

*New Hampshire Collection*

**L A W S**

**OF THE**

**STATE OF NEW HAMPSHIRE,**

**PASSED**

**JUNE SESSION, 1851.**



**CONCORD:**

**BUTTERFIELD AND HILL, STATE PRINTERS.**

**1851.**

## CHAPTER 1190.

## AN ACT incorporating the Belknap Aqueduct.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court convened,* That Levi G. Hill, Joseph H. Smith, Moses Paul, Charles W. Woodman, their associates, successors and assigns, shall be and hereby are made a body politic and corporate, by the name of the Belknap Aqueduct, for the purpose of bringing fresh water into the town of Dover, in subterraneous 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 corporations of a similar nature.

SEC. 2. The capital stock of said corporation shall consist of such number of shares (not exceeding in amount the sum of thirty thousand dollars nor less than five thousand dollars) as said corporation may from time to time determine. The annual meeting of the members or stockholders of said corporation shall be holden at the time and place prescribed by the by-laws, at which meeting not less than three nor more than five directors shall be chosen by ballot. The directors may call special meetings of the stockholders whenever they shall deem it expedient, giving such notice as the corporation by their by-laws shall direct. The three first named persons in this act, or either of them, may call the first meeting of the corporation, by a notice published two weeks successively in two newspapers published in Dover, at which meeting associates may be admitted, by-laws adopted, and a president and clerk and such other officers and agents as may be deemed necessary to carry into effect the objects of this act may be chosen.

SEC. 3. The said corporation is hereby empowered to purchase and hold in fee simple any real estate necessary for the purposes of carrying into effect the objects of this act, not exceeding in value the sum of ten thousand dollars; and the said corporation is hereby authorized to enter upon and appropriate any pond or spring not belonging to any other aqueduct company, and to break up any ground, and secure by fences such pond or spring, and dig ditches in any land or enclosure or in any street or highway through which it may be necessary for said aqueduct to pass for the purpose of obtaining and preserving such water and placing such pipes as may be necessary for building and completing said aqueduct or of repairing the same: *Provided*, that in case the said corporation and any person or persons injured by the proceedings of said corporation under this act, shall not agree upon the compensation to be made for the damage that may be done to them by said corporation, either party may petition the court of common pleas sitting in the county of Strafford, for redress, and said court shall refer the same

to the board of road commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law upon petitions for laying out highways, and said commissioners shall make a report to said court, who are hereby authorized to render judgment upon said report and issue execution accordingly. If either party shall deem themselves aggrieved by the report of said commissioners, such party shall be entitled to a trial by jury, which shall be had in such manner and form and under such regulations as shall be prescribed by said court.

SEC. 4. If any person shall maliciously injure said aqueduct, and shall be convicted thereof upon indictment duly found against him, he shall be punished by a fine not exceeding three hundred dollars, and shall be liable to pay treble damages to said corporation, to be recovered by an action on the case.

SEC. 5. The legislature may alter, amend or repeal this charter whenever in their opinion the public good requires the same.

SEC. 6. This act shall take effect upon the passage thereof: *Provided*, that nothing herein contained shall be so construed as to authorize said corporation to enter upon or appropriate any land, pond or spring for their use without the consent of the owners thereof.

Approved, July 5, 1851.

## CHAPTER 1191.

### AN ACT to incorporate the Nashua Aqueduct.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court convened*, That Seth Williams, jr., Thomas W. Gillis, Moses A. Herrick, Aaron P. Hughes and Leonard W. Noyes, their associates and successors, be and they hereby are made a body politic and corporate by the name of the Nashua Aqueduct, for the purpose of bringing water into the villages of Nashua and Nashville, by means of subterranean pipes, for the supply of the inhabitants of said villages, and are hereby invested with all the powers and privileges, 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 a sum not exceeding twenty thousand dollars, and shall be divided into shares of one hundred dollars each.

SEC. 3. Said corporation is hereby empowered to purchase, take and hold such real and personal estate, not exceeding in value the sum of six thousand dollars, and to erect, construct and maintain such buildings and other works as may be necessary for carry-