

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 864**

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H. P. 1323

House of Representatives, March 29, 1943.

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

HARVEY R. PEASE, Clerk.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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**AN ACT Relating to Claims and Actions Against Executors and  
Administrators.**

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

**Sec. 1. R. S., c. 101, § 14, amended.** Section 14 of chapter 101 of the revised statutes is hereby amended to read as follows:

**‘Sec. 14. Claims against estates to be filed in writing with affidavit; no action for 30 days; claims not filed, barred.** All claims against estates of deceased persons, except for **funeral expenses, expenses of administration,** legacies, ~~and~~ distributive shares, and for labor and materials for which suit may be commenced under section 34 of chapter 105, shall be presented to the executor or administrator in writing, or filed in the registry of probate, supported by an affidavit of the claimant, or of some other person cognizant thereof, either before or within 12 months after his qualification as such executor or administrator; and no action shall be commenced against such executor or administrator on any such claim until 30 days after the presentation or filing of such claim as above provided. Any claim not so presented or filed shall be forever barred against the estate, except as provided in sections 16, 18 and 20 of this chapter.’

**Sec. 2. R. S., c. 101, amended.** Chapter 101 of the revised statutes is

hereby amended by adding thereto a new section to be numbered 14-A and to read as follows :

**'Sec. 14-A. Executor or administrator to give notice if claims against estates disputed; claims barred unless actions brought within time limit. If an executor or administrator disputes a claim, or portion thereof, so presented or filed, he shall give notice in writing to the claimant, his agent, or attorney of record, by service in hand or by registered mail properly addressed, return receipt requested, of that which he disputes. When such notice has been given, the claimant shall commence and serve an action to recover on the disputed claim within 3 months after the receipt of such notice, or within 15 months after the qualification of such executor or administrator, whichever is the longer period; otherwise, such claim shall be forever barred against said estate in like manner as if it had not been presented or filed as provided in section 14. If the executor or administrator fails to give such notice to the claimant, his agent, or attorney within 15 months after his qualification as such executor or administrator, he shall be estopped to deny the validity of the claim.'**