

MAINE STATE LEGISLATURE

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CHAPTER 105
DISTRIBUTION OF ESTATES OF
NONRESIDENTS

Sec.

- 901. Rules of descent; law governing.
- 902. Insolvent estates.
- 903. Distribution of residue.
- 904. Disposal of proceeds of sale of land under foreign will.

§ 901. Rules of descent; law governing

When administration is taken in this State on the estate of any person who, at the time of his death, was not an inhabitant thereof, his estate found here, after the payment of his debts, shall be disposed of according to his last will, if he left any; but if not, his real estate shall descend according to the laws of this State. His personal estate shall be distributed according to the laws of the state or country of which he was an inhabitant. The judge of probate, as he thinks best, may distribute the residue of said personal estate as aforesaid or transmit it to the foreign executor or administrator, if any, to be distributed according to the law of the place where the deceased had his domicile.

R.S.1954, c. 156, § 32.

§ 902. Insolvent estates

If such person died insolvent, his estate found in this State shall, so far as practicable, be so distributed that all his creditors here and elsewhere may share in proportion to their debts. To this end his estate shall not be transmitted as aforesaid until all his resident creditors have received the proportion that they would have had if the whole estate applicable to the payment of creditors, wherever found, had been divided among all said creditors in proportion to their debts without preferring any one kind of debt to another. In such case, no foreign creditor shall be paid out of the assets found here until all the resident creditors have received their proportions as provided.

R.S.1954, c. 156, § 33.

§ 903. Distribution of residue

If there is any residue after such payment to the citizens of this State, it may be paid to any other creditors who have proved

their debts here, in proportion to the amount, but no one shall receive more than would be due him if the whole estate were divided ratably among all the creditors as before provided. The balance, if any, may be transmitted to the foreign executor or administrator, or if there is none such, it shall, after 4 years from the appointment of the administrator, be distributed ratably among all the resident and foreign creditors who have proved their debts in this State.

R.S.1954, c. 156, § 34.

§ 904. Disposal of proceeds of sale of land under foreign will

Where lands in this State held in trust under a foreign will for persons not residing here have been sold, the probate court for the county in which the will has been allowed may, in its discretion, order the money to be transmitted to the trustee, if there is any, in the state or country where the testator had his domicile.

R.S.1954, c. 156, § 35.