

real estate, no payment upon such existing contract shall operate to extend the lien of the instrument beyond its original or extended period as against subsequent purchasers, optionees, mortgagees, creditors, or persons acquiring a lien upon real estate, unless prior to the expiration of the statutory time for the bringing of an action upon such existing contract and extensions as exhibited by the terms of the recorded instruments, a memorandum of such payment, signed and acknowledged by the owner of the existing contract, or some one for him, be recorded in the office of the recording district wherein said real estate is situated. Un-

less the period of such instrument creating a lien upon real estate heretofore or hereafter given is disclosed by the terms thereof, it shall be deemed that the date of maturity of such instrument is ten years from the date thereof, unless an instrument extending the period of the same or a memorandum of payment thereof has been recorded. As to existing recorded instruments creating a lien upon real property which do not disclose the period of the instrument such an instrument extending the period of the same or a memorandum of payment thereof may in any event be recorded prior to January 1, 1956.

Approved March 25, 1955

CHAPTER 106

AN ACT

Pertaining to sales of property in probate proceedings; to amend Section 61-14-10 ACLA 1949, and declaring an emergency.

(H. B. 111)

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

Section 1. Section 61-14-10 ACLA 1949 is amended to read as follows:

Upon the order being made, the executor or administrator shall

sell the property therein specified upon the terms directed and in the manner herein otherwise provided. Such sale shall be made in the same manner as like property is sold on execution; Provided, however, the commissioner

may, if thought best, order said property to be sold on the premises; Provided, however, that when said property shall be offered for sale as hereinabove provided and no bid or no acceptable bid is received, then the commissioner shall, upon application of the executor or administrator, direct that said property may be sold at a private sale. When the

sale is upon credit the executor or administrator shall take the note of the purchaser for the purchase money, with a mortgage upon the property to secure the payment thereof.

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

Approved March 25, 1955

CHAPTER 107

AN ACT

Relating to the penalty for driving a motor vehicle while under the influence of liquor or narcotic drugs, and amending section 50-5-3 ACLA 1949.

(H. B. 115)

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

Section 1. Section 50-5-3 ACLA 1949 is amended to read as follows:

Sec. 50-5-3. Driving While Under the Influence of Intoxicating Liquor or Drugs. Any person who, while under the influence of intoxicating liquor or narcotic drugs, operates or drives any automobile, motorcycle or other motor vehicle upon any public street

or highway in Alaska, shall, upon conviction thereof, be punished by a fine of not more than One Thousand Dollars, or by imprisonment for a period of not more than one year, or by both such fine and imprisonment. Upon conviction for a second or subsequent offense in violation of this section, the offender's license, and his right to obtain a license, to operate a motor vehicle shall be suspended, in accordance with the provisions of Section 50-3-2