

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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1929

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fourth Legislature

**1929**

[supplied from page 1 of volume]

'Sec. 5. Hancock county terms. Hancock, on the second Tuesdays of April, September and December.'

Sec. 2. Act effective February 1, 1930. This act shall be effective on and after the first day of February nineteen hundred and thirty.

Approved April 6, 1929.

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### Chapter 251.

An Act Relating to the Time and Place of Holding the Commissioners' Court in York County.

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

R. S., c. 83, sec. 5; P. L., 1927, c. 54; relating to sessions of county commissioners' courts, further amended. Section five of chapter eighty-three of the revised statutes, as amended by chapter fifty-four of the public laws of nineteen hundred and twenty-seven, is hereby further amended by striking out the twenty-eighth, twenty-ninth, thirtieth and thirty-first lines of said section, as amended by said chapter fifty-four of the public laws of nineteen hundred and twenty-seven, and inserting in place thereof the words: 'York, terms of record on the first Tuesday of May and October at Alfred, and regular sessions shall be held each month on the second Tuesday of January at Saco and on the first Tuesday of all other months at Alfred,' so that said section, as amended, shall read as follows in the twenty-eighth, twenty-ninth, thirtieth and thirty-first lines:

Terms in York county changed. 'York, terms of record on the first Tuesday of May and October at Alfred, and regular sessions shall be held each month on the second Tuesday of January at Saco and on the first Tuesday of all other months at Alfred.'

Approved April 6, 1929.

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### Chapter 252.

An Act Relating to the Appointment of Public Administrators.

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

Sec. 1. R. S., c. 68, sec. 29; as amended; relating to appointment and duties of public administrators, further amended. Section twenty-nine of chapter sixty-eight of the revised statutes, as amended, is hereby further amended by striking out all of said section and inserting in place thereof the following:

'Sec. 29. Governor shall appoint a public administrator in each county; duties. The governor, with the advice and consent of the council shall

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appoint in each county for the term of four years, unless sooner removed, a public administrator therein, who shall, upon petition to the probate court and after due notice thereon, take out letters of administration and administer on the estates of persons who die intestate in said county, not known to have in the state a widow, widower, or any heirs or kindred who can lawfully inherit such estate; and who shall account in like manner and give bond to the judge with like condition as in cases of ordinary administration, subject however, to the provisions of the following section; and provided also that if any widow, widower or next of kin of said deceased shall, prior to the issuing of letters of administration to said public administrator, file a petition in probate court asking that said administration be granted to said widow, widower or next of kin or to any other person designated by them, the said probate court after due notice shall appoint an administrator as prayed for in said petition.'

Sec. 2. R. S., c. 68, sec. 30; relating to when the judge may revoke powers of administrator, amended. Section thirty of chapter sixty-eight of the revised statutes is hereby amended by inserting in the second line thereof after the word "deceased" the words 'in the hands of the public administrator,' and by striking out in the third line thereof after the word "of" the word "his" and by inserting in place thereof the words 'such deceased' and by striking out in the third line after the word "any" the words "of his" and by striking out in the fourth line after the word "kin" the words "or his" and by inserting in the fourth line after the word "widow" the words 'or widower of such deceased,' so that said section, as amended, shall read as follows:

'Sec. 30. If lost will is produced and proved before estate is fully settled judge shall revoke powers of administrators. If, before the estate of such deceased in the hands of the public administrator is fully settled, any last will and testament of such deceased is produced and duly proved, or if any heirs, next of kin, widow or widower of such deceased makes application in writing to the judge having jurisdiction of the estate, and claims the right to administer thereon or to have some other suitable person appointed to that trust, the judge shall revoke the former administration and grant letters testamentary, or new administration, as the case requires; and thereupon the public administrator shall surrender his letters of administration to such judge, settle his account, and deliver to his successor all sums of money in his hands, and all goods, chattels, rights and credits of said deceased, not administered upon.'

Sec. 3. R. S., c. 68, sec. 31; as amended; relating to balance in hands of administrator, further amended. Section thirty-one of chapter sixty-eight of the revised statutes as amended is hereby further amended by

striking out the whole of said section and inserting in place thereof the following:

**'Sec. 31. Balance to be deposited with the treasurer of state for benefit of those who may lawfully claim it.** When there is, in the hands of such public administrator, an amount of money, more than is necessary for the payment of the deceased's debts and for other purposes of administration, if no widow, widower or heirs of said deceased have been discovered, said administrator shall be required by the judge to deposit it with the treasurer of state, who shall receive it; the state shall be responsible for the principal thereof, for the benefit of those who may lawfully claim it; and the governor and council, on application and proof, may order the treasurer to pay it over, and such principal is hereby appropriated to pay such lawful claims.

If during the process of administration of such estate any widow, widower or heirs of said deceased are discovered, then the probate court shall order distribution of the estate in the same manner as in the case of ordinary administration.'

**Sec. 4. R. S., c. 68, sec. 32; relating to notice to be given to treasurer, amended.** Section thirty-two of chapter sixty-eight of the revised statutes is hereby amended by striking out in the first and second lines thereof the words "In such case" and inserting in place thereof the words 'In all cases where the public administrator is ordered to pay the balance of the estate to the treasurer of state,' so that said section, as amended, shall read as follows:

**'Sec. 32. Probate bond may be put in suit to recover balance.** In all cases where the public administrator is ordered to pay the balance of the estate to the treasurer of state the judge shall give notice to the treasurer of state of such amount, and from what estate it is receivable; and if said administrator neglects, for three months after the order of the judge therefor, to deposit the same, the treasurer shall cause his probate bond to be put in suit for the recovery thereof.'

Approved April 6, 1929.

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## Chapter 253.

An Act to Simplify Procedure in Police or Municipal Courts.

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

**Municipal or police court writ may be returnable to any other municipal or police court in county.** Writs issued from any municipal or police court may be made returnable to any other municipal or police court in any