

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 59

In Senate, Jan. 31, 1917.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent down for concurrence.

W. E. LAIVRY, Secretary.

Presented by Mr. Deering of York.

STATE OF MAINE

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

AN ACT to amend Section thirty-four of Chapter Sixty-eight
of the Revised Statutes of nineteen hundred sixteen, relating
to special administrator.

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

Section thirty-four of Chapter sixty-eight of the Revised
2 Statutes of nineteen hundred sixteen is hereby amended by
3 inserting after the word "Probate" in the fourth line of said
4 section, the following words: 'and if for any cause other than
5 an appeal, the Judge of Probate decides that it is necessary
6 or expedient, he may at any time and place, with or without

7 notice, appoint a special administrator.' so that said section
8 as amended shall read as follows:

'Sect. 34. When there is a delay in granting letters testa-
2 mentary or of administration, the judge of probate may
3 appoint a special administrator, who shall, notwithstanding
4 any pending appeal, proceed in the execution of his duties
5 until it is otherwise ordered by the supreme court of pro-
6 bate, and if for any cause other than an appeal, the Judge of
7 Probate decides that it is necessary or expedient, he may at
8 any time and place, with or without notice, appoint a special
9 administrator; and he shall give bond, like other adminis-
10 trators, conditioned that he will make and return into the
11 probate court within three months, a true inventory of all
12 the goods, chattels, rights and credits of the deceased, which
13 come to his possession or knowledge; and that he will truly
14 account for them under oath, and deliver them to the person
15 authorized to receive them. When by reason of the removal
16 or discharge of executors or administrators, and appeals
17 from the decrees of removal or discharge, there is no execu-
18 tor or administrator to act, the judge may appoint a special
19 administrator, who shall have the same powers, and perform
20 the same duties as other special administrators, until such
21 appeals are disposed of and some executor or administrator
22 may legally act.'