

L. Blough

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OF THE

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION,

1891.

Legislature Convened January 7, Adjourned April 11, 1891.

WITH AN APPENDIX, CONTAINING THE LAWS PASSED AT A SPECIAL
SESSION, DECEMBER, 1890.



TEMPLE & FARRINGTON COMPANY,
STATIONERS & BLANK BOOK MANUFACTURERS,
MANCHESTER, N.H.

CHAPTER 148.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE LACONIA AND LAKE VILLAGE WATER-WORKS."

SECTION

1. Charter amended.

SECTION

2. Takes effect.

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

Charter amended.

SECTION 1. Section 6 of the act entitled "An act to incorporate the Laconia and Lake Village Water-works," approved September 7, 1883, is hereby amended by striking therefrom the words, "not exceeding in all one half the cost thereof," so that said section shall read as follows: "Said corporation is authorized to borrow money to defray the expense of said works, and to issue the notes, bonds, or obligations of said corporation therefor, payable at such times and at such rates of interest, not exceeding six per cent, as they may determine, and may, if they deem 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 Belknap county."

Takes effect.

SECT. 2. This act shall take effect upon its passage.
[Approved February 18, 1891.]

CHAPTER 149.

AN ACT TO INCORPORATE THE PETERBOROUGH WATER-WORKS COMPANY.

SECTION

1. Corporation constituted.
2. Capital.
3. Meetings.
4. Privileges in highways.
5. Eminent domain.

SECTION

6. May sell, lease, or contract.
7. First meeting.
8. May issue bonds.
9. Time limited.
10. Subject to repeal; takes effect.

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

Corporation constituted.

SECTION 1. That Frank G. Clarke, Charles Scott, Thomas B. Tucker, Alden B. Tarbell, Ebenezer W. McIntosh, Charles H. Brooks, Henry K. French, George H. Scripture, William Ames, George W. Farrar, John R. Miller, and Daniel M. White, all of said Peterborough, their associates, successors, and assigns, shall

be and hereby are made a body politic and corporate by the name of the Peterborough Water-Works Company, for the purpose of bringing water into the village of Peterborough, 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.

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 seventy-five thousand dollars. ^{Capital.}

SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places, and upon such notice, as may be provided by the by-laws of the corporation. ^{Meetings.}

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, passageway, 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 materials as may be deemed necessary for constructing said water-works, and to re-lay 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 Peterborough. ^{Privileges in highways.}

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 inclosure through which it may be necessary for such 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 said pipes or other materials, or such works as may be necessary for the 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 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 for a 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.

May sell,
lease, or con-
tract.

SECT. 6. Said corporation may make any contract with said town of Peterborough, 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 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 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.

First meeting.

SECT. 7. Any 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 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 deemed necessary to carry into effect the business of the corporation.

May issue
bonds.

SECT. 8. Said corporation may borrow money for the purpose of constructing the water-works named herein, and issue its bonds or other obligations therefor, and secure the same by mortgage upon the said water-works property, assets, and franchises of said corporation.

Time limited.

SECT. 9. This act shall be void unless the incorporators herein named shall organize as herein provided within one year, and shall bring water as herein provided into the village of Peterborough within three years, from the passage of this act.

Subject to re-
peal; takes
effect.

SECT. 10. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect upon its passage.

[Approved February 18, 1891.]