

HOUSE No. 824

By Mr. York of Lynn, petition of Morton E. York for legislation to exempt from trustee process certain policies of insurance companies payable to married women or their children. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT EXEMPTING CERTAIN POLICIES OF INSURANCE
PAYABLE TO A MARRIED WOMAN OR HER CHILDREN FROM
TRUSTEE PROCESS OR SUPPLEMENTARY PROCEEDINGS.

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 one hundred and twenty-six of chapter
2 one hundred and seventy-five of the General Laws,
3 as appearing in the Tercentenary Edition, is hereby
4 amended by inserting after the word "inclusive" in
5 the twelfth line the words: — , and shall not be subject
6 to trustee process or supplementary proceedings,
7 arising out of any claim against the said married
8 woman or her children, — so as to read as follows: —
9 *Section 126.* Every policy of life or endowment
10 insurance made payable to or for the benefit of a
11 married woman, or after its issue assigned, trans-
12 ferred or in any way made payable to a married
13 woman, or to any person in trust for her or for her
14 benefit, whether procured by herself, her husband

15 or by any other person, and whether the assignment
16 or transfer is made by her husband or by any other
17 person, and whether or not the right to change the
18 named beneficiary is reserved by or permitted to the
19 person effecting such insurance, shall enure to her
20 separate use and benefit, and to that of her children,
21 subject to the provisions of the preceding section
22 relative to premiums paid in fraud of creditors and
23 to sections one hundred and forty-four to one hundred
24 and forty-eight, inclusive, and shall not be subject to
25 trustee process or supplementary proceedings, arising
26 out of any claim against the said married woman or
27 her children. No court, and no trustee or assignee
28 for the benefit of creditors, shall elect for the person
29 effecting such insurance to exercise such right to
30 change the named beneficiary.