

By Mr. Long of Dover, petition of Joseph F. Lyons and Charles W. Long to amend the filing fee in certain probate cases. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT TO AMEND THE FILING FEE IN CERTAIN PROBATE CASES.

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. Chapter 262, Section 40 of the General Laws is
2 hereby amended by striking out paragraph three and inserting in
3 place thereof the following:—

4 For the entry of a petition for the probate of a will, for
5 administration of the estate of a person deceased intestate, of a
6 petition for administration of goods not already administered,
7 with the Will annexed or otherwise, of a petition for change of
8 name, and for the entry of a petition for the appointment of a
9 special administrator, conservator, trustee, receiver of the estate
10 of an absentee, or of a guardian except when the petitioner certifies
11 that the ward's estate does not exceed one hundred dollars,
12 eighteen dollars; for the entry of a petition under section 35 or 36 of
13 chapter two hundred and nine by a husband or wife for authority
14 to convey land as if sole, of a petition for partition, of a petition for
15 leave to carry on the business of the deceased, and for filing a
16 representation of insolvency, fifteen dollars; for the entry of a
17 petition for the sale of real or personal estate including sales of
18 estate subject to vested or contingent remainder and petitions for
19 sale of real estate or removal of a personal estate by foreign
20 fiduciaries, of a petition for determination of value, of a petition
21 for leave to lease real estate, of a petition for specific performance,
22 of a petition for leave to mortgage real estate, of a petition in
23 equity except such as relates to separate support, adoption, or the
24 custody or support of minors, of a petition for release of dower or
25 curtesy, of a petition for letters to a foreign guardian, of a petition

26 to leave to compromise, and of a petition for leave to pay debts,
27 except when the petitioner or accountant certifies that the estate
28 does not exceed one thousand dollars in value, fifteen dollars; for
29 the entry of a general petition except such as relates to separate
30 support, adoption, or custody or support of minors, eight dollars;
31 for the entry of petitions for the removal of a fiduciary, for
32 amendment of record except such as relates to separate support,
33 adoption, or the custody or support of minors, for discharge of
34 surety, for new bond, for care of burial lot, for erection of a
35 monument and for new inventory, six dollars each.

1 SECTION 2. Chapter 262, Section 40 of the General Laws is
2 hereby further amended by striking out paragraph four and
3 inserting in place thereof the following:—

4 For each certificate issued by the register, three dollars,
5 excluding the original certificate of fiduciary appointment and
6 change of name, for which there is no fee.