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IN THE HOUSE

BY MR. HURLEY + GREVEL

HOUSE BILL NO. 13

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-FIRST SESSION

A BILL

For an Act entitled: "An Act to amend Section 61-3-2; Section 61-5-2 and 61-3-1, of Alaska Compiled Laws Annotated, 1949, relating to the appointment of Executors and Administrators."

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

Section 1. That Section 61-3-2, of Alaska Compiled Laws Annotated, 1949, be amended to read as follows:

"Section 61-3-2. NONRESIDENTS AND MINORS AS EXECUTORS. If a person be named in a will as executor who is a non-resident of the Territory or a minor, upon the removal of such disability he is entitled to qualify as such executor, if he apply therefor within thirty days from the removal of such disability, if otherwise competent. If in the meantime an administrator with the will annexed has been appointed, his powers and duties cease with the qualification of such executor; but if another executor has qualified and is acting as such they thereby become joint executors. Provided, a person named as executor in any last will and testament may be appointed to act as such executor whether he be a resident of this Territory or not: Provided further, that such nonresident executor shall file a bond to be approved by the court and appoint an ~~agent or~~ ^{attorney} in the precinct where such estate is being probated, upon whom service of all papers may be

file 13 as amended 4/12

1 made; such appointment to be in writing and filed by
2 the clerk with other papers of such estate."

3 Section 2. That Section 61-5-2, of Alaska Compiled Laws
4 Annotated, 1949, be amended to read as follows:

5 "Section 61-5-2. ~~NONRESIDENT EXECUTOR OR ADMINISTRATOR MAY~~
6 ~~BE REMOVED.~~ ^{Removal for nonresident; Proceeding}
7 ^{Notice.} If an executor, excepting those appointed
8 under the provisions of Section 61-3-2, ^{ACLA} Alaska Compiled
9 Laws Annotated, 1949, as amended by this Act, or an
10 administrator becomes a nonresident of the Territory he
11 may be removed and his letters revoked in the manner
12 prescribed in the last section, except that the notice
13 may be given by publication or posting for such time
14 as the court or judge thereof may direct."

15 Section 3. That Section 61-3-1, of ^{ACLA} ~~Alaska Compiled Laws~~
16 ~~Annotated, 1949,~~ be amended to read as follows:

17 "Section 61-3-1. ~~WHO NOT QUALIFIED TO ACT AS EXECUTOR OR~~
18 ~~ADMINISTRATOR.~~ ^{Persons who} The following persons are not qualified
19 to act as executors or administrators: nonresidents of
20 the Territory, minors, judicial officers, persons of
21 unsound mind, or who have been convicted of any felony
22 or of a misdemeanor involving moral turpitude. Provided
23 that nonresidents of the Territory may be appointed as
24 executors as provided for in Section 61-3-2, of ^{ACLA} Alaska
25 Compiled Laws Annotated, 1949, as by this Act amended."

26 Passed February 12, 1953