

# HOUSE . . . . . No. 650.

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Bill accompanying the petition of L. Roger Wentworth and others for legislation to enable executors and administrators to obtain licenses to sell real estate at private sale in certain instances. Legal Affairs. January 22.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seven.

### AN ACT

Relative to Licenses for Sales of Real Estate by Executors, Administrators and Guardians.

*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 nine of chapter one hundred and forty-  
2 six of the Revised Laws is hereby amended by in-  
3 serting after the word " terms," in the fourteenth  
4 line thereof, the following words:— *an executor or*  
5 *administrator with the will annexed may be so au-*  
6 *thorized to sell, even though the will under which*  
7 *he is appointed contains a power under which he*  
8 *might make such sale, — so that said section shall*  
9 read as follows:— *Section 9.* Upon the petition of

10 an executor or administrator for license to sell the  
11 real property of the deceased or of a guardian to  
12 sell the real property of his ward, the court may,  
13 if the petitioner so requests, authorize him to sell  
14 such property at public auction and to convey to  
15 the purchaser all the estate, right, title and interest  
16 which the deceased had therein at the time of his  
17 death and which was then chargeable with the pay-  
18 ment of his debts or which the ward has at the time  
19 of the sale. If the petitioner requests that such  
20 property may be sold by private sale and the court,  
21 upon a hearing, finds that an advantageous offer  
22 for the purchase thereof has been made to the peti-  
23 tioner, and that the interests of all parties will be  
24 promoted by an acceptance of such offer, it may  
25 authorize a conveyance by private sale in accord-  
26 ance with such offer or upon other terms; *an execu-*  
27 *tor or administrator with the will annexed may be*  
28 *so authorized to sell, even though the will under*  
29 *which he is appointed contains a power under which*  
30 *he might make such sale; but such petitioner so au-*  
31 *thorized may nevertheless sell such property by pub-*  
32 *lic auction in accordance with the provisions of this*  
33 chapter.