

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

HOUSE.

No. 5.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

AN ACT providing a safe depository for wills.

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

SECTION 1. A will may be deposited for safe keeping, by the testator or any person for him, in the registry of probate in the county where the testator lives ; and the register, on being paid the fee of one dollar, shall receive and keep said will, and give a certificate of the deposit thereof.

SECT. 2. Such will shall be inclosed in a sealed wrapper, indorsed with the name and residence of the testator, and the date when deposited, and may have indorsed thereon the name of any person to whom it is to be delivered after the death of the testator.

SECT. 3. A will so deposited shall not be opened.

2 nor read, until delivered to the testator, or to some
3 person authorized to receive it by an order in writing
4 signed by the testator, and attested by one witness ;
5 and the register may require, if he thinks proper, the
6 person presenting such order to make oath that the
7 same is genuine.

SECT. 4. After the death of the testator, the will
2 shall be delivered to the person, if any, entitled by
3 the indorsement on the wrapper to receive it ; or, if
4 not demanded before the next probate court following
5 the death of the testator, it may then be publicly
6 opened, and retained in the probate office until offered
7 for probate ; or, if the jurisdiction of the estate
8 belongs in another court, it shall be delivered to the
9 executors or other persons entitled to the custody
10 thereof, to be presented for probate in such other court.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 22, 1869. }

Reported from Committee on the Judiciary by Mr. REED of
Portland.

S. J. CHADBOURNE, *Clerk.*