

# LAWS

OF THE

# STATE OF NEW HAMPSHIRE,

PASSED JANUARY SESSION, 1895.

LEGISLATURE CONVENED JANUARY 2, ADJOURNED MARCH 29, 1895.



CONCORD:

EDWARD N. PEARSON, PUBLIC PRINTER.

1895.

## CHAPTER 217.

## AN ACT TO INCORPORATE THE HAVERHILL WATER COMPANY.

## SECTION

1. Corporation constituted.
2. Capital.
3. Meetings, where and when held.
4. May hold real and personal estate ;  
privileges granted.
5. Eminent domain.

## SECTION

6. Corporation may make contracts to  
furnish water, etc.
7. May borrow money and issue bonds.
8. First meeting.
9. Repealing clause ; act takes effect.
10. Time limit.

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

SECTION 1. William F. Westgate, Tyler Westgate, Charles P. Page, John W. Merrill, George H. Westgate, and Harry W. Leith, and their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Haverhill Water Company, for the purpose of bringing water in subterranean pipes into the village of Haverhill Corner, so called, in the town of Haverhill, and supplying individuals and corporations, therein and elsewhere, with water for domestic use and the extinguishment of fires, and for other purposes; and by that name may sue, prosecute, and defend to final judgment and execution, and are hereby vested with all the powers and subject to all the liabilities incident to corporations 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 be from time to time determined by the directors of said corporation, not exceeding in the whole the sum of twenty-five thousand dollars.

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

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real and personal estate necessary for the carrying into effect the purposes of this act, and may purchase and hold any existing aqueduct now supplying water to the village of Haverhill Corner, so called, in said town of Haverhill; and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, common, passage-way, or highway through which it may be deemed necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants, or water-works, and such other material as may be deemed necessary for constructing said water-works, and re-lay and repair the same, subject to such regulations as to the safety of the citizens and security of the public travel as may be prescribed by the selectmen of the town of Haverhill.

Eminent domain.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, or ponds situate in the towns of Haverhill and Piermont, and not belonging to any aqueduct company, and to secure such springs, streams, or ponds, by fences or otherwise, and dig ditches, make excavations and reservoirs through, over, in, and upon any land or enclosure 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 placing said pipes, other materials, or works as may be necessary for the building and operating such 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, or to raise or lower the level of the same, and the corporation shall not be able to agree with the owners thereof for the damage which may be done by said corporation, or the owners shall be unknown, either party may apply to the supreme court at a trial term of the same in the western judicial district of the county of Grafton to have the same laid out and 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 the laying out of highways, and said commissioners shall make report to said court, and said court may issue execution thereon accordingly; but if either party shall desire it, upon application to said court, before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

Corporation may make contracts to furnish water, etc.

SECT. 6. Said corporation may make any contract with any high school district, academy, seminary, or other literary institution, or with any fire precinct which may now or hereafter be established by law at Haverhill Corner, so called, in said town of Haverhill, or with any persons or corporations, to furnish water, hydrants, or other means of extinguishing fires, and for such other purposes as may be deemed necessary; and said high school district, academy, seminary, or other literary institution or fire precinct therein hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants, or other apparatus for said purpose, and may raise and appropriate money therefor; and any corporation taking or using the water of this company may take and hold stock therein.

May borrow money and issue bonds.

SECT. 7. Said corporation may borrow money for the purpose of constructing the water-works named herein, and issue its bonds or other obligations therefor, and secure the same by mortgage upon the said water-works property, assets, and franchises of said corporation.

First meeting.

SECT. 8. The three persons first named in this act, or any two of them, may call the first meeting of the corporation by personal notice to all the grantees, at which meeting associates may be

elected, by-laws adopted, and a president, clerk, and such other officers and agents as may be deemed necessary, may be chosen.

SECT. 9. The legislature may alter, amend, or repeal this act whenever the public good may require the same; and this act shall take effect upon its passage. Repealing clause; act takes effect.

SECT. 10. This act shall be void unless the incorporators herein named shall organize as herein provided within one year, and shall bring water as herein provided into the village of Haverhill Corner, so called, within three years from the passage of this act. Time limit.

[Approved March 13, 1895.]

## CHAPTER 218.

AN ACT TO AMEND SECTION 2 OF THE CHARTER OF THE CASCADE ELECTRIC LIGHT AND POWER COMPANY OF BERLIN.

### SECTION 1. Capital.

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

SECTION 1. Section 2 of the charter of the Cascade Electric Light and Power Company is hereby amended so as to read: The capital stock of said corporation shall be fifteen thousand dollars, but may be increased by vote of the stockholders to not more than one hundred thousand dollars. Capital.

[Approved March 13, 1895.]

## CHAPTER 219.

AN ACT TO EXTEND THE CHARTER OF THE SALMON FALLS BANK.

### SECTION

1. Charter made perpetual; proviso.

### SECTION

2. Takes effect.

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

SECTION 1. That the charter of The Salmon Falls Bank be and the same hereby is extended and made perpetual: *Provided*, however, that the same shall be subject to all provisions of the Public Statutes relating to similar corporations. Charter made perpetual; proviso.

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

Takes effect.

[Approved March 13, 1895.]