

clauses seventeenth, eighteenth, twenty-second, twenty-third, twenty-seventh, twenty-ninth, thirty-first, thirty-second and thirty-third of said section.

Approved June 3, 1954.

AN ACT RELATIVE TO THE TAXATION OF THE LANDS OF THE COMMONWEALTH SITUATE IN SOUTH BOSTON AND KNOWN AS THE COMMONWEALTH FLATS, WHEN LEASED FOR BUSINESS PURPOSES. Chap. 561

Be it enacted, etc., as follows:

SECTION 1. Section 12 of Part I of chapter 490 of the acts of 1909 is hereby amended by adding at the end the following sentence:— Nothing contained in section three A of chapter fifty-nine of the General Laws shall be construed to affect in any way the provisions of this section.

SECTION 2. To the fullest possible extent this act shall be construed as declaratory of the provisions of sections three A and five of chapter fifty-nine of the General Laws, as appearing in chapter six hundred and sixty-seven of the acts of nineteen hundred and fifty-one.

Approved June 3, 1954.

AN ACT PROVIDING FOR THE INFORMAL ADMINISTRATION OF CERTAIN SMALL ESTATES OF DECEASED PERSONS. Chap. 562

Be it enacted, etc., as follows:

SECTION 1. Chapter 195 of the General Laws is hereby amended by inserting after section 15 the following section:— *Section 16.* If an inhabitant of the commonwealth dies leaving an estate consisting entirely of personal property the total value of which does not exceed five hundred dollars, his surviving spouse, child, parent, brother or sister if of full age and legal capacity and an inhabitant of the commonwealth, may, after the expiration of thirty days from the death of the decedent, provided no petition for letters testamentary or letters of administration has been filed with the probate court of the county in which the decedent resided, file with said probate court upon a form prescribed by the court a statement verified by oath or affirmation containing: (a) the name and residential address of the affiant, (b) the name, residence and date of death of the deceased, (c) the relationship of the affiant to the deceased, (d) a schedule showing every asset of the estate known to the affiant and the estimated value of each such asset, (e) a statement that the affiant has undertaken to act as voluntary administrator of the estate of the deceased and will administer the same according to law and apply the proceeds thereof in conformity with this section and (f) the names and addresses of surviving joint owners of property with the deceased, known to the affiant. The oath required by this section shall not be governed by section one A of chapter two hundred and sixty-eight.

G. L. (Ter. Ed.), 195, new § 16, added.

Informal administration of certain small estates, provided.

Upon presentation of such statement, accompanied by a certificate of the death of the deceased by a public officer and payment of a fee of three dollars or such amount as may be specified in section forty of chapter two hundred and sixty-two, the register of probate shall docket these documents as a part of the permanent records of the court. Upon payment of a fee of one dollar the register shall, and if no other probate proceeding for administration of such estate is pending in said court, issue an attested copy of a statement duly filed under this section.

Upon the presentation of a copy of such a statement duly attested by the register of probate, the tender of a proper receipt in writing and the surrender of any policy, passbook, note, certificate or other evidentiary instrument, a voluntary administrator may, as the legal representative of the deceased and his estate, receive payment of any debt or obligation in the nature of a debt, or delivery of any chattel or asset, scheduled in such statement. Payments and deliveries made under this section shall discharge the liability of the debtor, obligor or deliverer to all persons with respect to such debt, chattel, obligation or other asset unless, at the time of such payment or delivery, a written demand has been made upon said debtor, obligor or deliverer by a duly appointed executor or administrator.

Voluntary
administrator,
duties and
liabilities.

A voluntary administrator may sell any chattel so received and negotiate or assign any chose in action to convert the same to cash in a reasonable amount.

A voluntary administrator shall, as far as possible out of the assets which come into his hands, first discharge the necessary expenses of the funeral and last sickness of the deceased and the necessary expenses of administration without fee for his services, and then pay the debts of the deceased in the order specified in section one of chapter one hundred and ninety-eight and any other debts of the estate, and then distribute the balance, if any, to the surviving spouse, or, if there is no surviving spouse, to the persons and in the proportions prescribed by clauses (1), (2), (3), (4) and (5) of section three of chapter one hundred and ninety.

A voluntary administrator shall be liable as an executor in his own wrong to all persons aggrieved by his administration of the estate, and, if letters testamentary or letters of administration are at any time granted, shall be liable as such an executor to the rightful executor or administrator.

G. L. (Ter.
Ed.), 35,
§ 19B, etc.,
amended.

Payment by
counties of
certain salaries
due upon death
of employees,
regulated.

