

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 420

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

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AN ACT amendatory of section one of chapter 221 of the Public Laws of 1897, relating to waiving the provisions of a will by the widow or widower, and to wills in which no provision is made for the widow or widower, and the interest which the widow or widower shall have in the personal estate of the testator or testatrix in such cases.

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

Section 1. Section one of chapter two hundred and twenty-  
2 one of the Public Laws of eighteen hundred and ninety-seven,  
3 is hereby amended so that said section one of said chapter,  
4 as hereby amended, shall read as follows :

'Sect. 1. When provision is made in the will of a testator  
6 or testatrix for his widow or her widower, such widow or  
7 widower may, at any time within six months after the pro-  
8 bate of such will, waive such provision made for her or for  
9 him by filing written notice of such waiver in the probate  
10 court having jurisdiction of such will, and when such pro-  
11 vision is waived as aforesaid, such widow or widower shall  
12 have and receive the same distributive share of the personal  
13 estate of such testator or testatrix as is provided by law in  
14 intestate estates. When no provision is made in the will of  
15 a testator or testatrix for his widow or her widower such  
16 widow or widower shall likewise have and receive the same  
17 distributive share of the personal estate of such testator or  
18 testatrix as is provided by law in intestate estates, provided  
19 such widow or widower shall, within six months after the  
20 probate of such will, make, sign and file in the probate court  
21 having jurisdiction of such will, written notice that she or he  
22 claims such share of the personal estate of such testator or  
23 testatrix. Any notice filed under the provisions of this sec-  
24 tion, shall be recorded in the record books of the probate court  
25 where such notice is filed, by the register of probate, but a  
26 failure to record such notice shall not in any way affect the  
27 rights of any widow or widower.'

Sect. 2. This act shall not apply to wills where the testator  
2 or testatrix is deceased on the date this act takes effect.

Sect. 3. This act shall take effect on the first day of June,  
2 nineteen hundred and three.



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 18, 1903.

Reported by Mr. SMITH of Presque Isle, from Committee on the  
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*