

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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SENATE.

No. 420

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## STATE OF MAINE.

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

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AN ACT relating to the Probate Records of Cumberland  
County.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. Whenever it shall clearly appear to the judge  
2 of probate within and for the county of Cumberland, that  
3 a will was made and probated, and destroyed by the fire in  
4 Portland on the twenty-fourth day of January, in the year  
5 of our Lord one thousand nine hundred and eight, and that  
6 said will cannot be proved by attested copy thereof, and  
7 that the person so deceased has left estate which should be  
8 administered upon for the payment of debts and other  
9 charges, said judge of probate may grant special adminis-  
10 tration upon said estate to some suitable person, who shall

11 be clothed with all the powers and subject to all the duties  
12 now granted by law to special administrators.

Sect. 2. The judge of probate for said county may grant  
2 such special administrator license to sell and convey per-  
3 sonal and real estate of the deceased, in the same way and  
4 manner as now granted to administrators, and when neces-  
5 sary for the payment of debts and charges of administra-  
6 tion, and such special administrator shall account to the  
7 judge of probate for the proceeds of said sales.

Sect. 3. Said judge of probate may make an allowance  
2 out of said estate, or from the proceeds of said sales, to  
3 the widow and minor children of the deceased, according  
4 to their circumstances, and direct the special administrator  
5 to pay such allowance and charge it in his account with said  
6 estate.

Sect. 4. When a special administrator so appointed has  
2 paid all the legal claims against the estate in question, and  
3 there remains in his hands a balance for distribution, the  
4 said administrator shall apply by a bill in equity to the  
5 supreme judicial court for a decree of distribution of said  
6 balance and said court shall have the power to make such  
7 a decree of distribution as justice requires.



STATE OF MAINE.

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IN SENATE,

March 13, 1909.

Reported by Mr. BAXTER from Committee on Judiciary  
and laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary*.