

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 912

H. P. 1847

House of Representatives, April 3, 1935.

Reported by a majority from Committee on Judiciary and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

NEW DRAFT OF H. P. 1142—L. D. 366

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to the Competency of Witnesses to a Will.

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

R. S., c. 88, § 1, amended. Section 1 of chapter 88 of the revised statutes is hereby amended to read as follows:

'Sec. 1. Will, by whom and how to be made. A person of sound mind, and of the age of 21 years, and a married woman or widow of any age, may dispose of his real and personal estate by will, in writing, signed by him, or by some person for him at his request, and in his presence, and subscribed in his presence by 3 credible attesting witnesses, not beneficially interested under said will. **Provided, however, that if a will is attested by a person beneficially interested under said will, or if the husband or wife of such witness is beneficially interested, the devise or legacy to such person or to the husband or wife of such person shall be void, but the person so attesting the will, if otherwise credible, shall be a competent witness to prove the execution of the will.'**