

MAINE STATE LEGISLATURE

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CHAPTER 213

DISCOVERY OF PROPERTY

Sec.

1751. Citation and examination.

1752. Persons entrusted with property must account.

1753. Refusal to appear and answer when cited.

§ 1751. Citation and examination

Upon complaint by a county attorney, an executor, administrator, heir, legatee, creditor or other person interested in the estate of a person deceased against anyone suspected of having concealed, withheld or conveyed away any money, goods, effects or real estate of the deceased, or of having fraudulently received any such money, goods, effects or real estate, or of aiding others in so doing, the judge of probate may cite such suspected person to appear before him to be examined on oath in relation thereto, and he may require him to produce for the inspection of the court and parties, all books, papers or other documents within his control relating to the matter under examination. Such examination shall not extend over a period of time exceeding 20 years before the time said complaint is filed in the probate court.

R.S.1954, c. 154, § 90; 1963, c. 428, § 1.

§ 1752. Persons entrusted with property must account

Upon complaint of any such party that a person entrusted by an executor or administrator with any part of such estate refuses to render to him a full account thereof when required, the judge of probate may cite such person to appear before him and to render a full account under oath of any money, goods, chattels, bonds, accounts or other papers belonging to such estate taken into his custody, and of his doings in relation thereto.

R.S.1954, c. 154, § 91.

§ 1753. Refusal to appear and answer when cited

If a person duly cited refuses to appear and submit himself to such examination, or to answer all lawful interrogatories, or to produce such books, papers or documents, the judge shall commit him to jail, there to remain until he submits to the order of

the court or is discharged by the complainant or the Superior Court. He is liable to any injured party in a civil action for all the damages, expenses and charges arising from such refusal.

R.S.1954, c. 154, § 92; 1961, c. 317, § 501.