

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.  
1870.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1870.

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SECT. 7. All acts and parts of acts inconsistent with this act are repealed; and nothing herein, except section five, shall effect any cases pending or offences already committed, or acts already done.

CHAP. 126.

Inconsistent acts repealed.  
Section 5 to apply to cases now pending.

Approved March 11, 1870.

### Chapter 126.

An act to amend section seventeen of chapter sixty-five of the revised statutes relating to the distribution of personal estate.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECT. 1. Section seventeen of chapter sixty-five of the revised statutes, is amended, by adding after the word "one," in the tenth line of said section, the following: 'where no distribution of the estate has been made; and the parties in interest reside out of the state, and no actual notice has been given of such settlement, the judge of the court wherein such settlement was made, may, on petition of any such party, order a new account of his doings to be presented to said court by the executor or administrator at any time within six years after such settlement is made;' so that the section, as amended, shall read as follows:

R. S., chap. 65, sect. 17, relating to the distribution of the balance of personal estates, amended.

'Sect. 17. When on the settlement of any account of an administrator or executor there appears to remain in his hands any property not necessary for the payment of debts and expenses of administration not specifically bequeathed, the judge shall order the same to be distributed according to the will of the deceased, if any, so far as it directs, otherwise according to the provisions of chapter seventy-five; but no such order determining who are heirs and the share of each shall be passed until notice is given as provided in section five, chapter seventy-one; and where no distribution of the estate has been made and the parties in interest reside out of the state, and no actual notice of such settlement has been given them of such settlement, the judge of the court wherein such settlement was made, may, on the petition of any such party, order a new account of his doings to be presented to said court at any time within six years after such settlement; and alienage shall be no bar to any person who in other respects is entitled to receive the same.'

R. S., chap. 65, sect. 17, as amended.

SECT. 2. This act shall take effect when approved.

Approved March 11, 1870.