

HOUSE....No. 14.

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Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, January 21, 1863.

The Committee on the Judiciary, to whom was referred the Order relating to notice in case of proceedings for the sale of trust property when persons not in being may have an interest therein, report the accompanying Bill.

Per order,

A. A. RANNEY.

## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Sixty-  
Three.

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### AN ACT

Providing for Notice in case of Sale of Trust Property  
when persons not in being may have an interest  
therein.

*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 When any proceedings have been or shall hereafter  
2 be commenced under either the fourteenth or six-  
3 teenth sections of the general statutes, chapter one  
4 hundred, for obtaining an order or decree directing  
5 the sale of any trust estate, if it shall appear to the  
6 court that said estate or any remainder or interest  
7 therein may be held in trust for or be devised or limited  
8 over to, persons not in being, notice of such pro-  
9 ceedings shall be given to persons who may be parents  
10 of such persons in such manner as the court shall

11 order. The court in such case shall appoint a suitable and competent person to appear and act as the next friend of such persons in such proceedings, the cost of whose appearance and services, including compensation of counsel, to be determined by the court, shall be paid as the court may order, either out of the trust estate or by the persons commencing said proceedings, in which latter case execution may issue therefor in the name of the person appointed. Any order or decree made in any such proceedings and any sale or transfer of property thereunder, shall be conclusive upon all persons for whom such property or any remainder or interest therein is held in trust or to whom the same is devised or limited over, in the same manner as if they had been in being and appeared and answered in the case or assented to the order or decree.

