

SENATE . . . No. 125

To accompany the petition of Rollin E. Harmon and others that executors be exempted from furnishing sureties on official bonds in certain cases. Legal Affairs.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fifteen.

AN ACT

To provide for exempting an Executor from furnishing a Surety on his Official Bond in Certain Cases.

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 three of chapter one hundred and forty-
2 nine of the Revised Laws is hereby amended by
3 striking out the words " but not until all creditors
4 of the estate and the guardian of any minor inter-
5 ested therein have been notified and have had op-
6 portunity to show cause against the same," in the
7 seventh, eighth and ninth lines, so as to read as
8 follows:— *Section 3.* An executor shall be ex-
9 empt from giving a surety on his bond if the testa-
10 tor has ordered or requested such exemption or that
11 no bond should be taken, and an executor, adminis-

12 trator or an administrator with the will annexed,
 13 shall be so exempt if all the persons interested in
 14 the estate who are of full age and legal capacity,
 15 other than creditors, certify to the probate court
 16 their consent thereto. The probate court may, how-
 17 ever, upon or after the granting of letters testa-
 18 mentary or letters of administration require bond,
 19 with sufficient surety or sureties.

AN ACT