

SALE OF REAL ESTATE. [Jan. 1903.]

SENATE . . . . . No. 55.

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[To accompany the petition of Theodore H. Tyndale and others for legislation relative to the sale of real estate by public administrators. Probate and Chancery.]

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Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Three.

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AN ACT

To provide for Sale of Real Estate by Public Administrators.

*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. The probate court may, upon the  
2 petition of a public administrator, with the con-  
3 sent of all parties interested or after notice, license  
4 him to sell the real property or any undivided  
5 interest therein belonging to the estate of the  
6 intestate, in such manner and upon such notice  
7 as the court orders for the purpose of distribu-  
8 tion; and the net proceeds of such sale, after de-  
9 ducting the expenses thereof and such amount as

10 may be required for the payment of debts in con-  
11 sequence of a deficiency in the personal property,  
12 shall, after two years from the time of the filing  
13 of the administrator's bond, or in case he has filed  
14 a general bond, after two years from the date of  
15 his appointment be distributed to the persons who  
16 would have been entitled to said real property  
17 and in the proportions to which they would have  
18 been entitled had it not been sold.

1 SECTION 2. Public administrators may be au-  
2 thorized by the probate court to take charge of  
3 the real property of the deceased, or of any part  
4 thereof, to lease the same and to collect the rents,  
5 make necessary repairs and do all other things  
6 which it may consider needful for the preserva-  
7 tion of such real property and as a charge  
8 thereon.

1 SECTION 3. This act shall take effect upon its  
2 passage.