

“When a resident of this state owning property therein, or any person who may have been a resident of this state, has acquired or may hereafter acquire property or property rights within the state, absent himself from his usual place of residence and conceals his whereabouts from his family without known cause for a period of seven years or any such person who has gone to parts unknown for a period of ten years, a petition may be filed in the district court of any county where such property or a part thereof is situated, setting forth such facts, by any person entitled to administer upon such absentee’s estate if he was known to be dead, and setting forth the names of the persons who would be the legal heirs of the absentee if he were dead, so far as known, and praying for the issuance of letters of administration upon such estate, thereupon, said court shall prescribe a notice addressed to such absentee and heirs named, and order the same to be published in a newspaper published in said county to be designated by the court, once each week for eight (8) consecutive weeks, and which shall be served personally upon all the heirs residing within the state in the manner, and for the length of time as is required for the service of original notices, proof of the publication and service of which in manner and for the time ordered, shall, at the expiration of said period be filed with said petition, and thereupon if such absentee fails to appear, the court shall hear the proof presented, and if satisfied of the truth of the facts set forth in the petition concerning the absentee, shall order letters of administration upon the estate of such absentee to issue as though he were known to be dead. The court shall also hear proof and determine who the legal heirs of such absentee are and their respective interests in such estate.

SEC. 2. Sale of property—disposition of proceeds. The person to whom the administration is granted shall proceed to administer and dispose of the estate in the same manner that administrators are required to dispose of and administer the estates of decedents. In addition thereto, such administrator may, under the orders of the court, sell and dispose of all real estate and other property owned by such absentee, and after the payment of legal costs, expenses and claims, make distribution of the proceeds thereof to the persons entitled thereto. The provisions of law regarding application, notice and manner of sale of real estate for the payment of debts by administrators shall be followed so far as applicable.”

Approved April 16, A. D. 1909.

CHAPTER 201.

VALUATION OF PERSONAL PROPERTY IN SETTLEMENT OF ESTATES.

S. F. 17.

AN ACT to amend section three thousand three hundred and eleven (3311) of the code, relating to the valuation of personal property.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Valuation waived. That section three thousand three hundred and eleven (3311) of the code, be and the same is hereby amended by striking out of line three (3) thereof the period following the word inventory in said line and inserting thereafter the following: “unless the court or judge or clerk of the district court in vacation shall by an order entered of record waive the valuation of the property so inventoried.”

Approved April 16, A. D. 1909.