

## CHAPTER 93.

[S. B. 50.]

## AMENDMENT OF PROBATE CODE.

AN ACT relating to the administration of estates of deceased persons and amending Section 163, Chapter 156 of Laws of 1917, being Section 9795 of Pierce's Washington Code.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That Section 163 of Chapter 156 of Laws of 1917, being Section 9795 of Pierce's Washington Code, be amended to read as follows:

Section 163. Upon the date fixed for the hearing of such final report and petition for distribution, or either thereof, or any day to which such hearing may have been adjourned by the court, if the court be satisfied that the notice of the time and place of hearing has been given as provided herein, it may proceed to the hearing aforesaid. Any person interested may file objections to the said report and petition for distribution, or may appear at the time and place fixed for the hearing thereof and present his objections thereto. The court may take such testimony as to it appears proper or necessary to determine whether the estate is ready to be settled, and whether the transactions of the executor or administrator should be approved, and to determine who are the legatees or heirs or persons entitled to have the property distributed to them, and the court shall, if it approves such report, and finds the estate ready to be closed, cause to be entered a decree approving such report, find and adjudge the persons entitled to the remainder of the estate, and that all debts have been paid, and by such decree shall distribute the real and personal property to those entitled to the same. The court may, upon such final hearing, partition among the persons entitled thereto, the estate held in com-

Hearing on  
final report.

mon and undivided, and designate and distribute their respective shares; or assign the whole or any part of said estate to one or more of the persons entitled to share therein. That the person or persons to whom said estate is assigned shall pay or secure to the other parties interested in said estate their just proportion of the value thereof as determined by the court from the appraisement, or from any other evidence which the court may require.

If it shall appear to the court at or prior to any final hearing that the estate cannot be fairly divided, then the whole or any part of said estate may be sold or mortgaged in the manner provided by law for the sale or mortgaging of property by executors or administrators and the proceeds thereof distributed to the persons entitled thereto as provided in the final decree. Upon the production of receipts from the beneficiaries or distributees for their portions of the estate, the court shall, if satisfied with the correctness thereof, adjudge the estate closed and discharge the executor or administrator.

Decree.

The court shall have authority to make partition, distribution and settlement of all estates in any manner which to the court seems right and proper, to the end that such estates may be administered and distributed to the persons entitled thereto. No estate shall be partitioned, nor sale thereof made where partition is impracticable, except upon a hearing before the court and upon the testimony of at least three disinterested witnesses previously appointed by the court for the purpose of viewing such property to be partitioned or sold. The court shall fix the values of the several pieces or parcels to be partitioned at the time of making such order of partition or sale; and may order the property sold and the proceeds distributed, or may order partition and distribute the several pieces or parcels, subject to

such charges or burdens as shall be proper and equitable.

The provisions of this section shall be concurrent with and not in derogation of other existing statutes as to partition of property.

Passed the Senate February 14, 1921.

Passed the House March 7, 1921.

Approved by the Governor March 16, 1921.

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## CHAPTER 94.

[S. B. 106.]

### TRUST COMPANIES.

AN ACT relating to banks and trust companies, and amending section 24 of chapter 80 of Laws of 1917.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 24 of chapter 80 of Laws of 1917, being Section 274 Pierce's Code, be amended to read as follows:

Section 24. Upon the issuance of a certificate of authority to a trust company, the persons named in the articles of incorporation and their successors shall thereupon become a corporation and shall have power:

Corporate powers of trust companies.

1. To execute all the powers and possess all the privileges conferred on banks.

2. To act as fiscal or transfer agent of the United States or of any state, municipality, body politic or corporation and in such capacity to receive and disburse money.

3. To transfer, register and countersign certificates of stock, bonds or other evidences of indebtedness and to act as attorney in fact or agent of any corporation, foreign or domestic, for any purpose, statutory or otherwise.