

The Commonwealth of Massachusetts

MEMORANDUM OF THE SECRETARY OF THE COMMONWEALTH PURSUANT TO GENERAL LAWS, CHAPTER 3, SECTION 7, WITH RESPECT TO PETITION OF PAUL MAURICE MURPHY FOR LEGISLATION TO INCORPORATE THE BROCKTON AGRICULTURAL SOCIETY AS A NON-PROFIT CHARITABLE CORPORATION.

MARCH 25, 1970.

To the Honorable Senate and House of Representatives.

The above-named petition was transmitted to me by the Clerk of the House of Representatives on January 8, 1970, with a request for a memorandum.

Section 1 of the petition before your honorable bodies recites that on January 1, 1971 the Brockton Agricultural Society, a non profit voluntary association located in the city of Brockton, in the county of Plymouth shall become a corporation and shall consist of twelve persons; six members shall be appointed by the Mayor of the City of Brockton and shall be subject to confirmation by the City Council; one member each shall be appointed by majority vote of the Boards of Selectmen of the towns of Abington, Bridgewater, East Bridgewater, Rockland, West Bridgewater, and Whitman. Said corporate members shall serve for three years from the date of their appointment.

The Mayor of the City of Brockton with the approval of the City Council or the Boards of Selectmen in any of the six towns aforementioned may remove any member of the corporation appointed by them for cause.

Section 2 of the bill recites that the purpose of said corporation shall be to encourage and promote the material prosperity of the city of Brockton and of all of the communities in the greater Brockton area, in the cultivation of the soil, in the caring and improving of domestic animals and in the scientific and technological

development of said area and in advancing all of the cultural objectives of all of the area communities; and to do any and all things pertaining to these. For the purpose of serving the needs of all of these communities the corporation shall make available, at reasonable costs, any or all of the facilities of the corporation at any reasonable time exclusive of those times when the Brockton Fair is functioning. The corporate purpose shall also include the right to seek licenses for the sale of alcoholic beverages and for the holding of pari-mutuel racing.

Section 3 of the bill recites that on January 1, 1970 all of the assets, both real and personal of the Brockton Agricultural Society shall rest in the corporation. Annually the corporation shall file a complete financial statement with the Secretary of the Commonwealth and with the office of the Attorney General of the Commonwealth and shall make any public disclosure concerning its financial affairs as may be required under the charitable trusts division of the office of the Attorney General.

Section 4 of the bill recites that any stockholder of the Brockton Agricultural Society after January 1, 1971 may surrender said stock certificates to the corporation for a value to be determined as fair and reasonable by the corporation. Any dispute in the fair and reasonable value may be resolved by arbitration or by a petition to the Superior Court in Equity. All stocks of the Brockton Agricultural Society shall be surrendered to the corporation on or before January 1, 1975.

It is respectfully suggested that your honorable bodies add the abbreviation Inc. following the word Society in the corporate name.

Special legislation is required to effect the desired result.

Whether or not this should be allowed is a matter of policy within your exclusive jurisdiction, and this office expresses no opinion on the merits of the bill. No fee is required to be paid by a corporation of this type under the provisions of Chapter 3, Section 7.

Respectfully submitted,

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

By Mr. Murphy of Brockton, petition of Paul Maurice Murphy for legislation to incorporate the Brockton Agricultural Society as a non-profit charitable corporation. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT INCORPORATING THE BROCKTON AGRICULTURAL SOCIETY
AS A NON-PROFIT, CHARITABLE CORPORATION.

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. On January first, nineteen hundred and seventy-
2 one the Brockton Agricultural Society, a non-profit voluntary
3 association located in the city of Brockton, in the county of
4 Plymouth shall become a corporation and shall consist of twelve
5 persons; six members shall be appointed by the mayor of the
6 city of Brockton and shall be subject to confirmation by the
7 city council, one member each shall be appointed by majority
8 vote of the boards of selectmen of the towns of Abington, Bridge-
9 water, East Bridgewater, Rockland, West Bridgewater, and
10 Whitman. Said corporate members shall serve for three years
11 from the date of their appointment.

12 The mayor of the city of Brockton with the approval of the
13 city council or the boards of selectmen in any of the six towns
14 aforementioned may remove any member of the corporation
15 appointed by them for cause.

1 SECTION 2. The purpose of said corporation shall be to en-
2 courage and promote the material prosperity of the city of
3 Brockton and of all of the communities in the greater Brockton
4 area, in the cultivation of the soil, in the caring and improving
5 of domestic animals and in the scientific and technological de-
6 velopment of said area and in advancing all of the cultural ob-
7 jectives of all of the area communities; and to do any and all
8 things pertaining to these. For the purpose of serving the needs

9 of all of these communities the corporation shall make available,
10 at reasonable costs, any or all of the facilities of the corporation
11 at any reasonable time exclusive of those times when the Brock-
12 ton Fair is functioning. The corporate purpose shall also include
13 the right to seek licenses for the sale of alcoholic beverages and
14 for the holding of pari-mutuel racing.

1 SECTION 3. On January first, nineteen hundred and seventy
2 all of the assets, both real and personal of the Brockton Agri-
3 cultural Society shall rest in the corporation. Annually the
4 corporation shall file a complete financial statement with the
5 secretary of the commonwealth and with the office of the at-
6 torney general of the commonwealth and shall make any public
7 disclosure concerning its financial affairs as may be required
8 under the charitable trusts division of the office of the attorney
9 general.

1 SECTION 4. Any stockholder of the Brockton Agricultural Society
2 after January first, nineteen hundred and seventy-one may sur-
3 render said stock certificates to the corporation for a value to be
4 determined as fair and reasonable by the corporation. Any dis-
5 pute in the fair and reasonable value may be resolved by arbitra-
6 tion or by a petition to the superior court in equity. All stocks
7 of the Brockton Agricultural Society shall be surrendered to the
8 corporation on or before January first, nineteen hundred and
9 seventy-five.