

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 426**

H. P. 739

House of Representatives, February 2, 1951.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Hayes of Dover-Foxcroft.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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**AN ACT Relating to Presumption of Death.**

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

**R. S., c. 141, § 23, amended.** The 1st paragraph of section 23 of chapter 141 of the revised statutes is hereby amended to read as follows:

'If a person entitled to or having an interest in personal **or real** property within the jurisdiction of this state has disappeared from the place within this state where he was last known to be or resided, and his disappearance is followed by a continued absence for a period of not less than 7 years from the date of disappearance, during which period he is unheard from; and a petition is made to the probate court in the county in which said person last resided, or in which he left said property of the value of at least \$20, which petition shall allege the disappearance, continued absence, and presumption of death of said person and request the allowance of the will of said person, if he left one, or the appointment of an administrator, if he is alleged to have died intestate; and the said probate court, after notice and hearing thereon, shall issue letters testamentary or of administration upon his estate; then any payment due the estate of said person made to the executor or administrator thereof shall be valid, and the receipt or release given by said executor or administrator shall be a bar to any further or other action therefor.'