

HOUSE No. 225.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 29, 1875.

The Committee on the Judiciary, to whom was referred the Act in relation to estates held on condition, report that the same ought to pass in a new draft, and report the accompanying Bill.

For the Committee,

W. W. RICE.

Commonwealth of Massachusetts.

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

AN ACT

In relation to Estates held on Condition.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

1 SECT. 1. When an estate held subject to con-
2 dition is owned by one or more persons, any one
3 or more of said persons, either before or after a
4 breach of said condition has occurred, may pur-
5 chase such conditional interest or any fractional
6 part thereof, and hold or convey the same in fee
7 simple.

8 But nothing herein contained shall authorize
9 the creator or owner of such conditional interest
10 to release or convey the same to any one who is
11 not at the time of such release or conveyance,
12 either sole or part owner of the estate subject to
13 such condition.

1 SECT. 2. After any complete purchase of a
2 conditional interest has been made, as set forth in

3 this act, no breach of the condition shall ever work
4 a forfeiture of the estate held subject to such
5 condition, or any part thereof. And after any
6 purchase of an undivided part of a conditional
7 interest has been so made, no breach of the condi-
8 tion shall work a forfeiture of an equal undivided
9 part of the estate subject to the condition held by
10 the purchaser of such undivided part of the con-
11 ditional interest, his heirs or assigns, or of the
12 remainder of said estate in favor of the purchaser
13 of said conditional interest, his heirs or assigns.
14 But the holder of such conditional interest, in
15 whole or in part, purchased as aforesaid, may
16 nevertheless by a suit in equity against his coten-
17 ant or cotenants, compel compliance with the
18 restrictions or stipulations, secured by such con-
19 dition.

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

