

SENATE . . . . No. 287.

---

Commonwealth of Massachusetts.

---

IN SENATE, May 21, 1874.

The Committee on Probate and Chancery, to whom was referred the House Bill concerning the resignation of trustees, report that the same ought to pass in a new draft, herewith submitted.

Per order,

MOODY MERRILL.

## Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Four.

### AN ACT

Concerning the Resignation of Trustees.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:*

1    SECT. 1. Every trustee under a written instru-  
2 ment, or appointed by a probate court, may, upon  
3 his own request, be allowed to resign his trust,  
4 when it appears to the probate court proper to  
5 allow the same.

1    SECT. 2. Any trustee appointed by a probate  
2 court, and now required by law to give a bond,  
3 shall be exempt from giving a surety or sureties on  
4 his bond, when all persons interested in the trust  
5 fund, being of full age and legal capacity, request  
6 such exemption: *provided*, that the judge of the  
7 probate court, may in all such cases, at any time,  
8 if he deems it proper, require a bond with suffi-  
9 cient surety or sureties.

1    SECT. 3. All matters of trust of which probate  
2 courts have jurisdiction, except those arising un-  
3 der wills, shall be within the jurisdiction of the  
4 probate court for any county in which any of the  
5 parties interested in the trust reside, or in which  
6 any portion of the trust property is situated; but  
7 such jurisdiction, when once assumed, shall exclude  
8 the probate court for any other county from taking  
9 jurisdiction of any matter subsequently arising in  
10 relation to the same trust.

1    SECT. 4. This act shall take effect upon its  
2 passage.

