

MAINE STATE LEGISLATURE

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CHAPTER 101

ALLOWANCES TO WIDOWS AND OTHERS

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§ 801. Allowance to widows from personal estate

In the settlement of any intestate estate, or of any testate estate which is insolvent or in which no provision is made for the widow in the will of her husband, or when she duly waives the provision made, the judge may allow the widow so much of the personal estate, besides her ornaments and wearing apparel, as he deems necessary, according to the degree and estate of her husband and the state of the family under her care. He may allow her any one pew in a meetinghouse, of which the deceased died seized. Such allowance, when recorded, vests the title in her. When an estate which, at the time of said allowance, was considered insolvent, ultimately appears to be solvent, the judge by a subsequent decree may make the widow a further reasonable allowance. When, after an allowance has been made from any

estate, additional personal property belonging to said estate comes to the knowledge of the judge, he may make a further allowance to her therefrom.

R.S.1954, c. 156, § 14.

§ 802. Assignment of mortgage debts

When an allowance to a widow wholly or partly consists of a debt due the estate, secured by a mortgage of real or personal property, the executor or administrator, under direction of the judge, shall assign said mortgage and deliver the evidence of such debt to her.

R.S.1954, c. 156, § 15.

§ 803. Temporary allowances during litigation

In the settlement of any testate estate, where no provision is made for the widow in the will of her husband or she duly waives the provision made, the judge shall make her suitable allowances from the personal estate, from time to time, for the support of herself and family under her care, during any litigation concerning the will. On final probate of the will he shall make her a final reasonable allowance from the personal estate, according to the degree and estate of her husband and the state of the family under her care.

R.S.1954, c. 156, § 16.

§ 804. Widow's support

A widow shall have her reasonable sustenance out of the estate of her husband for 90 days after his death, and may remain in the house of her husband during said 90 days without being chargeable with rent therefor.

R.S.1954, c. 156, § 17.

§ 805. Allowance to minor children

In all insolvent estates, the judge may make a like allowance from the personal estate to the minor children of the deceased under 14 years of age, and to those between 14 and 21 years of age who from ill health are unable to labor. If there is a widow and such children by a former wife, the judge may, at his discretion, divide such allowance among the widow and such children of a former wife. In solvent estates, the judge may,

at his discretion, make an allowance from the personal estate to minor children under 12 years of age, when the income from their distributive shares will be insufficient for their support and education.

R.S.1954, c. 156, § 18.

§ 806. Allowance to husband from wife's estate

Upon the death of a wife whose estate is solvent the judge may make an allowance to her husband from her personal estate in the same manner as to a widow from the estate of her husband.

R.S.1954, c. 156, § 19.