SECTION 2. Chapter 35 of the General Laws is hereby amended by striking out section 19B, inserted by section 1 of chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 19B.* Whenever any officer or employee or former officer or employee of a county dies, and such county owes his estate any sum or sums by reason of the terms of his employment, the aggregate amount of which does not exceed five hundred dollars, and neither a duly appointed executor or administrator

nor a voluntary administrator has made written demand for payment upon the treasurer of such county and such treasurer does not otherwise have actual notice that proceedings relative to the formal or informal settlement of such estate have been commenced in any probate court, such sum or sums may, in the discretion of such treasurer, be paid after the expiration of one month from the death of such officer or employee to the husband, widow or next of kin of such officer or employee. Payments made as provided in this section shall discharge all liability of the county to all persons with respect to such sum or sums.

SECTION 3. Chapter 41 of the General Laws is hereby amended by striking out section 111I, inserted by section 3 of said chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 111I.* Whenever any officer or employee or former officer or employee of a city or town dies, and such city or town owes his estate any sum or sums by reason of services rendered by him or by reason of section one hundred and eleven E or section one hundred and eleven F or other similar general or special law or by reason of other terms of his employment, the aggregate amount of which does not exceed five hundred dollars, and neither a duly appointed executor or administrator nor a voluntary administrator has made written demand for payment upon the treasurer of such city or town and such treasurer shall not otherwise have actual notice that proceedings relative to the formal or informal settlement of such estate have been commenced in any probate court, such sum or sums may, in the discretion of such treasurer, be paid after the expiration of one month from the death of such officer or employee to the husband, widow or next of kin of such officer or employee. Payments made as provided in this section shall discharge all liability of the city or town to all persons with respect to such sum or sums.

G. L. (Ter. Ed.), 41, § 111I, etc., amended.

Payment by cities and towns in like cases, regulated.

SECTION 4. Chapter 149 of the General Laws is hereby amended by striking out section 178A, as amended by section 4 of said chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 178A.* Wages or salary not in excess of one hundred dollars, due an employee who dies intestate, may be paid by the employer if thirty days have elapsed since the death of the employee and neither a duly appointed executor or administrator nor a voluntary administrator has made written demand upon the employer for payment and the employer shall not otherwise have actual notice that proceedings relative to the formal or informal settlement of the estate of the employee have been commenced in any probate court, to the surviving husband or wife, or to an adult child of the deceased, or, if the employer is satisfied that there is no surviving husband or wife or adult child, to the surviving father or mother of such employee. Such payment shall be a full discharge of all obligations of the employer in respect to

G. L. (Ter. Ed.), 149, § 178A, etc., amended.

Payment by employers in like cases, regulated.

"Employee",
not to include.

such wages or salary. The term "employee", as used in this section, shall not be construed to include an officer or employee of the commonwealth or of any political subdivision thereof.

G. L. (Ter.
Ed.), 149,
§ 178C, etc.,
amended.

SECTION 5. Said chapter 149 is hereby further amended by striking out section 178C, inserted by section 5 of said chapter 436 of the acts of 1953, and inserting in place thereof the following section:— *Section 178C.* Whenever any officer or employee or former officer or employee of a political subdivision of the commonwealth other than a county, city or town, dies, and such subdivision owes his estate any sum or sums by reason of the terms of his employment, the aggregate amount of which does not exceed five hundred dollars, and neither a duly appointed executor or administrator nor a voluntary administrator has made written demand for payment upon the treasurer of such subdivision, and such treasurer does not otherwise have actual notice that proceedings relative to the formal or informal settlement of such estate have been commenced in any probate court, such sum or sums may, in the discretion of such treasurer, be paid after the expiration of one month from the death of such officer or employee to the husband, widow or next of kin of such officer or employee. Payments made as provided in this section shall discharge all liability of the subdivision to all persons with respect to such sum or sums.

Payment by
commonwealth
in like cases,
regulated.

G. L. (Ter.
Ed.), 262, § 40,
etc., amended.

SECTION 6. Section 40 of chapter 262 of the General Laws, as most recently amended by section 4 of chapter 657 of the acts of 1951, is hereby further amended by adding at the end the following two paragraphs:—

Fees.

For filing statement of voluntary administration, three dollars.

For issuance of an attested copy of a statement of voluntary administration, one dollar.

SECTION 7. Section 1 of chapter 162 of the acts of 1951 is hereby amended by striking out, in lines 13 and 14, the words "demand therefor by a duly appointed executor or administrator" and inserting in place thereof the words:— written demand therefor by a duly appointed executor or administrator or by a voluntary administrator, and said commissioner shall not otherwise have actual notice that proceedings relative to the estate of the patient or inmate have been commenced in any probate court.

Applicability
of section one
of this act.

SECTION 8. Section sixteen of chapter one hundred and ninety-five of the General Laws, inserted by section one of this act, shall apply only to the estate of persons dying on or after the effective date of this act.

Approved June 3, 1954.