

MAINE STATE LEGISLATURE

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FORTH-EIGHTH LEGISLATURE.

HOUSE.

No. 8.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

AN ACT in addition to and amendment of chapter sixty-four of the revised statutes.

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

SECTION 1. The thirteenth section of chapter sixty-two four of the revised statutes, is amended, so that the last three division of said section shall read as follows : “ But if they are unsuitable, or being residents in the county and cited before the judge for the purpose, neglect or refuse, for thirty days from the decease of the intestate, to take out letters of administration, he may commit administration on such estate to such other person as he deems suitable.”

SECT. 2. The twenty-seventh section of the same chapter is amended by adding at the end thereof the

3 words: "when by reason of the removal or discharge
4 of executors or administrators, and appeals from the
5 decrees of removal or discharge, there is no executor
6 or administrator to act, the judge may appoint a
7 special administrator, who shall have the same powers,
8 and perform the same duties as other special adminis-
9 trators, until such appeals are disposed of, and some
10 executor or administrator may legally act."

SECT. 3. The twenty-eighth section of the same
2 chapter, is amended, by adding at the end thereof, as
3 follows: "He shall also pay the expenses of the
4 funeral and last sickness, and of administration, debts
5 preferred under the laws of the United States, public
6 rates and taxes, money due the state from the de-
7 ceased, and any temporary allowances made by the
8 judge to the widow pending litigation."

SECT. 4 Executors and administrators may make
2 oath to the truth of inventories by them returned be-
3 fore the judge or register of probate or any justice of
4 the peace.

SECT. 5. Executors and administrators may pay
2 debts due from a deceased husband to his wife, or from
3 a deceased wife to her husband, as if the marriage re-
4 lation had never existed between them.

SECT. 6. Executors or administrators may require
2 any person making a claim against the estate of their

3 testator or intestate, to present said claim in writing,
4 supported by the affidavit of the claimant, or of some
5 other person cognizant thereof, stating what security
6 the claimant has, if any, and the amount of credit to
7 be given, according to the best of his knowledge and
8 belief.

SECT. 7. This act shall take effect on its approval
2 by the governor.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 22, 1869. }

Reported from the Committee on the Judiciary by Mr. HUB-
BARD of Wiscasset.

S. J. CHADBOURNE, *Clerk.*