) must be sent to the Clerk of the Court for approval—in the same way as was done when the first school election was held. A new bond of the Treasurer is required to be submitted to the Clerk of the Court each year, after the April election.

WHAT TO DO IMMEDIATELY AFTER SCHOOL ELECTION.

Regulation 6. Immediately after each April school election: (a) The old Board shall hand to the Board just elected a copy of this Circular, and the members of the newly-elected Board shall be governed thereby. The old Board shall continue to conduct the school for the remainder of the then current school year—if the final school session has not already ended—but the old Board shall not submit estimates for the new school year (to begin in July, August or September) but leave that duty to the newly-elected Board.

(b) Immediately after the April school election the new Board (although they will not be fully qualified until later) shall confer with the old Board (if necessary) and shall submit to the Governor of Alaska detailed estimates for the expense of maintaining the school during the new school year to begin in July, August or September. Blanks for that purpose are furnished by the Governor's office.

(c) Immediately after the April school election, the new Board shall forward to the Clerk of the Court for approval all the papers in the matter of the school election required by law, including the bond of the newly-elected Treasurer. Immediate action is required, in order that there may be no delay in obtaining funds for the new school year.

(d) Immediately after the April school election, in order to facilitate the rendering of estimates by the new Board, the old Board shall inform the newly-elected Board as to the estimated expense of completing the school year then in progress, (if the final session has not already ended), and also the estimated balance of funds belonging to the school district which will be in the hands of the old Treasurer at the end of the school year then in progress. This is to assist the newly-elected Board in making estimates for the new year.

(e) In case of delay whereby the new Board elected in April has not been notified of the approval of the election papers by the Clerk of the Court, and the approval of the new bond of the Treasurer, before the time when it is necessary to open the new term of school, the old Board shall act until the new Board qualifies. (See Section 5, Act approved January 27, 1905.)

OTHER DUTIES OF BOARD.

Regulation 7. School Boards are required to make an annual report to the Governor of Alaska, at the end of each school year, covering the matters stated on the blank described by the heading "Annual Report of the School Board for the.....School District." It is preferred that the form furnished by the Governor's office be used for these reports.

Regulation 8. Any increase in estimates must be explained fully.

Regulation 9. The expenditures for any given purpose in any school year must under no circumstances exceed the Board's estimates (as approved by the Governor) for such purpose, unless the Board shall first ask for and receive

from the Governor written authority therefor; and such authority will be given only where a proper showing of great necessity is made by the Board.

EMPLOYMENT OF TEACHERS.

Regulation 10. It is expected that every person employed as a teacher shall possess the requisite educational and other qualifications therefor. School Boards will be required to see that every such person applies to the ex-officio Superintendent of Public Instruction, either before entering upon duty as a teacher or as soon as possible thereafter, for a certificate of authority to teach in the schools of Alaska. Such certificate will be issued upon the presentation of a State teacher's certificate, a certificate of graduation from a Normal training school or university, or in exceptional cases in the absence of such certificate, upon strict proof that the applicant has had the benefit of the proper training and experience and is duly qualified to teach.

Regulation 11. As soon as the new Board (or the old Board, if re-elected) shall have arranged for the employment of a teacher (or teachers) for the ensuing school term, a report shall be made to the Governor's office by the Clerk of the Board, on the form provided therefor, giving the name and salary of each teacher and stating whether such teacher has been re-employed from the previous term or is a new teacher.

DUTIES OF SCHOOL TREASURERS.

Regulation 12. Immediately after the April school election, the newly elected Treasurer shall execute his bond and cause it to be sent to the Clerk of the Court for approval.

Regulation 13. Upon receiving official notification that his bond has been approved, or at the end of the school year which was in progress at the time of his election (and not earlier), the new Treasurer shall exhibit such notification to the outgoing Treasurer, whereupon the latter shall turn over to him all the school funds left in his possession unexpended at the end of the school year, and shall receive a receipt therefor. The new Treasurer shall then notify the Governor of Alaska that he has received such funds, and state the amount, using the form furnished by the Governor's office.

Regulation 14. Upon surrendering his office and the unexpended funds to the new Treasurer, the outgoing Treasurer shall immediately render to the Governor of Alaska a detailed statement of the receipts and expenditures of his office for the school year then ended, using the form furnished by the Governor's office.

