

SENATE No. 120

To accompany the petition of John R. Nichols relative to sales of estates subject to vested or contingent remainders, executory devises or power of appointment. Legal Affairs.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Three.

AN ACT

Relative to Sales of Estates subject to Vested or Contingent Remainders, Executory Devises or Power of Appointment so as to include Reversions and Conditional Limitations.

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 forty-nine of chapter one hundred and
2 eighty-three of the General Laws is hereby
3 amended by inserting after the words "execu-
4 tory devise" in line two of said section, the
5 following:—, conditional limitation, reversion, —
6 so as to read as follows:— *Section 49.* If land
7 is subject to vested or contingent remainder,
8 executory devise, conditional limitation, rever-
9 sion or power of appointment, the probate court
10 for the county where such land is situated may,

11 upon the petition of any person having an estate
12 or interest therein, either present or future,
13 vested or contingent, and after notice and other
14 proceedings as hereinafter required, appoint one
15 or more trustees and authorize him or them to
16 sell and convey such land or any part thereof
17 in fee simple, if such sale and conveyance appears
18 to the court to be necessary or expedient, or to
19 mortgage the same for such an amount, on such
20 terms and for such purposes as may seem to the
21 court judicious or expedient; and such convey-
22 ance or mortgage shall be valid and binding
23 upon all parties.

