

# L A W S

OF THE

## STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1887.



MANCHESTER, N. H.:  
JOHN B. CLARKE, PUBLIC PRINTER.  
1887.

## CHAPTER 166.

## AN ACT TO INCORPORATE THE HILLSBOROUGH WATER-WORKS.

## SECTION

1. Corporation constituted.
2. Capital stock.
3. Meetings and directors.
4. Real estate, ditches, and pipes.

## SECTION

5. Springs, etc.; damages.
6. Contracts, bonds.
7. First meeting; officers, by-laws.
8. Takes effect, when.

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

SECTION 1. That William Birnie, Charles L. Goodhue, Thomas N. Birnie, John C. Campbell, George E. Gould, and Samuel W. Holman, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the "Hillsborough Water-works," for the purpose of bringing water into the village of Hillsborough Bridge, or to any other part of the town of Hillsborough in the county of Hillsborough, for domestic uses, the extinguishment of fires, and such other purposes as may be deemed necessary, 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. Corporation constituted.

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 one hundred thousand dollars. Capital stock.

SECT. 3. The annual meeting of said corporation shall be holden at such time and place as may be prescribed by the by-laws or appointed by the directors, at which meeting not less than three nor more than seven directors shall be chosen by ballot. The directors may call special meetings whenever they shall deem it necessary, giving such notice as the by-laws may prescribe. Meetings and directors.

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, including all the real estate and personal property now owned by Goodhue & Birnie in said town of Hillsborough, not exceeding in value sixty thousand dollars at the time of the purchase, and to purchase and assume all contracts made by said Goodhue & Birnie with the Hillsborough Bridge Village Fire Precinct or any of its inhabitants for the use of water for domestic uses, the extinguishment of fires, or other purposes; 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 pur- Real estate, ditches, and pipes.

pose of placing said pipes, water-works, and such other material as may be deemed necessary for building 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 the town of Hillsborough.

Springs, etc.;  
damages.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, or ponds 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, or upon any land or inclosure through which it may be necessary for said pipes and water to pass or said excavations, reservoirs, and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water and placing such pipes, other materials, 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 any land for the purpose aforesaid, or to raise or lower the level of the same, and said corporation shall not be able to agree with the owners thereof for the damages that may be done by said corporation, or the owner shall be unknown, either party may apply to the supreme court at a trial term in the county of Hillsborough 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 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 a trial by jury in such manner and under such regulations as said court may prescribe.

Contracts,  
bonds.

SECT. 6. Said corporation may contract with individuals and corporations for supplying them with water, establish such tolls and charge such rents for the use of water as shall be deemed reasonable; and said corporation is authorized to borrow money to defray the cost of such water-works, and to issue the notes, bonds, or obligations of said corporation therefor, payable at such times and at such rate of interest, not exceeding six per cent, as they may determine, and may, if they deem it expedient, secure such notes, bonds, or obligations by a mortgage of all their estate, real and personal, which mortgage shall be recorded in the office of the register of deeds for the county of Hillsborough.

First meeting;  
officers, by-laws.

SECT. 7. Any two of the corporators named in this act 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 notice published in some newspaper published in said Hillsborough at least fourteen days before said meeting; and at said meeting, or any adjourned meeting thereof, or at any subsequent meeting duly called, associates may be admitted and all proper officers chosen, the number and par value of shares fixed, and such by-

laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation.

SECT. 8. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect on its passage. Takes effect, when.

[Approved June 23, 1887.]

## CHAPTER 167.

### AN ACT TO AMEND THE CHARTER OF THE WOLFEBOROUGH AND TUFTONBOROUGH ACADEMY.

#### SECTION

1. Name changed.
2. Management; by-laws.
3. Trustees.
4. Their powers; tax exemption.

#### SECTION

5. Non-sectarian Christianity.
6. First meeting.
7. Non-assenting stockholders.
8. Takes effect, when.

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

SECTION 1. The name of the Wolfeborough and Tuftonborough Academy is hereby changed to the Brewster Free Academy. Name changed.

SECT. 2. The entire affairs of the corporation shall be under the general management of a board of trustees, constituted in the manner described in the next section of this act. Said board may fully exercise all corporate powers and transact all corporate business. A majority of the trustees shall constitute a quorum for the transaction of business. The trustees may from time to time make such regulations and by-laws, not repugnant to the constitution and laws of this state, for the management of the interests and concerns of said corporation, as they may think proper; and also appoint such and so many officers and agents as they may think proper, and prescribe their powers and duties. Management; by-laws.

SECT. 3. The board of trustees shall hereafter be composed of eleven members, four of whom shall be members *ex officio*, and seven of whom shall be selected as hereinafter provided. The four *ex-officio* members shall be the principal of the academy to be elected by the board and the three trustees under the seventh or residuary clause in the will of John Brewster, the three present trustees being William Brewster, John L. Brewster, and Arthur F. Estabrook. The trustees under said will and their several successors in said trust under said will shall each be trustees of the academy so long as they severally remain trustees under said will. The seven following persons shall constitute the remaining members of the board: Judge Jeremiah Smith, of Dover; John K. Lord, of Hanover; Charles U. Bell, of Lawrence; and Joseph L. Avery, Benjamin F. Parker, Albert W. Wiggin, and Charles H. Parker, of Wolfeborough. The seven trustees last named shall at the first meeting draw lots for terms of one, two, three, four, five, six, and seven years respectively. Thereafter the term of one member shall expire each year according to said drawing, and at the annual meeting of each year a Trustees.