

The Commonwealth of Massachusetts

MEMORANDUM OF THE SECRETARY OF THE COMMONWEALTH PURSUANT TO GENERAL LAWS, CHAPTER 3, SECTION 7, WITH RESPECT TO PETITION OF THE SECOND CHURCH AND SOCIETY OF BOSTON THAT SAID CORPORATION BE AUTHORIZED TO HOLD AND ACQUIRE ADDITIONAL REAL AND PERSONAL ESTATE.

JANUARY 17, 1964.

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 December 30, 1963, with a request for a memorandum.

Second Church and Society of Boston was organized as a corporation under the provisions of Chapter 66 of the Acts of 1823. Chapter 65 of the Acts of 1845 changed the name of the corporation to Second Church. Chapter 88 of the Acts of 1912 authorized the corporation to hold real and personal estate to an amount not exceeding one million five hundred thousand dollars, which shall be devoted to the purposes set forth in its charter; and it may receive and hold, in trust or otherwise, funds received by gift or bequest or otherwise, to be devoted by it to the said purposes.

The bill which accompanies the above petition amends Section 1 of Chapter 66 of the Acts of 1823 by striking out the limitation on real and personal estate held by said corporation. This bill if passed would allow said corporation to hold property not exceeding five million dollars as enumerated in section 9 of chapter 180 of the General Laws.

In my opinion, the purpose of this bill will not be served in its present form. Apparently, the petitioners want this corporation

to hold real and personal estate without limit. This provision should be made a part of the bill. The petitioners, in this case, merely struck out the limiting words, and thought that this would accomplish their purpose.

Respectfully submitted,

KEVIN H. WHITE,
Secretary of the Commonwealth.

By Mr. Anderson of Belmont, petition of the Second Church and Society of Boston that said corporation be authorized to hold and acquire additional real and personal estate. Mercantile Affairs.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE SECOND CHURCH AND SOCIETY OF BOSTON TO HOLD AND TO ACQUIRE REAL ESTATE AND PERSONAL ESTATE WITHOUT LIMITATION.

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. Section 1 of chapter 66 of the acts of 1824 is
2 hereby amended by striking out the words "to hold and to
3 acquire real estate, not exceeding the yearly income of four
4 thousand dollars, and personal estate not exceeding the capital
5 sum of fifty thousand dollars" and inserting in place thereof
6 the words:— to hold and to acquire real estate and personal
7 estate, — so as to read as follows:— *Section 1.* Be it enacted
8 by the senate and house of representatives, in General Court
9 assembled, and by the authority of the same, that Samuel
10 Parkman, James Foster, Enoch Patterson, Robert M. Barnard
11 and Gedney King, with all others, Proprietors of Pews in the
12 meeting-house of the Second Church and Society in Boston,
13 who may become their associates in this behalf, and their suc-
14 cessors, proprietors as aforesaid, be and they are hereby made
15 and constituted a body politic and corporate, by the name of
16 the SECOND CHURCH AND SOCIETY OF BOSTON; by
17 which name they may sue and be sued; the said Corporation
18 shall have power to provide and use a common seal; to hold
19 and to acquire real estate and personal estate; and shall be,
20 and they are hereby deemed in law to be, seized and possessed
21 of the said meeting-house, with all the lands under and adjoin-
22 ing the same, and thereto belonging, with the privileges and

23 appurtenances, and all other real and personal estate which the
24 said Parkman, Foster, Patterson, Barnard and King, and their
25 associates, have, in their capacity as said proprietors, heretofore
26 holden in common and undivided, as fully as the same meeting-
27 house, and other real and personal estate, have by them hereto-
28 fore been holden and possessed; reserving, however, to the
29 several proprietors of pews in the said meeting-house, their
30 right and interest in said pews, respectively.

1 SECTION 2. This act shall take effect upon its passage.