

**Terms defined.** Section 14. The term "Board" used in this Act shall be interpreted to mean Board of Dental Examiners created by this Act. When the masculine gender of the third person pronoun is employed it shall include feminine gender of the third person pronoun.

**Payment of board expenses.** Section 15. The compensation and necessary expenses of the Board of Dental Examiners, including travel and subsistence expenses of members in attending meetings of the Board, stationery, printing, postage, and telegraph and telephone tolls, as authorized or approved by the Governor, shall be paid by the Territory out of the appropriation made for that purpose.

**Repeal.** Section 16. Chapter 84 Session Laws of Alaska 1913, is hereby repealed but all Acts and things done under the provisions of said Chapter shall continue in full force and effect unless otherwise provided in this Act.

Approved April 26, 1929.

---

## CHAPTER 40.

### AN ACT

[S. B. 56]

To provide for the administration of small estates, and repealing Chapter 32 of the Session Laws of Alaska of the year 1925 relating to the same subject.

*Be it enacted by the Legislature of the Territory of Alaska:*

**Administration of estate less than \$1,000.**

Section 1. If in the administration of the estate of any deceased person in the Territory of Alaska the appraisal of the property shall show the value of all of the property of the estate to be less than One Thousand (\$1,000) Dollars the Commissioner may in his discretion order that no notice to creditors be published as is required by law in the administration of

**Discretion of Commissioner to post or publish notices.**

estates of deceased persons, and the Commissioner may order that the notices to creditors be posted instead in three (3) public places in the precinct in which the estate is so being administered. The notices so posted shall require all persons having claims against the estate to present them to the executor or administrator with proper vouchers within sixty (60) days from date of posting such notices. At any time after the expiration of ten (10) days from the date when the notices to creditors are so posted, if it appears to the Commissioner that the real or personal property, or either, of the estate should be sold for any of the purposes or reasons specified in the law governing the general administration of estates of deceased persons in the Territory of Alaska, the Commissioner, without notice or citation to the heirs, devisees, creditors or other persons interested in the estate, may order that all or any of the property of the estate, including both real and personal property, be sold by the executor or administrator either at private sale for the best obtainable price, or at public auction to the highest and best bidder for cash. If the property is sold at private sale no notice thereof need be given. The sale of all such property must be reported to and be confirmed by the Court. Notice of any such sale of either real or personal property shall be given by posting notices of such sale, describing the property to be sold and the time, place and conditions of sale, in three (3) public places in the precinct at least twenty (20) days before date of sale. At the expiration of sixty (60) days from the date of posting the notices to creditors, the executor or administrator shall file in court his final report and account with proper vouchers, such report and account to be in the same form and contain the same information as is required by law in case of estates having been valued at more than One Thousand (\$1,000) Dollars. Upon the filing of such report and account the Commissioner shall re-

Vouchers of claim must be presented within sixty days.

Sale of real and personal property.

Report to court.

quire that notice of the same be given by posting notices to that effect in three (3) public places in the said precinct, which notices shall also state that at a certain time, not less than ten (10) days after the date of posting the notices, a hearing will be had by said Commissioner upon said final report and account and of any objections thereto, and upon the day appointed the Commissioner shall examine into said final report and account and shall hear all objections thereto and shall give his decision thereon, which shall be final, except in case of appeal.

Hearing held  
on final report.

Section 2. In the class of estates the administration of which is in this Act provided it shall not be necessary to publish a notice of hearing upon the final report and account of the executor or administrator as is required in other cases. Upon the report of the executor or administrator, showing that the order or decision of the Commissioner on said final report and account has been complied with, the executor or administrator may be discharged.

Discharge of  
administrator  
or executor.

Section 3. Whenever any Commissioner shall receive information from any officer or inhabitant of his precinct or otherwise that any person has died intestate within such precinct leaving an estate therein subject to administration estimated to be of the value of less than One Thousand (\$1,000) Dollars, and if there be no heir or creditor or other qualified person appearing for administration, within forty (40) days after the date of the death of such intestate, it shall be the duty of such Commissioner to forthwith take charge of the property of the estate of such deceased person, and to make or cause to be made a full and complete inventory of the property of such estate, following as nearly as possible the provisions of the probate law of the Territory in so doing, and file the same in his office, together with an appraisal of said property, which is to be made by three appraisers in accordance

Commissioner  
to take charge  
of estates.

