

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 527**

H. P. 925

House of Representatives, February 8, 1951.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Fuller of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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**AN ACT Relating to Appointment of Administrators With the Will  
Annexed.**

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

**R. S., c. 141, § 38, amended.** Section 38 of chapter 141 of the revised statutes is hereby amended to read as follows:

**'Sec. 38. Administrator with the will annexed, when to be appointed.** If there is no person whom the judge can appoint executor of any will according to the provisions of section 8; or, if the only one appointed neglects to file the required bond within the time therein allowed, he may commit administration of the estate, with the will annexed, **to one of the beneficiaries of the will, if otherwise qualified, or if not otherwise qualified** to any suitable person having regard to the best interests of the persons interested under such will; and when an executor is under 21 years of age at the time of the probate of the will, administration may be granted, with the will annexed, during his minority, unless there is another executor who accepts the trust, in which case the estate shall be administered by such other executor until the minor arrives at full age, when he may be admitted as joint executor with the former, upon giving bonds as before provided.'