

IN RE:

APPLICATION FOR INCORPORATION
OF THE TORRESDALE BOYS CLUB, A
NON-PROFIT CORPORATION

: Common Pleas No. 1
:
: March Term, 1959
:
: No.3493

M A S T E R ' S R E P O R T

Oscar Brown, Esquire - Master
1700 Bankers Securities Building
Philadelphia 7, Pennsylvania

IN RE: : COMMON PLEAS NO. 1
 :
 THE INCORPORATION OF :
 TORRESDALE BOYS CLUB, : MARCH TERM, 1959
 :
 A NON-PROFIT ORGANI- :
 ZATION. : NO. 3493

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DOCKET

ENTRIES

Common Pleas No. 1 March Term, 1959 No. 3493

Edward C. Connolly: 3493 : In re:
May 20, 1959 \$150.: : Charter for Torresdale
paid into Court : : Boys Club, a non-profit
on account of the : : organization
costs of : :
Stenographer and : : May 20, 1959, Articles
fee of the : : of Incorporation filed.
Master : :
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IN RE: : COMMON PLEAS NO. 1
INCORPORATION OF :
TORRESDALE BOYS CLUB, : MARCH TERM, 1959
A NON-PROFIT ORGANI- :
ZATION. : NO. 3493

REPORT OF MASTER

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

On June 8, 1959, the undersigned, Oscar Brown, Esquire, was appointed Master by your Honorable Court to report on the propriety of granting the application for charter of the "TORRESDALE BOYS CLUB," and pursuant to the said appointment begs leave to report as follows:

That upon notice of his appointment, the Master communicated with Edward C. Connelly, Esquire, Solicitor for the Petitioners, and on June 23, 1959 served notice upon him by ordinary mail that a meeting would be held for the purposes of his appointment at the office of the Master, 1700 Bankers Securities Building, Juniper and Walnut Streets, Philadelphia, on Tuesday, July 7, 1959 at four o'clock P. M., at which time and place said Counsel was to have present a representative number of the Officers and Incorporators of the proposed corporation. A copy of said notice is attached hereto, made part hereof and marked Exhibit "A."

That pursuant to said notice, said meeting was duly held at the time and place designated, when and where your Master was attended by the following:

Edward C. Connolly, Esquire, Solicitor for the
Petitioners

Charles M. Cangro
William John Jankewicz
Joseph John Esposito
Joseph Louis McCurry
John F. Pfeil

being all of the Petitioners who attached their signatures to the application for charter and vouched for the contents thereof. Each of those present at the meeting gave testimony, all of which was reported by the Official Court Stenographer, whose Notes of Testimony are appended hereto.

HISTORY OF CORPORATION

The application for charter for the proposed corporation was filed in the Office of the Prothonotary for the Courts of Common Pleas of Philadelphia County on May 20, 1959. The applicants appear to have complied with the formal requirements of the Non-Profit Corporation Law. All of the applicants are residents of the Commonwealth of Pennsylvania and of the City and County of Philadelphia.

The application for Charter sets forth that the

certificate from the Department of State certifying to the availability of the said name. The principal registered office is 1600 Liberty Trust Building, Broad and Arch Streets, Philadelphia, Pennsylvania. The application sets forth further that the proposed corporation does not contemplate pecuniary gain or profit and that the term of incorporation is to be perpetual. The names and addresses of the incorporators and directors are set forth in the application for charter.

The purposes of the proposed corporation are specific.

The applicants have filed with the Master a proof of advertisement of the intended application which appeared in the Legal Intelligencer and the Philadelphia Daily News, and the Master finds that they are in proper form. The said Proofs of Publication are attached hereto, made part hereof and marked Exhibit "B."

P U R P O S E

The purpose for which the proposed corporation is to be formed is stated as follows:-

"The purpose of this association shall be to promote good sportsmanship and good citizenship among the junior members of the community by encouraging boys between the ages of 8 years and 16 years to parti-

cipate in athletics of all kinds,
and other recreational activities;
and for this purpose to buy, sell,
lease, hold, own, encumber, or in
any lawful manner to deal in real
or personal property, and to raise
funds, and to do all other acts
reasonably incident thereto."

