

# HOUSE . . . . . No. 807

By Mr. Bernardin of Lawrence, petition of John C. Reardon relative to the time within which petitions for the administration of estates are required to be filed. Legal Affairs.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO THE TIME WITHIN WHICH PETITIONS FOR THE ADMINISTRATION OF ESTATES ARE REQUIRED TO BE FILED.

*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 4 of chapter 193 of the General Laws,  
2 as most recently amended by section 1 of chapter 684 of the  
3 acts of 1951, is hereby further amended by striking out said  
4 section and inserting in place thereof the following section:  
5 *Section 4.* Administration shall not be originally granted  
6 after the expiration of twenty years from the death of the  
7 testator or intestate, except in cases expressly authorized  
8 by law.

1 SECTION 2. Section 5 of chapter 193 of the General Laws,  
2 as most recently amended by section 2 of chapter 163 of the  
3 acts of 1951, is hereby further amended by striking out, in  
4 line 2, the word "fifty" and inserting in place thereof the  
5 word:—twenty,—so as to read as follows:—*Section 5.*  
6 If administration has not been taken on the estate of a testator  
7 or intestate within twenty years after his decease, any prop-  
8 erty or claim of right thereto remains undistributed or there-  
9 after accrues to such estate and remains to be administered,  
10 original administration may for cause be granted, but it shall

11 affect no other property. Before granting such administra-  
 12 tion the court shall require the petitioner to furnish evidence  
 13 of the death of the intestate and such other evidence as the  
 14 court may require. In the absence of satisfactory evidence  
 15 of death and of interest on the part of the petitioners, the  
 16 probate court shall refer the matter to the attorney general,  
 17 or to any district attorney, who shall investigate and report  
 18 thereon for the advice and assistance of the court.

The Commonwealth of Massachusetts

In the Year of the Lord One Thousand Nine Hundred and Fifty-seven

AN ACT RELATIVE TO THE TIME WHEN WHICH REPORTS FOR THE ADMINISTRATION OF ESTATES ARE RETURNED TO THE COURT.

Enacted by the Senate and House of Representatives of the Commonwealth of Massachusetts in and for the same, January 1, 1957.

1 Section 1. Section 1 of chapter 193 of the General Laws  
 2 as amended is amended by striking out in the  
 3 first sentence the words "within three months after the  
 4 date of the death of the decedent" and inserting in their  
 5 stead the words "within three months after the date of the  
 6 death of the decedent, or, if the date of the death of the  
 7 decedent is not known, within three months after the date  
 8 of the appointment of the executor or administrator of the  
 9 estate of the decedent, or, if the date of the appointment  
 10 of the executor or administrator is not known, within three  
 11 months after the date of the appointment of the executor  
 12 or administrator of the estate of the decedent."

1 Section 2. Section 2 of chapter 193 of the General Laws  
 2 as amended is amended by striking out in the  
 3 first sentence the words "within three months after the  
 4 date of the death of the decedent" and inserting in their  
 5 stead the words "within three months after the date of the  
 6 death of the decedent, or, if the date of the death of the  
 7 decedent is not known, within three months after the date  
 8 of the appointment of the executor or administrator of the  
 9 estate of the decedent, or, if the date of the appointment  
 10 of the executor or administrator is not known, within three  
 11 months after the date of the appointment of the executor  
 12 or administrator of the estate of the decedent."