

HOUSE . . . . No. 2049

---

**The Commonwealth of Massachusetts**

---

HOUSE OF REPRESENTATIVES, April 12, 1948.

The committee on Legal Affairs, to whom was referred so much of the twenty-third annual report of the Judicial Council (Pub. Doc. No. 144) as relates to notice to the Attorney General by registers of probate in charitable trust cases (pages 16-18), report the accompanying bill (House, No. 2049).

For the committee,

EARLE S. TYLER.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT REQUIRING REGISTERS OF PROBATE TO NOTIFY THE ATTORNEY GENERAL OF THE CREATION OR INCREASING OF CERTAIN ESTATES OR FUNDS FOR CHARITABLE AND OTHER PURPOSES, AND REQUIRING THE DEPARTMENT OF PUBLIC WELFARE TO NOTIFY THE ATTORNEY GENERAL OF THE FAILURE OF CERTAIN CHARITABLE CORPORATIONS TO FILE CERTAIN ANNUAL REPORTS.

*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. Section 19 of chapter 217 of the General  
2 Laws, as appearing in the Tercentenary Edition, is  
3 hereby amended by inserting after the word "welfare"  
4 in line 4 the words: — , and to the attorney general,—  
5 so as to read as follows: — *Section 19.* Whenever any  
6 instrument creating or increasing an estate or fund  
7 for benevolent, charitable, humane or philanthropic  
8 purposes is filed for record in a registry of probate,  
9 the register shall forthwith send to the department of  
10 public welfare, and to the attorney general a state-  
11 ment setting forth the book and page in the registry  
12 where the instrument is recorded, with the name, if  
13 any, of the estate or fund, and further stating by  
14 whom said estate or fund has been created or increased,  
15 and by whom it is to be administered.

1 SECTION 2. Section 12 of chapter 180 of the Gen-  
2 eral Laws, as most recently amended by chapter 24  
3 of the acts of 1946, is hereby further amended by  
4 striking out the last sentence and inserting in place  
5 thereof the following:— If any corporation subject  
6 to this section fails for two successive years to file  
7 said report, the department shall report the fact to  
8 the attorney general with its recommendation as to  
9 action, and, on information in equity by the attorney  
10 general, the supreme judicial court, or the superior  
11 court, after notice and hearing, may decree a dissolu-  
12 tion of the corporation.

