

MAINE STATE LEGISLATURE

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FORTY-NINTH LEGISLATURE.

HOUSE.

No. 109.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
SEVENTY.

AN ACT to amend section seventeen of chapter sixty-five
of the revised statutes.

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

SECTION 1. Section seventeen of chapter sixty-five
2 of the revised statutes is amended, by adding after the
3 word "one" in the tenth line of said section, the
4 following: "Where no distribution of the estate has
5 been made, and the parties in interest reside out of the
6 state, and no actual notice has been given of such
7 settlement, the judge of the court wherein such settle-
8 ment was made, may, on petition of any such party,
9 order a new account of his doings to be presented to
10 said court by the executor or administrator, at any

11 time within six years after such settlement is made ;”

12 so that the section as amended shall read as follows :

13 *Sect. 17.* When on the settlement of any account of
14 an administrator or executor there appears to remain
15 in his hands any property not necessary for the pay-
16 ment of debts and expenses of administration, not
17 specifically bequeathed, the judge shall order the same
18 to be distributed according to the will of the deceased,
19 if any, so far as it directs, otherwise according to the
20 provisions of chapter seventy-five, but no such order
21 determining who are heirs and the share of each, shall
22 be passed until notice is given as provided in section
23 five chapter seventy-one ; and where no distribution of
24 the estate has been made, and the parties in interest
25 reside out of the state, and no actual notice of such
26 settlement has been given them of such settlement, the
27 judge of the court wherein such settlement was made
28 may on the petition of any such party order a new ac-
29 count of his doings to be presented to said court at any
30 time within six years after such settlement, and alien-
31 age shall be no bar to any person who in other respects
32 is entitled to receive the same.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 2, 1870. }

Reported from the Committee on the Judiciary, by Mr. VOSE,
and printed under the rules.

S. J. CHADBOURNE, *Clerk.*