

AN ACT AUTHORIZING AGRICULTURAL AND OTHER CO-OPERATIVE CORPORATIONS WITHOUT CAPITAL STOCK TO PROVIDE IN BY-LAWS FOR VOTING OF MEMBERS BY PROXY. Chap. 23

Be it enacted, etc., as follows:

Section 13 of chapter 157 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "directors", in line 6, the words: — ; for voting of members by proxy, and the mode thereof, within such limitations and restrictions as may be specified therein, — so as to read as follows: — *Section 13.* In addition to the powers granted by section thirteen of chapter one hundred and fifty-six, any corporation organized under section ten may provide in its by-laws for the election of directors by districts; for the election of advisory directors who are not members, the number of whom shall not be greater than one fifth the total number of directors; for voting of members by proxy, and the mode thereof, within such limitations and restrictions as may be specified therein; for voting of members by mail in elections and on questions concerning the operation and business of the corporation; for the admission, withdrawal, suspension or expulsion of members; for dues and assessments to be paid by members and the conditions under which such dues and assessments shall be imposed and collected; for determining the rights and interests of members in the property of the corporation, whether equal or unequal; for establishing the basis of voting by the members, especially whether the votes of all members shall be equal, or in proportion to the land area leased or used by each member for production of the products handled by the corporation, or in proportion to the quantity of such products delivered by each member to the corporation during the preceding year; for an approved or established form of marketing contract; and for fines or other penalties for violation of its by-laws or marketing contract. No by-law shall be amended or repealed nor any new by-law adopted, unless notice of the proposed action is given in the call for the meeting at which the proposal is to be considered, or in the call for the vote if the vote is to be taken by mail.

G. L. (Ter. Ed.), 157, § 13, amended.

Proxy voting in certain co-operative corporations, authorized.

Approved January 27, 1954.

AN ACT RELATIVE TO THE POWER OF THE AUDITOR OF THE CITY OF BOSTON TO APPLY CERTAIN INCOME AND TAXES AND MAKE CERTAIN TRANSFERS IN CLOSING THE ACCOUNTS OF A FISCAL YEAR. Chap. 24

Be it enacted, etc., as follows:

Section 3B of chapter 486 of the acts of 1909, inserted by section 1 of chapter 604 of the acts of 1941, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— After December tenth in each year the city auditor may, with the approval of the mayor in each instance, apply any income and taxes not disposed of

and make transfers from any appropriation to any other appropriation for the purpose only of closing the accounts of the fiscal year. *Approved January 27, 1954.*

Chap. 25 AN ACT TO PROVIDE FOR THE FILLING OF VACANCIES IN THE FULL NUMBER OF TOWN MEETING MEMBERS IN THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 2 of the acts of 1938 is hereby amended by striking out section 8 and inserting in place thereof the following section:—*Section 8.* In the event that a vacancy occurs in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, the town clerk shall at once choose the person who received the highest number of votes as a defeated candidate for the office of town meeting member in the preceding election in the precinct where the vacancy occurs, and shall notify him of his election as a town meeting member. If for any reason this candidate cannot accept such appointment, the next highest in recorded vote of the defeated candidates in that precinct shall be appointed. In the event of a tie vote of those who received the highest votes as such defeated candidates, or in the event there is no such defeated candidate available, then the town clerk shall call together the town meeting members of the precinct where the vacancy occurs, and they shall, by majority vote of those members present, elect any registered voter of that precinct to fill such vacancy. The town clerk shall count the ballots, make a certificate of the choice, and notify the person so chosen; and, upon receipt by the town clerk of a written acceptance by the person so chosen, that person shall be deemed elected and qualified as a town meeting member, subject to the right of all the town meeting members to judge of the election and qualification of members, as provided in section four.

SECTION 2. This act shall take full effect upon its acceptance by the town of Natick by a majority vote of the town meeting members present and voting thereon at a limited town meeting called for the purpose, but not otherwise. *Approved January 27, 1954.*

Chap. 26 AN ACT TO CONSOLIDATE THE POWERS, DUTIES AND TRUSTS OF THE PARK COMMISSIONERS AND THE COMMISSIONERS OF PUBLIC WORKS IN THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. All the powers, duties and trusts of the park commissioners and the commissioners of public works of the town of Natick are hereby transferred to, and shall be exercised and performed by, three commissioners to be known as commissioners of public works and parks.