

# SENATE . . . . No. 327

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To accompany the petition of Maurice H. Kramer for legislation to revive the corporation known as J. Puccia Co., Inc. Mercantile Affairs.

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## The Commonwealth of Massachusetts

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### MEMORANDUM FROM COMMISSIONER OF CORPORATIONS AND TAXATION.

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(See section 7 of chapter 3 of the General Laws, as amended by chapter 364 of the Acts of 1937.)

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JANUARY 20, 1943.

*To the Honorable Senate and House of Representatives.*

The above-named petition was transmitted to me by the Clerk of the Senate January 11, 1943. Pursuant to notification by me an amendment of the petition was filed with me for the purpose of indicating why the object sought by the petition cannot be accomplished under the General Laws. This amendment is enclosed herewith.

J. Puccia & Co. Inc. (not J. Puccia Co., Inc., as set forth in the petition) was organized as a business corporation on March 20, 1929, with an authorized capital of one hundred thousand dollars common stock with a par value of one hundred dollars per share. It was dissolved by chapter 8 of the Acts of 1935. The time within which the Commissioner of Corporations and Taxation is authorized to revive the corporation under General Laws, chapter 155, section 56, has therefore expired, and accordingly it can only be revived now through a special act. There

may, however, be possible question as to whether it is good policy for the Legislature to revive a corporation which has not functioned for many years unless it can be shown that the organization of a new corporation under the provisions of the General Laws would not serve a similar purpose, and that the method of revival by special act of the Legislature is not adopted solely for the purpose of avoiding the expense of organization under the General Laws.

The fee of twenty-five dollars required by General Laws, chapter 3, section 7, has been paid.

Respectfully yours,

HENRY F. LONG,

*Commissioner of Corporations and Taxation.*

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Three.

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### AN ACT REVIVING J. PUCCIA CO., INC.

1    *Whereas*, The deferred operation of this act would  
2 tend to defeat its purpose, therefore it is hereby de-  
3 clared an emergency law, necessary for the immediate  
4 preservation of the public convenience.

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

1    J. Puccia Co., Inc., a corporation dissolved by section  
2 one of chapter eight of the acts of nineteen hundred  
3 and thirty-five, is hereby revived, with the same  
4 powers, duties and obligations as if said chapter had  
5 not been passed.

