

CHAPTER 191.

(Senate Bill 231)

AN ACT to repeal the sub-title "Presumptions of Survivorship" of Article 35 of the Annotated Code of Maryland 1939 Edition), title "Evidence" and to repeal Section 89 of said Article and to enact in lieu thereof eight new sections, to be under sub-title "Simultaneous Death", said new sections to be known as Sections 89 to 96, inclusive, and to follow immediately after Section 88 of said Article, relating to the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the sub-title "Presumptions of Survivorship" of Article 35 of the Annotated Code of Maryland (1939 Edition), title "Evidence", and Section 89 of said Article be and it is hereby repealed and that eight new sections, to be under a new sub-title "Simultaneous Death", be and they are hereby added to said Article, said new sections to be known as Sections 89 to 96, inclusive, and to follow immediately after Section 88 of said Article and to read as follows:

Simultaneous Death.

89. No Sufficient Evidence of Survivorship. Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons have died otherwise than simultaneously, the property of each person shall be disposed of as if he had survived, except as provided otherwise in this sub-title.

90. Beneficiaries of Another Person's Disposition of Property. Where two or more beneficiaries are designated to take successively by reason of survivorship under another person's disposition of property and there is no sufficient evidence that these beneficiaries have died otherwise than simultaneously the property thus disposed of shall be divided into as many equal portions as there are successive beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each designated beneficiary had survived.

91. Joint Tenants or Tenants by the Entirety. Where there is no sufficient evidence that two joint tenants or tenants by the entirety have died otherwise than simultane-