
The Commonwealth of Massachusetts

MEMORANDUM OF THE SECRETARY OF THE COMMONWEALTH PURSUANT TO GENERAL LAWS, CHAPTER 3, SECTION 7, WITH RESPECT TO PETITION OF HARRISON G. FISH AND FRANCIS P. LYONS FOR LEGISLATION TO REVIVE THE NORTHAMPTON INDUSTRIAL REALTY DEVELOPMENT CORPORATION AND FURTHER DEFINING THE STATUS OF SAID CORPORATION.

July 9, 1965.

To the Honorable Senate and House of Representatives:

The above-named petition was transmitted to me by the Clerk of the Senate on July 7, 1965, with respect for a memorandum.

Northampton Industrial Realty Development Corporation was incorporated on May 18, 1950 under the Business Corporation Law of the Commonwealth of Massachusetts, Chapter 156 of the General Laws. Our records show that said corporation was dissolved on December 13, 1961 by decree of the Supreme Judicial Court.

The said bill before your honorable bodies seeks to revive said corporation with the same powers, duties and obligations as if said decree had not been entered, and all acts and proceedings of the officers, directors and stockholders of said corporation, acting as such, which would be legal and valid but for said decree of dissolution, would be ratified and confirmed.

Section 2 of said bill states that said corporation was given a non-taxable status by the United States Internal Revenue Service under section 501 (c) of the Internal Revenue Code of 1954, as a non-business organization. Section 2 also seeks to have said corporation be declared a tax-exempt organization, as though founded under the provisions of chapter one hundred and eighty

of the General Laws, and seeks to be exempt from the payment of any excise return. Section 2 further seeks to have all outstanding corporation taxes due the commonwealth by said corporation for the year 1959 and subsequent years abated.

It is respectfully suggested that Northampton Industrial Realty Development Corporation file with the Secretary of State's Office conditions for the years 1958 through 1965 with an accompanying fee of \$200. Our records show that the last certificate of condition filed by said corporation was on December 9, 1957.

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,

KEVIN H. WHITE,

Secretary of the Commonwealth.

By Mr. Bisbee, a petition of Harrison G. Fish and Francis P. Lyons for legislation to revive the Northampton Industrial Realty Development Corporation and further defining the status of said corporation. Mercantile Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

AN ACT REVIVING THE NORTHAMPTON INDUSTRIAL REALTY DEVELOPMENT CORPORATION AND FURTHER DEFINING THE STATUS OF SAID 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. Northampton Industrial Realty Development
2 Corporation, dissolved on December thirteenth, nineteen hun-
3 dred and sixty-one by decree of the supreme judicial court,
4 is hereby revived with the same powers, duties and obliga-
5 tions as if said decree had not been entered, and all acts and
6 proceedings of the officers, directors and stockholders of said
7 corporation, acting as such, which would be legal and valid
8 but for said decree of dissolution, are hereby ratified and
9 confirmed.

1 SECTION 2. Said Northampton Industrial Realty Develop-
2 ment Corporation, established on May eighteenth, nineteen
3 hundred and fifty as a business corporation under chapter
4 one hundred and fifty-six of the General Laws, for the purpose
5 of assisting local industries in the city of Northampton and
6 bringing new businesses into said city from out of state, and
7 later given a non-taxable status by the United States Internal
8 Revenue Service under section 501 (c) of the Internal Revenue
9 Code of 1954, as a non-business organization, is hereby de-
10 clared to be a tax-exempt organization, as though founded
11 under the provisions of chapter one hundred and eighty of the

12 General Laws, and shall be exempt from the payment of any
13 excise return. All outstanding corporation taxes due the
14 commonwealth by said corporation for the year nineteen
15 hundred and fifty-nine and subsequent years are hereby abated.