

NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 1176
SENATE BILL 486

1 AN ACT TO CLARIFY G.S. 28-53 RELATING TO QUALIFICATION OF TRUSTEES
2 APPOINTED BY WILLS.

3
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** G.S. 28-53, as the same appears in the 1963 Cumulative Supplement to
7 Volume 2A of the General Statutes, is hereby amended by rewriting the Section to read as
8 follows:

9 "**§ 28-53. Trustees in Wills to Qualify and File Inventories and Accounts.** Trustees
10 appointed in any will admitted to probate in this State, into whose hands assets come under the
11 provisions of the will, shall first qualify under the laws applicable to executors, and shall file in
12 the office of the clerk of the county where the will is probated inventories of the assets which
13 come into his hands and annual and final accounts thereof, such as are required of executors
14 and administrators. The power of the clerk to enforce the filing and his duties in respect to audit
15 and record shall be the same as in such cases. This Section shall not apply to the extent that any
16 will makes a different provision."

17 **Sec. 2.** To the extent that G.S. 28-53, as amended by Chapter 519 of the Session
18 Laws of 1961, and as further amended by this Act, would require that trustees appointed by a
19 will must first qualify under the laws applicable to executors, such requirements shall not apply
20 to trustees appointed by any will executed prior to July 1, 1961, unless the will has been
21 admitted to probate prior to the effective date of this Act.

22 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

23 **Sec. 4.** This Act shall become effective July 1, 1965.

24 In the General Assembly read three times and ratified, this the 17th day of June,
25 1965.