

Public Law 196

CHAPTER 545

AN ACT

October 24, 1951
[S. 11]

To provide for the appointment of conservators to conserve the assets and provide for the personal welfare of persons of advanced age, mental weakness, not amounting to unsoundness of mind, or physical incapacity.

District of Columbia.
Appointment of conservators for certain adults.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if an adult person residing in or having property in the District of Columbia is unable, by reason of advanced age, mental weakness (not amounting to unsoundness of mind), or physical incapacity properly to care for his property, the United States District Court for the District of Columbia may, upon his petition or the sworn petition of one or more of his relatives or any other person or persons, appoint some fit person to be conservator of his property.

Filing of petition.

SEC. 2. Upon the filing of such petition, the court shall fix a time and place for a hearing thereon; and shall cause at least fourteen days' notice thereof to be given to the person for whom a conservator is sought to be appointed, if he is not the petitioner, and to such other persons as the court shall direct. The petition shall include, among other things—

- (1) the reasons for the appointment of a conservator;
- (2) the name and address of the person for whom the conservator is sought;
- (3) the date and place of his birth, if known; and
- (4) the names and addresses of the nearest known heirs at law, or the next of kin, if any.

The court in its discretion may appoint some disinterested person to act as guardian ad litem in any proceeding hereunder. Upon a finding that the person for whom the conservator is sought is incapable of caring for his property, the court shall appoint a conservator who shall have the charge and management of the property of such person subject to the direction of the court.

Powers and duties of conservator.

SEC. 3. Such conservator before entering upon the discharge of his duties shall execute an undertaking with surety to be approved by the court in such maximum amount as the court may order, conditioned on the faithful performance of his duties as such conservator; and he shall have control of the estate, real and personal, of the person for whom he has been appointed conservator, with power to collect all debts due such person, and upon authority of the court to adjust and settle all accounts owing by him, and to sue and be sued in his representative capacity. He shall apply such part of the annual income and such part of the principal of the estate of such person as the court may authorize to the support of such person and the maintenance and education of his family and children; and shall in all other respects perform the same duties and have the same rights and powers with respect to the property of such person as have guardians of the estates of infants.

Application for discharge of conservator.

SEC. 4. When any person for whom a conservator has been appointed under the provisions of this Act shall become competent to manage his property, he may apply to such court to have such conservator discharged and to be restored to the care and control of his property. If the court finds him to be competent, an order shall be entered restoring the care and control of his property to such person. The court shall have the same powers with respect to the property of any person for whom a conservator has been appointed as it has with respect to the property of infants under guardianships.

Powers of court.

Temporary conservator.

SEC. 5. Upon filing of a petition as provided by this Act the court may, with or without notice or hearing, appoint a temporary conser-

vator of the estate of any person hereunder, if it deems such action necessary for the protection of such estate, subject to the provisions for an undertaking contained in section 3 hereof. Such temporary conservator shall serve only until such time as a permanent conservator can be appointed or until sooner discharged.

SEC. 6. The court, in its discretion, may at any time order that the conservator or some other person shall be responsible for the personal welfare of the person whose property is under conservatorship. In such event the conservator or such other person, subject to the direction and control of the Civil Division of the court, shall have the same powers and duties with respect to the personal welfare of the said person as have the guardians of the persons of infants under guardianships.

Responsibility for
personal welfare.

SEC. 7. *Lis pendens*: Upon the filing of a petition hereunder, a certified copy of such petition may be filed for record in the office of the Recorder of Deeds of the District of Columbia. If a conservator be appointed on such petition, all contracts, except for necessities, and all transfers of real and personal property made by the ward after such filing and before the termination of the conservatorship shall be void.

Certified copy of
petition.

Approved October 24, 1951.

Public Law 197

CHAPTER 546

AN ACT

To amend title 18, United States Code, entitled "Crimes and Criminal Procedure," to empower the courts to remit or mitigate forfeitures under the Indian liquor laws.

October 24, 1951
[H. R. 1087]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the analysis of chapter 229 of title 18, United States Code, is amended by inserting at the end thereof "3619. Disposition of conveyances seized for violation of the Indian liquor laws."

Title 18, U. S. Code,
amendment.
62 Stat. 839.

SEC. 2. Title 18, United States Code, is further amended by inserting immediately following section 3618 thereof a new section to be designated "section 3619" and to read as follows:

"§ 3619. Disposition of conveyances seized for violation of the Indian liquor laws

"The provisions of section 3617 of this title shall apply to any conveyances seized, proceeded against by libel, or forfeited under the provisions of section 3113 or 3618 of this title for having been used in introducing or attempting to introduce intoxicants into the Indian country or into other places where such introduction is prohibited by treaty or enactment of Congress."

Approved October 24, 1951.

Public Law 198

CHAPTER 551

AN ACT

To provide for the acquisition of land and the construction thereon of buildings and appurtenances essential for forest fire control operations of the Forest Service, United States Department of Agriculture, at or near Missoula, Montana, and for other purposes.

October 24, 1951
[H. R. 1628]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary

Forest fire control
headquarters.