

IN THE MATTER OF THE ESTATE

of

JAKKEIN

Probate Case No.4

Trial Division of the High Court

Marshall Islands District

April 3, 1967

Application for an order dispensing with administration and an order for distribution. The Trial Division of the High Court, Associated Justice Joseph W. Goss, held administration may be dispensed with where notice of such an application has been published, there are no claims against the estate and the heir and next of kin have agreed to a settlement.

Executors and Administrators-Settlement of Estate Without Administration

An application for dispensing with administration may be granted in the district where the decedent died where notice of application has been published and no objection filed with the Court, no creditors have filed claims, no inheritance tax is due, and the heirs and next of kin have entered into a settlement agreement.

*GOSS, Associate Justice*

At the suggestion of the Attorney General, an application having been made by Edmond that an order be entered dispensing with administration of the Estate of Jakkein, and ordering distribution to himself and Lise of the balance of Jakkein's account No. 6287, Bank of Hawaii, Kwajalein Branch, the Court finds as follows:-

1. That Jakkein died on the Island of Rongelap on April 7, 1966.

2. That notice of said application has been duly published on Rongelap Island and Ebeye Island and no objection to distribution of the assets of the Estate was filed with the court within the period specified thereon, nor has any objection yet been filed with the court.

3. That no creditors have filed claims with the court.
4. That there are no Trust Territory inheritance taxes due.
5. That the heirs at law and next of kin of the decedent, including Lise, have now entered into a settlement agreement under which Edmond is to receive the balance of the above account.

6. That administration may be dispensed with in such circumstances under the doctrine set forth in Vol. 21, Am. Jur., "Executors and Administrators", §§ 15 through 22.

In accordance therewith, it is ordered : -

1. The said settlement agreement is approved in lieu of administration of the estate.
2. Edmond is appointed representative of the estate and as such is entitled to receive the balance of the above account from the Bank of Hawaii, upon his presentation of the passbook of the decedent and a certified copy of decedent's death certificate.