

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

ACLA 1949, for a period of three years, and this shall be in addi-

tion to any other punishment fixed by the court.

Approved March 25, 1955

CHAPTER 108

AN ACT

Setting the legal age of entrance for public school kindergartens; amending Section 37-1-11, ACLA 1949.

(H. B. 164)

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

Section 1. That Section 37-1-11, ACLA 1949, be, and the same hereby is, amended to read as follows:

Sec. 37-1-11. **School Age.** Any child who is six years of age or who will become six years of age on or before the first day of November next following

the beginning of the school year shall be considered a child of school age. A child under school age shall not be received into any department of a public school, except a kindergarten; Provided, that a child shall be five years of age on or before the first day of November next following the beginning of the school year in order to be received in a public school kindergarten.

Approved March 25, 1955

CHAPTER 109

AN ACT

To create the Alaska Safety Council

(H. B. 175)