

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON,.....PRINTER TO THE STATE.

1846.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1846.

CHAP. 199.

goods, four days, at least, before the time of such appraisal; and such notice shall be as effectual as that now provided by law.

[Approved July 30, 1846.]

Chapter 199.

An Act conferring certain powers upon the justices of the supreme judicial courts and district courts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

When license may be granted to executors or administrators, who may be judges of probate, to sell real estate.

SECTION 1. The supreme judicial court, and the district court, in its respective districts, are hereby authorized to grant license to executors or administrators, who may be judges of probate, or in cases where judges of probate may be interested as parties, to sell at public or private sale, real estate levied upon by execution, or held in mortgage and not redeemable in consequence of the expiration of the time of redemption or otherwise, when it shall be made to appear to said courts respectively, that it would be for the benefit of the parties in interest, that said real estate should be sold, rather than distributed among those who are entitled to the personal estate, according to law.

Executors or administrators to give bond.

SECT. 2. The said supreme judicial court, and said district court in its respective districts, may entertain, hear and order notice, on a petition by said executor or administrator for said purpose in any county, returnable to said courts respectively, held in the county where said executor or administrator received his appointment, in which last named county license shall be granted, if the court shall grant it; and the said executor or administrator shall give bond, as by law is required in other cases of license to sell real estate, upon being licensed as aforesaid, to the judge of the court of probate in and for the most ancient next adjoining county, to be by said judge approved, and so approved, with the oath of said executor or administrator, to be recorded in the county where the license is granted; and said executor or administrator shall conform, in all other respects, to the existing law in reference to the sale of real estate by executors and administrators.

Bond and oath to be recorded.

SECT. 3. This act to take effect from and after its approval by the governor.

[Approved July 30, 1846.]