MEETING BEFORE MASTER

At the meeting before the Master five of the
officers and incorporators of the proposed corporation
testified regarding the purpose of the said corporation,
and the Master will discuss briefly the testimony of each
of these witnesses.

Charles M. Cangro testified that he is a citizen
of the Commonwealth of Pennsylvania and a resident of
Philadelphia County; that he was one of the original
incorporators who signed the application for charter and
that he was present when all the other incorporators signed
the same.

Mr. Cangro testified that the proposed corporation
is being organized as a non-profit corporation; that the
principal office of the proposed corporation is 1600 Liberty
Trust Building, Broad and Arch Streets, and that they also
use Post Office Box No. 6028, Torresdale Post Office,
Philadelphia 14, Pennsylvania.

A copy of the By-Laws adopted by the incorporators was offered in evidence and is appended to the notes of testimony. The By-Laws provide for three classes of membership, as follows:

1. Charter membership which provides that any person holding one or more shares of stock shall be considered a charter member and a part of the general membership. The proposed corporation is authorized to issue one hundred shares of stock at \$5.00 per share, the share certificate to state on its face that the proposed corporation is a non-profit organization. Further, it is stated that the shares of stock do not entitle the holder to any profits, dividends or other emoluments, either directly or indirectly, except that each shareholder shall have certain rights on dissolution.

2. General membership. Requirements for admission to general membership extend to any male person at least twenty-one years old, recommended by a member in good standing, and approved by the Board of Directors, and who shall have paid the membership fee of \$5.00 which will be the annual charge.

3. Junior membership. This type of membership is extended to any boy between the ages of eight and seventeen years who shall have obtained the written consent of at least one parent. The dues for such membership was stated to be the sum of \$1.00 per year.

The By-Laws provide and the witness testified that the affairs of the proposed corporation were to be managed by a Board of Directors consisting of three individuals. The Board of Directors is authorized to

members of the Board are to be elected by a majority of the votes cast by the charter members, each charter member being entitled to cast one vote for each share of stock. The By-Laws provide further that the Board shall meet once a month and at such other times as they may be called to meet by the Chairman of the Board.

Mr. Cangro testified that the primary interest of the incorporators and members of the proposed corporation is to promote good citizenship, the idea of fair play and good sportsmanship among the boys in the community between the ages of eight and sixteen years through the medium of athletics. Further, it was the opinion of this witness that participation in sports teaches a boy to accept defeat as well as victory, to distinguish between right and wrong, and that these activities serve as a deterrent to juvenile delinquency. Primarily, the geographic area of activity would be City Line and Frankford Avenue running south to approximately Pennypak Park and from the river as far west as the boulevard. However, the witness testified that they would be happy to take boys from anywhere in the city if the boys were willing to come to Torresdale.

The witness testified that the organization started with twenty-two boys and in a period of less than nine months increased to over two-hundred; that the athletic activities cover all the major sports; they have

within the past season consisting of one team and now have seven basketball teams in active participation. They have a track team of twenty-two boys competing in track events and hope to have a soccer team. Mr. Cangro stated further that the ultimate ambition of the proposed corporation is to be able to purchase a tract of ground on which they can erect a building with facilities for gymnasium, arts and crafts, machine shop, and pool. The money for these purposes will be earned in various ways by the members themselves. Mr. Cangro cited as an example the activities of the Womens Auxiliary, presently consisting of about twenty-five ladies who are the mothers of the boys and who have earned money by running various functions such as dances, etc. In addition, the members sold Christmas trees and are now planning a light bulb campaign in which the boys will sell electric bulbs by soliciting the people in the Torresdale area.

Mr. Cangro stated emphatically that it is not the present or future purpose of the proposed organization to permit any gambling activity or to use the facilities of the organization for the serving of liquor to adults. Although they look forward to a time in the future when they may have a paid executive director of the athletic activities, it is not contemplated that any member of the proposed corporation would profit personally from its operation.

The witness is thirty-six years of age and resides at 9237 Academy Road, Philadelphia. He is married and the father of three children, two sons, fifteen and twelve year old, and a daughter eight years old. Both boys participate

the witness assumes active and personal responsibility for many of the athletic endeavors of the boys.

