

1911

Amending Sections 2, 5 and 6 of an Act Entitled "An Act to Create Public Administrators and to Define Their Duties and Obligations." Approved April 6, 1907, Said Sections Being Respectively Sections 7133, 7136 and 7137 of the Revised Statutes of Colorado of 1908.

Colorado General Assembly

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CHAPTER 188.

PUBLIC ADMINISTRATORS.

(S. B. No. 155, by Senator Gove.)

AN ACT

AMENDING SECTIONS 2, 5 AND 6 OF AN ACT ENTITLED "AN ACT TO CREATE PUBLIC ADMINISTRATORS AND TO DEFINE THEIR DUTIES AND OBLIGATIONS." APPROVED APRIL 6, 1907, SAID SECTIONS BEING RESPECTIVELY SECTIONS 7133, 7136 AND 7137 OF THE REVISED STATUTES OF COLORADO OF 1908.

Be it Enacted by the General Assembly of the State of Colorado:

Section 1. That section 2 of an act entitled, "An act to create public administrators and to define their duties and obligations," approved April 6, 1907, be and the same is hereby amended to read as follows:

Judge of
Probate Court
commit
to public
administrator.

Section 2. In all cases where any person shall die seized or possessed of any estate within this state, or having any right or interest therein, and who shall have no relative resident within this state who will administer upon such deceased person's estate, it shall be the duty of the Judge of the Probate Court, upon the application of the public administrator or of any other person interested in said estate, to commit the administration of such estate to the public administrator of the proper county; and such administrator may be a party to any suit or proceeding in law or in equity, and shall to all intents and purposes be liable as the personal representative of such deceased person.

Section 2. That Section 5 of said act be and the same is hereby amended to read as follows:

Section 5. In all cases where administration shall have been granted to the public administrator as aforesaid, and it shall afterward appear that there is a relative of the deceased entitled by law to the preference of administration, it shall be the duty of the court to revoke the letters granted to such administrator, and to grant the same to such relative as may be entitled thereto; Provided, That application shall be made to the County Court of the proper county by such person within sixty days after the letters shall have been granted to the public administrator as aforesaid, saving to such administrator in all cases all such sum or sums of money as may be due to him from such estates on account of the commissions and expenses due to and incurred by him in the management of said estate.

Duty of
court to
revoke
license—when

Section 3. That Section 6 of said act be and the same is hereby amended to read as follows:

Section 6. Upon the death of any person intestate not leaving a known relative within any county in this state, it shall be the duty of the public administrator of the county wherein such person may have died as aforesaid, or wherein the goods and chattels, rights and credits of such decedent shall be, in case such person shall have been a non-resident, as soon as the same shall be brought to his attention, to take possession of such property, and to take such measures as he may deem proper for protecting and securing the property and effects of such intestate from loss, waste and embezzlement until administration thereon shall be granted to the public administrator or to the person entitled thereto as aforesaid, the expenses whereof shall be paid to such public administrator upon the allowance of the County Court, as are other expenses of administration; Provided, That nothing in this act shall be construed to in any manner affect persons or estate in any county in this state other than such as have a population of one hundred thousand or more.

Duties of
public
administrator.

Approved May 29th, 1911.