

HOUSE No. 299.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 2, 1884.

The Committee on Probate and Chancery, to whom was referred the Order relative to the sale of real estate of deceased persons at public auction, report the accompanying Bill.

For the Committee,

BUSHROD MORSE.

Commonwealth of Massachusetts.

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

AN ACT

Empowering Probate Courts to authorize Executors or Administrators to purchase Real Estate at Public Auction.

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. Any probate court having juris-
2 diction of the estate of a deceased person may
3 authorize the executor or administrator with the
4 will annexed of such deceased person, having
5 power under such will duly proved in said court,
6 to sell real estate; or the executor or administrator
7 of such deceased person, licensed by said court
8 to sell real estate, to bid at the sale of such real
9 estate at public auction and become the purchaser
10 thereof, and the title so acquired by an executor
11 or administrator shall not be void or voidable by
12 reason of the manner in which it was acquired.

1 SECT. 2. Such authority shall not be given
2 until upon a hearing, of the time and place of

3 which all persons interested in said real estate
4 shall have such notice as the court shall order it
5 shall be made to appear to the court that such
6 authority will probably be for the interest of all
7 persons interested in said real estate.

1 SECT. 3. When any person interested in said
2 real estate is a minor or otherwise legally incom-
3 petent to act in his own behalf, notice of the hear-
4 ing shall be given to his guardian, if he has one,
5 and if he has no guardian the court may appoint
6 a guardian *ad litem* to receive notice and other-
7 wise act in his behalf. .

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



