

HOUSE No. 385.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 17, 1890.

The committee on Probate and Insolvency, who were instructed to inquire into the expediency of legislation to protect employees and other creditors of foreign corporations doing business in this State, in the same manner that they are now protected in the case of domestic corporations, and also another order relative to making foreign corporations doing business and having property in this State subject to the insolvent laws of this State in respect to property and creditors within this State, report the accompanying Bill.

For the Committee,

WM. D. SOHIER.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety.

AN ACT

Concerning the Insolvency of Foreign Corporations.

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. All foreign corporations which
2 are or may be subject to the provisions of chapter
3 three hundred thirty of the acts of one thou-
4 sand eight hundred and eighty four, excepting
5 railroad and banking corporations, may take the
6 benefit of section one hundred twenty-seven of
7 chapter one hundred fifty-seven of the Public
8 Statutes and acts amendatory thereof, and sec-
9 tions one hundred twenty-eight, one hundred
10 twenty-nine and one hundred thirty of said chap-
11 ter shall apply to such corporations so far as any
12 property or assets within this Commonwealth are
13 concerned; and said corporations may be pro-
14 ceeded against in accordance with section one
15 hundred thirty-six of said chapter in the cases
16 in said section mentioned, and in such proceed-

17 ings service upon the commissioner of corpora-
18 tions shall be a sufficient notice to the corporation
19 of the presentment of the petition by creditors as
20 authorized by said statutes, and thereupon such
21 further proceedings shall be had as are in said
22 section authorized.

23 The petition shall be presented in the county
24 where said corporation has its principal place of
25 business within the Commonwealth.

1 SECT. 2. The assignees appointed under au-
2 thority of this act shall have all the title, rights,
3 powers, duties and privileges that assignees of
4 Massachusetts corporations have under chapter
5 one hundred fifty-seven of the Public Statutes so
6 far as any property rights or credits within this
7 Commonwealth or which may be put into their
8 possession by said corporation are concerned.
9 And it shall be their duty, as far as practicable,
10 to distribute such assets in such a manner that
11 all creditors of the insolvent corporation, whether
12 within this state or elsewhere, shall receive pro-
13 portionate dividends out of the assets of said
14 corporation, whether the same are within the con-
15 trol of said assignees or not, excepting always
16 that the claims entitled to priority under chapter
17 one hundred fifty-seven of the Public Statutes
18 shall have the same priority under this act as is
19 given in said chapter.

1 SECT. 3. This act shall take effect upon its
2 passage.

