

MAINE STATE LEGISLATURE

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CHAPTER 215

INVENTORY AND APPRAISAL

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§ 1801. Inventory

Every executor or administrator, within 3 months after his appointment, or within such further time not exceeding 3 months as the judge allows, shall make and return upon oath into the probate court, a true inventory of the real estate and of all the goods, chattels, rights and credits of the deceased which are by law to be administered and which come to his possession or knowledge. If any executor or administrator neglects or refuses to file an inventory of the estate under his charge within said 3 months, or within such further time as the judge may have allowed therefor, he may be cited to file such inventory by the judge upon petition of any surety on the bond or bonds of such executor or administrator or upon the petition of any person interested in the estate.

R.S.1954, c. 154, § 63.

§ 1802. Appraisers

The real estate, goods and chattels, and rights and credits comprised in the inventory shall be appraised by one or 3 disinterested persons appointed by the judge or register, and sworn. When any part of such estate is in another county, the judge or register may appoint appraisers for such county to return an inventory thereof, who shall be sworn. Only one appraiser may be appointed, if in the opinion of the judge or register the nature of the property makes it desirable to do so; otherwise 3 appraisers shall be appointed.

R.S.1954, c. 154, § 64.

§ 1803. Revocation of warrant for appraisement

Any warrant for the appraisement of an estate may be revoked by the judge for sufficient cause, and a new one issued if necessary.

R.S.1954, c. 154, § 65.

§ 1804. Appraisal of choses in action

Such of the credits of the deceased and rights to personal property not in possession, as the appraisers judge to be available as assets, shall be enumerated in a schedule part of said inventory, with the names of the debtors or parties obligated, the sums supposed to be due thereon, and the nature of the rights aforesaid, whether absolute or conditional. They shall state, in one general sum at the foot of such schedule, the amount which in their judgment may be realized from the same, exclusive of expenses and risk of settlement or collection.

R.S.1954, c. 154, § 66.

§ 1805. Additional inventories

The judge may, at any time afterward, when any estate or effects, rights or credits come to the knowledge or possession of any executor or administrator, require of him an additional inventory. Appraisers in like manner shall be appointed and sworn. Return shall be made within the time directed by the judge in his warrant.

R.S.1954, c. 154, § 67.

§ 1806. Omissions from inventory

The following articles shall be omitted in making the inventory and shall not be administered upon as assets:

1. Apparel of widow and children. All the articles of apparel or ornament of the widow, according to the degree and estate of her husband, and the apparel and schoolbooks of minor children of the deceased.

2. Apparel of deceased. The apparel of the deceased not exceeding \$100 in value, if he left a widow and minor children, or either, in which case she or they are entitled to such apparel.

3. Articles consumed before appraisal. Such provisions and other articles, not exceeding \$50 in value, as have necessarily been

consumed in the family of the deceased before the appraisal of such estate.

4. Life insurance. Any money becoming due on the death of the deceased from an insurance on his life effected by him, after deducting the amount of premium paid therefor within 3 years, with interest, provided that such deceased left a widow, widower or issue; but such money shall be disposed of as provided by section 853.

R.S.1954, c. 154, § 68.

§ 1807. Additional bonds

If, after the return of an inventory or in the progress of the settlement of an estate, the judge finds that the bonds given by an executor or administrator are too small in amount or are insecure for want of responsible sureties, he may require additional or larger bonds or other sureties, and if said executor or administrator does not furnish the same, his authority may be revoked and some other person appointed.

R.S.1954, c. 154, § 69.