Regulation 15. School treasurers shall render with their annual statement of receipts and expenditures, as provided in Regulation 12, individual receipts from all persons, firms and corporations furnishing materials or rendering services to the school district, the total amount of such receipts corresponding to the total expenditures as shown in his report. If in rare cases it is absolutely impracticable to render a receipt for some particular service or materials, the Treasurer may obviate this difficulty by attaching to his financial statement to the Governor the following sworn statement which, if a notary public is resident in the district, should be acknowledged before him: "I do solemnly swear that the account rendered herein is a full, true and accurate statement of my receipts and expenditures as Treasurer of the.....School District during the school year ended June 30, 191...

.....
Treasurer,School District."

If the Treasurer desires to keep a set of individual receipts for the files of his office, he should require receipts for services and materials to be given in

4

duplicate. This simple system of auditing is deemed essential in disbursing public moneys aggregating upwards of \$50,000 per annum. Treasurers' bondsmen will not be formally released until these conditions have been complied with, and the treasurers' accounts approved by the Governor of Alaska.

Regulation 16. Under a decision of the Comptroller of the Treasury rendered in March, 1913, it is held that school funds cannot be applied to the payment of notary fees in connection with the oaths of office of school election boards, school officers, or the execution of a treasurer's bond. Accordingly, no such expenditures will be approved by the Governor. The expense incident to the execution of an affidavit of the posting of a notice of an annual or special school election will be approved, however, in a sum not exceeding 50 cents in the First judicial division and 75 cents in the Second, Third and Fourth judicial divisions.

No expenditure for remuneration of judges of election or in payment for their meals while serving as such judges will be allowed.

No expenditure will be allowed for the payment of any premium on any surety or other bond given by a school treasurer.

Expenditures for telegraphing or telephoning will be allowed only where the Treasurer submits with his accounts an explanation showing the urgent necessity therefor.

No expenditure for printing of ballots or notices of school election or for advertising the election will be allowed.

No expenditure for rent will be allowed where a school building is owned by or donated to the school district, or where such rental was not estimated for by the Board and approved by the Governor.

No expenditure will be allowed for rent or purchase of an organ, piano or other musical instrument for the use of the school.

Regulation 17. While as liberal a policy as possible will be sanctioned by this office, school boards will be required to exercise the same principles of economy in rendering school estimates and making expenditures thereunder as would be the case if the schools outside of incorporated towns were being supported by direct local taxation under plenary local authority.

J. F. A. STRONG,

Governor, and Ex-officio Superintendent of Public Instruction.

ALASKA SCHOOLS OUTSIDE OF INCORPORATED TOWNS

ESTIMATES OF MONEYS NEEDED FOR THE SUPPORT OF THE

.....SCHOOL DISTRICT FOR THE SCHOOL YEAR 191..-191..

(“Immediately after the April school election the new Board—although they will not be fully qualified until later—shall confer with the old Board—if necessary—and shall submit to the Governor of Alaska detailed estimates for the expense of maintaining the school during the new school year—to begin in July, August or September.”—Regulation 6 (b), Circular of Information, and Regulations Concerning the Administration of Schools Outside of Incorporated Towns, November 20, 1913.)

....., Alaska,, 191..

THE GOVERNOR OF ALASKA,

Juneau, Alaska.

Sir:

We beg to inform you of our election as members of the School Board at an election held April...., 191.., and to submit herewith our estimates of moneys needed for the support of the.....School District for the school year 191..-191..:

- 1 Teacher,months, @ \$.per month \$.....
- 1 Teacher,months, @ \$.per month \$.....
- 1 Teacher,months, @ \$.per month \$.....
- Janitor.....months, @ \$.per month \$.....
- Coal, tons, @ \$. per ton..... \$.....
- Wood, cords, @ \$. per cord..... \$.....
- Lights \$.....
- Repairs to building or furniture (explain in detail):

.....
.....
.....
.....
.....

..... \$.....

Rent, (if building not owned or donated)..... \$.....

School supplies (state articles in detail)

.....
.....
.....
.....
.....
.....

\$.....

Incidentals (not to exceed total of \$50.00).....

\$.....

Total

\$.....

Less unexpended balance of funds which, as now estimated, will be in hands of outgoing Treasurer at end of present school year and to be turned over to the undersigned Treasurer.....

