

HOUSE No. 277.

[Bill accompanying the petition of George A. Dennett. Joint
Judiciary.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-nine.

AN ACT

Relative to the Purchase of Real Estate by Associations Incorporated for Charitable, Educational and other purposes.

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. Whenever seven or more persons
2 may hereafter associate themselves together with
3 the intention of forming a corporation under
4 chapter one hundred and fifteen of the Public
5 Statutes and the acts in amendment thereof and
6 supplemental thereto, and propose to purchase
7 real estate to be held by said corporation, the
8 agreement in writing shall contain in addition to
9 the statements now required by law a statement

10 of the purpose for which said real estate is re-
11 quired, the quantity and value of said real estate,
12 and a brief description thereof.

13 Before any certificate of incorporation shall be
14 granted to any such corporation, a hearing shall
15 be had before the secretary of the Common-
16 wealth. The mayor of the city, or the selectmen
17 of the town where said real estate is situated
18 shall have thirty days' notice in writing of said
19 hearing, and they may appear and be heard
20 thereat. If after hearing, the secretary shall be
21 satisfied that the needs of the corporation require
22 said real estate, or any part thereof, he shall so
23 certify, designating by metes and bounds the
24 quantity and location of the real estate which said
25 corporation shall be allowed to hold.

1 SECTION 2. No corporation already estab-
2 lished under the provisions of said chapter one
3 hundred and fifteen of the Public Statutes and
4 the acts in amendment thereof and supplemental
5 thereto, and no corporation which may hereafter
6 be established thereunder shall purchase any ad-
7 ditional real estate without first making an
8 application in writing to the secretary of the
9 Commonwealth, setting forth the purpose for
10 which said real estate is required, and containing
11 a description of said real estate which it proposes
12 to purchase, and the value thereof. The secre-
13 tary shall thereupon give like notice to that
14 required in section one to the mayor of the city
15 or the selectmen of the town where said real

16 estate is situated at which they may appear and
17 be heard. If, after hearing, the secretary shall be
18 satisfied that the needs of the corporation require
19 the purchase of said additional real estate or any
20 part thereof, he shall so certify, designating by
21 metes and bounds the quantity and location of the
22 real estate which said corporation shall be allowed
23 to purchase.

1 SECTION 3. The secretary shall keep in his
2 office full and complete records of all transactions
3 under the provisions of this act.

1 SECTION 4. Any corporation which shall hold
2 or purchase real estate in violation of the pro-
3 visions of this act shall forfeit a sum not exceed-
4 ing one thousand dollars to the use of the city or
5 town where said real estate is situated, to be re-
6 covered upon information by the district attorney
7 of the district where said real estate lies, and the
8 violation of the provision of this chapter may be
9 deemed a misfeasance of the charter of said
10 corporation.

1 SECTION 5. The superior court shall have
2 jurisdiction of all violation of this act.

1 SECTION 6. This act shall take effect upon its
2 passage.

