

HOUSE....No. 125.

[Reported by the Committee on Probate and Chancery.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Forty-
Nine.

AN ACT

In relation to the Concealment of Wills, or Testamentary
Papers, of Deceased Persons.

*BE it enacted by the Senate and House of Representa-
tives, in General Court assembled, and by the authority of
the same, as follows :*

1 SECT. 1. Upon complaint made, under oath, to
2 the judge of probate, by any person claiming to be
3 interested in the estate of any person deceased, against
4 any one suspected of retaining, or concealing, or con-
5 spiring with others to retain, or conceal, any will or
6 testamentary instrument of said deceased, the judge

7 may cite such suspected persons to appear before him,
8 and be examined on oath, upon the matter of such
9 complaint; and if the person, so cited, shall refuse
10 to appear, and submit to such examination, or to an-
11 swer such interrogatories, as shall be lawfully pro-
12 pounded to him, or to obey any lawful order of said
13 judge, the judge may commit such person, so refusing,
14 to the common jail of the county, there to remain in
15 close custody, until he shall submit to the order of
16 the court.

1 SECT. 2. On such complaint, costs shall be award-
2 ed by the judge, in his discretion, to be paid by either
3 party to the other, on execution issued therefor.

1 SECT. 3. This act shall take effect, from and
2 after its passage.

