

HOUSE No. 114.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 24, 1882.

The Committee on the Judiciary, to whom was referred the Bill (on leave) in relation to the duties of surviving partners, report that the Bill ought to pass in a new draft.

For the Committee,

B. MARVIN FERNALD.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty-two.

AN ACT

In relation to the Duties of Surviving Partners.

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. In case of the death of any member
2 of a copartnership, the surviving partner or part-
3 ners shall, when requested in writing, within one
4 month after such request, return to the probate
5 office in the county in which administration upon the
6 estate of the deceased is granted, under oath, a true
7 inventory of all the estate, together with a correct
8 schedule of all debts and demands due the copart-
9 nership.

1 SECT. 2. If the surviving partner or partners
2 fail to return an inventory and schedules as afore-

3 said, the executor or administrator of the estate of
4 the deceased, upon giving a bond to the judge of
5 probate in said county, with sufficient sureties, in such
6 sum as such judge shall order, conditioned to account
7 and pay over to the surviving partner or partners such
8 share of the partnership property as may of right
9 belong to said surviving partner or partners after
10 payment of the debts of the copartnership and the
11 necessary expense of adjusting the same, shall cause
12 an inventory to be made, as provided in the case of
13 estates of deceased persons, and shall thereafter have
14 the entire control of the partnership property, and
15 shall have the same authority in relation to it that
16 he has as to the estate of the deceased, but he shall
17 keep a distinct account of all partnership affairs.

