

HOUSE No. 70

Accompanying the first recommendation of the Commissioner of Corporations and Taxation (House, No. 69). Mercantile Affairs.

The Commonwealth of Massachusetts

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

An Act dissolving Certain Corporations.

1 *Whereas*, It is necessary that certain delinquent and
2 other corporations be dissolved in the current year,
3 therefore this act is hereby declared to be an emergency
4 law, necessary for the immediate preservation of the
5 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 SECTION 1. Such of the following named corpora-
2 tions as are not already legally dissolved are hereby
3 dissolved, subject to the provisions of sections fifty-
4 one, fifty-two and fifty-six of chapter one hundred and
5 fifty-five of the General Laws:—

(List will be filed with the committee.)

1 SECTION 2. Nothing in this act shall be construed
2 to affect any suit now pending by or against any corpo-
3 ration mentioned herein, or any suit now pending or
4 hereafter brought for any liability now existing against

5 the stockholders or officers of any such corporation, or
6 to revive any charter previously annulled or any cor-
7 poration previously dissolved, or to make valid any
8 defective organization of any of the supposed corpora-
9 tions mentioned herein.

1 SECTION 3. Suits upon choses in action arising out
2 of contracts sold or assigned by any corporation dis-
3 solved by this act may be brought or prosecuted in the
4 name of the purchaser or assignee. The fact of sale or
5 assignment and of purchase by the plaintiff shall be
6 set forth in the writ or other process; and the defend-
7 ant may avail himself of any matter of defence of
8 which he might have availed himself in a suit upon a
9 claim by the corporation, had it not been dissolved by
10 this act.

1 SECTION 4. Nothing in this act shall be construed
2 to relieve the last person who was the treasurer or
3 assistant treasurer, or, in their absence or incapacity,
4 who was any other principal officer of each of the cor-
5 porations named in this act, from the obligation to
6 make a tax return as of April first following the date of
7 dissolution as required by chapter sixty-three of the
8 General Laws. The tax liability of each of the cor-
9 porations named in this act shall be determined in
10 accordance with the existing laws of this common-
11 wealth.

1 SECTION 5. This act shall be operative as of
2 March thirty-first in the current year.