

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 31

In Senate, Jan. 15, 1913.

Laid on table for printing on motion by Senator Bailey of Penobscot pending reference to the Committee on Legal Affairs in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to amend Section twenty of Chapter sixty-seven of the Revised Statutes as amended by Chapter one hundred and thirty-four of the Public Laws of nineteen hundred and eleven, relating to the Distribution of Personal Estate.

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

Section twenty of chapter sixty seven of the Revised Statutes as amended by chapter one hundred and thirty-four of the public laws of nineteen hundred and eleven, is hereby further amended by inserting after the word "transfer" in line forty-eight the words:

'But every person entitled to receive and be paid any such deposit made before March twenty-ninth, A. D. nineteen

8 hundred and eleven, shall be entitled to receive and be paid
9 the amount of such original deposit with such interest there-
10 on as is shown by the bank book of such original deposit
11 at the date of such payment to such person.'

So that said section as amended shall read as follows:

'Sect. 20. When on the settlement of any account of an
14 administrator or executor, there appears to remain in his
15 hands property not necessary for the payment of debts and
16 expenses of administration, nor specifically bequeathed, the
17 judge upon petition of any party interested, after public
18 notice and such other notice as he may order, shall deter-
19 mine who are entitled to the estate and their respective
20 shares therein under the will or according to law, and or-
21 der the same to be distributed accordingly; and alienage
22 shall be no bar to any person who, in other respects, is en-
23 titled to receive any part of such property. If an executor
24 or administrator neglects to distribute the property in his
25 hands in pursuance of such order, and the parties in interest
26 reside out of the state, and had no actual notice of any such
27 settlement of account, the judge on petition of any such
28 party, may, within six years after such settlement, order such
29 executor or administrator to render a new account. If any
30 sum of money directed by a decree of the probate court to
31 be paid over, remains for six months unclaimed, the execu-
32 tor, administrator, guardian or trustee who was ordered to
33 pay over the same shall pay such sum of money to the treas-
34 urer of the county in which the probate court has jurisdic-

35 tion, who shall give a receipt therefor, specifying the
36 amount, name of estate and name of person entitled thereto,
37 which said receipt shall be filed in the probate court and
38 allowed as a sufficient voucher therefor.

Any time within twenty years from the date of the deposit
40 the person entitled thereto may present to the county com-
41 missioners evidence of his right to the same and upon satis-
42 factory proof that he is entitled thereto they shall by war-
43 rant, direct said county treasurer to pay over to such person
44 the amount of original deposit and the amount of interest
45 at the rate of two per centum per annum, from the date of
46 deposit.

Such county treasurer shall annually in the month of Jan-
48 uary cause to be published in one or more newspapers pub-
49 lished and printed within the county and the state paper a
50 list of all persons entitled to such deposit.

Such county shall have the use and income of all such de-
52 posits and after twenty years from the date of such deposit,
53 if not claimed and paid over to the person entitled thereto,
54 his heirs, executors, administrators or assigns, the same shall
55 escheat to the county.

This act shall apply to all deposits heretofore made under
57 said section twenty, and within sixty days from the time
58 this act shall take effect, the judges of our several probate
59 courts shall assign all such deposits to the several county
60 treasurers, and the registers shall deliver the bank books
61 to said treasurers, but the said twenty years shall in such

62 cases commence on the date of such transfer. But every
63 person entitled to receive and be paid any such deposit made
64 before March twenty-ninth, A. D. nineteen hundred and
65 eleven, shall be entitled to receive and be paid the amount
66 of such original deposit with such interest thereon as is
67 shown by the bank book of such original deposit at the date
68 of such payment to such person. When an executor, ad-
69 ministrator, guardian or trustee has paid or delivered over
70 to the persons entitled thereto the money or other property
71 in his hands, as required by a decree of a probate court, he
72 may perpetuate the evidence thereof by presenting to said
73 court, without further notice, within one year after the de-
74 cree is made, an account of such payments, or of the deliv-
75 ery over of such property; which account being proved to
76 the satisfaction of the court, and verified by the oath of the
77 party, shall be allowed as his final discharge, and ordered to
78 be recorded.'