The next witness to testify was William John Jankewicz who testified that he resides at 8128 Leon Street, in Philadelphia. He stated further that he is one of the incorporators of the proposed corporation, identified his signature to the application for charter and stated that he was present when the other persons signed. The witness testified that he has been appointed treasurer of the proposed corporation and under the regulations set forth under the By-Laws is bonded in the sum of \$5,000.00. He stated that the proposed organization has the sum of \$950.53 in the bank at the present time and they own baseball, football and basketball equipment valued at nearly \$2,000.00.

Mr. Jankewicz corroborated all the testimony of the preceded witness and added further that there was no discrimination by reason of color or religion and that the present membership is made up of diverse religious beliefs.

The Master then heard the following witnesses:

Joseph Louis McCurry of 8817 B Coutage Street, Philadelphia.

Joseph John Esposito, 9305 Campus Lane, Philadelphia.

John F. Pfeil, 12132 Barbary Road, Philadelphia.

All of the foregoing witnesses stated that they were original incorporators and identified their

respective signatures to the application for charter. In addition, the witnesses testified that they had heard all of the previous testimony and confirmed the accuracy of the same.

The Master was most favorably impressed by the witnesses and believes that they have associated themselves together for a most worthy purpose and one which can only result in benefit to the community in which the proposed corporation will function. The testimony, which was convincing and credible, discloses that this association was founded in good faith and for a most worthy purpose and was intended to promote only objectives of a lawful nature.

All of the evidence in this case clearly establishes that the proposed corporation is not intended to carry on any unlawful or improper activities and that the sale and dispensing of intoxicating liquor will not be permitted, nor will any other improper or unlawful activity.

FINDINGS OF FACT

The Master finds that the purpose of the proposed corporation is completely within the law and provisions of the Non-Profit Corporation Law and is not likely to be injurious to the community but is definitely for the benefit and betterment of the community as a whole.

That the members of the proposed corporation are men of good character, honest, industrious and loyal to the Government of the United States.

That the proposed corporation does not advocate any policies or objectives which are inimical or injurious to the community, the State or the Federal Government.

That they possess the necessary facilities to carry out the purpose of the corporation.

That the financial status of the proposed corporation is sound.

That it is not the intention of the petitioners to permit gambling or the sale of wine, beer or liquor on the premises.

CONCLUSIONS OF LAW

The Master finds that the petitioners have complied with every requirement of the law providing for the chartering of a non-profit corporation in accordance with the articles of incorporation.

That forming part of said application for charter is a certification of the office of the Secretary of the Commonwealth of Pennsylvania, that the name

"Torresdale Boys Club"

has been duly registered and has been approved in accordance with the provisions of article two of the Act of May 5, 1933 known as the "Non-Profit Corporation Law".

That the purposes of the proposed corporation are not only entirely lawful but are patriotic and laudable.

NOTICE OF FILING

The Master has given notice of the filing of this report to Edward C. Connolly, Esquire, solicitor for

the proposed corporation, a copy of said notice being attached hereto, made part hereof, and marked Exhibit "C".

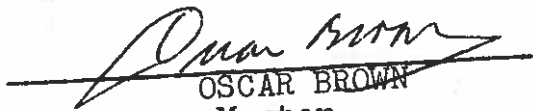
RECOMMENDATION

The Master recommends that the applicants have complied with all of the requirements of the Non-Profit Corporation Law of the Commonwealth of Pennsylvania; that the purposes of the proposed corporation, its plans and its methods are lawful and not injurious to the community, and there being no objection or reason for objection, the Master recommends that a charter be granted to

"Torresdale Boys Club"

as a Non-Profit Corporation.

