

Ossian Ray

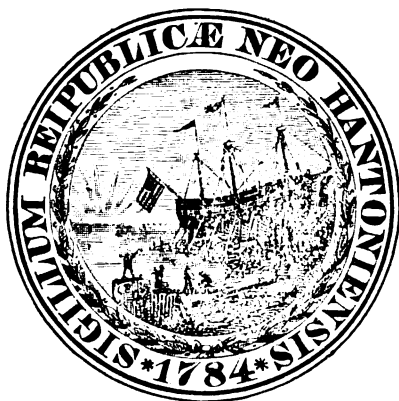
L A W S

OF THE

OSSIAN RAY.

STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1887.



CONCORD:

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1887.

CHAPTER 223.

AN ACT TO AUTHORIZE THE LEBANON CENTRE VILLAGE FIRE PRECINCT TO ESTABLISH WATER-WORKS.

SECTION

- 1. Limitation of real estate; reservoirs, ditches, pipes, etc.
- 2. Streams, ponds, etc.
- 3. Damages.
- 4. Contracts.
- 5. Water-rates, superintendent.

SECTION

- 6. Limitation of indebtedness, bonds.
- 7. Annual payments.
- 8. Rights limited.
- 9. Acts legalized.
- 10. Takes effect, when.

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

Limitation of real estate; reservoirs, ditches, pipes, etc.

SECTION 1. The Lebanon Centre Village Fire Precinct, in Lebanon in this state, is hereby authorized and empowered to construct, manage, and own water-works for the purpose of introducing an adequate supply of water for extinguishing fires, for the use of the citizens of said precinct, and for such other purposes as may be required (but if water is taken from Mascoma River, and is used under the provisions of this act for motive power, it shall be returned to said river above the place of the dam across said river now known as Shaw's dam), and for that purpose may take, purchase, and hold real estate not exceeding in value at the time when the same shall be so acquired the sum of fifty thousand dollars; and to construct and maintain such dams, reservoirs, and other works as may be deemed necessary and proper, and to dig ditches in the highways and streets in said precinct, and to place and maintain pipes therein for conducting water, and to relay, change, and repair the same at pleasure, having due regard for the safety of its citizens and the security of the public travel.

Streams, ponds, etc.

SECT. 2. Said precinct is also authorized and empowered to take and appropriate any stream in said town of Lebanon, and to raise and lower the waters in the same, and to dig canals and ditches in any lands through which it may be desirable for its aqueducts to pass, so far as may be deemed necessary and proper for the purpose of obtaining, accumulating, preserving, and conducting water for the use of said water-works; and to place pipes and to make other suitable works for building, maintaining, operating, and repairing said water-works, with the right to relay, change, and repair the same at any time.

Damages.

SECT. 3. In case said precinct shall take and appropriate any real estate, rights in real estate, water-rights, stream, or other rights as aforesaid, or shall so make its dams and aqueducts as to raise or lower the water in any stream, or to affect the supply of water therefrom to any mills or privileges, to the injury of any person having rights in said water, and shall not agree with the owner or party injured upon the damages to be paid by the precinct therefor, said precinct or said owner or party injured may apply to the county commissioners for the county of Graf-

ton for an assessment of said damages; and said commissioners, after due notice to the parties interested and a hearing, shall assess and award the damages to the party entitled thereto, which assessment and award shall be in writing and filed in the office of the clerk of said town of Lebanon; and upon payment or tender to the owner or party injured of the sum so assessed, the rights so taken shall be vested in said precinct, but the same right of appeal from such award shall exist as in case of lands taken for highways by the action of said commissioners.

SECT. 4. All contracts and obligations made by said precinct with any persons or corporations for the purpose of acquiring and securing any real estate, rights in real estate, water-rights, stream, pond, or rights as aforesaid, or water for the uses and purposes of the water-works authorized by this act, or for the purpose of adjusting any damages thereby, shall be valid and binding according to the terms thereof. Contracts.

SECT. 5. Said precinct is also authorized and empowered to contract with individuals and corporations for supplying them with water, and to make such contracts and to establish such regulations and tolls for the use of water as may from time to time be deemed proper; and for the more convenient management of said water-works, the precinct may, after the construction of the same, place them under the direction of a superintendent or board of water commissioners, or both, with such powers and duties as may from time to time be prescribed by said precinct. Water-rates, superintendent.

SECT. 6. Said precinct is also authorized to borrow such sums of money, on the credit of the precinct, as may from time to time be deemed advisable for the purpose of defraying the expense of constructing, maintaining, and operating said water-works, such indebtedness at any one time not to exceed the sum of fifty thousand dollars; and to issue notes or bonds of the precinct therefor, payable at such times and with such rates of interest as said precinct shall determine, and such notes and bonds shall be legal and binding on said precinct. Limitation of indebtedness, bonds.

SECT. 7. Said precinct is authorized to raise by taxation and pay in each year the interest of the notes and bonds so issued, and such part of the principal as said precinct may determine. Annual payments.

SECT. 8. This act shall not be so construed as to grant to or enlarge the right of said precinct to control the discharge of the water from Mascoma Lake, nor to limit or restrict whatever rights the Mascoma Improvement Company have to raise or lower the water in said lake and to control the discharge of water therefrom. Rights limited.

SECT. 9. The votes and resolutions of said precinct at its adjourned meeting, held on the 18th day of September, A. D. 1886, and all acts and contracts heretofore or hereafter made by the committee thereby chosen and elected, in pursuance of said votes and resolutions, are hereby ratified and made legal and binding upon said precinct. Acts legalized.

SECT. 10. This act shall take effect upon its passage.
[Approved August 4, 1887.]

Takes effect, when.