

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1869.

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

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AUGUSTA:  
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1869.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1869.

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CHAP. 7.**Chapter 7.**

An act in addition to and amendment of chapter sixty-four of the revised statutes.

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

R. S., chap. 64, sect. 13, relating to granting letters of administration, amended.

SECT. 1. The thirteenth section of chapter sixty-four of the revised statutes, is amended, so that the last division of said section shall read as follows: 'but if they are unsuitable, or, being residents in the county and cited before the judge for the purpose, neglect or refuse, for thirty days from the decease of the intestate, to take out letters of administration, he may commit administration on such estate to such other person as he deems suitable.'

R. S., chap. 64, sect. 27, relating to special administrators, amended.

SECT. 2. The twenty-seventh section of the same chapter is amended by adding at the end thereof the words: 'When by reason of the removal or discharge of executors or administrators, and appeals from the decrees of removal or discharge, there is no executor or administrator to act, the judge may appoint a special administrator, who shall have the same powers, and perform the same duties as other special administrators, until such appeals are disposed of, and some executor or administrator may legally act.'

R. S., chap. 64, sect. 28, relating to duty of special administrators, amended.

SECT. 3. The twenty-eighth section of the same chapter is amended by adding at the end thereof, as follows: 'He shall also pay the expenses of the funeral and last sickness, and of administration; debts preferred under the laws of the United States; public rates and taxes; money due the state from the deceased, and any temporary allowances made by the judge to the widow pending litigation.'

Before whom the oath to inventories may be made.

SECT. 4. Executors and administrators may make oath to the truth of inventories by them returned, before the judge or register of probate, or any justice of the peace.

Debts due from deceased to husband or wife may be paid by executor or administrator.

SECT. 5. Executors or administrators may pay debts due from a deceased husband to his wife, or from a deceased wife to her husband, as if the marriage relation had never existed between them.

Claims against the estate of a testator or intestate may be required to be made in writing and supported by affidavit.

SECT. 6. Executors or administrators may require any person making a claim against the estate of their testator or intestate, to present said claim in writing, supported by the affidavit of the claimant, or of some other person cognizant thereof, stating what security the claimant has, if any, and the amount of credit to be given, according to the best of his knowledge and belief.

SECT. 7. This act shall take effect when approved.

Approved February 3, 1869.