Respectfully submitted,


OSCAR BROWN
Master

Proof of Publication in The Philadelphia Daily News
Under Act No. 587, Approved May 16, 1929

STATE OF PENNSYLVANIA } ss.:
 COUNTY OF PHILADELPHIA }

L. Scriboni being duly sworn, deposes and says that The Philadelphia Daily News is newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed or published in the regular editions and issues of the said newspaper on the following dates, viz.:

May 26, 1959

A. D. 19

and the day of

Affiant further deposes and says that he is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that he is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

L. Scriboni

Sworn to and subscribed before me this _____ day:

MAY 25 1959

Mary M. Sehest
 Notary P

My Commission Expires:
 Notary Public, Philadelphia, Philadelphia Co.
 My Commission Expires: May 9, 1961

Copy of notice or publication

IN THE COURT OF COMMON PLEAS
 NO. 1 FOR THE COUNTY
 OF PHILADELPHIA
 March Term, 1959. No. 3493.
 Notice is hereby given that an application will be made to the above court on Monday, June 8, 1959, at 10 A.M. (EST), in Room "B", No. 243, City Hall, Philadelphia, Pa., for the purpose of obtaining a charter of a proposed nonprofit corporation to be organized under the Nonprofit Corporation Law of the Commonwealth of Pennsylvania, approved May 5, 1933. The name of the proposed corporation is TORRESIDALE BOYS CLUB. The purposes for which it is to be organized are: To promote good sportsmanship and good citizenship among the junior members of the community by encouraging boys between the ages of 8 years and 16 years to participate in athletics of all kinds, and other recreational activities; and for this purpose to buy, sell, lease, hold, own, encumber, or in any lawful manner to deal in real or personal property, and to raise funds, and to do all other acts reasonably incident thereto. The articles of incorporation have been filed in the office of the Prothonotary of Philadelphia County, EDWARD C. CONNOLLY, Solicitor, 1600 Liberty Trust Bldg., Philadelphia, Pa.

Statement of Advertising Costs

To THE PHILADELPHIA DAILY NEWS, Dr.

For publishing the notice or advertisement attached hereto on the above stated dates	\$
Probating same	\$
Total	\$

HARRISBURG, April 23, 1959

I D HEREBY CERTIFY, That the name

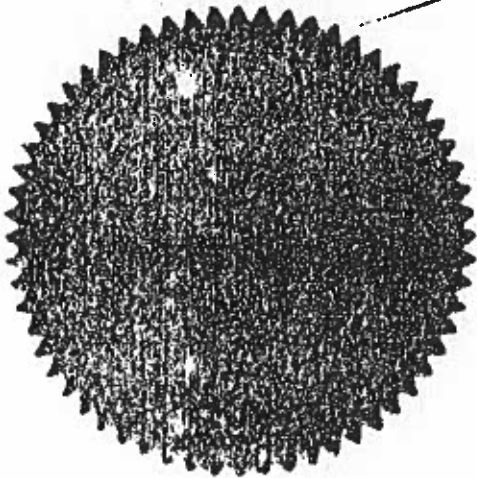
TORRESDALE BOYS CLUB

being available for use by a proposed nonprofit corporation, was this day duly registered in this office in accordance with the provisions of Article 11 of the Nonprofit Corporation Law, approved the fifth day of May, A. D. 1933, P. L. 289, as amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Department of State to be affixed, the day and year above written.

J. Rice
Secretary of the Commonwealth

CSB



April 23, 1959

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

J. Rice
Secretary of Commonwealth

IN RE:	:	COMMON PLEAS NO. 1
INCORPORATION OF	:	
TORRESDALE BOYS CLUB,	:	MARCH TERM, 1959
A NON-PROFIT ORGANI-	:	
ZATION.	:	NO. 3493

298-273

D E C R E E

AND NOW, this 28th day of August A.D. 1959, the Articles of Incorporation of TORRESDALE BOYS CLUB having been presented to the Court, with due proof of advertisement of notice of the application and the Certificate of the Department of State pertaining to the registration of the corporate name, and upon consideration thereof, the Articles are found to be in proper form and within the provisions of the Act of May 5, 1933, known as the Non-Profit Corporation Law, and the purposes appearing to be lawful and not injurious to the community,

IT IS ORDERED AND DECREED that the Articles be and they are hereby approved and that, upon the recording thereof and this Order, the Corporation shall come into existence for the purposes and upon the terms stated therein.

BY THE COURT:


Peter J. Higgins