

L A W S

OF THE

STATE OF NEW HAMPSHIRE



PASSED JUNE SESSION, 1889.



MANCHESTER, N. H.:

JOHN B. CLARKE, PUBLIC PRINTER.

1889.

Non-sectarian.

SECT. 5. The principles and precepts of the Christian religion shall be inculcated, but the Nute high school shall not be a denominational or sectarian school.

Real estate.

SECT. 6. Said corporation is empowered to acquire by purchase or otherwise, and hold in fee simple or otherwise, any real and personal estate necessary for carrying into effect the purpose of this act, not exceeding three thousand dollars at the time of acquiring the title thereto.

May be taken by condemnation.

SECT. 7. If said corporation shall not be able to secure on satisfactory terms, or the owner thereof shall be unknown, the necessary land upon which to locate said high school and library buildings, the same not to exceed three acres in extent, said corporation may apply to the county commissioners for the county of Strafford, to assess the damage to the owners of such land; and such commissioners shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and shall assess and award damages to the owner or owners of such land as are required by said corporation on which to locate said high school and library buildings, which assessment and award shall be in writing and filed in the office of the town clerk of the town of Milton within ten days after the same is completed, and, upon payment or tender to the owner of the sum so assessed, the rights so taken shall be vested in said corporation.

Right of appeal.

SECT. 8. The same rights of appeal from such assessment and award shall exist as in the case of lands taken for highways by the action of said commissioners.

First meeting.

SECT. 9. The first meeting of the board of trustees may be called by any one of said trustees by a notice in writing, stating the time and place of the meeting, sent by mail to each of the corporators at least one week prior thereto.

Takes effect, when.

SECT. 10. This act shall take effect upon its passage.
[Approved August 14, 1889.]

CHAPTER 251.

AN ACT TO INCORPORATE THE BOSCAWEN AND PENACOOK WATERWORKS COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Meeting.
4. Real estate; ditches, pipes, etc.
5. Springs, streams, etc.
6. Contracts.

SECTION

7. Municipal stockholders.
8. Corporation may raise money by mortgage.
9. First meeting.
10. Subject to repeal; takes effect, when.

Be it enacted by the Senate and House of Representatives in General Court convened :

Corporation constituted.

SECTION 1. That John C. Pearson, E. E. Graves, Isaac K. Gage, A. C. Alexander, John E. Rines, E. S. Harris, Charles J.

Ellsworth, Charles E. Chadwick, Frank L. Gerrish, Willis G. Buxton, A. A. Harris, Charles H. Amsden, D. Arthur Brown, E. H. Brown, S. N. Brown, C. H. Sanders, W. H. Allen, H. F. Brown, S. I. Brown, J. H. Moore, S. Choate, J. C. Morrison, C. W. Webster, G. L. Pillsbury, N. S. Webster, C. W. Carter, Charles M. Rolfe, W. E. Sweatt, G. A. Morse, S. R. Mann, George Neller, F. Gilman, T. Blake, L. Gage, H. Bonney, J. Chandler, and their assigns, successors, and associates, shall be and hereby are made a body politic and corporate by the name of the Boscawen and Penacook Water-Works Company, for the purpose of furnishing water to those localities known as the Boscawen Plain Village, located in the town of Boscawen, and Penacook Village, located in said town of Boscawen and city of Concord, in subterranean pipes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and subject to all the liabilities incident to a corporation of a similar nature.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding in the whole the sum of one hundred thousand dollars. Capital stock.

SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places, and upon such notice, as may be provided by the by-laws of the corporation. Meeting.

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, real and personal estate necessary for the carrying into effect the purposes of this act; and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway through which it may be deemed necessary for the pipes and water-works of said corporation to pass, being or existing for the purpose of placing said pipes, hydrants, water-works, and such other material as may be deemed necessary for the constructing [of] said water-works, and to re-lay and repair the same, subject to such regulations as the safety of the citizens and security of the public travel as may be prescribed by the selectmen of said Boscawen or by the mayor and aldermen of said Concord. Real estate;
ditches, pipes,
etc.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, or ponds not belonging to any aqueduct or water-works company, and to secure such streams, springs, or ponds, by fences or otherwise; to dig ditches, make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for said pipes and water to pass, or said excavations, and reservoirs, and water-works to be or exist for the purpose of obtaining, holding, preserving, or conducting said water, and to place such pipes, other materials, or works as may be necessary for completing and operating said water-works or repairing the same; *provided*, that if it shall be necessary to enter upon and appropriate any springs, streams, or ponds, or land for the purpose aforesaid, to raise or lower the level of the same, and the said corporation shall not be able to Springs,
streams, etc.

agree with the owners thereof for the damages that may be done by said corporation, or the owners shall be unknown, either party may apply to the supreme court at the trial term in the county of Merrimack to have the damages determined, and said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided by law for laying out highways. Said commissioners shall make report to said court, and said court may issue execution therein accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, they shall be entitled to trial by jury in such manner and under such regulations as said court may prescribe.

Contracts.

SECT. 6. Said corporation may make any contract with the town of Boscawen or city of Concord, or both, or with any fire precinct in said town or city, or with any person or corporation, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary, and said town, or city, or both, or any fire precinct therein, now existing or hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants, or other apparatus for said purposes, and may raise and appropriate money therefor; and said corporation is hereby authorized and empowered to sell or lease for a term of years to said town or city, or both, or any fire precinct now existing or hereafter organized therein, all of its works, structures, and estate of whatever kind or nature; and said town, city, or fire precinct is hereby authorized to purchase or lease the same.

Municipal stock-holders.

SECT. 7. The town of Boscawen, city of Concord, or any fire precinct now existing or hereafter organized therein, are authorized to subscribe for stock in said corporation or become the owner of said stock, notes, bonds, or other obligations, by purchase, when thereto authorized by a two thirds vote at any meeting legally called and holden for that purpose, and any duly appointed agent of said town, city, or precinct may vote upon said stock, casting one vote for each share of stock so held by them at any meeting of the corporation.

Corporation may raise money by mortgage.

SECT. 8. Said corporation may borrow money for the purpose of constructing the water-works named herein, and issue its bonds or other obligation therefor, and to secure the same by mortgage upon said water-works, property, and franchises of said corporation.

First meeting.

SECT. 9. The three first named grantees, or any two of them, may call the first meeting of the corporation by publishing a notice thereof in a newspaper printed in said Penacook ten days before the day of meeting.

Subject to repeal; takes effect, when.

SECT. 10. This act may be amended or repealed whenever the public good requires the same; and it shall take effect upon its passage.

[Approved August 14, 1889.]