

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 798

S. P. 301

In Senate, February 19, 1957.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Woodcock of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Fees of Conservators.

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

R. S., c. 153, § 45, amended. Section 45 of chapter 153 of the Revised Statutes is hereby amended to read as follows:

'Sec. 45. Fees of executors, administrators, guardians, conservators, surviving partners and trustees. Executors, administrators, guardians, **conservators**, surviving partners and trustees may be allowed \$1 for every 10 miles travel to and from court, and \$1 for each day's attendance; and also, at the discretion of the judge, having regard to the nature, liability and difficulty attending their trusts, a commission not exceeding 5% on the amount of personal assets that come into their hands and, in cases where legal counsel is necessary, a reasonable sum for professional aid; and trustees, guardians for adults and conservators may receive yearly such additional sum for the care and management of the trust property as the court having jurisdiction of said trust shall allow not exceeding ~~however~~ in any one year 1% of the principal of said trust fund, said additional sum so allowed to be charged against principal or income, or both, and if charged against both, to be charged in such proportions as the said court shall determine; ~~provided that if~~. If the surviving partner or partners succeed to the business of the late firm, the benefit accruing from such succession shall be taken into account by the judge in determining the amount of commission to be allowed.'