

the filing thereof if in the opinion of said board said judgment cannot be collected in full. Upon receipt of a certified copy of the board's action, the state's attorney of said county shall in accordance therewith make and file a partial or total satisfaction of said judgment as attorney for the county.

§ 3. VALIDATION.] All actions of boards of county commissioners in compromising and settling judgments for fines and costs prior to the effective date of this Act are hereby declared to be legal and binding.

§ 4. RENEWAL.] Judgments for fines and costs docketed within less than ten years prior to the effective date of this Act and exceeding one hundred dollars in amount may be renewed for an additional period of ten years by the state's attorney in any county in which said judgment is docketed by signing an affidavit of renewal on behalf of the state and filing the same in the same manner as provided for renewal of civil judgments in Section 28-2022 of the North Dakota Revised Code of 1943.

§ 5. EMERGENCY.] This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

Approved March 7, 1947.

JUDICIAL PROCEDURE, PROBATE

CHAPTER 240

H. B. No. 212—(Ohnstad and Brickner)

DISTRIBUTION OF ESTATE

AN ACT

To amend and reenact Section 30-2105 of the North Dakota Revised Code of 1943 relating to petition for distribution in the probate of estates, the filing of said petition, notice on said petition, waivers of appeal from the order allowing the final account, the filing of said waivers, the time of entry and the entry of the final decree of distribution, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 30-2105 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

30-2105. COURT DISTRIBUTES ESTATE.] If a petition for distribution has been made at the time of filing the final account, the court, upon expiration of the time for appeal from the decree allowing and confirming the final account or upon all persons interested in said estate filing a waiver of their right to appeal from the order allowing the final account, shall enter a final decree of distribution without further notice. In the event that a petition for distribution was not filed with the final account, such petition may be made by the executor or administrator, or any heir, legatee or devisee, at any subsequent time, and the court thereupon, after notice, and upon the expiration of the time for appeal from the decree allowing the final account or upon all persons interested in said estate filing a waiver of their right to appeal from the order allowing the final account, must proceed to distribute the residue of the estate. The waiver provided for in this section must be signed by the person executing the same in the presence of two witnesses who must sign the same as witnesses thereto or he must acknowledge the execution of the same before some officer qualified to take acknowledgments.

§ 2. EMERGENCY.] That this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 15, 1947.

CHAPTER 241

H. B. No. 161—(Ohnstad and Brickner)

NOTICE TO CREDITORS IN PROBATE OF ESTATES

AN ACT

To amend and reenact Section 30-1802 of the North Dakota Revised Code of 1943 relating to publication of notice to creditors in the probate of estates, requiring filing of claims, specifying content of notices, fixing the time and place for filing of claims, requiring publication of notice and fixing times of publication, declaring that such publication shall be deemed complete service upon all parties interested in the estate, and providing when such notice need not be published anew, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 30-1802 of the North Dakota Revised Code of 1943 be hereby amended and reenacted to read as follows:

30-1802. NOTICE TO CREDITORS: PUBLICATION; CONTENTS.] Within fifteen days after making an order for notice to creditors as is provided in section 30-1801, the executor or administrator must cause to be published in the newspaper designated in such order a notice to the creditors of the decedent, requiring all persons having claims against the estate to exhibit them, with the necessary vouchers, to the county court. Such notice also shall specify the time fixed by the court for hearing and adjusting such claims and shall require all persons interested in the estate to show cause why the claims should not be allowed. The time specified in the notice for filing claims shall be three months from the first publication thereof. Such notice must be published once a week for three successive weeks, and such publication shall be deemed complete service upon all parties interested in the estate. In case of the death, resignation, or removal of the executor or administrator before the time for filing claims expires, such notice need not be published anew.

§ 2. EMERGENCY.] That this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 15, 1947.