

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 362

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House of Representatives, March 7, 1919.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Smith of Skowhegan.

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STATE OF MAINE

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

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AN ACT to Amend Certain Sections of Chapter Ninety-two  
Relating to the Filing of Claims Against Estates of  
Deceased Persons.

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

Chapter ninety-two, section fourteen of the revised statutes as amended by chapter one hundred thirty-three, section seven of the public laws of nineteen hundred and seventeen, is hereby amended by striking out the word "eighteen" in the sixth line of said section and inserting in place thereof the word 'twelve,' so that said section as amended shall read as follows:

'Sect. 14. All claims against estates of deceased persons,

2 except for legacies and distributive shares and for labor  
3 and materials for which suit may be commenced under sec-  
4 tion thirty-four of chapter ninety-six, shall be presented  
5 to the executor or administrator in writing, or filed in the  
6 registry of probate, supported by an affidavit of the claim-  
7 ant, or of some other person cognizant thereof, either be-  
8 fore or within twelve months after affidavit has been filed  
9 in the registry of probate that notice has been given by  
10 said executor or administrator of his appointment; and  
11 no action shall be commenced against such executor or  
12 administrator on any such claim until thirty days after the  
13 presentation or filing of such claim as above provided.  
14 Any claim not so presented or filed shall be forever barred  
15 against the estate, except as provided in sections sixteen,  
16 seventeen, nineteen and twenty-two of this chapter.'

Chapter ninety-two, section seventeen of the revised stat-  
2 utes is hereby amended by striking out the word "eighteen"  
3 in the second line and inserting in place thereof the word  
4 'twelve' so that said section as amended shall read as fol-  
5 lows:

'Sect. 17. When an action on a covenant or contract does  
2 not accrue within said twelve months, the claimant may  
3 file his demand in the registry of probate within that time,  
4 verified as required in case of claims presented to the  
5 commissioners on insolvent estates; and the judge of pro-  
6 bate shall direct that sufficient assets, if such there are,  
7 shall be retained by the executor or administrator, unless

8 the heirs or devisees of the estate give bond to the executor  
9 or administrator, with one or more sureties, approved by  
10 the judge to pay whatever is found due on said claim.'

Chapter ninety-two, section nineteen of the revised stat-  
2 utes is hereby amended by striking out the word "eighteen"  
3 in the second line of said section and inserting in place  
4 thereof the word 'twelve,' so that said section as amended  
5 shall read as follows:

'Sect. 19. When such claim has not been filed in the  
2 probate office within said twelve months, the claimant may  
3 have remedy against the heirs or devisees of the estate  
4 within one year after it becomes due and not against the  
5 executor or administrator.'

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