Make inventory  
and—

with the provisions of the probate law of said Territory, and thereupon said Commissioner shall take charge of and administer the estate in the same manner as if he were appointed administrator of such estate and as is otherwise provided in this Act. In determining whether or not any estate subject to administration hereunder is of the value of less than One Thousand (\$1,000) Dollars, the Commissioner may base his estimate upon his own personal knowledge, or upon any reliable information which he may in any manner receive, and the written statement of the Commissioner filed in his court in the matter of the estate of any deceased person that the total value of the estate of said decedent is estimated by the said Commissioner to be of the value of less than One Thousand (\$1,000) Dollars, shall be sufficient to give the Commissioner jurisdiction over said estate, and to administer the same under the provisions of this Act, unless and until it shall appear during the course of administration, as hereinafter provided, that the value of said estate is more than One Thousand (\$1,000) Dollars.

Estimate value.

Section 4. It shall not be necessary for such Commissioner in administering an estate hereunder to apply for or take out letters of administration on such estate, except to make and file such inventory and appraisal and to post notices to creditors in the same places and in the same manner as if he were the duly appointed administrator of such estate, and as is provided in Section 1 of this Act; and he shall thereafter have the power and authority and it shall be his duty to receive and receipt for all debts due the said estate and to pay and take receipts for all debts due from such decedent and estate; and generally to do and perform all acts and things which he might be able to do if he were the regularly appointed administrator of said estate; and upon the completion of the administration of such estate, which may be administered in all respects as provided in this Act,

Commissioner to administer estate without letters of administration.

he shall distribute the residue of such estate to such persons as may be entitled to share therein, and he shall then file a copy of his final account in the office of the Clerk of the District Court for the Division wherein the property is situate. And for his services in connection with the administration of such estate the Commissioner shall receive such fees as are allowed by law to compensate the Commissioner and the executor or administrator for the administration of the estate of a deceased person.

File final account with clerk of court in division.

Fees.

Hearing to determine questioned value of estate.

Section 5. Whenever in the course of the administration of an estate under any of the provisions of this Act the decision or finding of the Commissioner that the value of the estate is less than One Thousand (\$1,000) Dollars shall be questioned by any creditor, heir, devisee or other interested person, the Commissioner shall order a hearing to determine the value of the estate, giving all of the interested persons such reasonable notice of the time and place thereof as he may deem proper, and at such hearing all interested persons may appear and be heard and give testimony as to the value of such estate, and the Commissioner shall thereupon make his finding thereon in accordance with the facts as shown at said hearing.

Act not to apply if estate exceeds \$1,000.

Section 6. Whenever in the course of the administration of an estate under any of the provisions of this Act it becomes evident to the Commissioner, either upon the appraisal made by the appraisers as herein provided, or upon the hearing in this section provided for or otherwise, that the value of the property of an estate exceeds the sum of One Thousand (\$1,000) Dollars, or in the event that any such estate during the course of administration thereof shall increase in value by the discovery of additional property or otherwise so that the value of the estate shall be more than One Thousand (\$1,000) Dollars, then and in any of such events all further proceedings for

the administration of said estate shall be had and taken under the general laws of the Territory of Alaska relating to the estates of deceased persons, and the provisions of this Act shall not further apply thereto, but all proceedings for the administration of said estate theretofore taken under the provisions of this Act shall nevertheless be deemed in all respects valid.

Section 7. The several Commissioners are authorized and empowered, within their respective territorial jurisdictions, whenever occasion shall require, to take charge of and preserve, prior to administration, the property and estates of deceased persons subject to administration under the terms of this Act. Upon the appointment of an executor or an administrator of the estate of any decedent which may have been taken in charge by a Commissioner hereunder, said Commissioner shall deliver all of the property of said estate which has come into his possession to such executor or administrator, together with a statement of his expense, if any, in connection with the care and preservation of said property and estate. All necessary expenses incurred by any Commissioner for the care and preservation of any estate under the provisions of this section shall be a charge against such estate and shall be paid by the executor or administrator as a part of the expenses of the administration.

Commissioner to preserve estate prior to administration.

Expenses a charge against estate.

Section 8. That Chapter 32 of the Session Laws of Alaska of the year 1925 be and the same is hereby repealed.

Repeal.

Approved April 26, 1929.