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The State of New-Hampshire,



PASSED JUNE SESSION,

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CHAPTER 438.

An Act incorporating the Piscataqua Aqueduct.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court convened,* That James Pickering, Kittredge Sheldon, Willimn Simes and Ira Hazelton, their associates, successors and assigns, shall be, and hereby are, made a body politic and corporate by the name of the Piscataqua Aqueduct, for the purpose of bringing fresh water into the town of Portsmouth 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.

§ 2. The capital stock of said corporation shall consist of such number of shares (not exceeding in amount the sum of twenty thousand dollars,) as shall be fixed and agreed upon at the first meeting, called for the choice of officers. The annual meeting of the members or stockholders of said corporation shall be holden on the day and place prescribed by the by-laws, at which meeting three 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 two 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 the two principal newspapers published in said Portsmouth, 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.

§ 3. The said corporation is hereby empowered to purchase, and hold in fee simple, any real estate necessary for the purpose of carrying into effect the objects of this act, not exceeding in value the sum of six thousand dollars. And the said corporation is hereby authorized to enter upon and break up ground, 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 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 the owners of land through which said aqueduct must pass shall not agree upon the compensation to be made for the damage done to said land, either party may petition the court of common pleas, sitting in the county of Rockingham, 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.

§ 4. If any person shall maliciously and wantonly 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.

§ 5. The legislature may alter, amend or modify the provisions of this act, or repeal the same, notice being given to said corporation, and an opportunity to be heard.

§ 6. This act shall take effect upon the passage thereof.

Approved July 16 1847.

CHAPTER 439.

An Act to incorporate the Sagamore Steam Power Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Court convened,* That Daniel H. Treadwell, William Simes and Thomas E. Call, their associates, successors and assigns, be, and they hereby are, made and constituted a body corporate and politic by the name and style of The Sagamore Steam Power Manufacturing Company, for the purpose of establishing and carrying on, in the town of Portsmouth, by steam power or otherwise, the manufacturing of woollen or cotton yarns, cloths, goods and stuffs, and in iron and other metals, and any kind of machinery or engines.

§ 2. Said corporation may purchase, take and hold any real and personal estate necessary or useful for said manufactory, provided the capital stock of said company shall not at any time exceed the sum or value of five hundred thousand dollars, exclusive of goods manufactured by them for sale, and property received in satisfaction of debts due to the company until the same may be disposed of, and debts due to the company contracted in the course of their business, and not by way of loan or for purpose of investment. And said corporation shall have and may exercise all the powers and privileges, and shall be subject to the same rules and regulations which by law are incident to or govern other corporations of a like nature, though not herein enumerated.