

HOUSE . . . . . No. 1047

By Mr. Zeiser of Wellesley, petition of the Massachusetts Conveyancers Association and Bruce H. Zeiser for legislation to limit appeals in the probate court where no objections have been filed to a petition for leave to sell, mortgage or lease real or personal property. The Judiciary.

**The Commonwealth of Massachusetts**

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

**AN ACT TO LIMIT APPEALS IN THE PROBATE COURT WHERE NO OBJECTIONS HAVE BEEN FILED TO A PETITION FOR LEAVE TO SELL, MORTGAGE, OR LEASE, REAL OR PERSONAL PROPERTY.**

*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 215 of the General Laws is hereby amended by  
2 striking out section 9A as appearing in chapter 179 of the acts  
3 of 1960 and inserting in place thereof the following:—

4 *Section 9A.* The acts of an executor, administrator, guard-  
5 ian, conservator or trustee performed after the entry of the  
6 decree appointing him in such capacity or authorizing or  
7 licensing him to sell, mortgage, or lease, real or personal  
8 property and prior to the expiration of the period allowed for  
9 an appeal therefrom shall be valid to the same extent as if said  
10 appeal period had expired without any appeal in all instances  
11 where there has been no appearance entered against such  
12 appointment, sale, mortgage or lease, prior to the entry of the  
13 decree or where such appearance has been entered and with-  
14 drawn prior to the entry of the decree, notwithstanding the  
15 fact that an appeal may have been taken in said period.

The Commission on the ...

The Commission on the ...

...

...

...

...

...

...

...