

HOUSE No. 540.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, June 6, 1889.

The Committee on the Judiciary, to whom was referred the Bill (introduced on leave) in relation to petitions for partition, report that the same ought to pass.

For the Committee,

J. OTIS WARDWELL.

Commonwealth of Massachusetts.

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

AN ACT

In Relation to Petitions for Partition.

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. No petition for partition shall be
2 defeated by reason of the payment by any party
3 thereto of any mortgage, lien, tax or other incum-
4 brance on the premises, when the other parties
5 thereto are entitled to redeem from such pay-
6 ment; but in such case the interlocutory judg-
7 ment for partition shall contain such terms and
8 conditions in relation to redemption from a con-
9 tribution on account of such payment as may be
10 in accordance with the rules of equity.

1 SECT. 2. Trial judgment for partition shall
2 not be entered in any petition for partition, until
3 it is shown to the satisfaction of the court in

4 which the petition is pending that the terms and
5 conditions of the interlocutory judgment have
6 been complied with.

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

