

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 1363

H. P. 1981

House of Representatives, March 16, 1949.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Marble of Dixfield by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Rules of Descent.

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

R. S., c. 156, § 1, sub-§ I, amended. Subsection I of section 1 of chapter 156 of the revised statutes is hereby amended to read as follows :

'I. If he leaves a widow and issue, $\frac{1}{3}$ to the widow. If no issue, $\frac{1}{2}$ to the widow, **except that if it appears on the determination by the probate court that the whole estate does not exceed \$5,000 in value, the surviving widow or widower shall take the whole thereof; otherwise such survivor shall take \$5,000 and $\frac{1}{2}$ of the remaining personal and $\frac{1}{2}$ of the remaining real property.** If no kindred, the whole to the widow; and to the widower shall descend the same shares in his wife's real estate. There shall likewise descend to the widow or widower the same share in all such real estate of which the deceased was seized during coverture, and which has not been barred or released as herein provided. In any event, $\frac{1}{3}$ shall descend to the widow or widower free from payment of debts, except as provided in section 22 of chapter 150.'