

MAINE STATE LEGISLATURE

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CHAPTER 115
ADVANCEMENTS

Sec.

1151. Advancements established.

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§ 1151. Advancements established

Gifts and grants of real or personal estate to a child or grandchild are deemed an advancement, when so expressed therein, or charged as such by the intestate, or acknowledged in writing to be such. For purposes of descent and distribution, they shall be regarded as part of the estate of the intestate and as taken towards a share of it.

R.S.1954, c. 170, § 4.

§ 1152. Value of advancement on distribution; not refunded

When the value of an advancement is determined by the intestate in his gift or charge or is acknowledged in writing, it shall be allowed in the distribution; if not, the value shall be estimated at the time when it is given. When it exceeds his share, he is excluded from any further portion; when less, he shall receive sufficient to make it an equal share. He shall not refund any part of an advancement.

R.S.1954, c. 170, § 5.

§ 1153. Advancements marshaled; death of one having advancement leaving issue

When an advancement is made in real estate, it shall be regarded as part of the real estate, and when in personal, as part of the personal estate. If it exceeds his share of the real or personal estate, he receives so much less of the other as will make his whole share equal. If such child or grandchild dies before the intestate, leaving issue, the advancement made to him shall be regarded as made to such issue, and distribution shall be made accordingly.

R.S.1954, c. 170, § 6.