

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

SENATE.

No. 47.

STATE OF MAINE.

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

AN ACT to amend section twenty-one of chapter sixty-four of the revised statutes relating to the appointment, powers and duties of executors.

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

SECTION 1. Section twenty-one of chapter sixty-four of the revised statutes is hereby amended by adding at the end of said section the following words, "or executor whom he may succeed," so that said section as amended shall read as follows :

Sect. 21. When an executor or administrator, residing out of the state, after being duly cited by the judge of probate, neglects to render his accounts and settle the estate according to law, or when any executor or administrator, joint or sole, becomes insane or other-

11 wise unsuitable to perform the trust, refuses or neg-
12 lects to do so or mismanages the estate, the judge of
13 probate may remove him ; and he may accept the res-
14 ignation of any joint or sole executor or administrator,
15 when he is satisfied, after public or personal notice to
16 those interested in the estate and a hearing, that there
17 is reasonable cause therefor, and that it will not be
18 detrimental to the estate or to those interested therein;
19 and in either case, if there is no other executor or ad-
20 ministrator to discharge the trust, the judge may com-
21 mit administration of the estate not already adminis-
22 tered, with the will annexed or otherwise, as the case
23 requires, to such persons as he thinks fit, as if the one
24 resigned or removed were dead ; and such administra-
25 tor shall have the same powers and be liable to the
26 same obligations as other administrators or executors
17 whom he may succeed.

STATE OF MAINE.

IN SENATE, February 19, 1874.

Reported from Committee on Judiciary, by Mr. WEBB, of
Kennebec, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*