

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1399

S. P. 447

In Senate, February 8, 1961

Referred to Committee on Towns and Counties. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Brooks of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Establishing Fees to be Collected by Registers of Probate.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 153, § 40, repealed and replaced. Section 40 of chapter 153 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 40. Fees payable to registers of probate. Registers of probate shall receive for:

I. Devises of real estate. Making and certifying to the register of deeds copies of devises of real estate, \$5. Said sum shall be paid by the executor or administrator when said will is proved. Of said sum \$2.50 shall be paid by the register of probate to the register of deeds when such certified copy is furnished to him.

II. Petition to probate. Receiving and entering each petition to probate a will, and each petition for the administration of an estate, when the estimated value of the estate, as stated in the petition, is \$1,000 or over, \$10.

III. Petition to appoint guardian, etc. Receiving and entering every petition for appointment of a guardian, conservator or trustee, \$5.

IV. Petition for adoption, etc. Receiving and entering every petition for adoption, change of name, appointment of commissioners in insolvency, partition of real estate or determination of the rights of children omitted from the will, \$5.

V. Other petitions. Receiving and entering every other petition and every account, \$1.

VI. Copies. Making copies from the record or files of the court, \$1 per page, but there shall be no charge for furnishing to the executor or administrator one copy of each will proved.

VII. Certificate of appointment. Each certificate, under seal of the court, of the appointment and qualification of an administrator, executor, guardian or trustee, 50c and for each double certificate, \$1.

The above fees shall be paid before the petition or account is received and entered by the register, or before the copies and certificates are furnished by him.'

Sec. 2. R. S., c. 153, § 40-A, additional. Chapter 153 of the Revised Statutes is amended by adding a new section to be numbered 40-A, to read as follows:

'Sec. 40-A. Register may waive fees in hardship cases. On petition, the register of probate may determine that the payment of the fees provided for under section 40 constitute a hardship on the beneficiary of the estate in question, and may waive payment of all fees to the county. Such determination shall be entered on the docket.'

Sec. 3. R. S., c. 153, §§ 41, 42, 43, repealed. Sections 41, 42 and 43 of chapter 153 of the Revised Statutes are repealed.