

MAINE STATE LEGISLATURE

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NEW DRAFT OF S. P. 243, L. D. 641.

N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 985

S. P. 385

In Senate, March 15, 1945.

Reported by Senator Dunbar of Washington from Committee on Judiciary and laid on table to be printed under joint rules.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to Compromise of Claims.

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

Sec. 1. R. S., c. 141, § 66, amended. Section 66 of chapter 141 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Sec. 66. Compromise of claims. The judge after a hearing, public or personal notice of which shall have been given in accordance with order of court, may authorize executors or administrators to adjust, by arbitration or compromise, any claims for money or other property in favor of or against the estates by them represented and likewise any other actions either at law or in equity of whatsoever nature wherein such executors or administrators are parties.

Any such award or compromise, if found by the judge just and reasonable in its effect upon all persons who may then or at any time thereafter be or become interested in said estate, shall be valid and binding on such persons; provided, however, that where it shall appear that the interests of any persons under disability not represented by guardian or any future contingent interest may be affected the court may appoint some suitable person or persons to represent such persons under disability or future interest.’

Sec. 2. R. S., c. 141, § 66-A, additional. Chapter 141 of the revised statutes is hereby amended by adding thereto a new section to be numbered 66-A, to read as follows:

'Sec. 66-A. Authority to carry on business. Whenever it is made to appear to the judge that it is clearly for the benefit of all parties interested and will result in a material increase of the assets of the estate, the judge may authorize and direct that the business of the deceased, in whole or in part, shall, for a limited time to be determined by him, be carried on by the executor or administrator as a going business.'