

JUDICIAL PROCEDURE, PROBATE

CHAPTER 217

S. B. No. 281
(Erickstad)

FILING ORIGINAL WILLS

AN ACT

To amend and reenact section 30-0504 of the North Dakota Revised Code of 1943 relating to filing an original will.

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

§ 1. Amendment.) Section 30-0504 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

30-0504. Original Will; Where Filed.) Every original will or statement of the substance or provisions of a will filed as prescribed in this chapter shall remain in the office of the county judge except when certified to the district court on appeal, or when attached to a commission for the examination of a witness to such will for the purpose of procuring the testimony of such witness. A will shall not be attached to a commission as hereinbefore provided unless such will has first been photocopied and such photocopy has been duly certified and filed in the office of the county judge.

Approved March 11, 1957.

CHAPTER 218

H. B. No. 595
(Herman and Burvee)

WAIVER OF EXECUTOR'S OR ADMINISTRATOR'S BOND

AN ACT

Authorizing the county judge to waive the bond required in chapter 30-11 of the North Dakota Revised Code of 1943 relating to executors and administrators.

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

§ 1. Bond May Be Waived By County Judge.) The bond provided for in chapter 30-11 of the North Dakota Revised Code of 1943 for administrators and executors may be waived by the county judge, if all devisees, legatees, and heirs at law consent thereto in writing.

Approved March 7, 1957.

CHAPTER 219

S. B. No. 277
(Holand)

GUARDIAN'S REPORT AND ACCOUNT

AN ACT

To amend and reenact subsection 2 of section 30-1410 of the North Dakota Revised Code of 1943 relating to report and account of guardian.

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

§ 1. Amendment.) Subsection 2 of section 30-1410 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

2. Has a value of less than one thousand dollars, the court shall require such accountings as are deemed necessary.

Approved March 11, 1957.

CHAPTER 220

S. B. No. 79
(Leier)

ESTATE DEBTS; PRIORITY IN PAYMENT

AN ACT

To amend and reenact sections 30-1818 and 50-0121 of the North Dakota Revised Code of 1943, relating to the order of payment of debts of an estate and claims for county general assistance.

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

§ 1. **Amendment.**) Section 30-1818 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

30-1818. Debts: Order Of Payment.) The acknowledged debts of an estate and charges must be paid in the following order:

1. The necessary expenses of the administration;
2. The expenses of the last sickness and funeral;
3. Allowances made to the family in excess of the exempt property;
4. Claims in favor of the county for poor relief;
5. Claims in favor of the state under the Old Age Assistance Act or Aid to the Permanently and Totally Disabled Act, after payments of the expenses authorized to be paid as provided in section 50-0734;
6. Debts having preference by the laws of the United States;
7. Personal property taxes which are not liens on property belonging to the estate;
8. All other demands against the estate.

§ 2. **Amendment.**) Section 50-0121 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

50-0121. County Has Preferred Claim Against Estate Of Recipient Of Poor Relief.) County funds used for subsistence, medical, hospital, or burial expenses of county indigents shall not be considered as gifts, and the county shall have a preferred claim against the estate of any person for funds expended for such person and his legal dependents. The statute of limitations shall not run on any such claim.

Approved March 9, 1957.