

HOUSE No. 279

By Mr. Zimon of Boston, petition of Donald Stahl that administrators and executors be required to give notice of appointment in pending actions. Judiciary (Joint).

The Commonwealth of Massachusetts

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

An Act requiring Administrators or Executors to give
Notice of Appointment in Pending Actions.

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

1 Chapter two hundred and twenty-eight of the Gen-
2 eral Laws is hereby amended by striking out section
3 five, as most recently amended by section seven of
4 chapter two hundred and twenty-one of the acts of
5 nineteen hundred and thirty-three, and inserting in
6 place thereof the following:—

7 *Section 5.* Such citation shall be returnable at
8 such time as the court may order and shall be served
9 fourteen days at least before the return day; but it
10 shall not issue after the expiration of one year from
11 the time such administrator or executor has filed
12 with the court in which the said action is pending
13 satisfactory proof that the surviving party or his
14 attorney of record has received actual notice of such
15 appointment.

