

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

AUGUSTA
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1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

Chapter 160.

An Act amendatory of Section one of Chapter two hundred and twenty-one of the Public Laws of eighteen hundred and ninety-seven, 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.

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

Section 1 of chapter 221, public laws of 1897, amended.

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

Widow or widower may waive provisions of will within six months after probate.

‘Section 1. When provision is made in the will of a testator or testatrix for his widow or her widower, such widow or widower may, at any time within six months after the probate of such will, waive such provision made for her or for him by filing written notice of such waiver in the probate court having jurisdiction of such will, and when such provision is waived as aforesaid, such widow or widower shall have and receive the same distributive share of the personal estate of such testator or testatrix as is provided by law in intestate estates. When no provision is made in the will of a testator or testatrix for his widow or her widower, such widow or widower shall likewise have and receive the same distributive share of the personal estate of such testator or testatrix as is provided by law in intestate estates, provided such widow or widower shall, within six months after the probate of such will, make, sign and file in the probate court having jurisdiction of such will, written notice that she or he claims such share of the personal estate of such testator or testatrix. Any notice filed under the provisions of this section, shall be recorded in the record books of the probate court where such notice is filed, by the register of probate, but a failure to record such notice shall not in any way affect the rights of any widow or widower.’

—written notice to be filed.

—when no provision is made in will, widow or widower shall have such share of personal estate as provided by law in intestate cases.

—written notice shall be filed.

—notice shall be recorded by register of probate.

Act shall not apply where testator or testatrix is deceased June, 1, 1903.

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

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

Approved March 26, 1903.