

days thereafter, surrender himself to be taken on execution and abide the order of the court, or, if a corporation or trust with transferable shares, it will, within like time, pay the fine previously ordered, or pay to the plaintiff or creditor the amount due him upon the claim or execution as the case may be. In the superior court trial shall be by a jury or, with the consent of both parties, by the court.

Section 20. If at the examination of the debtor it appears that after service of supplementary process, the debtor has made a payment of money or a conveyance, assignment or transfer of property which is not exempt from being taken on execution, with intent to prevent it from being transferred or paid to the creditor or applied to the satisfaction of the judgment, and the court so certifies, the debtor or, in the case of a corporation or trust with transferable shares, its officer, trustee or agent as provided in section sixteen, may in the discretion of the court be committed as for a contempt. The payment by the debtor of a debt for necessities, or a debt due on any judgment on which he or it has previously been summoned to appear in supplementary proceedings, or a reasonable fee for counsel relative to the proceedings, shall not render him or it liable for contempt.

Section 21. Supplementary proceedings shall be dismissed, and if the debtor or, if a corporation or trust with transferable shares, its officer, trustee or agent, has been imprisoned, he or it shall be discharged from custody, on payment in full to the creditor or his attorney of the amount due on the judgment, with all the costs of the proceedings, or, unless the judgment is upon a bond or recognizance given under the provisions of this chapter, on the giving to the creditor or his attorney of a bond, payable to the creditor, with sufficient surety or sureties, approved by the creditor, his attorney or the court, conditioned that the debtor shall pay to the creditor the amount due on the judgment, with all the costs of the proceedings, within sixty days after the date of giving such bond or within such longer time as the court may allow.

Section 22. The court may issue a writ of habeas corpus to bring before it for examination or disposition or for the purpose of giving bond, a defendant or debtor or, in the case of a corporation or trust with transferable shares, its officer, trustee or agent who has been imprisoned under the provisions of this chapter.

Approved June 25, 1974.

Chap. 415. AN ACT PROVIDING FOR THE ACCEPTANCE BY CITIES, TOWNS AND FIRE DISTRICTS OF THE LAW RELATIVE TO THE COMPENSATION OF POLICE AND FIRE CHIEFS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for local acceptance of the law establishing salaries for police and fire chiefs in municipalities and fire districts of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 57G of chapter 48 of the General Laws, inserted by chapter 1182 of the acts of 1971, is hereby amended by adding the following paragraph:—

The provisions of this section relative to a city, town or fire district shall be in effect only in a city, town or fire district which accepts this section.

SECTION 2. The provisions of section fifty-seven G of chapter forty-eight of the General Laws, inserted by section one of this act, shall apply only to a person appointed as a police chief or fire chief upon the death or retirement of a person who is the incumbent of the office of police chief or fire chief on the effective date of this act.

Approved June 26, 1974.

Chap. 416. AN ACT DIRECTING THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY A CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF SALEM TO SOUTH ESSEX SEWERAGE DISTRICT AND FURTHER AUTHORIZING THE SAID SOUTH ESSEX SEWERAGE DISTRICT TO GRANT TEMPORARY RIGHTS OF WAY THROUGH SAID PARCEL OF LAND TO NEW ENGLAND POWER COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey a certain parcel of land immediately to meet requirements of the federal government for construction of certain sewerage facilities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of the department of natural resources, acting in the name and on behalf of the commonwealth, is hereby authorized and directed to convey, for a nominal consideration, by deed approved as to form by the attorney general, to the South Essex Sewerage District, for sewer treatment purposes and to meet the requirements of the federal government for construction of secondary or tertiary sewerage treatment facilities by the said South Essex Sewerage District, a certain parcel of land in the city of Salem, which is a portion of the land presently held by the commonwealth for use by its department of natural resources as a marine research station, and is bounded and described as follows:—

Beginning at a point on the southerly side of Fort Avenue in said Salem; said point being on the property line of the South Essex Sewerage District and being 25.94 feet from a stone bound at the northeast corner of said property; thence running by the southerly line of Fort Avenue, N 70°-36'-00" E, 15.16 feet; thence northeasterly on a curve with a radius of 790.66 feet a distance of 151.95 feet;