

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

*Maine*  
REVISED STATUTES  
1964

*Prepared Under the Supervision  
of the  
Committee on Revision of Statutes*

Being the Tenth Revision of the  
Revised Statutes of the State  
of Maine, 1964

Volume 3  
Titles 14 to 20



**Boston, Mass.**  
Boston Law Book Co.

**Orford, N. H.**  
Equity Publishing Corporation

**St. Paul, Minn.**  
West Publishing Co.

Text of Revised Statutes  
Copyright © 1964  
by  
State of Maine

This is a historical version of the Maine Revised Statutes that may not reflect the current state of the law. For the most current version, go to:

<http://legislature.maine.gov/legis/statutes/>

## CHAPTER 227

## SETTLEMENT OR COMPROMISE OF CLAIMS

Sec.

- 2401. Verification of claims.
- 2402. Claims must be written and verified; 30-day delay; claims not filed barred.
- 2403. Compromise of claims.
- 2404. Adjustment of private claims of executors or administrators.
- 2405. Special commissioners for disputed claims.
- 2406. State welfare claims barred unless administration taken.

**§ 2401. Verification of claims**

Executors or administrators may require any person making a claim against the estate of their testator or intestate to present said claim in writing, supported by the affidavit of the claimant or of some other person cognizant thereof, stating what security the claimant has, if any, and the amount of credit to be given, according to the best of his knowledge and belief.

R.S.1954, c. 154, § 84.

**§ 2402. Claims must be written and verified; 30-day delay; claims not filed barred**

All claims against estates of deceased persons, including claims for amounts paid under Title 22, chapters 951 to 959, and except for funeral expenses, expenses of administration, legacies, distributive shares and for labor and materials for which a civil action may be commenced under Title 10, section 3256, shall be presented to the executor or administrator in writing or filed in the registry of probate, supported by an affidavit of the claimant or of some other person cognizant thereof, either before or within 6 months after his qualification as such executor or administrator. No action shall be commenced against such executor or administrator on any such claim until 30 days after the presentation or filing of such claim. Any claim not so presented or filed shall be forever barred against the estate, except as provided in sections 2652, 2654 and 2656.

R.S.1954, c. 165, § 15; 1957, c. 126, § 1; 1961, c. 317, § 538.

**§ 2403. Compromise of claims**

The judge after a hearing, public or personal notice of which shall have been given in accordance with order of court, may authorize executors or administrators to adjust, by arbitration or compromise, any claims for money or other property in favor of or against the estates by them represented and likewise any other actions of whatsoever nature wherein such executors or administrators are parties.

Any such award or compromise, if found by the judge just and reasonable in its effect upon all persons who may then or at any time thereafter be or become interested in said estate, shall be valid and binding on such persons. Where it shall appear that the interests of any persons under disability not represented by guardian or any future contingent interest may be affected, the court may appoint some suitable person or persons to represent such persons under disability or future interest.

R.S.1954, c. 154, § 72; 1961, c. 317, § 499.

**§ 2404. Adjustment of private claims of executors or administrators**

No private claim of an executor or administrator against the estate under his charge shall be allowed in his account, unless particularly stated in writing. If such claim is disputed by a person interested, it may be submitted to referees agreed upon in writing by the interested parties present or their agents or guardians. The judge may accept or recommit their written report made pursuant to the submission, and decree accordingly.

R.S.1954, c. 154, § 85.

**§ 2405. Special commissioners for disputed claims**

When one or more claims against the estate of a person deceased, though not insolvent, are deemed by the executor or administrator to be exorbitant, unjust or illegal, on application in writing to the judge of probate and after notice to the claimants, the judge, if upon hearing he is satisfied that the allegations in said application are true, may appoint 2 or more commissioners, who shall, after being duly sworn and after notifying the parties as directed in their commission, meet at a convenient time and place and determine whether any and what amount shall be allowed on each claim and report to him at such time as he may limit. Sections 3103 to 3106 and 3301 to 3306 apply to such claims and the proceedings thereon. No action shall be maintained on

any claim so committed unless proved before said commissioners, and their report on all such claims shall be final, saving the right of appeal.

R.S.1954, c. 154, § 74.

**§ 2406. State welfare claims barred unless administration taken**

In an estate where the State has any claim under Title 22, chapters 951 to 959, the claim shall be forever barred unless administration is taken out on such estate within 2 years following the death of the welfare recipient or the surviving spouse, in the event said spouse occupies real estate of said welfare recipient.

R.S.1954, c. 165, § 16.