

the remainder to be divided equally among the lawful children of decedent, with descent to the lawful issue of any such deceased child, or children, by right of representation.

Approved April 3, 1946.

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## CHAPTER 36

### AN ACT

[H. B. 55]

To amend Section 5748, Compiled Laws of Alaska, 1933; requiring that persons arrested be taken before a Magistrate without delay; defining offenses and prescribing punishment; fixing amount of civil liability; and declaring an emergency.

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

Section 1. Section 5748, Compiled Laws of Alaska, 1933, is hereby amended to read as follows:

Section 5748. **TAKING OF PRISONER BEFORE MAGISTRATE; PENALTIES.** The person arrested must in all cases be taken before the magistrate without unnecessary delay, and in any event within twenty-four hours after his arrest, excluding Sundays and holidays. This requirement shall apply to municipal police officers and city magistrates to the same extent as it does to marshals, deputy marshals and other territorial law-enforcement officers in taking prisoners before territorial magistrates.

Prisoner to get hearing before Magistrate within 24 hours.

After an arrest, any attorney at law entitled to practice in the courts of Alaska may, at the

Who may see  
prisoner.

request of the prisoner, or any relative or friend of such prisoner, visit the person so arrested, and it shall be unlawful for any officer having custody of a person so arrested to wilfully refuse or neglect to allow such attorney to visit such person without delay.

Penalty for  
violation.

Any violation hereof shall be deemed to be a misdemeanor, and upon conviction of the offender, he shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or imprisonment for not more than thirty days, or by both such fine and imprisonment. In addition to such criminal liability, any officer having a prisoner in custody who refuses to allow an attorney to visit the prisoner when proper application is made therefor, shall forfeit and pay to the party aggrieved the sum of Five Hundred Dollars (\$500.00), recoverable in any court of competent jurisdiction.

Emergency  
clause.

Section 2. An emergency is hereby declared to exist, and this Act shall take effect immediately upon its passage and approval.

Approved April 3, 1946.

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## CHAPTER 37

### AN ACT

[H. B. 54]

To amend Section 1, as amended by Ch. 30, Session Laws of Alaska, 1941, and Section 2 of Ch. 77, Session Laws of Alaska, 1937, relating to the establishment and maintenance of Territorial Assay Offices.