

Ossian Ray

L A W S

OF THE

OSSIAN RAY.

STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1887.



CONCORD:

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1887.

CHAPTER 222.

AN ACT TO INCORPORATE THE NEWPORT WATER-WORKS COMPANY.

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

Corporation
constituted.

SECTION 1. That F. W. Lewis, D. M. Currier, D. J. Mooney, S. M. Richards, E. C. Converse, Samuel Prescott, F. P. Rowell, George H. Dana, A. S. Wait, S. L. Bowers, R. M. Rowe, Dexter Richards, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Newport Water-works Company, for the purpose of bringing water into the village in Newport in said state by 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 privileges and made subject to all the liabilities incident to corporations of a similar nature.

Capital stock.

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.

Meeting.

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

Real estate;
ditches in public
ways.

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 said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, 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, water-works, and such other material as may be deemed necessary for constructing said water-works, and to relay 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 said town of Newport.

In private lands;
damages.

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, and dig ditches, make excavations and reservoirs through, over, in, or 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 such pipes, other material, or works as may be necessary for 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 said corporation shall not be able to 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 Sullivan 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 of 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 commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

SECT. 6. Said corporation may make any contract with said town of Newport, or with any fire precinct in said town, or with any persons or corporations 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 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 purpose, 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 any fire precinct now existing or hereafter organized therein, all of its works, structures, and estate of whatever kind or nature. And said town or fire precinct is hereby authorized to purchase or lease the same.

Contract and lease.

SECT. 7. The first two corporators herein named may call the first meeting of the corporation by giving a notice in writing to each of the corporators of the time and place of meeting at least seven days before the day of meeting, or by leaving the same at his last and usual place of abode; and at said meeting, or at any adjourned meeting thereof, associates may be admitted, all proper officers chosen, the capital stock fixed, and such by-laws and regulations adopted as may be necessary to carry into effect the business of the corporation.

First meeting; officers, by-laws.

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 secure the same by mortgage upon the said water-works, property, assets, and franchises of said corporation.

Bonds.

SECT. 9. This act may be altered, amended, or repealed whenever the public good may require, and shall take effect upon its passage.

Takes effect, when.

[Approved August 4, 1887.]