

MAINE STATE LEGISLATURE

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CHAPTER 107

**DISTRIBUTION OF LANDS MORTGAGED OR
TAKEN ON EXECUTION**

Sec.

951. Lands mortgaged or taken on execution treated and sold as personal estate.
952. Sale of certain real estate by license for payment of debts and charges.
953. Death of executor or administrator.
954. Distribution if not sold or redeemed.

§ 951. Lands mortgaged or taken on execution treated and sold as personal estate

Real estate held by an executor or administrator, guardian or trustee, in mortgage, or taken on execution, shall, until the right of redemption has expired, be deemed personal assets and be held in trust for the persons who would be entitled to the money, if paid. If it is paid, he shall release the estate. If it is not paid, he may sell it as he could personal estate at common law and assign the mortgage and debt. The purchaser has the same rights and liabilities as the purchaser of personal property sold by license of the probate court. All sales so made heretofore are valid.

R.S.1954, c. 156, § 28.

§ 952. Sale of certain real estate by license for payment of debts and charges

Any such real estate may, for the payment of debts, legacies or charges of administration, be sold by a license of the probate court like personal estate. The judge, if he deems it necessary, may require due notice to be given before granting such license and an additional bond from the executor or administrator.

R.S.1954, c. 156, § 29.

§ 953. Death of executor or administrator

When an executor or administrator has taken land on execution for a debt due the estate and dies without disposing thereof, the judge may license his executor or administrator to sell

and convey it, in order to carry into effect the trust whereby it is held or for any other legal purpose.

R.S.1954, c. 156, § 30.

§ 954. Distribution if not sold or redeemed

If such real estate is not so redeemed or sold, it shall be distributed among those who are entitled to the personal estate, but in the manner provided for the partition of real estate; or the judge of probate or Superior Court, if it would be more for the benefit of the parties in interest, may order it sold by the executor or administrator and the money distributed as in other cases of personal estate.

R.S.1954, c. 156, § 31.