\$.....

Net amount required.....

\$.....

(On these lines may be written any remarks or explanations as desired. All increases in estimates must be explained.)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Respectfully yours,

....., Clerk.

....., Treasurer.

....., Director.

..... School Board.

(Newly-elected or re-elected.)

ALASKA SCHOOLS OUTSIDE OF INCORPORATED TOWNS

REPORT OF TEACHERS EMPLOYED, ETC.

(See Regulation 11, Circular of November 20, 1913, and give all information called for.)

.....Alaska,, 191...

THE GOVERNOR OF ALASKA,

Juneau, Alaska.

Sir:

I beg to advise that the.....School Board has arranged for the employment of the following persons as teachers for the ensuing school term, at the salaries appearing opposite their names:

Name.	Re-employed or new.	Salary.
.....	\$.....
.....	\$.....
.....	\$.....
.....	\$.....
.....	\$.....

Respectfully yours,

.....
Clerk of School District.

ALASKA SCHOOLS OUTSIDE OF INCORPORATED TOWNS

**ANNUAL REPORT OF THE SCHOOL BOARD FOR THE.....
SCHOOL DISTRICT.**

(School Boards are required to make an annual report to the Governor of Alaska. at the end of each school year, covering the matters stated on the blank described by the heading "Annual Report of the School Board for the.....School District."—Regulation 7, Circular of Information, and Regulations Concerning the Administration of Schools Outside of Incorporated Towns, November 20, 1913.)

.....Alaska,, 191...

THE GOVERNOR OF ALASKA,

Juneau, Alaska.

Sir:

We beg to submit herewith our annual report as members of the.....School Board for the school year 191...-191... The school was opened on....., 191... and closed on.....191..., making a.....month's school. The names of the teachers employed, and the salaries per month received by each teacher were as follows:

.....
.....
.....

The largest number of pupils attending school on any day was....., and the smallest number on any day was..... The daily average attendance was..... The number of pupils of school age (between 6 and 20 years) resident in the district at present is.....

(On those lines may be included any further report or remarks which the Board may wish to offer, but the estimates of expenses for the next school year are to be submitted on a separate blank form.)

.....
.....
.....
.....
.....

Respectfully yours,

....., Clerk.

....., Treasurer.

....., Director.

.....School Board.

ALASKA SCHOOLS OUTSIDE OF INCORPORATED TOWNS

TREASURER'S ANNUAL REPORT

FOR THE SCHOOL DISTRICT, SCHOOL YEAR, 191.....-191.....

("Upon surrendering his office and unexpended funds to the new Treasurer, the outgoing Treasurer shall immediately render to the Governor of Alaska a detailed statement of the receipts and expenditures of his office for the school year then ended, * * *. School Treasurers shall render with their annual statement of receipts and expenditures, * * * individual receipts of all persons, firms or corporations furnishing materials or rendering services to the school district, the total amount of such receipts corresponding to the total expenditures as shown in their reports. If in rare cases it is found absolutely impossible to render a receipt for any particular material or service, the Treasurer may obviate the difficulty by attaching to the financial report which he makes to the Governor of Alaska, a sworn statement."—Regulations 14 and 15, Circular of Information, and Regulations Concerning the Administration of Schools Outside of Incorporated Towns, November 20, 1913.)

....., Alaska,, 191..

THE GOVERNOR OF ALASKA,

Juneau, Alaska.

Sir:

I beg to submit herewith the annual report of my receipts and expenditures as Treasurer of the School District for the school year 191..-191..:

RECEIPTS.

(Date.)

..... U. S. Treasury warrant..... \$.....

..... Miscellaneous, as follows:

(State from what source, whether from sale of materials, etc.)

.....

 \$.....

Total receipts..... \$.....

EXPENDITURES.

1 Teacher's salary months, @ \$..... per month..... \$.....
(The individual payments month by month need not be shown, but receipts rendered herewith should correspond to the total here given.)

1 Teacher's salary months, @ \$..... per month..... \$.....
(If more than one employed.)

1 Teacher's salary months, @ \$..... per month..... \$.....
(If more than two employed.)

Janitor's wages, months, @ \$..... per month..... \$.....

Coal, tons, @ \$..... per ton..... \$.....

Wood, cords, @ \$..... per cord..... \$.....

Lights, and materials for..... \$.....