

L A W S

OF THE

STATE OF NEW HAMPSHIRE,

PASSED

JUNE SESSION, 1849.

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CONCORD:  
BUTTERFIELD & HILL—STATE PRINTERS.  
1849.

be under the care, superintendence and control of a board of ten trustees, six of whom shall constitute a quorum, to be elected by the Baptist convention of this State, as often and at such periods as that body shall deem expedient. And the principal or president of the institution shall be a member, *ex-officio*, of the board, but shall have no right to vote in the appointment of instructors.

SEC. 2. *And be it further enacted*, That the trustees shall have power to hold funds for the exclusive benefit of the theological department, in personal or real estate, the annual income of which shall not exceed twenty thousand dollars, with power to invest any part thereof in any real or personal estate now holden by the corporation; and all donations, bequests and devises, which have heretofore been made, or which are now made for the benefit of the theological department thereof, shall inure to and be taken and held by said trustees, for the sole and exclusive benefit of said department. And they shall have the further power to hold funds, in personal or real estate, for the exclusive benefit of the academical department, the annual income of which shall not exceed five thousand dollars; and they shall be authorized to keep the pecuniary affairs of the academical and theological departments separate from each other, and shall apply the income arising from the funds of each department for its separate maintenance.

SEC. 3. *And be it further enacted*, That Josiah Quincy of Rumney, Anthony Colby of New London, and Eli B. Smith of New Hampton, or any two of them, shall be authorized to call a meeting of the proprietors of the academical and theological institution, by publishing a notice in the New Hampshire Patriot and State Gazette, of the time and place of said meeting, three weeks successively, the last publication to be prior to the meeting, at which, if a majority of the members present shall vote to accept the provisions of this act, it shall then take effect and become a law.

SEC. 4. *And be it further enacted*, That all provisions in the acts to which this is in amendment, inconsistent with the provisions of this act, are hereby repealed; and the legislature may at any time, when the public good shall require, alter, amend or repeal this act, or any of the provisions thereof.

Approved, July 6, 1849.

## CHAPTER 916.

AN ACT to incorporate the Torrent Aqueduct Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court convened*, That Nathan Call, George

Hutchins, John C. Wilson, Eliphalet Gale, William B. Parker, William Hopkins, William Hart, their associates, successors and assigns, be and they hereby are constituted and made a body corporate and politic, by the name of the Torrent Aqueduct Association, for the purpose of bringing pure fresh water into the principal village of Concord, in subterraneous pipes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, in any court of competent jurisdiction, and are vested with all the powers and made subject to all the liabilities incident to corporations of a similar nature.

SEC. 2. The capital stock of said corporation shall consist of such sum, not exceeding twenty thousand dollars, and be divided into such number of shares as shall be fixed and agreed upon at the first meeting of the stockholders called for the choice of officers. The annual meeting of the stockholders shall be holden on the day prescribed in the by-laws, at which a board of directors, not exceeding five, shall be chosen by ballot, who shall choose a president, clerk, treasurer, and such other officers and agents as may be deemed necessary to carry into effect the purposes of the association. The three persons first named, or either two of them, may call the first meeting, by publishing a notice of the time, place, and purposes thereof, in one or more of the public newspapers printed in Concord, ten days at least before the day of meeting. Such notice of the annual and special meetings of the association shall be given as the by-laws may require.

SEC. 3. Said corporation is hereby empowered to purchase and hold in fee simple or otherwise, such springs, fountains, and other personal and real estate as may be necessary for carrying into effect the purposes of this act, not exceeding in value the sum of six thousand dollars. And said corporation is hereby authorized to enter upon and break up ground and dig ditches in any street or highway through which it may be necessary for said aqueduct, in the course thereof, to pass, for the purpose of placing such pipes as may be necessary for building and completing said aqueduct, or of repairing the same, provided no injury shall be done to such street or highway.

SEC. 4. Any person who shall wantonly and maliciously injure said aqueduct, and be thereof convicted upon indictment founded against him, shall be punished by fine not exceeding three hundred dollars, and shall be liable to pay treble damages to said corporation, to be recovered in an action on the case before any court of competent jurisdiction.

SEC. 5. The legislature may alter, amend or repeal this act, or any of its provisions, whenever the public good may require.

SEC. 6. This act shall take effect upon its passage.

Approved, July 7, 1849.