

case of the absence, inability to act or interest on the part of a member thereof, or in the event of a vacancy on said board may designate any such associate member to sit as a member of the board until said vacancy is filled in the manner provided in this section.

*Approved March 25, 1958.*

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CHAP. 203. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO PAY T. FRANCIS KELLEHER A FEE FOR HIS SERVICES AS ATTORNEY FOR CERTAIN CITY EMPLOYEES.

*Be it enacted, etc., as follows:*

SECTION 1. For the purpose of discharging a moral obligation, the city of Newburyport is hereby authorized to appropriate and pay a fee in an amount not exceeding five hundred dollars to T. Francis Kelleher for his services as attorney for the defendants in an action brought by Charles K. Morrill against Frank Hamel and Edward Butler, constables employed by said city, on account of the performance of their official duties as such constables.

SECTION 2. This act shall take effect upon its acceptance by the mayor and the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved March 25, 1958.*

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CHAP. 204. AN ACT TO PROVIDE FOR THE DISTRIBUTION OF THE ASSETS OF CERTAIN CORPORATIONS UPON PETITION TO THE SUPREME JUDICIAL OR SUPERIOR COURT.

*Be it enacted, etc., as follows:*

Chapter 155 of the General Laws is hereby amended by inserting after section 51, as appearing in the Tercentenary Edition, the following section:— *Section 51A.* At any time within the period of three years or the extension of such period by reason of the pendency of any suit, as provided in section fifty-one, such corporation may petition the supreme judicial or superior court for leave to distribute the whole or part of its assets to the stockholders entitled thereto, and, after notice by certified or registered mail to the commissioner of corporations and taxation and to all known creditors and by publication once a week for three successive weeks in a newspaper of general circulation published in the city or town in which the principal office of the corporation is located, or in the county if no such newspaper is published in said city or town, the court may, after hearing, upon a finding that the interests of creditors, if any, and those of the commonwealth, if any, are reasonably protected, enter a decree permitting such distribution; and the directors shall not be subject to the liability set forth in section thirty-seven of chapter one hundred and fifty-six, on account of their declaration or assent to a dividend, including one or more liquidating dividends, to the stockholders entitled thereto, in accordance with said decree.

*Approved March 25, 1958.*