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1911

### Amending Section 7168 of the Revised Statutes of Colorado, 1908.

Colorado General Assembly

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## CHAPTER 200.

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**SALE OR MORTGAGE OF REAL ESTATE.**  
BY ADMINISTRATOR.

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(S. B. No. 158, by Senator Gove.)

**AN ACT**AMENDING SECTION 7168 OF THE REVISED STATUTES OF  
COLORADO, 1908.*Be it Enacted by the General Assembly of the State of Colorado:*

Section 1. That Section 7168 of the Revised Statutes of Colorado, 1908, be amended to read as follows:

Real estate  
may be sold or  
mortgaged by  
administrator.

7168. Whenever, after the inventory and appraisement of the personal estate, or after inventory, in case appraisement shall be dispensed with by order of court, as herein provided, it shall appear that the personal estate, income and annual rents, issues and profits of the real estate of any decedent, minor or mental incompetent are insufficient to discharge the just debts allowed against his estate, including legacies, widow's, wife's, minor's or orphan's allowance, or allowance for the support or education of any such minor or mental incompetent, or the family of any such mental incompetent, expenses of administration and all other sums required by law to be paid out of such estate; or whenever it shall appear to be for the best interests of such estate and not detrimental to any specific legacy, that the real estate be sold for the purpose of paying any or all such debts, claims, allowances, and expenses, or for the purpose of redeeming from any encumbrances on any other property, real or personal, or for the purpose of partitioning said real estate where there are several heirs or devisees, and

it is impracticable to divide the same, the county court so finding; or where the persons entitled to said real estate are unknown and more than twelve months have elapsed since the issuance of letters of administration upon said estate; or for any other purpose; thereupon the real estate may be sold or mortgaged by the administrator, guardian or conservator, or in cases where no power to that end is contained in the will, then by the executor, and in all such cases the proceedings therefor shall be as hereinafter provided: PROVIDED, That personal or real estate of any such mental incompetent, which is or may be exempt by law from execution, shall not be sold for payment of his debts.

Approved May 29th, 1911.

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CHAPTER 201.

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**SCHOOL DISTRICT CENSUS.**

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(S. B. No. 141, by Senator Cross.)

**AN ACT**

TO AMEND SECTION 5935 OF THE REVISED STATUTES OF COLORADO CONCERNING THE TIME OF TAKING THE SCHOOL DISTRICT CENSUS OF PERSONS OF SCHOOL AGE AND MAKING REPORT UPON THE SAME.

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

Section 1. That section 5935 of the Revised Statutes of Colorado for 1908 be and the same is hereby amended so as to read as follows:

Section 5935. Before entering upon the duties of his office, the secretary shall execute a bond, with two securities, in the penal sum of five hundred (500) dol-

Bond of  
secretary of  
School Board.