

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

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Legislative Document

No. 849

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S. P. 287

In Senate, February 3, 1965

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Glass of Waldo.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

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**AN ACT Relating to Testamentary Shares of Omitted Children.**

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

**Sec. 1. R. S., T. 18, § 1004, amended.** The first sentence of section 1004 of Title 18 of the Revised Statutes is amended to read as follows:

‘A child of the testator, born after his death and not provided for in his will, takes the same share of his estate as he would if his father had died intestate, **unless it appears from the will that the omission to provide for such child was expressly intended by the testator.**’

**Sec. 2. R. S., T. 18, § 1005, amended.** The first paragraph of section 1005 of Title 18 of the Revised Statutes is amended by adding at the end the following:

‘**The absence of a devise to a child, or the issue of a deceased child, named in the will, shall be regarded as conclusive that the absence of the devise was intentional.**’