

By Mr. Gammal of Worcester, petition of Edward W. Brooke and Albert A. Gammal, Jr., for legislation to provide that the question of the invalidity of a marriage of a deceased person because of unsoundness of mind may be raised in proceedings for the settlement of the estate of the deceased by any person whose interests in the estate are affected by the marriage. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT TO PROVIDE THAT THE QUESTION OF THE INVALIDITY OF A MARRIAGE OF A DECEASED PERSON BECAUSE OF UNSOUNDNESS OF MIND, ETC., MAY BE RAISED IN PROCEEDINGS FOR THE SETTLEMENT OF THE ESTATE OF THE DECEASED BY ANY PERSON WHOSE INTERESTS IN THE ESTATE ARE AFFECTED BY THE MARRIAGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 207 of the General Laws is hereby
2 amended by inserting after section 5 the following new section: —
3 *Section 5A.* Any provision of section five to the contrary
4 notwithstanding the question of the invalidity of the marriage
5 of a deceased person because the deceased was of unsound mind
6 or an idiot or because of force, fraud, duress or undue influence
7 exerted on the deceased, may be raised by any person whose
8 property rights in the estate of the deceased are affected be-
9 cause of the marriage in any proceeding in a probate court for
10 the administration of the estate, or the probate of an alleged
11 will, of the deceased.

1 SECTION 2. This act shall take effect ninety days after its
2 passage.

