

# SENATE . . . . No. 219

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To accompany the petition of Frank Hurley for legislation relative to certificates for the incorporation of charitable institutions. Mercantile Affairs.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Thirty-Six.

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An Act relative to Certificates for the Incorporation  
of Charitable Corporations.

*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 six of chapter one hundred and eighty  
2 of the General Laws, as appearing in the Ter-  
3 centenary Edition, is hereby amended by strik-  
4 ing out, in the fifteenth and sixteenth lines, the  
5 words "suitable persons, from lack of financial  
6 ability or from any other cause, he shall", and  
7 inserting in place thereof the words: — reputable  
8 and competent persons, he may, — so as to read  
9 as follows: — *Section 6.* Before making and issu-  
10 ing a certificate for the incorporation of a chari-  
11 table corporation the state secretary shall also  
12 forward the statement described in the preceding  
13 section to the department of public welfare, which  
14 shall immediately make an investigation as to

15 the applicants for incorporation and as to the  
16 purposes thereof, and any other material facts  
17 relative thereto, and shall give them a public  
18 hearing, notice of which shall be published once  
19 a week for three successive weeks in some paper  
20 published in the county where the corporation  
21 is to have its principal office or rooms, and if  
22 said office or rooms are to be in Boston, in some  
23 Boston daily paper, the last publication to be  
24 at least three days before the day set for the  
25 hearing, and shall forthwith report to the state  
26 secretary all the facts ascertained by it. If it  
27 appears to him from said report or otherwise  
28 that the probable purpose of the formation of the  
29 proposed corporation is to cover any illegal busi-  
30 ness, or that the persons asking for incorporation  
31 are not reputable and competent persons, he may  
32 refuse to issue his certificate. If he refuses, the  
33 applicants may appeal to the superior court,  
34 which shall hear the case and finally determine  
35 whether or not the certificate of incorporation  
36 shall be issued.