

HOUSE No. 2171

The Commonwealth of Massachusetts

MEMORANDUM OF COMMISSIONER OF CORPORATIONS AND TAXATION WITH RESPECT TO PETITION OF JAMES F. REYNOLDS (MAYOR OF EVERETT), LAWRENCE H. DAVIS, FRED C. HARRINGTON AND SUMNER G. WHITTIER FOR LEGISLATION RELATIVE TO WOODLAWN CEMETERY IN SAID CITY.

APRIL 30, 1948.

To the Honorable Senate Committee on Rules.

The above-named petition was transmitted to me April 29, 1948, with the following statement from the Clerk of the Senate Committee on Rules: — “The Senate Rules Committee requests me to submit for your opinion and recommendation the accompanying house petition of Mayor James F. Reynolds of Everett, *et al.*, for legislation relative to Woodlawn Cemetery in said city.”

Had the petition been seasonably filed, it would have failed to conform to the provisions of General Laws, chapter 3, section 7, in that it fails to “specifically set forth the facts showing why the object sought cannot be accomplished under the General Laws.” The bill accompanying the petition, however, contains provisions that indicate that the object sought cannot be accomplished under the General Laws. No fee would have been required by General Laws, chapter 3, section 7.

The records of this office indicate that Woodlawn Cemetery was organized August 31, 1850, and declared to be a corporation by Acts of 1855, chapter 237. Chapter 395 of the Acts of 1894 contains provisions affecting the corporation. This bill seeks to amend certain of these provisions. No facts have been made available to me upon which an opinion on the merits of the bill can be based, and none is herein expressed.

Respectfully submitted,

HENRY F. LONG,
Commissioner of Corporations and Taxation.

By Messrs. Davis, Harrington and Whittier of Everett, a petition of James F. Reynolds (mayor of Everett), Lawrence H. Davis, Fred C. Harrington and Sumner G. Whittier for legislation relative to Woodlawn Cemetery in said city. Mercantile Affairs.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO WOODLAWN CEMETERY.

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. Chapter 395 of the acts of 1894 is
2 hereby amended in section 3 by adding at the end
3 thereof the following new sentence:— Said corpora-
4 tion may, however, enter into agreements with the
5 city of Everett for the sale of, and may sell, such of its
6 real property as may be devoted to the construction
7 of veterans' housing projects.

1 SECTION 2. Chapter 395 of the acts of 1894, is
2 hereby further amended in section 4 in line 22 after
3 the words "Woodlawn Cemetery", by adding the
4 following new sentence:— The foregoing conditions,
5 however, may be released by the Woodlawn Cemetery
6 Corporation so far as applicable to the land referred
7 to on the crest of Corbett Hill so called in said city of
8 Everett as hereinbefore defined so that the same may
9 be used exclusively for the construction of veterans'
10 housing projects.

